

REPORT TO THE ZONING COMMISSION

**CASE NO. 10-17
1200 17th STREET, N.W.**

**STEVEN E. SHER,
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP**

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- I. Introduction
- II. Nature of application: map amendment
- III. Site location
 - A. West side of 17th Street between M Street and Rhode Island Avenue, N.W.
 - B. Site known as 1200 17th Street, N.W.,
 - C. Central Employment Area - Golden Triangle/K Street Area
- IV. Site description
 - A. East side of the square bounded by 17th and M Streets and Rhode Island Avenue, N.W. (Square 160, Lot 809)
 - B. Contains approximately 17,013 square feet of land area
 - C. Has frontage of approximately 189 feet on 17th Street, 99 feet on M Street and 129 feet on Rhode Island Avenue
 - D. Existing building: improved with eight story building owned by the National Restaurant Association and occupied by the Association, the US Institute of Peace and other office tenants
 - E. Abutting streets
 - 1. 17th Street - 110 feet wide
 - 2. M Street – 90 feet wide

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District of Columbia

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EXHIBIT NO.

22

3. Rhode Island Avenue - 130 feet wide

V. Description of the surrounding area

- A. Remainder of the subject square: 3 office buildings (see aerial photo of vicinity and street level photos of subject site and immediate surroundings, following)

1. 1710 Rhode Island Avenue (13 stories)
2. 1730 Rhode Island Avenue – office building with ground floor retail (12 stories)
3. 1711 M Street – office building (3 stories plus basement)

- B. General area

1. To the south
 - a) M Street
 - b) High rise office buildings with ground floor retail on the south side of M Street between 17th Street and Connecticut Avenue
 - c) National Geographic Society Headquarters on the south side of M Street between 16th and 17th Streets
 - d) Predominantly high rise office buildings, with ground floor retail further to the south, with hotels and other complementary uses
2. To the west: office buildings (mostly high-rises with ground floor retail)
3. To the north:
 - a) Rhode Island Avenue
 - b) YMCA
 - c) St. Mathew's Court office project (high rise office behind retained historic facades)
 - d) St. Mathew's Cathedral
 - e) Row buildings used as offices (3, 4 and 5 stories) and hotels along N Street between 17th and 18th Streets
 - f) Mix of older and newer predominantly high rise office buildings and apartment houses along Massachusetts Avenue

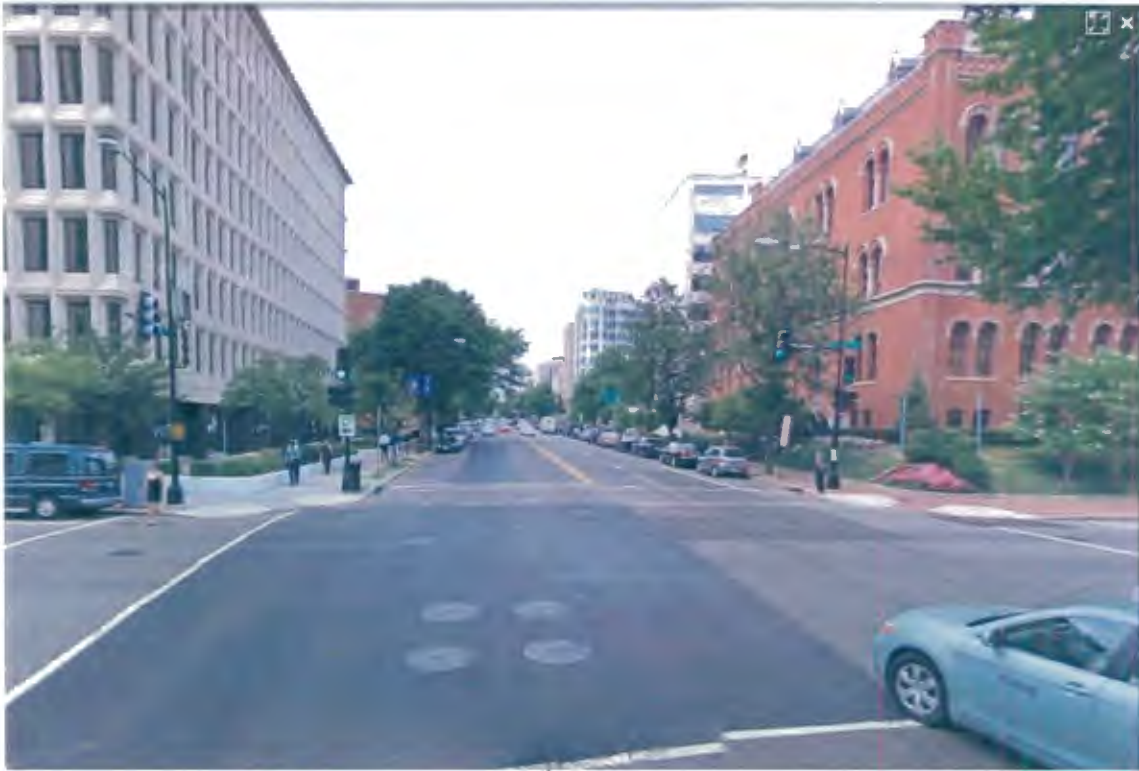




Subject Property viewed from the south
1730 Rhode Island Avenue (130 feet) on the left



View looking west on M Street from east of 17th Street
Subject property on the right side



View looking north on 17th Street from south of M Street
Subject property on left



View looking west on Rhode Island Avenue from east of 17th Street
Subject property on far left; YMCA on the right



View looking east on Rhode Island Avenue from east of Connecticut Avenue
Subject property in the center background (not visible)



View looking south on 17th Street from north of Rhode Island Avenue
Subject property on right; Human Rights Campaign on the left

NOTE: street level photos from Google Maps

4. To the east:
 - a) Sumner School office development
 - b) Offices (Human Rights Campaign at 1640 Rhode Island Avenue)
 - c) Hotels (Beacon Hotel, The Jefferson Hotel and a Courtyard by Marriott Hotel)
 - d) University of California at 1608 Rhode Island Avenue
 - e) Office buildings (mostly high-rises with ground floor retail)
5. Metrorail stations
 - a) Farragut North (Red Line): southwest corner of Connecticut Avenue and L Street
 - b) Dupont Circle (Red Line): east side of 19th Street south of Dupont Circle)
6. Nearest residential buildings (high rises) are more than 700 feet away

VI. Zoning

A. Existing zoning: DC/SP-2

1. SP-2
 - a) Residential/office/institutional district
 - b) Uses (§§501-517)
 - (1) Residential as a matter-of-right carried-over from the R-5 District
 - (2) Office requires BZA approval as a special exception
 - c) Maximum height: ninety feet (§530)
 - d) Maximum FAR: 6.0, no more than 3.5 of which may be devoted to other than residential uses (§531)
 - e) Maximum percentage of lot occupancy for residential uses: 80% (§532)

- f) Minimum required rear yard – 2½ inches per foot of height at the rear, minimum 12 feet; for a corner lot abutting three or more streets, may be measured to the center line of the street at the rear (§534)
- g) Side yard – not required (§535)
- h) Minimum required off-street parking for office: 1 space for each 1,800 square feet of gross floor area in excess of 2,000 square feet (§2101.1)
- i) Minimum required off-street loading for office building with 30,000 to 100,000 square feet of gross floor area: 1 @ 30 feet deep and 1 service/delivery loading space (§2201.1)

2. Dupont Circle (DC) Overlay

- a) Special provisions for planned unit developments (§§1503 and 1504)
- b) No drive-throughs (§1505.1)
- c) No driveways to required parking or loading from Connecticut or Florida Avenues

B. Proposed: DC/C-4

1. C-4

- a) General commercial district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses (§§750 -756)
- b) Maximum height: 130 feet if on a street at least 110 feet wide, 110 feet otherwise (§770)
- c) Maximum FAR: 10.0 if on a street at least 110 feet wide, 8.5 otherwise (§771)
- d) Minimum required rear yard – 2½ inches per foot of height at the rear, minimum 12 feet; for a corner lot abutting three or more streets, may be measured to the center line of the street at the rear (§774)
- e) Side yard – not required (§775)

