GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 14096 of the National Press Club Corp., pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for modification of prior approved plans in BZA Order No. 13507, dated September 24, 1983, for special exceptions under Paragraph 3308.12 permitting construction of a roof structure not placed in one enclosure and under Sub-section 5307.5 to obtain a bonus floor area ratio, for a variance from the prohibition against permitting an addition to a non-conforming stsructure which now exceeds the height limitations (Paragraph 7107.21), for a variance from the height limitation requirements (Sub-section 5201.1), and from the court width requirements (Sub-section 5305.1 and Paragraph 7107.22) and the rear yard requirements (Sub-section 5303.1 and Paragraph 7107.22) to permit the renovation of the existing National Press Club Building which is a non-conforming structure, and proposed additions to the building including expansion of the building to the east in the area of a public alley proposed to be closed in a C-5 (PAD) District at the premises 529 - 14th Street, N.W., (Square 254, Lot 826 and public alley proposed to be closed).

HEARING DATE: February 8, 1984
DECISION DATE: March 7, 1984

FINDINGS OF FACT:

1. The subject property is located at the southeast corner of the intersection of 14th and F Streets and is known as premises 529 14th Street, N.W. It is zoned C-5 (PAD).

2. The subject property is rectangular in shape with approximately 150.5 feet of frontage on 14th Street and 284.25 feet of frontage on F Street.

3. Pursuant to BZA Order No. 13507, dated November 30, 1981, the Board granted approval for special exception and variance relief for the modernization of the National Press Building in accordance with the plans marked as Exhibit No. 26 of that case.

4. By order dated September 24, 1982, the Board approved modifications to the approved plans to permit cosmetic changes, limited to the thirteenth and fourteenth floors of the structure in accordance with Exhibit No. 47A

of the record of that case. No additional variance relief was necessary.

5. In August of 1983, the applicant requested Board approval of further modifications to the approved plans which would result in the following changes:

A. The elimination of below grade parking along with the associated ramps and curb cuts on 14th Street;

B. An increase of the open court at the west end of the atrium and, therefore, a reduction of floor area, to retain the atrium's original configuration on the 9th, 10th, 11th and 12th floors;

C. An increase in the floor area of the first through seventh floors by a reduction of the atrium opening;

D. A reduction in the number of levels where there is a through square connection from three to two, and thus, a decrease in the area for which bonus incentives are awarded.

6. By order dated December 13, 1983, the Board denied the requested modifications. The Board concluded that the requested modifications represented a substantial departure from the plans originally approved, that further zoning relief might be necessary, and that a substantial period of time had elapsed since the application was originally approved.

7. The subject application seeks Board approval of modifications to the approved plans in BZA Application No. 13507, as enumerated in Finding of Fact No. 5. The record in BZA Application No. 13507 is incorporated into the subject case by reference.

8. The subject property is improved with a fourteen-story building housing offices, stores and the National Press Club. The structure occupies the entire site, including the former alley at the east end of the site which has been officially closed. The National Press Club has been located on the subject site since 1927 when the building was first constructed.

9. Subsequent to the Board's prior approval, the structure has been undergoing substantial renovation since November of 1981. The renovation previously approved and as proposed to be modified will provide for more efficient use of the building and enable the structure to interconnect with other development in the square.

10. The square within which the subject site is located is within the area that is subject to the Pennsylvania Avenue Plan. The Pennsylvania Avenue Development Corporation is coordinating development of the entire square. The subject structure will interconnect with recently constructed hotel, office, and retail buildings to the south and east of the site, i.e. the J.W. Marriot Hotel and National Place.

11. Building permits have been issued and construction has been initiated, and in some instances, completed. The addition to the building covering the closed alley to the east of the site has been completed. Skylights over the previously existing closed court area have been constructed, creating an interior atrium. Two of the three approved penthouse structures have been completed.

12. Under the present proposal, the third of the approved penthouse structures will not be constructed due to the elimination of the freight elevator which it was originally proposed to serve.

13. Previously approved additions on the ninth through twelth floors of the structure at the west end of the atrium originally proposed to provide hallway space are no longer proposed to be constructed, thus reducing the floor area on those floors.

