

Government of the District of Columbia  
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 189

Case No. 77-25

November 11, 1977

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on September 15, 1977, to consider the application for a planned unit development filed by 1120 Twentieth Street Associates.

FINDINGS OF FACT

1. The site of the proposed planned unit development is located on 20th Street, between "L" and "M" Streets, N. W.; (Square 100, Lots 91, 92, 847, 848, 849, 853, 862, 863, 864, 873). The area of the subject site is approximately 45,396 square feet.

2. At its public meeting held on August 11, 1977, the Zoning Commission determined that it would give expedited treatment to the processing of this application. The Commission determined that the desire to retain a major business and employer in the District of Columbia as well as the desire to create a development package offering significant public amenities in the downtown area provided the good cause necessary for waiving parts of Section 2.43 of the Rules of Practice and Procedure. Specifically, the Commission determined that a minimum of thirty days notice would be given, in one daily newspaper and the D. C. Register, by mailed notice to property owners within 200 feet and by posting the property, in lieu of the forty days notice in two newspapers which the Rules normally require. The Commission also waived Section 2.41, which requires the applicant to file a pre-hearing statement ten days before advertisement of the hearing.

3. The subject site is presently zoned C-3-B (high bulk major business and employment center - floor area ratio of 6.5, height limitation of 90 feet).

4. No change in zoning is sought in connection with the proposed planned unit development.

5. The application proposes the construction of one building of 7.0 FAR including approximately 317,770 square feet of gross floor area and 474,755 square feet of total area, including below ground space. The building would be 110 feet and 10 stories in height. The project also includes an open plaza in the interior of the Square. The building would contain approximately 60,000 square feet of retail space, including approximately 11,800 square feet below grade.

6. The subject site is Phase I of a larger development for Square 100, the remaining parts of which are not presently before the Zoning Commission. Later phases to be submitted as a planned unit development, would include a hotel, and additional office and retail space, with the entire development to be centered around the interior plaza. The entire site is owned or controlled by John Pohanka and Associates, and consists of various lots in Square 100, as shown on the plat marked as Exhibit 19 in the record.

7. The subject site is presently operated as a surface parking lot for approximately 180 cars.

8. The subject site is in the northwest portion of the central business district, in an area suitable for large scale commercial development. Square 100 is the last major undeveloped square in this area, and the application under consideration would permit development of this square in an imaginative and creative manner.

9. This application qualifies for one-step processing in accordance with the provisions of Sub-section 7501.6 of the Zoning Regulations. Because of the joint consideration given to the text amendment creating the one-step process and the proposed PUD, the Commission determined that this project meets the thrust and intent of the one-step process, and will be processed accordingly even though it does not meet the letter of the detailed requirements of that process.

10. The proposed project would not significantly increase traffic levels at this location over traffic levels that are presently generated from the site or would be generated by as-of-right development of this site.

11. The Municipal Planning Office, by report dated September 9, 1977 and by testimony presented at the hearing, recommended approval of the application. The MPO reported that the project would provide significant public amenity and would make a major contribution to the quality of design in the urban environment. The MPO recommended conditions which would regulate the use, height, bulk and other aspects of the project.

12. There are adequate public facilities available to serve the proposed development, as reported on by the Department of Transportation, Fire, Environmental Services, Economic Development and Housing and Community Development and the Board of Education.

13. As a policy matter, the Department of Transportation recommended that the Commission limit the number of parking spaces allowed in the proposed development to the minimum number normally required in a C-3-B District in order to encourage use of mass transit and discourage use of the automobile. This would set the maximum number of spaces at 225 rather than the 297 spaces proposed by the applicant.

14. The Foggy Bottom-West End Advisory Neighborhood Commission-2A supported the approval of this project.

5 . The proposed action was referred to the National Capital Planning Commission under the terms of the District of Columbia Self-Government and Governmental Reorganization Act and the NCPC reported that the proposed PUD would not have a negative impact on the interests or functions of the Federal Establishment within the National Capital and is not inconsistent with the Comprehensive Plan for the National Capital.

#### CONCLUSIONS OF LAW

1. The planned unit development process is an application means of controlling the type and level of this development.

2. This application is in harmony with the intent, purpose, and integrity of the comprehensive zone plan of the District of Columbia as embodied in the Zoning Regulations and Map.

3. The approval of this final application for a planned unit development is in accordance with the Zoning Regulations of the District of Columbia, as amended, and the Zoning Act (Act of June 20, 1938, 52 Stat. 797), as amended.

