

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, N.W. (Square 489, Lot 21))
March 23, 2026

Pursuant to notice, the Zoning Commission for the District of Columbia (the “Commission”) held a public hearing on March 23, 2026 to consider the application (the “Application”) of Judiciary Plaza, LLC (the “Applicant”) seeking a Modification with Hearing 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 (the “Property”), pursuant to Subtitle Z § 704 of Title 11 of the District of Columbia Municipal Regulations (the “2016 Zoning Regulations,” to which all subsequent citations refer unless otherwise specified). The Applicant requested the following:

- Approval for a change in use from office to residential;
- Technical zoning flexibility from the residential open court width requirements of Subtitle G § 209;¹ and
- Such other design flexibility as are set forth in the Conditions hereof.

The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of the Zoning Regulations. 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 of Columbia in the Judiciary Square neighborhood of Ward 2. Pursuant to the Original Order, the Commission

¹ The Applicant had also requested flexibility from the inclusionary zoning (“IZ”) requirements that all set-aside units be provided at the 60% median family income (“MFI”) level; and from the building height and floor area ratio (“FAR”) requirements applicable to the MU-8B zone (Exhibit [“Ex.”] 3A, 21). The Applicant withdrew its request for flexibility from the IZ set-aside requirement (Ex. 12). And as explained in further detail below in footnote 2, the Applicant withdrew its requests for flexibility from the building height and FAR requirements applicable to the MU-8B Zone after it was determined such relief was not required (Ex. 26, 26A).

granted a PUD related map amendment to the C-3-B zone, which later became the C-3-C zone² and is now designated as the MU-9B zone (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 FAR of 7.0, a total gross floor area (“GFA”) of approximately 400,000 square feet (sq. ft.), and a height of 120 feet (ft.) (Ex. 3A).

Parties

3. The following were automatically parties to this proceeding pursuant to Subtitle Z § 403.5:
 - The Applicant; and
 - Pursuant to Subtitle Z § 101.8 and 403.5(b), the “affected ANCs [Advisory Neighborhood Commissions]”: ANC 2C, within which the Property is located, and ANC 6E, which is located directly across the street from the Property.
4. The Commission received no 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 ft. of the Property on September 3, 2024 (Ex. 3E).
6. Pursuant to Subtitle Z § 402, the Office of Zoning (“OZ”) sent notice of the March 23, 2026, public hearing on January 27, 2026, to the following:
 - The Applicant;
 - ANCs 2C and 6E;
 - ANC Single Member Districts (“SMD”) 2C03 and 6E08;
 - Office of ANCs;
 - Wards 2 and 6 Councilmembers;
 - At-Large Councilmembers and the Chair of the Council;
 - Office of Planning (“OP”);
 - D.C. Department of Transportation (“DDOT”);
 - D.C. Department of Buildings (“DOB”);
 - D.C. Department of Energy and Environment (“DOEE”);
 - OZ Legal Division (“OZLD”); and
 - Property owners within 200 ft. of the Property.(Ex. 18, 19).

² After the Commission issued the Original Order, the Commission issued Z.C. Order No. 308, which 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 ft. and a maximum matter-of-right FAR of 7.8 with IZ (*See* Subtitle G § 201.1 (FAR maximum); Subtitle X § 303.7 (height maximum)).

7. Pursuant to Subtitle Z § 402.1(a), OZ published notice of the March 23, 2026, public hearing in the February 6, 2026, issue of the *District of Columbia Register* (73 DCR 001167 *et seq.*) as well as on the calendar on OZ's website (Ex. 17, 18).
8. Pursuant to Subtitle Z § 402.3, the Applicant posted notice of the public hearing on the Property on February 9, 2026, and maintained such notice in accordance with Subtitle Z § 402.10 (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 ft., and approximately 242 vehicle parking spaces. The Project will achieve LEED Silver certification and will meet the minimum required Green Area Ratio ("GAR") (Ex. 3B3, 22A, 27; March 23, 2026 Public Hearing Transcript ["Tr."] at 30).
11. The Applicant requested flexibility from the minimum residential open court width requirements of Subtitle G § 209 to provide an open court width of approximately 27 ft. where 40.2 ft. is required for a newly created open court along 5th Street, N.W. (Ex. 3A).
12. The Applicant also requested design flexibility as set forth in the Conditions hereof (Ex. 3A).

