March 25, 1999

Re: Z.C. Case No. 98-14C
The Solar Building, PUD and Rezoning

Testimony presented by Meredith L. De Hart,
Commissioner ANC2B-05

ZONING

At the regularly scheduled public meeting of Dupont Circle ANC2B on December 9, 1998, the ANC voted 7 to 0 to oppose the planned unit development proposal for the Solar Building as then presented. At the regularly scheduled public meeting on March 10, 1999, the ANC voted 6 to 0 to remain in opposition to the proposal as currently modified.

Modifications to the December proposal provide little change to design features the ANC found troubling in the original proposal. The applicant has made two minor design concessions:

- The radius of the curved element has been softened and set back an additional five feet from 16th Street, resulting in a minimum setback of twenty-five feet.

- The overall height of the building including the penthouse has been reduced by seven feet, eight inches through: (1) a three foot, two inch reduction in the height of the penthouse and (2) a 4.5 foot reduction in the height of the roof.

Neither of these modifications addresses the ANC concern about rezoning of the SP zone on lower Sixteenth Street such that, area now zoned SP-2 would become C-4 and the depth of the SP-2 zone on this corner would be reduced from its current depth of 45 feet to only 20 feet in depth. At 45', this corner of the SP-2 zone has already been reduced to its narrowest depth for a distance of 75' running north from the intersection.

The Solar Building dimensions, as well as its Sixteenth Street address and entrance, have historically defined it as a Sixteenth Street structure. With the current modifications, the applicant continues to seek redefinition of the Solar Building as a K Street, C-4 commercial structure by seeking relief from conditions imposed by the SP-2 zone.

GARAGE ENTRANCE

The proposed garage entrance from Sixteenth Street which the ANC previously objected to remains a part of the applicant's proposal. If allowed, this garage entrance will be the first ever allowed from lower Sixteenth Street and will establish the precedent not only for future applications on this street but also for other similar situations. This intersection is an especially

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busy intersection in a city already identified as one of the worst for traffic congestion. It is a major intersection/transfer point for north/south and east/west bus lines; the applicant has not addressed the conflict of the bus stop and the garage entrance. The applicant cites the double yellow line in the center of Sixteenth Street as a guarantee that this garage entrance will not further add to the traffic problems. My own observation from querying drivers from the three jurisdictions and from observing actual driving practice in the downtown area is that few are aware of the prohibitions indicated by the double yellow line and that the prohibitions are universally ignored.

The applicant provides the following as a justification for the garage ramp from Sixteenth Street:

> "The entire renovation and expansion must be conducted while an existing tenant on the B-1 level remains in place. The lease for this tenant does not expire until the year 2007 and the tenant is unwilling to relocate. It is extremely difficult to provide ramping from the alley in a manner that does not significantly encroach on this tenant's space."

In effect, the applicant is requesting that this tenant's presence during construction until 2007 be the justification for decisions that the citizens of the District of Columbia and, inasmuch as this is the Nation's capital, the Nation, will be forced to accept in perpetuity.

GREENSPACE, LANDSCAPING, GROUND LEVEL USE ON SIXTEENTH STREET

The ANC defers to the design and planning expertise and professional qualifications of others who are party to this application. We do, however, have concerns about seeming conflict in different sections of the proposal.

The proposed garage entry from Sixteenth Street would necessitate a loss of green space . The proposal represented on sheet A-3 provides confusion as to what will actually occur in the remaining frontage on Sixteenth Street. Retail space is indicated for K Street at ground level. Adjacent floor area on Sixteenth Street is not labeled. Landscaping is specified for Sixteenth Street; however, a note indicates that, "Applicant reserves the option to reconfigure hardscape/planting at face of building to accommodate 1st floor required entries." A line is drawn to the building perimeter wall and through both areas of green space in front of that wall. The proposal is unclear about what ground level uses are anticipated and the actual design that could be implemented. The ANC is concerned that modifications to the proposal as portrayed could be modified such that greenspace would be almost entirely eliminated.