

**1401 New York Avenue, NW (Square 222, Lot 24)**

**BZA Case No. 21489**  
**Public Hearing Presentation**  
**BIG 1401 NY OWNER LLC**

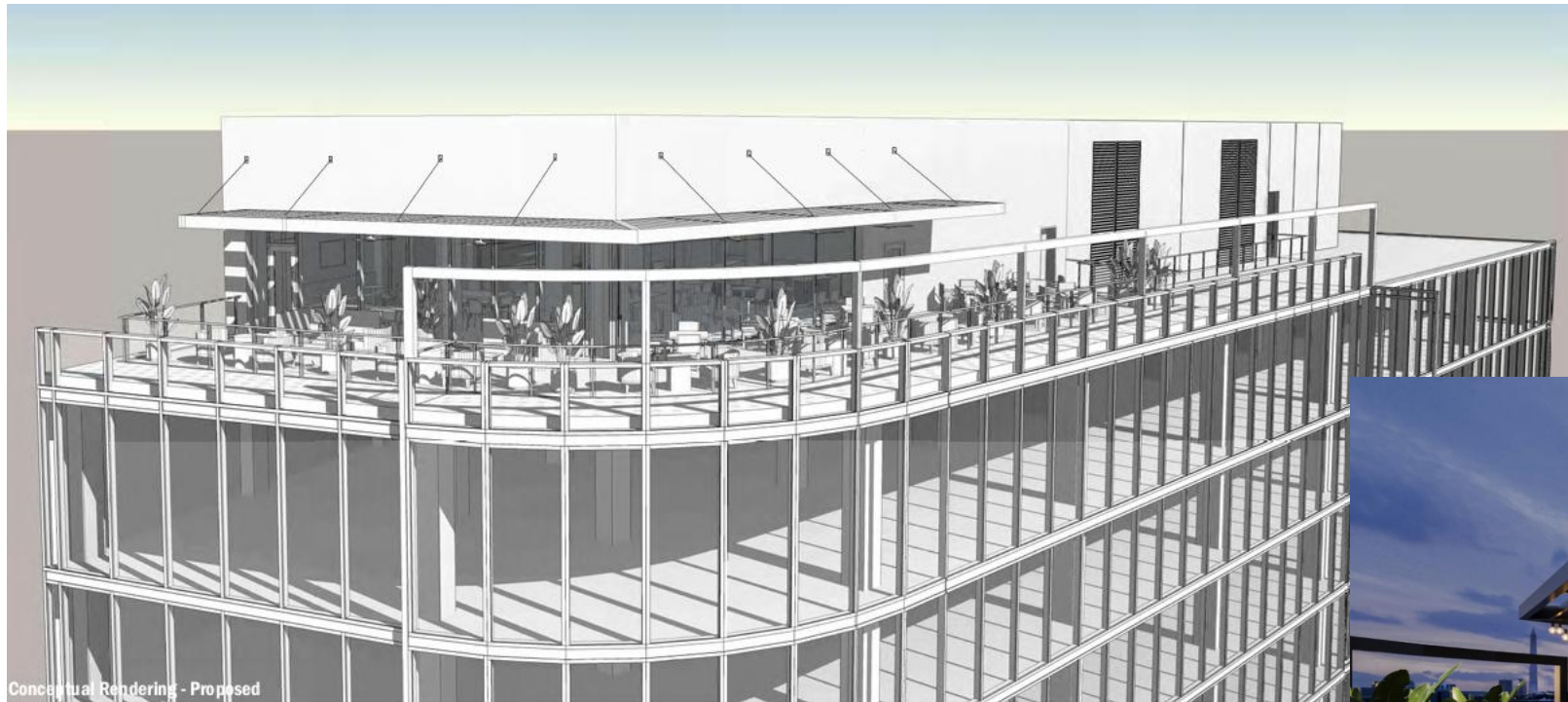
September 16, 2026

**Holland & Knight**

Copyright © 2025 Holland & Knight LLP. All Rights Reserved

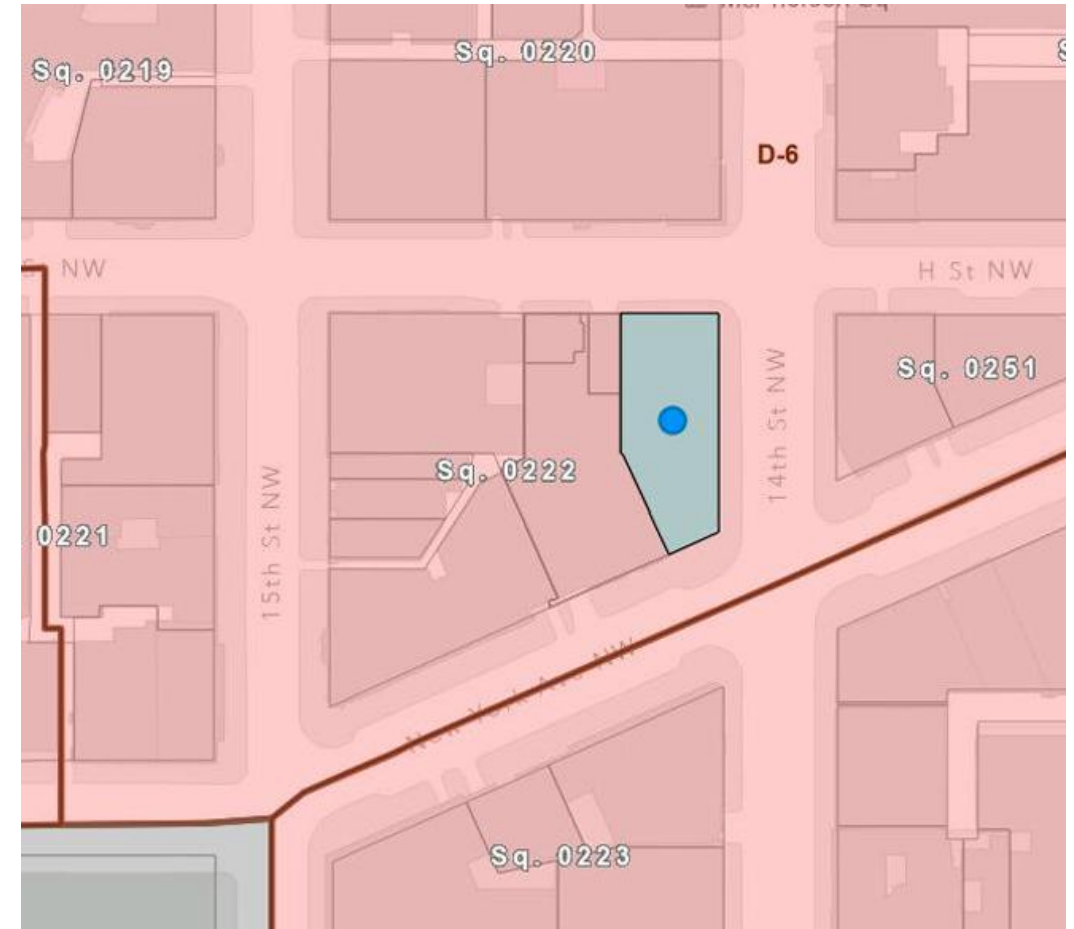
Board of Zoning Adjustment  
District of Columbia  
CASE NO. 21489  
EXHIBIT NO. 29

# Expansion and Renovation of Penthouse Habitable Space



# The Property – 1401 New York Avenue, NW

- D-6 zone
- Bounded by H Street (north), 14<sup>th</sup> Street, (east), New York Avenue (south), and private property (west).
- Improved with an existing 12-story office building with ground floor retail, penthouse habitable space, and below-grade parking.
- Constructed in 1982; renovated in 2015.



