

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

1100 15th Street, NW (Square 197 Lots 81, 812, 858, and 859)

This statement is submitted by Carr Properties (the “Applicant”) in support of an application pursuant to 11 DCMR §§3104.1 and 411.11 for a special exception from Section 770.6(a) for relief from the requirement of Section 411.5 to allow mechanical penthouse enclosing walls of unequal height. The requested relief will facilitate the construction of an addition to an existing office building.

Pursuant to Section 3113.8 of the Zoning Regulations, the Applicant will file its prehearing statement with the District of Columbia Board of Zoning Adjustment (the “Board”) no fewer than 14 days prior to the public hearing date. In that statement, and at the public hearing, the Applicant will provide testimony and evidence to meet its burden of proof to obtain the Board's approval of the requested relief.

I. Background: Subject Property, Surrounding Context, and Zoning

The site of the proposed building addition is located in Square 197 which is bounded by M Street to the north, L Street to the south, 15th Street to the east, and 16th Street to the west (the “Square”). As shown on the attached plat, the proposed building addition will be located at the southeast corner of the Square at the intersection of 15th and L Streets, and consists of Lots 81, 812, 858, 859, and a portion of an abutting public alley which the Applicant is currently seeking to close (the “Addition Site”). The Addition Site is currently improved with the Washington Post headquarters buildings. These buildings will be razed and replaced with the proposed addition

which will primarily serve as the new headquarters for Fannie Mae, and will also include ground floor retail uses.

Upon closure of the aforementioned alley, the Applicant will combine the Addition Site with the two properties to the immediate north, Lots 855 and 857, to create a single record lot that will consist of approximately 131,399 square feet of land area (the “Subject Property”). Currently, Lots 855 and 857 are improved with a fully-occupied commercial office building known as Columbia Center, which the Applicant acquired in July 2015 and will retain. The proposed building addition that is the subject of this application will be constructed as an addition to the Columbia Center building.

The Subject Property is located within the District’s downtown core within an area primarily characterized by medium to high-density commercial uses, many with ground-floor retail, as well as several hotels, private clubs, and institutional uses. The Subject Property is well-served by public transportation. The Farragut North and Farragut West Metrorail Stations are located approximately 0.2 miles to the west and southwest, respectively, and the McPherson Square Metrorail Station is approximately 0.2 miles to the southeast. The Subject Property is also accessible by several Metrobus routes as well as the DC Circulator, which operates along K Street one block south. Finally, the Subject Property is located in close proximity to several open spaces including McPherson Square, Farragut Square, Franklin Square, and Thomas Circle. Additionally, Lafayette Square and the White House are located 0.35 miles to the south of the Subject Property.

The Subject Property is currently zoned C-4, which is considered the District’s central business district. The C-4 District permits a variety of commercial, retail, and business uses, as well as high-density residential and mixed-use developments. The maximum building height allowed in the C-4 District is 110 feet, with 130 feet permissible provided a building abuts a street

that has a width of at least 110 feet. The proposed building addition can be built to 130 feet as a result of its frontage along 15th Street, which has a width of 110 feet. The Subject Property can also be built to a maximum floor-area-ratio (FAR) of 10.0, pursuant to Section 771.5, and a maximum lot occupancy of 100%, pursuant to Section 772.1.

With regard to yard and court requirements, buildings within the C-4 District are required to have a rear yard equal to 2 ½ inches per foot of vertical distance measured from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet. However, pursuant to Section 774.9(c), in the case of a corner lot, such as the Subject Property, a court that complies with the width requirements for a closed court as specified in Section 776 may be provided in-lieu of a rear yard. As discussed below, the Applicant is providing a court in-lieu of a rear yard for the proposed addition. Finally, there is no side yard requirement within the C-4 District, however, if a side yard is provided it must have a width of two inches per foot of height, but not less than six feet. The proposed building addition does not provide any side yards.

Pursuant to Section 2101.1, the Applicant is required to provide parking for both the office and retail components of the proposed addition. For the office component, the Applicant is required to provide one parking space for each 1,800 square feet of gross floor area (GFA) in excess of 2,000 square feet. For the retail component, the parking requirement is one space for each additional 3,000 square feet of GFA in excess of 30,000 square feet. Pursuant to 2102.3, within the C-4 District the parking spaces required by the Zoning Regulations for office and retail uses need not be limited to use by employees, occupants, guests, visitors, or customers of such uses, and may be used for general public parking. Finally, with regard to loading, the Applicant is required to calculate the loading requirement for the project pursuant to Section 2201.2, which

states that for any use that occupies 90% or more of the GFA and cellar floor area of a building, loading berths shall be calculated based on the entire GFA of the building as if the greater use occupies the entire building. The office component of the proposed addition is in excess of 90% of the total GFA. Therefore, in accordance with Section 2201.1, the Applicant is required to provide three loading berths each with a depth of 30 feet, one service delivery space with a depth of 20 feet, and three loading platforms each with an area of 100 square feet.

II. Proposed Development

The Applicant proposes to construct an addition to the existing Columbia Center, an existing office building located at 1152 15th Street, NW. As stated above, the Addition Site currently is occupied by the Washington Post Headquarters, which the Applicant acquired in March 2014. As currently proposed, the Applicant will redevelop the Addition Site as the new headquarters for Fannie Mae, which has committed to leasing approximately 85% of the proposed addition. Fannie Mae's occupancy of the building addition will occur in two phases occurring in late-2017 and early-2018, with the potential for Fannie Mae to locate 3,500 or more employees to this location, rather than potentially relocate these employees outside the District.

