

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13132 of Oliver T. Carr and George Beuchert, Trustees, et al., pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Sub-section 3308.2 to allow more than one roof structure and variances from the open court width requirements (Sub-section 5305.1) and from the prohibition allowing roof structures greater than 18.5 feet in height (Paragraph 5201.24) to permit construction of an office and retail building in a C-4 District at the premises 613 and 624 - 15th Street, N.W., (Square 224, Lots 18,812,814,819,808,809,810,811,821,21 and public alley proposed to be closed).

HEARING DATE: December 19, 1979

DECISION DATE: January 9, 1980

FINDINGS OF FACT:

1. The subject site consists of Lots 18,812,814,819,808, 809,810,811,821 and 21 and a public alley proposed to be closed pursuant to S.O. 78-147 in the C-4 Zone. The site includes all of the square bounded by 14th, 15th, F and G Streets, N.W. with the exception of the existing Garfinckel's Department Store at 14th and F Streets, N.W.

2. The subject site consists of an area of approximately 67,000 square feet, including 6,790 square feet of public alley requested to be closed, and has frontage of approximately 370 feet along G Street, 114 feet along 14th Street, 150 feet along F Street, and 257.5 feet along 15th Street, N.W.

3. The subject site is presently improved with several commercial structures, including the Keith-Albee Building, the National Metropolitan Bank Building, a branch office of American Federal Savings and Loan, the Rhodes Tavern, and the Old Ebbitt Grill.

4. The applicants intend to erect a major mixed retail and commercial use complex incorporating the entire facades of the National Metropolitan Bank Building on 15th Street and the facade of Keith-Albee Office Building on 15th and G Streets, N.W., such structures being designated landmarks in the District of Columbia. The complex will contain approximately 665,000 square feet of gross floor area.

5. Portions of the subject site have been the subject of litigation and of extensive negotiations involving the D.C. Office of Planning and Development, Don't Tear It Down, Inc. and the Applicants, which resulted in the agreement of Don't Tear It Down to support the total Carr project as presented to the Board and of OPD to support the project and give non-monetary assistance in processing the approval of the project.

6. The applicants have amended their plans to increase the setback of the new construction above the 95 foot mark at the request and with the approval of the Commission of Fine Arts to decrease the massing of the project along the 15th Street facade in order to create a harmonious setting for the lower historic facades being retained.

7. The applicants have submitted their plans to the Joint Committee on Landmarks, which approved on October 18, 1979 the design concept provided that the Mayor's Agent finds the project to be one of Special Merit pursuant to D.C. Law 2-144.

8. A pedestrian retail mall area on the first floor of the structure as proposed is an important architectural and planning feature of the project.

9. The applicants propose to furnish light to the pedestrian mall area and interior office spaces by means of an atrium-skylight at the roof level.

10. The architect for the project testified that two elevator banks and two service cores are needed to adequately serve a retail and office structure of the magnitude of this project. The architect further testified that the project is most efficiently served by locating the elevator cores on the opposite side of the atrium. A break in the penthouse area creating two roof structures is thus necessary to simultaneously house the two elevator cores, and allow a maximum natural light flow from the skylight. The architect testified that the separation of the penthouse is also necessary to minimize the massing of the new construction at the 130 foot height along 15th Street in accordance with the recommendations of the Commission of Fine Arts. The Board concurs in all the reasoning presented by the architect.

11. The applicants' proposal seeks to provide a visual division and transition space between the historic facades and the newer construction. The plans therefore include two roughly symmetrical niches on the F and G Street facades as approved by the Commission of Fine Arts and the Joint Committee in order to provide an architecturally sympathetic transition between the historic and modern elements of the design.

12. The proposed architectural niches on F and G Streets constitute courts under the Zoning Regulations.

13. The widths of the courts so created are less than those required under Sub-section 5305.1. The court on G Street has a width of seventeen feet. The Zoning Regulations require a minimum width of fifty-two feet. A variance of thirty-three feet is thus required. The court on F Street has a width of fifteen feet. The Zoning Regulations require a minimum width of fifty-eight feet. A variance of forty-three feet is thus required.

14. Both courts face directly onto public streets which are ninety and 100 feet in width. There would thus be adequate light for the courts.

15. The architect of the project testified that compliance with Section 5305.1 could be obtained by either widening the courts or eliminating them altogether, either of which would have a negative effect on the historic elements of the design. The Board so finds.

16. The applicants seek to provide the public with direct high speed elevator access to the roof terrace.

17. Paragraph 5201.24 of the Zoning Regulations precludes roof structures from exceeding 18'6" in height. This would allow elevator service only to the top floor of buildings, rather than to the roof. The applicants propose to provide two elevator penthouses twenty-seven feet in height above the level of the roof upon which they are located. This would require a variance of 8.5 feet.

18. Two elevator housings of an additional height are necessary to accommodate the passenger cab height and the mechanical equipment above the roof necessary to efficiently provide direct service to the roof terrace.

19. The applicants' proposal to provide a twenty-seven foot penthouse is the minimum height within which an elevator providing direct access to the roof can be located.

20. Access to the roof terrace can still be achieved by way of stair service from the top floor of the building. The Board finds that such service can be designed in the building so as not to disrupt or intrude upon the normal commercial use of the twelfth floor.

21. The increased height for the elevator penthouses can not be seen from the street immediately in front of the building, but will be visible from other public parks and spaces further removed from the building.