

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
ZONING COMMISSION ORDER NO. 74-10B**

**Z.C. Case No. 74-10B**

**Amalgamated Transit Union**

**(Modification without Hearing for a Planned Unit Development @ Square 115, Lot 82  
21 Dupont Circle NW)  
October 9, 2025**

Pursuant to notice, at its October 9, 2025 public meeting, the Zoning Commission for the District of Columbia (“**Commission**”) considered the application (“**Application**”) of the Amalgamated Transit Union (“**Applicant**” or “**ATU**”) for a Modification without Hearing to the approved Planned Unit Development (“**PUD**”) for Lot 82 in Square 115, with a street address of 21 Dupont Circle NW (“**Property**”). 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 (Title 11 of the District of Columbia Municipal Regulations, to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

**FINDINGS OF FACT**

**PRIOR APPROVALS**

1. Pursuant to Z.C. Order No. 81, the Commission approved a first-stage PUD and Zoning Map amendment to the C-3-B zone for the following properties: 21 Dupont Circle NW, 1320 19th St. NW, 1307 New Hampshire Ave. NW, and 1333 New Hampshire Ave. NW (the “**1333 NH Property**”) (together, the “**PUD Properties**”). The approved PUD was for a new 12-story office and retail building at the 1333 NH Property, the transfer of unused density from the other properties in the PUD to the 1333 NH Property, and the retention of the existing buildings at the other properties.
2. Pursuant to Z.C. Order No. 101, the Commission approved a second-stage PUD for the PUD Properties.
3. Pursuant to Board of Zoning Adjustment (“**BZA**” or “**Board**”) Order No. 11875, the Board approved a further processing of the PUD to allow additions and changes to the building at 1320 19<sup>th</sup> Street NW.
4. Pursuant to BZA Order No. 11901, the Board approved a further processing application of the PUD to allow construction of the new building at the 1333 NH Property.

5. Pursuant to Z.C. Order No. 308, the PUD Properties' C-3-B Zone was redesignated as the C-3-C Zone.
6. Pursuant to Z.C. Order No. 101-A, the Commission approved a modification to a condition in Order No. 101 to allow a wider range of uses on the ground floor of the building at the 1333 NH Property.
7. Pursuant to Z.C. Order No. 08-06A, the C-3-C Zone was re-designated as the MU-9B Zone.
8. Pursuant to Z.C. Order No. 74-10A, the Commission approved an application for changes to the building at the 1333 NH Property and to modify two conditions in Order No. 101 for such changes.

### PARTIES AND NOTICE

9. The following were automatically parties to this proceeding pursuant to Subtitle Z § 403.5:
  - The ATU;
  - Dupont Circle Citizens Association (“**DCCA**”); and
  - Advisory Neighborhood Commission 2B (“**ANC 2B**”).
10. The ATU served the Application on July 22, 2025 on ANC 2B, DCCA, as well as the D.C. Office of Planning (“**OP**”), as attested by the Certificate of Service submitted with the Application. (Ex. 2.)

### THE APPLICATION

11. On July 22, 2025, the University filed the Application requesting a Modification without Hearing the modify the design of the building at 21 Dupont Circle NW (the “**Building**”) for ATU’s eventual occupation of the Building as its new headquarters.
12. The modifications proposed in the Application involve mostly cosmetic changes to modernize the Building, improve circulation and efficiency, and make it suitable for ATU’s operations and programming (the “**Project**”), as follows:
  - a. New rooftop canopy, rooftop stair enclosure, guardrail, and rooftop mechanical equipment;
  - b. New entrance vestibule, entrance canopy, ATU logo, and sixth-floor connection;
  - c. New windows; and
  - d. New lobby and third-floor skylight over the center courtyard.(Ex. 2)
13. Plans submitted with the Application include plan view, elevation, and perspective drawings to depict the above-described proposed modifications to the Building. (Ex. 2C1-2C2.)
14. In addition to the above-described modifications to the Building’s design, the Applicant requested a modification to Condition #2 in Z.C. Order No. 101, which states that “the [Building] shall not be increased or decreased in terms of gross floor area...” Therefore,

the Applicant requested that the condition be changed to allow the proposed changes to the Building that increase its gross floor area since the proposed skylight will add approximately 1158 square feet of gross floor area. (Ex. 2.)