- f) Minimum required off-street parking for office: 1 space for each 1,800 square feet of gross floor area in excess of 2,000 square feet (§2101.1)
- g) Minimum required off-street loading for office building with 100,000 to 200,000 square feet of gross floor area: 2 @ 30 feet deep and 1 service/delivery loading space

2. Dupont Circle (DC) Overlay - same as above

C. History:

1. Subject site

- a) Zoned SP in 1958
- b) Building approved as a special exception by the BZA in 1964
- c) SP re-designated to SP-2 in 1978
- d) DC Overlay added in January, 1992

2. Vicinity

- a) Remainder of subject square rezoned from SP to C-4 in 1964
- b) DC Overlay added in January, 1992
- c) PUDs approved
 - (1) Sumner School, including map amendment to C-4 (Square 182, Order No. 405, 1983)
 - (2) St. Mathew's Cathedral, including map amendment to C-3-C (Square 159, Order No. 496, 1987)
 - (3) Grammercy site, including map amendment to C-4 (Square 182, Order Nos. 638, 1989; modified under Order No. 638-F, 1999; modified under Order No. 02-51C, 2009)

D. Effect of the proposed change:

- 1. Maximum permitted height increases by 40 feet
- 2. Maximum permitted FAR increases by 4.0

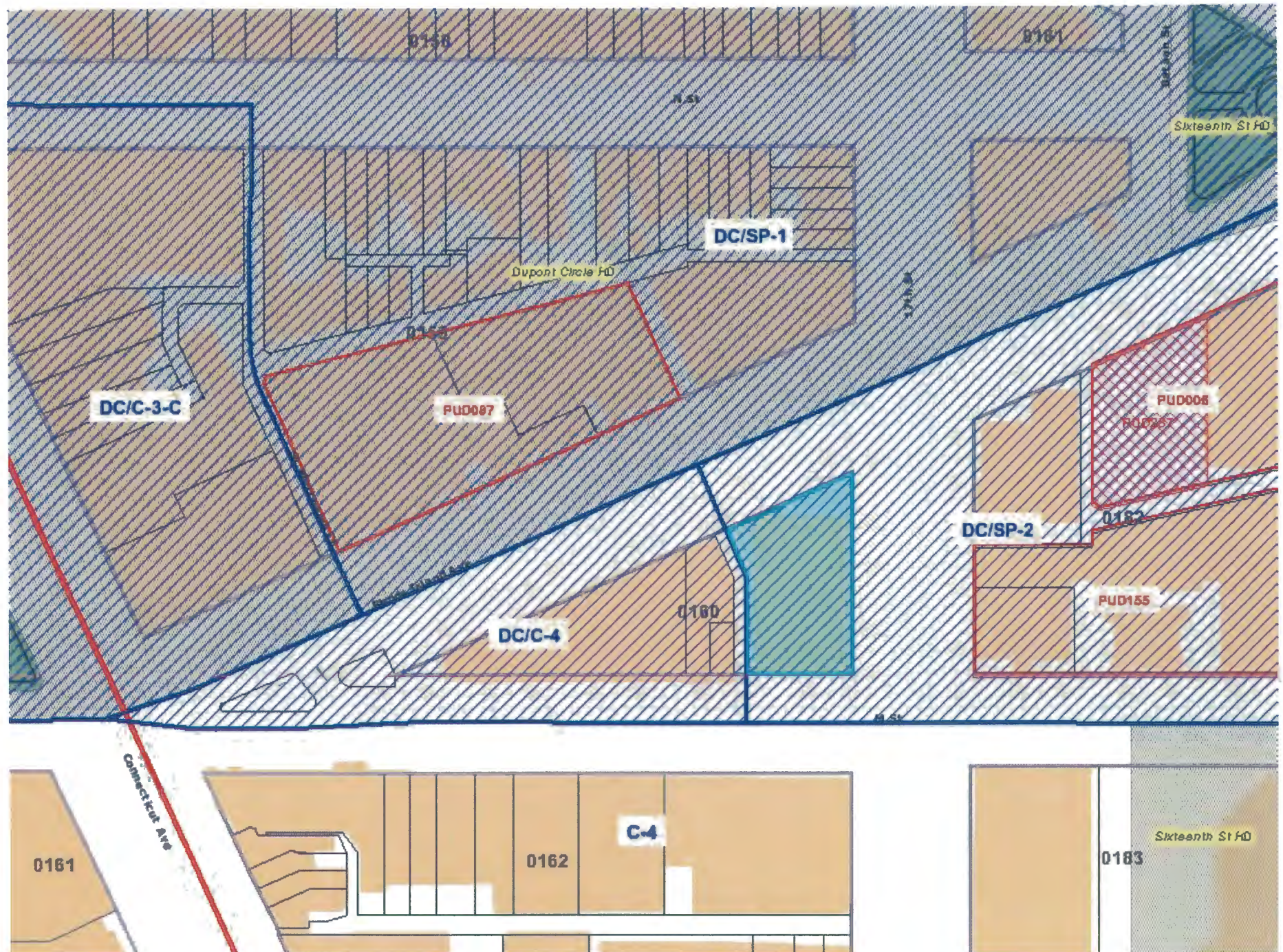
- E. Zoning of the area (see excerpt of the Zoning Map, following)
 - 1. C-4 to the west, southwest, south and southeast
 - 2. C-3-C to the northwest along Connecticut Avenue north of M Street
 - 3. SP-2 at the southeast corner of the intersection of 17th Street and Rhode Island Avenue and along both sides of 16th Street from Scott Circle south
 - 4. SP-1 to the north and northeast along Rhode Island Avenue and N Street