Applicant's Justification

13. The Applicant asserted 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.
14. The Applicant provided evidence that the requested open court flexibility was necessary due to the structural system of the existing building. 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; Tr. at 25–27).
15. The Property is designated as High Density Commercial on the Future Land Use Map ("FLUM") and is located within 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).

16. 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).
17. As required by the Comprehensive Plan, the Applicant provided an analysis of the Project through a racial equity lens; and the Applicant also complied with the requirements of the Commission's Racial Equity Tool,³ including providing a racial equity analysis evidencing its community outreach and engagement efforts regarding the Project. The Applicant's analysis concluded that the Project would not result in direct or indirect displacement of tenants, residents or businesses; that the Project would add new mixed-income residential units near three major Metrorail stations, enhancing access to opportunity; and that the new residents would support surrounding businesses. Thus, the Project would advance racial equity goals of the Comprehensive Plan (Ex. 3A).
18. The Applicant asserted 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 provide new clientele to support surrounding businesses. Furthermore, the Project will generate tax revenue for the District in what would otherwise become a vacant building. 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 vehicular trip generation from the previous office use. The Transportation Statement also concluded that the Project includes robust Transportation Demand Management ("TDM") measures (Ex. 3A, 23A1, 23A2).

³ Pursuant to 10-A DCMR § 2501.4-2501.6, 2501.8, the Commission is tasked with evaluating the Application's consistency with the Comprehensive Plan through a racial equity lens. Consistent with Comprehensive Plan guidance, the Commission utilizes a Racial Equity Analysis Tool in evaluating zoning actions through a racial equity lens; the Commission released a revised Tool on February 3, 2023. The revised Tool requires submissions from applicants and from OP analyzing the zoning action's consistency with the Citywide and Area Elements of the Comprehensive Plan, and Small Area Plans, if applicable (Part 1); a submission from applicants including information about their community outreach and engagement efforts regarding the zoning action (Part 2); and a submission from OP containing disaggregated race and ethnicity data for the Planning Area affected by the zoning action (Part 3).

19. The Applicant stated that the Project would provide specific public benefits, including:
- Superior Urban Design and Architecture (Subtitle X § 305.5(a)): High quality urban design that retains the characteristics of the original building's massing and framing on Judiciary Square, while integrating modern elements;
 - Superior Landscaping and Preservation of Open Spaces (Subtitle X § 305.5(b)): Landscape plan that provides a connection to the adjacent Judiciary Park while enhancing the pedestrian experience;
 - Site Planning and Efficient and Economical Land Utilization (Subtitle X § 305.5(c)): Converts soon-to-be vacant office use into hundreds of new mixed-income residential uses, which will increase the tax revenue generated and activate the surrounding area with new residents;
 - Historic Preservation (Subtitle X § 305.5(e)): The design retains much of the character of the existing building and honors the history of Judiciary Square; and
 - New Housing (Subtitle X § 305.5(f)): Provides approximately 500 new residential units, including 39 new affordable units,⁴ in a transit-adjacent and amenity-rich neighborhood.
- (Ex. 3A, 22).

III. Responses to the Application

OP

20. 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 specifically noted that the Project would not be inconsistent with the Property's High Density Commercial designation on the FLUM because the FLUM states that high-rise residential buildings can be interspersed in High Density Commercial areas. Neither the OP Setdown Report nor the OP Hearing Report identified any potential Comprehensive Plan inconsistencies. In accordance with the Commission's Racial Equity Tool, OP provided disaggregated race and ethnicity data for the Central Washington Planning Area, in which the Property is located, showing racial disparities in median income and housing ownership. OP concluded that given the Central Washington Planning Area's high-income, majority white population, the Project's provision of approximately 500 new residential units, including affordable units, could provide opportunities for more non-white residents to live in one of the District's most amenity rich and transit accessible areas. 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

⁴ Under Subtitle X § 305.5(g), affordable housing compliant with the IZ requirements of Subtitle C, Chapter 10 is a public benefit to the extent it exceeds what would have been required through matter-of-right development under existing zoning. The affordable housing in the Project will meet the minimum IZ requirements of the Zoning Regulations; therefore, the affordable housing does not qualify as a public benefit of the Project.

