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5195919	Confirmed	Public Hearing	Board of Zoning Adjustment - Public Hearing Notice - February 10, 2015	11/28/2014 Vol 61/49	11/24/2014 16:06:53
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5197277	Confirmed	Notices, Opinions	Board of Zoning Adjustment - December 1, 8, & 15, 2014 - Closed Meeting Schedule	11/28/2014 Vol 61/49	11/24/2014 14:22:35
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194750	Unconfirmed	Notices, Opinions	Board of Zoning Adjustment Summary Order No. 18014	1/22/2010 Vol 57/4	1/27/2010 22:14:19

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ZONING COMMISSION
District of Columbia
CASE NO. 08-24B
EXHIBIT NO. 6
EXHIBIT NO. 6

ZONING COMMISSION ORDER NO. 08-24B/04-25
Z.C. Case No. 08-24B/04-25
Bozzuto Group
(PUD Minor Modification @ Square 3655 – Monroe Street Market)
October 20, 2014

Pursuant to notice, the Zoning Commission for the District of Columbia (“Commission”) held a public meeting on October 20, 2014, and approved an application from the Bozzuto Group (“Applicant”) for a minor modification to an approved planned unit development (“PUD”) for Parcel A2 of the project now known as Monroe Street Market. The application requested approval for minor refinements to the approved elevations, approval to provide an additional story on two townhomes, and approval to incorporate an additional curb cut in the site plan (Square 3655, Lot 3)

FINDINGS OF FACT

By Z C Order No 08-24/08-24A/04-25, dated December 25, 2009, the Commission approved an application for an amendment to The Catholic University of America’s Campus Plan and approved a consolidated PUD and PUD-related map amendment for the Monroe Street Market project. The PUD enabled the redevelopment of 8.9 acres of land south of Michigan Avenue with 725-825 residential units and 75,000-85,000 square feet of ground-floor retail.

The project consisted of six building blocks: A1, A2, B, C, D, and E. The Applicant proceeded with the construction of Blocks A1, B, C, and D. To date, 562 units and 57,000 square feet of retail have been constructed, which accounts for approximately 75% of the density in the project. The only two remaining blocks to be constructed are Blocks A2 and E.

The subject application concerns Block A2, which accounts for 10% of the density approved in the PUD and represents the only parcel with single-family housing in the PUD. This minor modification application reflects minor refinements in the plans since the Commission’s approval of the PUD. The Applicant specifically requested approval for the following modifications.

- 1) Slight modification of the elevations, including the provision of a bay window on the rear of the townhomes. The Applicant also modified the roofline of the townhomes to accommodate the necessary HVAC equipment for each townhouse. The Applicant relocated the HVAC equipment from the ground level to the roof of the townhomes. The relocation of the HVAC units requires a “cutout” in the roofline, which allows for the required air circulation. The visual impact of the cutout on the roofline is mitigated by painting it the same color as the roof;
- 2) Modification of the site plan to add a curbcut on Lawrence Street. This curb cut eliminates the dead-end drive serving the western row of townhomes and provides direct access to Lawrence Street. The curb cut was approved previously by the Public Space Committee, and

- 3) An additional story will be added to the units on Lots 44 and 45. The units on these lots are a “B1” style unit, which means that they are 16-foot-wide houses with garages and no basements. Every other “B1” unit was approved with a fourth story; however, these two inexplicably did not include the fourth story.

(Exhibit [“Ex.”] 1.)

By letter dated October 10, 2014, the Office of Planning (“OP”) submitted a report in support of the minor modifications. OP concluded “this request consists of minor changes to the original design which are consistent with § 3030 as being ‘of little or no importance or consequence’ and would be consistent with the original approval.” (Ex. 4)

By letter dated October 13, 2014, Advisory Neighborhood Commission (“ANC”) 5E01 Single Member District representative, Debbie Steiner, submitted a report in support of the modifications. She specifically stated that she found the modifications consistent with the initial approval and that they did nothing but enhance the project. She urged the Commission to approve the modifications as soon as possible (Ex. 5)

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 October 20, 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 approval. 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 modifications is not inconsistent with the Comprehensive Plan. The modifications are of such a minor nature that its consideration as a consent calendar item without public hearing is appropriate and is consistent with the standards of 11 DCMR § 3030, *et seq.*

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 and site plan of the PUD that was previously approved in Z.C. Order No. 08-24/08-24A/04-25.

On October 20, 2014, upon the motion of Commissioner Miller, as seconded by Vice Chairman Cohen, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

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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 December 5, 2014.