

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 21, 2014
SUBJECT: BZA Case 18845, 3000 M Street NW. (The Latham Hotel)

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

Variance relief from:

- § 933 Rear Yard (27 feet required; **0 feet proposed**);
- § 2101.1 Parking (94 onsite parking spaces required; **none proposed**);
- § 2201.1 Loading (1, 55-ft and 30-ft. loading spaces and a 20-ft. delivery space required: **1, 30-ft. loading berth, 1 platform @ 100sf, 1, 20-ft. delivery space proposed**); and

Special exception relief from:

- § 2116.5 (to locate 42 parking spaces off-site);

subject to the conditions prescribed by the applicant in **Exhibit 28A** of the record.

II. LOCATION AND SITE DESCRIPTION

Address	3000 M Street NW
Legal Description	Square 1197, Lot 70
Ward	2
Lot Characteristics	The lot is rectangular in shape and is approximately 19,728 square feet (sf) in area. There are several grade changes from east to west and from north to south and reflects the steep grade change from the north at M Street to its rear, abutting the National Park Service's property.
Zoning	The lot is spilt-zoned C-2-A and W-1. The hotel building is primarily within the C-2-A zone with about 20 feet of its southern rear elevation projecting into the W-1 zone.
Existing Development	The lot is currently developed with a hotel building known as The Latham.
Historic District	The property is located within the Georgetown Historic District and is within the jurisdiction of the Commission of Fine Arts (CFA) and the Old Georgetown Board (OGB). The property is not an individually designated historic structure.

Adjacent Properties	The property abuts a retail establishment to the west and a seven-story hotel at Thomas Jefferson Street NW. The eastern property line runs along 30 th Street and the National Park Service property abuts the southern property line at the rear.
Surrounding Neighborhood Character	The immediate area consists of a mixture of commercial retail, office, hotel and residential uses. This mix of uses generally extends to the west, south, and east of the property.

III. APPLICATION –IN- BRIEF

Proposal:	The proposal includes conversion of the existing hotel structure, to a mixed use-residential and retail building. The renovation would involve the demolition and redesign of the two-story portion of the hotel, which fronts on M Street for a more contemporary retail frontage. The redesigned interior, as well as a small 464 sf rear addition would provide light and additional space to accommodate residential amenities for the proposed 140 residential units of the building proposed primarily in the southern wing, at the rear of the two-story retail wing to the north.
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IV. ZONING REQUIREMENTS and RELIEF REQUESTED

	Regulation		Existing		Proposed		Relief
	C-2-A	W-1	C-2-A	W-1	C-2-A	W-1	
Height § 400	50 ft.	40 ft.	56.5 ft.	4.85 ft	no	change	None required
Floor Area Ratio § 402	2.5 (res.) 1.5 (ret.) 2.5 (max)	2.5 (res.) 1.5 (ret.) 2.5 (max)					None required
Lot Occupancy § 403	100 % (ret). 60% (res.)	100% (ret) 80% (res.)	Varies	Varies	Varies	Varies	See below *
Rear Yard § 404	None req.	3"/ft. ht. 27 ft. req'd	27 ft.	27 ft	0 ft.	0 ft.	Relief Req'd.
Parking § 2101	1 per 2 units (res.) - 70 1 per 300 sf in xs of 3,000 sf - 24	1 per 3 units – 0 spaces 1 per 750sf in xs. Of 3,000sf	52 spaces	-	None	None	Relief Req'd.
Loading § 2202	Ret: 1 loading berth @ 30'; 1 platform @ 100sf Res: 1@ 55'; 1platform @ 200sf; 1 service delivery @ 20'	Ret: 1 loading berth @ 30'; 1 platform @ 100sf Res: 1@ 55'; 1platform @ 200sf; 1 service delivery @ 20'	1 berth @ 30' 1 platform @ 85'	1 berth @ 30' 1 platform @ 85'	1 30-ft. loading berth 1 pl. @ 100sf 1 20 ft delivery space	1 30-ft. loading berth 1 platform @ 100sf 1 20 ft delivery space	Relief Req'd. (No 55-ft berth provided).

*Based on the perimeter wall method, the ZA confirmed that, per Section 771.3, the entire building maybe occupied for residential use.

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from §§§ 933 (Rear Yard), 2101.1 (Parking), 2201.1 (Loading)

i. Exceptional Situation Resulting in a Practical Difficulty

Exceptional situations which result in a practical difficulty include:

- The property is steeply sloped and is at grade at three elevations, including the fifth floor (on M Street), the fourth floor (on 30th Street), and the third floor (which faces the NPS land to the south).
- It is developed as a hotel structure with different requirements and the building would not be demolished in its entirety.

As described in the application, the total grade change is approximately 15 feet from the high point of the M Street elevation of 49 feet to the low point of 34 feet abutting the NPS land to the rear. As a result, the center of the 30th Street frontage is approximately one story below the M Street frontage, and the southern frontage along the NPS property is an additional story below the center of the 30th Street frontage. The rear yard setback begins at the 5th floor. Below the rear yard plane, a portion of the lower four stories of the structure extend to the southern property line. The remainder of the rear yard is open to the sky and consists of the loading area and parking ramp.

Thus, the first through fourth floors were constructed to accommodate hotel uses that mainly do not require natural light and can be located underground, including function rooms, back of house spaces, the restaurant, and parking, although some guestrooms are also located on the underground levels. The split zoning of the site aided the original design and configuration of the hotel, including location and design of the rear pool deck, loading and parking ramp for the hotel.

Proposed residential uses would now begin from the second floor, which is currently without natural light, and the proposed addition would allow light to the 2nd and 3rd floors. These floors would now include shared kitchens, laundry, living room, den, fitness facility, study / library, and game room. This addition would also provide access to a 66-space bike room. The existing parking area and ramp for 52 parking spaces are proposed to be removed to open the below grade levels to accommodate these functions. The 30-foot deep loading area, and a 20-foot delivery space would be repositioned as an enclosed area for the building's loading and service functions.

Therefore, OP concurs that the existing slope, and the hotel's current design which would not be demolished entirely are factors, which in combination create a practical difficulty in adapting the existing hotel building with several underground floors and no day lighting capability to serve residential uses, which would utilize all the building levels at contemporary standards.

ii. No Substantial Harm to the Zoning Regulations and Public Good

The proposed adaptive reuse of the building would remain compliant with the height, FAR, and lot occupancy requirements of the Regulations for its respective zones. The proposed addition is of minimal square footage (464 sf), but would allow the building to be retrofitted to provide functional space for contemporary residential uses, with two floors of retail on the site.

While on-site parking would be removed, 42 of the required 94 spaces would be provided at another location, for which separate relief is requested. OP does not anticipate an adverse impact to the traffic in this commercial neighborhood, based on the single occupancy and fully-furnished unit typology presented. The applicant has provided a transportation demand management plan and incentives to mitigate traffic due to the residential use.

The loading area would be retrofitted and would be primarily used for the building's retail loading and trash removal. Since the apartment units would be fully furnished, a 55-foot berth should not be necessary. Thus, the loading area provided would be adequate to support the building's delivery and service requirements. A loading dock management plan has been included with the applicant's transportation study and is incorporated as a condition of approval (Exhibit A of the October 14, 2014 submission).

The District Department of Transportation is expected to provide additional comments on the proposed TDM measures and the redesigned loading facilities.

b. Special Exception Relief pursuant to § 2116.5 to locate required parking in an off-site garage.

The applicant has proposed to provide 42 parking spaces from nearby parking operators within ¼ mile of the site. To date, 20 spaces have been located, 400 feet from the building at Thomas Jefferson Street. Priority would be given to residential tenants. Based on tenant demand, retail tenant employees and the applicant's employees would be offered the spaces at market-rate prices for any unused parking passes.

The site address is currently not listed under the RPP system, nor is it eligible for RPP as the 3000 block of M Street is commercially zoned. However, the applicant has proposed conditions as disincentives to on-street parking by future residents, which is proposed to be recorded in a covenant in the land records (Exhibit A of the October 14, 2014 submission).

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal to locate parking off-site, in available parking garages within a ¼ mile of the building, would not contradict the intent of the Zoning Regulations and Map. The area is well served by transportation options, including buses, bike-share, and technology-enabled taxi services, which would be encouraged by the incentives provided through the transportation demand management plan provided by the applicant. The provision of a secured bike parking facility would also encourage alternative transportation options by residents.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposal to locate parking off-site should not adversely impact the use of neighboring property, as the surrounding properties are commercial uses, many of which contract with the commercial parking available in the neighborhood. The covenant proposed by the applicant would also discourage future tenants' on-street parking in the neighborhood. Therefore, it is not anticipated that the proposal to provide off-site parking would adversely impact the use of neighboring property.

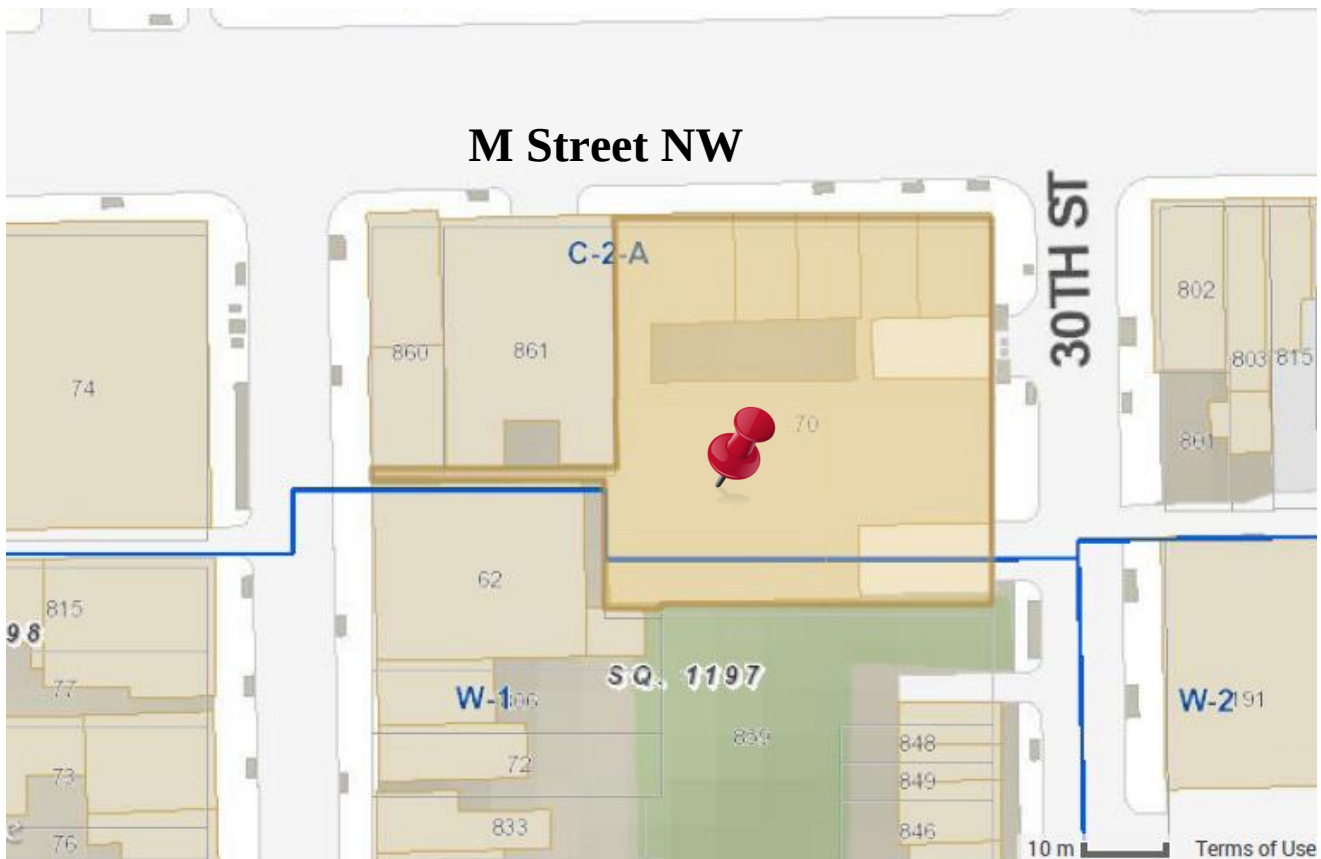
VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation is expected to submit a separate report to the record.

VII. COMMUNITY COMMENTS

The ANC 2E voted unanimously to approve the applicant's proposal at its regularly held meeting September 29, 2014. The ANC's letter dated October 2, 2014 is submitted to the record as Exhibit #25.

Although the building is not a historic structure, it is within the jurisdiction of the Commission of Fine Arts (CFA). The CFA reviewed the proposal and provided its recommendation, with no objection to the general concept design as stated in its letter of recommendation to the Mayor's Agent dated September 18, 2014 (Exhibit 28D of the record).



Location and Zoning Map