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STEVEN E. SHER
DIRECTOR OF ZONING SERVICES
202-457-7326

REPORT TO THE ZONING COMMISSION

CASE NO. 98-14C
1000 16th STREET, N.W.

STEVEN E. SHER,
DIRECTOR OF ZONING SERVICES
WILKES, ARTIS HEDRICK & LANE

I. Introduction

II. Site location

A. Northwest corner of the intersection of 16th and K Streets, N.W.

B. Site known as 1000 and 1010 16th Street, N.W. (Solar Building)

C. Central Employment Area, within the Golden Triangle BID

III. Site description

A. Southeast corner of the square bounded by 16th, 17th, K and L Streets, N.W. (Square 184, Lots 59 and 842)

B. Contains approximately 20,111 square feet of land area

C. Has frontage of 156 feet on 16th Street and 145 feet on M Street

D. Abuts a twenty-four foot wide north-south public alley on the west, which connects to K and 17th Streets through fifteen foot wide alleys

E. Existing buildings

1. 1000 16th Street (Solar Building)

a) Office building built in 1958

b) Contains general office use as well as retail, ticket offices and optician on the first floor

ZONING COMMISSION
CASE No. 98-14C
EXHIBIT No. 42

ZONING COMMISSION
District of Columbia
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EXHIBIT NO.42

c) Eight stories, ninety feet in height

d) Contains approximately 138,700 square feet of gross floor area (approximately 7.85 FAR)

2. 1010 16th Street

a) Office building built in 1963

b) Contains offices and ticket office for TACA airlines

c) Seven stories

d) Contains approximately 12,100 square feet of gross floor area (approximately 4.93 FAR)

3. Two buildings together contain approximately 150,800 square feet (approximately 7.5 FAR)

F. Abutting streets

1. 16th Street - 160 feet wide

2. K Street - 147.67 feet wide

3. Intersection of two of the widest orthogonal grid streets in the District

IV. Description of the surrounding area

A. Subject square

1. Office buildings with ground floor retail along K, L and 17th Streets (predominantly twelve stories, 130 feet)

2. Office buildings north of the site along 16th Street

a) 1016 16th Street (eight stories)

b) 1020 16th Street (eight stories); also contains executive suite units

3. Parking garage at 1640 L Street

4. Apartment building at 1026 16th Street (eight stories)

5. Ten out of twelve properties are office buildings

B. General area

1. Subject square plus surrounding and confronting squares (see map attached as Exhibit A)

   a) Fifty-four office buildings (mostly high-rises with ground floor retail)

   b) Five parking lots or garages

   c) Four small retail buildings

   d) Three hotels

   e) Three churches

   f) Two private clubs

   g) One apartment house

   h) One embassy

   i) One art gallery/school

2. 16th Street between Lafayette Square and Scott Circle (see map attached as Exhibit B)

   a) Twenty office buildings

   b) Five hotels

   c) Two apartment buildings

   d) Two churches

   e) One private club

   f) One embassy

   g) One art gallery/school

   h) More than 90% of the linear frontage is non-residential (56% office, 26% hotel)

3. K Street between 13th and 19th Streets (three blocks) (see map attached as Exhibit C)

a) Thirty-seven office buildings (most at 130 feet in height)

b) Four small retail buildings

c) Two hotels

V. Zoning

A. Existing districts (see map attached as Exhibit D)

1. Subject property

a) C-4

(1) General commercial district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses

(2) Maximum height: 130 feet if on a street at least 110 feet wide, 110 feet otherwise

(3) Maximum FAR: 10.0 if on a street at least 110 feet wide, 8.5 otherwise

(4) Minimum required parking:

(a) Office: one space for each 1,800 square feet of gross floor area in excess of 2,000 square feet

(b) Retail: one space for each 3,000 square feet of gross floor area in excess of 30,000 square feet

(c) Hotel: one space for each eight rooms usable for sleeping

(d) Apartments: one space for each four dwelling units

b) SP-2

(1) Mixed-use district permitting residential and institutional use; office and hotel use permitted as special exceptions

(2) Maximum height: ninety feet

(3) Maximum FAR: 6.0 for apartment house or other residential uses; 3.5 for office and other uses

(4) Minimum required parking:

(a) Office: one space for each 1,800 square feet of gross floor area in excess of 2,000 square feet

(b) Hotel: one space for each four rooms usable for sleeping plus one space for each 300 square feet in the largest function room or exhibit space

(c) Apartments: one space for each four dwelling units

c) Boundary line splits existing Solar Building (see plat attached as Exhibit E)

2. Subject square

a) C-4 to the west

b) SP-2 along 16th Street

3. Broader area

a) SP-2 along 16th Street corridor

b) C-4 to the east and west

B. History

1. Site was split-zoned along present boundary line by 1958 Zoning Map

2. Changes to SP District

a) Original SP was redesignated SP-2 in 1978 (Z.C. Order No. 235, effective October 5, 1978)

b) FAR for office was reduced from 5.5 to 3.5 (Z.C. Order No. 235, effective October 5, 1978)

c) General office use permitted in 1998 (Z.C. Order No. 862, effective November 27, 1998)

3. Solar Building was developed under pre-1958 zoning

a) Split between First Commercial and Residential

b) BZA approval for offices in Residential (#4297, December 21, 1955)

4. 1010 16th Street - BZA approval for offices in SP (#7128, May 21, 1963)

C. Proposed zoning

1. Leave twenty foot strip of SP-2 zoning along 16th Street frontage

2. Remainder of site to be C-4

D. Effect of proposed change

1. Increases permitted height on part of the site from ninety feet to 130 feet

2. Allows retail use

3. Increases permitted gross floor area to 180,820 square feet as a matter-of-right and to 200,911 square feet under the PUD

VI. Description of the proposed PUD

A. Uses

1. Office

2. Ground floor retail (with signage and entrances limited on 16th Street)

B. Height

1. Ninety feet along 16th Street

2. 130 feet along K Street, set back forty feet from 16th Street

3. Intermediate set back at 116 feet

C. Floor area ratio - 9.99 composite FAR

D. Parking - forty-two to ninety-five fully accessible spaces to be provided, where none exists now

VII. Compliance with PUD evaluation standards of §2403

A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)

1. Additional height does not adversely affect any residential properties

2. Additional height, with setbacks as proposed, is not significantly visible from 16th Street and is entirely consistent with development along K Street

3. Traffic is acceptable, per Gorove/Slade

4. Curb cut is not atypical for 16th Street south of Scott Circle (are eighteen curb cuts serving nine driveways)

B. Project is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site (§2403.4): see section VIII, below

C. Commission shall "judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects" (§2403.8)

D. Public benefits

1. Off-site affordable housing

2. On-site amenities (design and landscaping)

3. Community amenities

balanced against

E. Development incentives:

1. Forty foot increase in height for part of the site

2. 50,000 square foot increase in commercial gross floor area over existing conditions (approximately one-third increase)

VIII. Consistency with the Comprehensive Plan

A. The District Elements

1. The District of Columbia Comprehensive Plan Act of 1984 (D.C. Law 5-76, March 9, 1984)

2. The District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 (D.C. Law 5-187, February 15, 1985)

3. The Comprehensive Plan Amendments Act of 1989 (D.C. Law 8-129, January 5, 1990)

4. The Comprehensive Plan Amendments Act of 1994 (D.C. Law 10-193, October 19, 1994)

5. Comprehensive Plan Land Use Maps Approval Resolution of 1996 (Resolution 11-313, May 7, 1996)

B. Interpretation of the District elements

1. "The primary dynamic of the District elements of the Plan is the overlapping of its elements' goals. This overlapping is intentional." (§112.1)

2. "District elements of the Plan should be studied and executed in concert with each other and should be interpreted broadly." (§112.2)

3. "The interpretation and implementation of any element should necessarily rely upon, and be respectful of, the objectives and policies of other elements." (§112.3)

4. "An element may be tempered, even defined, by one (1) or more of the other elements. This may occur within one (1) element and between elements. Since the Land Use element integrates the policies and objectives of all other District elements, it should be given greater weight than the other elements." (§112.4)

5. "The interpretation of the District elements of the Plan should also be guided by the major themes set forth in §101.1, which establish the overall priorities of the District elements of the Plan." (§112.5)

C. Major Themes

1. Respecting and Improving the Physical Character of the District (§106)

2. Preserving the Historic Character of the District (§108)

3. Reaffirm and Strengthen the District's Role as the Economic Hub of the National Capital Region (§109)

D. Land Use element

1. Generalized Land Use Map

a) High density commercial (see Exhibit F)

b) "A mix of employment, retail, office, cultural, and entertainment centers which serves as the business and retail heart of the District and the metropolitan area." (§1106.5).

2. Commercial center classifications - within the Central Employment Area

a) "The CEA is the business and retail heart of the District and the metropolitan area." (§1107.13)

b) "The CEA is the employment, retail, office, cultural, and entertainment center, the tourist center of the District and the metropolitan area, and the center of local government." (§1107.14)

c) "Office use, in terms of square footage, is the largest commercial use in the CEA." (§1107.15)

d) "The CEA also contains the widest range and the largest amount of retail floor space and the greatest sales volume in the metropolitan area, having the largest major department stores and leading specialty shops of the region." (§1107.16)

e) "The CEA also has numerous boutiques and restaurants and the largest number of hotels in the District. The term "CEA" is defined in §199.1 of this title." (§1107.17)

3. Lower 16th Street, N.W., Special Treatment Area

a) "Protect and enhance the special character of this approach to the White House and Lafayette Park;" (1120.2(a))

b) "Develop urban design and architectural features criteria that enhance the area;" (1120.2(b))

c) "Encourage uses that are appropriate to maintain the appearance and character of this area;" (1120.2(c)) and

d) "Retain existing hotel uses." (1120.2(d))

E. Economic development element

1. Declaration of Major Policies (§200):

"The District's overall economic development goals are to generate a high performance economy, generate job opportunities for District residents, expand the revenue base through a strong, growing citizen-business-government partnership, and develop a program that moves from economic development planning through implementation and completion of projects." (§200.7)

2. "The generation of tax revenues to fund the District's budget is a top government priority." (§200.17)

3. Economic Development in Downtown and the CEA (§204):

   a) "The economic development in Downtown and the CEA objectives are to stimulate renewed economic vitality and job generation Downtown and to *encourage additional development, economic diversification, and job generation in portions of the CEA outside Downtown.*" (§204.1) (emphasis added)

   b) "Encourage and assist development and employment growth in other parts of the CEA ..." (§204.2(f))

F. Housing element (see Housing Linkage, Item IX, below)

G. Transportation element:

"Support land use arrangements that simplify and economize transportation services ..." (§501.3).

