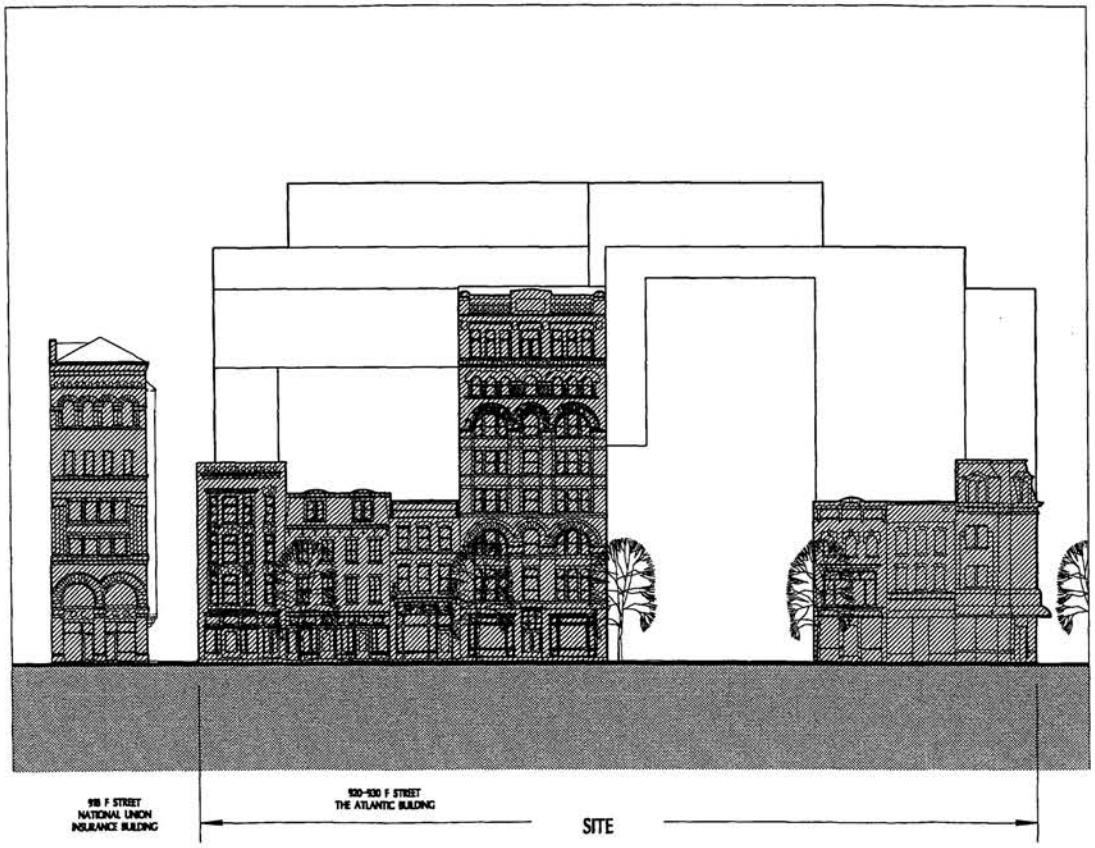


Board of Zoning Adjustment
District of Columbia
CASE NO.16892
EXHIBIT NO.32A2



10TH & F STREETS, N.W.
WASHINGTON, DC

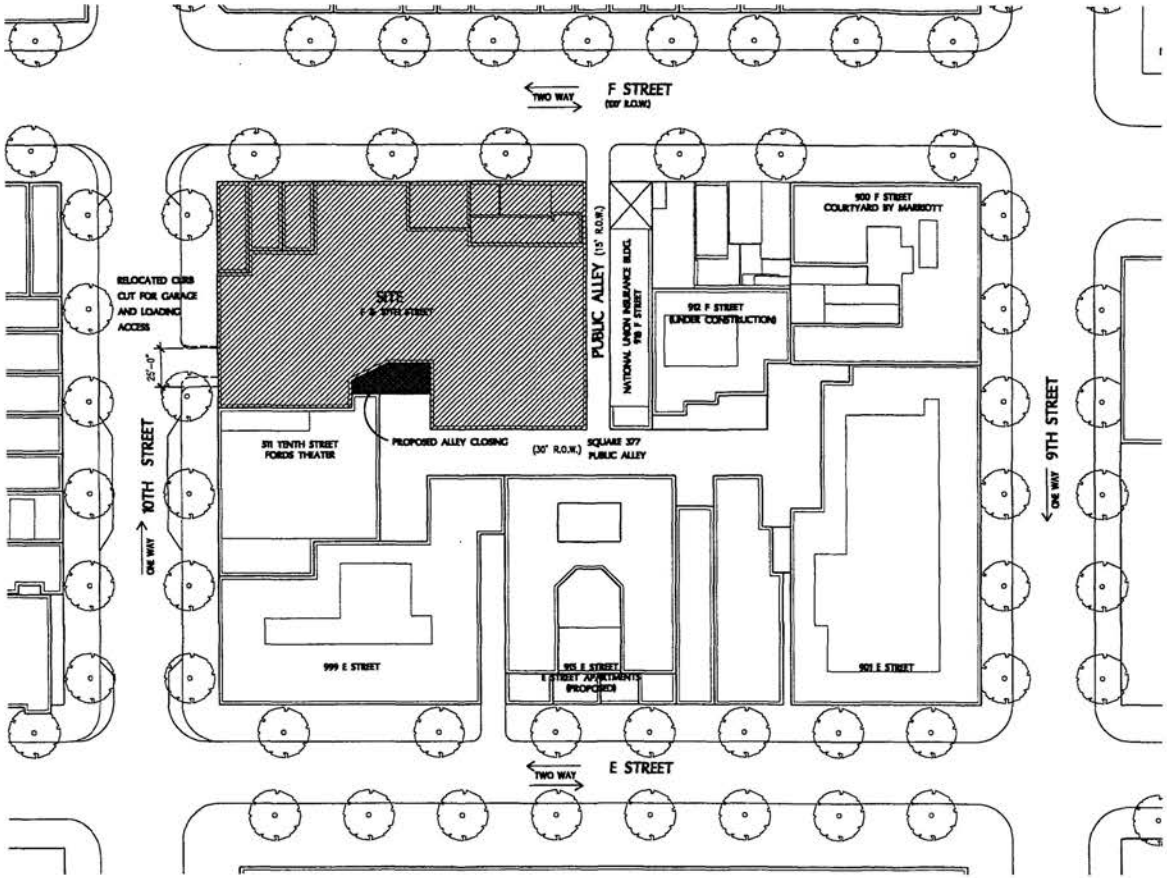
JUNE 20, 2002
BZA Submittal

Developer:
Douglas Development Corp.

Architect:
Shalom Baranes Associates

Architectural Historian:
EHT Traceries Inc.

