



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



FORM 125 - APPEAL

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Print or type all information unless otherwise indicated.

Pursuant to §§ 3100 and 3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken from the

administrative decision of: **Dept of Consumer and Regulatory Affairs**

Name of administrative officer and title

made on **June 5, 2015** that states Construction of an 9-story hotel is permitted, no rear yard relief granted

Date of decision

Address(es) of Affected Premises	Square(s)	Lot(s)	Zone Districts
1770 euclid street nw	2560	127, 875, 872	c-2-b, rc, r-5-b

Present use of Property: church

Proposed use of Property: 227-room luxury hotel, pool, spa, commercial kitchen, restaurant, several bars

Name of Owner of Property: Adams Morgan Hotel LLC

Address:

Phone No(s): Fax No.: E-Mail:

Name of Lessee:

Address:

Phone No(s): Fax No.: E-Mail:

Name of Appellant, if other than Owner: Adams Morgan Neighbors for Action (AMNFA)

Address: c/o Cassandra Joseph 2201 Champlain Street NW #103 WDC 20009

Phone No(s): (202) 930-2660 Fax No.: E-Mail: amneighbors@openmailbox.org

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this appeal is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

Date: July 10, 2015 Signature of Appellant*:

Waiver of Fee - Status of Appellant

☐ ANC ☐ DC Government Agency ☐ NCP ☒ Citizens' Association/Association created for civic purposes that is not for profit

To be notified of hearing and decision (Appellant or Authorized Agent*):

Name:

Address:

Phone No(s): Fax No.: E-Mail:

* If an appeal is filed by the agent of the Appellant, Form 125 - Appeal shall be accompanied by a letter signed by the Appellant authorizing the agent to act on its behalf in this appeal.

Board of Zoning Adjustment
Appellant's Agent
CASE NO.19080
EXHIBIT NO.5

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

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

July 10, 2015

RE: Corrected Appeal of the Building Permit #B1410380

Adams Morgan Neighbors for Action (AMNFA) finds the DCRA decision to issue Building Permit #B1410380 to construct the proposed Adams Morgan luxury hotel project located at 1770 Euclid Street, NW, WDC 20009 is in error and contrary to basic DC Zoning Regulations, injuring our community and AMNFA petitioners.

We explain our concerns and list citations, as well as answer questions supporting our BZA Form #125 which we have attached.

AMNFA submits this appeal sans fees pursuant to DCMR 11-3180.1 (e)(3).

AMNFA is an unincorporated non-profit citizens association created for the civic purpose to protect the personal and property interests of Adams Morgan residents, particularly as they relate to the luxury hotel project.

AMNFA has been active since early 2014 and was founded by long-term Adams Morgan residents. *See attached AMNFA Founding Document & Petitions.*

Appeal Merits: Initial Submission

Of particular concern to AMNFA is an absence of the proper administrative review of the proposed luxury hotel project. The subsequent zoning relief needed for the required buffer between the proposed huge commercial hotel complex with that of our community in the protected Reed-Cooke residential neighborhood has never been granted.

Long ago, AMNFA noticed the Zoning Administrator to our concerns, but he has ignored us. *See attached Letter to Mr. Matthew Legrant, DC Zoning Administrator, dated June 4, 2014.*

The DCRA “PIVs” site demonstrates confusion among DCRA zoning reviewers with regard to this project. *See attached PIV's screen capture.*

On May 13, 2015, it would seem Mr. Bembry at DCRA gave approval to the Zoning Review.

Zoning Review	Zoning Review Approved	05/13/2015	warren approved	Joseph Bembry	Joseph.Bembry@dc.gov
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Then on May 14, 2015, Mr. Warren, who we presume is another DCRA zoning reviewer, seemingly retracted the zoning approval and submitted his comments.

Zoning Review	Zoning Review - HFC	05/14/2015	1. provide 15ft. rear yard setback pursuant to 11 dcmr - 774.1 2. proposed parking must comply with 2115.10 3. submit a site per sub (surveyors plat) showing roof structures (per z. a.)	Ernesto Warren	ernesto.warren@dc.gov
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It would then seem a final determination to approve the zoning review came the same day the building permit was issued by DCRA. The zoning approval comes without any explanation, in writing or otherwise showing how the earlier zoning comments were addressed.

Zoning Review	Zoning Review Approved	06/05/2015	ernesto warren approved via applicaiton dated 5/13/2015.	Jeannette Anderson	jeannetteb.anderson@dc.gov
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AMNFA believes the Zoning Administrator and DCRA zoning reviewers are ignoring fundamental zoning issues at play in this project.

The underlying C-2-B district requires an open area to be located between the rear of the proposed hotel building and that of the rear lot line, a required 15 foot rear yard. *See*, 11 DCMR § 774.1.

