



Delegated Action of the Executive Director

PROJECT

**Rooftop Improvements to
The Pennsylvania**

601 Pennsylvania Avenue, NW
Washington, DC

REFERRED BY

DC Department of Consumer and
Regulatory Affairs

NCPC FILE NUMBER

P7974

NCPC MAP FILE NUMBER

1.21(38.00)44731

DETERMINATION

Certification of DCRA
Building Permit

REVIEW AUTHORITY

Certification of Building Permits
within the Pennsylvania Avenue
Development Corporation Boundary
(61 F.R. 41789, 41791 as defined in 40
U.S.C. 6702(d))

NCPC has reviewed the permit set for rooftop improvements at 601 Pennsylvania Avenue, NW. NCPC and the General Services Administration (GSA) met with the applicant for early coordination in August 2017, and reviewed the permit set submitted to the District of Columbia Department of Consumer and Regulatory Affairs on February 13, 2018 (B1805142). As part of NCPC's Pennsylvania Avenue Development Corporation (PADC) responsibilities under the 1996 Memorandum of Agreement (MOA), "NCPC is required to review DC building permit applications for non-federal buildings and, where appropriate, certify to the DC government, prior to issuance of a building permit, that the work for which the building permit application has been made is not inconsistent with the Plan."

The project includes improvements to the existing penthouse and roof area for year-round use as a meeting and entertaining space for office tenants. The project was approved by the U.S. Commission of Fine Arts on September 20, 2017 (SL 17-133). As discussed in August 2017, the project will not significantly change "the existing character or use of the property." The proposed improvements are not inconsistent with the 1974 Pennsylvania Avenue Plan, General Guidelines, and Square 459 Guidelines.

The Square 459 Guidelines identify a 2:1 setback ratio for rooftop structures along Indiana Avenue.¹ As discussed at our August 1, 2017 meeting, there is an inconsistency in rooftop measuring points between other sites within the PADC boundary and those employed specifically for this project. Through PUD Zoning Commission submissions, orders (No. 396 (1983), 570

¹ *Roof structures should be located wherever possible so that they are not visible from the street. All roof structures should be attractively designed as integral parts of the overall building composition. The designer should treat roof structures as positive elements in terms of the building massing and architectural expression, rather than attempting to meet only the minimum requirements specified in DC Zoning Regulations. Roof structures should maintain the same quality of materials, design interest, and architectural detail as other parts of the building façade. Along Pennsylvania and Indiana Avenues, all permanent roof structures shall be set back twice their respective heights from those edges of the roof upon which they are located. (Square 459 – 460 Guidelines - #8, Roof Structures)*

(1988), 396-A (1989) and 396-B (1990)) and PADC testimony provided by Holland and Knight, it has been confirmed that PADC approved the measurement from the top of the parapet, rather than top of the roof.

Other Square Guidelines and current zoning practices typically measure building height from the roof itself. Since the 601 Pennsylvania Avenue penthouse was constructed based on PADC's interpretation and the proposed modification is minor, NCPC staff accepts that the top of the parapet may be used as the 2:1 rooftop setback measuring point in this sole instance; however, this measuring point will not apply if the building is reconstructed or is subject to a major modification. Further, this precedent will not apply to other buildings, in either the PADC area or elsewhere in the District. NCPC and GSA continue to use the elevation at the floor of the roof as the measuring point for determining building height, and assessing setbacks for rooftop structures for buildings rising to the limits of height permitted by the Height Act and roof structures thereon.

As Pennsylvania Avenue continues to evolve, NCPC looks forward to working with stakeholders on improvements supporting the continued economic and cultural success of the area through the Pennsylvania Avenue Initiative.

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Pursuant to delegations of authority adopted by the Commission on August 6, 1999 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the building permit submission for rooftop improvements to 601 Pennsylvania Avenue, NW, are not inconsistent with the 1974 Pennsylvania Avenue Development Corporation Plan, Square 459 Guidelines, and other federal interests.

// Original Signed //	March 29, 2018
_____ Marcel Acosta Executive Director	_____ Date