Exhibit I



SITE PLAN

ZONING INFORMATION

ZONE: DD/C-4, SHOPPING DISTRICT OVERLAY, DOWNTOWN HISTORIC DISTRICT
SQUARE: 377 (LOTS 35, 819-21, 852, 853)
TOTAL SITE AREA: 35,255 sf

ZONING REGULATION	ALLOWED / REQUIRED	PROVIDED
HEIGHT	130'	120'
FAR 1707.4 HISTORIC PRESERVATION OVERLAY	8.0 (Lots 35, 819-21) 8.5 (Lots 852, 853)	8.27 COMBINED (6.17) RESIDENTIAL (8.10) COMMERCIAL
LOT OCCUPANCY % RESIDENTIAL USE COMMERCIAL USE	 100 % 100 %	 2 % 98 %
REAR YARD	NONE REQD. (1707.6)	18'-6"
SIDE YARD	NONE REQUIRED	NONE PROVIDED
COURT 1* - OPEN WIDTH	15'-0" (3" PER FOOT, 12' MIN.)	33'-9 1/4"
COURT 2* - OPEN WIDTH	20'-2 1/4" (4" PER FOOT, 15' MIN.)	36'-0"
COURT 3* - OPEN WIDTH	17'-6" (3" PER FOOT, 12' MIN.)	21'-7"
COURT NICHE* WIDTH	3'	5'
1702.1-DD DEVELOPMENT DISTRICT - 50% OF GROUND FLOOR GSF SHALL BE PREFERRED USES PER 1710, 1711.	50%	50%
1703.3 100% GROUND FLOOR LEASABLE SHALL BE PER 1710, 1711.	100%	100%
RESIDENTIAL RECREATION SPACE (5% GROSS RESIDENTIAL)	414 SF	NONE PROVIDED
PENTHOUSE SETBACK	18'-6"	VARIES, LESS THAN 18'-6" *(1)
PARKING RESIDENTIAL RETAIL OFFICE	 NONE REQD. (2100.5) NONE REQD. (2100.5) NONE REQD. (2100.5)	 136 SPACES MINIMUM
LOADING RESIDENTIAL RETAIL OFFICE	 NONE REQD. (2200.5) NONE REQD. (2200.5) NONE REQD. (2200.5)	 2 BERTHS @ 12'X30' 1 SERVICE DELIVERY @ 10'X20'

NOTES:
* SEE FLOOR PLANS FOR COURT LOCATIONS.
1. REQUIRES SPECIAL EXCEPTION PER PARAGRAPH 411.11.

FAR CALCULATIONS

FLOOR	TOTAL GSF	TOTAL FAR
LEVEL B1	35,173	5,805
LEVEL +1 (GROUND)	35,063	33,012
LEVEL +2	35,173	34,677
LEVEL +3	34,772	34,434
LEVEL +4	31,063	30,522
LEVEL +5	28,525	27,825
LEVEL +6	28,525	27,825
LEVEL +7	28,525	27,825
LEVEL +8	27,256	26,556
LEVEL +9	25,806	24,906
LEVEL +10	18,750	18,000
TOTAL	328,471	291,807
MECH. PENTHOUSE	12,944	12,944

DRAWING INDEX

A00 COVER SHEET
A01 DRAWING INDEX, ZONING INFORMATION, SITE PLAN
A02 FLOOR PLANS
A03 FLOOR PLANS
A04 FLOOR PLANS
A05 BUILDING ELEVATIONS
A06 BUILDING ELEVATIONS
A07 BUILDING SECTION
A08 SITE PHOTOS
A09 MODEL PHOTOS

10TH & F STREETS, N.W.
WASHINGTON, D.C.

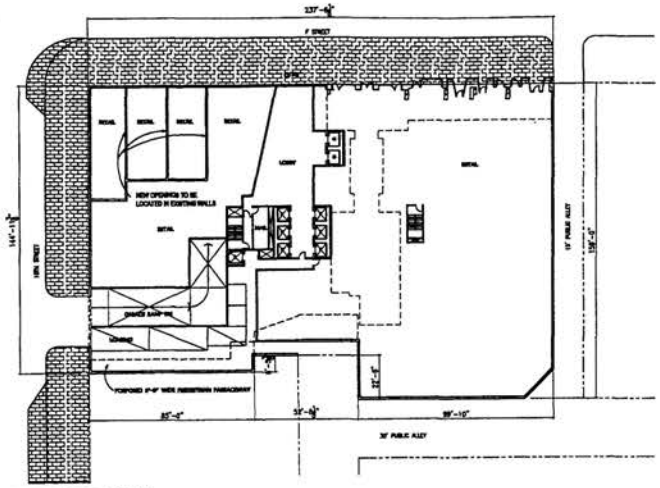
DOUGLAS DEVELOPMENT CORPORATION

SHALOM BARANES ASSOCIATES

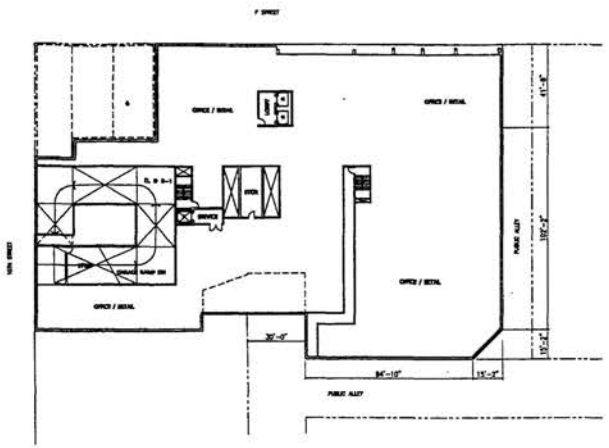
BZA SUBMISSION - JUNE 20, 2002

A-01
1"=80'

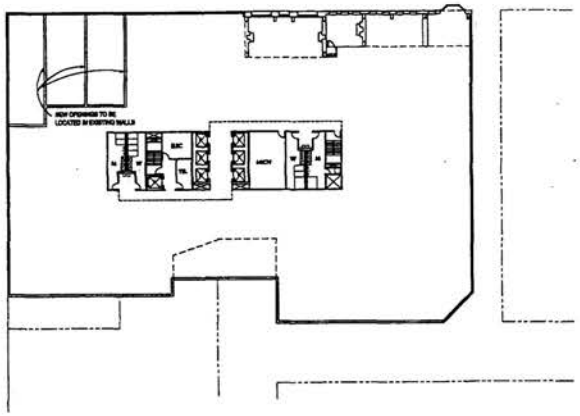
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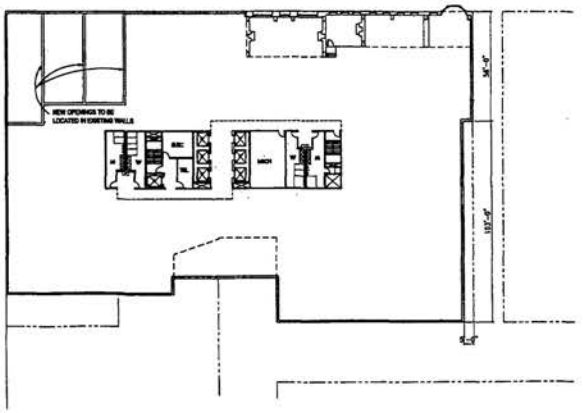
1ST FLOOR PLAN



B1 FLOOR PLAN



2ND FLOOR PLAN



3RD FLOOR PLAN

NOTE:
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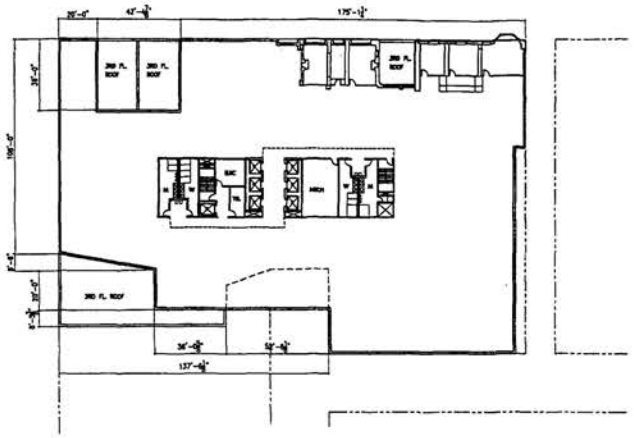
10TH & F STREETS, N.W.
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DOUGLAS DEVELOPMENT CORPORATION

