

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13540, as amended, of National Geographic Society, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for special exceptions under Paragraph 4101.44 to permit an addition to an existing building for a non-profit organization and under Paragraph 7613.12 to permit the extension of the use and penthouse height provisions of the C-4 portion of the building thirty-five feet into the SP-2 District, and for a variance from the open court requirements (Section 4305) in an SP-2 and C-4 District at the premises 1145 - 16th Street, N.W., (Square 183, Lots 866, 867 and 868).

HEARING DATE: July 29, 1981
DECISION DATE: September 4, 1981

FINDINGS OF FACT:

1. At the public hearing, the Board granted permission to the applicant to amend its application so that it no longer seeks a variance from Paragraph 3308.12 of the Zoning Regulations.

2. The subject property is located in Square 183 and is comprised of Lot 108 (formerly Lots 866, 867 and 868). It has street frontage on M Street, N.W., between 16th and 17th Streets, and on 16th and 17th Streets, N.W. It is known as premises 1145 16th Street, N.W.

3. The total site area is 124,883 square feet. Currently, 41,826 square feet of the site is occupied by the existing National Geographic Society's headquarters building on the corner of M and 17th Streets, N.W. and 23,019 square feet is occupied by the National Geographic Society's 16th Street building on the corner of 16th and M Streets, N.W. The proposed new addition is to be located between the 16th Street and headquarters buildings. The building site is 59,989 square feet and is currently used as a surface parking lot for the applicant's employees and visitors.

4. The building site is split zoned and has been split by a zone boundary line since the Zoning Map was adopted in 1958. There are 50,658 square feet located in the C-4 District and 9,331 square feet located in the SP-2 District.

5. The building site has an M Street frontage of 262 feet with a maximum depth of 296 feet from M Street to a

public alley at the site's southern boundary. This site is located in the commercial core of the District of Columbia with convenient access to the Dupont Circle and Farragut North Metrorail Stations. The land use in the area is composed primarily of high density office buildings and related retail uses.

6. The two existing buildings on the subject site are both owned, operated and used solely by the National Geographic Society. The 16th Street building, which was the original headquarters of the National Geographic Society, is a medium-rise office building located entirely in the SP-2 District. The 17th Street, or headquarters, building, is a ten story, free standing office tower located entirely in the C-4 District.

7. The applicant proposes to build a new office structure which will be an addition to its 16th Street building. The entire structure will be used for office and ancillary space. The applicant has also proposed to renovate its 16th Street building.

8. The entire office addition is needed for the applicant's own long-term expansion plans. In the interim, however, the applicant needs only approximately sixty-five percent of the building for its own purposes. The applicant proposes, therefore, to lease the balance of the structure, in the short term, to general office uses.

9. All three buildings owned by the applicant on the site will be linked by an underground passage. The new addition will also be connected to the 16th Street building by first, second, third and fourth floor passageways. When completed, all three structures will operate together in one functional complex.

10. The gross floor area of the new addition will be 242,188 square feet. The FAR of the addition in relation to the building site is 4.185. It has a street level footprint of 43,306 square feet. The addition will rise to a maximum height of 89.44 feet in seven stories. There will be three levels of underground parking entered from M Street. There will be two fifty-five foot and one twenty foot loading berths located to the rear of the building site. The loading area will have access from the existing east-west alley south of the site. All loading activity and truck maneuvering will be removed from the streets to minimize traffic congestion in the vicinity of the site.

11. The applicant requests a variance from the open court requirements of the Zoning Regulations which require that where a court is provided in an SP District, the width of that court shall be a minimum of six inches per foot of height and in no case may it be less than thirty feet in

width. The court which is the subject of the application is located in the southeast corner of the project and starts at the level of the sixth floor. It is 83.73 feet by 83.73 feet but is triangular in shape and does not meet the minimum court requirements in effect at the time the application was filed, heard and decided.

12. In order to protect the architectural relationship between the existing structures on the site and the new addition, it is necessary to provide a sensitive step-back from the existing buildings. This results in an irregular court which does not conform to the Zoning Regulations.