Further, according to 11 DCMR § 1403.1(d) any commercial project to be located adjacent to a residential district must be situated on the subject site with a area buffer between them.

It is clear that the Planned Unit Development in ZC Case No. 11-17 did not grant relief of the needed rear yard buffer for either the 15 feet required by the C-2-B district, or the 25 feet required by the Reed-Cooke Zoning Regulations. *See attached Final Order in ZC Case No. 11-17, pages 10 and 11, under the section entitled, "Development Incentives and Flexibility Requested."*

The Zoning Regulations define "yard, rear" in part as "the yard between the rear line of a building or other structure and the rear lot line". *See*, 11 DCMR 199.1.

The Zoning Regulations also allow the property owner to select the "street frontage" of a

property where a lot abuts more than one street as is the case here. *See*, 11 DCMR § 199.1.

The Applicant, Adams Morgan Hotel Owner, chose Columbia Road as their street frontage.

Therefore, per the Zoning Regulations shown above, the required rear yard is to be located between the rear line of the new hotel building and the the lot line located between Lot 127 and Lot 809 of Square 2560.

However, the back of the new hotel is proposed to be “face-on-line” along the subject site rear lot line with no rear yard or buffer to the residential apartments and community to the south. This contradicts the underlying zoning for a C-2-B district as well as the Reed-Cooke regulations as outlined above.

AMNFA seeks redress of this gross miscalculation in that the relief of a rear yard was never evaluated, mitigated or ultimately granted by any DC agency.

If the required rear yard is included as part of this project, most of the adverse impacts presented – traffic, noise, pollution, light and air and privacy issues, impacts to neighborhood utilities, and others – will be lessened significantly.

Currently, this project is proceeding against the intent of the Zoning Regulations by not taking into account at all how a project of this magnitude, type of use, and at this proximity will affect the surrounding neighborhood.

REMEDY / REQUEST

- 1) AMNFA requests BZA Commissioners to, *Sua sponte*, make a determination that the permit holder / Applicant return to the Zoning Commission to “medicate” their lack of oversight in granting relief for the rear yard required.
- 2) In the alternative, and in accordance with DCMR 11-3100.2 & 11-3112.2, AMNFA requests an expedited robust hearing before the Board of Zoning Adjustment to review all impacts regarding this project and the lack of a commercial buffer with our residential neighborhood.

Besides obvious quality of life concerns we are raising, there are fire and emergency safety concerns at issue here, and if some catastrophic event were to take place which limits emergency access to this building and surrounding properties, the future stability and value of the surrounding neighborhood is also at risk.

Our presentation will evaluate adverse impacts and quality of life impacts, especially in context of a catastrophic emergency scenarios. We may choose to use expert witnesses to reflect this point of concern. We are also seeking pro-bono legal assistance in this matter.

Per DCMR 11-3112.2 (a), this appeal is timely filed, as in an abundance of caution AMNFA is filing this to coincide with the initial zoning review decision on May 13, 2015 as shown in the PIVs list.

Please contact us with any questions and to inform us when this case has been docketed.

Regards,

/s/n Cassandra Joseph

Cassandra Joseph
2201 Champlain Street, NW #103, Washington, DC 20009
(202) 930-2660, amneighbors@openmailbox.org

Attestation of Service

I, Cassandra Joseph, attest that on this the 10th day of July, 2014, I submitted this *Appeal of the Building Permit #B1410380* to the BZA via the IZIS system, and then put this appeal document in regular post mail on the same day to the following parties:

Advisory Neighborhood Commission 1-C
P.O. Box 21009 , Kalorama Station
Washington, D.C. 20009

For Adams Morgan Hotel Owner, LLC
Philip T. Evans, Esq. At Holland & Knight
800 17th Street NW, Suite 1100
Washington, DC 20006

Matthew Legrant, Zoning Administrator
DC Department of Consumer and Regulatory Affairs
1100 4th Street SW, Room 3100
Washington, DC 20024

Signed by,
/s/n Cassandra Joseph
Cassandra Joseph
2201 Champlain Street, NW #103
Washington, DC 20009

Track Status of Building Permit Application

To review the status of an application, enter the Application ID or Property Address below and click find to continue. Please note that the application status is refreshed every night at 3.00 AM so the status you see below reflects the updates from the day before.

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Application Status:

Please see the table below for review statuses. The table is not shown if the reviews have not been identified. A blank Status date means that the initial review has not been completed.

