

**APPLICATION OF
HAY-ADAMS HOLDINGS, LLC
FOR A
ZONING MAP AMENDMENT
FROM
SP-2 DISTRICT TO C-4 DISTRICT**

**800 16TH STREET, N.W.
(Square 186, Lot 809)**

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**ZONING COMMISSION
District of Columbia**

CASE NO. 08-02
EXHIBIT NO. 4

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I.
INTRODUCTION

This application reflects several years of effort to implement the Comprehensive Plan Land Use Map and text relating to the retention and expansion of the existing Hay-Adams Hotel at 800 16th Street, N.W., Washington, D.C. In conformance with Section 1708.11 of the newly adopted Plan and Section 1120.2(d) of the Comprehensive Plan dated March 27, 1999, Hay-Adams Holdings, LLC (the "Applicant") respectfully submits this application to amend the Zoning Map for the District of Columbia (the "Zoning Map") to rezone its property at 800 16th Street, N.W. (Lot 809 in Square 186) from the SP-2 District to the C-4 District. As set forth in more detail below, the proposed map amendment is necessary for the District to realize the policies articulated in Section 1708.11 of the Comprehensive Plan and the site's designation as High Density Commercial on the Comprehensive Plan Land Use Map and will further other stated goals and policies of the Plan.

II.
DESCRIPTION OF THE PROPERTY

This application seeks the rezoning of property located at the northwest corner of the intersection of 16th and H Streets, NW. The site area consists of Lot 809 in Square 186. The site has a land area of approximately 12,879 square feet and is currently occupied by hotel consisting of 145 guest rooms. A 15-foot wide public alley abuts the northern edge of the property.

The site area is currently zoned SP-2 and is located within the Sixteenth Street Historic District. According to the District of Columbia Comprehensive Plan Generalized Land Use Map, the site is included in the Central Employment Area and is part of the Central Washington planning area. The District of Columbia Future Land Use Map classifies the site as part of the High Density Commercial Land Use category, which includes a mix of employment, retail, office, cultural and entertainment centers. Accordingly, the requested map amendment is not

inconsistent with and, in fact, fulfills the purposes of the Generalized Policy Map or the Future Land Use Map of the Comprehensive Plan.

III. DESCRIPTION OF THE SURROUNDING AREA

The property is part of the Central Employment Area and the Central Washington Area Element, as defined on the Generalized Policy Map. Square 186 is bounded by I Street to the north, 16th Street to the east, Connecticut Avenue to the west and H Street to the south. Square 186 is split-zoned C-4 and SP-2. Only the portions that front on 16th and H Streets are zoned SP-2. The Property is surrounded by commercial office and retail uses to the west and north and is immediately adjacent to the US Chamber of Commerce, one of the world's largest business federations. Across 16th Street is the historic St. John's Church and the Washington office of the American Federation of Labor and Congress of International Organizations (AFL-CIO), which represents 55 national and international labor unions. To the south is Lafayette Park and the White House. The Hay-Adams Hotel is an individual landmark listed in the D.C. Inventory of Historic Sites and is a contributing structure within the Sixteenth Street Historic District. It also falls within the jurisdiction of the U.S. Commission of Fine Arts under the Shipstead-Luce Act.

The subject property is located within two blocks of the McPherson Square Metrorail Station and within short walking distance of the Farragut West Metrorail Station.

IV. EXISTING AND PROPOSED ZONING

A. Existing SP-2 District

As shown on the copy of the Zoning Map attached as Exhibit D, the subject property is located in the SP-2 District. This zone classification is intended to serve as a buffer between adjoining commercial and residential areas and to preserve and protect areas adjacent to Commercial Districts that contain a mix of row houses, apartments, offices and institutions. 11

DCMR §500. The SP-2 District is a medium-high density district which permits a maximum building height of 90 feet, with no limitation on the number of stories, and a maximum floor area ratio ("FAR") of 6.0. 11 DCMR §§ 500, 530 and 531. Lot occupancy in the SP-2 District is restricted to 80% for buildings which are devoted to residential use, excluding hotels. There are no residential uses in the immediate vicinity of the hotel that need to be buffered from commercial uses.

The Hay-Adams Hotel was constructed in 1927, prior to enactment of the current zoning regulations. The building contains approximately 94,650 square feet of gross floor area ("GFA"), which is the equivalent of 7.35 FAR, and exceeds the permitted 6.0 FAR for the SP-2 District.

B. Proposed C-4 District

The Applicant requests rezoning of the property to C-4. The C-4 District is a commercial district that is large enough to provide an adequate area for a variety of commercial, retail and business uses which serve the metropolitan area. 11 DCMR §750.2. The C-4 District also contains high-density residential and mixed-use developments. 11 DCMR §750.3. Buildings in the C-4 District may be constructed to a maximum height of 110 feet, with no limitation on the number of stories, and a maximum FAR of 8.5. 11 DCMR §§770 and 771. On streets with a width of 110 feet or wider, the C-4 District permits a maximum building height of 130 feet and an FAR of 10.0. 11 DCMR §770.8. Because 16th Street is 160 feet in width, the property may avail itself of this greater height and density. Buildings in the C-4 District may also occupy 100% of the lot. 11 DCMR §772.

