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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM:  Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: September 28, 2009

SUBJECT: BZA Case 17337 - Request for a special exception at 1743-1755 N Street NW

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the special exception request to allow the establishment of a hotel within the SP-1 zone at 1743-1755 N Street, NW. OP believes that relief from off-street parking requirements may also be needed, but the applicant has advised that conforming parking can be provided.



II. AREA AND SITE DESCRIPTION

Address/Location:	1743-1755 N Street, NW
Legal Description:	Square 158; Lots 69, 835, and 836
Ward:	2
Lot Characteristics:	20,648 square foot property w/ approximately 150' of frontage on N Street; Property is comprised of several rectangular-shaped lots and is adjacent to a rear alley (north) of varying width
Existing Development:	Five vacant buildings, all of which are contributing historic structures and 4-5 stories in height
Zoning:	DC/SP-1
Historic Designation:	Dupont Circle Historic District
Adjacent Properties:	East: Tabard Inn hotel; West: United Auto Workers office building; North and South: mix of office, embassy, and multi-family residential buildings
Neighborhood Character:	Predominance of medium-density historic buildings converted for use as offices, hotels, institutional, and residential buildings.

III. APPLICATION IN BRIEF:

N Street Follies, LP, the applicant, has requested zoning relief to allow conversion and reuse of existing structures on the 1700 block of N Street, NW. The proposal would include a five-story addition at the rear of the existing buildings as well as the enclosure of an existing open court that fronts on N Street. The proposal has been revised since its last appearance at the BZA to reduce the amount of needed zoning relief. The applicant has requested a special exception, subject to the

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District of Columbia

CASE NO. 17337-A

EXHIBIT NO. 84



requirements of section 512, to allow a hotel use within the SP-1 zone. The Office of Planning believes the applicant may also require zoning relief from off-street parking requirements due to the size of the proposed addition and design of the proposed mechanical parking system.

IV. BACKGROUND

This request was initially submitted to the Board of Zoning Adjustment in fall 2005. The initial request, also for a hotel use, required additional zoning relief for building height, rear yard, FAR, court requirements, and roof structures. The applicant made revisions to the request in January 2006, which eliminated the need for rear yard, building height, and FAR variances. The project received a conceptual denial from the Historic Preservation Review Board in February 2006, after which the BZA voted to dismiss the case. The applicant appealed this decision to the DC Court of Appeals, which, in turn, remanded the case back to the BZA in June 2008. The current proposal, submitted in July 2009, includes additional revisions such that zoning relief is no longer needed for courts or roof structures.

V. PROPOSAL

The applicant is requesting zoning relief to allow renovation of the existing buildings as well as the construction of a 5-story rear addition to create a boutique hotel. The proposed hotel would have 98 guest rooms, an interior courtyard, meeting space, a health club, business center, and a spa. The proposal would retain portions of the existing historic structures and include new construction at the rear to create full fourth and fifth floors for the majority of the lot.

The proposed building height would be 57.1' and have an FAR of 3.99 overall. OP notes that while hotel uses have an allowable FAR of 4.0 within the SP-1 zone, this only applies to the areas of the building that contain guest rooms. OP has asked the applicant to provide additional information on the proposed FAR for non-guest room areas to ensure that it doesn't exceed the district maximum (2.5 FAR). Mechanical equipment is proposed to be located within a single enclosed rooftop penthouse.

The proposed parking and loading area would be located at the rear of the building, accessed via the alley. The applicant proposes a 98-space off-street underground parking garage for the hotel, to be accessed by valet parking staff only, via a mechanical lift system at the rear of the site.

VI. ZONING REQUIREMENTS and REQUESTED RELIEF

The entire property, as well as the adjacent parcels, is located within the DC/SP-1 zone. The Dupont Circle Overlay was created to ensure that new development was consistent with the scale and character of existing historic buildings in the area. The DC Overlay also seeks to enhance the residential character of the area by controlling the scale, height, and bulk of structures. As a result, all new development is limited to the height and floor area ratio standards prescribed by the underlying zone, even for planned unit developments. Special Purpose (SP) zones are designed to provide a buffer between certain commercial and residential zones. SP districts are transitional areas, typically adjacent to commercial zones with a mix of uses, and often contain buildings of historical significance. The SP-1 zone permits medium density development with a variety of uses including apartment buildings, institutions, embassies, and conversions to offices. Other uses such as new office buildings, hotels, and universities are also permitted, subject to special exception approval by the BZA.

