GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17370
EXHIBIT NO. 34

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**MEMORANDUM**

**TO:** Board of Zoning Adjustment
**FROM:** Ellen McCarthy, Director, OP
**DATE:** October 11, 2005
**SUBJECT:** BZA Case #17370, 555 & 599 Massachusetts Avenue NW

## I. OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

**The Office of Planning recommends approval of this application, subject to receipt of information from the applicant's traffic consultant that the proposed number of parking spaces for the hotel use is adequate to meet anticipated parking needs.**

## II. APPLICATION-IN-BRIEF

**Location** 555 and 599 Massachusetts Avenue NW
Square 484, Lot 26; ANC 6C

**Applicant:** Holland & Knight LLP for 484 Hotel, LLC & 484 OPCO, LLC

**Zoning:** DD/C-2-C

**Proposal:** For the hotel component of the development, reduce the parking requirement by 25% and provide for attendant assisted parking.

**Relief Sought:** Special Exception to number of parking spaces, pursuant to §§2108.1 & 3104.
Variance to attendant assisted parking requirements, pursuant to §3103.

## III. THE SITE – Refer to Location Plan & Site Plan Attachments I & II

The 30,796 square foot subject property at 555 and 599 Massachusetts Avenue NW (referred to as 901 6th Street NW in the original application) is located on the southern portion of square 484, bounded by Massachusetts Avenue, N.W. to the south, 6th Street, N.W. to the west, I Street, N.W. to the southeast, 5th Street, N.W. to the east. The north portion of the square is developed with several commercial establishments.

The subject site is currently developed with a 155-suite hotel facing 6th Street NW and a 246-unit apartment building fronting onto Massachusetts Avenue, to the east of the hotel. Access to underground parking spaces for the residential development is provided from 5th Street NW; and to the hotel parking spaces from 6th Street NW. As constructed, there is no internal underground connection between two separate parking areas.

## IV. PROPOSAL

The applicant wishes to re-apportion 42 of the hotel spaces to residential use. These 42 spaces are currently beneath the residential building, and the buildings and underground parking were constructed to eliminate any internal connection to the other hotel parking spaces or to the hotel. The applicant also wishes to allow 13 attendant assisted valet parking spaces to be counted towards meeting the parking requirements for the hotel.

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## V. ZONING

The subject site has a base zoning of C-2-C, high density community business center and residential, and is within the Downtown Development Overlay District (DD). The DD/C-2-C District permits residential, hotel, office, retail and services uses at a maximum of 8.0 FAR with the condition that residential use at no less than 4.5 FAR must be provided in all new developments. An additional 0.5 FAR may be gained if dedicated entirely to residential use. Surrounding lands are also zoned DD/C-2-C or other high density residential or mixed use development. As part of BZA Case 16733, approved June 19, 2001, the BZA granted relief from Floor Area Ratio (for the residential building), Residential Recreation Space, and Court Width requirements for this site.

## VI. REQUESTED ZONING RELIEF

The applicant is proposing to re-apportion 42 parking spaces from hotel to residential use, for which Special Exception relief is required. 13 attendant assisted tandem spaces for use by the hotel development would also be provided, and the applicant is requesting variance relief to allow these spaces to count towards the hotel parking requirement.

| Standard | DD/C-2-C | As per Case # 16733 | Proposal [1] | Relief Required |
|---|---|---|---|---|
| Development Type: | Mixed commercial / residential | Hotel and Residential | Unchanged | |
| Lot Area: | | 30,796 sq.ft. | Unchanged | |
| Floor Area Ratio: (§402.5) | | | | |
| Hotel: | 3.5 | 3.5 | Unchanged | |
| Residential | 5.0 | 6.54[2] | | |
| Square Footage: | | | | |
| Hotel: | 107,786 sq.ft. | 107,100 sq.ft. | Unchanged | |
| Residential: | 153,980 sq.ft. | 200,000 sq.ft.; 200 units | 200,000 sq.ft.; 246 units[3] | |
| Lot Occupancy: (§403.2) | 80% | 80% | Unchanged | |
| Parking: (§2101.1) | | 209 total[4] | 221 total | |
| Hotel: | 1 / 2 guest rooms + 1 / 150 sq.ft. of largest function/exhibit space | 95 required; 117 provided | 88 required; 75 standard + 13 proposed tandem spaces | **Special Exception requested** |
| Residential: | 1 / 4 dwelling units | 50 required; 92 provided +9 tandem spaces | 62 required; 134 proposed +9 tandem spaces | |
| Attendant Assisted:(§2115) | | | 13 tandem spaces for Hotel | **Variance requested** |

