

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



MEMORANDUM

TO: Zoning Commission Members

FROM: Richard S. Nero, Jr., Acting Director 
Office of Zoning

DATE: June 30, 2009

SUBJECT: Z.C. Case No. 07-35A (Sheridan Terrace Redevelopment, LLC and DCHA – Request For Minor Modification)

The applicant, Sheridan Terrace Redevelopment, LLC and DCHA, has filed with the Zoning Commission a Request for a Minor Modification to the Planned Unit Development approved in Z.C. Order No. 07-35, with an effective date of March 27, 2009. This submission sets forth the request and outlines the nature and rationale for the consent calendar request.

Below, in summary fashion, are the written comments and recommendations to the Zoning Commission pursuant to **§ 3030, Consent Calendar**.

3030.2 For purposes of this section, "minor modifications" shall mean modifications of little or no importance or consequence.

The request is for a modification to the previously approved PUD in Zoning Commission Order No. 07-35. The Applicant requests that the Commission approve three changes:

- 1) An increase in the flex space from 5,000 square feet to 7,735 square feet, with a corresponding decrease in parking from 65 to 55 spaces. The Applicant notes that the increase in flex space is to accommodate a wellness center, and that even with the decrease in parking, the parking will still surpass the number of spaces (48) required by the Zoning Regulations;
- 2) Reduction in side yard from five feet to two and one-half feet for the townhomes on Lots 5 and 14. This change results from more recent survey information; and
- 3) A change in the height and unit type for the D2 model. The approved D2 model was a four-bedroom unit (without a garage) that was 37 feet, 6 inches tall and 1,757 square feet. The replacement unit would have two-bedroom

and be 28 feet tall and 1,159 square feet. This change is based on a request for more two-bedroom units and increases in construction costs. The approved number of D2 units (14) remains unchanged.

The requested modification appears to have only a minor affect on the essential elements of the approval given by the Zoning Commission for this project, such as use, height, gross floor area, lot occupancy, setbacks or number of parking spaces. The request is also consistent with the approved elements of the amenity package.

3030.4 The request shall be in writing; state the nature of, and reasons, and grounds for the minor modification or technical correction; and include a copy of any Commission final order, map, plan, rulemaking, or other action or relief proposed to be modified or corrected.

Applicant's submission complies.

3030.6 All written requests shall be served by the moving party on all parties in the original proceeding at the same time that the request is served on the Director.

Applicant's submission complies.

3030.7 The Director shall, in the Director's sole discretion, determine the appropriate form of public notice and any additional service, taking into account the nature of the request and any issues relating to efficiency and fairness.

It has been determined that no further notice is required.

3030.8 Within seven (7) days after a request to put a matter on the Consent Calendar has been filed and served, any other party may file a response in opposition to or in support of the request. The responding party shall serve all other parties at the time that the response is filed with the Office of Zoning.

As of this writing, no response has been received.

3030.9 The Director shall provide written comments and recommendations to the Commission on each request for placement of a matter on the Consent Calendar.

It is recommended that this request be placed on the Commission's consent calendar.

3030.10 In reviewing requests for placement of a matter on the Consent Calendar, the Director may request advice from other District agencies, including the Office of the Attorney General.

It has been determined that there is no advice necessary from other District agencies.

3030.11 Based upon the written request for placement of a matter on the Consent Calendar, all supporting and opposing submissions and the reports of other District of Columbia agencies, the Director shall determine which matters shall be placed on the Consent Calendar for consideration and action by the Commission without public hearing at its monthly meeting.

It has been determined that it is appropriate to place this matter on the consent calendar for consideration and action by the Zoning Commission without public hearing at its July 27, 2009 public meeting.

3030.12 Any member of the Commission may remove any item from the Consent Calendar for any reason. Any matter that is not placed on the Consent Calendar or that is removed from the Consent Calendar shall be acted upon by the Commission according to the applicable procedures contained in other sections of this chapter.

To be determined by the Commission.

3030.13 All relief granted by the Commission under this section shall be consistent with the intent of the Commission in approving its original order, map, plan, rulemaking, or other action or relief proposed to be modified or corrected and shall not substantially impair the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map.

It is recommended that the requested modification be granted as it is consistent with the intent of the Commission in approving its original Order No. 07-35 and does not substantially impair the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map.