

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



November 24, 2014

Norman M. Glasgow, Jr.  
Holland & Knight LLP  
800 17<sup>th</sup> Street, N.W.- Suite 1100  
Washington, DC 20006

Re: Sidewalk Café - 924 25<sup>th</sup> Street, N.W. (Lot 884, Square 16)

Dear Mr. Glasgow:

This is to confirm the substance of our discussions on September 10, 2014, regarding the proposed use of public space for a sidewalk café adjacent to the hotel located at 924 25<sup>th</sup> Street, N.W. (Lot 884, Square 16) (the "Property"). The Property is zoned R-5-E is improved with a hotel use including a restaurant on the ground floor.

A hotel use is permitted in the R-5-E District by virtue of Section 350.4(e), which provides that in the R-5-E District, a hotel in existence as of May 16, 1980, with a valid Certificate of Occupancy or a valid application for a building permit is a permitted use; provided, that the gross floor area of the hotel may not be increased and the total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. You provided to me a copy of Certificate of Occupancy No. B108331 dated February 15, 1979, permitting "hotel and dining room 128 suites" use for the Property.

You informed me that the owner of the hotel would like to submit an application for a sidewalk café within public space. On May 16, 2002, this office issued a determination that a sidewalk café would be prohibited unless the Board of Zoning Adjustment granted an exception from Section 351.2 of the Zoning Regulations. Based on a review of that letter and information that you provided to me, I disagree with that interpretation and find that that an application for a sidewalk café is not precluded by virtue of the Section 351.2 of the Zoning Regulations.

Specifically, Section 351.2 of the Zoning Regulations states that commercial adjuncts as accessory uses to a hotel containing 100 or more rooms or suites shall be permitted in an R-5 District subject to four conditions. We reviewed the four conditions and you provided information to confirm compliance with these conditions as follows:

§ 351.2(a) *The total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts shall not be increased.* According to the Layout Plan, the total area within the hotel building devoted to the commercial adjacent will be maintained at its current size.

§ 351.2(b) *There shall be no direct entrance to the function rooms, exhibit space, and commercial adjuncts from the outside of the building.* According to the Layout Plan, the commercial adjunct is currently accessed from lobby of the hotel and does not have a direct entrance from outside of the building. You informed me that no change is planned to that access.

§ 351.2(c) *No part of the adjunct or the entrance to the adjunct shall be visible from a sidewalk.* You informed me that no change is planned to the current visibility of the commercial adjunct within the building from the sidewalk.

§ 351.2(d) *No sign or display indicating the existence of the adjuncts shall be visible from the outside of the building.* There is currently no sign or display indicating the existence of the commercial adjunct from the outside of the building. You informed me that there is no proposed change to the signage or display for the commercial adjunct within the building.

The Zoning Administrator reviews applications, including applications for building permits and for certificates of occupancy, for conformity with the D.C. Zoning Regulations (Title 11 of the DCMR) as it applies to the use and development of private property. Thus, the use of the abutting public space for a sidewalk café will not be governed by Title 11 of the DCMR.

I believe that I have addressed the issues which we discussed and agreed upon. Please let me know if you have any further questions.

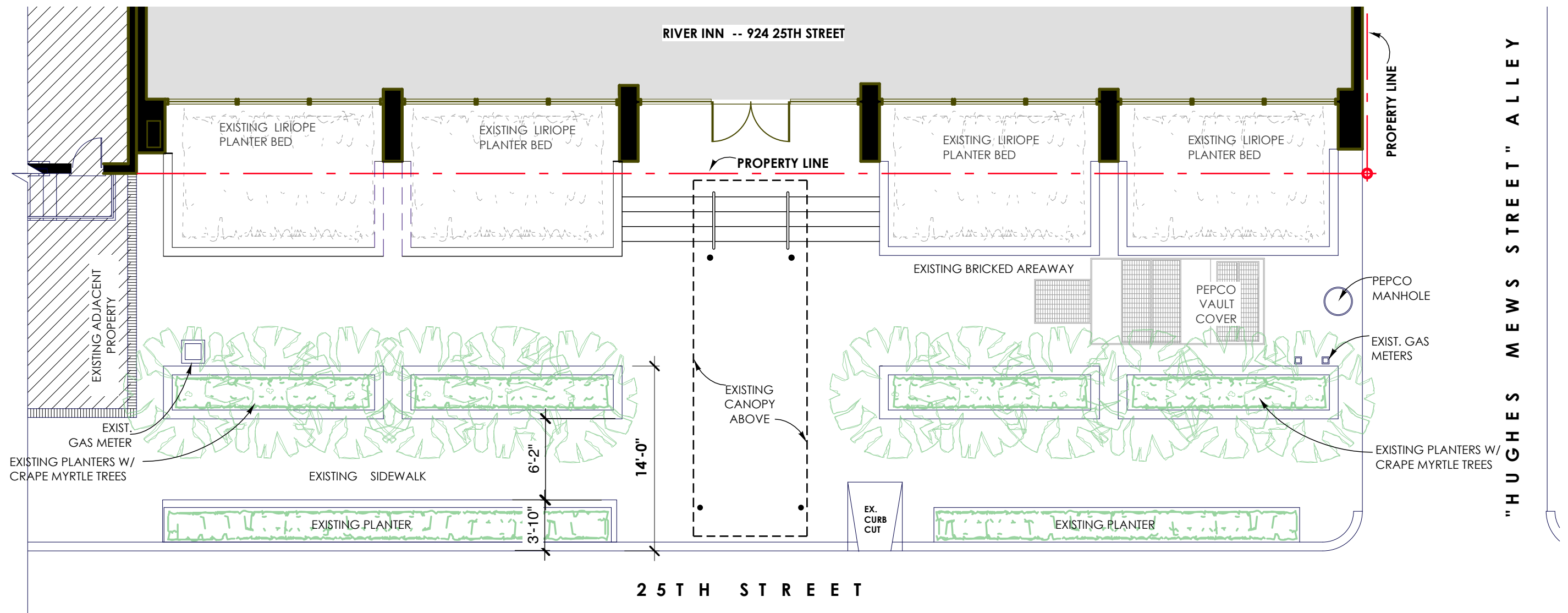
Sincerely,   
Matthew Le Grant  
Zoning Administrator

Attachments:

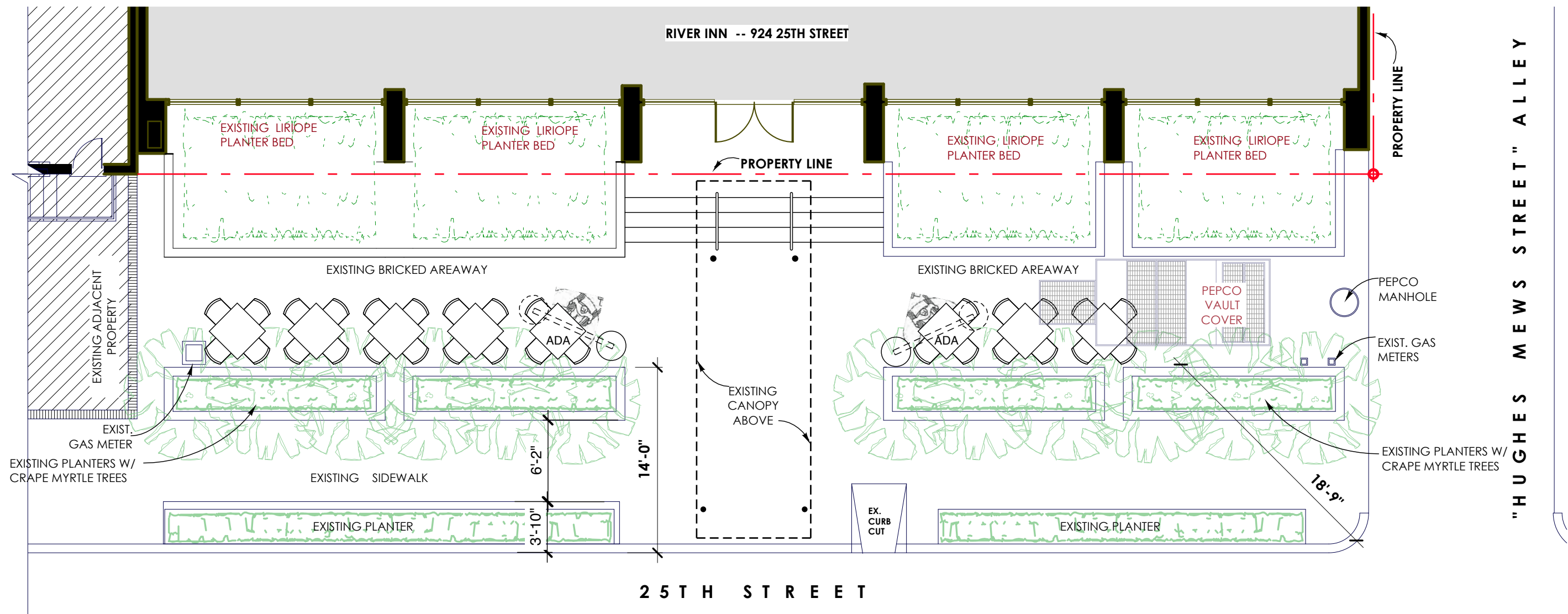
Layout Plan

Public Space - Existing Plan

Public Space - Proposed Plan



"HUGHES MEWS STREET" ALLEY



| SEATING COUNTS |          |           |             |
|----------------|----------|-----------|-------------|
| TYPE           | QUANTITY | SEATS per | TOTAL SEATS |
| 4 TOPs         | 8        | 4         | 32          |
|                |          |           |             |

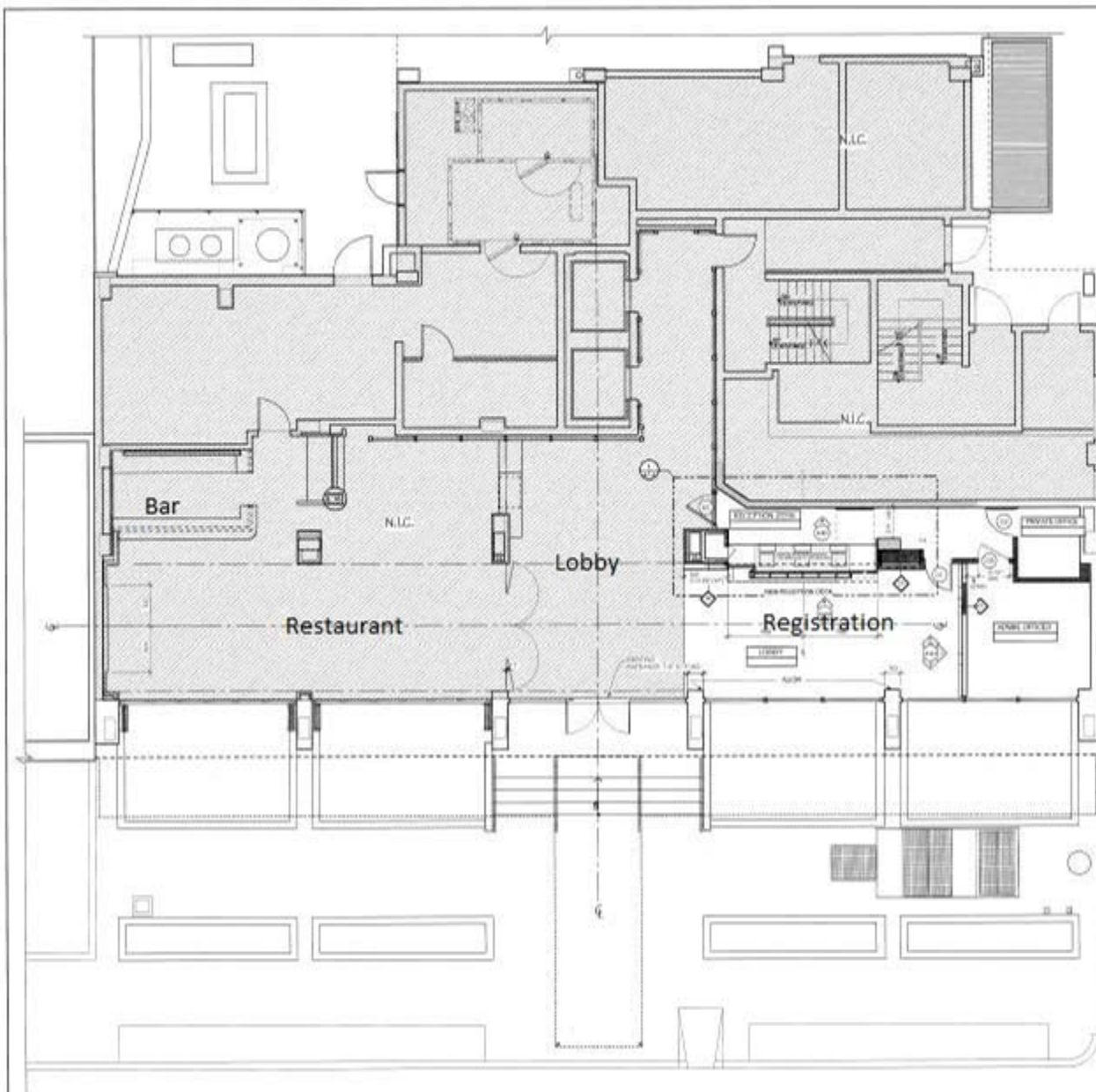
**HapstakDemetriou+**  
**ARCHITECTURE • DESIGN**  
 3247 Q ST NW , WASHINGTON DC 20007  
 202.333.9038

## RIVER INN PROPOSED OUTDOOR CAFE SEATING PLAN

### 924 25TH STREET, NW

05.20.14



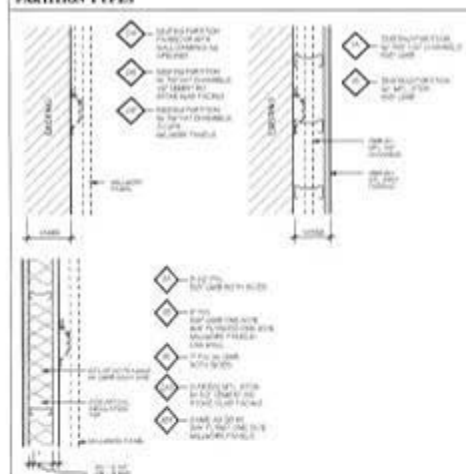


1 GROUND FLOOR BUILD-OUT PLAN  
SCALE: 1/8" = 1'-0"



11 DOOR JAMB DETAIL  
SCALE: 3/4" = 1'-0"

#### PARTITION TYPES



#### PARTITION TYPES GENERAL NOTES:

1. ALL PARTITION TYPES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING NOTES:
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9. ALL PARTITION TYPES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING NOTES:
10. ALL PARTITION TYPES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING NOTES:

#### WALL TYPE GRAPHIC KEY

- EXISTING PARTITION/STRUCTURE TO REMAIN
- NEW FULL HEIGHT PARTITION. SEE WALL TYPES ABOVE.
- NEW LOW WALL. PLEASE SEE ELEVATIONS & SECTIONS FOR WALL HEIGHT & THICKNESS.

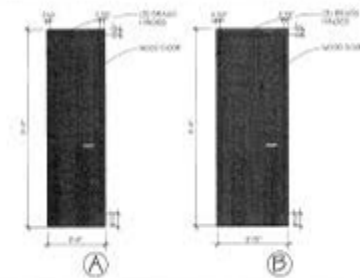
NOTE: THE QUANTITY AND DIMENSIONS TO BE SUBMITTED FOR PRICES AT A LATER DATE BY AWARD CONTRACTOR.

#### GENERAL NOTES:

1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FOLLOWING NOTES:
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#### DOOR SCHEDULE

| DOOR NO. | TYPE  | LOCATION     | WAVE AREA | W     | D     | TH    | FRAME | GLASS | SWITCH | DOOR TYPE | DOOR TYPE | DOOR TYPE |
|----------|-------|--------------|-----------|-------|-------|-------|-------|-------|--------|-----------|-----------|-----------|
| 1        | SWING | DOOR TO REAR |           | 2'-0" | 3'-0" | 1'-0" | WOOD  | 1/2"  | 1/2"   | 1/2"      | 1/2"      | 1/2"      |
| 2        | SWING | DOOR TO REAR |           | 2'-0" | 3'-0" | 1'-0" | WOOD  | 1/2"  | 1/2"   | 1/2"      | 1/2"      | 1/2"      |
| 3        | SWING | DOOR TO REAR |           | 2'-0" | 3'-0" | 1'-0" | WOOD  | 1/2"  | 1/2"   | 1/2"      | 1/2"      | 1/2"      |



# THE RIVER INN

924 25th STREET NW  
WASHINGTON, DC

## LOBBY EXPANSION

**A&D**  
ARCHITECTURE & DESIGN

2801 M STREET, NORTHWEST, SUITE 400  
WASHINGTON, DC 20007  
(202) 462-1000 FAX (202) 462-1001

ADAMSTEIN & DEMETRIOU

#### REVISIONS

| DATE     | BY | DESCRIPTION | NOTES |
|----------|----|-------------|-------|
| 11/11/01 | AD | PRELIMINARY |       |
| 11/11/01 | AD | REVISIONS   |       |

## GROUND FLOOR BUILD-OUT PLAN INTERIOR WORK

SCALE: 1/8" = 1'-0"  
PROJECT NO. 01-001  
DATE: 01/11/01

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