Relief Requested

The applicant has requested a special exception to allow a proposed boutique hotel. Hotels are allowed as a special exception in the SP zone, subject to the provisions of § 512.

The applicant initially indicated that the proposal would not be subject to off-street parking requirements, due to the presence of contributing historic structures. However, the proposed addition exceeds 50% of the floor area of the existing buildings, and as such would require conforming off-street parking spaces per § 2101. OP cannot determine if the proposed mechanized parking system will meet the current regulations regarding the size, presence, and dimension of driveways, aisles, and parking spaces. It would appear to OP that, since the provided parking does not meet current standards, variance relief is required. The applicant contends that three levels of compliant parking spaces could be accommodated underground, given the existing space volume. The current proposal and drawings do not, however, demonstrate how this would be achieved.

VII. OFFICE OF PLANNING ANALYSIS

An analysis of the project against the relevant variance and special exception criteria is provided below. The hotel must meet the provisions of Section 512 to be permitted as a special exception in the SP-1 district:

512 HOTELS AND INNS (SP)

512.1 A hotel or inn shall be permitted as a special exception in an SP District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

512.3 The height, bulk, and design of the hotel or inn shall be in harmony with existing uses and structures on neighboring property.

The current proposal would be five stories tall, in keeping with the existing scale and design of the buildings on the site as well as other structures on the block. The rear addition would not be visible from the street, and the proposal maintains the existing front façade on N Street. While the proposed structure would occupy over 87% of the lot, this mass is broken up by a 2,400 square foot interior courtyard, which is enclosed with a glass curtain wall. In addition, the building would be set back along the northeast corner, allowing additional light and air to the existing use to the east. Finally, the proposed design and appearance of the buildings will be evaluated by the Historic Preservation Review Board (HPRB).

512.4 To ensure that the height, bulk, and design of the hotel or inn is in harmony with existing uses and structures on neighboring property, the Board may require special treatment in the way of design, building setbacks, screening, landscaping, sign controls, and other features as it deems necessary to protect neighboring property.

The project would be in compliance with the height and bulk standards for the SP-1 zone. Neighboring uses include an inn on the adjacent property to the east and an office building to the west, both of which are of a similar height. The project would add landscaping and streetscape improvements along N Street NW. The proposal would preserve much of the existing buildings and their current front facades. The project is subject to HPRB review and the applicant will have to satisfy any requirements regarding design, signage, and other features. Due to the narrow, heavily used alley, OP recommends that parking be limited to that required by zoning. OP does not anticipate the need for additional design requirements through the special exception process.

512.5 The approval of the hotel or inn shall result in a balance of residential, office, and hotel or inn uses in the SP district in the vicinity of the hotel or inn.

The Zoning Regulations do not provide a definitive definition of “vicinity”. The word is used a number of times in the regulations but rarely provides any geographical boundaries for the intent within that section. The subject square currently contains a mix of office, hotel, institutional, embassy, and residential uses. The immediate neighbor to the east is the Tabard Inn, a 40- room hotel and restaurant. The adjacent properties to the south and west are office buildings, while there are also multi-family residential buildings in the vicinity.

Uses in the SP-1 and SP-2 zones nearby have similar characteristics. The table below describes uses found both in SP-1 and SP-2 zones within a 7-8 block radius of the site. The uses were categorized based on tax assessor’s use code data found within our GIS system, augmented by on-site visual analysis. The percentages represent the number of lots associated with each use. Uses labeled “other” include vacant lots, private clubs, and federally owned land. Approximately 12.3% of the lots had no use code data at all in our system. The land uses for these lots were verified during a site visit to the area.

	Residential	Institutional	Office	Embassy	Hotel	Commercial	Other
SP-1 & SP-2 zones nearby	20.4%	6%	47.5%	8.7%	4.6%	1.7%	11%

As SP zones in this area are comprised largely of office buildings, the proposed conversion of vacant office buildings for use as a hotel should not have a negative impact on the existing balance of uses.

