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ZONING COMMISSION
District of Columbia
CASE NO. 20-13A
EXHIBIT NO. 6

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 335A
Z.C. Case No. 80-13A
BP 1330 Connecticut Avenue, LLC
(Modification of an Approved Consolidated Planned Unit Development @ Square 138)
April 13, 2015

This Order pertains to a request by BP 1330 Connecticut Avenue, LLC ("Applicant"). The Applicant seeks approval of a modification to an approved planned unit development ("PUD") for the property known as 1330 Connecticut Avenue, N.W. (Square 138, Lot 803) ("Property"). The original PUD was approved in Z.C. Orders No. 297 and 335 ("Orders"), which became effective on October 11, 1979 and March 12, 1981, respectively. The Applicant requested that the Zoning Commission for the District of Columbia ("Commission") consider the request to be a minor modification pursuant to its Consent Calendar procedures set forth at 11 DCMR § 3030, which permit the Commission to grant such modifications without a hearing or referral to the National Capital Planning Commission.

Pursuant to notice, the Commission held a public meeting on April 13, 2015 and considered this modification request as a Consent Calendar item. The Commission then voted to approve the modification.

FINDINGS OF FACT

1. The original orders in Z.C. Case Nos. 78-21 and 80-13 (the "Orders"), approved a 10-story office and retail building adjacent and connected to an existing building, the International Associations of Machinists ("IAM") building located at 1300 Connecticut Avenue, N.W. The approved 10-story office building (1330 Connecticut Avenue, N.W.) contains approximately 228,474 square feet of gross floor area. The approved building also has a height of 118 feet, contains 220 underground parking spaces, and provides five loading berths. (Exhibits ["Ex."] 1-1B.)
2. Design conditions for the approved building included retail arcades for the first floor, a "mini-park" on 19th Street, red brick exterior finishes, limestone/limestone-colored trim, and bronze tinted glass fenestration. The overall approved PUD, including both buildings, has a gross floor area of 352,933 square feet (7.0 FAR), of which no more than 48,000 square feet may be dedicated to retail use. The Orders did not approve any changes to the IAM building (1300 Connecticut) other than those necessary to allow construction of the 1330 Connecticut building. (Ex. 1-1B.)
3. By Z.C. Order No. 297-A, effective May 29, 1992, the Commission approved modifications to only the IAM building. The modifications included improvements to the lobby entrance and ground-floor retail, a new cornice and two flags, and new windows on the western wall. (Ex. 1.)
4. By Z.C. Order No. 297-B, effective May 28, 1993, the Commission approved another modification to the IAM building. The modification was to change the slope of the loading berth, insert a loading platform, and eliminate six parking spaces. (Ex. 1.)

5. On March 26, 2015, the Applicant submitted an application requesting approval of minor modifications to only the building at 1330 Connecticut Avenue N.W.; the proposed modification will not affect the IAM building (1300 Connecticut) in any way. The proposal includes minor changes to the exterior of the building to improve building operations, to make the building more attractive to potential tenants, and to accommodate an existing long-term principal tenant. Specifically, the requested changes are as follows: (Ex. 1-1B):
 - a. The first-floor retail arcades along Connecticut Avenue, N Street, and 19th Street will be enclosed so that the retail spaces and entrances will extend to the building line. This will result in approximately 3,960 square feet of new enclosed space. The new glazed storefront system will be more pedestrian friendly and will include new signs and doorways;
 - b. The lobby entrance on Connecticut Avenue will be altered to include more glazing, as well as new doors and fixtures above the entrance;
 - c. The retail spaces and lobby will be reconfigured. The lobby and retail spaces will not have a direct connection, and the lobby will no longer be a public passage through the building;
 - d. The double-hung windows on the upper floors of the Connecticut Avenue façade will be replaced with inoperable energy efficient windows that will have the appearance of being double-hung;
 - e. The ribbon windows in the upper floors on the Connecticut Avenue, N Street, and 19th Street façades will be replaced with energy-efficient and transparent ribbon windows;
 - f. The guardrails on the upper floors will be extended up to the code-required height by adding glass panels onto the existing guardrails; and
 - g. The “mini-park” will be improved with new landscaping. The planters will be modified to make them more pedestrian in scale and to allow outdoor seating. The steps will be reconfigured.
6. The Office of Planning’s April 6, 2015 report recommended that the Commission approve the proposed modifications as minor. (Ex. 4.)
7. Advisory Neighborhood Commission (“ANC”) 2B did not submit written comment in regard to the application. The Dupont Circle Citizen’s Association indicated that it had no objection to the request. (Ex. 5.)

CONCLUSIONS OF LAW

Upon consideration of the record of this application, the Commission concludes that the Applicant's proposed modifications to the building at 1330 Connecticut Avenue are minor and may be approved under § 3030 of the Zoning Regulations. The Commission concludes that the proposed modifications are consistent with the intent of the Commission in approving the original Orders. Further, the Commission finds 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 the Zoning Map. The approval of this modification application is not inconsistent with the Comprehensive Plan.

The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (DC Law 8-163, D.C. Official Code § 6-623.04), to give "great weight" to OP recommendations. The Commission concurs with the recommendation of OP that the proposed modifications be approved as minor.

The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (DC Law 1-21, D.C. Official Code § 1-309.10(d)), to give "great weight" to the issues and concerns of the affected ANC. The ANC submitted no written comments,

DECISION

In consideration of the above Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of this application for a modification of the approved PUD in Z.C. Order Nos. 297 and 335. The approved modification shall be as shown in the plans included as Exhibit 1B of the record.

On April 13, 2015, upon motion by Commissioner Turnbull, as seconded by Commissioner Miller, the Zoning Commission **APPROVED** the application and **ADOPTED** this Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Marcie I. Cohen. Robert E. Miller, and Michael G. Turnbull to adopt; May not present; not voting).

In accordance with the provisions of 11 DCMR 3028.29, this Order shall become final and effective upon publication in the *D.C. Register* on July 31, 2015.