DECISION

Upon consideration of the findings of fact and conclusions of law herein, the Zoning Commission hereby ORDERS FINAL APPROVAL of said application for a planned unit development, subject to the guidelines, conditions and standards hereinafter set forth:

1. The planned unit development shall be developed in accordance with the plans submitted to the Zoning Commission, prepared by Welton Becket Associates, dated 9/9/77, marked as Exhibit 21 in the record, as such plans may be modified to conform to the specific standards enumerated below .

2. The height of the proposed building shall not exceed 110 feet exclusive of roof structures permitted under Section 3308.

3. The floor area ratio of the proposed building shall not exceed 7.0, exclusive of roof structures. The roof structures shall comply with Sections 3308 and 5201.53 of the Zoning Regulations.

4. The proposed building shall have a minimum rear yard of two feet, which would be a minimum setback of seventeen feet from the centerline of the existing alley.

5. The building may be used for any use permitted in a C-3-B District, provided that there shall be a minimum of 6,500 square feet of retail uses on the ground floor of the building at the completion of Phase I of the total project and further provided that there shall be a minimum of 20,000 square feet of retail uses on the ground floor of the building at the completion of all phases of the total project, whether or not the remaining portions of the project are submitted to the Zoning Commission as a planned unit development.

6. Parking for motor vehicles shall be located in the three cellar levels, and shall not exceed 250 spaces. Access to such spaces shall be from 20th Street.

7. A convenient, covered and secure bicycle parking facility shall be provided for a minimum of 20 bicycles.

8. A minimum of three loading berths shall be provided. Access to such berths shall be from the public alley.

9. The plaza and arcade areas of the subject building shall comprise a minimum of 13,300 square feet and shall be open to the general public-- with no purchases required for admission--at least 16 hours a day, seven days a week. These areas shall be kept clean of debris and all plantings shall be maintained in an attractive and viable condition. Retail uses not requiring permanent structures, such as flower carts, food carts, etc., shall be permitted in these areas.

10. The applicant shall provide landscaping and other outdoor features in accordance with the landscaping plans approved by the Zoning Commission, marked as Sheets 2 and 6 of Exhibit 33 in the record and the narrative attachment thereto as revised, a copy of which is attached and made a part of this order.

11. No building permit shall be issued until the applicant has recorded a covenant in the land records of the District of Columbia, satisfactory to the Corporation Counsel and the Zoning Administrator, which covenant shall bind the applicant and all successors in title to construct on and use the property only in accordance with the adopted orders, or amendments thereby, of the Zoning Commission.

Vote of the Commission taken at the public meeting held on October 13, 1977: 3-0 (John G. Parsons, Ruby B. McZier and Theodore F. Mariani to approve, Walter B. Lewis and George M. White not voting, not having participated in the case).

  
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THEODORE F. MARIANI  
Chairman

  
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STEVEN E. SHER  
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on November 11, 1977, by a vote of 3-0 (John G. Parsons and Theodore F. Mariani to adopt, Ruby B. McZier to adopt by proxy, Walter B. Lewis not voting, not having heard the case, George White not present, not voting).

In accordance with Section 2.61 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this order is effective on 17 NOV 1977.

Attachment for Sheet 2, Landscape Plan  
Dated September 9, 1977, as revised by the Zoning Commission

- Paving Materials: Brick, exposed aggregate and/or paving blocks in a texture and color to blend with building facade.
- Trees: Street trees: Six to eight trees, 5" to 6" caliper thornless honey locust or other tree approved by the Department of Transportation in cast iron gratings.
- Court trees: Nine to eleven trees 5" to 6" caliper thornless honey locust in cast iron gratings. Court trees to be in raised public sitting area to create parklike atmosphere.
- Raised Planters: Four brick or precast concrete planters (noted as "flower pots" on drawing) to be situated around public sitting area and planted with seasonal flowers.
- Benches: Located under court trees and to be constructed of stone or wood in a style to blend with the character of the building.
- Lights: In addition to indirect lighting for the covered pedestrian walkways, lights shall be arranged in the trees to create a special lighting effect in this area.
- Kiosk: The court Kiosk shall contain a directory for the entire project.
- Outdoor Restaurant: Shall be an extension of the adjacent retail space and shall consist of tables (with umbrellas) and chairs.
- Temporary Wall: Shall be an architectural wall, using masonry materials. To be removed when raised park is expanded as part of Phase II (See Sheet 6).
- Bicycle Rack: Bicycle rack to be constructed of metal materials. Capacity: 20 bicycles.
- Comment on Phase II: See Sheet 6 - The materials listed above are designed to be integrated with the outdoor spaces indicated on the Phasing Master Plan.