

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 05-28N
Z.C. Case No. 05-28N
K. Hovnanian Parkside Holdings, LLC
(Parkside Townhomes - PUD Minor Modification @ Square 5041)
September 10, 2015**

Pursuant to notice, the Zoning Commission for the District of Columbia ("Commission") held a public meeting on September 10, 2015, and approved an application from K. Hovnanian Parkside Holdings, LLC ("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 a minor modification of a condition of approval in Z.C. Order Nos. 05-28A and 05-28G concerning the timing of the submission of a building permit application for the property (Square 5041, Lots 852-915) ("Property").

FINDINGS OF FACT

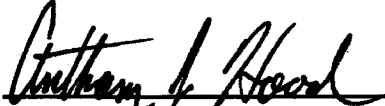
By Z.C. Order No. 05-28, the Commission approved an application for review and approval of a first-stage PUD and PUD-related Map Amendment for the Property. The first-stage PUD consisted of 15.5 acres of land east of the Anacostia River in Ward 7. The initial Parkside PUD approved 10 "building blocks" consisting of residential, mixed-use, commercial, and retail buildings containing approximately 3,000,000 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. In Z.C. Case No. 05-28G, the Commission granted a minor modification of the façade design approved for the townhomes on Blocks B and C.

Pursuant to Condition No. 11 of Z.C. Order No. 05-28A and Condition No. C(5) of Z.C. Order No. 05-28G, the Applicant was required to file for building permits for Blocks B and C by July 6, 2015. The Applicant filed applications for the 39 townhomes on Block B prior to July 6, 2015; however, it did not file applications for the 61 townhomes on Block C prior to that date. Accordingly, the Applicant sought approval of a minor modification of the condition to allow an additional six months to file for building permits for the townhomes on Block C.

Z.C. ORDER NO. 05-28N
Z.C. CASE NO. 05-28N
PAGE 3

On September 10, 2015, upon the motion of Commissioner Turnbull, as seconded by Commissioner Miller, the Zoning Commission **APPROVED** the application and **ADOPTED** this Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve and adopt; Marcie I. Cohen, not present, not voting).

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 January 15, 2016.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING