

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**  
**ZONING COMMISSION ORDER NO. 08-34C**  
**Z.C. Case No. 08-34C**  
**Capitol Crossing IV, LLC and Archdiocese of Washington Holy Rosary Church**  
**(Second-Stage Planned Unit Development)**  
**January 27, 2014**

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on December 12, 2013, to consider an application from Capitol Crossing IV, LLC and Archdiocese of Washington Holy Rosary Church (together, the "Applicant") for approval of a second-stage Planned Unit Development ("Second-Stage PUD") for development of the Holy Rosary Church facilities in the Center Block (the "Application") in accordance with the Commission's approval in Z.C. Case No. 08-34 ("Order No. 08-34") under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR ("Zoning Regulations"). The project site includes Lot 854 and a portion of Lot 853 in Square 566 (the "Site"). The Commission considered the Application pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the Application.

**FINDINGS OF FACT**

**Application, Parties, and Hearing**

1. On July 8, 2013, the Applicant filed the Application, including architectural plans and drawings, for approval of the Second-Stage PUD for the Site in accordance with Order No. 08-34 (the "PUD Submission"). (Exhibits ["Ex."] 2-3A2.)
2. At its July 29, 2013, public meeting, the Commission set the case for hearing.
3. The Applicant filed a Prehearing Submission on August 8, 2013, including a Prehearing Statement and supporting exhibits. (Ex. 14). The Applicant then filed additional materials in its Supplemental Prehearing Submission on November 21, 2013, (the Supplemental Prehearing Submission) along with fully re-issued plans and elevations (the "HRC Second-Stage PUD Plans"). (Ex. 22-23A2.)

4. A related modification to the First-Stage PUD was set down for a public hearing by the Commission at its September 9, 2013 public meeting and assigned Z.C. Case No. 08-34D. The Applicant requested the modification because the plans approved in Order 08-34 showed a building that was 50 feet in height, and the PUD Submission showed a building that was eight feet taller. The Applicant subsequently submitted plans showing that the building's height was actually 52 feet and seven inches, and requested that the Commission revisit its decision to hold a hearing on the Applicant's First-Stage modification request. At its September 30, 2013 public meeting, the Commission considered this request, and decided that it would determine whether the additional height shown in the HRC Second-Stage Plans was substantially in accordance with the conditions of the first-stage approval when it decided this case, and that the Applicant was proceeding at its own risk that the Commission may determine that it was not, and the Applicant would have to subsequently request a modification to the First Stage approval at that point. The Commission withdrew its set down of the Z.C. Case No. 08-34D.
5. A Notice of Public Hearing was published in the *D.C. Register* on October 11, 2013. The Notice of Public Hearing was mailed to all property owners within 200 feet of the Site as well as to Advisory Neighborhood Commission ("ANC") 2C and ANC 6C.
6. The Commission held a public hearing on the Application on December 12, 2013. The parties to the case were the Applicant as well as ANC 2C and ANC 6C, the ANCs within which the Site is located.
7. The Applicant presented the following witnesses: Sean Cahill, representing the Applicant; Rod Garrett, architect with the firm of Skidmore, Owings and Merrill LLP ("SOM"); and Jami Milanovich, traffic consultant with the firm of Wells & Associates. Mr. Garrett and Ms. Milanovich were accepted as experts in their respective fields.
8. The Office of Planning ("OP") submitted a report dated December 2, 2013, in support of the Application. (Ex. 25.) The OP Report stated that the proposal is substantially in accordance with the First-Stage PUD approval and is not inconsistent with the Comprehensive Plan. With respect to the height of the HRC Facilities, the OP report stated that the two foot, seven inch height increase was minor, particularly in the context of the anticipated 130 foot maximum height approved for the adjacent Center Block sites. The OP report further stated that the additional height would allow for additional clearance in the ceiling plenum for HVAC ducting while maintaining better than eight foot tall ceilings in the annex classroom and offices. The HRC facilities would maintain the same five stories and programming anticipated in the approved First-Stage PUD. In its testimony at the hearing, OP reiterated its support for the Application and rested on the record.