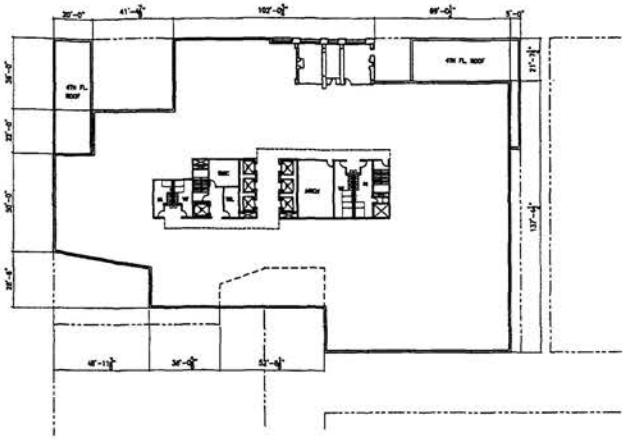
SHALOM BARANES ASSOCIATES | A-02

BZA SUBMISSION - JUNE 20, 2002 | 1"=64'

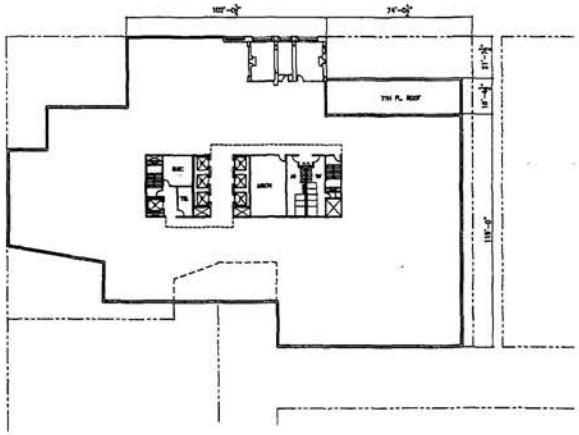
R. 6-24-02



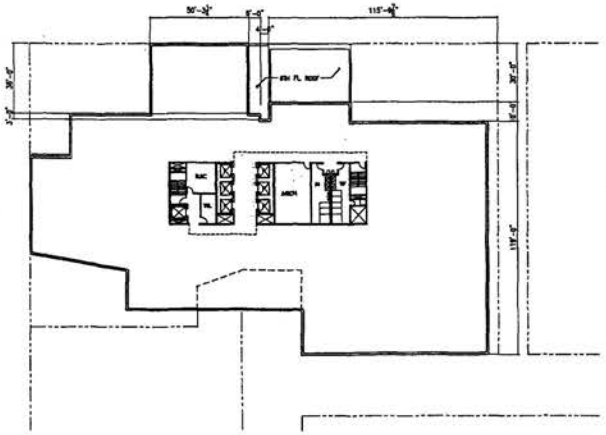
4TH FLOOR PLAN



5-7TH FLOOR PLAN



8TH FLOOR PLAN



9TH FLOOR PLAN

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10TH & F STREETS, N.W.
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DOUGLAS DEVELOPMENT CORPORATION

SHALOM BARANES ASSOCIATES

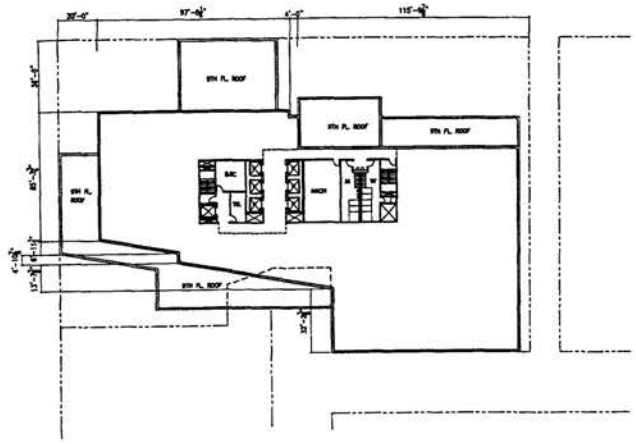
BZA SUBMISSION - JUNE 20, 2002

A-03

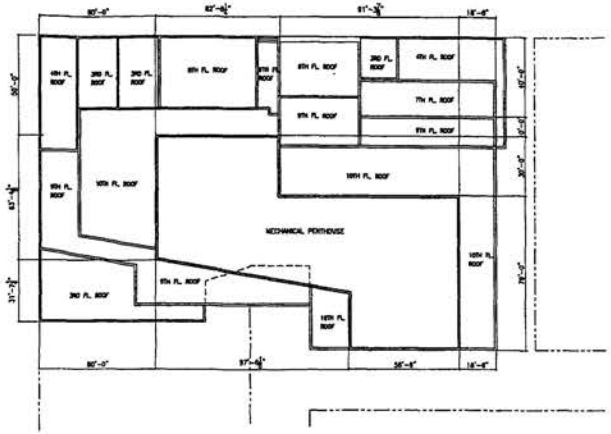
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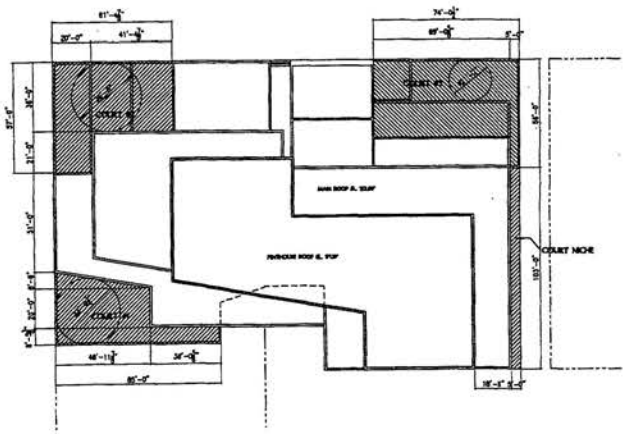
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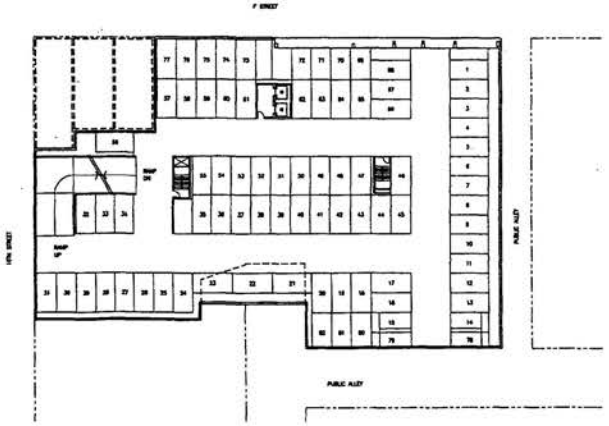
10TH FLOOR PLAN



PENTHOUSE FLOOR PLAN



ROOF PLAN



TYPICAL PARKING LEVEL

NOTE:
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DOUGLAS DEVELOPMENT CORPORATION

