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Marcel C. Acosta

IN REPLY REFER TO
NCPC File No. ZC 06-32

DEC 08 2008
Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I found that the proposed text amendment to add Square 766 to the Capitol South Transferrable Development Rights Receiving Zone is not inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Marcel C. Acosta
Executive Director

Enclosure

cc Harriet Tregoning, Director
D.C. Office of Planning

Anthony Hood, Chairman
Zoning Commission

ZONING COMMISSION
District of Columbia

CASE NO. 06-32
EXHIBIT NO. 34



**TEXT AMENDMENT
CAPITOL SOUTH TRANSFERABLE DEVELOPMENT RIGHTS RECEIVING ZONE**

Southeast, Washington, D.C.

Submitted by the Zoning Commission of the District of Columbia

Delegated Action of the Executive Director

NOV 25 2008

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, 40 U.S.C. §8724(a), and DC Code §2-1006(a), I find that the proposed text amendment to add Square 766 to the Capitol South Transferable Development Rights Receiving Zone in Southeast Washington, D.C. would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests.

* * *

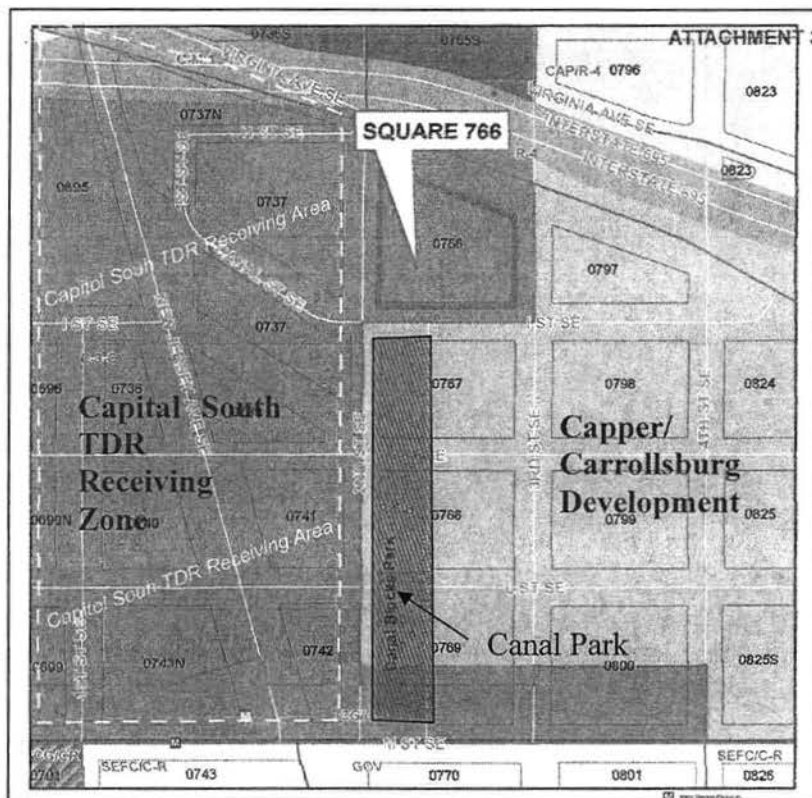
The Zoning Commission of the District of Columbia has taken a proposed action to approve a text amendment to add Square 766 to the Capitol South Transferable Development Rights (TDR) Receiving Zone in Southeast, Washington, D.C. Square 766 is between 2nd and 3rd Streets, SE, just south of Virginia Avenue, SE and north of I Street, SE. The as yet undeveloped Canal Park is directly south of Square 766

The Capitol South TDR Receiving Zone was established in 1998 to expand the existing TDR Receiving Zones into the C-3-C zoning districts of the central employment area outside of the traditional downtown. At that time, the District of Columbia's Office of Planning recommended that Squares, 766, 769 and 800, be excluded from the TDR receiving Zone which would have allowed greater height, 130 feet, than was allowed in the C-3-C zone, 90 feet, and in the nearby Capper/Carrollsborg redevelopment project (Z.C. 03-12/03-13), 40 to 110 feet.

The District of Columbia's Office of Planning has recently revised their recommendation by allowing heights greater than "...ninety (90) feet if the Zoning Commission, after hearing, finds that the additional height:

- (a) *Will be sufficiently setback from the eastern building face to avoid shadowing the lower buildings to the east;*
 - (b) *Will provide a suitable northern focal point for the Canal Blocks Park;"*
- (11 DCMR 1702.21)

Under the Height of Buildings Act of 1910, as amended, the maximum allowable height for this square would be 130 feet for a building that fronts Virginia Avenue with a measuring point "opposite the middle of the front of the building to the highest point of the roof." Otherwise the maximum allowable height would be less than 130 feet.



The proposed text amendment would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests.


 Marcel C. Acosta
 Executive Director