

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 78-17A
Z.C. Case No. 78-17A
Judiciary Plaza LLC
Modification with Hearing to an Approved Planned Unit Development
@ 450 5th Street, NW (Square 489, Lot 21)
March 23, 2026

Pursuant to notice, at its March 23, 2026, public hearing, the Zoning Commission for the District of Columbia (the “Commission”) considered the application (the “Application”) of Judiciary Plaza LLC (the “Applicant”) that requested approval of a Modification with Hearing¹ pursuant to Subtitle Z § 704 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all subsequent citations refer unless otherwise specified) to the Planned Unit Development (“PUD”) and related Map Amendment approved by the Commission in Z.C. Order Nos. 213, 252, and 287 (collectively, the “Original Order”), for Lot 21 in Square 489 at 450 5th Street, NW (the “Property”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z, Chapter 4. For the reasons stated below, the Commission **APPROVES** the Application.

SUMMARY ORDER

I. BACKGROUND

BACKGROUND AND PRIOR APPROVALS

1. The Property is located in the Northwest quadrant of the District in Ward 2 in the Judiciary Square neighborhood. Pursuant to the Original Order, the Property was rezoned to the C-3-B Zone, which later became the C-3-C Zone² and is now designated as the MU-9B Zone. (Exhibit [“Ex.”] 3A, 26.)
2. Pursuant to the Original Order, effective on April 26, 1978, the Commission approved the construction of a mixed-use office and retail building with a Floor Area Ratio (“FAR”) of

¹ Pursuant to Subtitle A § 102.4, although the Original Order was vested under the 1958 Zoning Regulations under which it was evaluated and approved, the Application is subject to the current Zoning Regulations to the extent of the modifications.

² Subsequent to the issuance of the Original Order, Z.C. Order No. 308 approved a text amendment converting all existing C-3-B Zones to the C-3-C Zone. The 2016 Zoning Regulations later converted the C-3-C Zone to the MU-9B Zone, which permits a maximum PUD height of 130 feet and a maximum matter-of-right FAR of 7.8 with IZ.

7.0, a total gross floor area (“GFA”) of approximately 400,000 square feet, and a height of 120 feet. (Ex. 3A.)

PARTIES

3. The following were automatically parties to this proceeding pursuant to Subtitle Z § 403.5.
 - Advisory Neighborhood Commission (“ANC”) 2C, which district includes the Property, and ANC 6E, which share a boundary with the Property, the “affected ANCs” pursuant to Subtitle Z §§ 101.8 and 403.5(b).
4. The Commission received no additional requests for party status.

NOTICE

5. Pursuant to Subtitle Z § 300.7, the Applicant mailed a Notice of Intent to file the Application to ANCs 2C and 6E and the owners of all property within 200 feet of the Property on September 3, 2024. (Ex. 3E.)
6. On January 27, 2026, the Office of Zoning (“OZ”) sent notice of the public hearing to: the Applicant; ANC 2C; ANC 6E; ANC Single Member District (“SMD”) Commissioner 2C03, whose district includes the Property; ANC SMD Commissioner 6E08; the Office of the ANC; Councilmember Brooke Pinto, the Ward 2 Councilmember, in whose Ward the Property is located; Councilmember Charles Allen; the Office of Planning (“OP”); the District Department of Transportation (“DDOT”); the Department of Buildings (“DOB”); the Department of Energy and the Environment (“DOEE”); the Chair and At-Large Members of the DC Council; and the owners of all lots within 200 feet of the Property. (Ex. 19.)
7. OZ also published notice of the March 23, 2026, virtual public hearing in the February 6, 2026 issue of the *DC Register* (73 DCR 001167, et seq.) as well as on the calendar on OZ’s website. (Ex. 17.)
8. The Applicant provided evidence that it had posted and maintained notice of the public hearing on the Property in compliance with Subtitle Z § 402. (Ex. 20, 29.)

II. THE APPLICATION

MODIFIED PROJECT

9. On May 9, 2025, the Applicant filed the Application for review and approval of a modification of the PUD to change the use of the existing building from office to residential use (the “Project”). (Ex. 3A.)
10. The Project includes approximately 424,566 square feet of GFA, for an overall FAR of 7.41, a height of approximately 120 feet, and approximately 242 vehicle parking spaces.

