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Outline of Testimony before the Board of Zoning Adjustment

BZA Application No. 18227

1700 New York Avenue, N.W.

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I. Site location and description

A. Location

1. South side of New York Avenue between 17th and 18th Streets, N.W.
2. Project site: part of Lot 34 in Square 171
3. Site located in the White House precinct/Northwest Rectangle area

B. Size

1. Total lot area of approximately 68,231 square feet
2. Lot has frontage of approximately 341 feet on New York Avenue, 281 feet on 17th Street and 294 feet on E Street .

C. Existing site conditions:

1. Improved with existing Corcoran Gallery of Art (approximately 80 feet in height)
2. Open parking area located below the level of the street grade on New York Avenue, containing approximately 17,500 square feet

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18227

EXHIBIT NO. 35

Board of Zoning Adjustment
District of Columbia
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EXHIBIT NO.35

- I. Description of surrounding area (see aerial photo, attached)
 - A. White House precinct/Northwest Rectangle area of the Central Employment Area
 - B. Immediate vicinity contains predominantly high-rise government and commercial office buildings and buildings housing non-profit organizations
 - C. Remainder of Square 171: the United Nations building located immediately to the west
 - D. Uses to the south:
 - 1. E Street (90 feet wide)
 - 2. American Red Cross national headquarters at 1730 E Street (the block bounded by 17th, 18th, D and E Streets)
 - 3. Daughters of the American Revolution national headquarters, including DAR Constitution Hall, at 1776 D Street (the block bounded by 17th, 18th, C and D Streets)
 - 4. Organization of American States headquarters at 201 17th Street (the block bounded by Constitution and Virginia Avenues and 17th, 18th and D Streets)
 - E. Uses to the east: White House precinct (Ellipse. Old Executive Office Building, White House)
 - F. Uses to the north:
 - 1. New York Avenue (160 feet wide)
 - 2. American Institute of Architects headquarters at 1735 New York Avenue
 - 3. Offices of the Federal Reserve at 1709 New York Avenue
 - 4. Federal Deposit Insurance Corporation offices at 550 17th Street and 1776 F Street
 - 5. Other private, Federal and World Bank offices in the blocks bounded by Pennsylvania Avenue and 17th, 18th and F Streets

G. Uses to the west:

1. 18th Street (90 feet wide)
2. U.S. Department of the Interior headquarters at 1800 E Street (the block bounded by 18th, 19th, C and E Street)
3. General Services Administration national headquarters at 1800 F Street (the block bounded by 18th, 19th, E and F Streets)
4. Rawlins Park in the middle of E Street between 18th and 20 Streets
5. Further to the west are additional Federal and private office buildings and the southern edge of the George Washington University campus
6. Closest residential buildings are GWU dorms on the west side of 19th Street north of E Street (almost 850 feet away)
7. Closest apartment house is on the west side of 20th Street between E and F Streets (more than 1,250 feet away)

II. Existing zoning: SP-2

A. Residential/office/institutional district

B. Uses (§§501-518)

1. Residential as a matter-of-right carried-over from the R-5 District
2. New office and hotel permitted as a special exception with BZA approval
3. Ground floor retail permitted as special exception with BZA approval

C. Maximum height: ninety feet (§530)

D. Maximum FAR: 6.0, no more than 3.5 of which may be devoted to other than residential uses (§531)

E. Maximum percentage of lot occupancy for residential uses: 80% (§532)

F. Minimum required rear yard – 2½ inches per foot of height at the rear, minimum 12 feet; for a corner lot abutting three or more streets, may be measured to the center line of the street at the rear (§534)

G. Side yard – not required (§535)

- H. Minimum required off-street parking for office and retail: 1 space for each 1,800 square feet of gross floor area in excess of 2,000 square feet
- III. Zoning history: previous approval of special exception for office building and FAR variance (among others) (BZA Order No. 14703, April 29, 1988)
- IV. Proposed development
 - A. Use:
 - 1. Corcoran Gallery (to remain)
 - 2. Office building addition
 - B. Gross floor area:
 - 1. Existing Gallery: 125,545 square feet
 - 2. Existing encroachment from the United Unions building: 431.5 square feet
 - 3. Proposed office addition: 114,264 square feet
 - 4. Total: 240,240.5 square feet (3.52 FAR)
 - C. Height: maximum of 90 feet
 - D. Percentage of lot occupancy: 95.59%
 - E. Parking: total of 82 spaces provided in two level underground garage (only 44 spaces are complying spaces on the lot)
- V. Relief required:
 - A. Special exceptions:
 - 1. For construction of an office building (§508)
 - 2. For a roof structure with walls of unequal height (§411)
 - B. Variances:
 - 1. Floor area ratio (§531.1)
 - a. Maximum nonresidential FAR: 3.5