1 Information supplied by the Applicant
2 A variance to FAR was approved by the BZA as part of Case # 16733; variances to residential recreation space and court width were also granted.
3 46 additional units were constructed within the approved building size.
4 Includes "vault" spaces constructed beneath road right-of-way area.

**1. Special Exception Relief:**

The hotel portion of the development is required to provide 95 parking spaces; and currently provides 117 parking spaces. The applicant wishes to reallocate 42 hotel spaces for exclusive residential use, reducing the hotel parking to 88 spaces; 75 conforming spaces plus 13 tandem spaces for which separate variance approval is required. §2108 permits a 25% reduction in required parking by special exception, in accordance with the following provisions:

**2108 REDUCTION OF PARKING SPACES: AUTHORITY OF THE BOARD**

*2108.1 The Board of Zoning Adjustment is hereby authorized to reduce the amount of parking spaces required for nonresidential uses under § 2101.1 in accordance with the requirements of § 3104 for special exceptions, pursuant to the provisions of this section.*

*2108.2 The amount of required parking spaces shall not be reduced by more than twenty-five percent (25%); provided, that for a use that is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).*

Hotel is a listed use in § 2101.1, so the maximum amount for which the BZA can grant special exception relief is 25%. 117 parking spaces are required and 88 are proposed (13 of which require variance approval for their inclusion) – a 25% reduction.

*2108.3 The Board shall give consideration to the:*

*(a) Nature and location of the structure;*

The hotel is located downtown, within walking distance of the new Convention Center and within walking distance of the Gallery Place Metro Station, which provides direct access to Union Station and National Airport. As such, the applicant notes that many guests will use taxis or other means of public transport, rather than private vehicles.

*(b) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;*

The hotel has 228 guest rooms. The hotel does not include destination restaurant or retail space, and function / exhibit space is very limited, so should generate little if any non-guest traffic for which on-site parking is necessary.

*(c) Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood;*

As noted above, the location and internal layout of the hotel would minimize the number of private automobiles requiring on-site parking. Massachusetts Avenue Ave NW would be expected to carry the bulk of traffic to and from the hotel use – there should be limited traffic through the neighborhood along other streets. The applicant notes that a traffic consultant will establish that the proposed parking space amounts are adequate for the hotel use – OP is awaiting this information.

*(d) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the building or structure is in use; and*

Like many downtown neighborhoods, there is little available street parking in the

neighborhood that would be available for hotel use parking. The proposal may reduce resident-related street parking.

(e) *Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area or a ride-sharing program approved by the D.C. Department of Transportation.*

The property is within walking distance of the Gallery Place and Mt. Vernon/Convention Center Metro Stations. Numerous bus lines operate within a block of the site, including the DC Circulator bus route which connects Union Station to Georgetown.

2108.4 *If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.*

Not directly applicable in this case, since the parking reduction would be for a hotel use, although a ride-sharing program for employees of the hotel could reduce overall parking requirements. The application does not indicate any form of dedicated bus shuttle service from local airports.

2108.5 *Prior to taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation (DDOT) for review and report.*

The Office of Planning requested comments from DDOT, but had not received comments as of the date that this report was required to be submitted.

**Will the special exception be in harmony with the general purpose and intent of the Zoning regulations and Maps?**

Overall, the project would continue to provide more than the required amount of parking, but would reallocate some of the required hotel spaces, which the applicant asserts are underutilized, to residential use. The reduction in hotel parking spaces is within the amount permitted by special exception, subject to approval of the tandem spaces by variance, discussed below.