Existing SP-2 District vs. Proposed C-4 District

	<u>SP-2 District</u>	<u>C-4 District</u>
Maximum Building Height	90 feet	110 feet 130 feet when fronting a street with a width of 110 feet or more
Maximum Floor Area Ratio	6.0	8.5 10.0 when fronting a street with a width of 110 feet or more
Lot Occupancy	80% for buildings devoted to residential use except hotels	100%

C. The Effect of Rezoning on the Property

The rezoning of the property to C-4 is consistent with and furthers the policies set forth in the Comprehensive Plan. The Comprehensive Plan encourages the development of additional hotels in the Central Washington planning area and specifically calls for the retention and expansion of the existing Hay-Adams Hotel, located on the site. The C-4 zoning classification provides an additional 20 to 40 feet in permitted building height and additional density of 1.5 to 4.0 FAR. The existing SP-2 zoning would not accommodate the expansion of the Hay-Adams Hotel because the existing building exceeds the FAR restrictions of the SP-2 District. In order to expand the existing hotel and increase the density of the building from 7.35 to 7.99 FAR, and to construct an additional floor above the permitted 90-foot height limit, rezoning of the property to C-4 is necessary. The rooftop addition will be 16 feet in height and contain approximately 8,700 square feet of gross floor area, or approximately 0.64 FAR. The addition is necessary to comply with the provisions of the Comprehensive Plan for this site.

V.
STANDARDS APPLICABLE TO AN APPLICATION
FOR A ZONING MAP AMENDMENT

The Zoning Act sets forth the criteria which the Zoning Commission must apply in adopting and amending the Zoning Map of the District of Columbia. The law provides that the Commission may divide the city into districts or zones to regulate the regulate the height, location and bulk of buildings in order to "promote the health, safety, morals, convenience, order, prosperity or general welfare of the District of Columbia and its planning and orderly development as the national capital." D.C. Code § 6-421.01 (2001 ed.). The Zoning Commission may amend the zoning maps showing the zones and districts, and such amendments "shall not be inconsistent with the comprehensive plan for the national capital." D.C. Code § 6-641.02. The Zoning Commission applies these standards and criteria in determining whether to approve a requested map amendment. As set forth below, the proposed zoning of the property to C-4 meets the standards for approval.

VI.
EVALUATION OF THE PROPOSED MAP AMENDMENT
AND COMPLIANCE WITH STATUTORY STANDARDS

A. Health, Safety and General Welfare

The proposed map amendment from SP-2 to C-4 would further the health, safety and general welfare of the District of Columbia by facilitating the retention and expansion of hotel uses within the Central Washington planning area. Retention and expansion of the hotel uses within the Central Washington planning area provide an opportunity for increased employment of District residents and an opportunity to leverage existing historic resources to promote tourism and the hospitality industry in the nation's capital. The proposed map amendment would also rezone the subject property to a zoning classification which is consistent with and may realize Section 1708.11 of the Comprehensive Plan.

B. No Overcrowding of Land

Rezoning of the property to C-4 would not result in the overcrowding of land or the undue concentration of population. The contemplated expansion of the existing hotel, as articulated in the Comprehensive Plan, includes the construction of a one-story addition no more than 16 feet in height. Because of the hotel's existing condition, the one-story addition will not include guest rooms and in fact serves to provide a permanent enclosure for an existing use and for a reorganization of the existing mechanical systems located on the roof. Thus, the intensity of use and population at the site would experience only a nominal increase at most due to the hiring of more employees to service the one-story addition. Consequently, the requested map amendment will not create overcrowding of land or the undue concentration of population.

C. No Objectionable Traffic Conditions

For the reasons set forth above, the proposed map amendment will not create any objectionable traffic conditions. Located within two blocks of the McPherson Square Metrorail Station and within short walking distance of the Farragut West Metrorail Station, additional development of the Property would be a transit-oriented development. The proposed increase in the intensity of use of the Property is none to modest and, therefore, unlikely to create any objectionable traffic conditions.

D. Comprehensive Plan

The proposed map amendment is consistent with the policies set forth in the Central Washington Planning Area Element and a number of the citywide elements of the recently adopted Comprehensive Plan, and will substantially advance their stated goals and policies.

1. Central Washington Planning Area Element

Located within the Central Washington planning area, the proposed map amendment supports, implements and is consistent with the policy set forth in Section 1708.11 of the

Comprehensive Plan. Section 1708.11 of the Comprehensive Plan provides for the retention and expansion of existing hotel uses, and specifically calls for a one-story addition to the Hay-Adams Hotel. The requested map amendment will permit the retention of the existing hotel and the construction of with a one-story addition that has a maximum height of 16 feet, as articulated in the Comprehensive Plan. Accordingly, the proposed map amendment complies with the policies set forth in the Central Washington planning area element.