VII. Description of the proposed project

- A. Uses: new office building with ground floor retail
- B. Height: maximum of 130 feet (90 feet existing)
- C. Floor area ratio – maximum of 10.0 FAR (5.5 existing)

VIII. Standards applicable to Zoning Map amendment (D.C. Code, Section 5-414)

- A. Zoning regulations and maps shall be "not inconsistent with the comprehensive plan for the national capital"
- B. Regulations shall be designed to:
 - 1. Lessen congestion
 - 2. Secure safety from fire, panic and other dangers
 - 3. Promote health and general welfare
 - 4. Provide adequate light and air
 - 5. Prevent undue concentration of population and overcrowding of land
 - 6. Promote conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity and recreational, cultural and educational opportunities
 - 7. Further economy and efficiency of public services
- C. Regulations shall consider character of districts and their suitability for uses
- D. Regulations shall encourage stability of districts and land values



IX. Consistency with the Comprehensive Plan - The District Elements - The Comprehensive Plan Amendment Act of 2006 (D.C. Law 16-300, March 8, 2007)

A. Framework element – guiding principles

1. Managing growth and change

- a) "Change in the District is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness." (§217.1)
- b) "The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income." (§217.4)
- c) "Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs." (§217.6)
- d) "Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality." (§217.7)

2. Increasing access to education and employment

"An economically strong and viable District of Columbia is essential to the economic health and well being of the region. Thus, a broad spectrum of private and public growth (with an appropriate level of supporting infrastructure) should be encouraged. The District's economic development strategies must capitalize on the city's location at the center of the region's transportation and communication systems." (§219.2)

B. Framework element – the Land Use Maps

- 1. The Generalized Policy Map purpose "is to categorize how different parts of the District may change between 2005 and 2025" (§223.1)
- 2. Includes subject property in Central Washington area

3. Includes property in Central Employment Area:

"The Central Employment Area is the business and retail heart of the District and the metropolitan area. It has the widest variety of commercial uses, including but not limited to major government and corporate offices; retail, cultural, and entertainment uses; and hotels, restaurants, and other hospitality uses. The Central Employment Area draws patrons, workers, and visitors from across the region." (§223.21)

4. The Future Land Use Map (see excerpt of the Map, following) – includes property in high density commercial category, described as follows:

"This 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 buildings greater than eight stories in height, although many lower scale buildings (including historic buildings) are interspersed." (§224.14)