SHALOM BARANES ASSOCIATES | A-04

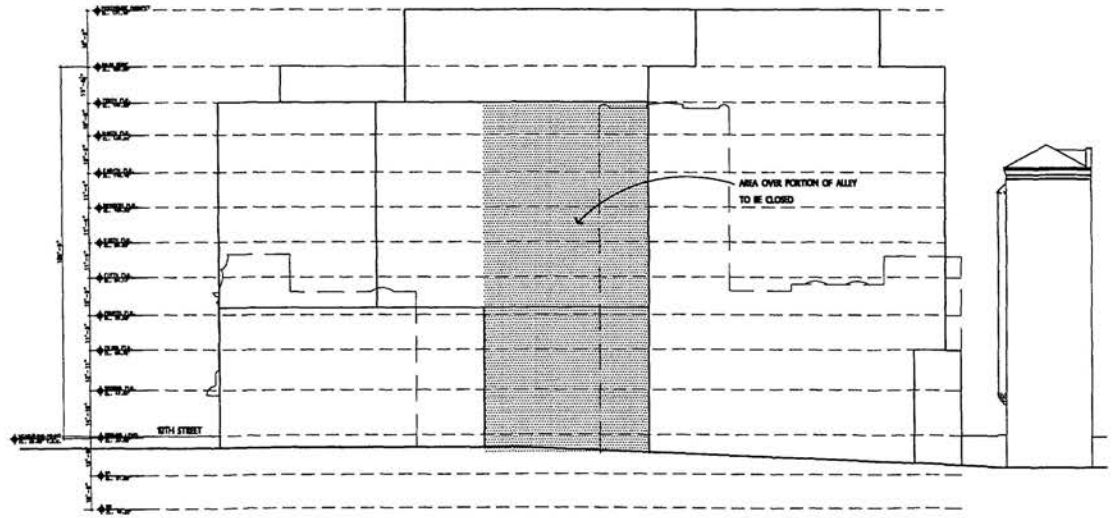
BZA SUBMISSION - JUNE 20, 2002 | 1"=64'

N

R. 6-24-02



NORTH ELEVATION



SOUTH ELEVATION

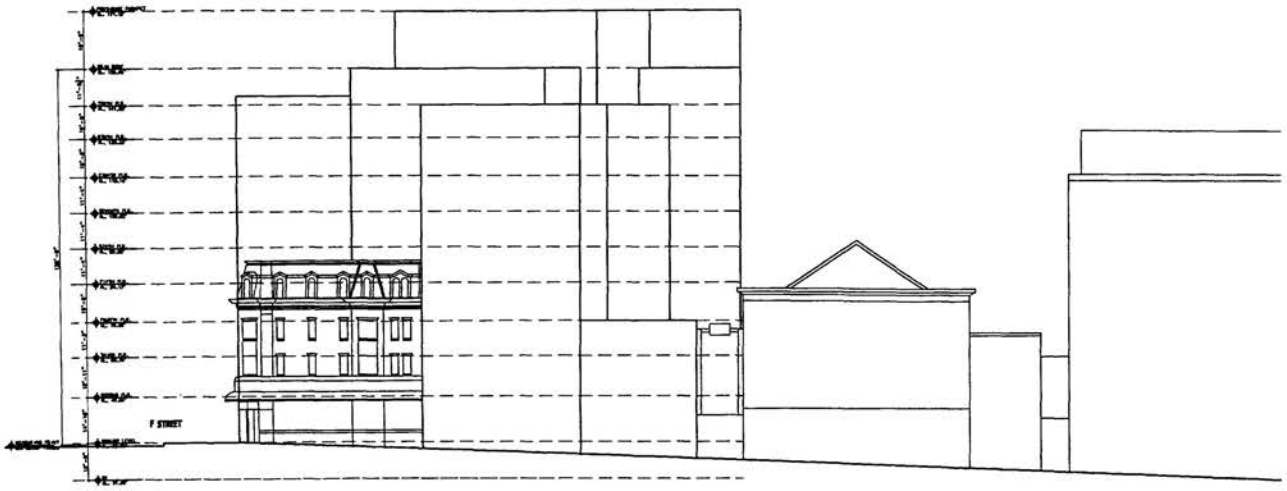
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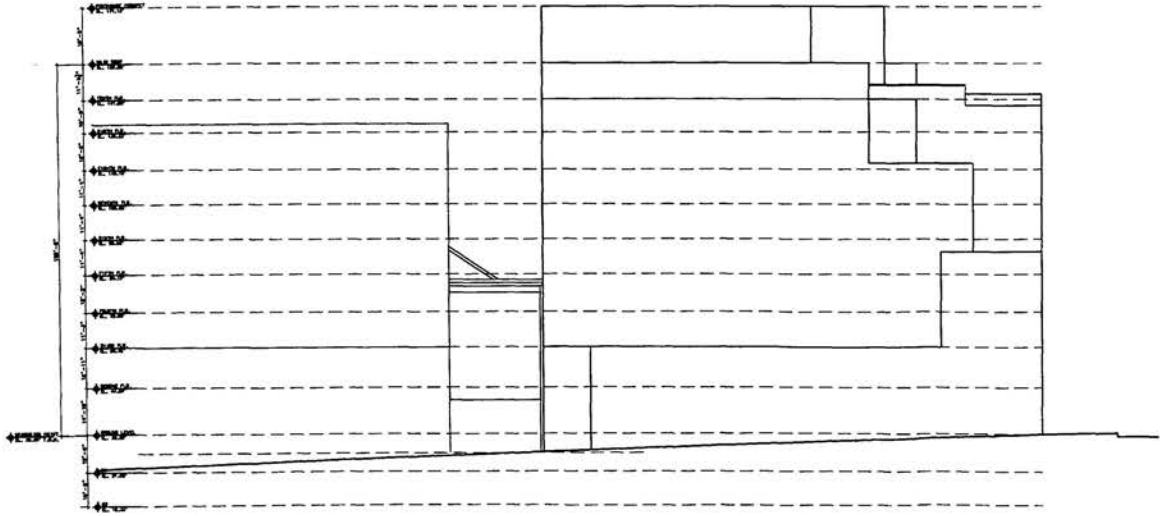
DOUGLAS DEVELOPMENT CORPORATION

SHALOM BARANES ASSOCIATES | A-05

BZA SUBMISSION - JUNE 20, 2002 | 1"=40'