**Will the special exception adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps?**

The relief would allow the reallocation of underutilized hotel parking spaces for use by residents of the apartment building, thereby reducing the likelihood of residents parking on the street and potentially reducing the potential impact of the development as a whole on the surrounding neighborhood, provided the reduction in hotel parking does not result in employees or guests utilizing street parking.

**2. Variance:**

The applicant has identified an area within the existing hotel parking garage in which 13 attendant assisted tandem parking spaces could be located. As these spaces would not have direct access without requiring the moving of another vehicle, they would not normally be permitted to be counted towards satisfying parking requirements. However, §2115.9 permits attendant assisted tandem spaces to be counted toward satisfying zoning regulation parking space requirements in other zones which permit high density commercial development, including the C-3-C, C-4, C-5 and CR Districts. The subject property is within the C-2-C District, so this regulation does not apply, although the

proposal would appear to otherwise meet the requirements of this section. The applicant has requested variance relief from this section, to allow 13 tandem spaces to be counted towards meeting the required parking amount.

**Does the property exhibit specific uniqueness with respect to exceptional shape, narrowness, shallowness, topography or other extraordinary or other exceptional situations or conditions that impose a practical difficulty to the applicant?**

In this case, the buildings are constructed, and the form of the building and the parking area has resulted in space that could be utilized for parking in a tandem form, when needed. The requested variance would allow a more efficient use of the parking area, through attendant assisted parking. Like most hotels, the hotel currently has a 24 hour valet parking service. Along with the special exception relief described above, the variance appears to permit a more functional allocation of parking spaces between the residential and hotel structures.

**Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?**

The requested variance would allow utilization of existing internal space within the parking area – the form or bulk of the building would not increase. The variance, along with the special exception request to reduce the hotel parking, would also allow the use of inefficient and, according tot eh applicants, underutilized hotel parking spaces by the residents of the apartment building and thereby potentially reducing street parking demands and traffic around this site. The variance and special exception, together, would not impair the integrity of the zoning regulations, and would have no impact on the Zoning Map.

## VII. RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The site is designated high density mixed use residential / commercial on the Comprehensive Plan Generalized Land Use Map – the existing development conforms to this designation, and the proposal to re-allocate parking would have no impact. The proposal to maximize effectiveness of existing parking supply on this site would also be consistent with Downtown District (Chapter 9) objectives for parking and transportation. The site is within the Downtown Metro Development Area, and within the Central Employment Area.

## VIII. ADVISORY NEIGHBORHOOD COMMISSION (ANC) COMMENTS

The applicant has advised OP that the proposal received a positive recommendation from ANC 6C at its July 13, 2005 meeting.