9. The District Department of Transportation ("DDOT") submitted a report dated November 25, 2013. (Ex. 24.) DDOT testified generally in support of the project at the hearing.
10. ANC 2C submitted a letter dated December 6, 2013, indicating that with a quorum present, ANC 2C voted unanimously to support the Application. (Ex. 27.) ANC 6C did not submit a letter and did not appear at the hearing.
11. At the conclusion of the hearing, the Commission took proposed action to approve the Application, including the HRC Second-Stage PUD Plans. The Commission requested that the Applicant refine the cornice of the building to better articulate the top of the building and provide additional views of the courtyard elevations and the view to the west. On January 6, 2014, the Applicant submitted its Post-Hearing Submission (the "Post-Hearing Submission") with this information. (Ex. 30-30A). The Commission waived the requirement that the Applicant identify the public benefits of the PUD and prove that each benefit will result for the grant of the application pursuant to 11 DCMR §§ 2403.15 through 2405.21 because the proffers and conditions of the PUD were sufficiently established by the First-Stage PUD order.
12. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. NCPC, by delegated action dated January 10, 2014, found that the Application would not have an adverse effect on federal interests nor be inconsistent with the Comprehensive Plan for the National Capital. (Ex.31.)
13. The Commission took final action to approve the Application at its public meeting held on January 27, 2014.

### **The Site and the Area**

14. The Site includes Lot 854 and a portion of Lot 853 in Square 566, which are part of Record Lot 49 in Square 566. Square 566 is bounded by 2<sup>nd</sup> Street to the east, the proposed extension of F Street to the south, 3<sup>rd</sup> Street to the west, and the proposed extension of G Street to the north, in Northwest DC. The Site contains approximately 13,000 square feet of land area and will be combined and connected to Lot 855 in Square 566, the site of the current Holy Rosary Church and Casa Italiana.
15. The Site was approved as part of a first-stage PUD (the "First-Stage PUD") in Order No. 08-34 and is part of what is known as the Center Block. Order No. 08-34 approved the First-Stage PUD for the entire area of development in the air rights above the Center Leg Freeway, a zoning map amendment to C-4 for the entire site, and a consolidated PUD for the following: (1) the construction of the entire platform; (2) the proposed mix of uses, the height and density of each building, and site plan for the overall project; (3) the construction of the office building in the North Block; (4) the construction of all below-

grade parking, concourse and service levels; and (5) the proposed landscaping and streetscape design for the overall Site.

16. The First-Stage PUD approved a single building for the Center Block to include office, residential, and retail uses along with the relocated facilities for the Holy Rosary Church. Specifically, the Center Block includes the removal of certain facilities of the Archdiocese of Washington, including the Holy Rosary Rectory and the Holy Rosary Annex from their current location within the former F Street right-of-way and the construction of new facilities, including a new rectory and annex, partially on land within the overall PUD site and partially on land owned by the Church outside of the overall PUD site (the "HRC Facilities"). The Application requests approval for the Second-Stage PUD for the HRC Facilities. The office, residential and retail uses are not included in this Application and will be brought forward in a separate second-stage PUD application.
17. The Site is zoned C-4 by virtue of Order No. 08-34<sup>1</sup>.
18. The Site is not within a historic district. The Holy Rosary Church is not a designated historic landmark.

### **Design of South Block Building**

19. The HRC Facilities include approximately 33,312 square feet of gross floor area, of which 22,765 square feet will be located within the Site. The HRC Facilities have a maximum height of building of 52.7 feet plus a parapet and roof structure as shown on the HRC Second-Stage PUD Plans.
20. The HRC Facilities have been located to re-establish the original relationship of the Church and the annex and rectory to the configuration that existed prior to construction of the Freeway. The massing of the new building is divided into four main parts: the new annex, the new rectory, a central connector, and an elevated courtyard at the second floor level. The connector is centrally located and used to moderate the difference in the floor elevations between the existing Church, the existing Casa Italiana, and the new annex and rectory structures. The new annex and rectory structures anchor off of that connector and split off perpendicular to each other to frame the new courtyard.
21. The HRC Facilities have been designed with great sensitivity to the character of the original Church, with special consideration given to the Bell Tower, and with the intent of keeping the overall scale consistent with the scale of the original rectory before the Freeway was constructed. Between the existing Bell Tower and new rectory, a new

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<sup>1</sup> The Commission established C-4 Zoning as appropriate for the site in granting the First-Stage PUD through Order 08-34. See 11 DCMR § 2407.9. The PUD-related rezoning is effective upon the recordation of a covenant requiring development and use of the Site in accordance with the adopted orders of the Commission, or any amendments thereof. See 11 DCMR §2409.3.

covered, single-story entry is created. The roof line of this open air entry follows the exact profile of the original annex that once stood adjacent to the Bell Tower. The top floor of the new rectory introduces a setback on F Street to reduce its height to ensure an appropriate scale adjacent to the original Bell Tower along F Street.