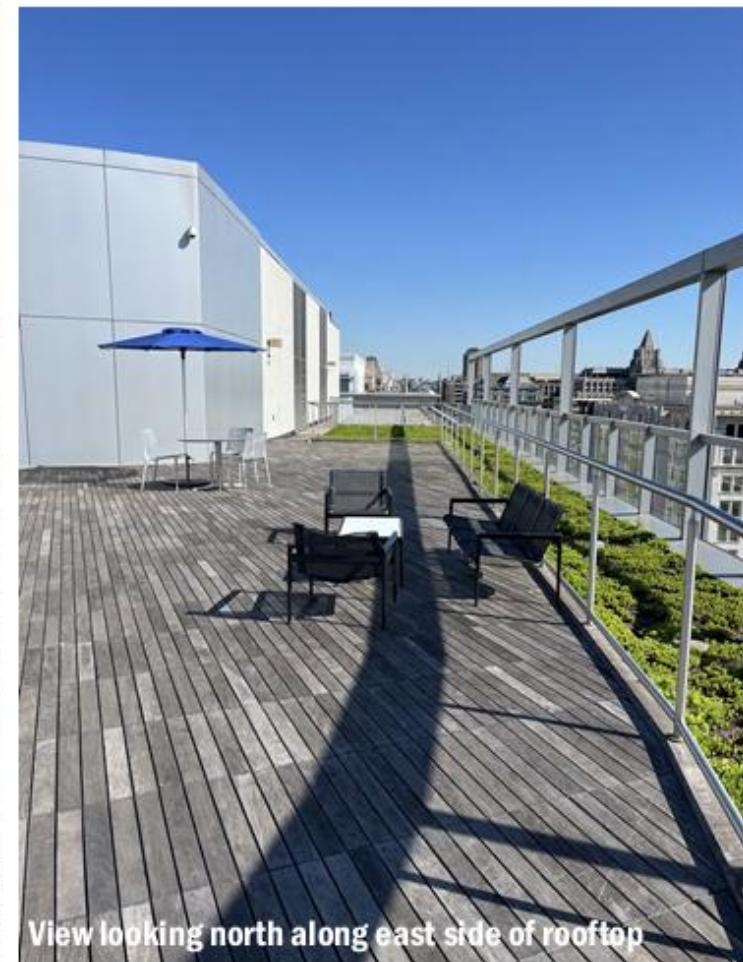
# The Property – Existing Conditions



# The Property – Existing Conditions