512.6 The gross floor area devoted to function rooms and exhibit space shall not exceed fifteen percent (15%) of the gross floor area of the hotel.

The applicant has indicated that less than 5% of the gross floor area of the hotel will be devoted to function rooms and exhibit space.

512.7 The hotel or inn shall be located within thirteen hundred feet of the Central Employment Area or a Metrorail station.

512.8 The thirteen hundred foot (1,300 ft.) distance required in § 512.7 shall be measured from the entrance of the hotel or inn that is closest to the main lobby and guest registration desk to the edge of the Central Employment Area or the entrance to the Metrorail station, following public rights-of-way.

The property is located within the Central Employment Area and within 1,300 feet of the Dupont Circle Metrorail station.

512.9 The Board may require more or less off-street parking spaces and loading berths than required by chapters 21 and 22 of this title to accommodate the activities of the hotel or inn, so as to avoid dangerous or other objectionable traffic conditions.

According to the applicant, the off-street parking requirement for the proposed addition would be 19 spaces. As such, the proposed 98 spaces is high. The proposed parking would be accessed from a heavily used alley system (access from the street would not be permitted). The proposed hotel is located within walking distance of Metro bus and rail lines and the applicant notes that many hotel patrons arrive by taxi. As a result, OP recommends limiting the amount of off-street parking to the number of spaces required by the Zoning Regulations.

512.10 The location and design of driveways, access roads, and other circulation elements of the hotel or inn shall be to avoid dangerous or other objectionable traffic conditions.

Access to the parking and loading areas would be from the rear alley. The building design and adjacent alley width should allow sufficient area for trucks and service vehicles to access the loading dock. In addition, the proposed off-street parking lot would only be utilized by valet parking staff, so the design would not increase public use of the alley.

The applicant also proposes a lay-by, or car drop-off area, in front of the hotel. OP, in keeping with comments expressed by DDOT, would discourage implementation of such a feature, which would result in the removal of on-street parking spaces as well as a reduction in sidewalk width. However, OP notes that this would be reviewed by the Public Space Committee. DDOT will likely address this issue in greater detail under separate cover.

Special Exception Relief - §3104

The general standards by which the BZA should review special exceptions are set forth in Section 3104.1 and listed below.

(a) Will the special exception be in harmony with the general purpose and intent of the Zoning Regulations and Maps?

Hotel uses are permitted in the SP-1 zone by special exception. The presence of such uses is anticipated within this zone, as evidenced by the specific criteria, outlined above, used to evaluate their impact on neighboring properties. In addition, the project meets the bulk and height regulations found within the SP-1 zone and preserves five contributing historic structures. As such, the requested special exception is in harmony with the purpose and intent of the zoning regulations.

(b) Will the special exception tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps?

The special exception request would convert several vacant office buildings for use as a hotel. The adjacent properties to the east are both hotel uses, while the remaining properties in the square are largely office buildings and embassies. The neighboring properties are similar in height as the proposed construction and the project has been designed to meet the current bulk standards for the zone. In addition, the mass of the proposed rear addition is broken up by a large interior court, enclosed in glass. While no side yard setback is required, the addition is set back at the northeast corner, providing additional light and air to the property to the east. The applicant has also proposed to provide off-street parking via a valet-only, mechanized parking system, to limit additional public use of the adjacent alley. Finally, the project would preserve several historic buildings and the addition has been

designed such that it would have a limited visual impact when viewed from the street. Approval of the requested special exception should not have an adverse affect on neighboring property.

VIII. COMMENTS OF OTHER DISTRICT AGENCIES

To date, no written comments have been received from other District agencies.

IX. COMMUNITY COMMENTS

ANC 2B discussed the request at their regular commission meeting on September 9, 2009, at which they recommended denial of the request.

