GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

MEMORANDUM

TO: Zoning Commission Members

FROM: Jerrily R. Kress, FAIA, Director
Office of Zoning

DATE: June 2, 2005

SUBJECT: Z.C. Case No. 98-20A (Request For Minor Modification)

The applicant has filed with the Zoning Commission a Request for a Consent Calendar Modification to the Planned Unit Development for the Walter Washington Estates dated August 4, 1997. 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 two modifications to the previously approved PUD in Zoning Commission Order No. 829 and subsequently modified by Order Nos. 829A and 912. The applicant requests that conditions 6a. and 6b. of Order No. 829 be revised as follows (deletions shown in ~~strikeout~~ and additions show in **bold** and underline):

6. The Community Center shall include uses generally consistent with the following:

a. A day care center which shall operate from approximately 7 a.m. through 7 p.m. Monday through Friday, for a total of approximately ~~35~~ **59** children from the ages of six ~~months~~ **weeks** to five years. Although PUD residents will be given first priority, other area residents will be eligible for space. The Center shall

ZONING COMMISSION
CASE No. 98-20A
EXHIBIT No. 2
ZONING COMMISSION
District of Columbia
CASE NO.98-20A
EXHIBIT NO.2

meet all regulations and standards required for the operation of such a facility.

b. After school care for approximately ~~8~~ **33** children, ages six four through fourteen twelve. The hours of operation of this program shall be from approximately 3 p.m. to 7 p.m., Monday through Friday.

The requested modification does not affect 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; the ANC was the only party.

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.

Prepared by Sharon S. Schellin.

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 June 13, 2005, 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 Nos. 829, 829A, and 912 and does not substantially impair the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map.