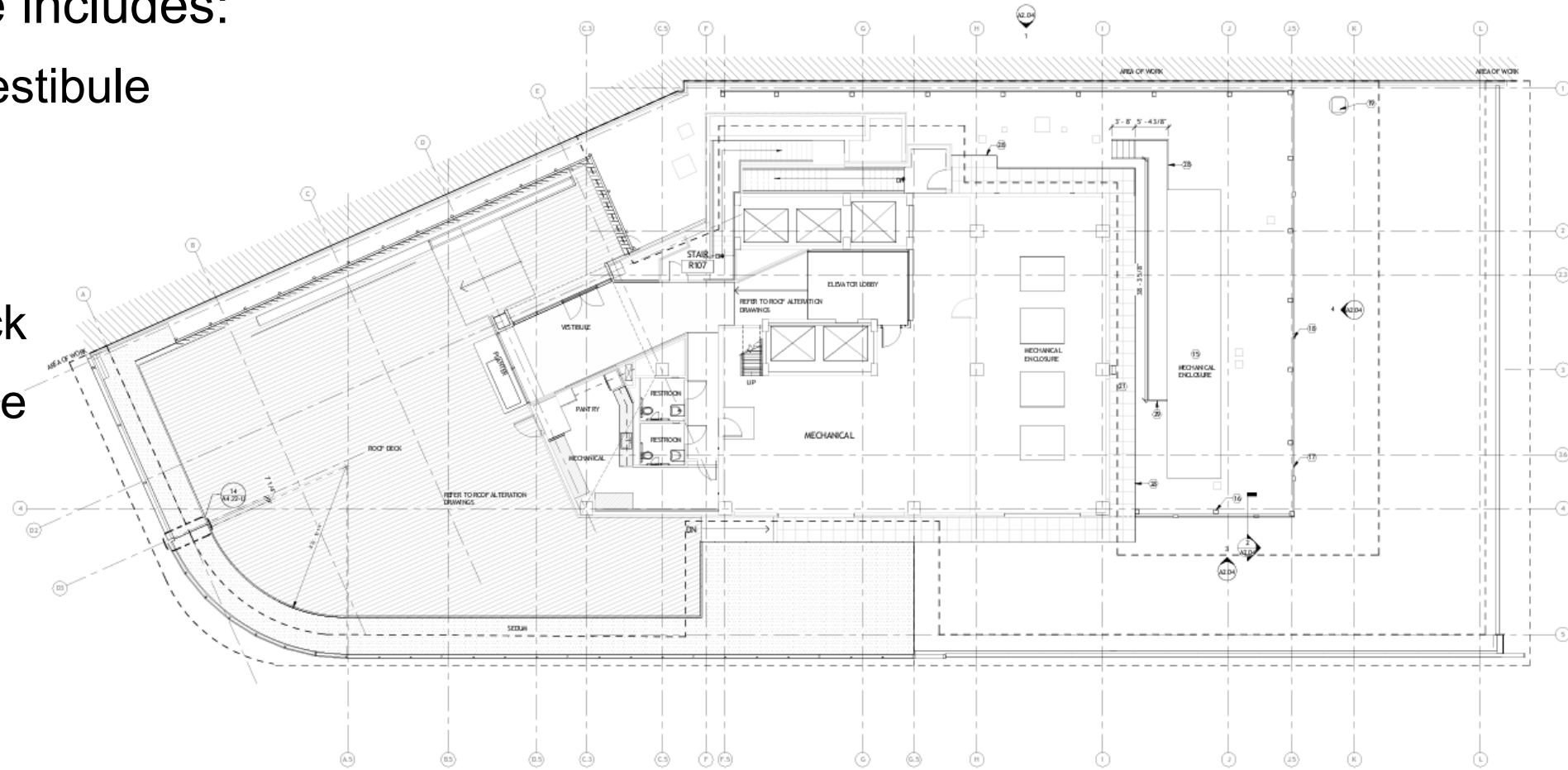


# The Property – Existing Conditions at Penthouse



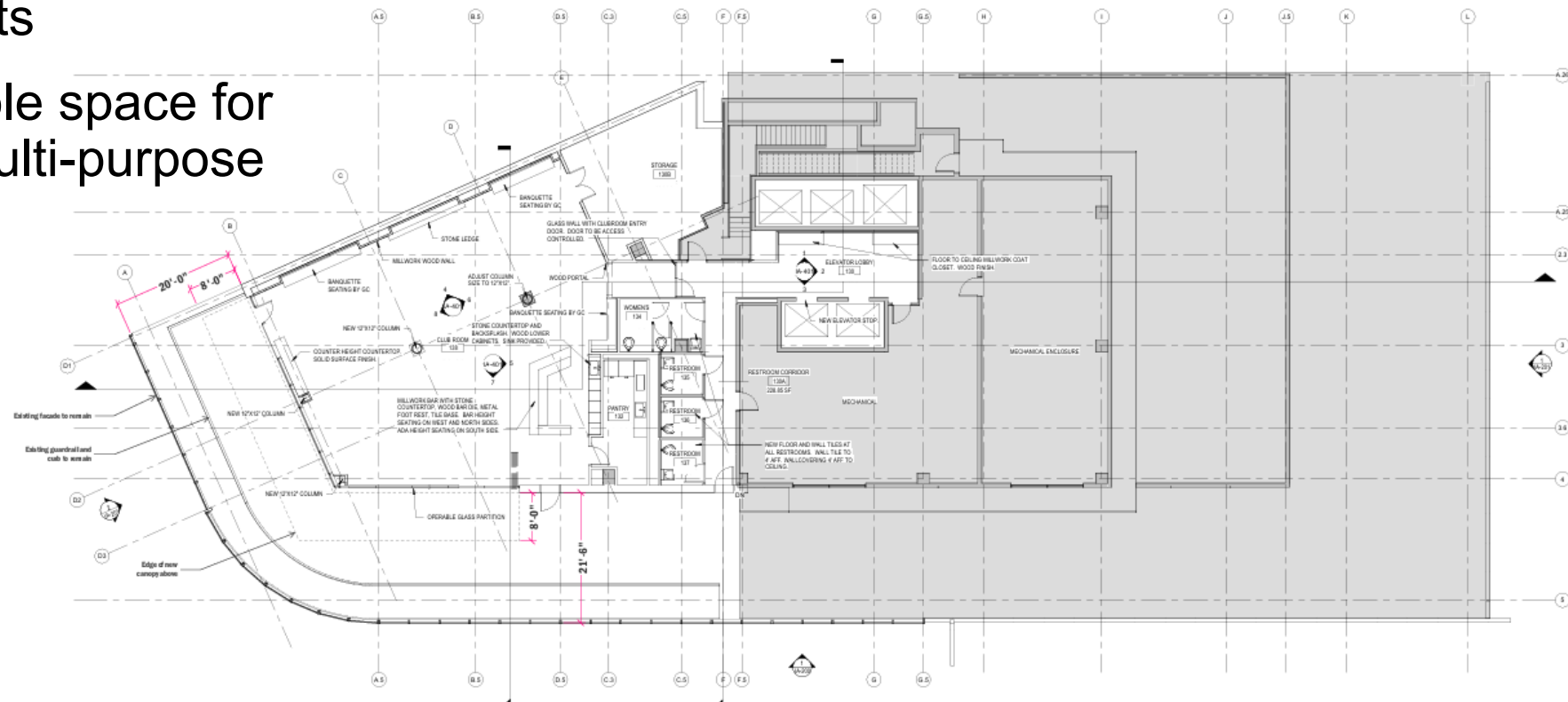
# Existing Penthouse Floor Plan

- Existing penthouse includes:
  - Elevator lobby/vestibule
  - Pantry
  - Restrooms
  - Outdoor roof deck
  - Mechanical space