22. Indiana limestone was selected for the face of the rectory and entry along F Street, which has a texture and color that compliments the existing Church. The façade of the rectory that faces the courtyard will be clad in a light-colored brick in a similar color tone to the limestone. This material compliments the brick pattern selected for the new annex also facing the courtyard. The new annex has no direct face on the street and is designed with larger scale fenestration to increase daylight access in the classrooms and open views into the courtyard. The courtyard will be used for special events as well as daily activities for the Church.
23. The Commission requested that the Applicant consider modifying the cornice line of the HRC Facilities to better articulate the top of the building. In its Post-Hearing Submission, the Applicant revised the cornice to include a stone cap. The Commission finds that this revision addresses its concern.
24. The streetscape design for the HRC Facilities is consistent with the approval in Order No. 08-34. The streetscape design along the re-established F Street incorporates a traffic calming strategy in the vicinity of the Holy Rosary Church, with special paving and projecting curbs to enhance pedestrian safety while providing space for seasonal celebrations and festivals. Street trees at this location serve to soften the street edge and reduce the perceived scale of the nearby buildings. The design of the streetscape extends the planted green zone along the north side of F Street. The final detailed design of the F Street landscaping will ultimately require approval from the DDOT Public Space Division.

### **Parking Access and Circulation**

25. In Order No. 08-34, the overall project was approved to include a total of 1,146 parking spaces in the consolidated, below-grade parking facility. This Application proposes no change to the amount of parking approved in Order No. 08-34.
26. The HRC Facilities include limited parking behind the Holy Rosary Church, below the raised courtyard. This parking facility, which replaces parking for the Church that is currently located in the former F Street right-of-way, will be accessed from an existing curb cut on 3<sup>rd</sup> Street. This limited parking is exclusively for use by the Church and is not included in the approximately 1,146 parking spaces required for the overall project.
27. Access to the below-grade parking facilities was originally approved to be from 3<sup>rd</sup> Street, with one entrance in the North Block and one entrance in the South Block. A

third access to the below-grade parking facility was provided from F Street in the Center Block. In this Application, the third access has been eliminated and replaced with a stair to provide access from F Street to the second-level courtyards.

28. DDOT raised concerns relating to the impact of the elimination of the F Street access on the transportation network in the area as well as the capacity of the driveways to handle the vehicles entering and exiting the below-grade parking facility.
29. The Applicant's traffic consultant testified that there is no adverse impact on the transportation network when comparing the approved access and the proposed access. This conclusion was based on comparative levels of service based on the approved and proposed access scenarios, assuming implementation of identified mitigation elements.
30. In addition, the Applicant's traffic consultant testified that even though the F Street access would be eliminated, the total number of lanes accessing the below-grade parking garage would not change. Specifically, in the approved access scenario, each access included two lanes, for a total of six lanes. With the elimination of the F Street access, each access would include three lanes, for a total of six lanes. Accordingly, the proposed access scenario maintains the same capacity as the approved access scenario.
31. The Commission finds that there will be no additional impact on the transportation network for the proposed access scenario based on the levels of service and mitigation presented. In addition, the capacity of the access to the below-grade parking facility does not change in the proposed access scenario.
32. DDOT raised concerns regarding the curb cut design for access to the below-grade facility. The final design of the curb cuts will be addressed during the public space permitting process.

### **Phasing of the Project**

33. In accordance with Z.C. Order No. 08-34B, Condition No. 27 of Order No. 08-34 has been replaced to approve the consolidated PUD until December 13, 2014. By that date, an application must be filed for a public space permit for the utility relocation. Within nine months of the issuance of the utility relocation permit, the Applicant shall commence construction of the utility relocation work. Within 30 months of the issuance of the utility relocation permit, the Applicant shall apply for the construction of the platform and base infrastructure. Construction of the platform and base infrastructure shall begin within one year of the issuance of that building permit. The Commission provided that within two years of the completion of the construction of the platform and base infrastructure, the Applicant must apply for a building permit for the construction of the North Block. The Applicant must commence construction of the North Block within four years of the completion of the construction of the platform and base infrastructure.