ApplicationID	Date Filed	Full Address		Agent Name		Phone Number
 B1410380	07/30/2014	1770 EUCLID ST NW		FVI2020		240-328-8357
	Discipline	Review Status	Status Date	Review Comment	Reviewer Name	Reviewer Email
	Wall Check Verification					
	Structural Review	Structural Review - HFC	10/23/2014	tpr notes plans pending review.	Aaron Easterling	Aaron.Easterling2@dc.gov
	Structural Review	Structural Review - HFC	01/07/2015	tpr notes pending review of sister agenices and structural.	Aaron Easterling	Aaron.Easterling2@dc.gov
	Green Review	Green Review - HFC	01/08/2015	green review: • this project is over 100,000 square feet but the project is being claimed on the application as 48,000 square feet. please revise. • this project is over 100,000 square feet and new construction; therefore	David Kaiser	david.kaiser@dc.gov

			it is subject to the green building act of 2006. as such, please invite green.building@dc.gov to your leed online account and provide the leed id number in the project application. • per the green building act of 2006, please provide an energy star target finder score. energy review: • please provide a pdf set of mechanical for quality assurance review of the energy code. a review of the energy code will occur once the project provides the above information. • for your information, dcra is instituting an energy verification sheet for all new project applications after february 1, 2015 to assist in your energy code plan review. information about this energy verification sheet can be found here: http://dcra.dc.gov/page/energy-verification-worksheets and training dates for the energy verification sheets can be found here: http://dcra.dc.gov/event/energy-verification-sheet-training-evs. please inform your clients of the requirement to submit this documentation starting for new applications after february 1st.		
Zoning Review	Zoning Review - HFC	02/13/2015	1. provide a dc official surveyors plat showing proposed footprint (as approved by the zoning commission case no. 11-17) 2. provide plans as submitted to the commission on october 31, 2012 as indicated on page 26 of order 11-17 3. provide a copy of "memorandum of understanding" mentioned on page 28 of order 11-17 4. prior the issuance of the building permit, provide a covenant between the property owner and the district of columbia as established on page 33 of order 11-17	Ernesto Warren	ernesto.warren@dc.gov
DDOE Review	DDOE Review Approved	03/20/2015	approved at first st. ne-abdi.	Charles Edwards	Charles.Edwards@dc.gov
Zoning Review	Zoning Review - HFC	04/07/2015	1. applicant failed to address previous comments. 2. proposed structure exceeds 3.99 maximum f.a.r. approved by the zoning commission (see page 26 a.2.) the total gross floor area shall not exceed 168,809 sq. ft. the proposed gross floor area according to plans submitted is 234,552 sq. ft. 3. provide 15 feet rear yard required under title 11 section 774.1. z.c. does not provide relief from rear yard set back requirements. 4. submit a detailed and fully dimensioned	Ernesto Warren	ernesto.warren@dc.gov

			surveyors plat. plat must indicate all setbacks roof structures, access, etc. 5. provide a copy of recorded covenant between owner and the district of columbia (required per zoning order case11-17) 6. provide proof of compliance with subparagraph (c.) on page 27 of z.c. order no. 11-17. provide specifications of noise barrier as established on the zoning order: "in accordance with the best noise reductions standards in the industry"		
Zoning Review	Zoning Review - HFC	05/05/2015	1. address entire list of comments issued on 4/7/2015. submit a response letter addressing every comment pending from 4/7/2015.	Ernesto Warren	ernesto.warren@dc.gov
Zoning Review	Zoning Review - HFC	05/05/2015	1. zoning technician met with architect alistair gellatly and project manager seth dubner. covenant and mou were provided, mr. gellatly will send calculations of f.a.r. per cad software.	Ernesto Warren	ernesto.warren@dc.gov
WASA Review	WASA Review Approved	05/07/2015		Aaron Easterling	Aaron.Easterling2@dc.gov
HPRB Review	HPRB Review Approved	05/11/2015		Frances McMillen	Frances.mcmillen@dc.gov
Zoning Review	Zoning Review Approved	05/13/2015	warren approved	Joseph Bembry	Joseph.Bembry@dc.gov
Structural Review	Structural Review Approved	05/13/2015	ben johnson approved	Joseph Bembry	Joseph.Bembry@dc.gov
DDOT Review	DDOT Review Approved	05/13/2015	davis approved	Joseph Bembry	Joseph.Bembry@dc.gov
EISF Review	EISF Review Approved	05/13/2015	taylor approved	Joseph Bembry	Joseph.Bembry@dc.gov
Zoning Review	Zoning Review - HFC	05/14/2015	1. provide 15ft. rear yard setback pursuant to 11 dcmr - 774.1 2. proposed parking must comply with 2115.10 3. submit a site per sub (surveyors plat) showing roof structures (per z. a.)	Ernesto Warren	ernesto.warren@dc.gov
Green Review	Green Review - HFC	05/20/2015	please identify which energy code compliance pathway the project is seeking. dcra has 6 energy compliance paths that we allow: 1) 2013 dc energy code prescriptive 2) 2013 dc energy code performance (energy modeling) 3) ashrae 90.1-2010 prescriptive 4) ashrae 90.1-2010 performance (section 11, energy modeling) additionally, dcra's green building division is allowing two additional approaches to provide time savings relative ashrae 189.1, green communities, etc: 5)	David Kaiser	david.kaiser@dc.gov