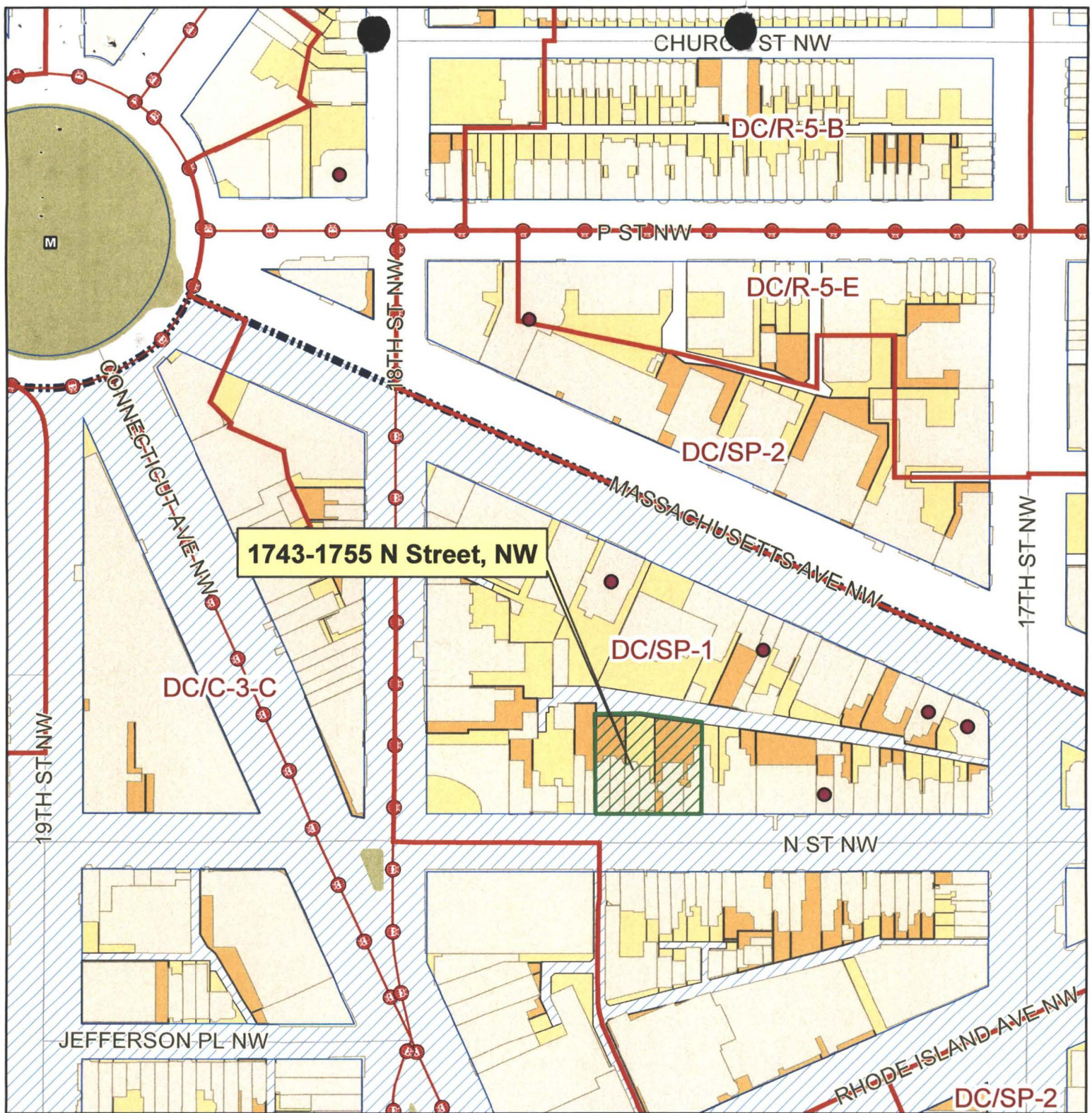
X. CONCLUSION AND RECOMMENDATION

Overall, the requested use would be in harmony with the general purpose and intent of the Zoning Regulations. OP recommends approval of the requested special exception to allow the establishment of a hotel within the SP-1 zone but recommends limiting the number of off-street parking spaces provided to that required by the Zoning Regulations.