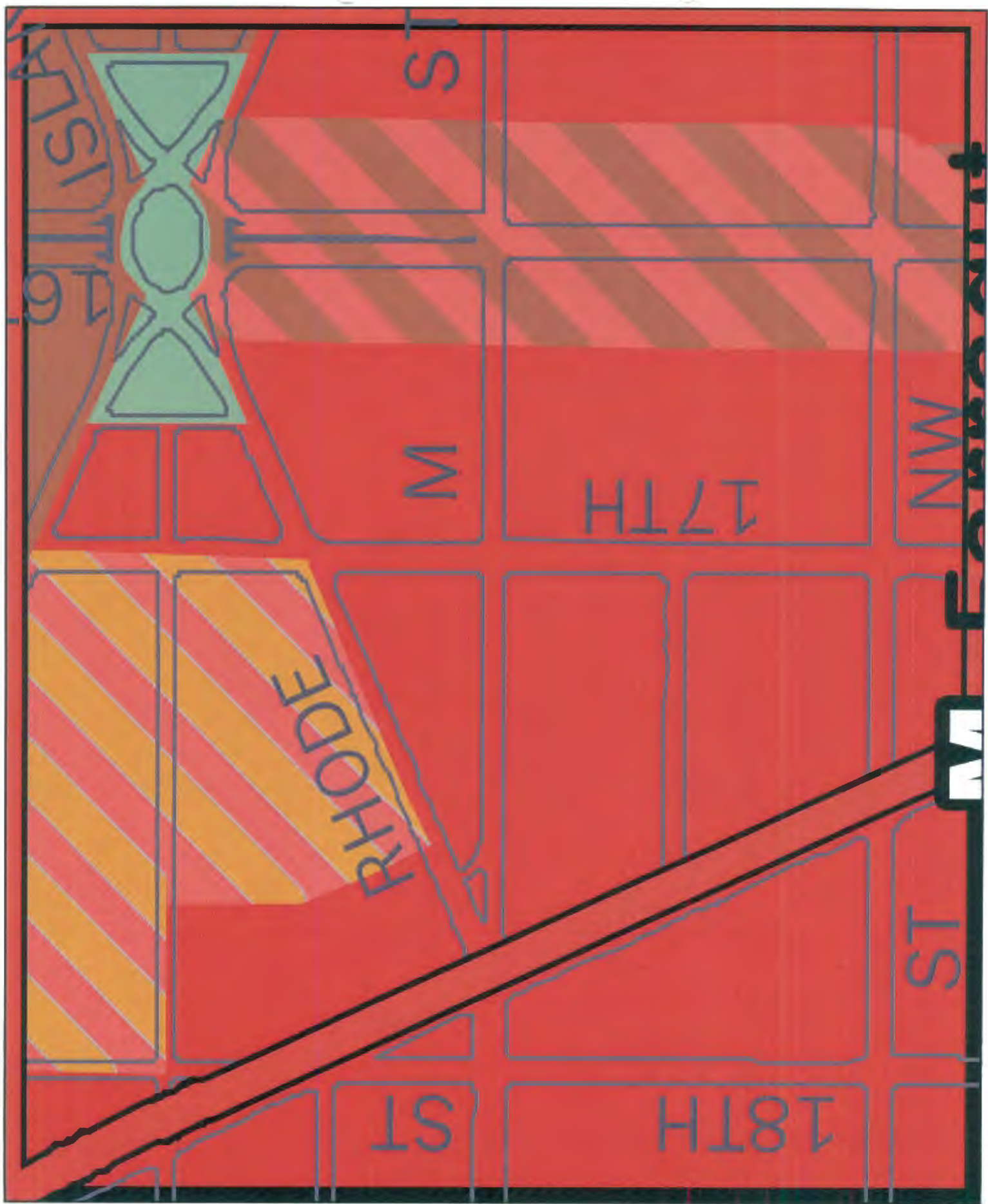
5. Maps are intended to provide generalized guides for development and conservation decisions (§226)

- a) Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards
- b) By definition, Map is to be interpreted broadly
- c) Future Land Use Map is generalized depiction of intended uses in the 20 year horizon
- d) Densities within any given area are across-the-board; individual buildings may be higher or lower
- e) Zoning is guided by the Future Land Use Map, interpreted in conjunction with the text of the Plan, including citywide elements, area elements and approved small area plans