			energy model 18% better than ashrae 90.1-2007 appendix g 6) energy model 5% better than ashrae 90.1-2010 appendix g with option (5) or (6), the design team still needs to choose either 2013 dc energy code or ashrae 90.1-2010 to identify and comply with mandatory minimums of the current code. additionally, per previous requests and reviews, per the green building act of 2006 the project needs to provide an energy star target finder report and access to the leed online account by inviting green.building@dc.gov to the the project.		
Green Review	Green Review - HFC	06/02/2015	per 2012 iecc prescriptive path selected. • per c402.4.5.1 please clarify whether the stairwells include barometric or air relief, or if the static pressure system is controlled such that no relief is necessary. • per c403.4 please indicate how ahu s-1, s-3 and g-1 will be providing economizers. the sequence of operation regarding the cooling tower and condenser water does not appear to be providing economizer control. • per c403.3.1.1.4 please indicate how air-handlers using air-side economizers will be providing relief air. • per c404.7 and associated subsections, please indicate how the pool will comply with energy efficiency requirements. • per table c403.2.3.(8) please provide supplemental documentation indicating how the cooling tower will comply with minimum efficiency requirements. • per c403.2.5.1 please indicate how the project will be complying with demand controlled ventilation for spaces larger than 500 square feet and occupancies greater than 25 people per 1000 square feet. • per c403.2.6 please indicate how spa/ concourse and ground floor areas will be meeting energy recovery ventilation system requirements.	David Kaiser	david.kaiser@dc.gov
Zoning Review	Zoning Review Approved	06/05/2015	ernesto warren approved via applicaiton dated 5/13/2015.	Jeannette Anderson	jeannetteb.anderson@dc.gov
Green Review	Green Review Approved	06/05/2015	approved. leed id #1000031442	David Kaiser	david.kaiser@dc.gov
Issue Permit	Permit Issued	06/05/2015		Patrice Derricott	Patrice.Derricott@dc.gov

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Cassandra Joseph, President
Champlain Court Cooperative
2201 Champlain Street, NW
Washington, DC 20009

Matthew LeGrant, Zoning Administrator
DC Department of Consumer and Regulatory Affairs
1100 4th Street S.W., Room 3100
Washington, DC 20024
matthew.legrant@dc.gov

June 4, 2014

Dear Mr. Legrant,

We are writing on behalf of the Champlain Court Cooperative, as well as many long-standing residents including leaders of the local civic groups and families who will be directly affected by the proposed Adams Morgan luxury hotel project.

We were alerted in early May 2014, that a proposal will soon be at your desk for your review which seeks your permission to build a hotel on the combined Lots 872, 875, 127 located in Square 2560 in Ward One, Washington, DC. The aforementioned Lots are consolidated into one zone district C-2-B, and are all responsive to the Reed-Cooke zoning overlay (Chapter 14 of the Zoning Regulations).

We understand that as DC's Zoning Administrator (ZA) you are tasked with ensuring building permits are not issued in contravention of the DC Zoning Regulations, thus we are asking you to not permit the construction of the proposed hotel project as it is currently configured.

INTRODUCTION

The hotel is a large-scale entirely commercial project – an eight story, 227-room luxury hotel with large commercial spa, pool, kitchen, restaurant, bars – that will have at least three underground levels of parking for more than 150 hotel guest vehicles, plus a large loading facility to accept daily deliveries by many large trucks.

The hotel will be sitting right at the center of Adams Morgan, to be sited at the corner of Euclid and Champlain Streets, NW, and adjacent to a residential community to the south and to the east. It received zoning approval in 2013 with very little review or analysis of adverse impacts to the surrounding residential community. This is why we are writing, to ask for your authorized intervention as DC's Zoning Administrator.

This hotel project seeks exceptions to the Zoning Regulations which exceed the authority of the PUD standards, challenge the Reed-Cooke Overlay and contravene the Zoning Regulations of

the underlying C-2-B district, as well as the DC Comprehensive Plan.¹

EXCEPTIONS TO THE REED-COOKE OVERLAY ZONING REGULATIONS

The proposed hotel project seeks exceptions to the objectives of the Reed-Cooke Overlay, particularly the Zoning Regulations that encourage small scale development that won't negatively impact the surrounding neighborhood in the context of environment, noise, traffic, safety, etc.

- 11 DCMR § 1402.2 The purposes of the RC Overlay District shall be to:
- (a)(3) Encourage small-scale business development that will not adversely affect the residential community;
 - (c) Protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts; and

On its face, this hotel project is not small scale and therefore is an exception to the Reed-Cooke Overlay regulations, especially when reviewing the project in context of the surrounding small-scale commercial entities.

