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5345493	Confirmed	Public Hearing	Zoning Commission Notice of Public Hearing: Case No. 05-22A (View 14 Investments, LLC)	3/6/2015 Vol 62/10	3/3/2015 14:29:58
5351216	Confirmed	Public Hearing	Board of Zoning Adjustment - Public Hearing Notice - April 21, 2015	3/6/2015 Vol 62/10	3/3/2015 14:29:50
5344620	Confirmed	Public Hearing	Zoning Commission Corrected Notice of Public Hearing: Case No. 08-95C (Map Amendment to Implement the Comprehensive Revisions to the Zoning Regulations, including New Zone Names)	3/6/2015 Vol 62/10	3/3/2015 14:24:24
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5358685	Submitted to ODAI	Notices, Opinions	Board of Zoning Adjustment - Order No. 18079-B (Originally No. 18926) of Church of the Pilgrims) - ANC 2D	3/13/2015 Vol 62/11	3/3/2015 11:41:25
5344232	Confirmed	Notices, Opinions	Board of Zoning Adjustment - Order No. 18876 - Habitat for Humanity of Washington DC - ANC 7E	3/6/2015 Vol 62/10	3/3/2015 11:05:30
5344135	Confirmed	Notices, Opinions	Board of Zoning Adjustment - Order No. 18890 - Rock Creek - 650 LLC, - ANC 6C	3/6/2015 Vol 62/10	3/3/2015 11:02:45

ZONING COMMISSION
District of Columbia
CASE NO. 05-28M
EXHIBIT NO. 5
ZONING COMMISSION
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ZONING COMMISSION ORDER NO. 05-28M
Z.C. Case No. 05-28M
K. Hovnanian
(PUD Minor Modification – Parkside Townhomes)
December 8, 2014

Pursuant to notice, the Zoning Commission for the District of Columbia (“Commission”) held a public meeting on December 8, 2014, and approved an application from K. Hovnanian (“Applicant”) for a minor modification to an approved planned unit development (“PUD”) for the Parkside Townhomes of the Parkside PUD. The application requested approval for minor refinements to the approved elevations (Square 5041, Lots 48-71, 809, 814, 815, 818, and 820) (“Property”).

FINDINGS OF FACT

By Z.C. Order No. 05-28, the Commission approved an application for review and approval of a first-stage PUD and PUD-related map amendment for the Property. The first-stage PUD consisted of 15.5 acres of land east of the Anacostia River in Ward 7. The initial Parkside PUD approved 10 “building blocks” consisting of residential, mixed-use, commercial, and retail buildings containing approximately three million square feet of gross floor area. Three of these building blocks, Blocks A, B, and C, secured second-stage approval in Z.C. Case No. 05-28A. Block A was approved for 98 housing units and Blocks B and C were approved for 112 townhouses. Block A has since been built and is fully operational. The second-stage approval for Blocks B and C was subsequently modified in Z.C. Case No. 05-28G when the number of townhouses was reduced to 100. At the same time, the Applicant clarified that the income restrictions on 42 of the townhomes was applicable only to the first-time purchasers.

The Applicant filed Z.C. Case No. 05-28M as a minor modification of the approved second-stage PUD for Blocks B and C. The application centered on minor modifications to the façades of the townhomes. The primary modifications were made to the roofline, porches, and roof trim. The Applicant also sought flexibility to allow purchasers to determine the façade materials to be used above the double rowlock course. All material aspects of Z.C. Order No. 05-28G otherwise remained unchanged, including the gross floor area, height, footprint, lot occupancy, and site plan of the townhomes.

By letter dated December 3, 2014, the Office of Planning submitted a report in support of the minor modifications. The Office of Planning noted that the modifications were consistent with the Zoning Regulations and Zoning Map and that they were not inconsistent with the initial approval by the Zoning Commission.

Pursuant to 11 DCMR § 3030.11, the Director of the Office of Zoning placed the request for a minor modification on the Commission's Consent Agenda for its public meeting of December 8, 2014. At that meeting, the Commission voted to approve the modification as a minor modification.

CONCLUSIONS OF LAW

Upon consideration of the record of this application, the Commission concludes that the Applicant's proposed modifications are minor and consistent with the intent of the Commission's prior approvals. The Commission concludes that the proposed modifications are in the best interest of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and Zoning Act

The approval of the modification is not inconsistent with the Comprehensive Plan. The modification is of such a minor nature that its consideration as a consent calendar item without public hearing is appropriate.

DECISION

In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of a minor modification to modify the approved elevations of the PUD that was previously approved in Z C Order No. 05-28G as that modification is depicted in Exhibit 1B of the record of this application.

On December 8, 2015, upon the motion of Commissioner Turnbull, as seconded by Commissioner Miller, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J Hood, Robert E Miller, Marcie I Cohen, Peter G May, and Michael G Turnbull)

In accordance with the provisions of 11 DCMR 3028.9, this Order shall become final and effective upon publication in the *D C Register*, that is on March 13, 2015