WEST ELEVATION



EAST ELEVATION

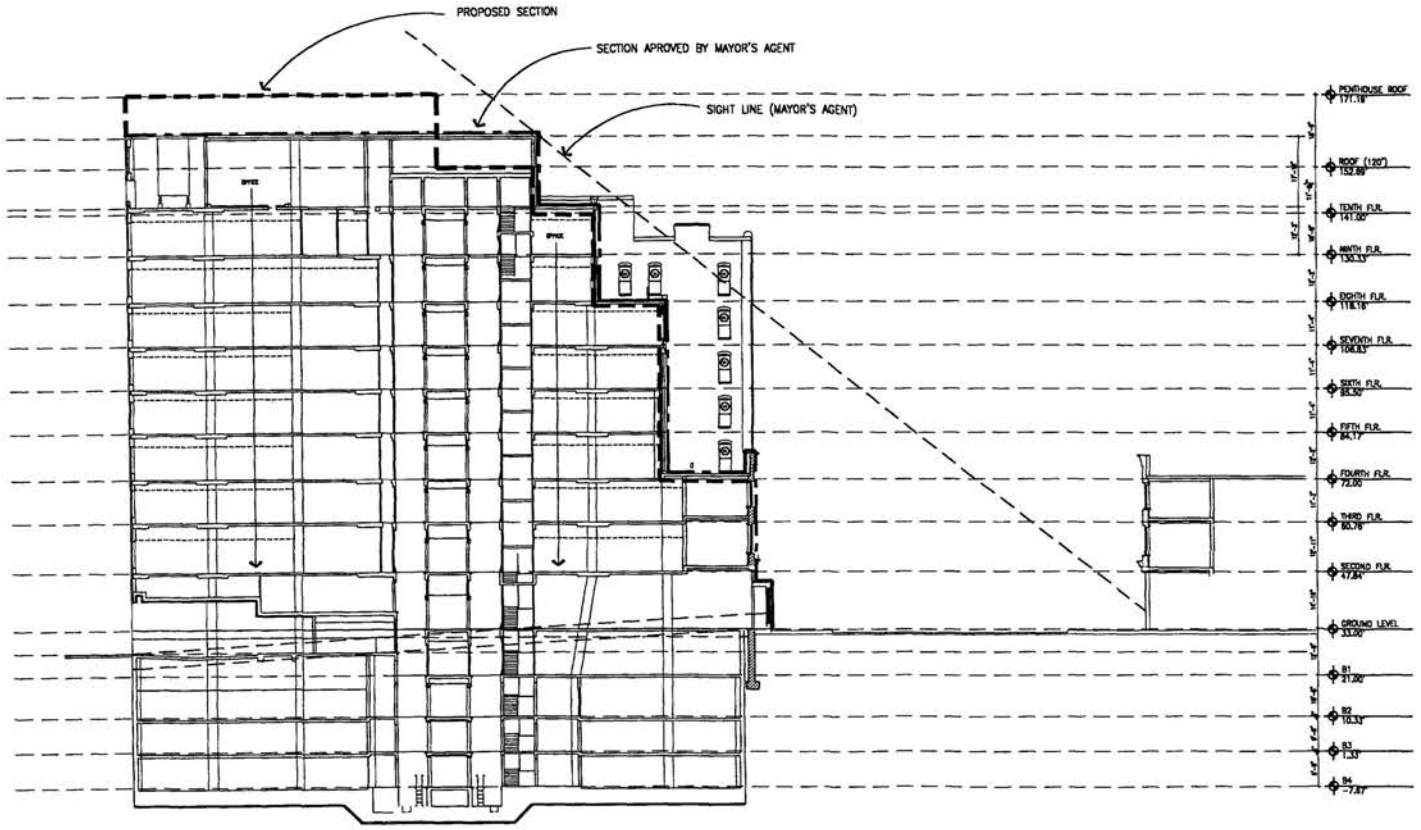
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WASHINGTON, D.C.

DOUGLAS DEVELOPMENT CORPORATION

SHALOM BARANES ASSOCIATES | A-06

BZA SUBMISSION - JUNE 20, 2002 | 1"=40'



SECTION

NOTE:
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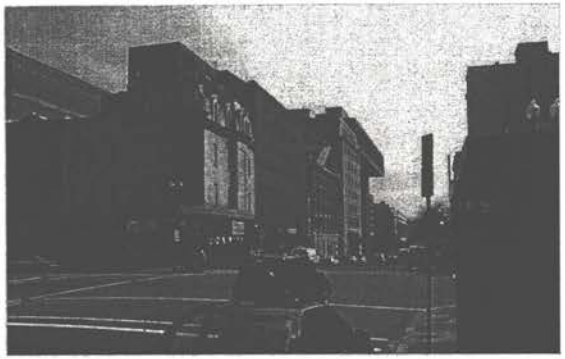
DOUGLAS DEVELOPMENT CORPORATION

SHALOM BARANES ASSOCIATES

A-07

1"=32'

BZA SUBMISSION - JUNE 20, 2002



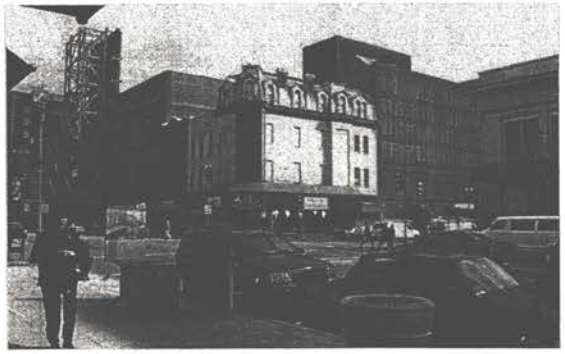
VIEW FROM 10TH & F STREET INTERSECTION



VIEW FROM NORTH – 10TH STREET



VIEW FROM SOUTH – 10TH STREET



VIEW FROM WEST – F STREET



VIEW FROM ALLEY



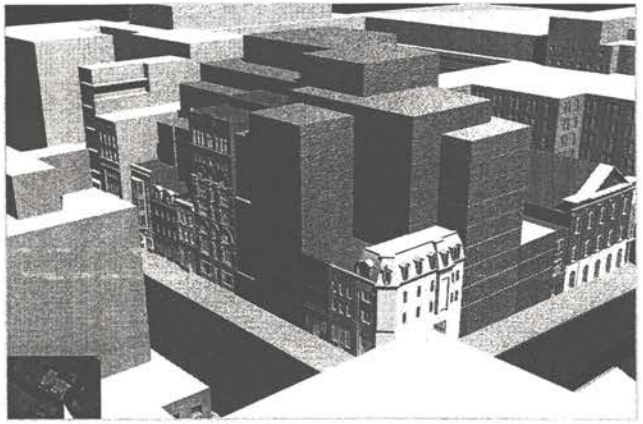
VIEW FROM ALLEY

SITE PHOTOS

10TH & F STREETS, N.W.
WASHINGTON, D.C.
DOUGLAS DEVELOPMENT CORPORATION

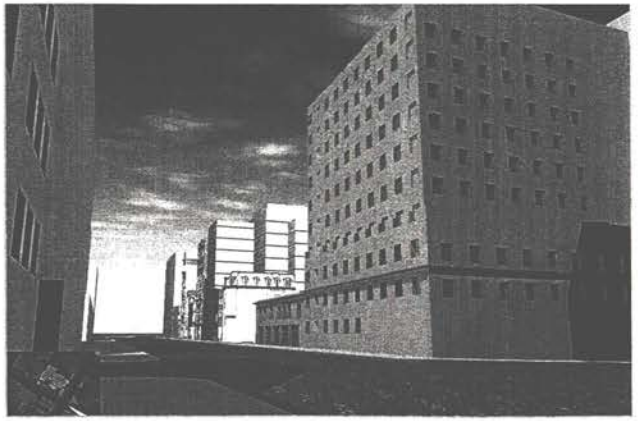
SHALOM BARANES ASSOCIATES | A-08

BZA SUBMISSION – JUNE 20, 2002









3D MODEL RENDERINGS

10TH & F STREETS, N.W.
WASHINGTON, D.C.
DOUGLAS DEVELOPMENT CORPORATION

ل

Atlantic Bldg #29

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

IN RE:	)	
	)	
920 F Street, N.W.	)	HPA No. 88-490
922-24 F Street, N.W.	)	HPA No. 88-491
926 F Street, N.W.	)	HPA No. 88-492
930 F Street, N.W.	)	HPA No. 88-493
Square 377, Lots 823, 824, 825 and 826	)	
Clover F Street Associates, L.P., Applicant	)	

BEFORE THE MAYOR'S AGENT FOR D.C. LAW 2-144, THE HISTORIC LANDMARK AND HISTORIC DISTRICT PROTECTION ACT OF 1978

OPINION AND ORDER

BACKGROUND

This matter came before the Mayor's Agent for D.C. Law 2-144, the Historic Landmark and Historic District Protection Act of 1978, codified at D.C. Code sec. 5-1001 et seq. ("the Act"), on September 9, 1988, for a public hearing on applications for permits allowing the partial demolition of four existing structures within the Downtown Historic District. Three of the buildings, located at 920, 922-924 and 926 F Street, N.W., respectively, are classified as structures which contribute to the historic character of the district by virtue of their architecture, scale, and period of significance.

The fourth building located at 930 F Street, N.W., known as the Atlantic Building, is an individually-designated landmark listed in the D.C. Inventory of Historic Sites.

