GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

Office of the Director

MEMORANDUM

TO: D.C. Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: November 17, 2004

SUBJECT: Report on request for modification to BZA Orders 16959 and 16959A
Shakespeare Theater

The Office of Planning recommends **approval of the requested minor modification to Condition 5** of BZA Orders 16959 and 16959A **to extend the date to July 31, 2005.**

Currently, under the conditions of the BZA orders, a permit for the shell space of the Shakespeare Theater must be issued by December 31, 2004, to satisfy the arts requirement for the combined lot development on Sq. 456.

The Office of Planning supports the minor modification to the date for satisfying the arts requirement but does not recommend the modification to Condition 3 that would establish a "sheeting and shoring or excavation of the structure" as having the same meaning as "building permit." The Office of Planning is concerned about setting such a precedent as a definition of building permit or as a trigger for satisfying arts requirements.

The applicant's statement indicates that replacing "building permit" in Condition 3 with the phrase "sheeting and shoring or excavation of the structure" will correspond to the grant documents and will enable the applicant to meet the December 31, 2004 deadline (page 5). Since the applicant is also requesting that the deadline be extended, OP sees no reason to also replace the term building permit.

BZA
Case No. 16959A
Exhibit No. 47

Board of Zoning Adjustment
District of Columbia
CASE NO.16959
EXHIBIT NO.47