JS/ayj

Arlova Jackson, Case Manager

Attachments: Exhibit 1 – Lot map showing building footprints
Exhibit 2 – Aerial photograph (2008)



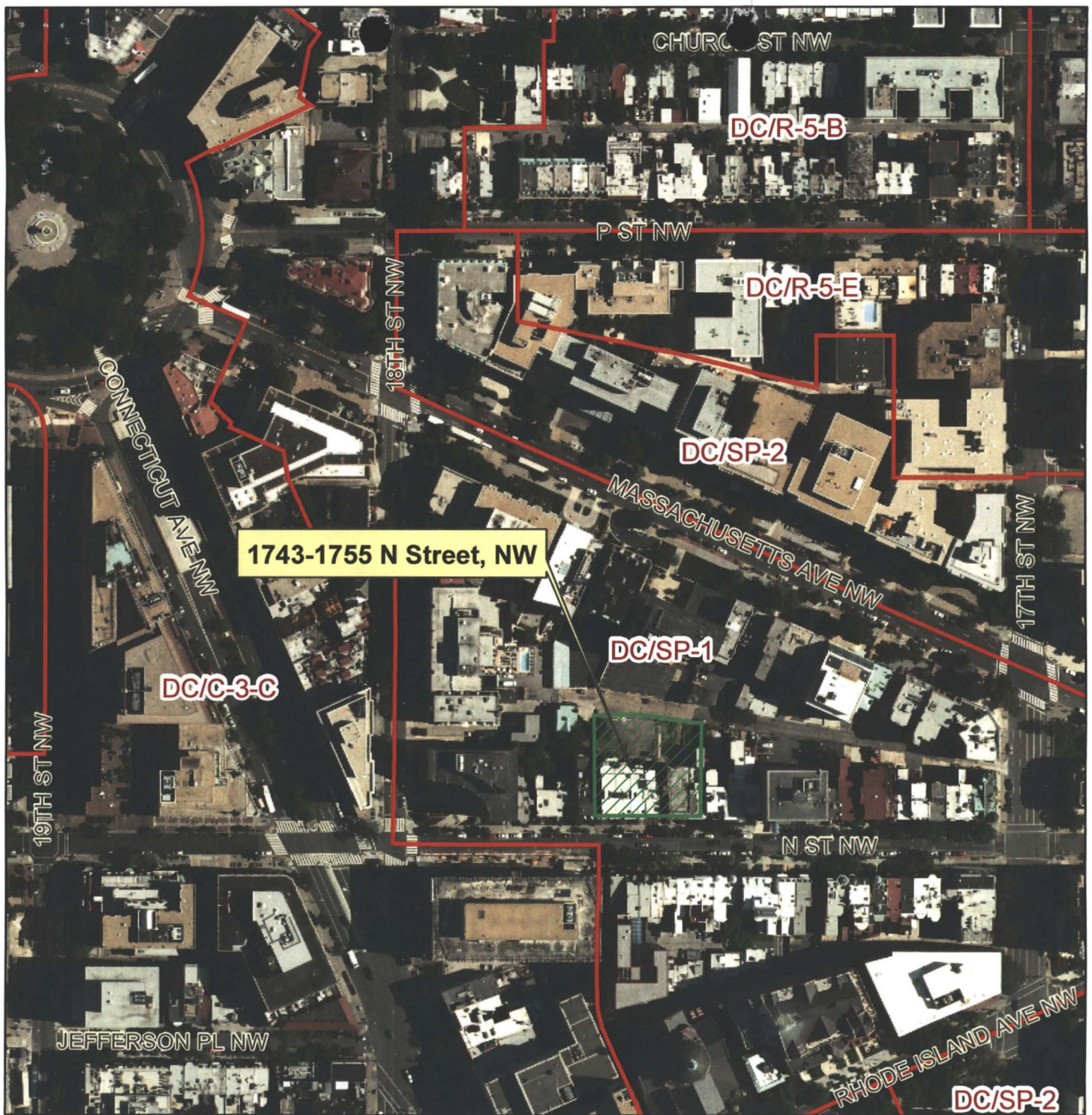
BZA 17337 - 1743-55 N Street, NW Exhibit 1 - Lot map w/ building footprints

Legend

- | | |
|--------------------------------|--------------------|
| Zoning Districts | Buildings |
| Property Squares | Parks |
| Central Employment Areas (CEA) | Embassies |
| Record Lots | Metro Bus Routes |
| Tax Lots | Metro Stations |
| | Street Centerlines |

Government of the District of Columbia
Office of Planning ~ August 19, 2009

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Legend

- Zoning Districts
- Street Centerlines

BZA 17337 - 1743-55 N Street, NW
Exhibit 2 - Aerial Photograph (2008)