

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 370
CASE NO. 81-21/79-18M
March 11, 1982

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on February 11, 1982. At that hearing session the Zoning Commission considered an application from the Judiciary Center Limited Partnership, and Joseph J. and Raphael G. Urciolo. The application requests a modification to an approved Planned Unit Development (PUD) at Judiciary Square, pursuant to Section 7501 of the Zoning Regulations of the District of Columbia. No zone change is requested. The hearing was conducted under the provisions of Chapter 6 of the Rules of Practice and Procedure before the Zoning Commission.

FINDINGS OF FACT

1. The application requests a modification to Z.C. Order No. 311 which is the decision of the Zoning Commission in Case No. 79-18/78-15F (Final PUD and Map Amendment from SP-2 to C-3-C (formerly C-3-B) for various lots in Square 531 @ 3rd, 4th, E, and F Streets, N.W.).
2. Zoning Commission Order No. 311 granted approval to Case No. 79-18/78-15F, subject to certain development conditions, guidelines and standards. Those development conditions related to the required type of exterior glass are the subject of this request for modification.
3. The application requests permission to use grey-tinted transparent glass and grey aluminum mullions and panels, in lieu of bronze-tinted transparent glass, and bronze mullions and panels. The application also requests permission to use clear glass at the first floor, in lieu of opaque glass.
4. At the public hearing the representative for the applicants, the architect for the project, testified that there would be a small energy-saving cost to use grey-tinted glass, in lieu of bronze. He further testified that, from an aesthetic point-of-view, the

grey-tinted glass would better complement and enhance the limestone facade, in lieu of bronze-tinted glass. The Commission's order has required the facade to be of either "poured-in-place or precast concrete or limestone of color and texture to match the limestone of the existing Old City Hall..."

5. The Office of Planning and Development (OPD), by memorandum dated January 26, 1982 and by testimony presented at the public hearing, supported the application, essentially for reasons stated by the Commission of Fine Arts.
6. The Commission of Fine Arts, by letter to the Director of the D.C. Department of Housing and Community Development dated May 28, 1981, supported the use of grey glass, in lieu of bronze. The Commission of Fine Arts stated that the grey would be more in keeping with the natural limestone proposed for the building, and is more energy efficient and compatible with the city's energy efficiency guidelines. The Commission of Fine Arts further found that the use of opaque glass, as required by Z.C. Order No. 311, would be counter-productive to bringing interest to an area that seems lifeless. The Commission of Fine Arts further notes that the building will conform to the Judiciary Square Master Plan. The Zoning Commission so finds.
7. The Zoning Commission determined at the public hearing that the Judiciary Square Master Plan was advisory in nature and could not require that development in and around Judiciary Square be consistent with the Plan. The Zoning Commission notes that certain buildings in the Judiciary Square area, including the Metro Headquarters building, the Georgetown University office building, and the Engine Company No. 2 of the D.C. Fire Department, have bronze-tinted exterior glass with a limestone or concrete facade.
8. Advisory Neighborhood Commission 2C did not file a written report or participate in the case.
9. There was no opposition to the application.
10. The Commission finds, that there is no significant difference in energy savings between bronze and grey glass. The Commission further finds that there is no reason to object to the stated preference of the applicant and the Commission of Fine Arts for the use of grey rather than bronze glass. The Commission further finds that the use of transparent rather than opaque glass, as further suggested by the Commission of Fine Arts, is a reasonable substitution.

11. The proposed action of the Zoning Commission was referred to the National Capital Planning Commission under the terms of the District of Columbia Self Government and Governmental Reorganization Act. The NCPC reported that the proposed action of the Zoning Commission would not adversely affect Federal interests in the preservation and protection of Judiciary Square, an important historical feature and Category I Landmark of the National Capital, other landmarks within the Square, or other Federal interests in the National Capital and would not be inconsistent with the Comprehensive Plan for the National Capital.

CONCLUSIONS OF LAW

1. The subject application is properly processed as a modification to the previously approved PUD.
2. The Planned Unit Development process is an appropriate means of controlling development at the subject site.
3. Approval of this modified PUD application is appropriate because it is generally not inconsistent with the present character of the area and because it would encourage stability of the area.
4. The approval of the application would promote orderly development in conformity with the entirety of the District of Columbia Zone Plan as embodied in the Zoning Regulations and Map of the District of Columbia.
5. The proposed application can be approved with conditions which would insure that development would not have an adverse effect on the surrounding area.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission hereby orders APPROVAL of the following modifications to Order No. 311, the approved PUD and Map Amendment from SP-2 to C-3-C (formerly C-3-B) for lots 17-19, 26-28, 34, 35, and 806-818 in Square 531 @ 3rd, 4th, E, and F Streets, N.W.:

1. Delete Conditions No. 6b, 6c, and 6d, and add a new Condition No. 6b, to read as follows:

"All glass used shall be grey-tinted transparent glass, except that at doors and the transom above those doors, the glass may be clear transparent glass."

2. Delete the last sentence of Condition No. 14 and add a new sentence to the end of Condition No. 14 to read as follows:

"The exterior trim and glass shall be grey-tinted transparent glass."

Vote of the Commission taken at the public hearing on February 11, 1982: 4-0 (Ruby B. McZier, Lindsley Williams, George M. White and Walter B. Lewis, to approve with conditions - John G. Parsons, not present not voting).



WALTER B. LEWIS
Chairman
Zoning Commission



STEVEN E. SHER
Executive Director
Zoning Secretariat

This order was adopted by the Zoning Commission at its public meeting held on March 11, 1982: 4-0 (George M. White, Ruby B. McZier and Walter B. Lewis to adopt, Lindsley Williams, to adopt by absentee vote - John G. Parsons, not voting not having participated in the case).

In accordance with Section 4.5 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, these amendments to Order No. 311 are effective on

MAR 26 1982