Z.C. ORDER No. 78-17A

Z.C. CASE No. 78-17A

PAGE 2

The Project will achieve LEED Silver certification and will meet the minimum required Green Area Ratio (“GAR”). (Ex. 3B3, 22A, 27.)

11. The Applicant requested flexibility from the minimum width requirement for open courts for a newly created open court along 5th Street, NW.

APPLICANT’S JUSTIFICATION

12. The Applicant provided evidence that the Project satisfies the PUD requirements of Subtitle X, Chapter 3, and concluded that the Project is not inconsistent with the Comprehensive Plan when reviewed as a whole.
13. The Applicant provided evidence that the requested open court flexibility was necessary due to the structural system of the existing building. In order to create a court that would satisfy the minimum width requirements that fit within the building’s existing structural system, the court width would need to significantly exceed the minimum width required and creating such a court would result in a significant loss of residential density and detract from the aesthetic design of the proposed façade. (Ex. 3A.)
14. The Property is designated as High Density Commercial on the Future Land Use Map (“FLUM”) and the Central Washington Area on the Generalized Policy Map (“GPM”). The Applicant noted that the Project would advance the goals of the Central Washington Area by introducing new residential use, including new affordable housing, to strengthen the mix of uses in the area and further placemaking goals for Downtown East. The Applicant acknowledged that the Project would replace government office use, which the Comprehensive Plan encourages for Judiciary Square. However, the Applicant noted that because the current government office tenant is vacating the Property, the building would otherwise become vacant. The Project would reactivate the Property with new transit-oriented housing. (Ex. 3A, 13.)
15. The Applicant provided an analysis of the Project’s consistency with the applicable Comprehensive Plan objectives, policies, and maps related to the Property, including the GPM, the FLUM, Citywide Elements, and the Central Washington Area Element. The Applicant asserted that the Project would further Comprehensive Plan goals to prioritize new housing in transit-adjacent areas and adaptively reuse a soon-to-be vacant office building. (Ex. 3A.)
16. As required by the Comprehensive Plan, the Applicant provided an analysis of the Project through a racial equity lens. The analysis noted that the Project would not result in displacement of tenants, residents or businesses; the Project would add new mixed-income residential units in close proximity to three major Metrorail stations, enhancing access to opportunity; and the new residents would support surrounding businesses. (Ex. 3A.)

17. The Applicant provided evidence that the Project has no unacceptable adverse impacts because the Project is consistent with the high-density residential development envisioned for the Property by the FLUM. The Project will provide new housing and help establish residential use in the neighborhood. The Project will have favorable economic impacts by providing new clientele to support surrounding businesses. Furthermore, the Project will generate tax revenue for the District in what would otherwise become a vacant building. (Ex. 3A.) The Applicant prepared and submitted a Transportation Statement, dated February 3, 2026 (the “Transportation Statement”). The Transportation Statement concluded that the Project is not expected to have a detrimental impact on the surrounding transportation network because the new residential use is anticipated to decrease the trip generation from the previous office use. The Transportation Statement also concluded that the Project includes robust Transportation Demand Management (“TDM”) measures. (Ex. 23A1, 23A2.)
18. The Applicant stated that the Project would provide specific public benefits, including 500 new residential units, including 39 new affordable units, in a transit-adjacent and amenity-rich neighborhood. The Project would help to revitalize Judiciary Square and provide new residents to support surrounding businesses and entertainment venues. (Ex. 3A, 22.)

III. RESPONSES TO THE APPLICATION

OP

19. In its reports to the Commission, dated October 3, 2025 and March 12, 2026, respectively (the “OP Setdown Report” and “OP Hearing Report”), OP recommended setdown of the Application for public hearing and approval of the Application. (Ex. 13, 27.) The OP Hearing Report noted that on balance the Application is not inconsistent with the Comprehensive Plan maps and written elements and the Project would meet many Racial Equity goals, noting that the Project would result in no displacement of residents or tenants and would provide new housing, including affordable housing. OP supported the Applicant’s request for flexibility to reduce the open court requirement, noting that due to the existing building’s structural system, the court width would need to exceed the minimum required width and would significantly reduce residential density and result in an unattractive façade. The proposed court would still meet the building code requirements for providing light and air to a new building. (Ex. 27.)

DDOT

20. On March 13, 2026, DDOT filed a report stating that it had no objection to the approval of the Application provided the Applicant implement the TDM Plan, with requested revisions, and the Loading Management Plan. (Ex. 28.)