H. Urban design element:

1. "Maintain and enhance the horizontal character of buildings within the District and retain and enforce [the Act of 1910] ... as the guiding design principle for protecting the skyline;" (§706.2(b))

2. "Retain the current maximum limit in accordance with [the Act of 1910] ... in order to reinforce the "horizontal" urban quality of the District ..." (§706.2(c))

3. "Design residential, commercial, and all other buildings to complement or enhance the physical character of the District;" (§707.2(a))

4. "Design buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate region." (§707.2(b))

5. "Develop a unifying system of well-designed streets, sidewalks, parks, and pedestrian ways;" (§708.2(a))

6. Areas of Stable Character (§710):

"Encourage in-fill development to be complementary to the established character of the area. In-fill development in stable areas should not create sharp changes in physical pattern which might lead to deterioration;" (§710.2(a))

I. Historic Preservation element

1. Both 16th and K Streets have been designated "special streets"

2. "Special streets and places should be enhanced in a manner that promotes their roles as major features that help establish the images and symbols of the National Capitol ..." (§807.1)

3. "The existing street space and the buildings fronting on special streets and places should be maintained, protected, and enhanced. Any repair, maintenance, improvement, or new building should respect the historic elements, enhance the aesthetic quality, and promote the amenity of this space." (§807.3)

4. "The exceptional width and openness of the street space along special streets should be retained where the quality exists. Street views or vistas should not be obscured and movement should not be impaired by structures or signs within the public rights-of-way." (§807.5)

5. "The intersections of special streets and places should be carefully designed to reflect the importance of the junctures and to respect historic plans." (§807.7)

6. "Pedestrian usage of special streets and places should be encouraged by emphasizing extra width and other special amenities of sidewalks, where feasible." (§807.10)

7. "Areas should be provided for various types of leisure time activities as appropriate." (§807.11)

8. "Ground floor uses in buildings, attractive entrances, and outdoor activities that would enliven the street scene should be encouraged." (§807.12)

9. "Landscape treatment of special streets and places should supplement and reinforce the "green city" or "city-in-a-park" character fostered by the National Capital's natural features, parks, public buildings, monuments, and memorials." (§807.13)

10. "Architecturally prominent buildings should be located in special streets and places to accentuate vistas, provide focal points, and mark entrances." (§807.16)

11. "The general height, roof lines, and massing of buildings should serve as a unified background for the public space in these special streets and places." (§807.17)

J. Ward 2 Plan

1. Subject site is in Central Employment Area ring

"The development pattern in the Connecticut Avenue and K Street area, which was the major development area in the city from 1960 to the early 1980's. is now established, and there will be little change over the next five (5) to fifteen (15) years. There will be infill development on a few remaining sites. Opportunities for development include some additional office space, increased retail space and streetscape improvements." (§1327.1)

2. Major land use themes for the Ward (§1337)

a) Maintain existing residential neighborhoods;

b) Development of the CEA;

c) Creation of a living Downtown;

d) Office development;

e) Hotel development;

f) Arts, cultural and educational uses

g) Development opportunity areas;

h) Major institutional complexes;

i) Community and neighborhood shopping areas;

j) Waterfront development; and

k) Metro station development.

3. Objectives for office development:

"Encourage development of office buildings in appropriate locations in Ward 2, especially in the Central Employment Area and in development opportunity areas" (§1340.1)

IX. Housing linkage requirements

A. Comprehensive Plan Housing element (§304)

B. Zoning Regulations (§2404)

C. Requirements applicable to "increase in gross floor area devoted to office space over and above the amount of office space permitted as a matter of right under the zoning included as part of the PUD" (§2404.1)

D. Housing shall be affordable to families of low and moderate income (except if provided on or adjacent to the PUD site) (§2404.2)

E. Housing may be provided by new construction or rehabilitation or by financial contribution (§2404.3)

F. Amount of housing required is tied to increase in gross square footage:

1. At least one-fourth of the increase if housing is constructed on or adjacent to the PUD site (§2404.6(a)(1))

2. At least one-third of the increase if housing is constructed within ANC 2B or within a Housing Opportunity Area (§2404.6(a)(2))

3. At least one-half of the increase if housing is elsewhere (§2404.6(a)(3))

G. Applicant has elected construction option in conjunction with the Marshall Heights Community Development Organization

H. Housing computation

1. Matter of right office density under the requested C-4/SP-2 zoning is 172,325 square feet

2. Proposed PUD office space is 185,413 square feet

3. Increase is 13,088 square feet

4. Minimum of one-half is 6,544 square feet

I. Applicant's venture with Marshall Heights (by contribution of $100,000) will yield approximately 7,500 square feet of new single family dwellings (five units)

X. Compatibility with the area

A. Use is consistent with the overwhelmingly office commercial character of the immediate vicinity, including the 16th Street frontage

B. Continues office use that has been there for forty years; ground floor retail, ticket offices and optician becomes all retail

C. Height is twenty to forty feet higher than matter-of-right for part of the site but emphasizes the strong cornice line at ninety feet, steps up to the maximum height of 130 feet forty feet back from 16th Street and is consistent with the vast majority of other buildings in the area

D. FAR is approximately one-third higher than the existing condition but the building is not appreciably bulkier than nor out of character with the area

E. Consistent with the Act of 1910 relating the height of buildings to width of streets

XI. Conclusions

A. Project is not inconsistent with the Comprehensive Plan

B. Project is within the applicable height and bulk standards of the Zoning Regulations

C. Project is compatible with the existing and expected character of the area

D. Increased height will not be obtrusive nor will it cause a significant adverse affect on any nearby properties

E. Project is the continuation of an appropriate use at an appropriate location in the heart of the Central Employment Area within immediate proximity to mass transit (both Metrorail and Metrobus)

F. Project should be approved

120732

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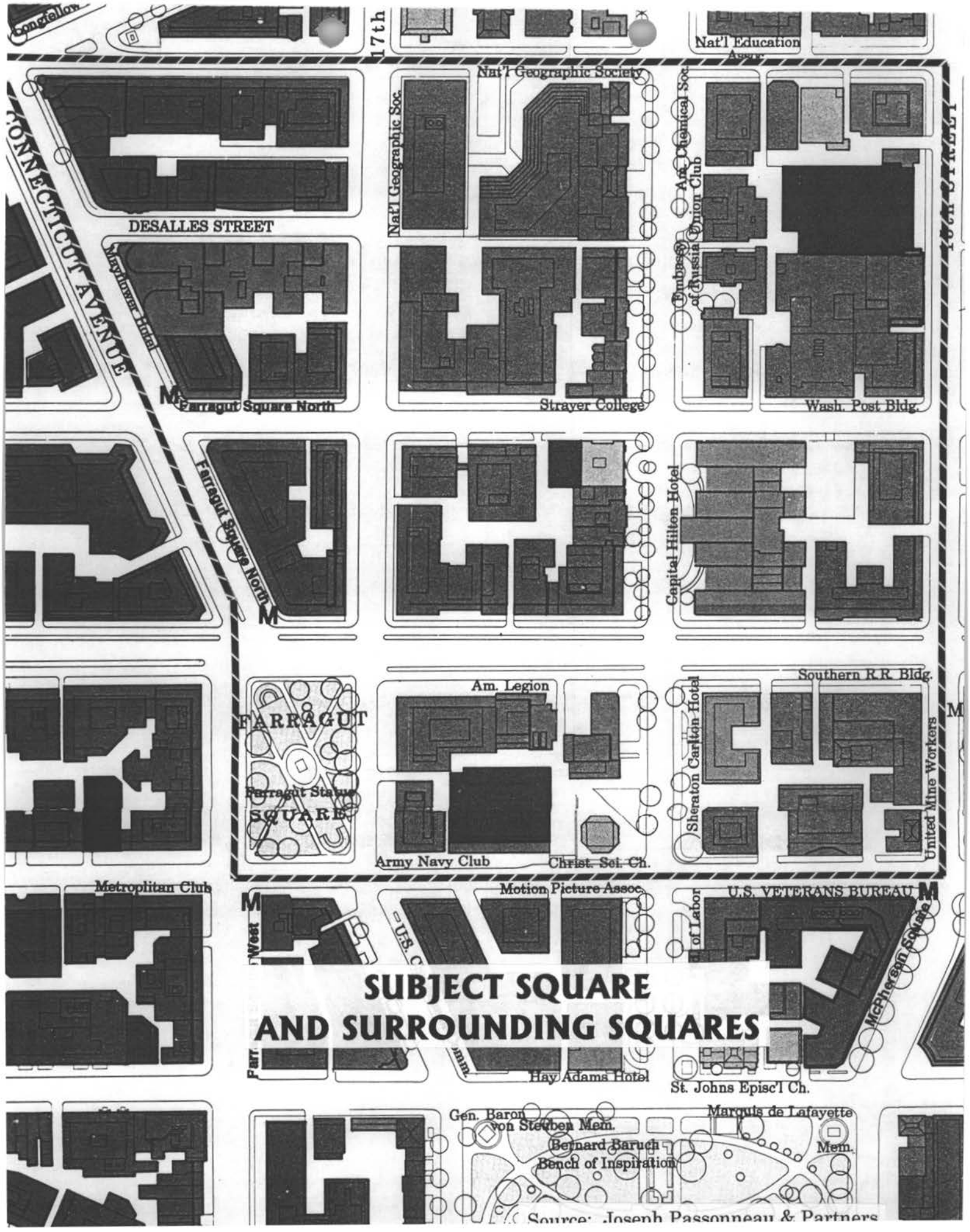
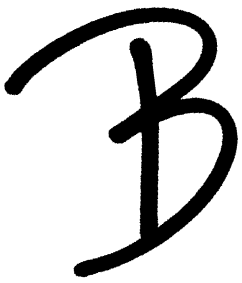
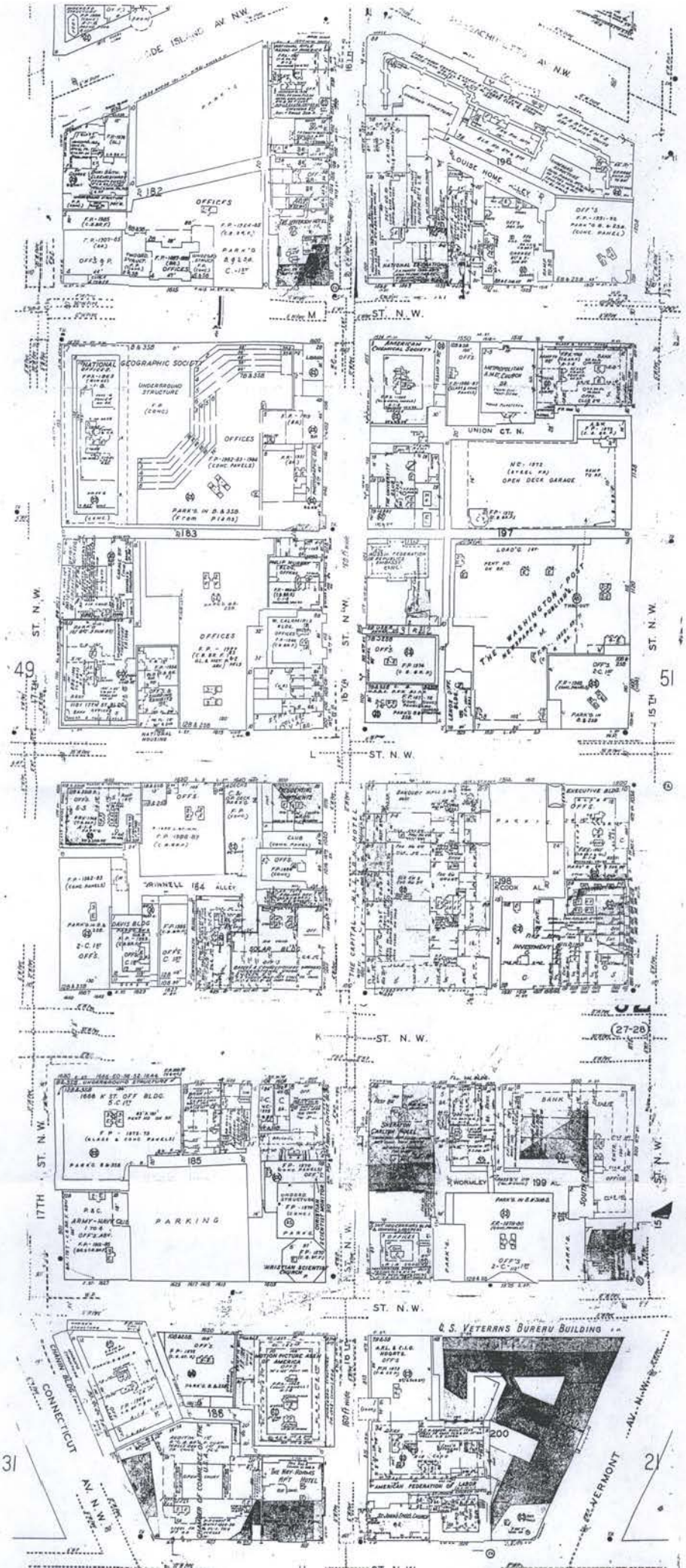


