

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**  
**ZONING COMMISSION ORDER NO. 06-31A**  
**Z.C. Case No. 06-31**  
**(Consolidated Planned Unit Development and**  
**Zoning Map Amendment for The John Akridge Development Company at 5220 Wisconsin**  
**Avenue, NW)**  
**November 19, 2007**

By Zoning Commission Order No. 06-31 in Zoning Commission Case No. 06-31C, the District of Columbia Zoning Commission ("the Commission") granted the application from The John Akridge Development Company (the "Applicant") requesting consolidated review and approval of a planned unit development ("PUD") and a related amendment to the Zoning Map of the District of Columbia, pursuant to Chapters 24 and 30 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning.

The applications, filed on June 19, 2006, requested a consolidated review and approval of a PUD and a related map amendment to C-2-B for property located at 5220 Wisconsin Avenue, N.W. (the "Site"). After proper notice, the Commission held public hearings on March 8, 2007 and April 12, 2007. The parties to the case were the Applicant, Advisory Neighborhood Commission ("ANC") 3E, the ANC within which the property is located, Friendship Neighborhood Association, and Ward 3 Vision.

On October 26, 2007, Zoning Commission Order No. 06-31 (the "Order") approving the applications was published in the *D.C. Register*. The Order became effective on October 26, 2007.

Pursuant to 11 DCMR § 3029.5, ANC 3E filed a motion for reconsideration of the Order by letter dated October 31, 2007. ANC 3E requested two modifications to the Order:

1. That the restriction on applying for Residential Parking Permits (RPPs) apply not only to owners of the project but also to tenants, as proffered by the Applicant. ANC 3E further requested that additional conditions as approved in Zoning Commission Order No. 04-16 be incorporated as well; and
2. That a condition be included in the Order restricting trucks longer than thirty feet from accessing the loading dock, as proffered by the Applicant.

In response to ANC 3E's motion, the Applicant filed a response on November 8, 2007, in accordance with 11 DCMR § 3029.7 of the Zoning Regulations. The Applicant responded to ANC 3E's motion as follows:

1. The Applicant agreed that the restriction on applying for RPPs should apply to all residents (both owners and tenants) and consented to a modification to Condition No. 17 to strike the word "owners" and substitute the word "resident." The Applicant disagreed that the additional conditions from Zoning Commission Order No. 04-16 be incorporated, noting that those conditions were specific to the facts of that case and that there was nothing in the record to support those additional conditions. Furthermore, the Applicant stated that even without the additionally proposed conditions, the neighborhood will receive all of the intended protections because residents of the project will be prohibited from obtaining RPPs under any and all scenarios; and
2. The Applicant agreed that the prohibition of trucks greater than thirty feet should be a condition to the Order and proposed a modification of Condition No. 4 accordingly.

On November 19, 2007, at its regularly scheduled meeting, the Commission considered ANC 3E's Motion for Reconsideration and the Applicant's Response to ANC 3E's Motion for Reconsideration. The Commission concluded that the two changes to the Order as agreed to by the Applicant should be made, in order to accurately reflect the commitments of the Applicant.

For the above-stated reasons, the Commission concludes that the Motion for Reconsideration is granted and that the Order shall be modified as follows:

Condition No. 4 shall now read as follows (addition in underline):

4. The project shall include 1.2 parking spaces per residential unit (rounded to the next whole number) in the below-grade parking garage, based upon the final unit count. In addition, the project shall also include fifteen retail parking spaces, three residential visitor parking spaces, and two car sharing spaces. The project shall provide loading as shown on the Plan dated May 1, 2007, submitted as Tab D of the Applicant's Post-Hearing Submission of Additional Loading Information. The Applicant shall prohibit all trucks with a length of greater than thirty feet from accessing the loading facilities for this project.

Condition No. 17 shall now read as follows (addition in underline, deletion in strike-through):

17. The Applicant shall include language in all documents related to the purchase and sale of the residential units that ~~owners~~ residents of the units in the building are

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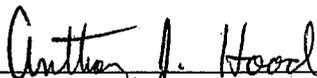
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prohibited from applying for residential permit parking stickers from the District of Columbia.

Vote of the Commission taken at the regular public meeting on November 19, 2007: 4-0-1 (Anthony J. Hood, John G. Parsons, Gregory N. Jeffries, and Michael G. Turnbull to approve; Curtis L. Etherly, not having participated, not voting).

In accordance with 11 DCMR § 3028.8, this final Order is final and effective upon its publication in the D.C. Register on JAN - 4 2008

  
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**ANTHONY J. HOOD**  
**CHAIRPERSON**  
**ZONING COMMISSION**

  
\_\_\_\_\_  
**JERRILY R. KRESS, FAIA**  
**DIRECTOR**  
**OFFICE OF ZONING** *h*

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of Zoning



Z.C. CASE NO.: 06-31

JAN 14 2008

As Secretary to the Commission, I hereby certify that on \_\_\_\_\_ copies of this Z.C. Order No. 06-31A were mailed first class, postage prepaid or sent by inter-office government mail to the following:

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ATTESTED BY: Sharon S. Schellin  
**Sharon S. Schellin**  
**Secretary to the Zoning Commission**  
**Office of Zoning**