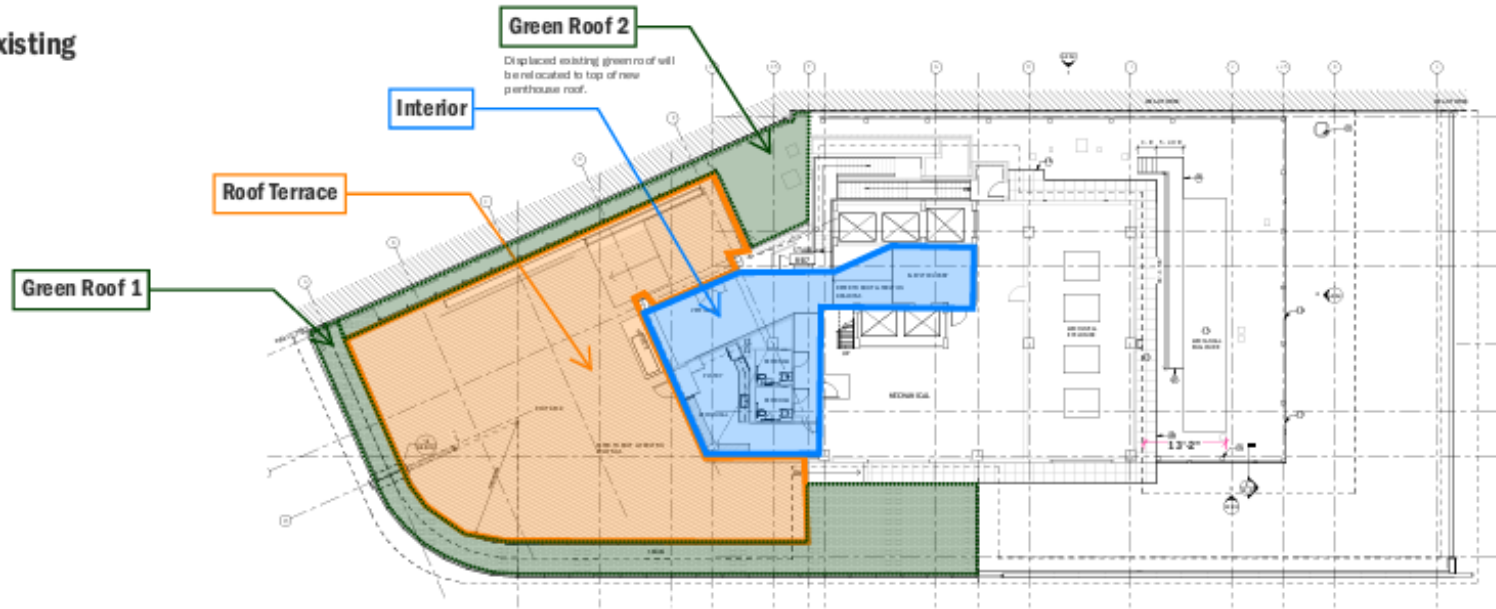
# Proposed Penthouse Floor Plan

- Proposed penthouse will include:
  - Interior renovations/upgrades to existing improvements
  - Expansion of habitable space for tenant lounge and multi-purpose room



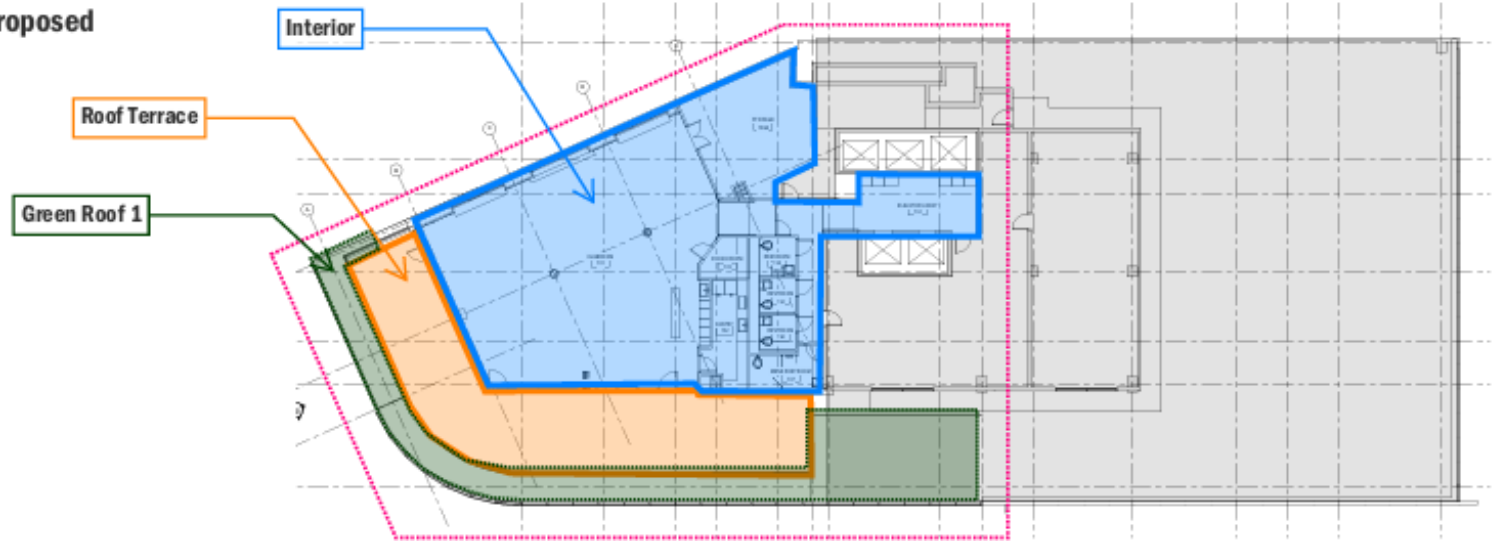
# Existing vs. Proposed Penthouse

## Existing



- small indoor seating area
- expansive outdoor roof terrace
- catering pantry w/ terrace access
- (2) restrooms

