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Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
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Members of the Commission:

On August 31, 2006, pursuant to delegations of authority adopted by the Commission on August 6, 1999, I reviewed the proposed modification to allow construction of 12 townhouses in lieu of a community center previously approved as part of a Second Stage Planned Unit Development for Capitol Gateway Estates and found that the proposal would not be inconsistent with the Comprehensive Plan for the National Capital, and would not have an adverse impact on any identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosure

ZONING COMMISSION
District of Columbia

CASE NO. 03-03B(Ltr.)

EXHIBIT NO. 32

ZONING COMMISSION
District of Columbia
CASE NO. 03-03B
EXHIBIT NO. 32

**MODIFICATION TO A SECOND STAGE PLANNED UNIT DEVELOPMENT FOR
CAPITOL GATEWAY ESTATES**

Square 5280, East Capitol Street and 56th Place,
Southeast Washington, D.C.

Delegated Action of the Executive Director

AUG 31 2006

Pursuant to the Commission's delegation of authority adopted on August 6, 1999, I find that the proposed modification to allow construction of 12 townhouses in lieu of the community center previously approved as part of a Second Stage Planned Unit Development on the portion bounded by East Capitol and A Streets and 56th and 57th Place, SE, located on Lots 205 - 217 in Square 5280 would not adversely affect the identified federal interest or be inconsistent with the Federal Elements of the Comprehensive Plan.

* *

The District of Columbia Zoning Commission has referred a proposed modification of a second stage Consolidated Planned Unit Development (PUD) to the National Capital Planning Commission for federal interest review and comment. The Commission approved the first stage consolidated PUD for this HOPE VI mixed income residential community on August 29, 2002. The Executive Director provided approval of the second stage PUD under delegated authority on May 6, 2004. The proposed modification to allow construction of 12 townhouses in lieu of the community center is for that portion bounded by East Capitol and A Streets and 56th and 57th Place, SE, located on Lots 205 - 217 in Square 5280, which is part of a larger 23.14 acre PUD site. The modification would increase the number of units from 226 to 238, including 74 townhouses.

The East Capitol Community Building proposed at the corner of East Capitol Street and 56th Place, SE, would be replaced by 12 townhouses with frontage on East Capitol Street and 56th Place. Ten residential structures would front along East Capitol Street on lots 207 - 216 and two would front on 56th Place. Front access would be from a sidewalk to the residences along East Capitol Street with rear-loaded garages, accessible via a private alley. Lots 205 and 206 would

have front-loaded garages since the lots would abut the open space area at the rear and south side of lot 205. The applicant states that the intended occupants and programs for the community center have relocated to office space off-site and the amount of space programmed for the community center is no longer needed. The community development corporation intends to locate in the rental tower building at 5929 East Capitol Street, a block east of the location proposed originally, and will be renovated in the near future as part of a future PUD application. The anticipated daycare for the community center would be relocated to the future retail/commercial component of the development planned north of East Capitol Street, opposite the original location in Square 5280.

The District of Columbia Office of Planning (DCOP) found the small scale of the modification to be within the recently approved rezoning to R-5-A and therefore would not change the material facts upon which the original PUD was approved. At a public hearing on July 17th, 2006, the Zoning Commission approved the PUD modification on the condition that any changes made to the site plan dated July 17, 2006, would come back to the Zoning Commission for approval, including, but not limited to, fencing, open space and landscaping. East Capitol Street was identified as the federal interest in NCPC's 2002 review. I find that the project would not be inconsistent with the Comprehensive Plan and would not have an adverse impact on identified federal interest.



Patricia E. Gallagher, AICP
Executive Director