To our knowledge, the only impact studies on record to date is an applicant-driven traffic study and a fiscal impact study. There has never been any evaluation or studies conducted of these other types impacts shown by the aforementioned Reed-Cooke Zoning Regulations in order to determine if the hotel project would indeed not be damaging to the surrounding community.

We are unaware of any protections that have been put in place to mitigate against hotel impacts on parking, the environment, and to the social context of this neighborhood, including pedestrian safety given the two elementary schools located within two blocks from the site.

Projects like the hotel which require exceptions to the Reed-Cooke Zoning Regulations are subject to:

- 11 DCMR 1403.1
- (c) Adequate off-street parking shall be provided for employees and for trucks and other service vehicles;
 - (e) Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences;
 - (g) The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.

1 DC Comprehensive Plan Policy IM-1.3.5: District Government Compliance :: Ensure continued compliance by the government of the District of Columbia with the provisions and standards of its building and zoning regulations in all parts of the city.

In contradiction of 1403.1 (e) and (g) and as just noted, absolutely no findings of fact made by the applicant and/or any City agency can be found on the public record to determine the level of adverse impacts (noise, air quality, pedestrian safety, environmental, social, infrastructure, parking, etc.) that will arise from situating the hotel in close proximity to our residential Reed-Cooke neighborhood, one denoted as a Neighborhood Conservation Area on the DC Generalized Policy Map.

Further, contrary to 1403.1(c), neither the applicant nor any City agency has thus far ensured the provision of any "adequate off-street parking" to be "provided for employees and for trucks and other service vehicles." Let alone any tour bus management drop-off/pick-up plans in writing that will prevent significant hotel bus impacts on our neighborhood. When will this happen?

To bring this project in line with the standards of the Reed-Cooke Overlay Zoning Regulations, we would request that as the Zoning Administrator you require an Environmental Impact Study be conducted. By doing so, you will ensure protection from any damaging impacts a project of this size, type of use, and in such close proximity can have on a sensitive residential community. Thus, an EIS will help you and your department, as well as the public, determine any needed mitigation techniques that can temper any identified adverse impacts to our Reed-Cooke neighborhood before the issuance of a construction permit.

NON-COMPLIANCE WITH THE UNDERLYING C-2-B ZONING DISTRICT

The PUD Standards as denoted in DC Municipal Regulations Title 11, Chapter 24 clearly state:

11 DCMR § 2400.4 While providing for greater flexibility in planning and design than may be possible under conventional zoning procedures, **the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations**, nor to result in action that is inconsistent with the Comprehensive Plan.

The limitations of PUD flexibility is elaborated in DC Municipal Regulations Title 11, Chapter 24 which state:

11 DCMR § 1402.2 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**.

The underlying C-2-B district requires an open area to be located between the rear of the proposed hotel building and that of the rear lot line, a required 15 foot rear yard. See, 11 DCMR § 774.1.

The Zoning Regulations define "yard, rear" in part as "the yard between the rear line of a building or other structure and the rear lot line". See, 11 DCMR 199.1.

The Zoning Regulations also allow the property owner to select the “street frontage” of a property where a lot abuts more than one street as is the case here. *See*, 11 DCMR § 199.1.

The Applicant, Adams Morgan Hotel Owner, chose Columbia Road as their street frontage. The historic church located on Lot 872 in Square 2560 is intended to be re-addressed to 1780 Columbia Road, NW. The church will be converted into the main hotel lobby, welcoming guests at the front of the hotel building fronting on Columbia Road. The church lobby will be connected to a newly constructed hotel tower located to the south on top of Lots 875 and 127 in Square 2560.

Therefore, per the Zoning Regulations shown above, the required rear yard is to be located between the rear line of the new hotel building and the rear lot line located between Lot 127 and Lot 809 of Square 2560. See, Board of Zoning Adjustment Order No. 18152 dated April 4, 2012.

However, the church and new hotel tower taken together as the entire hotel complex is proposed to be “face-on-line” along the subject site rear lot line with no rear yard or buffer between the entirely commercial hotel project and the residential apartments just adjacent to the south in contradiction of the underlying C-2-B rear yard area requirement.

Further, according to 11 DCMR § 1403.1(d), it is clear that when commercial projects of this magnitude and use are to be located adjacent to residential zone districts they must be situated on the subject site in a way that creates a clear buffer between them.

11 DCMR 1403.1 (d) If located within a C-2-B District, the use shall not be within twenty-five feet (25 ft.) of a Residence District, unless separated there from by a street or alley.

We seek your redress of the gross miscalculation that would result if absolutely no protective buffer is placed between a busy commercial complex and our small-scale residential community.