2. Land Use Element

The Comprehensive Plan provides that “[b]ecause the Land Use Element integrates the policies and objectives of all the other District Elements, it should be given greater weight than the other elements as competing policies in different elements are balanced.” 10 DCMR § 300.2.

The underlying goal of the Land Use Element is to:

[e]nsure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries.

10 DCMR § 302.1. The proposed map amendment will advance this important goal by complying with the Land Use Element of the Comprehensive Plan.

Policy LU-1.1.1: Sustaining a Strong City Center

Provide for the continued vitality of Central Washington as a thriving business, government, retail, financial, hospitality, cultural and residential center.

Promote continued reinvestment in central city buildings, infrastructure; and public spaces; continued preservation and restoration of historic resources; and continued efforts to create safe, attractive, and pedestrian-friendly environments.

10 DCMR § 304.6.

The proposed map amendment will facilitate the retention and expansion of the existing Hay-Adams Hotel. The Hay-Adams Hotel is one of the District's premier hotels. The proposed

map amendment will allow the Hay-Adams Hotel to meet the practical demands of hotel operation today and help support a thriving hospitality industry in the nation's capital.

3. Economic Development Element

The proposed map amendment will also further the goals and policies of the Economic Development Element of the Comprehensive Plan by employing District residents and small, local and disadvantage businesses in the construction of the proposed addition.

The overarching goal of the Economic Development Element of the Comprehensive Plan is to:

[s]trengthen the District's economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy.

10 DCMR §701.2. The requested map amendment will further this important goal by complying with a number of the policies set forth in the Economic Development Element of the Comprehensive Plan.

Policy ED-2.3.4: Lodging and Accommodation

Support the development of a diverse range of hotel types, serving travelers with varying needs, tastes and budgets. New hotels should be encouraged both within Central Washington and in outlying commercial areas of the city, particularly in areas which presently lack quality accommodation. 10 DCMR §709.8.

Policy ED-2.3.9: Hospitality Workforce Development

Recognize the potential for the hospitality sector to generate entry level jobs and opportunities for upward mobility for District residents by promoting vocational, job training, and job placement initiatives in this sector, and by working with local hotels, the District of Columbia Hotel Association, the Washington Convention and Tourism Corporation, and others. 10 DCMR §709.13.

By permitting the expansion of the existing hotel, the proposed map amendment will allow the Hay-Adams Hotel to continue to contribute to the District's diverse range of hotel types, serving travelers with more sophisticated needs and tastes. Additionally, the expansion of

the hotel will offer more employment opportunities within the hospitality industry and, subsequently, promote the development of the hospitality workforce. Accordingly, the proposed map amendment is consistent with the Economic Development Element of the Comprehensive Plan.

VII.

FEDERAL AND DISTRICT APPROVALS OF THE ADDITION

Since the subject site is located just north of Lafayette Square, is within the Sixteenth Street Historic District and is the site of historic landmark, any new construction must be approved by the Commission of Fine Arts and the Historic Preservation Review Board. Both the Commission of Fine Arts and the Historic Preservation Review Board have approved the construction of the addition. See Exhibit H and Exhibit I. Additionally, the United States Secret Service supports the construction of the addition, as evidenced by their letter, which is attached as Exhibit J.

VIII.

EXHIBITS IN SUPPORT OF THE APPLICATION

The Applicant submits the following exhibits in support of the application and this statement:

- A. Completed Map Amendment Application Form;
- B. Surveyor's Plat for the Subject Property;
- C. Portions of the Baist and Sanborn Atlas Maps showing the Subject Property;
- D. Portion of the Zoning Map showing the Subject Property;
- E. Portion of the Generalized Land Use Policy Map, adopted as part of the Comprehensive Plan;
- F. Portion of the Future Land Use Map, adopted as part of the Comprehensive Plan;
- G. Drawings of Proposed One-Story Rooftop Addition.

- H. Commission of Fine Arts' Letter of Approval of the One-Story Addition;
- I. Historic Preservation Review Board's Letter of Approval of the One-Story Addition; and
- J. United States Secret Service's Letter in Support of the One-Story Addition.

IX.
CONCLUSION

For the reasons stated herein, the Applicant requests approval of the subject application to amend the Zoning Map from SP-2 to C-4. The rezoning furthers the stated policies of the Comprehensive Plan and is consistent with the existing and proposed land uses identified in the Generalized Land Use Policy Map and Future Land Use Map of the Comprehensive Plan. The rezoning will promote and improve the orderly development of land in conformity with the District of Columbia zone plan as embodied in the Zoning Regulations, the Zoning Map and the Comprehensive Plan. The retention and expansion of the Hay-Adams Hotel will make positively contribute to the District's hospitality and tourism industries and to the health, welfare and prosperity of District residents. Accordingly, the Applicant respectfully requests that the Zoning Commission grant this application and approve the proposed map amendment.

Respectfully submitted,

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By: 
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Date: January 28, 2008