ANCs

21. ANC 2C filed a resolution dated January 2, 2026 in support of the Project (the “ANC 2C Report”). (Ex. 16.) The ANC 2C Report stated that, at a duly noticed public meeting held on June 10, 2025, with a quorum present, ANC 2C voted 4-0 to support the Application.

Z.C. ORDER No. 78-17A

Z.C. CASE No. 78-17A

PAGE 4

ANC 2C noted that the increase in housing supply would help address ongoing affordability challenges in Ward 2 and strengthen the demand for a neighborhood grocery store.

22. ANC 6E filed a resolution dated August 5, 2025 in support of the Project (the “ANC 6E Report”). (Ex. 15.) The ANC 6E Report stated that, at a duly noticed public meeting held on July 31, 2025, with a quorum present, ANC 6E voted 8-0 to support the Application. ANC 6E encouraged the Applicant to explore opportunities to increase the share of affordable units.

ORGANIZATIONS AND INDIVIDUALS IN SUPPORT

23. No organizations or individuals filed letters or testified at the public hearing in support of the Application.

ORGANIZATIONS AND INDIVIDUALS IN OPPOSITION

24. No organizations or individuals filed letters or testified at the public hearing in opposition to the Application.

CONCLUSIONS OF LAW

AUTHORITY

1. Pursuant to the authority granted by the Zoning Act (June 20, 1938, 52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2018 Repl.)), the Commission may approve a PUD and modifications to an approved PUD consistent with the requirements of Subtitle X, Chapter 3, and Subtitle Z § 704.

STANDARD OF REVIEW

2. A PUD application must adhere to the procedural requirements and the evaluation standards of Subtitle Z and Subtitle X, Chapter 3, respectively.
3. The minimum area included within a proposed PUD must be no less than 15,000 square feet and all such area must be contiguous. Subtitle X § 301. The Application satisfies these minimum area and contiguity requirements.

EVIDENTIARY STANDARDS

4. The Applicant has the burden of proof to justify the granting of the Application according to the PUD evaluation standards. Subtitle X § 304.2. The Commission’s findings in relation to a PUD must be supported by substantial evidence. (*See Howell v. District of Columbia Zoning Comm’n.*, 97 A.3d 579 (D.C. 2014).) The Applicant’s filings, testimony, and expert witness presentations are credible and thorough and adequate to support the Commission’s analysis and conclusions contained herein. In addition, the Applicant’s request for flexibility from the open court requirement is appropriate given the accommodations

Z.C. ORDER No. 78-17A

Z.C. CASE No. 78-17A

PAGE 5

necessary to convert the existing building to residential use. Accordingly, the Applicant has provided substantial evidence to demonstrate that the Project satisfies the relevant PUD evaluation standards and has carried its burden of proof sufficiently to allow the Commission to approve the Application.

5. The Commission is required to give “great weight” to the issues and concerns of the affected ANC. D.C. Code § 1-309.10(d)(3)(A). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (D.C. 1978) (citation omitted).) The Commission finds persuasive ANC 2C and ANC 6E’s recommendation that the Commission approve the Application.
6. The Commission is also required to give great weight to the written reports of OP. (D.C. Code § 6-623.04; Subtitle Z § 405.9.) The Commission gives great weight to OP’s support of the Application and concurs with OP’s conclusions and findings with respect to the open court flexibility and the Project’s consistency with the Comprehensive Plan.

CONSISTENCY WITH THE PUD PROCESS

7. Pursuant to Subtitle X § 300.1, the purpose of the PUD process is “to provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD: (a) Results in a project superior to what would result from the matter-of-right standards; (b) Offers a commendable number or quality of meaningful public benefits; and (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan.” The Commission concludes that the approval of the Application is an appropriate result of the PUD process. The Commission concludes that the Project includes specific public benefits, including superior urban design and architecture that respects and maintains the original characteristics of the existing building, superior landscaping and preservation of open space, and the economic utilization of land. The Commission finds that the PUD’s public benefits are meaningful and are commendable both in number and quality. Finally, the Commission has found that the Project does not injure but instead advances the public health, safety, welfare or convenience, and is not inconsistent with the Comprehensive Plan.

EVIDENTIARY STANDARDS

8. Subtitle X § 305.2 defines public benefits as “superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title.” The Commission concludes that the Project’s public benefits benefit the surrounding neighborhood or the District as a whole to a significantly greater extent than would a matter-of-right development and otherwise satisfy the public benefit criteria.

