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July 9, 2024

Via IZIS

Board of Zoning Adjustment
of the District of Columbia
441 4th Street, NW, Suite 210-S
Washington, DC 20001

Re: **BZA Case No. 21144**
Applicant's Post-Hearing Submission
Taco Bell of America, LLC / 411 8th Street, SE (Lot 16 in Sq. 902)

Dear Members of the Board:

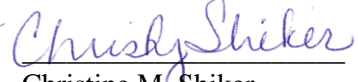
As instructed by the Board at the close of the public hearing on the above-referenced application held on July 3, 2024, and per the Board's memorandum at Exhibit [39](#) in the case record (the "Memo"), we submit this Post-Hearing submission on behalf of Taco Bell of America, LLC (the "Applicant"). Enclosed please find the **Clean List of Proposed Conditions with Exhibits A through E** (the "Proposed Conditions"). The Proposed Conditions reflect the revised conditions as requested by the Board during the public hearing, eliminating those conditions previously listed as No. 6, 16, 17, 18, and 20 in the Applicant's Revised PowerPoint Presentation, Ex. [37](#) at pp. 8-13. The Proposed Conditions will be considered by Advisory Neighborhood Commission 6B at its July 9, 2024, public meeting.

Furthermore, the Applicant, the owner of the subject property, and the neighboring residents, tenants, and/or owners in Square 902 have executed a Memorandum of Agreement ("MOA"). The MOA memorializes those conditions that fall outside the Board's jurisdiction and thus cannot be included in a final order, should the Board vote to approve the application. The MOA captures the full extent of the agreement reached by all parties, and ensures that the proposed fast food restaurant use will operate in accordance with the expectations of the community. **The Applicant will submit the fully executed MOA to the record after the ANC reconsiders the application at tomorrow's public meeting, and no later than Thursday, July 11th per the Board's Memo.**

We trust that this Post-Hearing Submission is responsive to the Board's direction. We look forward to the Board's further consideration of the application at the meeting scheduled for July 17, 2024.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Christine M. Shiker
Christopher S. Cohen

Encl.

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2024, a copy of the foregoing Post-Hearing Submission in support of BZA Application No. 21144 was served by electronic mail on the following at the addresses stated below.

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