

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director, Development Review/Historic Preservation

DATE: September 13, 2019

SUBJECT: **ZC Case 74-10A** Office of Planning Report on a Request for a Modification of Consequence to Zoning Commission Order 74-10/71-30F for a Consolidated Planned Unit Development and Map Amendment at 1333 New Hampshire Avenue, NW (Square 115)

I. OP RECOMMENDATION AND SUMMARY OF APPLICANT'S REQUEST

The Office of Planning (OP) recommends the Zoning Commission approve, as a modification of consequence pursuant to Subtitle Z, § 720, the application to modify the design of existing building at 1333 New Hampshire Avenue, N.W., and a Condition of the PUD Order by:

- On the first floor, eliminating “arcade” space by moving the glass enclosing the street-facing edge of existing retail and lobby space approximately 7’11 ¼” closer to the property line on New Hampshire Avenue, and approximately 8.77 feet closer to the property line on 19th Street (Exhibit 2G1, Pages 22-23 and Exhibit 2G2, Pages 36-37);
- Within the footprint of the existing penthouse, creating approximately 11,073 square feet of new occupiable space and circulation space while updating mechanical equipment, replacing existing exterior panels with a combination of glass, new darker panels, and a covered terrace, and installing a glass railing set-back at a 1:1 ratio from the building edge (Exhibit 2G1, Pages 40-41, 46-47 and Exhibit 5A);
- Modifying Condition 6 of ZC Order No. 101 as follows, to reflect that, while that Condition restricts the penthouse to a total height of 17 feet, the existing penthouse is and would continue to be 17’2” high, and the proposed elevator overrun, which now rises 24 feet above the building roof, would be reduced to rise 20 feet above the roof (Exhibit 2G2, Pages 30-31);
 - *6. The ~~new~~ building at 1333 New Hampshire Avenue, NW shall not exceed 130 feet in height. Any roof structures in the excess of that limit, as normally permitted by the Regulations, shall not exceed 17 feet 17’-2” in height, except that the elevator override may extend to a maximum of 20 feet, as shown in EXHIBIT [].*

- Patching and repairing the building’s precast façade and covering it with an elastomeric coating, the color of which would be coordinated with the District’s Historic Preservation Office (Exhibit 2G1, Pages 11, 19 and Exhibit 5A);
- On the 10th floor, reducing the depth of the existing wrap-around balcony by moving the floor’s glazing approximately 6 feet forward, to the outer edge of the structural columns, deepening the tinting of the glass, cladding the outer edge of the structural columns in a metal of a color similar to the new glass, and replacing the perforated pre-cast railing with a lower-height metal capping (Exhibit 2G2, page 39);
- Revising and relocating existing ground floor signage within the locations shown in blue on Exhibit 5A, Sheets 52 and 53;
- Installing new second-floor signage in the locations shown in orange on Exhibit 5A, Sheets 52 and 53.

The applicant is also proposing changes in the public space to provide better access to below-grade retail space. These will be reviewed by the Public Space Committee.

II. BACKGROUND OF EXISTING BUILDING AND PUD

This subject building is one of four included in the same 1974 PUD adjacent to Dupont Circle and bounded by Dupont Circle, 19th Street, New Hampshire Avenue and Sunderland Place in northwest Washington. The PUD included a related map amendment from SP and C-3-B to all-C-3-B. The current PUD-related zone is MU-8 and the underlying zone is MU-16.

The northern third of the site is in the Massachusetts Avenue Historic District; the southern two-thirds is in the Dupont Historic District. The site includes the Heurich Mansion historic landmark.

Three of the four buildings within the PUD had already been constructed before the PUD was filed. The newest of the four building – 1333 New Hampshire Avenue, NW --is the subject of this request for a modification of consequence to make relatively modest changes to its exterior design. The 12-story office building with ground floor retail is 130 feet high, contains 301,433 square feet, and achieved this size through the PUD’s covenanted aggregation of FAR from the Heurich Mansion. The office building is clad in pre-cast, which frames set-back windows. The ground floor is recessed behind the first line of structural columns. The enclosed part of the 10th floor is set-back approximately 8-feet from the building edge and behind the structural columns, forming a balcony with a perforated pre-cast concrete railing around the entire building perimeter. The penthouse encloses mechanical space and is covered with pre-cast panels. There are relatively large excavations in the public space on New Hampshire Avenue and 19th Street that provide access to, and outdoor space for, below-grade retail and entertainment space.

III. ANALYSIS

Subtitle Z, § Z 703 defines a modification of consequence:

703.3: For purposes of this section, “modification of consequence” shall mean a modification to a contested case order or the approved plans that is neither a minor modification nor a modification of significance.

Per § 703.2, a minor modification is one that does not change the material facts on which the original approval was based, whereas § 703.6 notes that a modification of significance involves a proposed change in use, proffered benefits and amenities, required covenants, or additional relief or flexibility from the zoning regulations.

The requested modification does not change the material facts upon which the Commission based its original approval of the application. Approval of the request would not modify the size or significantly alter the overall design of the existing building, or decrease the public benefits or amenities.

The proposed modification would permit limited changes to certain façade materials and coatings, color ranges, cladding, ground floor and lobby space, public space and signage. Because the building is within the Dupont Circle Historic District, the applicant has coordinated the proposals with the Historic Preservation Office.

The proposed modifications to the 17-foot maximum penthouse height permitted by Condition 6 would align permissions with what was actually constructed over thirty years ago. The modified penthouse would be the same 17'2" height as the existing penthouse and the new elevator overrun, at 20 feet, would be four-feet shorter than the existing overrun.

The reconfigured penthouse (see Exhibit 5A) would contain 9,327 SF of habitable space devoted to communal facilities and office space. The applicant estimates that this, plus the 1,746 square feet penthouse circulation space assigned to the habitable space, would generate an approximately \$1.24 million contribution to the Housing Production Trust Fund (Exhibit 5). The final calculation and amount will be determined at the time of building permit application for the habitable penthouse space.

IV. OTHER DISTRICT AGENCY REPORTS, AND COMMUNITY COMMENTS

The applicant has circulated the application to OP, the District Department of Transportation and to the two parties to the original case -- ANC 2B and the Dupont Circle Citizens Association.

There were no comments from other agencies, the original parties or the public at the time OP completed this report.

Jls/slc
Stephen Cochran, project manager

Attachment: Location Map