Overall, the building, inclusive of the existing Columbia Center, will consist of approximately 1,252,060 square feet of GFA, which results in an FAR of 9.5, below the maximum 10.0 FAR allowed in the C-4 District. The proposed addition will contain approximately 838,480 square feet of GFA distributed throughout 12 floors with a retail mezzanine and a small portion of the penthouse. The addition will be constructed to a height of 130 feet as measured from the elevation at the midpoint of the building along 15th Street to the top of the parapet.

The design of the proposed addition can be generally described as a U-shaped mass that opens southward onto L Street. Along the north side between the addition and Columbia Center,

an existing private drive will remain, however, this area will be improved with higher-quality paving and include a sizable flexible seating area. In addition, a large canopy structure, approximately 3,000 - 4,000 square feet, is proposed over this area which will connect the proposed addition to Columbia Center, thereby making them a single building for purposes of zoning. Along the south side of the addition, the two wings, or towers, of the building will extend toward L Street, separated by a large open courtyard that will provide seating, landscape and other outdoor public amenities.

The ground floor of the addition consists of two office lobbies and a series of retail pavilions separated by large openings that are intended to facilitate connectivity between the public streetscape and the large, publicly-accessible courtyard. The retail pavilions and office lobbies will be primarily composed of transparent glazing, and will be recessed slightly along 15th and L Streets creating an overhang that provides shelter and relief at the street level, and invites pedestrians to circulate below the building and into and through the courtyard. The ground floor of the proposed addition will include a significant amount of retail, approximately 42,000 gross square feet, which will bring numerous new jobs to the area and dramatically activate the streetscape compared to the existing buildings which have only 4,600 gross square feet of ground floor retail.

Above the ground level, the floors of the proposed addition will have a fuller footprint, creating the appearance as if the upper office floors are floating above the double-height retail pavilions. The facade of the upper floors will consist of a glass and metal panel curtain wall system that will be assembled at varied depths to create a distinct pattern. The unique articulation of the glass and metal panels will allow the building facade to be recognized at distances along 15th and L Streets. The building's facade has been designed to optimize glare mitigation and solar gain,

while maximizing daylight for occupants. Finally, the building will incorporate several highly sustainable elements and has been designed according to LEED Gold standards.

Access to parking and loading will be provided on the west side of the proposed building addition along the existing 12-to 15-foot public alley which will be widened to 20 feet through an easement on the Addition Site that will be established by the Applicant. The widening of the alley will facilitate two-way circulation which currently is not possible.

The Applicant is required to provide a total of 433 parking spaces per the minimum requirements stated above. A total of three levels of below-grade parking will be provided containing 511 zoning compliant parking spaces, with an additional 68 tandem spaces, for a total of 579 spaces. The total number of parking spaces provided may change as the design of the addition is further development, but will not result in less than the minimum number of spaces required. With regard to loading, as required by Section 2201.1 the Applicant will provide three 30-foot loading berths, a 20-foot service delivery space, and three loading platforms that are each 100 square feet.

III. The Applicant Meets The Burden of Proof For Special Exception Relief

Pursuant to Sections 3104.1 and 411.11, the Applicant is requesting a special exception from Section 770.6(a) for relief from the requirement that mechanical penthouse walls be of equal height (§411.5). The Applicant's proposed roof plan includes a single mechanical penthouse enclosure with walls that vary in height between 13'-7" and 18'-6". The majority of the proposed roof structure is 18'-6". There are two relatively minor areas along the west side of the building addition, adjacent to the public alley, and along the north wall of the courtyard that measure 13'-7" and 14'-0", respectively. Aside from these two minor areas, the proposed roof structure meets all other requirements under Section 411.

Section 411.11 of the Zoning Regulation empowers the Board of Zoning Adjustment to grant a special exception from the location, design, number, and other aspects of roof structures regulated under §§ 411.3 through 411.6, if the Applicant can demonstrate that full compliance would be impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable provided the intent and purpose of the Zoning Regulations are not materially impaired, and the light and air of adjacent buildings are not adversely affected.

Full compliance with the requirement that all roof structure walls be of equal height would be impracticable as it would either substantially impact the mechanical systems and circulation requirements of the proposed addition, or increase the visibility of the roof structure, especially from L Street and the courtyard. A reduction in the height of the entire penthouse to the lowest proposed height of 13'-7" would create operating difficulties related to the type of elevator that can be utilized. Given that a portion of the penthouse is planned to be occupied, the vertical space available to accommodate elevator overrides while providing access to this level is already tightly constrained. Finally, considering the 130-foot height of the proposed addition, an elevator override height greater than 13'-6" will be necessary to provide the most efficient building circulation.

Furthermore, having to unnecessarily increase the height of the two lower areas of the penthouse to 18'-6" would result in greater visibility of the roof structure, especially when viewed from the public courtyard amenity along L Street. In order to minimize the visibility of the portion of the roof structure that encloses or screens mechanical equipment (cooling towers, generators, and other building systems), the Applicant has located these elements at the north end of the proposed addition, as far away from public streets as possible. As a result of the size requirements

of the mechanical equipment, the circulation requirements for occupied space, and the depth of the proposed courtyard, the Applicant is only able to setback 14'-0" from the north courtyard wall, and along small portions of the east and west courtyard walls. Therefore, in order to reduce the visibility of the roof structure from the courtyard and continue to meet the required 1:1 setback, the Applicant proposes to reduce the height of the roof structure in these area to match the amount of setback that is available. Finally, the Applicant is proposing a similar approach to addressing the small area on the west side of the addition, along the alley, where a jog in the alley results in a small indentation in the building. This indentation creates a small area on the roof where the available penthouse setback distance is reduced to 13'-7". The Applicant proposes to reduce the height of this area of the penthouse enclosure to 13'7" to maintain a 1:1 setback around the entire roof structure.