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Executive Director

Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 07-01

JUL 18 2007

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 reviewed the proposed map amendment to rezone a portion of Square 755, Lot 3 from CAP/R-4 to CAP/CHC/C-2-A, and found that the proposal would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it have an adverse impact on any 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. 07-01
EXHIBIT NO. 25



**AMENDMENT TO ZONING MAP OF THE
DISTRICT OF COLUMBIA TO CHANGE A PORTION OF SQUARE 755,
LOT 3, FROM CAP/R-4 TO CAP/CHC/C-2-A
Washington, D.C.**

Delegated Action of the Executive Director

JUN 29 2007

Pursuant to the Commission's delegation of authority adopted August 6, 1999, 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find that the proposed Map Amendment to rezone a portion of Square 755, Lot 3 from CAP/R-4 to CAP/CHC/C-2-A would not adversely affect any federal interests nor be inconsistent with the Comprehensive Plan for the National Capital.

* * *

The Heritage Foundation has requested that the Zoning Commission rezone the portion of Square 755, Lot 3 that is zoned CAP/R-4 to CAP/CHC/C-2-A. The property is located at 208 Massachusetts Avenue, NE. The property is currently occupied by an eight-story building constructed in 1929, and is split-zoned between CAP/CHC/C-2/A and CAP/R-4. The zoning boundary line divides the existing building between the two zones, a condition that has existed since the adoption of the 1958 Zoning Map. The proposed map amendment would result in the entire property being similarly zoned. The Zoning Commission took a proposed action to approve the case on June 4, 2007.

The building is a contributing structure in the Capitol Hill Historic District. Since the property is split-zoned, the rear portion of the building is subject to the requirements of the R-4 Zoning District while the front portion is subject to the requirements of the C-2-A Zoning District and the Capitol Hill Commercial Overlay District (CHC). Both the rear and the front portions of the building are subject to the Capitol Interest (CAP) Overlay District. Prior to the use of the building by the Heritage Foundation, the split-zoning was not an issue because the building was used as an apartment building. Since acquiring the property in 2001, the Heritage Foundation is not permitted to use the back portion of the building for any commercial purposes. The applicant seeks to secure uniform zoning for the property to enable the use of an entire floor for a single purpose.

At a meeting of ANC-6C on May 9, 2007, the commissioners voted unanimously to support the application. In a report dated May 25, 2007, the Office of Planning recommended approval of the amendment, noting that it would allow the zoning to be consistent with the Comprehensive Plan approved by the City Council in December, 2006. I concur with that finding, and also find that no federal interests will be adversely affected.



Patricia E. Gallagher, AICP
Executive Director