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The Honorable Adrian M. Fenty

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Council of the District of Columbia
The Honorable Vincent C. Gray

Executive Director

Marcel C. Acosta

IN REPLY REFER TO:
NCPC File No. Z.C. 08-05

SEP 10 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 map amendment to remove the residential requirement and increase the floor-area-ratio (FAR) maximum and height maximum for a Planned Unit Development in the Downtown Development Overlay District at Square 370 in northwest Washington, is not inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests. Please note that the maximum allowable building height is limited by the Height of Buildings Act of 1910, as amended. 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. 08-15

EXHIBIT NO. 6

**TEXT AMENDMENT
DOWNTOWN DEVELOPMENT OVERLAY DISTRICT, SQUARE 370
Northwest
Washington, D.C.**

Submitted by the Zoning Commission of the District of Columbia

Delegated Action of the Executive Director

AUG 29 2008

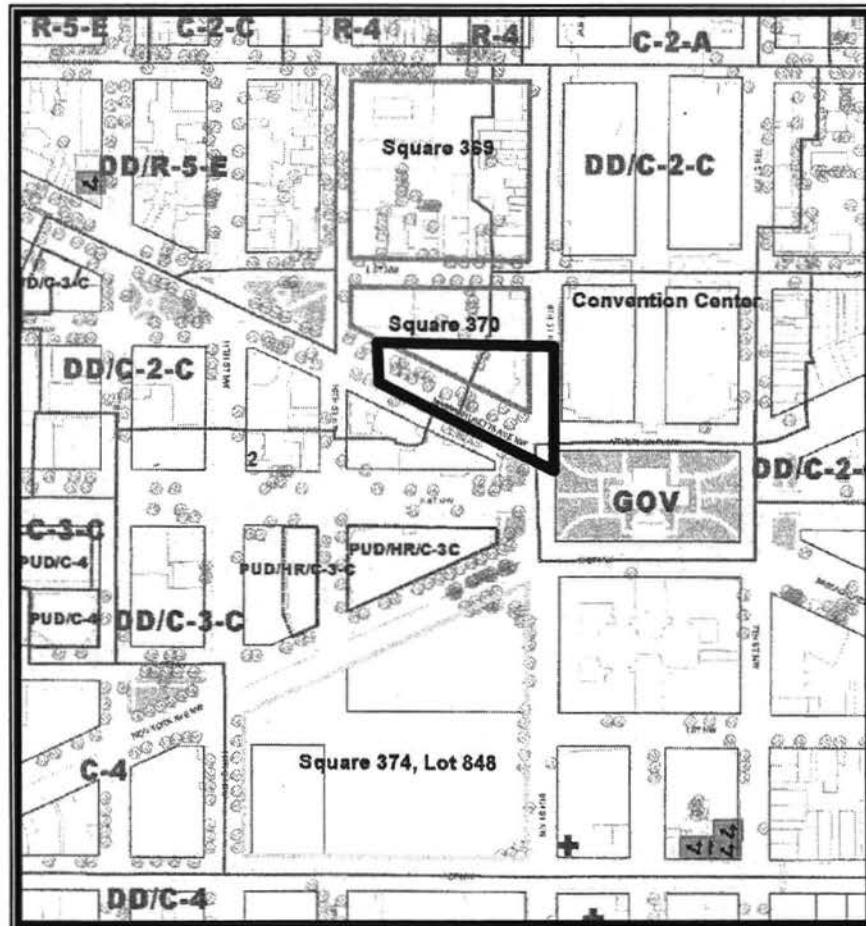
Pursuant to delegations of authority adopted by the Commission on August 6, 1999, 40 U.S.C. §8724(a), and DC Code §2-1006(a), I find that the proposed text amendment to remove the residential requirement and increase the floor area ratio maximum and height maximum for a Planned Unit Development (PUD) in the Downtown Development Overlay District at Square 370 in Northwest, 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 remove the residential requirement and increase the floor-area-ratio (FAR) for a new hotel development across from the Washington Convention Center at the corner of 9th Street, NW and Massachusetts Avenue, N.W. in the District of Columbia.

This text amendment would allow a Planned Unit Development (PUD) in Square 370 without requiring a residential use as mandated by the Downtown Development overlay zone and allow the Zoning Commission to increase the maximum FAR by greater than 5 % for Square 370. Staff expects the PUD for Square 370 to be referred by the Zoning Commission by the end of the year for NCPC's review and comment.

The proposed text amendment would only affect this square. Square 370 is already under one owner and the District Element of the Comprehensive Plan identifies a hotel at this location. The existing text, incorporated by reference, allows heights "...not more than five percent (5%) in the maximum height" in Section 2405.3 of the Zoning Regulations. If 110-foot-wide Massachusetts Avenue is used as its measuring point, the maximum height for a building at this site under the Height Act is 130 feet as measured to the highest point of the roof. The height in this zoning district would already allow a 130 foot tall building, so that additional height would not be available at this location and the 5% bonus would not apply.



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

Marcel C. Acosta
Executive Director