SUBJECT SQUARE AND SURROUNDING SQUARES

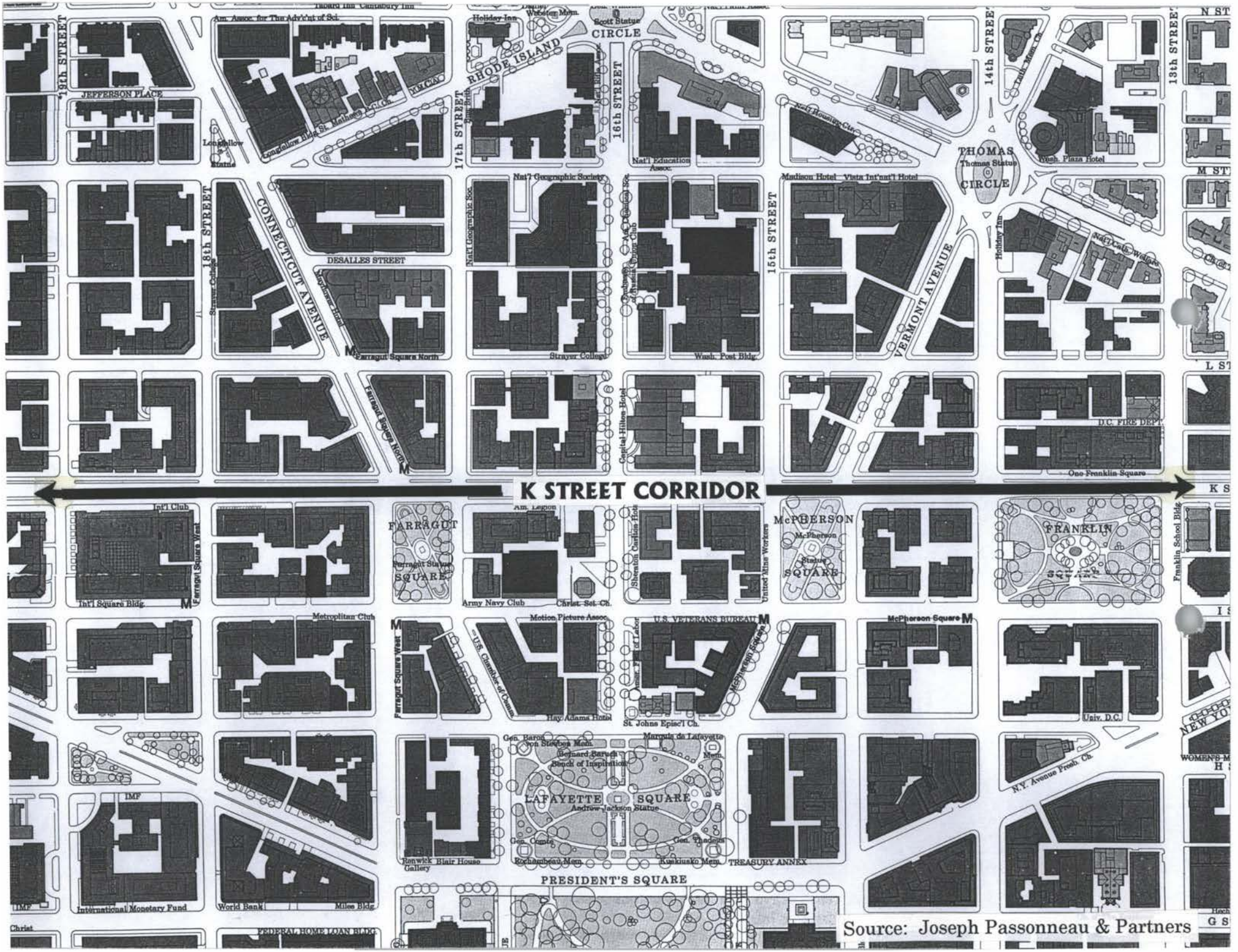
Source: Joseph Passonneau & Partners



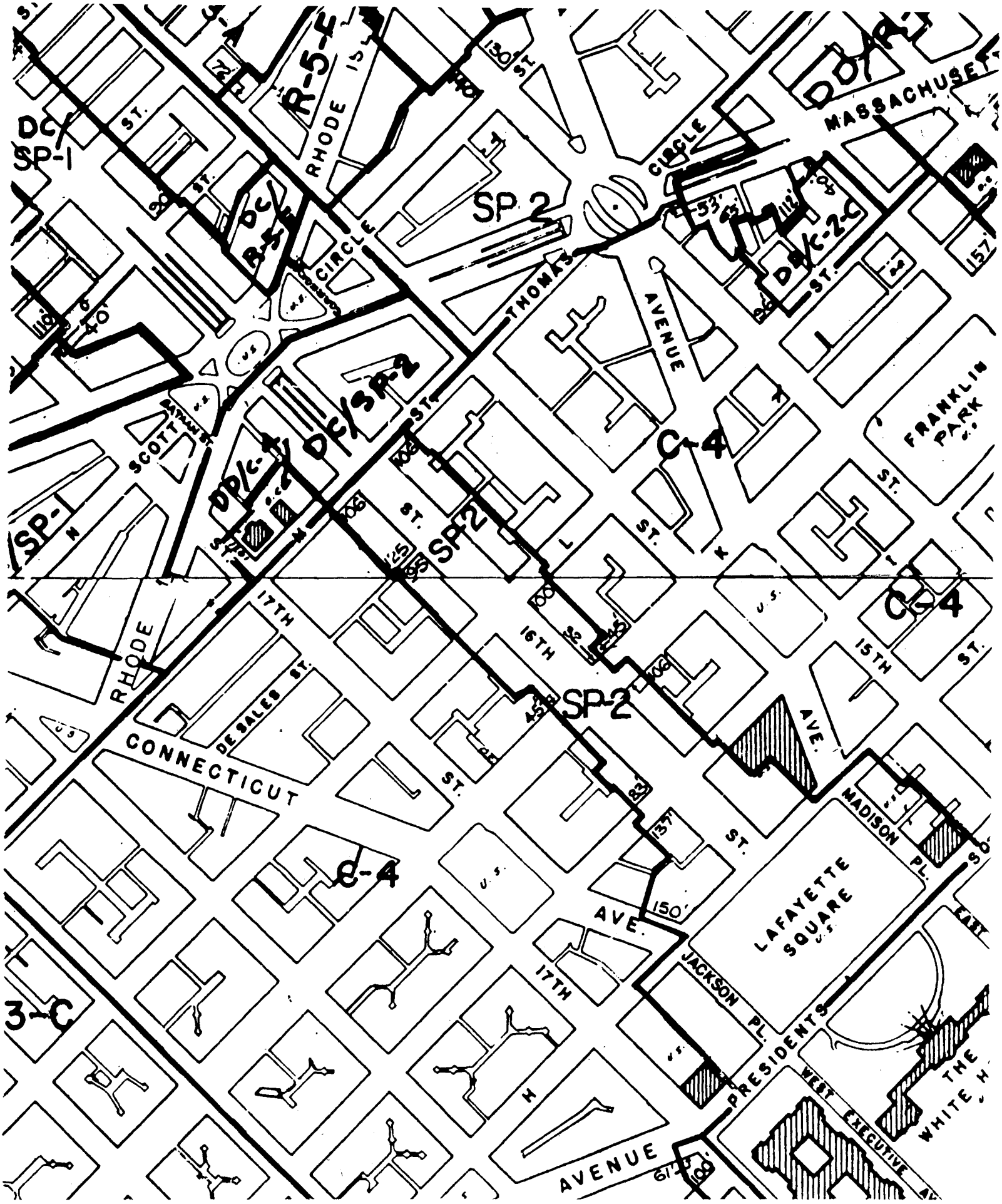


ISLAND AV. N.W.
OFFICES
182
196
LOUISE HOME ALLEY
M ST. N.W.
NATIONAL GEOGRAPHIC SOCIETY
UNDERGROUND STRUCTURE
OFFICES
183
AMERICAN CHEMICAL SOCIETY
UNION CT. N.
OPEN DECK GARAGE
197
THE WASHINGTON POST
NEWSPAPER PUBLISHER
49
51
17TH ST. N.W.
16TH ST. N.W.
15TH ST. N.W.
L ST. N.W.
GRINNELL ALLEY
184
DAVIS BLDG.
SOLAR BLDG.
198
COOK AL.
EXECUTIVE BLDG.
K ST. N.W.
(27-28)
1668 K ST. OFF BLDG.
185
PARKING
WORMLEY
199 AL.
BANK
17TH ST. N.W.
ST. N.W.
I ST. N.W.
U.S. VETERANS BUREAU BUILDING
CHANIN BLDG.
CONNECTICUT AV. N.W.
186
200
AMERICAN FEDERATION OF LABOR
VERMONT AV. N.W.
31
21