34. Given the necessity of having the platform constructed prior to the vertical development, the Applicant requests that the Second-Stage PUD for the HRC Facilities be approved in the same manner as the consolidated PUD was approved for the North Block in Order No. 08-34 and as the office building in the South Block in Z.C. Order No. 08-34A. Specifically, the Applicant requests that upon approval of the Second-Stage PUD for the HRC Facilities, a building permit application must be submitted within two years of the completion of the construction of the platform and base infrastructure and that construction must commence within four years of that date. The Commission finds that the proposed timeframe for approval of the Second-Stage PUD is acceptable.

### **Compliance with PUD Standards**

35. The Applications comply with the standards for a PUD set forth in Chapter 24 of the Zoning Regulations.
36. The Commission is required to find that the second-stage application is in accordance with the purpose and intent of the First-Stage PUD. Condition 1 of Order No. 08-34 requires development “substantially in accordance with the plans prepared by SOM, dated May 23, 2011, in the record at Exhibit 66”. The HRC facilities are two feet and seven inches taller than what was shown in the plans approved in Z.C. Case No. 08-34. However, when considered in combination with (a) the HRC Facilities maintain the same five stories and programming shown in the plans approved in First-Stage PUD, (b) the additional height would permit a larger clearance in the ceiling plenum for HVAC ducting while maintaining ceiling heights in the classroom and office space, and (c) the HRC facility would stand next to 130 foot tall buildings in the Center Block sites, the additional height represents only a minor increase. The Commission therefore finds that the proposed height is in substantial accordance with the First-Stage approval.
37. The Commission finds that the Application is in accordance with the intent and purposes of the Zoning Regulations, the PUD Process and the First-Stage PUD approval in Order No. 08-34 as is evidenced in the PUD Submission, the Prehearing Submission, the Supplemental Prehearing Submission, the Post-Hearing Submission and the testimony at the public hearing.
38. The overall project, including the HRC Facilities, provides important public benefits and project amenities which are described in detail in Order No. 08-34. These public benefits and project amenities have not changed with this Application. Accordingly, the Commission's finding that the relative value of the project amenities and public benefits offered is sufficient given the degree of development incentives requested and any potential adverse effects of the overall project, including the HRC Facilities, should not change.

39. The HRC Facilities have been evaluated under the PUD guidelines for the C-4 Zone District. The density of the HRC Facilities is below the density permitted for a PUD within the C-4 Zone District and is less than that approved in Order No. 08-34. The maximum height of the South Block Building is within that permitted for a PUD in the C-4 Zone District and is consistent with the First-Stage PUD approval in Order No. 08-34.
40. The Application has been evaluated by the relevant District agencies and has been found to have no unacceptable adverse impact. The Commission finds that the HRC Facilities will have a positive impact on the city and will have no unacceptable adverse impacts.
41. As set forth in Order No. 08-34, the Commission finds that the HRC Facilities advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan. The Commission finds that the HRC Facilities is not inconsistent with the Comprehensive Plan of 2006.

#### **Office of Planning**

42. By report dated December 2, 2013 ("OP Report"), and through testimony presented at the public hearing, OP recommended approval of the Application. (Ex. 25.)
43. In the OP Report and its testimony at the hearing, OP concluded that the proposal is substantially in accordance with the First-Stage PUD approval and is not inconsistent with the Comprehensive Plan. OP recommended approval of the Application.

#### **District Department of Transportation**

44. DDOT filed a report dated November 25, 2013, summarizing DDOT's assessment of the impacts of the Application on the District's transportation network. In its report and in its testimony, DDOT testified generally in support of the Application.
45. DDOT raised concerns relating to the impact of the elimination of the F Street access on the transportation network in the area, the capacity of the driveways to handle the vehicles entering and exiting the below-grade parking facility, and the design of the curb cuts providing access to the below-grade parking facility. These issues are addressed in Finding Nos. 29 through 32.

#### **ANC 2C Report**

46. By letter dated December 6, 2013, ANC 2C indicated that it voted to support the Applications by a vote of 3-0-0. (Ex. 27.)

47. The Commission afforded the views of ANC 2C the "great weight" to which they are entitled.

### CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2.)
2. Under the PUD process of the Zoning Regulations, the Commission has the authority to consider and approve the Second-Stage PUD. The Commission may impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking, loading, yards, and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.
3. The development of the HRC Facilities carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
4. The Application is in substantial accordance with the intent and purpose of First-Stage PUD approval in Order No. 08-34.
5. The HRC Facilities are within the applicable height, bulk, and density standards of the Zoning Regulations for a PUD within the C-4 Zone District. This mixed-use project which serves to reconnect the city is appropriate for the Site. The impacts of the HRC Facilities are not unacceptable.
6. The impact of the HRC Facilities is acceptable given the quality of the public benefits of the project.
7. The number and quality of the project benefits and amenities offered are a more than sufficient trade-off for the flexibility and development incentives requested.
8. Approval of the Application is not inconsistent with the Comprehensive Plan.
9. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-

309.10(d)) to give great weight to the affected ANC's recommendations. The Commission has carefully considered ANC 2C's support for the project and has given that support great weight.

10. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code § 6-623.04) to give great weight to OP recommendations. The Commission has carefully considered OP's support for the project and has given that support great weight.
11. The approval of the Application will promote the orderly development of the Site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Zoning Map of the District of Columbia.
12. Notice was provided in accordance with the Zoning Regulations and applicable case law.
13. The Application is subject to compliance with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended.

### **DECISION**

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission **ORDERS APPROVAL** of the application for a Second-Stage PUD for the HRC Facilities. This approval is subject to the following guidelines, conditions, and standards. Whenever compliance is required prior to, on or during a certain time, the timing of the obligation is noted in bold and underlined text.

#### **A. PROJECT DEVELOPMENT**

1. The HRC Facilities shall be developed substantially in accordance with the plans prepared by SOM, dated November 21, 2013, in the record at Exhibits 23A1-23A2, as supplemented by the additional plan pages dated January 6, 2013, submitted with the Post-Hearing Submission in the record at Exhibit 30A, (collectively, the "HRC Second-Stage PUD Plans") all as modified by the guidelines, conditions, and standards herein.
2. The HRC Facilities shall have an approximate gross floor area of 33,312 square feet, of which approximately 22,765 square feet of gross floor area will be located within the Site.
3. The maximum height of the South Block Building shall be 52.7 feet, as shown on the HRC Second-Stage PUD Plans.

4. The Applicant shall have flexibility with the design of the PUD in the following areas:
  - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
  - b. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of materials;
  - c. To vary the location, attributes and general design of the public spaces and streetscapes incorporated in the project to comply with the requirements of and the approval by the District Department of Transportation Public Space Division;
  - d. To modify the location of the fireman access to the below-grade tunnel as necessary to comply with the life safety standards within the eastern portion of the F Street façade of this Second-Stage PUD application; and
  - e. To make minor refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals.

**B. PUBLIC BENEFITS**

5. **The Applicant shall submit with its building permit application** a checklist evidencing that the portion of the project for which the permit is submitted has been designed to meet the USGBC LEED Silver standard for the core and shell of the building.
6. **During construction of the project**, the Applicant shall abide by the First Source Employment Agreement under which the Applicant has agreed to fill 51% of all new jobs resulting from the construction of the project with District residents and to fill 67% of all new apprenticeship positions with District residents.
7. **During construction of the project**, the Applicant shall abide by an agreement that provides for Certified Business Enterprises to represent 20% of the

developer's equity and development participation in the project and that provides for the Applicant to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the project.

**C. MISCELLANEOUS**

8. No building permit shall be issued for this PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the owner of the Site and the District of Columbia, that is satisfactory to the Office of the Attorney General and DCRA. Such covenant shall bind the Applicant and all successors in title to construct on and use the Site in accordance with this Order or amendment thereof by the Commission.
9. The Second-Stage PUD approved by the Commission shall be valid for a period of two years from the date of completion of the platform and base infrastructure approved in Order No. 08-34. Within such time, the Applicant shall apply for a building permit for the construction of the HRC Facilities. The Applicant shall commence construction of the HRC Facilities within four years of the completion of the construction of the platform and base infrastructure.
10. The Applicant is required to comply fully with the provisions the D.C. Human Rights Act of 1977, D.C. Law 2-38, as amended, D.C. Official Code § 2-1401.01 et seq., (“Act”). This Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §§ 2-1401.01 et seq. (Act), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On December 12, 2013, upon the motion of Commissioner May, as seconded by Vice Chairman Cohen, the Zoning Commission **APPROVED** the Application at the conclusion of its public hearing by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve).

On January 27, 2014, upon the motion of Commissioner Miller, as seconded by Vice Chairman Cohen, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0**

**Z.C. ORDER NO. 08-34C**  
**Z.C. CASE NO. 08-34C**  
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(Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on February 14, 2014, 2014.

  
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**ANTHONY J. HOOD**  
**CHAIRMAN**  
**ZONING COMMISSION**

  
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**SARA A. BARDIN**  
**DIRECTOR**  
**OFFICE OF ZONING**