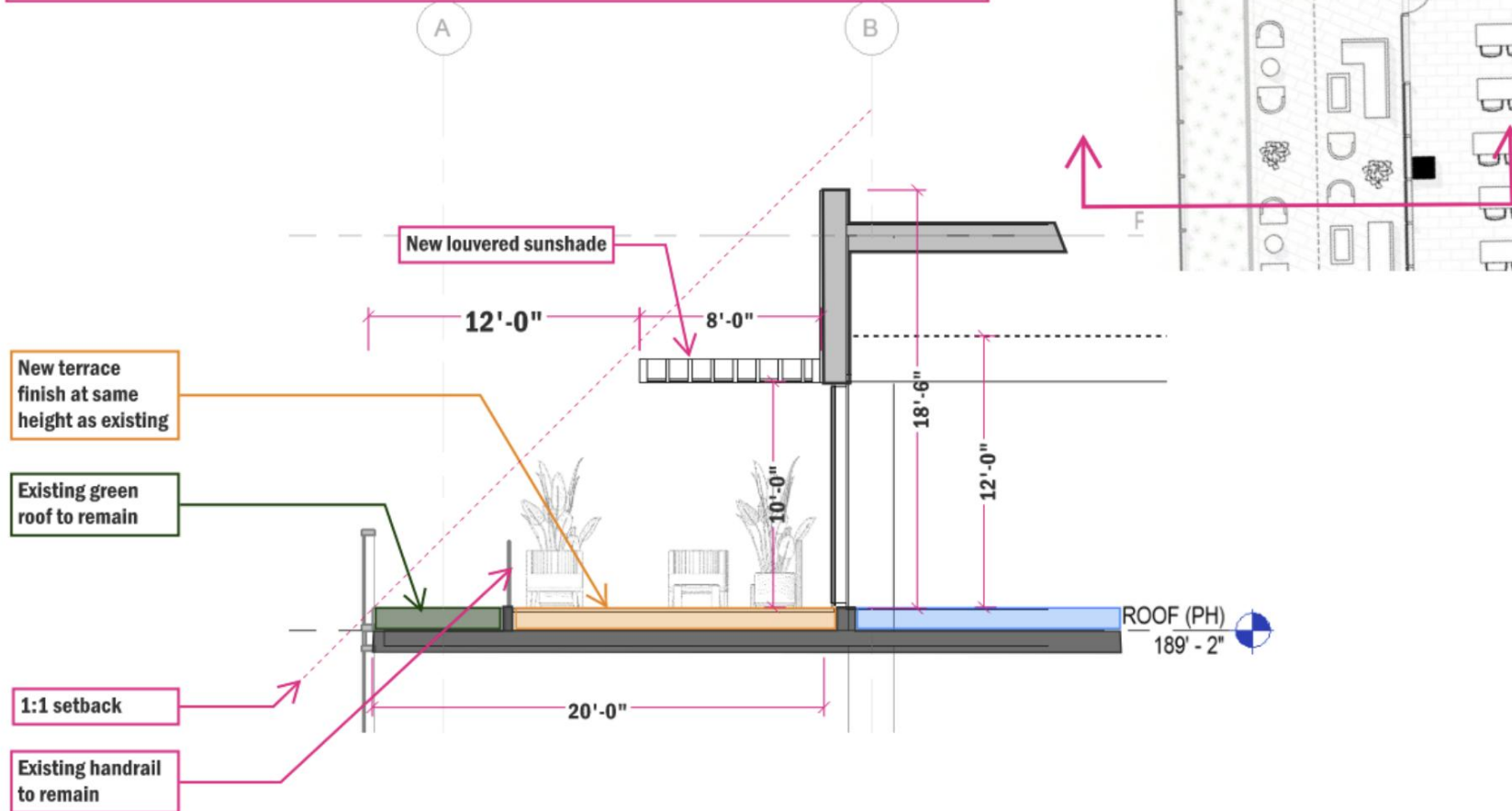
## Proposed



- large indoor seating area
- furniture storage room
- indoor catering pantry
- Added restrooms, (4) total
- flexible and functional outdoor terrace designed for lounge seating and small gatherings

# Penthouse Setback Compliance

- The new addition is setback 20'-0" (to 21'-6") and is 18'-6" tall to match the existing height of the penthouse.
- The louvered sunshade is set 10'-0" above the existing deck height and projects 8'-0".
- Both the new addition and the louvered sunshade are setback with the 1:1 allowance.