CONCLUSION

On behalf of the many Adams Morgan civic leaders and residents, many of whom will be directly and concretely impacted by the proposed Adams Morgan luxury hotel project, and who helped fulfill the research for what we hope is our thoughtful letter to you, we have two requests:

- ***We'd like to ask you as the ZA to require the legally mandated 25-foot buffer, or in the alternative, a 15-foot rear yard to act as a protective buffer between the subject commercial site and the adjacent residential lots to the south per the Zoning Regulations.***
- ***We'd like to ask you as the ZA to request an official Environmental Impact Study (EIS) be conducted to ensure that this project meets and advances the purposes of the Reed-Cooke Overlay Zoning Regulations, the zoning code that seeks protections from potential damaging impacts the hotel project presents, impacts which will be made clear by an EIS.***

We'd like to ask that any of your findings and conclusions be made in writing in a responding to these two requests as soon as possible given your busy schedule.

We look forward to working on these efforts together with you to make sure this hotel project is completed in a way that meets the objectives and requirements of DC's Zoning Regulations, especially the Reed-Cooke regulations which seek to protect our community from any unnecessary adverse impacts that we can collaboratively develop mitigation plans for ahead of permit issuance and the start of construction.

Respectfully submitted,

A handwritten signature in black ink, reading "Cassandra R. Joseph". The signature is fluid and cursive, with the first name "Cassandra" being more prominent than the last name "Joseph".

Cassandra Joseph, President
Champlain Court Cooperative
202-595-0661

***On Behalf of Key Participating Volunteers and Affected Residents with Adams Morgan
Neighbors for Action: Hotel Impact Group and the Champlain Court Cooperative***



