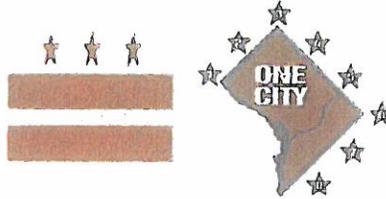


GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

April 3, 2014

Allison Prince, Esq.
Goulston & Storrs, PC
1999 K Street NW, Suite 500
Washington, DC 20006



Re: 2000 K Street NW and 2001 Pennsylvania Avenue NW – Expansion of 2000 K Street Building; Connection between Buildings

Dear Ms. Prince:

This letter and the attached plans confirm the issues we discussed at our meeting on March 19, 2014 regarding the expansion of an existing office building at 2000 K Street NW (“**2000 K**”) and its connection to an adjacent office building at 2001 Pennsylvania Avenue NW (“**2001 Penn**”). As I will explain below, the 2000 K Street building may be expanded and connected to 2001 Penn. With this ruling, the owners of the two adjacent buildings will be able to preserve at least 26 feet of open space between the buildings as a result of a subdivision. The open space is and will be entirely on the property of 2000 K Street.

The subject properties are zoned C-3-C and are included in the New Downtown Receiving Zone. 2000 K is bounded to the north by K Street, to the south by an office building (2001 Penn), to east by 20th Street, and to the west by an alley and another office building. 2000 K has a FAR of 6.5, a height of 90 feet, and a 26.7-foot rear yard to the south.

I understand that the 2000 K Street owner plans to expand the building with the use of Transferable Development Rights (“**TDRs**”). With the use of a sufficient number of TDRs, 2000 K may be expanded to attain a maximum height of 130 feet and a maximum FAR of 10.0. I understand that, with the addition, 2000 K will attain this height and density.

As part of 2000 K’s expansion, I understand that 2000 K will be subdivided with 2001 Penn to create one record lot. 2000 K and 2001 Penn will be connected at grade or above grade to create one building for zoning purposes. The building connection will be interior and likely will be in the covered loading area on the western side of both buildings. The combined building will contain a total of three 30-foot loading berths.

2001 Penn is on its own record lot (Lot 40), but it is subject to a planned unit development (“**PUD**”) (Z.C. Order No. 563). The order approving the PUD includes a condition (No. 42(a)) that allows for flexibility in “[v]arying the location and design of all interior components...” I have determined that, under this flexibility condition, a PUD modification is not necessary to allow for an interior opening to connect to 2000 K. An interior opening between the two buildings would not be visible to the outside. Accordingly, the two buildings may be connected by an interior connection that would allow the combination of the two adjacent lots into one record lot as a matter-of-right.

Once the buildings are combined, the height of 2000 K may be measured from the level of the sidewalk opposite the middle of the front of the combined building along I Street to the highest point of the roof. Specifically, I have determined that the height of 2000 K may be measured from the middle of the front of 2001 Penn where the sidewalk on I Street meets the building.

Measuring the combined building height from I Street will allow the building owners to avoid filling the open space that currently exists between the 2000 K and 2001 Penn by allowing for the addition of four floors, rather than three, on 2000 K. When the buildings are combined, the existing 26.7-foot rear yard for 2000 K will become two open courts, the width of which may be slightly reduced to 26.3 feet to accommodate a new curtain wall on the south side of 2000 K. If the buildings were not combined, then this open space potentially could be filled in to achieve the desired density. However, measuring the combined building height from I Street will allow for maintenance of this open space since the desired density may be attained without closing the open space.

When the buildings are combined to create two open courts, there will be a western court and an eastern court, as shown in the attached plans. The western court will be irregular and will have a bounding wall height of 132.51 feet measured from the alley grade to the top of the expanded 2000 K; this will result in a required court width of 33.13 feet. The eastern court above the garage entrance to 2000 K will have a bounding wall height of 116.38 feet measured from the top of the garage entrance to the top of the expanded 2000 K; this will result in a required court width of 29.1 feet.

With the 10% flexibility for courts afforded to me under Section 2522.1(c), I have determined that a deviation of 2.7 feet for the eastern court width of at least 26.3 feet is sufficient to comply with the Zoning Regulations. In addition, using the same flexibility, I have determined that the western court width – as measured by the diameter of the largest circle inscribed in a horizontal plane in the court – of at least 26.3 feet will comply with the Zoning Regulations as long as it has the same bounding wall height as the eastern court. As shown on the attached plan, in order to attain this shorter bounding wall height for the western court, the floor of the western court will be raised by covering over the open area at alley grade. Thus, the bounding wall height for the western court will be measured from the same elevation as the top of the garage entrance, and the required width will be 29.1 feet. The two open courts would have a bounding wall height of 116.38 feet, and, with the allowed deviation, a width of at least 26.3 feet will be sufficient to comply with the Zoning Regulations.

Although the open courts could be largely filled in or covered with a skylight to avoid any consideration of court width measurement, this permitted court width deviation preserves open space for the benefit of two buildings. Preserving open space is one of the primary purposes of both the Zoning Regulations, generally, and courts, specifically. Therefore, I have determined that granting flexibility in this situation is appropriate.

Finally, I have determined that the existing three 30-foot loading berths for the combined building will satisfy the loading requirements in Chapter 22 of the Zoning Regulations. A new

office building with more than 200,000 square feet of floor area requires three 30-foot berths, so the provided loading for the combined building is sufficient.

Should you apply for a building permit for plans consistent with this determination and the attached plans, I will approve the plans as discussed.

Sincerely, Matthew Le Grant

Matthew Le Grant
Zoning Administrator

Attachment: Zoning Diagrams [BHMP and Courts]