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. OP did not object to granting the Applicant’s requested design flexibility (Ex. 13, 27).

DDOT

21. On March 13, 2026, DDOT filed a report (the “DDOT Report”) stating that it had no objection to the approval of the Application provided the Applicant implement the TDM Plan with requested revisions contained within the DDOT Report and Loading Management Plan (Ex. 23A1, 23A2, 28). The Applicant agreed to DDOT’s conditions (Ex. 28; Tr. at 24).

DOEE

22. The OP Hearing Report contained comments provided by DOEE. DOEE applauded the Applicant’s Project and noted that it would help contribute to the District’s goal of sustainably accommodating future population growth. DOEE encouraged the Applicant to continue to pursue energy efficiency measures (Ex. 27).

ANCs

23. ANC 2C submitted a report on January 5, 2026 (the “ANC 2C Report”), stating that its regularly scheduled and duly noticed June 10, 2025 public meeting, with a quorum present, ANC 2C voted 4-0 in support of the Application. The ANC 2C Report noted that the increased housing supply would help address ongoing affordability challenges in Ward 2 and strengthen the demand for a neighborhood grocery store. The ANC 2C Report cited no issues and concerns (Ex. 16).
24. The Applicant’s Pre-Hearing Statement contained a report dated August 5, 2025 (the “ANC 6E Report”), stating that its regularly scheduled and duly noticed July 31, 2025 public meeting, with a quorum present, ANC 6E voted 8-0-0 in support of the Application. The ANC 6E Report noted that the Project would help ease housing supply and affordability challenges in Ward 6. The ANC 6E Report encouraged the Applicant to explore opportunities to increase the share of affordable units within the Project (Ex. 15).

Organizations and Individuals in Support

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

Organizations and Individuals in Opposition

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

CONCLUSIONS

Authority

1. Pursuant to the authority granted by Section 8 of the Zoning Act (D.C. Official Code § 6-641.01 (2019 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.

2. Pursuant to Subtitle X § 300.1, the purpose of the PUD process is to provide for higher quality development through flexibility in building controls, 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 Application satisfies the purpose of the PUD process.
3. Pursuant to Subtitle X § 303.1, as part of the PUD process, the Commission may grant relief from any development standards established in the corresponding zone, which shall be considered a type of development flexibility against which the Commission shall weigh the benefits of the PUD.
4. Pursuant to Subtitle X § 304.3, when deciding a PUD application, the Commission shall 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.
5. Pursuant to Subtitle X § 304.4, to approve a proposed PUD, the Commission shall find that the proposed development (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.
6. Pursuant to Subtitle Z § 704.4, the scope of a hearing for a Modification with Hearing shall be limited to the impact of the modification on the subject of the original application and shall not permit the Commission to revisit the original decision.

Not Inconsistent with the Comprehensive Plan and Other Adopted Public Policies Related to the Property (Subtitle X § 304.4(a))

7. The Commission concludes that the Application is not inconsistent with the Comprehensive Plan, including when viewed through a racial equity lens. The Commission finds persuasive and concurs with the Applicant and OP's analyses that the Application would not be inconsistent with the GPM and the FLUM and would further policies of the Citywide Elements, and the Central Washington Area Element. In particular, the Project will provide a substantial amount of new housing, including affordable housing, in the Judiciary Square neighborhood. The Commission further concludes that the Application will advance racial equity goals of the Comprehensive Plan based on the racial equity

analyses provided by the Applicant and OP, in compliance with the Commission's Racial Equity Tool, and inclusive of community outreach and engagement information and disaggregated race and ethnicity data for the Central Washington Planning Area, respectively. The Commission concludes that the Application would not result in any direct or indirect displacement of existing residents or businesses within the surrounding neighborhood and is encouraged that the provision of 500 new housing units will create opportunities for more diverse households to live in the neighborhood. The Commission concludes that to the extent the Application is potentially inconsistent with specific policies within the Comprehensive Plan, that such inconsistencies are outweighed by the numerous Comprehensive Plan policies noted immediately above that would be advanced by the Application.