The proposed project includes the partial demolition as set forth in HPA Nos. 88-490, 491, 492, and 493, together with the proposed alteration and new construction as set forth in HPA No. 88-496. Specifically, the project involves the retention

and restoration of the front facades of all four buildings as part of a nine-story mixed-use office/retail/entertainment complex.

The applications were referred to the Historic Preservation Review Board ("Review Board") in accordance with Section 5(b) of the Act. The Review Board reviewed the project for conceptual design on December 16, 1987 and again on April 20, 1988 at which time the applications for partial demolition of the buildings were also reviewed. The Review Board adopted the Historic Preservation Review Board Staff Report and Recommendation ("Staff Report") which recommended denial of the partial demolition permits based on inconsistency of demolition with the purposes of the Act. However, the report urged the Mayor's Agent to take into consideration the major building code and fire protection deficiencies of the Atlantic Building in considering the applications. The report concluded that the proposed conceptual design was compatible with the character of the retained historic facades and the historic district.

In accordance with Section 5(b) of the Act, the Review Board transmitted its recommendations to the Mayor's Agent. A Notice of Public Hearing to consider HPA Nos. 88-490, 491, 492 and 493 was published in the August 5, 1988 issue of the D.C. Register. On September 9, 1988, the Mayor's Agent conducted a public hearing on the applications. The record was held open until September 19, 1988 for the submission of a draft order and materials from city officials on certain aspects of the project. All the testimony, exhibits and memoranda of agreement accepted into the record as evidence prior to the closing of the record are herein incorporated by reference.

The Applicant contends that the proposed partial demolitions are consistent with the purposes of the Act as set forth in section 2(b) and are necessary to construct a project of special merit. In accordance with the provisions of the Act, the Mayor's Agent enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Applicant has applied for permits to allow the partial demolition of four buildings at 920, 922-24, 926, and 930 F Street, N.W., all located within the boundaries of the

Downtown Historic District and the Pennsylvania Avenue National Historic Site, in one of the most important late-nineteenth century commercial frontages in downtown Washington. The structure located at 930 F Street, known as the Atlantic Building, is an individually-designated landmark listed in the D.C. Inventory of Historic sites.

2. The structures located at 920, 922-24, and 926 F Street are small-scale commercial structures representative of the buildings in the two historic districts. They do not appear to possess any particular individual historic distinction, but they clearly contribute to the character of the historic districts. Their facades are good typical examples of the architectural styles of their time. The structure at 920 F Street ("the Schwarz Building") was built in 1911, the structure at 922-24 F Street was built in 1876, and the structure at 926 F Street was built in 1891. Since the structures were built at approximately twenty year intervals, they comprise an interesting record of the changes in style during that period.

3. The Atlantic Building, with its Romanesque Revival facade, was designed in 1887 by James G. Hill, a noted Washington architect. It is a structure of exceptional architectural and historical significance and is one of the first buildings to employ elements of the emerging technology of skyscraper construction, combining traditional construction techniques with some innovative ideas. The design evidences the anticipated but never realized trend of high rises for the downtown area. The Atlantic Building towers above the adjacent strutures and is a witness to the unrealized taller skyline. The exposed party walls of the Atlantic Building now constitute part of the historic significance of the site. The most notable interior feature is the open central stairwell in proximity to two cage elevators, which have been enclosed for fire code reasons. Some interior decorative features have been scavenged, but the original rooms and most of the trim and finishes remain.

4. A study of the conditions of the existing structures on the project site revealed major building code and fire protection deficiencies. Four studies were conducted: a fire and life safety code survey by Ferguson Engineering; a general structural survey by James Madison Cutts; an environmental inspection by Bregman & Company and an architectural survey which included structural and code considerations conducted by Shalom Baranes Associates. The

certificate of occupancy has been revoked for floors two through eight of the Atlantic Building. Structural failures of exterior load-bearing masonry walls due to foundation settlement was observed. The three smaller buildings are also seriously deteriorated and have been abandoned above the ground level floor. In all four buildings, architectural analysis of the existing masonry-bearing wall and wood frame floor plans indicated inefficient and inflexible layouts for modern office tenants. Rehabilitation of these spaces would require new egress, mechanical, fire suppression, plumbing, electrical and HVAC systems.

5. The structural deficiencies of the buildings were confirmed by a letter dated September 16, 1988 and signed by city officials, James Peters, D.C. Fire Department and Jinsoo Lee, Structural Section, and submitted for the record on September 19, 1988.

6. Compliance with the building code necessitates major changes in the Atlantic Building, including, at a minimum:

   i) removal of the combustible, non-protected structural system (the building has a woodframe structure);

   ii) removal of the central stairs, which are totally constructed of and supported.by wood members;

   iii) construction of two new remote and enclosed exit stairways;

   iv) insertion of a new connecting corridor between the stairways;

   v) closing of the windows in side and lightwell elevations;

   vi) complete reconstruction of the defective west wall which was seriously damaged during the construction of an adjacent building. While the wall has been shored up, it has a severe slope in it. The unprotected cast iron framing could result in partial or complete collapse of the building in a serious fire; and

vii) removal of the large central stairs. The stairs are constructed of unprotected wood. Structural support for the stairs is tied into support of adjoining office spaces. A fire in any of the offices around the stairwell would quickly spread to the stairs and block egress.

If the central stairs remained, they would have to be separated from the existing combustible floor system and enclosed in a structurally independent two-hour rated shaft. Such a shaft would protect egress from the building during a fire for two-hours to allow escape of the building's occupants. The smaller buildings would require similar treatment.

7. The changes required to bring these buildings up to even minimum standards of code compliance, will result in elimination of the historic floor plans of the buildings and a substantial compromise to their historic integrity. Specifically, with respect to the Atlantic Building, some of the more important historic features, like the open stair and cage elevators, would be lost.

8. The proposed project calls for the retention and restoration of the front facades of all four historic buildings and their incorporation into the construction of a nine-story office and retail structure on the south side of the 900 block of F Street, N.W. The new structure will provide approximately 149,500 gross square feet of floor area on nine floors above grade. Retail uses will occur on the first level with offices on the remaining eight floors. Parking for about 74 cars will be provided on two underground garage levels. Loading and garage access will occur from the south alley. The proposal calls for approximately 125,000 square feet of office space, 24,564 square feet of retail space including 10,889 square feet of cabaret/dinner theater type use on the mezzanine level and a special museum area on the ground floor.

The proposed structure is massed to reduce the apparent size of the project as experienced from F Street, to avoid eclipsing the historic streetscape, and to simultaneously establish a strong relationship between the Atlantic Building facade and neighboring facades along F Street, particularly the National Union Building across the east alley. The stepped massing will be precisely articulated through graduated steps (20 feet at 920 F Street on floors

five through seven; 23 feet at 922-924 on floors five through seven; 23 feet at 926 on floors four through seven; 40 feet at 920, 922-924, and 926 on floors eight and nine; and 30 feet at 930 on floor nine to maintain and reinforce the scale of the historic facades.

This careful massing will reinforce the current reading of the historic buildings, rendering the new building minimally or not at all visible from numerous vantage points along the street. The skin of the new construction will have a character sympathetic to the historic facades with a light skeletal frame, compatible colors, and detailing of new brick and cast stone.

The new design will respect the three-dimensionality of the original buildings by maintaining their sense of depth at the east and west walls of the Atlantic Building, and retaining roof lines of the individual buildings and along the east wall of 920 F Street at the alley.