K STREET CORRIDOR
19th STREET
JEFFERSON PLACE
Am. Assoc. for The Adv'c'nt of Sci.
Holiday Inn
Scott Statue
CIRCLE
RHODE ISLAND
17th STREET
16th STREET
Nat'l Education Assoc.
14th STREET
13th STREET
THOMAS
Thomas Statue
CIRCLE
Wash. Plaza Hotel
18th STREET
CONNECTICUT AVENUE
DESALLES STREET
Nat'l Geographic Society
Strayer College
Farragut Square North
Wash. Post Bldg.
Madison Hotel
Vista Int'nat'l Hotel
15th STREET
VERMONT AVENUE
Holiday Inn
Capital Hilton Hotel
D.C. FIRE DEPT.
One Franklin Square
Int'l Club
Farragut Square West
Int'l Square Bldg.
FARRAGUT
Farragut Statue
SQUARE
Army Navy Club
Christ. Sci. Ch.
Sheraton Carlton Hotel
United Mine Workers
McPHERSON
McPherson
Statue
SQUARE
FRANKLIN
SQUARE
Franklin School Bldg.
Metropolitan Club
Motion Picture Assoc.
U.S. Chamber of Comm.
U.S. VETERANS BUREAU
Hay-Adams Hotel
St. Johns Episc'l Ch.
McPherson Square
Univ. D.C.
IMF
International Monetary Fund
World Bank
Miles Bldg.
Gen. Baron von Steuben Mem.
Bernard Baruch Bench of Inspiration
Marquis de Lafayette Mem.
LAFAYETTE SQUARE
Andrew Jackson Statue
Gen. Conte Rochambeau Mem.
Gen. Thaddeus Kosciusko Mem.
TREASURY ANNEX
Ranwick Blair House
Gallery
N.Y. Avenue Presb. Ch.
PRESIDENT'S SQUARE
FEDERAL HOME LOAN BLDG.
Source: Joseph Passonneau & Partners





DC/SP-1
R-5-E
RHODE
CIRCLE
SP 2
THOMAS
AVENUE
MASSACHUSETTS
DD/C-2-C
FRANKLIN PARK
C-4
SCOTT
DC/SP-2
DD/C-4
SP-2
17TH
16TH
15TH
ST.
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DE SALES ST.
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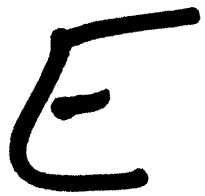
AVENUE



DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D. C., 10- 29 1992

Plat for Building Permit of SQUARE 184 LOT 842

Scale: 1 inch = 20 *feet* *Recorded in Book* A&T *page* 3446K

Receipt No. 207

Furnished to WILKES, ARTIS, HEDRICK & LANE

Surveyor, D. C.

By DA

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plan as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb or alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property).

Date .....

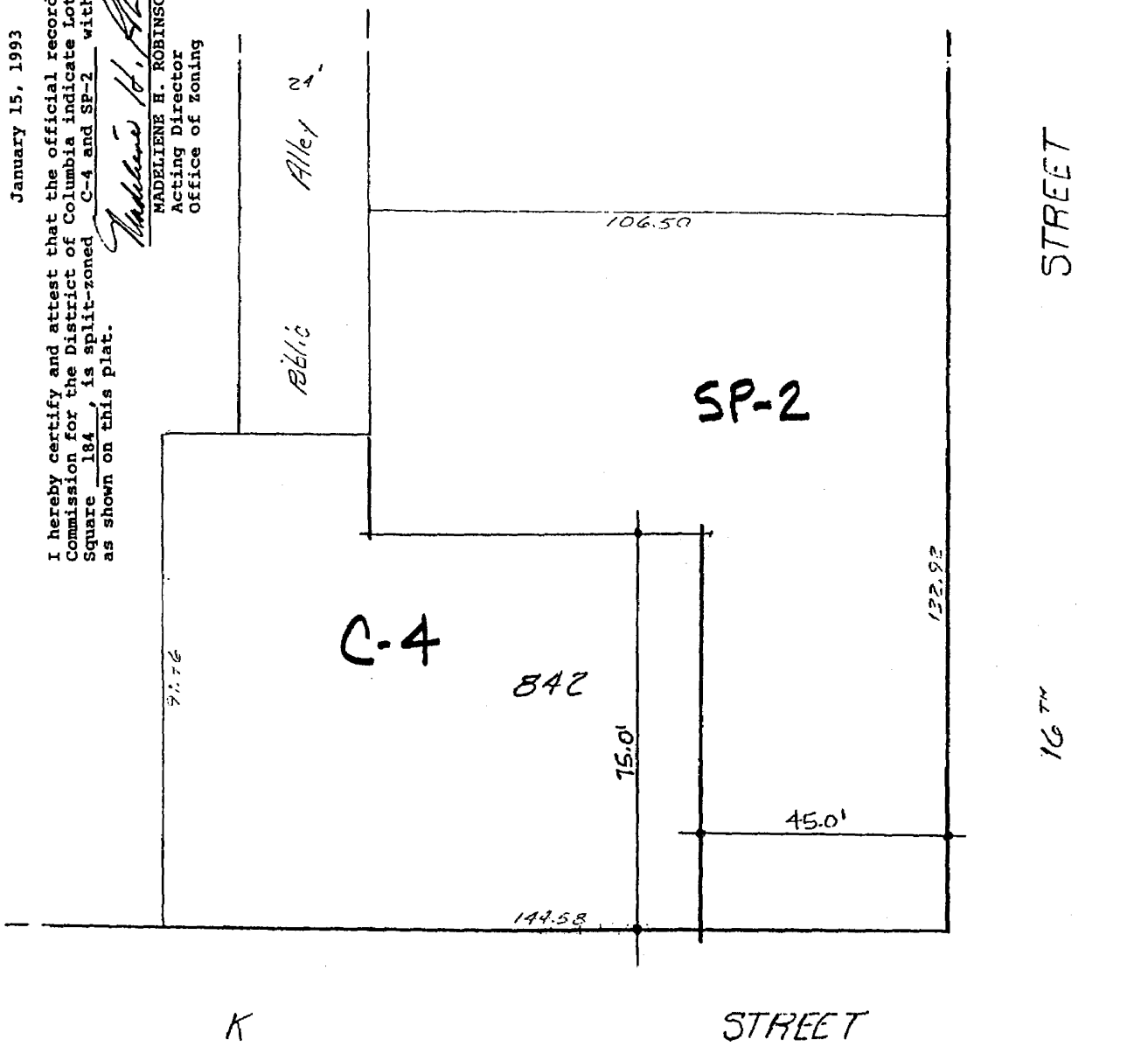
.....
(Signature of owner or his authorized agent)