Z.C. ORDER NO. 78-17A

Z.C. CASE NO. 78-17A

PAGE 6

9. The PUD provisions require the Commission to evaluate whether the Application: “(a) is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site; (b) does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and (c) includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.” (Subtitle X § 304.4.) The Commission concludes the Project is not inconsistent with the Comprehensive Plan as a whole, concurring with the Applicant’s analysis and giving great weight to OP’s analysis on this point. The Commission has reviewed the Application through a racial equity lens and agrees with the analysis of the Applicant and OP on this issue. In particular, the Project will provide a substantial amount of new housing, including affordable housing, downtown where housing is much needed. The Commission is persuaded by the Applicant’s and OP’s impact analyses contained in the record regarding potential impacts of the Project and concludes that the Project does not have any unacceptable impacts. The Commission further concludes that the Project includes public benefits which satisfy the public benefits criteria and none of which are inconsistent with the Comprehensive Plan.
10. This Commission must undertake a “comprehensive public review” of the PUD application “in order to evaluate the flexibility or incentives requested in proportion to the proposed public benefits.” (Subtitle X § 300.5.) In deciding on the Application, this Commission must “judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” (*Id.* § 304.3.) The Commission has appropriately considered the substantial evidence presented by the Applicant. The Commission grants appropriate weight to the reports and testimony of the various reviewing District agencies and the ANC.

SUMMARY ORDER

11. Since no parties opposed the Application and OP and both ANC 2C and ANC 6E were in support of the Application, the Commission determined that its decision in this case is not adverse to any party and therefore it could grant the Applicant’s request for a summary order pursuant to Subtitle Z §604.7.

DECISION

In consideration of the case record and the Findings of Fact and Conclusions of Law herein, the Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application, subject to the following guidelines, conditions and standards for:

Z.C. ORDER No. 78-17A

Z.C. CASE No. 78-17A

PAGE 7

- A Modification with Hearing to the PUD originally approved in Z.C. Order No. 213, for Case No. 77-26P, Z.C. Order No. 252, for Case No. 78-17/77-26F, and Z.C. Order No. 287, for Case No. 78-17/77-26F;
- Zoning flexibility from the court requirements of Subtitle G § 209.1; and
- Such other design flexibility as is set forth in the Conditions hereof.

The following conditions replace the conditions of Z.C. Order Nos. 213, 252, and 287.

A. Project Development

1. The Property shall be developed in accordance with the plans and elevations submitted as Ex. 3B1 – 3B6, 11B, 22, 22A, and 22B of the record.
2. The Project shall have design flexibility as follows:
 - a. Interior Components: 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 as shown on the plans approved by the order;
 - b. Exterior Materials – Color: To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the plans approved by the order;
 - c. Exterior Details – Location and Dimension: To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the plans approved by the order. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
 - d. Number of Units: To provide a range in the approved number of residential dwelling units of plus or minus ten percent (10%), except that (1) the total square footage of the residential dwelling units shall not be reduced, and (2) the number of units and the square footage reserved for affordable housing shall not be reduced;
 - e. Parking Layout: To make refinements to the approved parking configuration, including layout and number of parking space plus or minus ten percent (10%), so long as the number of parking spaces is at least the minimum number of spaces required by the Zoning Regulations;
 - f. Streetscape Design: To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division;
 - g. Signage: To vary the font, message, logo, and color of the approved signage, provided that the maximum overall dimensions and signage materials are consistent with the signage on the plans approved by the order and are compliant with the DC signage regulations; and
 - h. Sustainable Features: To vary the approved sustainable features of the project, provided the total number of LEED points achievable for the project does not decrease below the minimum required for the LEED standard specified by the Order.

Z.C. ORDER NO. 78-17A

Z.C. CASE NO. 78-17A

PAGE 8

B. Public Benefits

1. **For the life of the Project**, the Applicant shall set aside no less than 8% of the residential gross floor area as affordable housing. More specifically, the Applicant shall:
 - a. Devote 8% of the base residential GFA to affordable housing for households earning no more than 60% MFI; and
 - b. Devote 8% of the habitable penthouse space dedicated to residential units to affordable housing for households earning no more than 50% MFI.
 - c. Locate IZ units as shown on Exhibit 22.
2. **Prior to the issuance of a final Certificate of Occupancy for the Project**, the Applicant shall provide the Zoning Administrator with evidence that the Project has achieved or will achieve the requisite number of points necessary to secure LEED Silver certification.