14. Two levels of underground parking which were previously approved and associated ramps and curb cuts have been eliminated. No parking is required for the subject structure by the C-5 (PAD) District. The elimination of the parking ramps creates additional floor space at the western end of the atrium level of the structure. The applicant proposes to devote this floor area to additional retail space and as part of the through square connection

15. The subject application was advertised as identical to the relief requested in BZA Application No. 13507. In conformance with the Board's prior approval, construction relating to the roof structure special exception and the variances has been initiated, completed or eliminated. The relief which presently requires Board action is pursuant to Sub-section 5307.5, the special exception for bonus floor area ratio, and the substitution of revised plans for those originally approved.

16. In order to qualify for the FAR bonus, the enclosed pedestrian space and the through square connection provided by the applicant must satisfy the requirements of Paragraphs 5307.42 and 5307.43 of the Zoning Regulations.

17. Sub-paragraphs 5307.421 and 5307.423 require the enclosed pedestrian space to be directly accessible to the public and located so as to provide direct or indirect

access to the public space of the main floor of the building. The F Street floor level is directly accessible by three entrances, one from the 14th Street sidewalk and two from the sidewalk along F Street, by escalators and elevators from above and below, and from the east by the adjoining office building and hotel. There are two levels of enclosed pedestrian space with inter-floor level barrier-free connections.

18. Sub-paragraph 5307.442 requires the ceiling height of the enclosed pedesterian space to have a minimum height of twenty feet. The ceiling height of the proposed enclosed pedestrian space exceeds the required twenty feet. At the center of the enclosed pedestrian space, the ceiling is 146.96 feet high. A large part of the enclosed pedestrian space has a height of thirty-two feet. Those portions of the space less than twenty feet in height are covered by overhead obstructions, which do not cover more than thirty percent of the floor area of the enclosed pedestrian space.

19. Sub-paragraph 5307.424 requires that the average horizontal deminsions between the walls forming an enclosed pedestrian space shall be at least forty feet in width and no less than thirty feet at any point, except when an entrance is provided at the facade of the building, the width of the entrance shall be no less than twenty feet. The average horizontal dimention of the enclosed pedestrian space at the F Street level is forty-six feet in width. Entrances to the enclosed pedestrian space are at least twenty feet at the facade of the building.

20. Sub-paragraph 5307.425 allows overhead obstructions such as pedestrian bridges, balconies, pennants, banners, lighting fixtures, mobiles or other decorative elements provided that they do not cover more than thirty percent of the floor area of the enclosed pedestrian space. The proposed enclosed pedestrian space provides pedestrian bridges, balconies, mobiles and other elements such as a flashing light line news strip, overhead TV news monitors and mobiles which do not exceed thirty percent of the enclosed pedestrian space.

21. Sub-paragraph 5307.426 requires that an enclosed pedestrian space be appropriately lighted. The lighting proposed is appropriate for public/retail spaces. The lighting is recessed and surface accent lights and recessed down lights. The fountain, plantings and other focal points will be highlighted. The main light in the atrium will be natural light from the large skylight at the roof. The skylight will be softened by reflecting panels to control excessive direct sunlight.

22. Sub-paragraph 5307.427 requires that pedestrian circulation within the enclosed pedestrian space be barrier-free and not hampered by excessive inter-floor level connections, columns, plantings, landscaping, fountains, etc. The proposed enclosed pedestrian space so complies.

23. The applicant proposes to devote the bonus incentive area to restaurant space, lounges, high quality retail and service areas, the National Press Foundation Museum and public spaces serving the downtown population after the traditional 5 P.M. closing time.

24. Sub-paragraph 5307.431 provides that the exterior entrances of a through square connection shall be at the same level of the street it adjoins. The exterior entrances to the subject structure are at sidewalk level, without steps.

25. Sub-paragraph 5307.432 provides that a through square connection may be enclosed in whole or in part, and must have an average width of at least twenty feet. At no point shall the width be less than fifteen feet, with a minimum height of twenty feet. The proposed through square connection is enclosed, with a minimum height of twenty feet and an average width of twenty-eight to thirty-six feet.