13. The existence of existing structures on the subject site, if combined with the strict application of the Zoning Regulations, would cause peculiar or exceptional practical difficulties to the applicant. The constraints inherent in designing an infill structure, which provides a transition from an existing 130 foot, high density building to an existing sixty foot, medium density building, create a number of exceptional conditions and situations which makes the strict application of the Zoning Regulations impractical.

14. The applicant's urban planner concluded that the requested variance, if granted, would not be detrimental to the public good nor impair the intent, purposes or integrity of the zone plan as embodied in the Zoning Regulations and Map. The Board agrees.

15. No apartment window is located within forty feet directly in front of another window nor within eighteen feet of a blank wall. No office window is located within thirty feet directly in front of another window or within eighteen feet of a blank wall for the court in question.

16. The applicant also requests a special exception, pursuant to Paragraph 4101.44 of the Zoning Regulations, to permit the construction of a new office building addition in the SP-2 District. The major portion of the new addition is to be located in the C-4 District. However, a thirty-five foot strip of the building, seven stories above grade, encroaches upon the SP-2 District.

17. The surrounding area contains a number of buildings of architectural value. Directly across M Street from the building site are the Sumner and Magruder Schools, two brick Victorian buildings and the Jefferson Hotel, an eight story limestone structure of Neo-classical character. The area directly to the south of the building site is being redeveloped by the Potomac Company as a high density office building. The buildings fronting on 16th Street in the vicinity of the site, while dissimilar in appearance, are of a scale in compliance with the SP-2 District requirements.

18. The 17th Street Headquarters building, which was designed by Edward Durrell Stone, was designed as a free standing building with a vertical and continuous facade which serves as a symbol for the Society. Any addition to that building would be a disservice to its original design. The 16th Street building, which is a low, Neo-classically styled structure, is unassertive in character. The new building addition was designed to preserve the integrity of the free standing headquarters building while respecting the historical, low scale character of the 16th Street building. The new addition will serve as a transition from the small scale to the larger scale building. In doing so, the new structure pulls away from the headquarters building, allowing it to remain free standing, and joins to the back of the 16th Street building along its entire length. The building steps back at each floor above the second level to diminish its visual impact. The facade has been designed in a series of planted terraces which provide a horizontality which contrasts to the headquarters strong verticality. The new addition was designed as a background building and does not attempt to assert itself over the existing headquarters or the 16th Street buildings in height, bulk or design.

19. The height and bulk of the new addition is far less than would be allowed in the C-4 District as a matter-of-right. The new addition will be 89.44 feet in height while the C-4 District for this site allows a height of 130 feet. The gross floor area of the new addition is 242,188 square feet above grade. The C-4 District would allow almost 600,000 gross square feet above grade. A smaller building, rather than a full matter-of-right development, is needed to blend in the existing buildings with the new addition.

20. The National Geographic Society's proposal for Square 183 is consistent with the basic goals and objectives for the area and the District of Columbia pursuant to the District of Columbia's Comprehensive Goals and Policies Act of 1978. The applicant's expansion will bring additional employment and additional office space to the Central Business District while enhancing the mixture of cultural and educational amenities available to residents and visitors of the City of Washington. The proposal will provide a building complex that will bring special distinction to the surrounding neighborhood. The project is compatible with the pattern of land use and the zoning in the area. From an urban design standpoint, the SP-2 District in this location serves to protect the vistas to, and from, the White House along 16th Street. The predominant land uses in the area are high-density office uses and a mixture of retail, residential, and institutional uses. The traffic and transportation system in the area is typical of the downtown commercial core. The site is well served by mass transportation from existing bus routes and

the site's proximity to the Dupont Circle and Farragut Square Metrorail stations.

21. The design for the new addition, while respecting the existing buildings on the site, also respects the M Street streetscape by stepping back from that streetscape thereby giving the historic Sumner/Magruder School complex a sympathetic backdrop. The project will have no adverse effect on the surrounding neighborhood and the project will not place any undue burden on existing community facilities or services. The parking spaces provided in the project will essentially be replacement spaces for the existing parking on the site.

22. The use, height and design of the proposed addition are in harmony with the existing uses and structures on neighboring property. Use of this structure as an office building will not create dangerous or other objectionable traffic conditions.

