

BEFORE THE ZONING COMMISSION
FOR THE
DISTRICT OF COLUMBIA

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NATIONAL RESTAURANT ASSOCIATION

STATEMENT IN SUPPORT OF

AN APPLICATION FOR A MAP AMENDMENT
FROM THE DC/SP-2 DISTRICT
TO THE
DC/C-4 DISTRICT
FOR
PROPERTY LOCATED AT 1200 17TH STREET, N.W.
(SQUARE 160, LOT 809)

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ZONING COMMISSION
District of Columbia

CASE NO. 10-17
EXHIBIT NO. 3

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LIST OF EXHIBITS

Exhibit	Description
A	Relevant Portions of the Baist and Sanborn Atlas Maps
B	Relevant Portions of the Zoning Map
C	Aerial Photograph of the Subject Property
D	Relevant Portion of the Future Land Use Map
E	Relevant Portion of the Generalized Policy Map
F	List of Maps, Plans, and Other Readily Available Documents That May Be Offered Into Evidence
G	Names and Mailing Addresses of the Owners of the Property to Be Rezoned
H	List of Names and Addresses of All Owners of Property within 200 Feet of the Subject Property
I	Building Plat from the D.C. Surveyor's Office

I.
INTRODUCTION

The National Restaurant Association (the "Applicant"), through undersigned counsel, submits this statement in support of its application to amend the Zoning Map of the District of Columbia (the "Zoning Map") to rezone the property at 1200 17th Street, N.W. (Square 160, Lot 809), from the DC/SP-2 District to the DC/C-4 District. The map amendment will allow the redevelopment of the site consistent with the high-density designation of the surrounding properties. The requested map amendment is not inconsistent with the Comprehensive Plan, would not create any adverse impacts on surrounding properties, and would result in a number of important benefits to the surrounding community and the District of Columbia as a whole. Indeed, the proposed map amendment is necessary to ensure that the zoning designation for the property is consistent with the site's designation on the Future Land Use Map of the Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan, the relevant portion of which is attached as Exhibit D, designates the Property for high density commercial land uses, which is consistent with C-4 zoning.

II.
DESCRIPTION OF THE SUBJECT PROPERTY AND SURROUNDING AREA

The property that is the subject of this application (the "Property") is located at 1200 17th Street, N.W., at Lot 809 in Square 160. It is situated within the SP-2 District and contains a total of 17,013 square feet of land area. The site is also located within the Dupont Circle ("DC") Overlay District and an existing zoning designation of DC/SP-2. The Property falls outside the Dupont Circle and Sixteenth Street historic districts, and is not otherwise subject to any historic preservation or design review controls.

The Property is improved with the National Restaurant Association Building, an eight-story edifice constructed in 1964 pursuant to BZA Order No. 7236, which authorized a special exception that was necessary at the time in order to construct an office building for non-profit associations and certain professional practices. In 1998, the Zoning Regulations were amended to allow general office use to replace non-profit and professional offices in the SP District as a matter of right. The building is now occupied by a variety of office tenants. Constructed to a height of 90 feet, the building contains approximately 93,572 square feet of space, which equates to a floor area ratio of approximately 5.5.

Square 160 is a triangular block bounded by 17th Street on the west, M Street on the south, and Rhode Island Avenue on the north, all within Northwest Washington. A north-south alley abuts the rear of the Property and separates the site from the remainder of the block. The western portion of the square is dominated by a large commercial office structures rising to a height of 130 feet. A 13-story office building is located on Rhode Island Avenue on the west side of the alley and a large 12-story office building, triangular in shape, fronts both Rhode Island Avenue and M Street, N.W. Seventeenth Street, on which the Property fronts, is 110 feet in width.

Across Rhode Island Avenue to the north are the YMCA, St. Matthew's Cathedral and St. Matthew's Court, rising to a height of 114 feet. To the east across 17th Street are an eight-story building occupied by the Human Rights Campaign and the Sumner School redevelopment, with an overall height of 100 feet. To the south across M Street are several other large-scale office buildings, which have a maximum height of 130 feet.

III.

EXISTING AND PROPOSED ZONING

A. Existing Zoning and Proposed Zoning

Square 160 is “split-zoned” into the DC/C-4 and DC/SP-2 Districts, as illustrated on a portion of the Zoning Map attached as Exhibit B. The north-south alley serves as the dividing line between the two zones. The Property is the only portion of the square located in the SP-2 District.