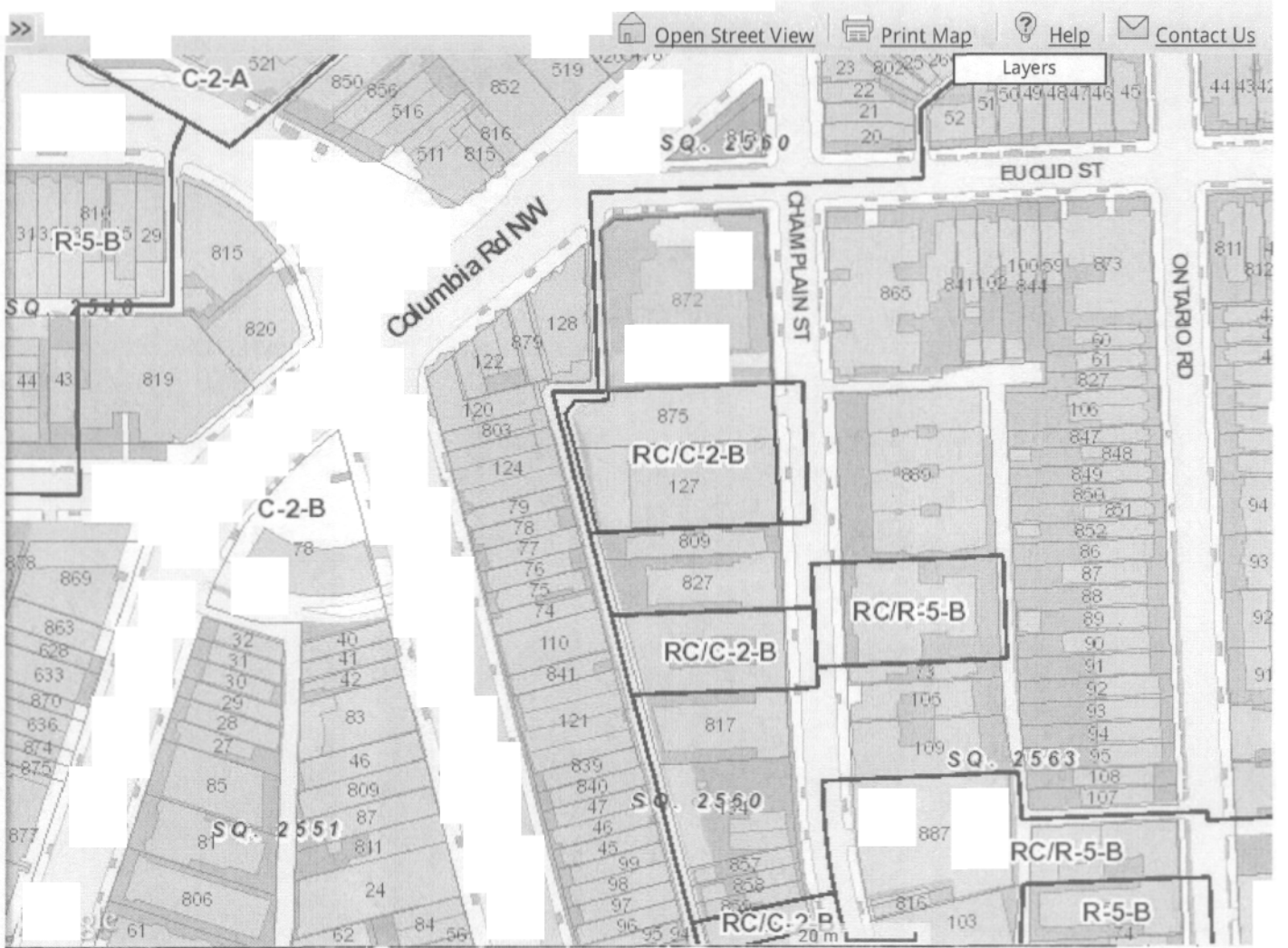
DC Zoning Map

Address



1770 euclid street nw

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

ZONING COMMISSION ORDER NO. 11-17

Zoning Commission Case No. 11-17

Adams Morgan Church Hotel, LLC

**(Consolidated Planned Unit Development and Related Zoning Map Amendment for
Square 2560, Lots 127, 872, and 875)**

February 25, 2013

Pursuant to notice, the Zoning Commission for the District of Columbia ("Commission") held public hearings on September 6, September 13, October 10, and October 22, 2012, to consider amended applications from Adams Morgan Church Hotel, LLC, (along with successor entity Adams Morgan Hotel Owner, LLC, the "Applicant") for consolidated review and approval of a planned unit development ("PUD") and related Zoning Map amendment from the RC/C-2-B and R-5-B Zone Districts to the RC/C-2-B Zone District for properties in Square 2560 known as Lots 127, 872, and 875. The Applicant had initially requested that the properties be re-zoned to C-2-B. The Commission considered the applications pursuant to Chapters 1, 24, and 30 of the Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearings were conducted in accordance with the provisions of § 3022 of the Zoning Regulations. For the reasons stated below, the Commission hereby approves the Applications with conditions.

FINDINGS OF FACT

The Applications, Parties, and Public Hearing

1. On July 29, 2011, Adams Morgan Church Hotel, LLC, filed applications on behalf of First Church of Christ, Scientist, Washington, D.C. ("First Church"), owner of Lots 872 and 875 in Square 2560, and on behalf of Glancer Properties, LLC ("Glancer"), owner of Lot 127 in Square 2560 (Lots 127, 872, and 875, collectively, the "Property") for consolidated review and approval of a PUD and related Zoning Map amendment from a mix of RC/C-2-B and R-5-B to the C-2-B Zone District for the Property (collectively, the "Applications") to facilitate the preservation and redevelopment of the century-old First Church Building in the Adams Morgan neighborhood into the centerpiece and main entrance of a boutique hotel (the "Project").

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.
46. The Property will be extensively landscaped, especially in the areas surrounding the Church Building, and the existing fencing will be removed. Several green roofs are proposed at various levels of the new construction.
47. A total of 132 parking spaces will be provided in four levels below the new addition, including six spaces devoted to car-sharing services and two spaces serving electric charging stations. The parking facility will be valet-serviced. Bicycle parking facilities will also be provided in the parking area.
48. The Property will contain approximately 42,283 square feet of land area and approximately 168,858 square feet of gross floor area, resulting in a total building density of approximately 3.99 FAR, all of which will be devoted to hotel and accessory uses. Building height will be 72 feet measured to the top of the roof from Euclid Street, N.W.
49. To accomplish this program, the Applicant seeks consolidated PUD review and approval for the Property and a related Zoning Map amendment from the existing RC/C-2-B and R-5-B to RC/C-2-B zoning.
50. The Applicant has indicated that it intends to pursue sustainability certification for the Project under the United States Green Building Council's LEED New Construction (NC) for Silver rating.

Development Incentives and Flexibility Requested

51. The Applicant requests the following areas of flexibility from the C-2-B requirements and PUD standards to facilitate development of the Project:

- a. To provide multiple roof structures, of varying heights, not all of which meet the 1:1 setback requirement from the exterior walls of the building; and
 - b. To provide fewer than the required number of parking spaces pursuant to § 2101 of the Zoning Regulations (146 spaces are required; 132 spaces are proposed).
52. No additional zoning flexibility from the requirements of the Zoning Regulations was requested or granted.
53. In addition, the Applicant is seeking the following areas of flexibility in the design of the project:
- a. To modify the design of the Project as required by the HPRB pursuant District of Columbia Law the Historic Preservation Act,¹ provided that those changes do not increase any of the areas of relief granted by the Zoning Commission;
 - b. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the buildings;
 - c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of materials;
 - d. To make minor refinements to exterior details and dimensions, including belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit; and
 - e. To vary the final selection of landscaping and vegetation types as proposed, based upon availability at the time of construction and finalization of site grading and utility plans.