23. The applicant also requests a special exception pursuant to Paragraph 7613.12 of the Zoning Regulations which allows the Board to grant an extension of a less restrictive zone into a more restrictive zone in cases where a zoning district boundary line divides the lot, if such an extension does not exceed thirty-five feet and such an extension will not have an adverse effect on the present character and future development of the neighborhood.

24. The requested office building addition will not have an adverse effect on the present character or future development of the neighborhood.

25. The extension requested by the applicant is not greater than thirty-five feet.

26. There will be 449 parking spaces in the new complex. There now exist 382 spaces on the site. The new increase in parking will be sixty-seven spaces. These sixty-seven spaces will serve an additional 242,188 gross square feet of office space on the site. Based on the traffic volumes and the area roadnet in the vicinity of the site, and the site generated traffic volumes based on the number of employees and the size of the proposed development, the proposed development will have no adverse traffic impact on the area or the area roadway system. No intersection in the vicinity of the site will drop below an acceptable level of service for an urban area due to the proposed office addition. The 449 parking spaces proposed will be needed to support the complex and prevent "spill over" parking onto neighboring streets.

27. The entire complex is being designed and built to satisfy the National Geographic Society's future growth

needs. In the short term, the Society seeks to lease approximately 75,000 gross square feet of the new addition to general office use. The Society will renovate and restore its existing 16th Street building so that it can extend its useful life.

28. The Society encourages the use of public transportation among its employees. With the exception of twenty-five to fifty employees, who are allotted individual parking spaces because they are either handicapped, in special work situations such as late night hour work shifts, or the senior executives, the entire balance of the existing parking spaces on site are currently allocated only to car pools with three persons or more. The new spaces will be used by car pools. The Society provides a subsidy for those employees wishing to use mass transportation.

29. The applicant made a supplemental filing, pursuant to the Board's request, that included a detailed landscape plan showing the locations, species and types of trees to be used in the project, a supplemental parking and traffic report, photographs of graphics used in the applicant's presentation, vehicular trip distribution data, clarification as to the number of Society employees in the square and a complete set of plans with the boundary line between the SP-2 and C-4 District drawn on all plans. The requested evidence was of record at the time the Board decided the application.

30. The Office of Planning and Development, by report dated July 24, 1981, recommended that the application be approved. The Office of Planning and Development reported that the proposed development complies with the floor area ratio requirements of both the C-4 and SP-2 Districts and that the plans comply with the parking, loading and height requirements in the C-4 and SP-2 Districts. The OPD also reported that the proposed special exception for construction of an office building in the SP-2 zone is in harmony with the height, bulk and design of the existing uses and structures of the neighboring properties and that the requested special exception for the extension of the C-4 zone thirty-five feet into the SP-2 District is appropriate. The OPD reported that the application, if granted, will not visually disrupt the scale of development in the square or surrounding area nor will it create an imbalance of land uses in regard to the purposes and intent of the SP-2 zone. The OPD noted that the applicant's proposed court would meet the court requirements proposed for adoption by the Zoning Commission i Case No. 79-3. Further, it reported that the applicant's plans conform to Sub-section 4305.3 which sets forth criteria that the Board must find before waiving the court requirements. The Office of Planning and Development reported that the proposed plan has merit in terms of architectural treatments which will be a benefit to future

occupants as well as to persons viewing the building from neighboring vantage points. The Board concurs with the findings and recommendations of the OPD.

31. The Department of Transportation, by memorandum dated August 5, 1981, reported that the application is satisfactory with regards to the access system, loading berth arrangement and alley system. However, DOT determined that only 404 parking spaces are needed in the project based on DOT's goals for enhancement of air quality and energy conservation. The Board finds that the proposal for 449 parking spaces was based on actual need data and existing conditions. The Board finds that, in order to prevent parking from encroaching on the streets in the neighborhood, 449 parking spaces are needed. The Board finds that 449 parking spaces are needed to prevent adverse parking impact on the neighborhood and that an additional forty-five vehicles on site will not be detrimental to the air quality or energy conservation goals of the District.

