

EXHIBIT 6

STATEMENT OF BURDEN OF PROOF FOR SPECIAL EXCEPTION RELIEF

1301 K Street Limited Partnership (the “Applicant”) requests special exception relief from the rear yard requirement set forth in Section 7874.1 of the Zoning Regulations to allow for the construction into the third through fifth floor areas of the court provided on the property located at 1301-1315 K Street, N.W. (Square 248, Lots 822, 823, 824, 830, 7002, and 7003)¹ (the “Subject Property”). The Applicant is entitled to a special exception pursuant to 11 DCMR §§ 774.1 and 774.2 because it can demonstrate that: (1) the project’s windows are separated from other buildings that contain facing windows a distance sufficient to provide light and air and to protect the privacy of building occupants; (2) for the buildings facing each other, the angle of sight lines and the distance of penetration of sight lines into habitable rooms is sufficient to provide adequate light and privacy to the rooms; (3) the project includes provisions for adequate off-street service functions, including parking and loading areas and access points; and (4) the D.C. Office of Planning will coordinate the review and impact assessment of the request, along with reviews of all relevant District departments and agencies including the Departments of Transportation, District Housing and Community Development, and, the State Historic Preservation Officer. The Subject Property was previously approved for rear yard special exception relief by BZA Order No. 14198 due to the confirmation of the above factors.

The Subject Property is located in the C-4 Zone District. The Subject Property is currently improved with a twelve-story commercial building including office and retail uses. Use of the Subject Property as a commercial building was originally approved in 1984 by the

¹ Note that the building also includes Lot 829, owned by the Almas Temple Club, Inc. Together with the Property, Lot 829 comprises Lot 71 on Square 248.

BZA and by the Historic Preservation Review Board and Mayor's Agent for Historic Preservation in 1985 by HPA No. 85-90 and 1987 by HPA No. 86-732, and the building has been in continuous operation since that time.

The proposed project consists primarily of interior renovations. It will reconfigure space in the building located on the Subject Property to allow for the use of the building by a new large tenant. The proposed project will also include an addition to the building that will construct a conference center and related support space on the third through fifth floors of the west side open space of the building. This later addition gives rise to the requested relief. The relevant area for this addition is well-screened from public space and there are no residential uses nearby. The parking and loading of the building will not change as the result of the project.