The SP-2 Districts are designed to "stabilize those areas adjacent to C-3-C and C-4 Districts" and to “act as a buffer between adjoining commercial and residential areas....” 11 DCMR § 500.1 and 500.2. The SP-2 District limits construction to a maximum height of 90 feet and a maximum density of 6.0 floor-area ratio ("FAR"), of which no more than 3.5 FAR may be devoted to nonresidential uses. 11 DCMR §§ 530.1 and 531.1. Residential buildings may occupy no more than 80 percent of the lot, while nonresidential buildings may occupy 100% of the lot. 11 DCMR §§ 532.1.

The Applicant is requesting a map amendment to have the Property rezoned to DC/C-4. The C-4 District is a high-density commercial district “designed for the downtown core that comprises the retail and office centers for both the District of Columbia and the metropolitan area.” 11 DCMR § 750.1. It also contains high-density residential and mixed use developments. 11 DCMR § 750.3. The height, density, and other area controls applicable under the current and proposed zoning for the Property are presented in the table below.

[see chart on following page]

Requirement / Limitation	Existing: SP-2 District	Proposed: C-4 District
Maximum Height	90 feet	110 feet 130 feet if street is ≥ 110 ft wide
Maximum FAR	Total: 6.0 Nonresidential: 3.5	8.5 10.0 if building is > 110 ft in height
Lot Occupancy	80% residential 100% nonresidential 20% public recreation/community ctr	100%
Rear Yard	2.5 inches of depth per foot of vertical distance between the mean finished grade at the rear of the building and the highest point of the main roof or parapet wall, but not less than twelve feet	2.5 inches of depth per foot of vertical distance between the mean finished grade at the rear of the building and the highest point of the main roof or parapet wall, but not less than twelve feet
Side Yard	None required; if a rear yard is provided, it must be at least two inches in width for each foot of building height, but not less than eight feet	none required; if a rear yard is provided, it must be at least three inches in width for each foot of building height, but not less than eight feet

B. Effect of the Proposed Map Amendment

As discussed in more detail below, the proposed map amendment is not inconsistent with the Comprehensive Plan and will further the objectives of the Zoning Act. The requested rezoning of the Property to the DC/C-4 District satisfies each of the statutory standards applicable to map amendments.

The purpose of the proposed map amendment is to permit the expansion of commercial uses on the Property, through either an addition to the existing building or a new redevelopment on the site, consistent with the high-density designation shown on the Future Land Use Map of the Comprehensive Plan.

IV.
STANDARDS APPLICABLE TO AN APPLICATION FOR
A ZONING MAP AMENDMENT

The Zoning Act sets forth a number of criteria that must be applied by the Commission in adopting and amending the Zoning Regulations and Zoning Map. The Zoning Act states that the Zoning Regulations are designed to "promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital" D.C. Code § 6-641.01 (2001). The Zoning Act further provides that:

[z]oning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

D.C. Code § 6-641.02 (2001). The Commission must apply those standards and criteria in determining whether to approve a requested map amendment. The proposed rezoning of the Property from the DC/SP-2 District to the DC/C-4 District will promote each of the purposes described above.

V.
EVALUATION OF PROPOSED MAP AMENDMENT AND
COMPLIANCE WITH STATUTORY STANDARDS

As described in detail below, the proposed map amendment meets each of the specific requirements set forth in the Zoning Act. The Commission should therefore approve the application.

A. The Comprehensive Plan

1. Purposes of the Comprehensive Plan

The D.C. Code provides that the District Elements of the Comprehensive Plan are designed to:

- (a) Define the requirements and aspirations of District residents, and accordingly influence social, economic, and physical development;
- (b) Guide executive and legislative decisions on matters affecting the District and its citizens;
- (c) Promote economic growth and jobs for District residents;
- (d) Guide private and public development in order to achieve District and community goals;
- (e) Maintain and enhance the natural and architectural assets of the District; and
- (f) Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Code § 1-301.62 (2001). The requested map amendment is consistent with each of the purposes set forth above and will further the District's social, economic, and physical development by promoting a wide range of diverse land uses that foster economic growth and create new jobs for District residents.

2. The Future Land Use Map and the Generalized Policy Map

The Future Land Use Map of the Comprehensive Plan designates the Property for high-density commercial land uses, as shown on the portion of the Future Land Use Map attached as Exhibit D. The Framework Element of the Comprehensive Plan provides that a high-density commercial designation is "used to define the central employment district of the city and other major office employment centers on the downtown perimeter. It is characterized by office and mixed office/retail building greater than eight stories in height..." 10 DCMR § 225.11.. The requested map amendment is consistent with that high-density commercial designation for the Property on the Future Land Use Map. The zoning proposed for the Property would permit a

maximum FAR of 10.0, given its frontage on 17th Street, which is 110 feet in width, and allow a maximum height of 130 feet, consistent with surrounding buildings.