9. The applicant has agreed to participate in a program of mitigation to diminish the impact of partial demolition on the historic character of the site. The program will require documentation, salvage, and re-use of significant elements of the portions of the buildings to be demolished. Highlights of the program include:

   i) Facade Restoration. The retained facades of all four buildings will be completely restored, and historically accurate storefronts will be reconstructed.

   ii) Narrative, Graphic and Photographic Documentation. This effort will include archival quality photographs, measured drawings, and a complete historic structures report on each building, with a computer-based analysis of their historic context in relation to the development of downtown. The owner has contracted with the Historic American Buildings Survey ("HABS") to conduct a complete twelve-week survey of the Atlantic Building at the owner's expense. At the time of the Mayor's Agent hearing, eighty percent of the work for

the survey had been completed. The documentation will become available to the public as part of the HABS collection housed at the Library of Congress.

iii) Salvage of Architecturally Significant Elements. Significant portions of the interior craftsmanship of each building will be salvaged and re-used in the public areas or facade zone of new construction (wall and ceiling trim, moldings, lighting fixtures, and fireplace ensembles, including tiles, metal trim, fire boxes, and mantels). The cage elevators and stairway from the first to the second floor will be reconstructed in approximately the same historic relationship.

iv) Preservation of Historic Character in Public Areas. The new building lobby will be designed in the style of the original Atlantic Building lobby, using salvaged material from the original. A "preservation zone" or "historic reconstruction zone" behind each of the facades will be finished according to the original room designs. The preservation zone will be approximately 40 feet deep on the first floor and one room deep on upper floors. The large eighth floor conference room will be recreated. Office partitions will coincide with existing building party wall locations so that the historic buildings will continue to read from the street as individual buildings and the spatial character of the historic rooms will be maintained. The historic reconstruction zone approach is considered a novel approach in preservation projects.

v) Public Education. A permanent historic exhibit or museum room off the main lobby will display artifacts from the building and documentation of the historic character and role of the buildings in the development of the downtown area.

10. The project is consistent with a number of land use objectives and policies outlined in Title IX - the Downtown Element of the District of Columbia Comprehensive Plan ("Plan"). It is supported by the Office of Planning as a project of special merit based on its preservation

component, its land use elements which are consistent with the Plan, and the social and community benefits proposed by the Applicant.

The Office of Planning describes the site occupied by the proposed project as an important location in the Downtown Historic District. The 900 block of F Street is rich in historic resources. While part of the retail core, the block is a transition area between the retail core and the Gallery Place area to the east. The F Street corridor is important visually in terms of the historic structures which line the street and the high/low pattern of the skyline on the south side of the street.

The Office of Planning's primary focus in the project has been on the retail space. The provision of retail, arts and entertainment space in this project is responsive to the objectives for retail and entertainment uses in the Downtown Element of the Plan (secs. 904, 905, 912 and 913) and the objectives and policies for the retail core (secs. 951 and 952). Section 905 of the Plan particularly calls for creating a strong retail core with continuous active retail uses along F Street, the primary shopping street. The proposed project is consistent with the Plan's objective of creating a "Living Downtown" by promoting evening and weekend activities in the downtown area.

The Applicant's proposal would allocate 24,564 square feet of spact to retail uses. The project provides approximately 13,674 square feet of retail space on the ground floor. This retail space may be arranged in various configurations, with the use of historic interior features to retain the historic appearance. The B-1 (mezzanine) level will provide 10,889 square feet for the cabaret/dinner theater. The dedication of space to entertainment uses is, as noted, in keeping with the Office of Planning arts/entertainment orientation for this section of F Street. The Applicant has committed to attempt to rent this space for a cabaret/dinner theater use for 12 months following completion of the building, with an additional year extension at the Office of Planning's option. If unsuccessful, the Applicant will lease it for other arts-related retail use or, with the approval of the Office of Planning, for other active retail use. The project meets the requirements of the "Shopping Overlay" District as published in the May 20, 1988 issue of the D.C. Register.

The project is also consistent with Section 952 of the Plan which calls for increased office development in the retail core. The project allocates 125,000 square feet to modern office space. The Office of Planning has entered into an agreement with the Applicant to support the project contingent upon the Applicant's adherence to the program of preservation, construction, land uses, and social benefits proposed, including good-faith negotiations for the lease of the mezzanine level for a cabaret/dinner theater type use.

The Office of Planning, while describing the architecture of the project as very good and appropriate for the setting, declined to characterize it as exemplary. According to Mr. John Fondersmith, Chief of the Downtown Section of the Office of Planning, the Office has policy concerns with regard to classifying facade projects as exemplary architecture.

11. The Office of Business and Economic Development ("OBED") supports the project as one of special merit and has entered into an agreement with the Applicant requiring, among other things, relocation expenses for existing tenants, and preferential rights for them to return to the building at prevailing market rental rates after the project is completed.

12. A "First Source" Employment Agreement has been made between the Clover F Street Associates, L.P. and the D.C. Department of Employment Services ("DOES") which requires the Applicant to use DOES as the first source for recruitment, referral and placement of new hires or employees whose jobs are created by the project.

13. The Applicant has also entered into an agreement with the Minority Business Opportunity Commission ("MBOC") to make a bona fide effort to utilize certified minority business enterprises for a minimum of 35 percent of the contracted development costs.

14. The Advisory Neighborhood Commission 2C ("ANC-2C") unanimously voted to support the project as one of special merit based in part on the program of mitigation which it was stated "ensures careful facade restoration, extensive documentation of the buildings, salvage of the building's architecturally significant elements, preservation of the historic character of the public areas and those interior portions of the building visible from F Street and an on-going public education component". Letter from ANC-2C to Mayor's Agent, dated July 14, 1988. The ANC also found

the proposed concept design to be compatible with the character of the retained historic facades and the Downtown Historic District.

15. The D.C. Preservation League ("DCPL") also supports the project as one of special merit, though not based upon exemplary architecture. The DCPL accompanied the architect's team and Review Board staff on a site inspection and reviewed information available from the structural engineer. The League concurs that correcting the serious building and fire code deficiencies would require extensive alterations and intrusions into the original historic fabric of the buildings, severely compromising their intergrity. The DCPL also recommended conceptual design approval for the new construction.

16. While the project design represents a very adept treatment of the historic structures and is appropriate for the setting, it does not constitute exemplary architecture.

17. There were no witnesses testifying in opposition to the applications.

CONCLUSIONS OF LAW

Pursuant to Section 5(e) of the Act, no demolition permit may be issued unless the Mayor or his designated agent finds that issuance of the permit is necessary in the public interest or that failure to issue a permit will result in unreasonable economic hardship. Section 3(j) of the Act defines "necessary in the public interest" as "consistent with the purposes of this act as set forth in section 2(b) or necessary to allow the construction of a project of special merit".

The Applicant claims the proposed demolition is both consistent with the purposes of the Act and necessary to construct a project of special merit.

The purposes of this Act as set forth in section 2(b) are:

(1) with respect to properties in historic districts:

(A) to retain and enhance those properties which contribute to the character of the historic district and to encourage their adaptation for current use;

(B) to assure that alterations of existing structures are compatible with the character of the historic district; and

(C) to assure that new construction and subdivision of lots in an historic district are compatible with the character of the historic district;

(2) with respect to historic landmarks:

(A) to retain and enhance historic landmarks in the District of Columbia and to encourage their adaptation for current use; and

(B) to encourage the restoration of historic landmarks.

Section 3(k) defines "special merit" as a plan or building having "significant benefits to the District of Columbia or the community by virtue of exemplary architecture, specific features of land planning or social or other benefits having a high priority for community services".

Based on the evidence of record, the Mayor's Agent finds that the Applicant has proposed a project of special merit based on specific features of land planning and social preservation benefits having a high priority for community services.

