

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

Application of
Meta Platforms, Inc.

BZA Application No:
ANC 2C03

STATEMENT OF THE APPLICANT

This application is made by Meta Platforms, Inc. (the “**Applicant**”) to the Board of Zoning Adjustment (“**Board**”) for special exception approval under Subtitle C § 1506.1 from the penthouse screening requirements in order to replace an existing rooftop mechanical unit on the mixed-use building located at 575 7th Street NW (Square 456, Lot 884) (the “**Property**”).

I. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the relief requested pursuant to Subtitle X § 900.2 of the Zoning Regulations.

II. DESCRIPTION OF THE PROPERTY, SURROUNDING AREA, AND PROJECT

The Property consists of Assessment and Taxation Lot 884, forming a portion of Record Lot 40, in Square 456. The Property consists of approximately 58,980 square feet of land area and is located in the Penn Quarter neighborhood. Square 456 is bounded by F Street NW to the north, 6th Street NW to the east, E Street NW to the south, and 7th Street NW to the west. The surrounding area is characterized by federal government and commercial office buildings, with a mix of ground-floor retail, service and dining establishments, and includes Capitol One Arena, located immediately north across F Street NW from the Property, as well as the National Portrait Gallery, located immediately northwest of the Property. Judiciary Square is located one block east of the Square. As shown on the Zoning Map attached as Exhibit A, the Property is located in the D-6-R Zone District and Downtown Arts Subarea, and the immediately surrounding area consists of

properties zoned various D Zone Districts. The Property is located within the Downtown Historic District.

As shown on the architectural plans attached as Exhibit B (the “**Plans**”), the Property is an irregularly-shaped lot with frontage on F Street NW to the north and 7th Street NW to the west. The Property is improved with a ten (10)-story mixed-use building that includes office, retail, and multifamily residential uses (the “**Building**”). The Building was completed in 2003 and included renovation of the historic Hecht’s department store and the adjacent historic commercial buildings located along 7th Street on the east side of the building, which date from between 1898 to 1912, are considered contributing structures in the Downtown Historic District, and were incorporated into the Building design.¹ The Building has a height of approximately 120 feet and FAR of approximately 7.7 FAR, as calculated based on the land area of Lot 884.

The Applicant is an office tenant of the Building and proposes to conduct interior renovations, which will also entail updates to mechanical systems and related equipment located on the rooftop (the “**Project**”). Specifically, as relates to this Application and as shown on Pages 4-5 of the Plans, the proposed renovations necessitate replacement of an existing air handling unit located on the east side of the Building roof. The existing HVAC unit is not screened and is not visible from the public realm given the height of the building and location of the unit significantly set back from F Street NW to the north, as shown in the photos on Page 3 of the Plans. However, screening is required for the new replacement HVAC unit, and, based on the necessary clearance space around the mechanical unit and the required height of the screen needed to comply with penthouse uniform height requirements, such screening would not meet the 1:1 setback requirements under Subtitle C § 1504, as depicted on Page 5 of the Plans. Accordingly, the

¹ The Board granted relief for the Building from applicable arts use requirements in BZA Orders No. 16959, 16959-A, and 16959-B.

Applicant requests relief from the requirement under Subtitle C § 1503.1 to provide screening in order to minimize the visual impact of the replacement HVAC equipment given its location well set back from, and not visible from, the public realm.

III. THE APPLICATION SATISFIES THE CRITERIA FOR THE REQUESTED RELIEF

The Applicant requests special exception relief pursuant to Subtitle C § 1506.1 from the penthouse screening requirements under Subtitle C § 1503.1 in order to provide no screening for the replacement of an existing rooftop mechanical unit.

In order to obtain relief from penthouse screening requirements under Subtitle C § 1506.1, an applicant is required to demonstrate satisfaction of the general special exception requirements of Subtitle X, Chapter 9, the specific requirements of Subtitle C § 1506.1(b), and at least one of the criteria set forth in Subtitle C § 1506.1(c). As discussed in detail below, the application satisfies the respective standards for the relief requested.

A. General special exception requirements of Subtitle X, Chapter 9: the relief requested is in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps and will not adversely affect neighboring properties. (C § 1506.1(a))

The requested relief from the penthouse screening requirements is fully consistent with the purpose and intent of the Zoning Regulations and Map and will not result in any adverse effect on neighboring properties. The existing HVAC unit is not visible from the public realm in this case given the height of the Building and the location of the unit, as shown in the photos on Page 3 of the Plans, due to the location of the unit, which is set back significantly from the adjacent F Street NW right of way to the north, as shown in the diagram on Page 2 of the Plans. The proposed replacement HVAC unit will be approximately the same height as the existing unit (though the new unit will be longer), as shown on the diagram on Page 4 of the Plans, and thus will also not

be visible from the public realm. Granting relief for the required equipment screening will minimize the visual impact of the new equipment. If screening is required, such screening, in order to meet uniform penthouse height requirements and provide the necessary clearance space around the HVCA unit, would encroach into the 1:1 setback area, thus necessitating relief from Subtitle U § 1504.1. Instead, the Applicant requests relief to provide no such screening, which is the least visually intrusive option in this case and thus is fully consistent with the intent of the penthouse regulations to minimize the visual impact of rooftop equipment.

B. Reasonable effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks. (C § 1506.1(b))

Here, the Applicant has requested relief from screening requirements in order to avoid a conflict with penthouse setback requirements, given that such screening, if required, would encroach into the required 1:1 setback due to the need to provide the necessary clearance around the replacement HVAC unit, as discussed above. Accordingly, this section is met in this case.

C. The strict application of the requirements of the penthouse regulations would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes. (C § 1506.1(c)(1))

In this case, requiring that the proposed replacement HVAC unit be fully screened would be unduly restrictive and unreasonable. As discussed above, the new mechanical unit will not be visible from the public realm due to the height of the building and location of the unit, which is significantly set back from F Street NW to the north. Moreover, screening for the unit, if required, would conflict with 1:1 setback requirements, necessitating separate relief for such requirements. Requiring the Applicant to instead install screening and seek setback relief would be unreasonable, particularly given that the new HVAC unit will not be visible from the street and granting relief

from the screening requirement will minimize the visual impact of the equipment, fully consistent with the intent of the penthouse regulations.

D. The relief requested would result in a better design of the penthouse or rooftop structure without appearing to be an extension of the building wall. (C § 1506.1(c)(2))

For the same reasons discussed above, granting relief from screening requirements in this case results in a better design for the rooftop — namely, because the proposed equipment will be less visually intrusive than if screening was required. Therefore, this requirement is satisfied.

E. The relief requested would result in a penthouse or rooftop structure that is visually less intrusive. (C § 1506.1(c)(3))

As explained above, granting relief from screening requirements in this case will indeed result in a rooftop design that is less visually intrusive and minimizes the visual impact of the proposed replacement HVAC unit. By contrast, the required screening would project into the 1:1 setback area, contrary to the overall intent of the penthouse regulations.

For all of these reasons, the Project satisfies the standards for relief under Subtitle C § 1506.1 from the penthouse screening requirements of Subtitle C § 1503.1.

IV. CONCLUSION

For all of the above reasons, the Applicant has satisfied the standards for the requested special exception relief in this case and requests approval for such relief.

Respectfully submitted,

_____/s/
Jeffrey C. Utz

_____/s/
Lawrence Ferris