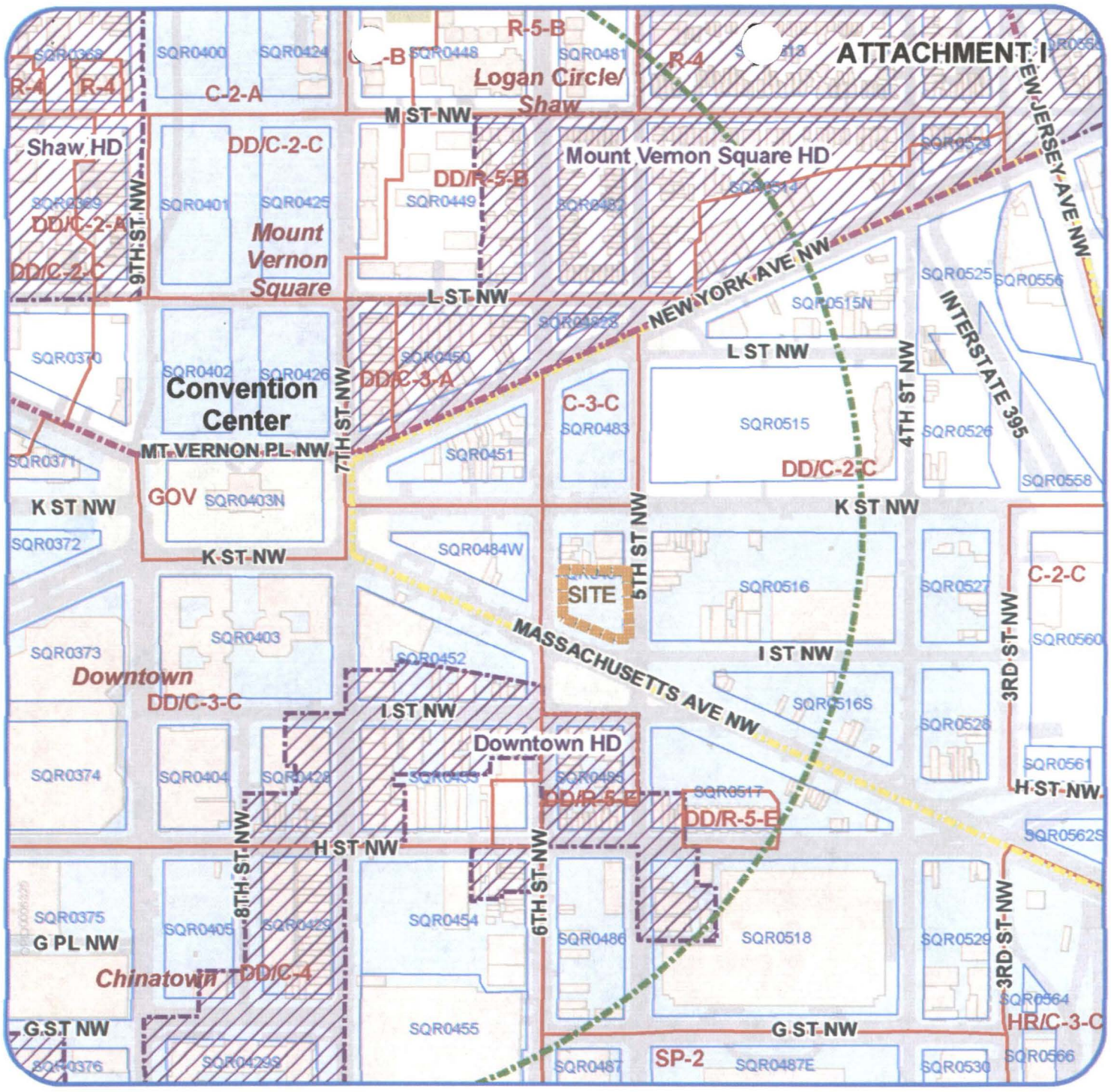
## IX. OP SUMMARY RECOMMENDATION

The Office of Planning recommends that this application be approved, subject to receipt of information from the applicant's traffic consultant that the proposed number of parking spaces for the hotel use is adequate to meet anticipated parking needs. This recommendation is consistent with the Comprehensive Plan and Generalized Land Use Map, and would not undermine the integrity of the Zoning Regulations.

EM/jl

**ATTACHMENTS:**

I. Location Plan
II. Site Plan




## Legend

- Zoning Districts
- Property Squares
- DC Parks
- National Parks
- Historic Districts

**District Revitalization**

- Convention Center
- Mount Vernon Sq.
- Mt. Vernon Triangle
- Central Emp't Areas

