

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



Zoning Commission Order No. 14-04A
Z.C. Case No. 14-04A

The Professional Associates and International Finance Corporation
(Minor Modification to the Consolidated PUD @ Square 74)
May 23, 2016

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia (“Commission”) was held on May 23, 2016. At the meeting, the Commission approved an application of The Professional Associates and International Finance Corporation (collectively, the “Applicant”) for a minor modification to an approved planned unit development (“PUD”) for the property consisting of all of Square 74 (“Property”). Because the modification was deemed minor, a public hearing was not conducted. The Commission determined that this modification request was properly before it under the provisions of §§ 411.24, 2409.9, and 3030 of the Zoning Regulations (Title 11 DCMR)¹.

FINDINGS OF FACT

By Z.C. Order No. 14-04, dated November 10, 2014 (“Order”), the Commission approved a PUD enabling the construction of an addition to the existing International Finance Corporation (“IFC”) headquarters at 2100 K Street, N.W. (“Project”).

In this proceeding, the Applicant requested a minor modification to the approved plan to add penthouse habitable space to the PUD as well as related minor adjustments to the footprint of the penthouse. These modifications create a habitable room with approximately 1,570 square feet of floor area. The penthouse height, materials, and design remain unchanged. (Exhibit [“Ex.”]1.) The proposed changes do not impact the overall height, mass, bulk, or design that was originally approved by the Commission. Rather, they are minor changes required to accommodate the recent changes to the Zoning Regulations regarding habitable space within penthouses.

Pursuant to § 411.25(b), the proposed penthouse complies with all of the penthouse regulations as follows:

¹ All references to Title 11 DCMR within the body of this order, except for the final reference, are to provisions that were in effect on the date the application was decided by the Commission, but which were repealed as of September 6, 2016 and replaced by new text. The repeal and adoption of the replacement text has no effect on the validity of the Commission’s decision or the validity of this Order.

- Use (§ 411.4): The penthouse contains mechanical space and habitable indoor space that will be used by the building's office tenants;
- Single Structure (§ 411.6): The penthouse is located within one enclosure that harmonizes with the main structure in design;
- Enclosure (§ 411.7): All mechanical equipment except for the cooling tower is fully enclosed;
- Heights (§§ 411.9, 770.6, and 2405.1): The habitable space is one uniform height and the mechanical space is a second, uniform height. The penthouse height does not exceed 20 feet;
- Verticality (§ 411.10): The enclosing walls rise vertically to a roof;
- FAR (§ 411.13): The habitable space is 1,570 square feet, or 0.02 FAR, which is well within the 0.4 FAR maximum for habitable space gross floor area not to be counted toward FAR;
- Parking and Loading (§ 411.15): Consistent with the original approval, the proposed Project exceeds the parking requirements, so the additional required parking space associated with the penthouse can be accommodated within the proposed amount of parking spaces. The penthouse space does not trigger an additional loading requirement;
- Housing Linkage (§ 411.17): The Applicant will provide the required contribution associated with the habitable penthouse space; and
- Setbacks (§ 411.18): The penthouse is set back from the north and east edges of the roof a distance that is at least equal to its height. The west and south edges of the roof of the Project adjoin the existing IFC building. No setback is required from those edges because: (a) the entire structure is one building for zoning purposes; and (b) even if the structures were separate buildings, they have the same permitted height.

On May 16, 2016, the Applicant submitted the amended plans to confirm that the proposed guardrail is also set back 1:1 from the edge of the roof. (Ex. 8.)

The Applicant served the minor modification request on Advisory Neighborhood Commission ("ANC") 1A as well as the Office of Planning. ANC 2A filed a report noting unanimous support for the minor modification. The Office of Planning recommended approval of the modifications. (Ex. 6.)

On May 23, 2016, at its regular monthly meeting, the Commission reviewed the application as a Consent Calendar matter and granted approval of the application for minor modification to the approved PUD.

The Commission finds that the requested modification is of little consequence to the PUD as a whole, and further finds that approval of the modification is appropriate and not inconsistent with its approval of the original PUD. The Commission also finds that the modification satisfies the requirements of § 411.25 regarding minor modifications to add penthouse habitable space to approved buildings.

CONCLUSIONS OF LAW

Upon consideration of the record in this application, the Commission concludes that the proposed modification is minor and consistent with the intent of the previously approved Z.C. Order No. 14-04 and with the requirements for minor modifications to add penthouse habitable space. (11 DCMR §§ 411.24, 411.25, and 2409.9.) Furthermore, the Commission concludes that its decision is in the best interest of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations, and is not inconsistent with the Comprehensive Plan.

The Commission also concludes that the modification is of little or no consequence, and is therefore appropriate for consideration on the Consent Calendar, without a public hearing. (11 DCMR § 3030.2.)

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of the application for a minor modification of an approved PUD to allow the modifications as shown on Exhibit 8 of the record. All other provisions and conditions of Z.C. Order No. 14-04 shall remain in effect.

On May 23, 2016, upon the motion of Vice Chairperson Cohen, as seconded by Commissioner Miller, the Zoning Commission **APPROVED** the application and **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, and Peter G. May to approve and adopt; Michael G. Turnbull to approve and adopt by absentee ballot).

In accordance with the provisions of 11 DCMR § 3028.8, this Order shall become final and effective upon publication in the D.C. Register, that is, on October 7, 2016.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING