

**DC Board of Zoning Adjustment
441 4th Street, NW, Suite 200 S
Washington, DC 20001**

Adams Morgan Neighbors for Action
c/o Mrs. Cassandra Joseph
2201 Champlain Street, NW #103
Washington, DC 20009

October 6, 2015

BZA Case No. 19080, Appeal of the Building Permit #B1410380

HEARING PRESENTATION

Adams Morgan Neighbors for Action stands now before the BZA with a timely appeal of Building Permit #B1410380. *Attached Exhibit S, regarding Standing & Representation.*

The permit was issued by DCRA on June 5, 2015 to allow the construction of a new 72 foot tall, 227-room, luxury hotel to be located at the corner of Euclid and Champlain Streets, NW. *Attached Exhibit P.*

The Hotel project sits across three lots, Nos. 872, 875, 127 – which was recently consolidated into one lot, No. 135. We will call this the subject site. *Attached Exhibits A & B.*

The hotel lot is a corner lot, located at the intersection of Euclid and Champlain Streets, NW.

The plat put on the record by the Respondent, DCRA depicts that the hotel lot also abuts Columbia Road, NW, in a most minute way. *Attached Exhibit B.*

The subject site is zoned commercially (C-2-B) with the Reed-Cooke zoning overlaid on top (RC / C-2-B).

The Reed-Cooke Overlay seeks to protect the Reed-Cooke residential neighborhood from encroaching commercial impacts such as noise, traffic, pollution, etc.. *Attached Exhibit Q.*

Further, the District of Columbia Generalized Policy Map identifies the Reed-Cooke neighborhood – including the lots surrounding the hotel – *a Neighborhood Conservation Area.*

The Comprehensive Plan says that Neighborhood Conservation areas, “... are primarily residential in character,” and, “...Where change occurs, it will be modest in scale... .”
Citation: DC Municipal Regulations, Chapter 10A, Rule 223.4.

The proposed commercial hotel project is not modest in scale. At points along Champlain Street, NW, the hotel will tower at over 85 feet in height, including the rooftop components. And, the

walls of the hotel will be constructed straight up against most of the lot lines, including the southern lot line. *Attached Exhibits C, D, E.*

To give this some context, south of the subject site sits a two-story small-scale apartment building, and south of that is three story residential apartment. Just across the street stand two story apartments as well. *Attached Exhibits C.*

In 2013, the Reed-Cooke Overlay was amended to allow consideration of a hotel project to be constructed at the subject site.

If constructed, the Reed-Cooke zoning regulations limit the height of the hotel to a maximum of 72 feet, and a bulk Floor-to-Air (FAR) ratio of 3.99. *Citation: DC Municipal Regulations Chapter 11, Section 1402.3.*

DCMR 11-1402.3

Notwithstanding § 1402.2, the Zoning Commission, as part of a planned unit development permitting a hotel integrating the First Church Christ Scientist building on a new lot created by combining Lots 872, 875, and 127 of Square 2560, may permit a building height on former Lots 875 and 127 not to exceed 72 feet measured from Euclid Street, and an overall building density not to exceed 3.99 FAR.

Looking at these amendments to the Reed-Cooke Overlay, it shows that they do not expressly provide for other zoning exceptions besides height and bulk for a hotel project at the subject site.

In fact, the Reed-Cooke Overlay expressly states, “For the purpose of this chapter, no Planned Unit Development shall exceed the matter-of-right height, bulk, and **area requirements** of the underlying district.” *Citation: DC Municipal Regulations Chapter 11, Section 1402.2.*

The area requirement in this case is indeed the area behind the rear of the proposed hotel building – the required rear yard area buffer.

The rear yard requirement is applicable

The subject site is zoned C-2-B. This means that any project developed at this site is required to have a rear yard unless otherwise granted relief. *Citation: DC Municipal Regulations Chapter 11, Section 774.1.*

The Reed-Cooke regulations do not provide an exemption from the underlying C-2-B rear yard area requirements for commercially zoned districts.

And, it is fact that the Planned Unit Development approval for the proposed hotel project at the subject site in Zoning Commission Order No. 11-17 never granted relief from the aforementioned rear yard area requirement.

Therefore, the underlying zoning requirement for a rear yard buffer still stands.

The rear lot line is the southern-most lot line

As shown earlier, the proposed hotel project sat across three lots, Nos. 872, 875, 127, all of which were recently consolidated into one lot, No. 135.

We believe the southern-most lot line on the subject site is indeed the rear-yard lot line.
Attached Exhibit A & B.

That is, the rear lot line is the lot line between the subject site, Lot No. 135, and Lot No. 809 to the south.

We believe this is a common-sense conclusion given information in ZC Order No. 11-17. See excerpts from the points in the Order shown below.

43. The Applications before the Commission are for consolidated review of a PUD for a full-service boutique hotel, which has as its centerpiece the restoration and long-term preservation and adaptive reuse of the century-old Church Building, an aging and largely unutilized community landmark at the core of the Adams Morgan neighborhood. **The Project contemplates the renovation of the Church Building as the main entrance**, lobby and public space for the hotel, whose guest rooms, indoor pool, health club, and four levels of below-grade parking will be focused in a **seven-story masonry addition behind and to the south of the Church Building**.

32. Abutting to the south of the Property is property (Lot 809) that is currently improved with a two-story row building.

44. The approximately 68-foot-tall Church Building will be preserved in its entirety, restored and modernized. **Guests will enter the hotel along Euclid Street, through the 20-foot-tall main doors.** The Church Building will be transformed into a central lobby and public space, with column-free spans and 60-foot ceiling heights. A restaurant is proposed for the third floor mezzanine of the Church Building, and meeting rooms will be contained in the ground floor, immediately beneath the main lobby and reception area.

45. **In the new rear addition to the Church Building**, the ground floor will contain a supplemental registration area, additional meeting rooms, an indoor pool and juice bar, the loading dock and service areas, as well as the entrance to the approximately 4,000 square community center, which is located on the P1 level. The health club and spa will be located in between these levels. Approximately 220 hotel guest rooms will be located on the seven floors above, roughly configured in a south facing U-shape around the indoor pool.

64. **DDOT indicated support for the Applicant's proposal to locate a taxi queue for hotel guests along the main entrance to the hotel along Euclid Street, N.W.**, and also to locate the porte cochere along Champlain Street, N.W.

84. ... **All of the heights were measured from the level of the curb opposite the middle of the front of the building on Euclid Street, in accordance with the provisions of the Regulations.** The height ultimately approved in this order is a maximum of 72 feet with a parapet permitted above the roof.

Zoning Commission Order No. 11-17 makes it clear that the main entrance to the hotel is at the front of the proposed hotel building on Euclid Street, NW – the exact location where all the fundamental zoning parameters for this project (heights, density, occupancy, etc.) were measured. *Attached Exhibits E & G.*

To receive approval of a Planned Unit Development as shown in Zoning Commission Order No. 11-17, the Intervenor, Hotel Owner chose the street frontage to be Euclid Street, NW.

Attached Exhibits C & E also make it obvious where the front of the hotel is located – along Euclid Street.

If the main entrance to the hotel is on Euclid Street, and that is considered the “front” of the new hotel, then drawing a line straight back from the front of the hotel most obviously shows that the southern-most lot line is the rear lot line. *Attached Exhibit A & B.*

The southern-most lot line of the hotel site **is opposite** from the front lot line along Euclid Street, when defining “rear” as per the Merriam-Webster Dictionary,

rear -- noun \ˈrɪr\ : the part of something that is *opposite to or away from the front part* : the back part of something || Full Definition of REAR 1 : the back part of something; as a : the unit (as of an army) or area farthest from the enemy b : **the part of something located opposite its front** <the rear of a house> c : buttocks; 2 : the space or position at the back <moved to the rear>

An area buffer is required between the rear line of the building and rear lot line

According to the zoning regulations, “... a rear yard shall be provided for each structure located in a Commercial District” ... with a minimum depth of 15 feet for lots zoned commercially as C-2-B. *Citation: DC Municipal Regulations Chapter 11, Section 774.1.*

Further, according to the zoning definitions, the rear yard is, “a yard between the **rear line of a building** or other structure **and the rear lot line...**” “The rear yard shall be for the full width of the lot and shall be unoccupied... .” *Citation: DC Municipal Regulations Chapter 11, Section 199.1 Definition of a Rear Yard.*

The rear line of the proposed hotel building is standing face-against what we believe to be the southern-most rear lot line. *Attached Exhibits C & D.*

That is, there is no rear yard provided in the current hotel plans – plans that were issued a permit erroneously by DCRA on June 5, 2015. *Attached Exhibit P.*

Since Zoning Commission Order No. 11-17 does not grant relief to the Intervenor from providing a rear-yard behind the rear of the hotel building, the underlying C-2-B area requirement for a rear yard buffer still stands.

Presentation conclusion

Adams Morgan Neighbors for Action participants, especially those living on Euclid & Champlain Streets are directly affected by the adverse impacts this huge commercial project clearly presents – increased traffic, noise, pollution, and significant increases on public utility

use, most of which are aging modalities. These impacts will also mean less pedestrian safety, less healthy air, and less security in our personal & property interests. *See Attached Exhibit X, for some impacts already happening.*

By ensuring that a rear yard buffer exists according to the law, we can also ensure to bring the hotel and its serious commercial impacts closer to Euclid Street, moving many of the impacts further away from the residential community we seek to protect.

This appeal if upheld will concretely benefit participating members of Adams Morgan Neighbors for Action, and will ensure the integrity of the plain language of the zoning regulations is upheld.

Sincerely,

/s/n Cassandra Joseph, Co-Facilitator

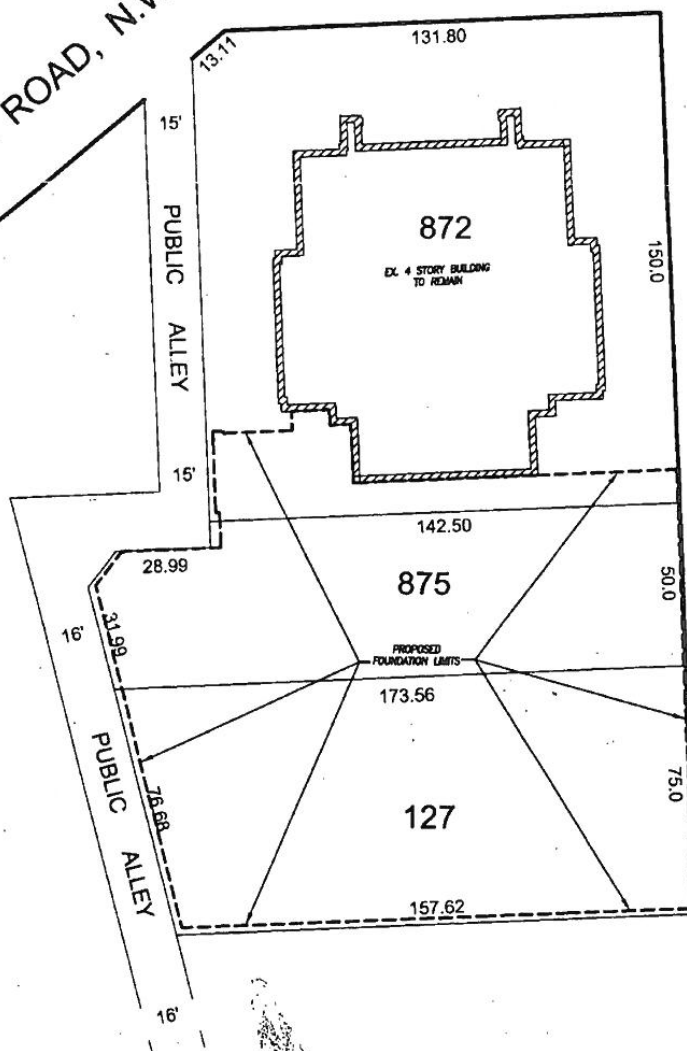
(202) 930-2660, amneighbors@openmailbox.org

Adams Morgan Neighbors for Action
c/o Cassandra Joseph
2201 Champlain Street, NW #103,
Washington, DC 20009

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BZA Case No. 19080

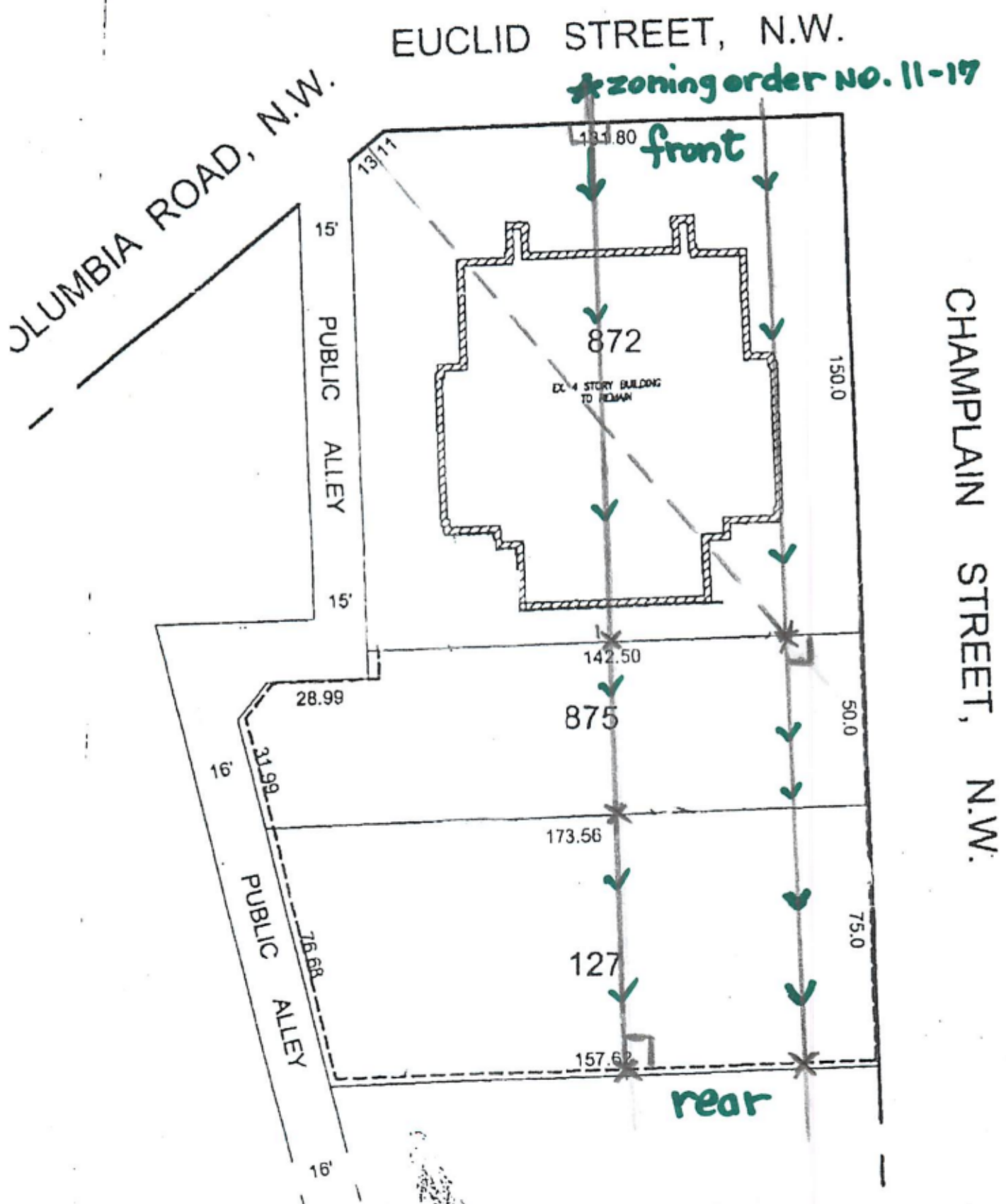
EXHIBIT(S)

~ A ~



Kene Pauls
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



Adams Morgan Neighbors for Action
BZA Case No. 19080

EXHIBIT(S)

~ B ~

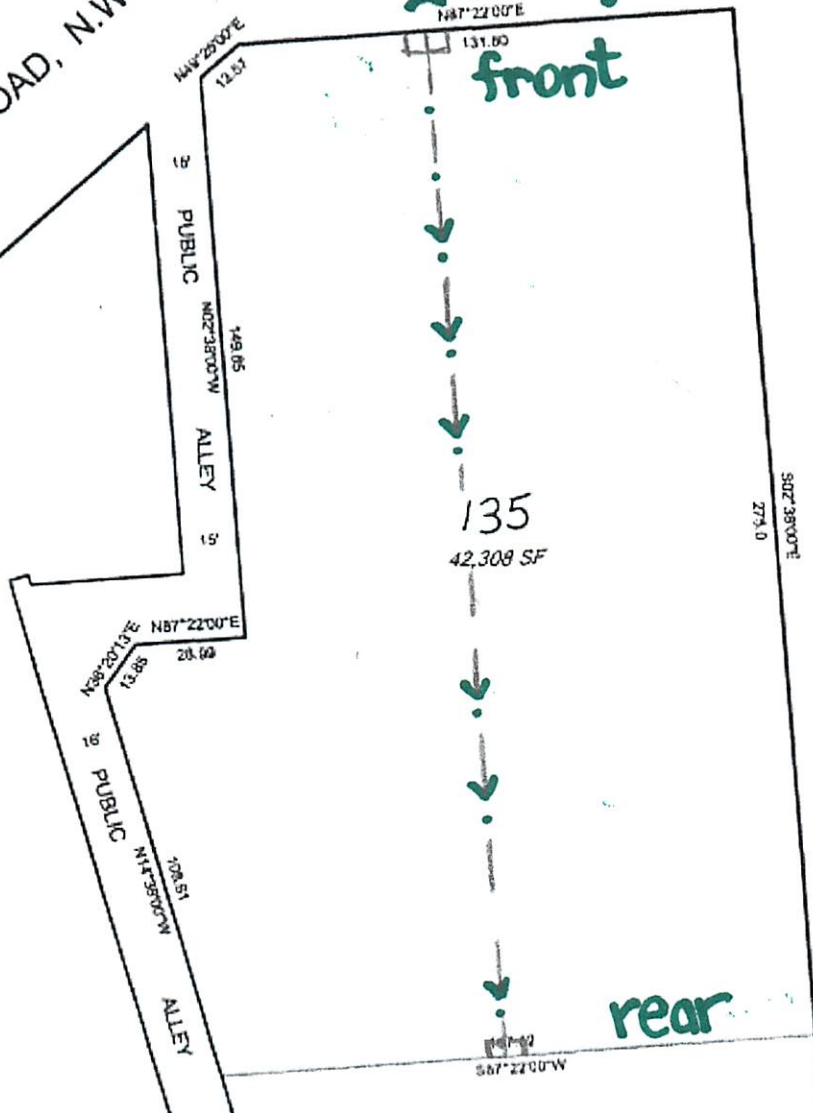
SUBDIVISION SQUARE 2560

EUCLID STREET, N.W.

★ zoning order no. 11-17

COLUMBIA ROAD, N.W.

CHAMPLAIN STREET, N.W.

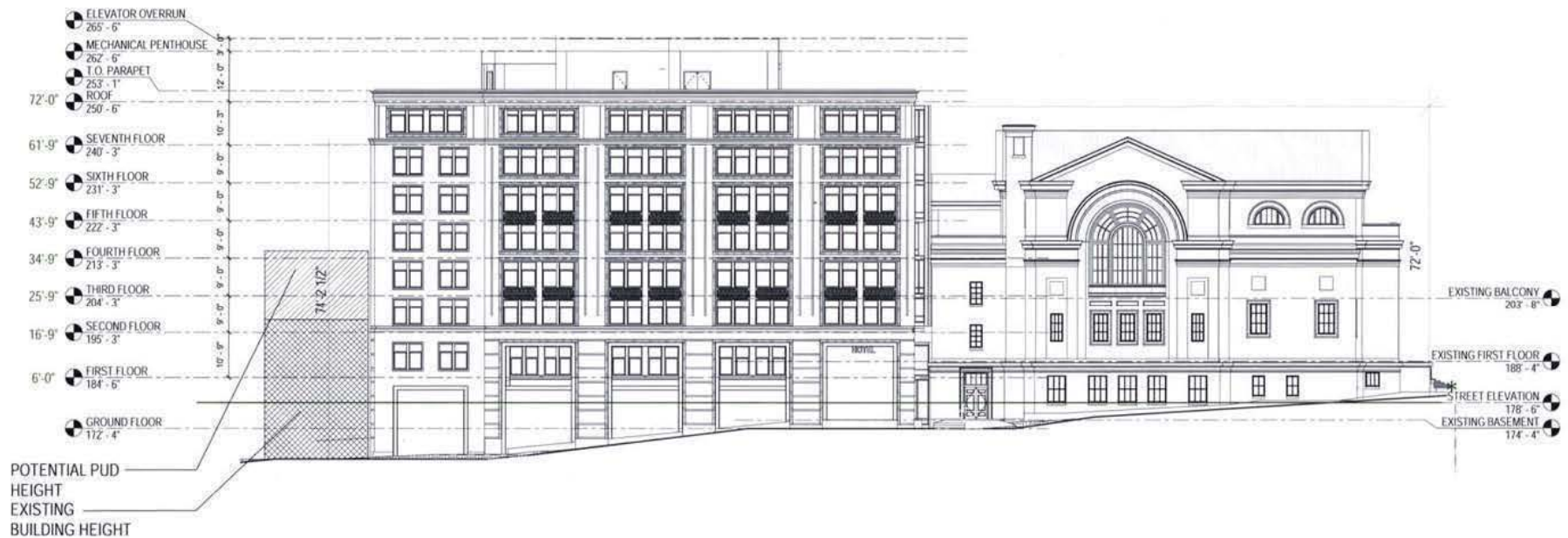


LOT. 809
to south

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BZA Case No. 19080

EXHIBIT(S)

~ C ~



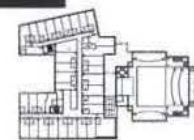
EAST ELEVATION

ADAMS MORGAN HISTORIC HOTEL
1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009
OCTOBER 29, 2012





EAST ELEVATION - COLOR



ADAMS MORGAN HISTORIC HOTEL

1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009

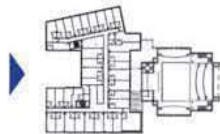
OCTOBER 29, 2012



Adams Morgan Neighbors for Action
BZA Case No. 19080

EXHIBIT(S)

~ D ~



X'XX" - FROM ZONING MEASURING POINT

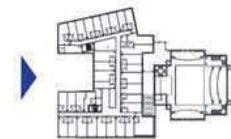
* - MEASURED FROM THE LEVEL OF THE CURB OPPOSITE THE MIDDLE OF THE FRONT OF THE BUILDING. (ZONING MEASURING POINT)

SOUTH ELEVATION

ADAMS MORGAN HISTORIC HOTEL
1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009
OCTOBER 29, 2012
OPXX



SOUTH ELEVATION - COLOR



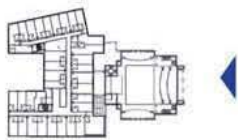
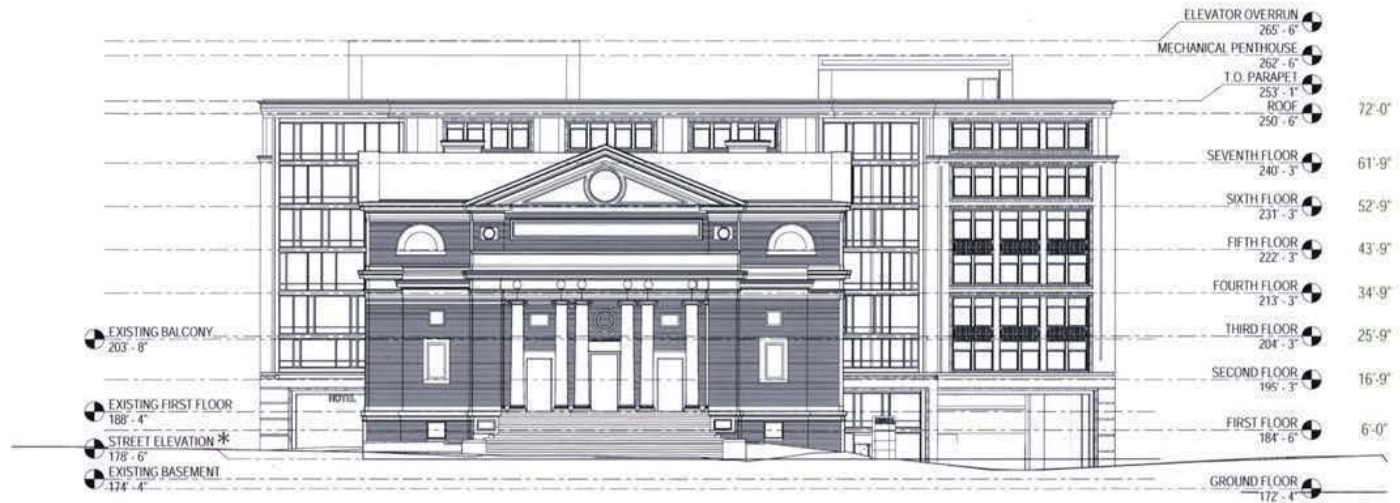
ADAMS MORGAN HISTORIC HOTEL
1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009

OCTOBER 29, 2012
opx

Adams Morgan Neighbors for Action
BZA Case No. 19080

EXHIBIT(S)

~ E ~



NORTH ELEVATION

ADAMS MORGAN HISTORIC HOTEL

1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009
OCTOBER 29, 2012





NORTH ELEVATION - CURRENT SUBMISSION

ADAMS MORGAN HISTORIC HOTEL
1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009
OCTOBER 29, 2012 A7
ap 



Aerial looking west (site roughly outlined in red)



1770 Euclid Street, N.W., Northwest Corner, looking southeast



Aerial looking south (site roughly outlined in red)



1770 Euclid Street, N.W., looking south across Columbia Road, N.W.

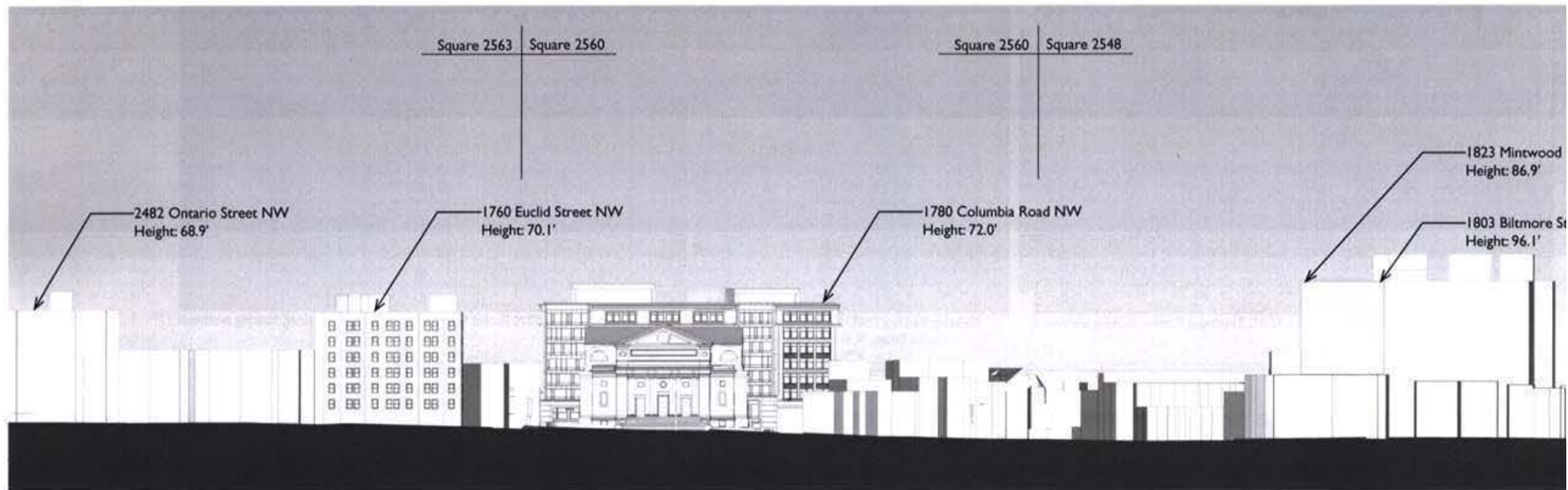
SITE PHOTOGRAPHS

ADAMS MORGAN HISTORIC HOTEL

1780 COLUMBIA ROAD, NW

WASHINGTON, DC 20009

OCTOBER 29, 2012



Building Height Certifications

Address	*Curb Elevation (feet)	** Building Height Elevation (feet)	Building Height (feet)
1803 Biltmore	172.9	269.0	96.1
1760 Euclid	181.5	251.5	70.1
1763 Columbia	183.4	245.7	62.4
1851 Columbia	181.0	284.3	103.4
1823 Mintwood	178.5	265.4	86.9
2482 Ontario	180.8	249.8	68.9
1780 Columbia	178.5	250.5	72.0

* Curb Elevation measured opposite the middle of the front of the building

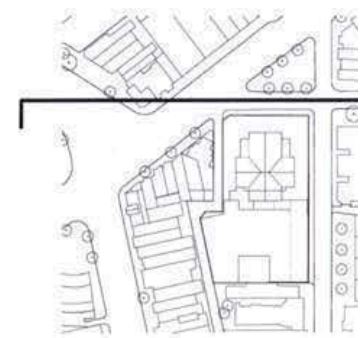
**Building height elevation measured to the cornice/highest visible portion of the building

Note: All heights were obtained and verified using an independent surveyor.

SECTION THROUGH SQUARE 2560 LOOKING SOUTH

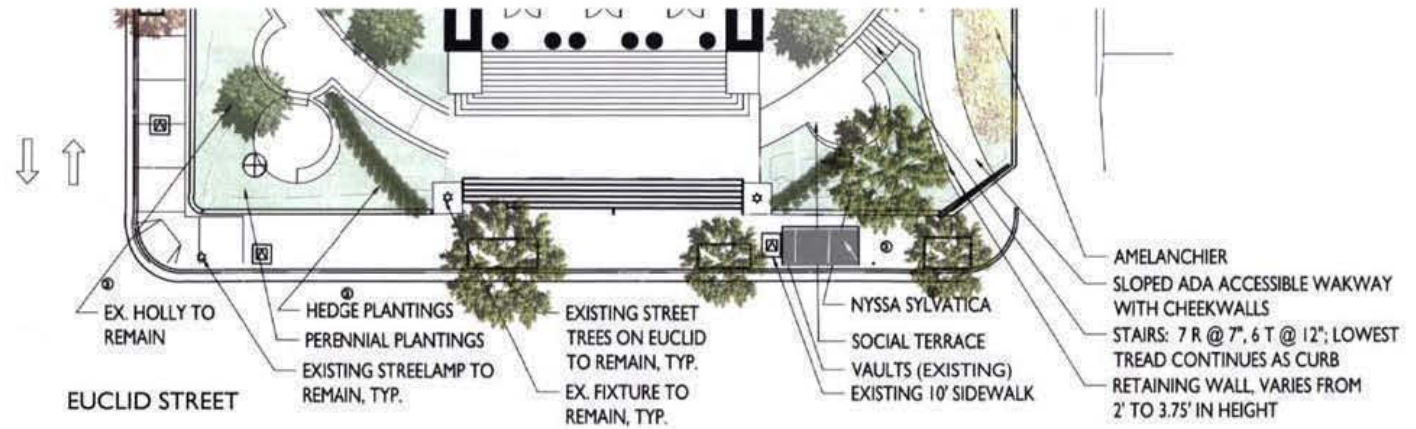
ADAMS MORGAN HISTORIC HOTEL

1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009
OCTOBER 29, 2012





LANDSCAPE - NORTH ELEVATION



LANDSCAPE PLAN - DETAIL

ADAMS MORGAN HISTORIC HOTEL

1780 COLUMBIA ROAD, NW
WASHINGTON, DC 20009
OCTOBER 29, 2012

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BZA Case No. 19080

EXHIBIT(S)

~ G ~



* SITE PLAN - ILLUSTRATING GREEN ROOFS

All green roofs are extensive, see sheet 32 for plant descriptions

Adams Morgan Neighbors for Action
BZA Case No. 19080

EXHIBIT(S)

~ P ~



Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

Fax (202) 442 - 4862



B

BUILDING PERMIT

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF
WORK UNTIL WORK IS COMPLETED AND APPROVED

Issue Date: 06/05/2015

Expiration Date: 06/05/2016

PERMIT NO. B1410380

Address of Project:
1770 EUCLID ST NW

Zone:

Ward:

Square:

Suffix:

Lot:

1

2560

0872

Description Of Work:

Construction of new 8 story hotel with 3 below grade parking

Permission Is Hereby Granted To:

Sydell Group

Owner Address:

30 WEST 26TH STREET SUITE 12 NEW YORK, NEW YORK
10010

PERMIT FEE:

\$25,256.00

Permit Type:
New Building

Existing Use:

Other (Specify)

Proposed Use:

Transient Lodging (hotel, motel, etc.)

Plans:

Yes

Agent Name:

Fvi2020

Agent Address:

20018

Existing Dwell
Units:

Proposed Dwell
Units:

0

No. of Stories:

8

Floor(s)
Involved:

All

Conditions/ Restrictions:

Third Party Company CORE Group review for Elevator.

This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year.

All Construction Done According To The Current Building Codes And Zoning Regulations;

As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within six months of the date appearing on this permit.

Lead Paint Abatement

Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to <http://ddoe.dc.gov>, Lead and Healthy Housing.

Interim Director:
Melinda Bolling

Melinda Bolling

Permit Clerk

Patrice Derricott

TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639

FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557

TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557.

Adams Morgan Neighbors for Action
BZA Case No. 19080

EXHIBIT(S)

~ Q ~

1400 GENERAL PROVISIONS (RC)

- 1400.1 The Reed-Cooke (RC) Overlay District shall be applied to the portions of Squares 150, 2557, 2558, 2560, 2562, 2563, 2566, 2567, and 2572 in the Reed-Cooke Special Treatment Area, as defined in the Comprehensive Plan, 10 DCMR § 1127, that are zoned nonresidentially as of January 1, 1989.
- 1400.2 The purposes of the RC Overlay District shall be to:
- (a) Implement the objectives of the Reed-Cooke Special Treatment Area, which are to:
 - (1) Protect current housing in the area and provide for the development of new housing;
 - (2) Maintain heights and densities at appropriate levels; and
 - (3) Encourage small-scale business development that will not adversely affect the residential community;
 - (b) Ensure that new nonresidential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community;
 - (c) Protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts; and
 - (d) Ensure the preservation and adaptive reuse of the First Church of Christ Scientist building located on Lot 872 of Square 2560, through a planned unit development process.
- 1400.3 The RC Overlay District and the underlying commercial and residential zone districts shall together constitute the zoning regulations for the geographic area identified in § 1400.1.
- 1400.4 Where there are conflicts between this chapter and the underlying zone district, the more restrictive regulations shall govern.
- 1400.5 In addition to other applicable provisions of this title, the requirements of this chapter shall apply to:
- (a) All new construction;
 - (b) All additions, alterations, or repairs that, within any eighteen (18) month period, exceed in cost fifty percent (50%) of the assessed value of the

structure as set forth in the records of the Office of Tax and Revenue on the date of the application for a building permit;

- (c) Any use that requires a change in the use listed on the owner's or lessee's certificate of occupancy; and
- (d) Any existing use that requires a new permit from the Alcoholic Beverage Control Board.

1400.6 If there is a dispute between the property owner and the Zoning Administrator about the cost pursuant to § 1400.5(b), the cost shall be determined by the average of the estimates furnished by three (3) independent qualified contractors selected in the following manner:

- (a) The first shall be selected by the owner;
- (b) The second shall be selected by the Zoning Administrator; and
- (c) The third shall be selected by the first two (2) contractors.

1400.7 The estimates provided for by § 1400.6 shall be prepared and submitted according to a standard procedure and format established by the Zoning Administrator.

1400.8 The cost of estimates shall be at the expense of the property owner.

SOURCE: Final Rulemaking published at 38 DCR 2386 (April 26, 1991); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8447-48 (October 20, 2000); as corrected by Errata Notice published at 58 DCR 4314, 4315 (May 20, 2011); as amended by Final Rulemaking published at 60 DCR 3635 (March 15, 2013).