# BZA Case 17370
# 555 & 599 Massechusettes Ave. NW
# Context Plan

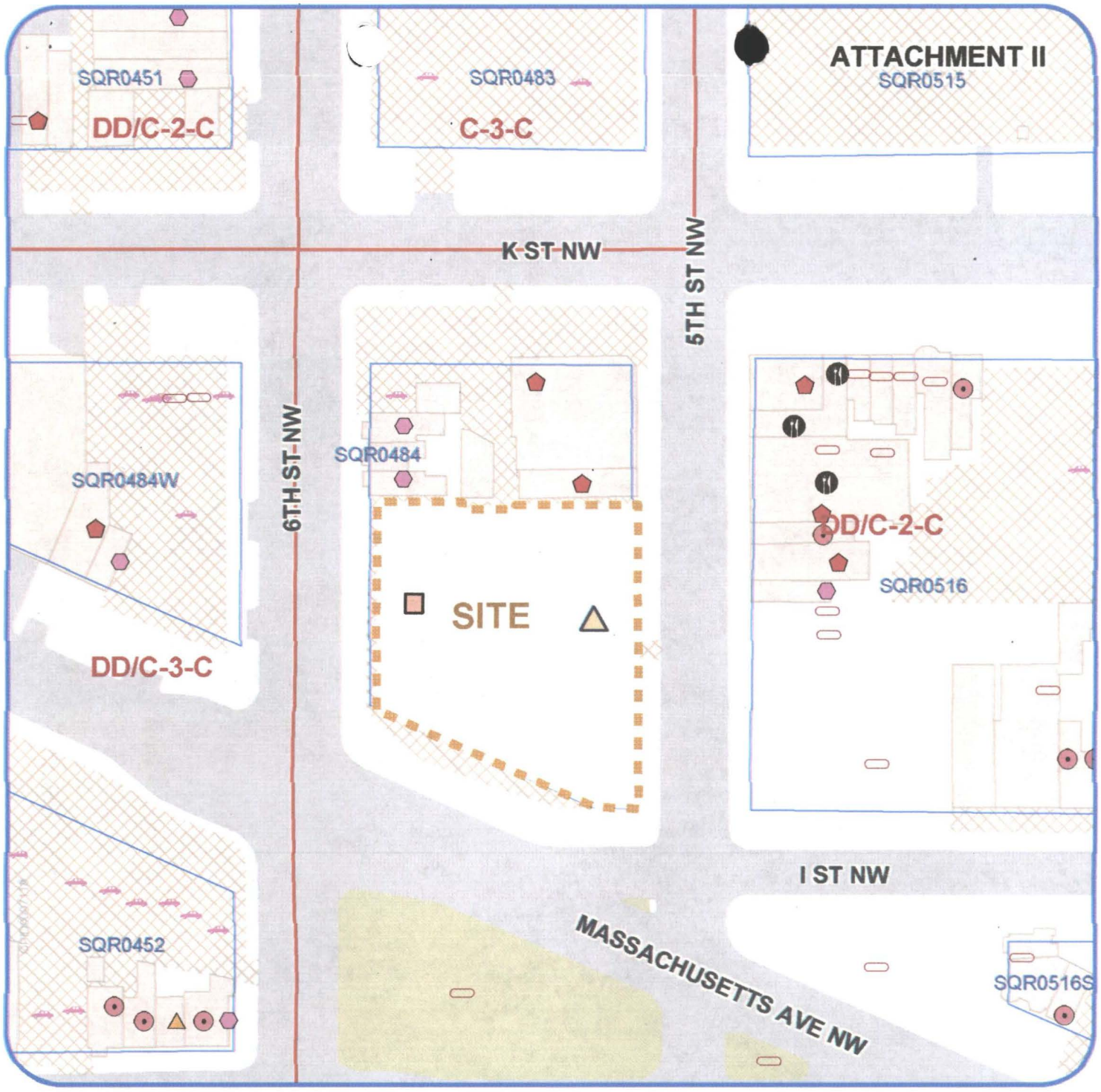
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**Government of the District of Columbia**
**Anthony A. Williams, Mayor**

**Office of Planning ~ October, 2005**

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.




## Legend

- Zoning Districts
- National Parks
- DC Parks
- Alleys & Parking
- Multi-family
- Large Hotel
- Store
- Restaurant
- Office
- Non-conf SF Use
- Parking
- Vacant

# BZA Case 17370
# 555 & 599 Massechusettes Ave. NW
# Site Plan

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