C. Land Use element

1. Overall goal:

"Ensure the efficient use of land resources to meet long-term neighborhood, city-wide, 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." (§302.1)

2. Policies and Actions

a) Policy LU-1.1.1: Sustaining a Strong City Center:

"Provide for the continued vitality of Central Washington as a thriving business, government, retail, financial, hospitality, cultural, and residential center. Promote continued reinvestment in central city buildings, infrastructure, and public spaces; continued preservation and restoration of historic resources; and continued efforts to create safe, attractive, and pedestrian-friendly environments." (§304.6)

b) Policy LU-1.1.3: Central Employment Area

"The CEA shall include existing "core" federal facilities such as the US Capitol Building, the White House, and the Supreme Court, and most of the legislative, judicial, and executive administrative headquarters of the United States Government. Additionally, the CEA shall include the greatest concentration of the city's private office development, and higher density mixed land uses, including commercial/retail, hotel, residential, and entertainment uses." (§304.8)

c) Policy LU-1.1.4: 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." (§304.9)

D. Economic Development element

1. Overall goal

"Strengthen 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." (§701.1)

2. 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." (§707.5)

3. Policy ED-2.1.3: Signature Office Buildings

"Emphasize opportunities for build-to-suit/signature office buildings in order to accommodate high-end tenants and users and corporate headquarters. Consider sites in secondary office centers such as NoMA and the Near Southeast for this type of development." (§707.7)

4. Policy ED-2.1.4: Diversified Office Options

"Diversify the tenant base by attracting both high-end, mid-range, and low-end office space users, and by supporting a range of office space types. Recognize that while many firms seek to be located in the District, some may prefer lower-end space over premium Downtown office space." (§707.8)

5. Policy ED-2.1.5: Infill and Renovation

"Support the continued growth of the office sector through infill and renovation within established commercial districts to more efficiently use available space while providing additional opportunities for new space." (§707.9)

E. Central Washington Area element

1. Policy CW-1.1.1: Promoting Mixed Use Development:

"Expand the mix of land uses in Central Washington to attract a broader variety of activities and sustain the area as the hub of the metropolitan area. Central Washington should be strengthened as a dynamic employment center, a high-quality regional retail center, an internationally-renowned cultural center, a world-class visitor and convention destination, a vibrant urban neighborhood, and the focus of the regional transportation network. New office and retail space, hotels, arts

and entertainment uses, housing, and open space should be encouraged through strategic incentives so that the area remains attractive, exciting, and economically productive." (§1608.2)

2. 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 the 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." (§1608.3)

3. Golden Triangle/K Street Policy Focus Area

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." (§1716.7)

X. Other standards applicable to change of zoning

A. Health, safety and general welfare: use, height and bulk of permitted development under C-4 would be consistent with permitted use, height and bulk on adjacent property

B. Adverse consequences

1. In a central area with substantial built space, the addition of approximately 76,000 square feet of office space will be a minor increase in overall density
2. Additional square footage adds to employment opportunities and tax base and makes use of existing public infrastructure

C. Creation of favorable conditions

1. Proposed zoning allows for same use, height and bulk as currently allowed on other property in the square and with predominant zoning in the area

2. Stability of values assured by applying zoning that is consistent with zoning applicable to majority of properties in the immediate area
3. Site is in the Central Employment Area, with excellent proximity to mass transit and appropriate for the highest density commercial office zoning

XI. Compatibility with the area

- A. Use is consistent with the commercial character of the immediate vicinity
- B. Continues office use that has been on the property for more than forty years
- C. Predominant characteristic of the area is height greater than 90 feet
- D. Wide streets separate property from buildings that are at 90 feet

XII. Conclusions

- A. Application for rezoning meets tests under Zoning Act
- B. Change in zoning is not inconsistent with the Comprehensive Plan
- C. Height and bulk will not be obtrusive nor will it cause any adverse affect on any nearby properties
- D. Application for rezoning should be approved