Potential Adverse Impacts of the Projects (Subtitle X § 304.4(b))

8. The Commission concludes that the Application would not result in any unacceptable project impacts on the surrounding area or on the operation of city services and facilities. The Commission finds persuasive and concurs with the Applicant and OP's analyses that the Application would have neutral or positive impacts on the surrounding area. Specifically, the Project's proposed height and density are within the limit of the PUD's MU-9B zone and are not out of character for the area; and the Project will have favorable impacts on housing, Downtown's economy, open space and urban design, transportation, and public health and safety.

PUD Flexibility Balanced Against Public Benefits and Project Amenities (Subtitle X § 304.4(c) and 304.3)

9. The Commission concludes that the Application contains specific public benefits and project amenities, namely (1) superior urban design and architecture, (2) superior landscaping and preservation of open spaces, (3) site planning and efficient and economical land utilization, (4) historic preservation, and (5) new housing, that are commensurate with the amount of relief the Applicant seeks. More specifically, based on the Applicant and OP's analyses, the Commission finds the requested zoning flexibility from minimum open court width requirements appropriate given the building's existing structural system and the need to maximize residential density in the Project.

"Great Weight" to the Recommendations of OP

10. The Commission must give "great weight" to the recommendation of OP pursuant to § 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 (2018 Repl.)) and Subtitle Z § 405.9 (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).
11. The Commission finds persuasive OP's analysis of the Application, its conclusion that the Application satisfies the applicable PUD evaluation criteria and is not inconsistent with the Comprehensive Plan, including when viewed through a racial equity lens, and its recommendation to approve the Application and concurs in this judgment. The Commission has given the requisite great weight to OP's Report and recommendation.

“Great Weight” to the Written Report of the ANC

12. The Commission must give “great weight” to the issues and concerns of the affected ANC expressed in its written report (§ 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) (2012 Repl.)) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. D.C. Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978)).
13. The Commission finds persuasive and concurs with ANC 2C’s recommendation in support of the Application, and notes that the ANC report cited no issues and concerns.
14. The ANC 6E Report recommended approval of the Application and encouraged the Applicant to explore opportunities to increase the share of affordable units within the Project. The Commission finds persuasive and concurs with ANC 6E’s recommendation in support of the Application. The Commission understands the ANC’s concern about the Project providing more affordable housing; however, the Commission finds the Project’s amount of affordable housing adequate given the total number of new housing units that will be provided of approximately 500 units. The Commission notes that affordable housing is not a public benefit of this modified PUD while new housing is the primary public benefit.

Summary Order

15. Because no parties opposed the Application 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. Therefore, pursuant to Subtitle Z § 604.7, the Commission authorized a summary order in this case and determined it may waive the requirement that findings of fact and conclusions of law accompany the Order.

DECISION

In consideration of the case record, the Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application for 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 for the following:

- A change in use from office to residential;
- Technical zoning flexibility from the open 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, and 22-22B 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 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 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.

B. Affordable Housing and Public Benefits

1. For the life of the Project, the Applicant shall set aside no less than eight percent of the residential gross floor area as affordable housing. More specifically, the Applicant shall:
 - a. Devote eight percent of the base residential GFA to affordable housing for households earning no more than 60% MFI;

- b. Devote eight percent of the habitable penthouse space dedicated to residential units to affordable housing for households earning no more than 50% MFI; and
 - c. Locate IZ units as shown on Ex. 22 (Note: the required penthouse unit(s) are not shown in this exhibit).
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; and
 - 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 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 five percent of spaces (nine 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 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 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 years. Examples include resident 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, seven 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, N.W. except during those times when a truck is actively entering or exiting a loading berth;
 - f. Service vehicle/truck traffic interfacing with 6th Street, N.W. 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 § 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 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, N.W. 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; and
- 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. General

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 Application approval shall be valid for a period of two years from the effective date of this Order. Within such time, an application for a building permit must be filed as specified in Subtitle Z § 702.2. Construction must begin within three years after the effective date of this Order, per Subtitle Z § 702.3.
3. The Applicant is required to comply fully with the provisions of 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.

FINAL ACTION

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

(Joseph S. Imamura, Tammy Stidham Anthony J. Hood, Robert E. Miller, and Gwen Wright 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 *District of Columbia Register*; that is, on July 24, 2026.



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.