# Compliance with Special Exception Standards

## Subtitle C § 1501.1(e)

- “A penthouse or rooftop structure may house mechanical equipment, or any use permitted within the zone, except that penthouse space shall be restricted as follows:
  - “(e) On any building within an area bound by I Street, N.W., to the north; Constitution Avenue, N.W., to the south; 19th Street, N.W., to the west, and 13th Street, N.W., to the east, penthouse habitable space or publicly accessible rooftop deck on the highest roof of the building, shall be permitted only if approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, after consultation with the US Secret Service to determine whether security concerns exist.”

# Compliance with Special Exception Standards

## Subtitle C § 1501.1(e)

- Support provided from US Secret Service after touring the property and reviewing proposed penthouse plans:

**From:** BLAKE RAABE (UDW) <braabe@usss.dhs.gov>  
**Sent:** Friday, October 17, 2025 4:06 PM  
**To:** Jason Bockenek; sheronne.mason@dc.gov  
**Cc:** BLAKE RAABE (UDW); JOSHUA KLAUS (UDW); UDW-Special-Projects  
**Subject:** Re: [External]Re: 1401 New York Avenue, NW - US Secret Service Review of Penthouse Expansion

Good Afternoon All,

After completing our assessment, the agency has reviewed the final stages of the project and has no objections to the plans as they were presented to agency personnel for the location at 1401 New York Avenue, NW. However, the agency does reserve the right to view the property-rooftop open access later should a concern arise. Please have your workers call [202-406-9555](tel:202-406-9555) to notify our Control Center any day where your construction will impede traffic around the White House Complex. Please ensure the workers have a current permit available if asked to produce one; this will help expedite your work with fewer delays. Thank you!

Notification has been made to USSS/UD - White House Special Projects and no current issues were found with the work at the listed location near the White House

# Compliance with Special Exception Standards

Subtitle X § 901.2

- The BZA may grant special exceptions where, in the judgment of the Board, the special exceptions:
  - (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
  - (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
  - (c) Will meet such special conditions as may be specified in this title.

# Compliance with Special Exception Standards

Subtitle X § 901.2(a)

- The Application is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps:
  - Penthouse is designed to ensure adequate light and air;
  - Creates favorable conditions, supports civic activity and downtown office economy;
  - Meets all penthouse height, bulk, massing, setback requirements;
  - Current penthouse uses maintained and expanded/upgraded; and
  - Contribution to the Housing Production Trust Fund to be provided.

# Compliance with Special Exception Standards

Subtitle X § 901.2(b)

- The Application will not affect adversely the use of neighboring property:
  - Property surrounded on three sides by public streets;
  - Property otherwise surrounded by other 130-foot tall mixed-use commercial buildings, including the one abutting private property to the west;
  - Penthouse design and location minimizes its visibility and does not impact adjacent buildings' access to light and air;
  - Limited size and access to building tenants only will not impact adjacent properties;
  - Appropriate given the D-6 zone and high-density, mixed-use character of the area; and
  - Consistent with the purpose of restricting penthouse habitable space within secured area around the White House.

# Compliance with Special Exception Standards

Subtitle X § 901.2(c)

- The Application meets such special conditions as may be specified:
  - US Secret Service approval provided.
  - No other conditions required.

# Support for Application

- Office of Planning
  - Report in support, dated September 4, 2026 (Exhibit 27).
  - Notes that “*DDOT has requested OP to inform the BZA that they have no objection to this application.*”
- ANC 2C
  - Resolution in support, dated July 10, 2026 (Exhibit 23).
- U.S. Secret Service
  - Email in support, dated October 17, 2025 (Exhibit 13).

# Conclusion

- Application to renovate and expand existing penthouse habitable space on existing office building in the D-6 zone.
- Application meets special exception standards and relief may be granted.
- Application is supported by OP, ANC 2C, and the U.S. Secret Service.
- The Applicant requests approval by the BZA.

**1401 New York Avenue, NW (Square 222, Lot 24)**

**BZA Case No. 21489**  
**Public Hearing Presentation**  
**BIG 1401 NY OWNER LLC**

September 16, 2026

**Holland & Knight**