C. Transportation Management

1. **Prior to the issuance of the final Certificate of Occupancy for the Project and for the life of the Project**, the Applicant shall adhere to the following Transportation Demand Management plan measures:
 - a. Unbundle the cost of vehicle parking from the lease or purchase agreement for each residential unit and charge a minimum rate based on the average market rate within a quarter mile;
 - b. Identify Transportation Coordinators for the planning, construction, and operations phases of development. The Transportation Coordinators will act as points of contact with DDOT, goDCgo, and Zoning Enforcement and will provide their contact information to goDCgo;
 - c. Transportation Coordinator will conduct an annual commuter survey of building employees and residents onsite, and report TDM activities and data collection efforts to goDCgo once per year. The annual commuter survey must include the following questions:
 - i. Resident's transportation modes and usage frequency;
 - ii. Resident's Vehicle ownership and parking;
 - iii. Barriers and motivations for using sustainable options;
 - iv. Current and desired on-site transportation amenities;
 - v. Interest in additional resources or support for sustainable travel;
 - d. Transportation Coordinator will develop, distribute, and market various transportation alternatives and options to the residents, including promoting transportation events (i.e., Bike to Work Day, National Walking Day, Car Free

- Day) on property website and in any internal building newsletters or communications;
- e. Transportation Coordinator will subscribe to goDCgo's residential newsletter and receive TDM training from goDCgo to learn about the transportation conditions for this project and available options for implementing the TDM Plan;
 - f. Provide welcome packets to all new residents that should, at a minimum, include the Metrorail pocket guide, brochures of local bus lines, carpool and vanpool information, CaBi coupon or rack card, Guaranteed Ride Home (GRH) brochure, and the most recent DC Bike Map. Brochures can be ordered from DDOT's goDCgo program by emailing info@godcgo.com;
 - g. Provide residents who wish to carpool with detailed carpooling information and will be referred to other carpool matching services sponsored by the Metropolitan Washington Council of Governments (MWCOC) or other comparable service if MWCOC does not offer this in the future;
 - h. Provide a copy of the Loading Management Plan (LMP) to the Transportation Coordinator so they are aware of this commitment;
 - i. Post all transportation and TDM commitments on building website, publicize availability, and allow the public to see what has been promised;
 - j. Offer a SmarTrip card and one (1) complimentary Capital Bikeshare coupon good for a free ride to every new resident;
 - k. Provide 26 short- and 199 long-term bicycle parking spaces, exceeding the 167 long-term and 25 short-term spaces required by the District's Zoning Regulations of 2016 (ZR16) for the site's residential use;
 - l. Long-term bicycle storage rooms will accommodate non-traditional sized bikes including cargo, tandem, and kids bikes, with a minimum 5% of spaces (9 proposed) be designed for longer cargo/tandem bikes, and a minimum of 10% of spaces will be designed with electrical outlets for the charging of electric bikes and scooters (18 proposed). There will be no fee to the employees for usage of the bicycle storage room. There will be no fee to the residents for usage of the bicycle storage room and strollers will be permitted to be stored in the bicycle storage room;
 - m. Following the issuance of a Certificate of Occupancy for the Project, the Transportation Coordinator will submit documentation summarizing compliance with the transportation and TDM conditions of the Order (including, if made available, any written confirmation from the Office of the Zoning Administrator) to the Office of Zoning for inclusion in the IZIS case record of the case;
 - n. Following the issuance of a Certificate of Occupancy for the Project, the Transportation Coordinator will submit a letter to the Zoning Administrator, DDOT, and goDCgo every five (5) years (as measured from the final Certificate of Occupancy for the Project) summarizing continued substantial compliance with the transportation and TDM conditions in the Order, unless no longer applicable as confirmed by DDOT. If such letter is not submitted on a timely basis, the building shall have sixty (60) days from date of notice from the Zoning Administrator, DDOT, or goDCgo to prepare and submit such letter;
 - o. Provide a bicycle repair station in each long-term bicycle parking storage room;
 - p. Hold a transportation event for residents, employees, and members of the community once per year for a total of three (3) years. Examples include resident