The Generalized Policy Map designates the Property as part of Central Washington (see portion of the Generalized Policy Map attached as Exhibit E) and applies the principles of the Central Washington Area Element of the Comprehensive Plan to guide use and development of the site. The proposed map amendment will help implement the policies embodied in the Generalized Policy Map.

The proposed map amendment will also be compatible with the land use designations for the properties located in the surrounding area. The properties in the vicinity of the Property are designated on the Future Land Use Map for a range of high-density commercial uses, and are currently improved with uses that are consistent with that designation. The proposed map amendment will permit future development on the Property that is consistent with the character of the surrounding neighborhood.

3. Compliance with the Citywide Elements of the Comprehensive Plan

The proposed map amendment is consistent with the citywide elements of the Comprehensive Plan and will advance a number of their stated goals and policies.

a. Land Use Element (Chapter 3)

The Comprehensive Plan provides that "[b]ecause the Land Use Element integrates the policies and objectives of all the other District Elements, it should be given greater weight than the other elements as competing policies in different elements are balanced." 10 DCMR § 300.2.

The underlying goal of the Land Use Element is to:

[e]nsure the efficient use of land resources to meet the long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and

to effectively balance the competing demands for land to support the many activities that take place within District boundaries.

10 DCMR § 302.1. The proposed map amendment will advance this important goal by complying with the policies set forth in the Land Use Element of the Comprehensive Plan.

Policy LU-1.1.3: Appropriate Uses in the CEA: Ensure that land within the Central Employment Area is used in a manner which reflects the area's national importance, its historic and cultural significance, and its role as the center of the metropolitan region. Federal siting guidelines and District zoning regulations should promote the use of this area with high-value land uses that enhance its image as the seat of the national government and the center of the District of Columbia, and that make the most efficient possible use of its transportation facilities. 10 DCMR § 304.9.

The proposed map amendment will further the objectives of Policy LU-1.1.3 by using the zoning regulations to promote property within the CEA with high-value land uses that will enhance the city's image as the seat of the national government and the center of the District of Columbia. The map amendment will implement the high-density commercial use designation for the Property on the Future Land Use Map, thereby allowing a national association to maximize the site's value and enhance its profile locally and nationwide.

Policy LU-2.4.6: Scale and Design of New Commercial Uses: Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas. 10 DCMR § 312.10.

The proposed map amendment will allow the development of the Property to a height, mass, scale and design that is consistent with the surrounding high-density commercial uses, and thus is consistent with the objectives of Policy LU-2.4.6.

b. Transportation Element (Chapter 4)

The stated goal of the Transportation Element of the Comprehensive Plan is to "[c]reate a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional

economic prosperity; and enhances the quality of life for District residents." 10 DCMR § 401.1. The proposed map amendment is consistent with the general policies set forth in the Transportation Element of the Comprehensive Plan. Most importantly, the map amendment will allow commercial uses in close proximity to both the Dupont Circle and Farragut North Metrorail stations.

c. Economic Development Element (Chapter 7)

The Comprehensive Plan provides that the goal of the Economic Development Element is to:

[s]trengthen the District's economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy.

10 DCMR § 701.1. In addition to furthering the general goal of economic development by maximizing commercial development on the Property that will create new jobs and tax revenues for the District, the proposed map amendment will also advance a number of the specific objectives and policies described in the Economic Development Element.

Policy ED-1.1.1: Core Industries: Continue to support and grow the District's core industries, particularly the federal government, professional and technical services, membership associations, education, hospitality, health care, and administrative support services. 10 DCMR § 703.9.

The proposed map amendment will further the objectives of Policy ED-1.1.1 by permitting expansion of the National Restaurant Association's property, a membership association specifically identified as a core industry. The additional height and density permitted on the site will also provide the opportunity to support and grow other core industries, including professional and technical services.

Policy ED-2.1.1: Office Growth: Plan for an office sector that will continue to accommodate growth in government, government contractors, legal services, international business, trade associations and other service-sector office industries. The primary location for this growth should be in Central Washington and in the emerging office centers along South Capitol Street and the Anacostia Waterfront. 10 DCMR § 707.6.

Because it will allow the expansion of commercial offices uses on the Property, the proposed map amendment will help achieve the goals of Policy ED-2.1.1 by promoting the growth of the office sector in Central Washington, and the growth of a trade association, in particular. The additional height and density will provide the opportunity to locate other service-sector office industries on the Property, as well.

e. Urban Design Element (Chapter 9)

The goal of the Comprehensive Plan's Urban Design Element is to:

[e]nhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identify of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces.