NOTE: Date shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

January 15, 1993

I hereby certify and attest that the official records of the Zoning Commission for the District of Columbia indicate Lot 842 in Square 184, is split-zoned C-4 and SP-2 with boundary lines as shown on this plat.

MADELIENE H. ROBINSON
Acting Director
Office of Zoning



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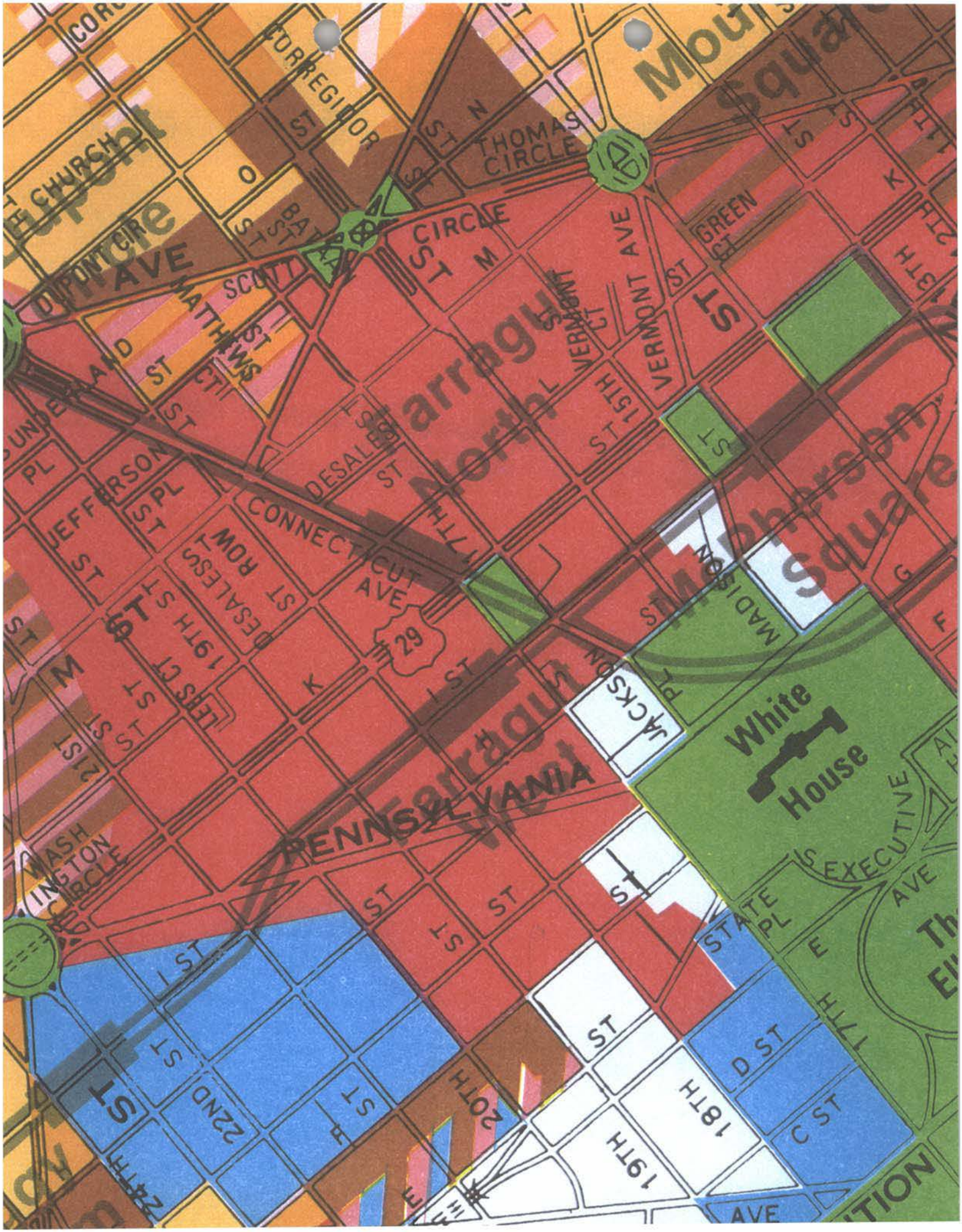

CORREGIDOR
THOMAS CIRCLE
CIRCLE
DUPONT CIR
AVE
SCOTT
MATTHEWS
VERMONT AVE
GREEN
15TH
17TH
DESALES
CONNECTICUT AVE
29
19TH
LEES CT
21ST
MADISON
JACKSON
White House
PENNSYLVANIA
WASHINGTON CIRCLE
S EXECUTIVE
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22ND
24TH