### **RESPONSES TO THE APPLICATION**

15. OP submitted a report dated September 29, 2025 (“**OP Report**”) recommending approval of the Application. (Ex. 5.) OP stated that it concurs with the Applicant that the Application would not change the material facts upon which the Commission based its original approval of the PUD and that the Application could be considered as a modification without hearing. OP analyzed the specific proposed modifications and supported them as well as the proposed change to Condition 2 in Z.C. Order No. 101.
16. By report dated August 18, 2025 and pursuant to vote taken at a regularly-scheduled and duly-noted public meeting with a quorum present, ANC 2B supported the proposed Application. (Ex. 4.)

### **CONCLUSIONS OF LAW**

1. Subtitle Z § 703.1 authorizes the Commission, in the interest of efficiency, to make modifications to final orders and plans without a public hearing.
2. Subtitle Z § 703.6 defines a Modification without Hearing as “a modification in which impact may be understood without witness testimony, including, but not limited to a proposed change to a condition in the final order, . . . or a redesign or relocation of architectural elements and open spaces from the final design approved by the Commission...”
3. The Commission concludes that the Applicant satisfied the requirement of Subtitle Z § 703.10 to serve the Application on all parties to the original proceeding, in this case ANC 2B and the DCCA.
4. The Commission concludes that the Application qualifies as a Modification without Hearing within the meaning of Subtitle Z § 703.6, as a request to modify a condition in the final order and to modify the approved plans and therefore the modification can be granted without a public hearing pursuant to Subtitle Z § 703.1.
5. The Commission finds that the Application is consistent with the PUD as previously approved by Z.C. Order No. 81 and Z.C. Order No. 101 because the modifications will facilitate the renovation and modernization of the Building for use as the ATU’s headquarters.

### **“GREAT WEIGHT” TO THE RECOMMENDATIONS OF OP**

6. The Commission is required to 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 § 405.8.)

(Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment, 141 A.3d 1079, 1087 (D.C. 2016).)

7. The Commission finds OP's recommendation to approve the Application persuasive and concurs in that judgment.

**“GREAT WEIGHT” TO THE WRITTEN REPORT OF THE ANCS**

8. The Commission must give “great weight” to the issues and concerns raised in a written report of the affected ANC that was approved by the full ANC at a properly noticed meeting that was open to the public pursuant to § 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. (Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (Wheeler v. District of Columbia Board of Zoning Adjustment, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)
9. The Commission finds ANC 2B's recommendation to approve the Application persuasive and concurs in that judgment.

**DECISION**

In consideration of the case record and the Findings of Fact and Conclusions of Law herein, the Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application's request for a Modification without Hearing and authorizes the construction of the improvements as shown on the Final Plans (defined below) subject to the following conditions:

1. The Project shall be built in accordance with the plans and elevations dated July 2025 (Ex. 2C1 and 2C2) (the “**Final Plans**”) subject to the following areas of design flexibility:
  - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;
  - b. To vary the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the Final Plans; and
  - c. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Final Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights.

2. Condition No. 2 in Z.C. Order No. 101 shall be modified as follows (additions in **underline and bold**):

The property shall be developed with no more than five separate buildings. The existing Euram and Sunderland Buildings shall not be increased or decreased in terms of gross floor area, provided that certain minor modifications may be made to the Sunderland Building, as shown on Exhibit 7A, B, C, & D of the public hearing, **but the changes as shown in Exhibits 2C1 and 2C2 of the record in Case No. 74-10B may be made to the Euram Building, some of which increase its gross floor area.**

The Final Plans shall supersede the plans approved by the Commission in Z.C. Case No. 74-10 and, in the event of a conflict between the Final Plans and the plans or associated conditions approved in Z.C. Case No. 74-10, the Final Plans shall govern. All other conditions of Z.C. Order No. 101, as modified herein and by Z.C. Orders No. 101-A and 74-10A, remain unchanged and in effect.

**FINAL ACTION**

**VOTE** (October 9, 2025) **3-0-2:** (Anthony J. Hood, Robert E. Miller, and Gwen Wright to **APPROVE**);).

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 74-10B shall become final and effective upon publication in the *District of Columbia Register*; that is, on \_\_\_\_\_.

**BY THE ORDER OF THE D.C. ZONING COMMISSION**

A majority of the Commission members approved the issuance of this Order.

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**ANTHONY J. HOOD**  
**CHAIRMAN**  
**ZONING COMMISSION**

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**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.