Public Benefits and Project Amenities

54. The Commission finds that the following superior benefits and amenities will be created as a result of the Project:
- a. *Urban Design and Architecture.* The Project offers preservation and reuse of the pending landmark Church Building consistent with the specific direction of the

¹ The formal name of which is the Historic Landmark and Historic District Protection Act of 1978, D.C. Law 2-144; D.C. Official Code §§ 6-1101 *et seq.* (2008 Repl.).

Comprehensive Plan, contextual massing of new construction in relation to the Church Building and surrounding properties, high-quality design and materials compatible with surrounding vernacular, all undertaken in coordination with the HPRB and District's Historic Preservation Office. The Project also includes extensive landscaping, removal of the existing metal gate surrounding the Church Building and integration of common pathways and seating areas;

- b. *Site Planning and Efficient Land Utilization.* The Project makes efficient use of its shape and topography. The Project is also an efficient and economical use of land in that it will preserve and reuse the Church Building;
- c. *Effective and Safe Vehicular and Pedestrian Access and Transportation Management.* The Applicant has demonstrated that the Project will operate in an efficient and safe manner as a result of a number of initiatives that will be executed, including: enhancement to the current alley configuration through the grant of a non-exclusive surface easement across a portion of the Property; creation of a taxi queue along Euclid Street, N.W., upon public space permit approval; four levels of valet-only parking; implementation of a truck management plan; extensive landscaped pedestrian access; provision of car share, electric charging, and bicycle parking within the Project. Further, the Applicant has established a transportation demand management plan in coordination with DDOT;
- d. *Employment and Training Opportunities.* The PUD will provide an exceptional number of employment and training opportunities. Significant hotel and related permanent jobs are also anticipated at the site. To that end, the Applicant has entered into a First Source Employment Agreement with the District's Department of Employment Services ("DOES") in order to achieve the goal of utilizing District of Columbia residents for a significant percentage of the jobs created by the PUD. Applicant also has entered into a Certified Business Enterprise Agreement with District's Department of Small and Local Business Development ("DSLBD"). With regard to employment opportunities within the community, the Applicant has worked closely with a number of organizations to enhance this effort through focused hiring in Ward 1 and through a number of apprenticeship programs. To that end, the Applicant has entered into memoranda of understanding with: (1) the Adams Morgan Youth Leadership Academy ("AMYLEA") to provide administrative space within the Project as well as job opportunities for AMYLEA participants, who are youth and young adults residing in Ward 1; (2) the Sasha Bruce Youthworks to provide mentorship and construction internship opportunities in a variety of construction fields, including access to meeting space within the Project; (3) the Hospitality High School of Washington to coordinate with AMYLEA in identifying opportunities for

internships in the hospitality industry, including access to meeting space within the Project; and (4) the Greater Washington Hispanic Chamber of Commerce to attract Latino-owned businesses in connection with the construction and operation of the Project, including hosting by the Applicant of subcontractor expositions and educational seminars and networking events – all with the goal of increasing employment opportunities within the immediate community and among underrepresented populations;

- e. *Social Services/Facilities.* The Project addresses a number of important social services and facilities, including: the provision and fit-out of an approximately 4,000 square foot community center space within the Project for use by ANC 1C and community organizations; the refurbishing of Unity Park; requested materials and improvements to the following service providers within the immediate community – Marie Reed Learning Center, the HD Cooke Elementary School, Jubilee Jump Start, the Sitar Center, and For the Love of Children, as set forth in the Applicant's agreement with RCNA included as Exhibit 78;
 - f. *Environmental Benefits.* The Project's environmental benefits include a sustainability commitment to qualify for LEED NC 2009 Silver rating, installation of multiple green roofs as part of the new construction, and extensive landscaping on the Property; and
 - g. *Uses of Special Value to the Neighborhood or the District as a Whole.* The PUD offers a host of uses not currently available to the Adams Morgan community. It will provide a hotel use, spa/health club use, improvement to the alley system in Square 2560 by virtue of the grant of a non-exclusive vehicular easement; improvements to grounds of the Marie Reed Learning Center; and an extensive residential public space maintenance in the form of trash patrol and general public maintenance across a sizeable area within the Adams Morgan community. As noted in several pieces of correspondence received in support of the Application, the hotel will also provide a daytime commercial anchor and catalyst in the Adams Morgan community.
55. The Commission finds that the PUD is acceptable in all proffered categories of public benefits and project amenities, and is superior in public benefits and project amenities relating to urban design and architecture, effective and safe vehicular and pedestrian access and transportation management, employment and training opportunities, social services and facilities, environmental benefits, and uses of special value to the neighborhood. These proffered benefits and amenities are appropriately balanced against the requested development incentives for the Project, namely a seven-foot increase over the matter of right permitted building height and approximately 20,719 square feet of density over the matter of right limit.