- b. Proposed nonresidential FAR: 3.52
- c. Variance: 0.02 FAR (1,431.5 square feet of gross floor area)

2. Parking

- a. Required: 83 spaces
- b. Proposed: 44 conforming on-site parking spaces
- c. Variance: 39 spaces

VI. Standards for the special exception for office building (§508)

- A. Use, height, bulk and design shall be in harmony with existing use and structures on neighboring properties
- B. Shall not create dangerous or other objectionable traffic conditions
- C. Board may require special treatment in the way of design, screening of buildings, accessory uses, signs and other facilities as may be necessary to protect the value of neighboring property

VII. Compliance with the special exception standards for office building

- A. Use is in harmony with surrounding uses (predominantly office buildings and institutional uses)
- B. Height is harmony with surrounding buildings:
 - 1. Exiting gallery is approximately 80 feet high
 - 2. All other confronting buildings are approximately 90 feet in height
- C. Bulk will be less than bulk on surrounding buildings, many of which were built when the SP District allowed a nonresidential FAR of 5.5
- D. Design:
 - 1. Is primarily a glass building, with angled setbacks and reveals that are distinguished from the Corcoran and the United Unions building but which defer to the massing of those two buildings
 - 2. Concept approval from the Commission of Fine Arts

- E. Traffic impact study prepared by Gorove|Slade concludes that the office addition will have minimal impact on traffic conditions
 - F. Special design treatment not necessary in view of Commission of Fine Arts approval
- VIII. Standards for the roof structure special exception (§411.11)
- A. Where impractical because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area
 - B. that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable
 - C. the Board of Zoning Adjustment shall be empowered to approve the location, design, number and all other aspects of such [roof] structure ...
 - D. Provided that the intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.
- IX. Compliance with the special exception standards for roof structure
- A. Other conditions:
 - 1. Molding the design of addition to be compatible with the existing building
 - 2. Need for higher height for elevator and fire stairs to the roof
 - 3. Intent to make the penthouse as small as possible and reduce the mass of the structure on the roof
 - B. Unduly restrictive and unreasonable:
 - 1. Penthouse meets setback requirements
 - 2. Allowing roof structure to be sloped and shaped will create a roof design matched to the overall design
 - 3. Roof structures will not appear as default rectangular boxes
 - C. Impact on light and air of other buildings
 - 1. Roof structure meets setback requirements

2. Adjoining buildings are substantially removed from the roof structure
3. Allowing unequal height will make roof structures lower than would otherwise be the case

D. Harmony with the purpose and intent of the Regulations

1. Views from Ellipse and other prominent locations would not be negatively impacted
2. Approvals given in concept by Commission of Fine Arts

X. Standards for a variance (§3103.2)

- A. Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,
- B. the strict application of any regulation adopted under D.C. Code §§5-413 to 4-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship;
- C. Provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

XI. Compliance with the variance standards

- A. Exceptional or extraordinary situation or condition
 1. Building related improvements mounted on exterior walls which will be within the addition, adding extra to FAR
 2. Portion of the site available for addition is only 17,000 square feet, smaller and of an unusual shape than typical office floor plate
 3. Change in grade from north to south of almost 9 feet
 4. Existing rubble foundation of Gallery
 5. Location of GSA steam tunnel

B. Practical difficulty

1. Inclusion of existing exterior stairs and shafts takes up approximately 1,000 square feet of gross floor area
2. Encroachment of United Union buildings occupies 431.5 square feet of gross floor area
3. Because of size and shape of portion of site available for development, core factor of approximately 20% will be significantly higher than a typical office building core factor of about 10% to 14%
4. Rubble foundation and steam tunnel make it difficult to excavate for additional parking levels
5. Area available for parking is constrained by size and shape, making it difficult to include more parking spaces on the two available levels.
6. Change in grade makes it impractical to use B-1 level for parking

C. No detriment to the public good

1. Increase in total GFA (1,431.5 square feet) only offsets space lost due to existing features and encroachments
2. Number of parking spaces provided (using vault and stacked spaces) will be 82 spaces, where 83 are required
3. Report by Gorove|Slade concludes that sufficient parking will be provided
4. Design will be approved by the Commission of Fine Arts

XII. Conclusions

- A. Office addition meets the specific requirements and standards of new §508
- B. Roof structure has been designed to minimize the size and bulk; a confirming structure with walls of equal height would have to be higher and more visible
- C. Property is affected by a combination of exceptional circumstances
- D. No more on-site parking can be accommodated than what is proposed
- E. Increase in FAR only offsets the space lost due to other existing factors

- F. The relief can be granted without substantial detriment to any surrounding properties
- G. The application should be granted