Z.C. ORDER NO. 78-17A

Z.C. CASE NO. 78-17A

PAGE 10

social, walking tour of local transportation options, goDCgo lobby event, transportation fair, WABA Everyday Bicycling seminar, bicycle safety/information class, bicycle repair event, etc.);

- q. To encourage teleworking, provide a business center on-site and available for free to residents 24 hours per day, 7 days per week. Access to a copier and internet services will be included;
 - r. Maintain at least a Bronze level in the goDCgo Transportation All Star Awards program;
 - s. Install a micromobility corral, subject to DDOT approval, in one of the daylighting areas (ideally at the intersection of E and 5th Streets); and
 - t. Contribute \$40,000 to the Transportation Mitigation Fund prior to the issuance of public space permits for the Project, to contribute to constructing DDOT's E Street Bike Lanes improvement project or another nearby multimodal safety product.
2. **Prior to the issuance of the final Certificate of Occupancy for the Project and for the life of the Project**, the Applicant shall adhere to the following Loading Management plan measures:

- a. A loading dock manager will be designated by the building management who will be on duty during delivery hours. The dock manager will be responsible for coordinating with vendors and tenants to schedule deliveries and will work with the community and neighbors to resolve any conflicts should they arise;
- b. A lease provision will require all tenants to use only the loading area for all deliveries and move-in and move-out activities;
- c. All tenants will be required to schedule deliveries that utilize the loading area (any loading operation conducted using a truck 20-feet in length or larger);
- d. The dock manager will schedule deliveries using the berths such that the dock's capacity is not exceeded. In the event that an unscheduled delivery vehicle arrives while the dock is full, that driver will be directed to return at a later time when a berth will be available so as to not compromise safety or impede street functionality;
- e. The dock manager will monitor inbound and outbound truck maneuvers and will ensure that trucks accessing the loading dock do not block vehicular, bike, or pedestrian traffic along 6th Street NW except during those times when a truck is actively entering or exiting a loading berth;
- f. Service vehicle/truck traffic interfacing with 6th Street NW traffic will be monitored during peak periods and management measures will be taken if necessary to reduce conflicts between truck and vehicular movements;
- g. Trucks using the loading dock will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the goDCgo Motorcoach Operators Guide, and the primary access routes shown on the DDOT Truck and Bus Route Map (godcgo.com/freight). The dock manager will also distribute flyer materials, such as the MWCOG Turn Your Engine Off brochure and others from DDOT and goDCgo, to drivers as needed to encourage compliance with idling laws. The dock

Z.C. ORDER NO. 78-17A

Z.C. CASE NO. 78-17A

PAGE 11

manager will also post these materials and other relevant notices in a prominent location within the loading area;

- h. The dock manager will be responsible for disseminating suggested truck routing maps to the building's tenants and to drivers from delivery services that frequently utilize the development's loading dock as well as notifying all drivers of any access or egress restrictions. Specifically, all trucks will be instructed to approach the loading docks from the south on 6th Street NW to avoid backing across both northbound and southbound travel lanes;
- i. In addition to the presence of a dock manager, a truck detection and pedestrian warning system will be installed at the loading dock. This system will include sensors installed to monitor truck movements into and out of the loading facilities with flashing beacons alerting pedestrian to trucks that may be entering or exiting the loading facilities;
- j. In addition to the presence of a dock manager, a flagger will be present whenever a vehicle is entering/exiting the loading dock. This flagger will alert pedestrian/bicyclists/other vehicles to trucks that may be entering or exiting the loading facilities.

D. Miscellaneous

1. No building permit shall be issued for the Project until the Applicant has recorded a Notice of Modification of Zoning Commission Order relating to the Property and requiring compliance with this Order in the land records of the District of Columbia.
2. The Applicant shall file an application for building permit for the Project within two years of the effective date of this Order, and construction must begin within three years from the effective date of this Order.
3. 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 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 that 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. The failure or refusal of the Applicant to comply shall furnish grounds for denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this Order.

VOTE (March 23, 2026): 5-0-0

(Anthony J. Hood, Robert E. Miller, Gwen Wright,
Joseph S. Imamura, and Tammy Stidham to
APPROVE)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 78-17A shall become final and effective upon publication in the *DC Register*; that is, on [REDACTED].

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

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.

Z.C. ORDER No. 78-17A
Z.C. CASE No. 78-17A
PAGE 13