32. Advisory Neighborhood Commission - 2B submitted no written recommendation or statement of issues and concerns on the application.

33. The Dupont Circle Citizens' Association, opposed the application on the grounds that the project does not include residential uses which are required in SP-2 Districts, that the applicants request should be characterized as a use variance and not a special exception and the applicant had not met its burden with regard to a use variance, and that the project's design architecturally respects the 17th Street building more than the older 16th Street building. As to the grounds for the opposition, the Board finds that residential uses are permitted but not required in the SP-2 District. The Board finds that office uses for a chancery, international agency, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or other similar professional person are permitted uses with a special exception. The Board finds that the Zoning Regulations allow an extension of a less restrictive district into a more restrictive district as a special exception under Paragraph 7613.12 and such an extension is neither a zoning change nor a use variance. As to the objection that the new addition respects the integrity of the 17th Street building more than the 16th Street building, the Board finds that the design is sensitive to both buildings and specifically addresses the need to tie the two architecturally diverse styles together.

34. The Potomac Company, the owner of property adjoining that of the National Geographic Society in the subject Square 183, supported approval of the application. There were letters of record in support for the application from other property owners in the neighborhood.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, and on the above Findings of Fact, the Board concludes that the applicant is seeking two special exceptions and one variance. To grant the special exception pursuant to Paragraph 4101.44 to allow the construction of an addition to an office structure in the SP-2 District. The Board must determine that the application complies with the requirements of Paragraph 4101.44 of the Zoning Regulations. The Board concludes that the applicant has met the requirements of Sub-paragraph 4401.441 in that the use, height, bulk and design of the proposed addition are in harmony with the existing uses and structures on neighboring property. The Board concludes that the applicant has complied with the requirements of Sub-paragraph 4101.442 in that the proposed use will not create dangerous or other objectionable traffic conditions in the area. Further, the Board concludes that the proposal, as submitted, adequately protects the value of neighboring properties as required by Sub-paragraph 4101.443.

As to the special exception requested under Section 7613 of the Zoning Regulations, the Board concludes that Paragraph 7613.12, as it applies to this property, has been complied with. Specifically, the Board concludes that the requested extension of the C-4 use does not exceed thirty-five feet, that such extension will have no adverse effect upon the present character and future development of the neighborhood, and that the design, appearance and other pertinent design features of the proposal are adequate to protect adjacent or nearby property.

The Board concludes that both special exceptions requested are in harmony with the general purpose and intent of the Zoning Regulations and Maps because they allow a transition between existing uses and existing buildings that are currently allowed in the C-4 District and the SP-2 District. The Board further concludes that neither special exception will have any adverse effect on the surrounding property and that the uses are consistent with the intent and purposes of the Zoning Regulations.

As to the variance requested from the court requirements, Section 4305 of the Zoning Regulations, the Board concludes that the applicant has complied with the requirements of Sub-section 4305.3 of the Zoning Regulations in that there are no apartment windows located within forty feet directly in front of another window nor within eighteen feet of a blank wall involved in the court in question. Further, the Board concludes that there is no office window located within thirty feet directly in front of a window or

within eighteen feet of a blank wall involved in the court in question.

The Board concludes that the existence of two diverse architectural elements, the existing structures on the subject site, provides exceptional conditions and situations that would make a strict application of the Zoning Regulations result in peculiar and exceptional practical difficulties to the owner of the property.

The Board further concludes that granting the court variance will not be detrimental to the public good nor impair the intent, purposes or integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is ORDERED that the special exceptions and variance are GRANTED in their entirety SUBJECT to the CONDITION that the project shall be built in accordance with the revised plans marked as Exhibit No. 16 of the record and the landscaping plan marked as Exhibit No. 37 of the record.

VOTE as to the special exceptions: 5-0 (William F. McIntosh, Lindsley Williams, Charles R. Norris, Douglas J. Patton, and Connie Fortune to GRANT).

VOTE as to the variance: 4-1 (Charles R. Norris, William F. McIntosh, Douglas J. Patton and Connie Fortune to GRANT; Lindsley Williams OPPOSED).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 20 NOV 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.