The uncontroverted evidence establishes that the group of four historic buildings, which includes an individually designated landmark, is part of a very significant nineteenth century commercial frontage in the heart of downtown Washington. The buildings are part of a nearly continuous streetscape of historic buildings along F Street and together embody the historical and architectural values central to the Downtown Historic District. The Atlantic Building has special significance as the "harbinger" of an unrealized high-rise skyline on F Street. The exposed party walls of the Atlantic Building now constitute part of the historic significance of the site as a reminder of the development pattern of the downtown area.

However, due to serious structural and fire protection deficiencies, the buildings remain vacant above the ground level. Credible and extensive testimony received firmly establishes the extensiveness of the alterations required to bring the interiors into compliance with fire and life safety

requirements. The evidence is also overwhelming that the required alterations would constitute a desecration of the historic fabric and compromise the integrity of the buildings.

The proposed project contemplates a sympathetic integration of the four historic facades into a backdrop building which respects the importance of the historic streetscape of F Street. The careful massing of the new construction, with its graduated setbacks, maintains and reinforces the scale of historic facades. The design respects the three-dimensionality of the original buildings by maintaining their sense of depth and avoiding the "pasted-on" appearance of some facade projects. The historic reconstruction zone is a sensitive and unique treatment of these historic buildings which allows the preservation of the historic character of the public areas and interior portions of the building visible from the street. While the project design does not rise to the level of exemplary architecture, it is a very sensitive and skilled treatment of the historic buildings and particularly appropriate for the site.

The basis for a finding of special merit rests on the specific features of land planning and social and preservation benefits having a high priority for community services. The project proposes land uses for the downtown area which are not only consistent with the Plan, but (in the case of retail, arts and entertainment uses) constitute preferred uses. The Plan encourages the creation of a strong retail core with continuous active retail uses along F Street, the primary shopping street, as well as the generation of uses which promote evening and weekend activities to create a "Living Downtown". Section 901(c) of the Plan emphasizes that the most important land planning uses for downtown are retail, hotel, residential and arts and culture. It further notes that while private office space is important, the concept of the "Living Downtown" recognizes that special efforts will be needed to attract the other desired uses. The Plan calls for a variety of regulatory incentives to encourage development of the preferred uses. The commitment of the Applicant to attract the cabaret/dinner theater use for the site is, therefore, a critical aspect of the project of special merit in addition to the balance of space allocated to retail use.

The project also offers numerous benefits to the preservation community as well as the public at large by providing, not only the historic reconstruction zone and facade restoration, but also an extensive program of mitigation. The program will include archival quality photographs, measured

drawings, and a complete historic structures report on each building with a computer-based analysis of their historic context in relation to the development of downtown. The owner has contracted with HABS to conduct a complete twelve-week survey of the Atlantic Building. Significant artifacts from the buildings will be salvaged and re-used in the historic reconstruction zones. The historic documentation will be available to the public as part of the HABS collection housed at the Library of Congress. A further community benefit will be provided in the form of an exhibition room or museum off the reconstructed lobby in the new building. The museum will display artifacts from the building and document the role of the buildings in the development of the downtown area.

Having established the architectural and historical significance of the four buildings, the Mayor's Agent is required to balance the competing interests of preserving the integrity of the historic buildings against the "significant benefits" provided by the project of special merit. In this case, the evidence as stated is uncontroverted and overwhelming that the buildings are significant. However, the evidence is equally compelling that making the building safe for use destroys the historic integrity of the building. One witness correctly opined that "preservation could only be achieved with abandonment," which is clearly not the intent of the Act. Abandonment, with the inevitable further deterioration of the building, serves no useful purpose. The proposed project offers the most reasonable alternative to abandonment: partial demolition of the buildings with facade restoration and integration into a sympathetic and well-designed new construction; an extensive photographic, graphic and narrative documentation of the historic buildings; creation of an historic reconstruction zone from the salvage of architecturally significant elements; and a public exhibition of the artifacts and developmental history of the buildings off the lobby of the new building.

Moreover, the project allows for the provision of preferred uses - retail, arts and entertainment - in the downtown area. These uses often require various regulatory incentives for their promotion at this phase of development of the downtown area.

Based on the foregoing, the Mayor's Agent finds that the Applicant has sustained its burden of proof that partial demolition of the structures located at 920, 922-24, 926 and 930 F Street, N.W. (the Atlantic Building) is necessary to construct a project of special merit. Having so held, I find it unnecessary to rule on the claim based on the project being consistent with the purposes of section 2(b) of the Act.

ORDER

In accordance with the Findings of Fact and Conclusions of Law entered this date, it is by the Mayor's Agent this 12th day of May, 1989, hereby ORDERED, that the demolition permits be issued for HPA Nos. 88-490, 491, 492 and 493 in accordance with these findings. The partial demolition of these buildings is necessary in the public interest.

May 12 1989
Date

Diane L. Herndon
Diane L. Herndon, Esq.
Mayor's Agent for D.C. Law 2-144

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ADVISORY NEIGHBORHOOD COMMISSION 2C
Shaw Terrell Community Center
First & Pierce Street, N.W.
Washington, D.C. 20002

April 19, 2002

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2002 MAY -9 AM 1:

Re: Proposed Redevelopment of 920-942 F Street, NW
Square 377, Lots 35, 819, 820, 821, 852, 853 and portion of public alley to be closed

Dear Members of the Board:

This letter is to advise that ANC 2C, at its regularly scheduled public meeting, held April 3, 2002, at which a quorum was present, unanimously voted (5-0) to support the request of Douglas Development Corporation, owner/contract purchaser of the Subject Property and Applicant for zoning relief, for variances to permit the redevelopment of this important site in Square 377 into an office building with ground floor retail and arts uses.

The Commission was advised that the Subject Property is affected by several exceptional situations and conditions, including its improvement with multiple historic structures in varying states of repair, a number of which are subject to an Order from the Mayor's Agent for Historic Preservation. The Subject Property is also exceptional as a result of its configuration and size.

The Applicant is requesting variance relief from the building density restriction (FAR) of the DD/C-4 Zone and variance relief from the area-wide design standards of the Downtown Development District Overlay in order to allow garage/loading access to the project from 10th Street, N.W. These variances are needed to permit the Applicant to construct an office building of sufficient size and footprint to subsidize the important historic preservation and downtown revitalization goals of the District that will be accomplished by this project. The project may also require a roof structure setback special exception.

Importantly, the eastern portion of the Subject Property contains the facades of the historic Atlantic building and three smaller scale contributing buildings to the Downtown Historic District. These buildings were largely demolished in 2000 by a previous developer in preparation for the construction of a "special merit" office building pursuant

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2002 MAY -9 AM

to approval by the Mayor's Agent. The original developer has been unable to finance the redevelopment of the site. The Applicant is faced with the practical difficulty of fulfilling the "special merit" approval from the Mayor's Agent as part of its project for the Subject Property, along with preserving the other historic buildings on the Subject Property. The implementation of the significant historic preservation components of this project clearly constitute a practical difficulty in terms of construction complexity and design. Furthermore, the Commission finds that the variances relief can be granted without substantial detriment to the public good or the District's Zone Plan. The redevelopment of this property is critical to the redevelopment of the old downtown and reestablishment of the F Street commercial spine.

ANC 2C supports the Applicant's requests for variance relief from Sections 771 and 1701.4 of the Zoning Regulations which will allow the Applicant to complete this rehabilitation project which is critical to the continued rejuvenation of the Downtown. ANC 2C likewise offers its support for the Applicant's request for special exception for roof structures should that be determined to be needed for the project. The Commission urges the approval by the Board of this vital project so that it may proceed forward to the benefit of the community.

Sincerely,

Leroy J. Thorpe, Jr.
Chairman, ANC 2C