10 DCMR § 901.1. In keeping with this objective, the proposed map amendment will improve the vitality and livability of the surrounding neighborhood and will also further the specific policies set forth in the Urban Design Element.

Policy UD-2.1.2: Downtown Street and Block Pattern. Maintain a fine-grained pattern of Downtown blocks, streets, and alleys, with intersections and frontages that encourage pedestrian movement and reduce the potential for immense variances in scale and "fortress-like" office buildings. 10 DCMR § 909.8.

The proposed map amendment will allow the potential to reshape the character of the Property through new architectural treatments, as either an addition and renovation to the existing building or construction of a new building, that will reinforce the Downtown block patterns and match the scale of surrounding offices.

4. Compliance with the Area Elements of the Comprehensive Plan

In addition to the citywide elements, the Comprehensive Plan includes ten geographically based "area elements." The Property is located within the Golden Triangle/K Street Area within Central Washington. As discussed below, the proposed map amendment is consistent with the objectives and policies set forth in the Central Washington Area Element.

Policy CW-1.1.2: Central Washington Office Growth. Retain Central Washington as the premier office location in the Greater Washington region. Office development should generally be guided eastward from its current area of concentration, filling in the gap between 3rd Street NW and North Capitol Street (south of Massachusetts Avenue), and capitalizing on the growing demand for office space along North and South Capitol Streets and in the vicinity of New York Avenue Metro station. A range of office space should be planned to meet the needs of high-end, mid-range, and low-end office space users. 10 DCMR § 1608.3.

The proposed map amendment will help retain Central Washington as the premier office location by expanding an existing commercial office site within the Golden Triangle/K Street segment of Central Washington. As new development is guided eastward, the existing office site will continue to reinforce the Golden Triangle's pre-eminent role in the economic health of the city.

Policy CW-2.6.1: Golden Triangle/Franklin Square as a Prestige Employment Center: Sustain the Golden Triangle/Franklin Square area as a prestige employment center, strongly supporting reinvestment in its office buildings to meet market demand. Continue to develop programs to meet the transportation needs of the local workforce, manage congestion on area streets, address security needs, and improve access for transit users, pedestrians, and bicyclists. 10 DCMR § 1616.7.

The proposed map amendment advances the goals of this policy by supporting reinvestment in a premier office site along 17th Street, N.W., and meeting market demand for prestige office space in the Golden Triangle.

B. Health, Safety, and General Welfare

The proposed map amendment would further the public health, safety, and general welfare of the District of Columbia. The requested rezoning to the DC/C-4 District will ensure that the Property is developed in a consistent manner and does not result in future conflicts between incompatible land uses. By permitting a high-density commercial uses on a property specifically targeted for such purposes, the proposed map amendment will protect the health and safety of District residents. The map amendment will also promote the general welfare by allowing the expansion of the office uses on the Property, thus generating new jobs for District residents and significant tax revenues for the District government.

C. No Adverse Consequences

The proposed map amendment will not result in the overcrowding of land or the undue concentration of population, nor will it have any significant adverse impacts on traffic congestion in the surrounding area. The map amendment will allow vertical expansion on the site, consistent with surrounding buildings, and its proximity to two metrorail stations ensures that traffic impacts will be negligible. The map amendment will not generate any negative external effects; rather it will promote efficient use of high value land in a manner that will enhance the image of the city.

D. Development under the DC/C-4 District Would Create Favorable Conditions

As discussed above, the proposed map amendment will further a number of the policies embodied in the District's Comprehensive Plan. The rezoning will allow the Property to be devoted to high-density commercial uses as contemplated on the Future Land Use Map of the Comprehensive Plan, while maintaining and enhancing the image of Central Washington as a premier office location in the city.

VI.
CONCLUSION

For all of the reasons stated herein, the Applicant submits that the proposed rezoning of the Property from the DC/SP-2 District to the DC/C-4 District meets all of the requirements for an amendment to the Zoning Map. The proposed map amendment is consistent with the District's policies for this property and for the development of the surrounding area. Furthermore, the proposed rezoning is not inconsistent with the Comprehensive Plan. Finally, the requested rezoning will further each of the specific objectives set forth in the Zoning Act. Accordingly, the Applicant respectfully requests that the Commission schedule a public hearing on this application and grant the requested map amendment as expeditiously as possible.

Respectfully submitted:

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