26. Sub-paragraph 5307.433 provides that a through square connection may be created by linking an open arcade, a portico, a plaza, an interior space or lobby of a building, a court, a rear yard, a side yard, or an enclosed pedestrian space. However the floor areas of such features shall not be included in computing the floor area of the through square connection for determining the bonus incentive award. The proposed through square connection is achieved by linking the enclosed pedestrian space to the exterior sidewalks along 14th and F Streets, and by linking to the adjoining office building and hotel in the square at the Terrace and F Street levels.

27. Sub-paragraph 5307.434 provides that no bonus incentive may be approved unless the Board has determined that the requirement of a continuous connection through the square can be accomplished. The subject structure occupies a corner lot and adjoins the office building to the east on three levels which then connect to the hotel lobby to the south. Two of these connections qualify as through square connections.

28. Sub-paragraph 5307.435 provides that a through square connection in the C-5 (PAD) District shall only be permitted between two parallel or opposite streets. The proposed through square connection connects F Street with Pennsylvania Avenue and also connects 14th Street with 13th Street.

29. Sub-paragraph 5307.436 provides that a through square connectin shall be appropriately lighted and shall be open to the public. The proposed through square connection is lighted with accent and down lighting and natural light in the atrium from the skylights.

30. Sub-paragraph 5307.437 provides that a through square connection may contain ornamental fountains, sculptures, displays or kiosks provides that pedestrian circulation is barrier free and is not hampered by such features. The proposed space is barrier free and sulptures, fountains and displays do not hamper movement through the space.

31. Sub-paragraph 5307.438 provides that only retail and service uses shall be provided along the through square connection. The proposed through square connection complies with this requirement.

32. The prior Board approval granted a special exception pursuant to Sub-section 5307.5 to permit bonus floor area credits of 21,936 square feet for the through square connection and 81,620 square feet for the enclosed pedestrian area, for a total bonus incentive of 105,556 square feet.

33. As presently proposed, 9,354 square feet will be devoted to through square connections, eligible for a bonus credit of 37,416 square feet. There will be 9,339 square feet provided for the enclosed pedestrian space, eligible for a bonus credit of 37,356 square feet.

34. The total bonus credit for which the applicant is eligible is 74,772 square feet of gross floor area. The amount of bonus floor area currently requested by the applicant is 38,050 square feet.

35. By letter dated February 3, 1984, the Pennsylvania Avenue Development Corporation confirmed that it had reviewed the proposed modifications and found the changes in keeping with the original design concept approved by the Corporation.

36. By memorandum dated February 1, 1984, the Office of Planning recommended that the application be approved. The Office of Planning was of the opinion that the applicant has demonstrated compliance with the requirements of Sub-section 5307.5 and the specific requirements of Paragraphs 5307.42 and 5307.43 and that the proposed modifications are in conformity with the objections of the Pennsylvania Avenue Development Corporation plan. The Board concurs with the recommendation of the Office of Planning.

37. There was no opposition to the granting of the application at the public hearing or of record.

38. The applicant presented testimony and evidence relative to the rationale for the elimination of the previously proposed parking garage and the reconfiguration of proposed retail space. The Board finds that these issues are not material to the disposition of this case.

39. There was no report from Advisory Neighborhood Commission 2C.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking modifications to previously approved plans and requires a special exception pursuant to Section 5307 and Sub-section 8207.2 of the Zoning Regulations. In order to be granted the requested special exception, the applicant must demonstrate substantial compliance with the provisions of Sub-section 5307.5 and specifically with the criteria enumerated in Paragraphs 5307.42 and 5307.43 of the Zoning Regulations. The Board concludes that the applicant has so complied, as set forth in Findings of Fact Nos. 17 through 22 and 23 through 30.

The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the zone plan as embodied in the Zoning Regulations and Map and will not tend to adversely affect the use of neighboring property. It is therefore ORDERED that the applicantion is GRANTED, SUBJECT to the CONDITION that the landscaping plan shall be as shown on Exhibit No. 23A of the record, with all trees planted being a minimum of 3.5 to four inches in caliper.

VOTE: 3-0 (Lindsley Williams and William F. McIntosh to grant; Douglas J. Patton to grant by proxy; Charles R. Norris and Carrie L. Thornhill not voting, not having heard the case).

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAY 22 1984

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 CONSUMER AND REGULATORY AFFAIRS.

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