



## **MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:**  Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

**DATE:** March 21, 2014

**SUBJECT:** ZC Case No. 07-18E - Report for Minor Modification to Approved PUD – 1000 F Street, N.W.

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### **APPLICATION**

Jemal's Up Against the Wall, LLC, submitted a minor modification request to the approved Consolidated PUD for 1000 F Street, N.W. The request is a change to the date by which the Waffle Shop building must be relocated from May 16, 2014 to May 16, 2016.

No change to use or building layout is requested.

### **SUMMARY RECOMMENDATION**

The Office of Planning recommends that the Commission approve the modification as minor. Should the Commission conclude that the modification is not minor the Office of Planning recommends that the application be set down for public hearing.

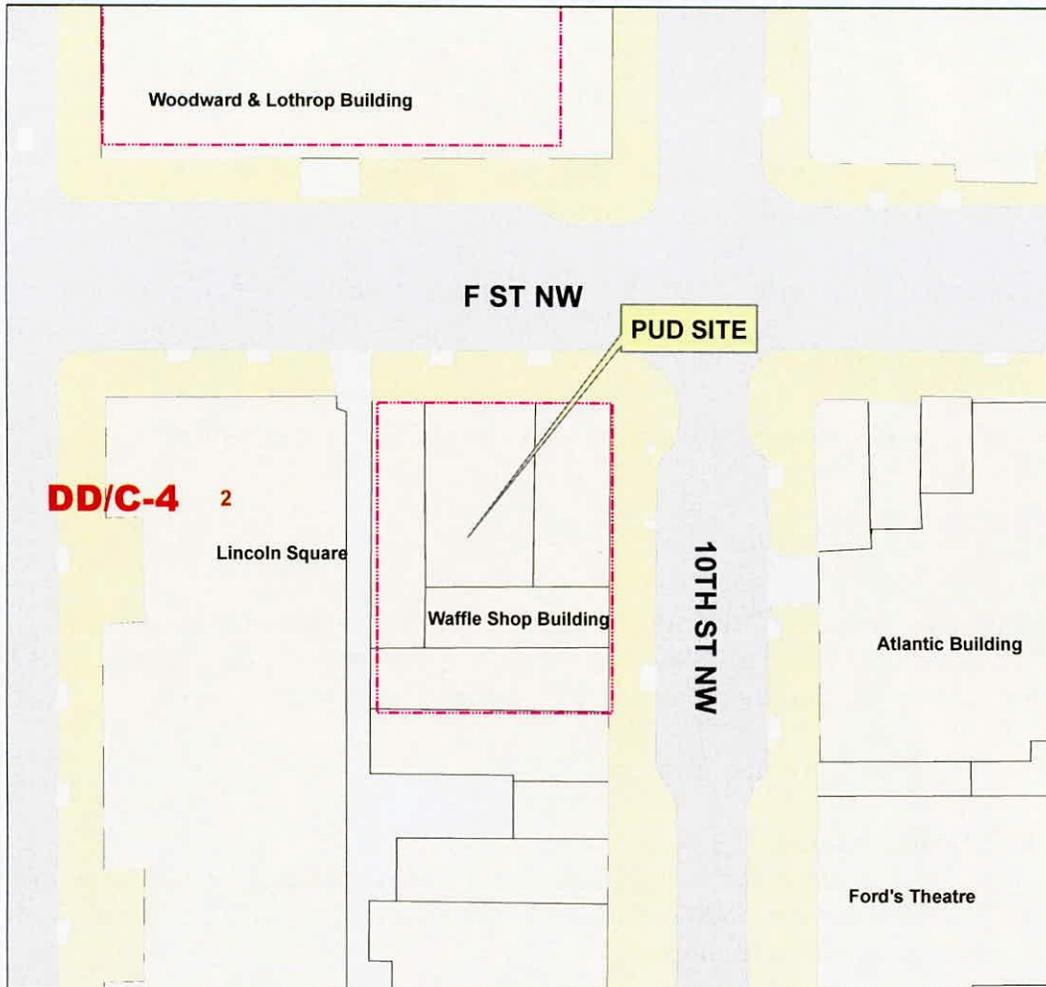
### **SITE DESCRIPTION**

The subject property is located in the southwest corner of 10th and F streets, N.W., in downtown Washington. It consists of lots 18, 19, 818-821, 831 and 832, Square 347, contains approximately 11,790 square feet of area and is improved with one and two-story commercial buildings. To the north, across F Street, is the former Woodward & Lothrop department store building. To the west is Lincoln Square, and to the east, across 10th Street, is the Atlantic Building.

### **PROPOSED MODIFICATION**

The application requests to extend the deadline for the completion of Condition No. 4 of ZC Order No. 07-18 from May 16, 2014 to May 16, 2016.





**Zoning and Vicinity Map**

**ZONING**

Section 3030 of the Zoning Regulations, Consent Calendar, states:

- 3030.1 *The purpose of this section is to create an expedited procedure to be known as the "Consent Calendar." The procedure shall allow the Commission, in the interest of efficiency, to make, without public hearing, minor modifications and technical corrections to previously approved final orders, rulemaking, or other actions of the Commission, including corrections of inadvertent mistakes.*
- 3030.2 *For purposes of this section, "minor modifications" shall mean modifications of little or no importance or consequence.*
- 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.*

The subject application proposes to make a minor modification to previously approved final order, ZC Order 07-18C, dated May 16, 2008. That order, under Condition No. 4, stated, "*Within five years after the effective date of this Order, the Applicant shall relocate and reassemble the Waffle Shop on a new site, ...*", requiring the relocation of the Waffle Shop building, a historic structure, by May 16, 2013. ZC Order 07-18C approved "*...a modification of an approved PUD to extend the deadline for completion of Condition No. 4 of Z.C. Order No. 07-18 until May 16, 2014,*" extending the deadline for moving the building by one year. The subject application proposes to extend the deadline for the relocation of the building by two more years, to May 16, 2016, to give the applicant adequate time to complete the process.

The applicant is scheduled to go before the Mayor's Agent for Historic Preservation on April 14, 2014 for the purpose of obtaining final approvals to relocate the Waffle Shop to an as of yet undetermined location. However, the applicant will be unable to obtain approvals from the Mayor's Agent, file for and obtain the necessary permits to dismantle, reassemble and relocate the Waffle Shop building at its new site. Therefore, the Office of Planning finds that the extension of time to be consistent with the intent of the original order.

#### **COMPREHENSIVE PLAN**

The requested modification would not be inconsistent with the Comprehensive Plan.

#### **COMMUNITY COMMENTS**

No comments were received from ANC 2C.

JS/sjm<sup>AICP</sup>

Case Manager: Stephen J. Mordfin, AICP

