

**APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR  
AN AMENDMENT TO THE ZONING MAP**



**1143 New Hampshire Avenue, NW**

**By BSREP II DUPONT CIRCLE LLC**

June 12, 2018

**DEVELOPMENT TEAM**

Applicant

BSREP II Dupont Circle LLC  
c/o Brookfield Property Group  
799 9th Street NW, Suite 260  
Washington, DC 20001

BSREP II Dupont Circle LLC  
1143 New Hampshire Avenue, NW  
Washington, DC 20037

Land Use Counsel

Goulston & Storrs  
1999 K Street NW, 5<sup>th</sup> Floor  
Washington, DC 20006

**TABLE OF CONTENTS**

**TABLE OF CONTENTS ..... III**  
**PREFACE ..... IV**  
**I. INTRODUCTION ..... 1**  
    A. Summary of Requested Action ..... 1  
    B. The Applicant and the Project ..... 2  
    C. The Application and Commission Jurisdiction ..... 3  
**II. THE PROPERTY ..... 3**  
**III. THIS APPLICATION SATISFIES THE REQUIREMENTS FOR A ZONING MAP AMENDMENT..... 4**  
    A. Legislative Purposes of the Comprehensive Plan ..... 4  
    B. Citywide Elements ..... 5  
    C. Compliance with Area Elements ..... 14  
**IV. COMMUNITY OUTREACH..... 15**  
**V. CONCLUSION ..... 15**

**LIST OF EXHIBITS**

Exhibit A      Application Form and Authorization Letter  
Exhibit B      Zoning Map  
Exhibit C      Comprehensive Plan Future Land Use Map  
Exhibit D      Certificate of Notice  
Exhibit E      Certificate of Compliance with Regulations  
Exhibit F      List of Publicly Available Information  
Exhibit G      List of Property Owners within 200 feet of the Subject Property  
Exhibit H      Plat  
Exhibit I      Site and area photos

## PREFACE

This statement and the attached documents support the application of BSREP II Dupont Circle LLC (the “Applicant”) to the Zoning Commission (“Commission”) for a Zoning Map Amendment for the property located at the address of 1143 New Hampshire Avenue, NW (Lot 74, Square 72) (the “Property”). Pursuant to Subtitle X, Chapter 5 of the District of Columbia Zoning Regulations, the Applicant seeks to amend the Zoning Map to change the current RA-5 zone designation for the Property to the MU-10 zone. The Property is on a triangular block bounded by New Hampshire Avenue, NW to the north, 21<sup>st</sup> Street, NW to the east, and L Street, NW to the south in Ward 2 and within the boundaries of Advisory Neighborhood Commission (“ANC”) Single Member District (“SMD”) 2A06. This application will facilitate renovations to the existing nine-story hotel on the Property (the “Project”).

This application is not inconsistent with the District of Columbia Comprehensive Plan or with other adopted public policies and active programs related to the Property (collectively, the “Comprehensive Plan”).

The Property is the subject of two previous actions by the Commission and several actions of the Board of Zoning Adjustment. The most recent Commission action, an approved Planned Unit Development and related Zoning Map amendment (Z.C. Case No. 06-29 and progeny, together the “Former PUD”), lapsed by the terms of its order in July 2016. As part of the Former PUD, the Commission concluded that the previous Zoning Map amendment for the Property was not inconsistent with the Comprehensive Plan, even though such previous amendment was to a zone allowing more intense development than is requested in this application. This application satisfies the requirements for a Zoning Map amendment contested case pursuant to Subtitle X, Chapter 5 and Subtitle Z, Chapters 2 and 3 of the District of Columbia Zoning Regulations.

## **I. INTRODUCTION**

### **A. Summary of Requested Action**

The Applicant seeks to amend the Zoning Map to rezone the Property from the RA-5 zone to the MU-10 zone. The Property consists of approximately 31,216 square feet of land area and is located in the Mixed Use High Density Residential / High Density Commercial Land Use category on the Comprehensive Plan's Future Land Use Map. Such categories support the requested amendment. The Property currently contains an existing nine-story hotel building and related commercial adjunct uses (the "**Hotel**"). The existing hotel contains approximately 181,682 square feet of gross floor area ("**GFA**") and approximately 147 parking spaces.

This application and associated Project will allow ground floor retail or an eating and drinking establishment use in the Hotel to be visible from the street and will permit the reconfiguration of interior space within the Hotel to bring it up to modern standards.

The primary purpose of this Zoning Map amendment application is to modify the application of Zoning Regulations on the existing hotel's accessory commercial uses and functions. That is, the RA-5 zone permits hotel use provided that (i) such hotel was in existence as of May 16, 1980 and (ii) such hotel's total area devoted to function rooms, exhibit space and commercial adjuncts was not increased. *See* 11-U DCMR § 401.1(d)(2). The MU-10 zone does not contain such or similar restrictions on hotel adjunct or function room uses. *Id.* § 510.1(o).

The proposed Zoning Map amendment does not increase the maximum height or density (*i.e.*, the floor area ratio, or "**FAR**") permitted on the Property. The Property's current RA-5 zone designation allows for a maximum height of 90 feet just as the proposed MU-10 zone allows for a maximum of 90 feet. The RA-5 zone allows for a maximum FAR of 6.0 (for a hotel or apartment house use), the MU-10 zone correspondingly has a maximum FAR of 6.0.

## **B. The Applicant and the Project**

The Applicant is an affiliate of Brookfield Asset Management and Brookfield Property Partners, an owner and investor of real estate. The Applicant and its affiliated companies have a long, successful history of renovating and modernizing hotels.

The Applicant's core investment philosophy drives its plans for the Property and its need for this application. A central element of the Applicant's renovation strategy is to reposition its hotels by taking design cues from its context. The Applicant chose to invest in the West End/Dupont Circle neighborhood because of the neighborhood's rich texture of architecture, urban design, and economic activity, and the Applicant hopes that its investment in the Property results in a hotel that both reflects and contributes to the surrounding vibrancy.

The Project is a modest effort to modernize the Hotel by adding ground floor commercial uses that are visible from the street and by reconfiguring interior space. Adding a restaurant, other eating and drinking establishment, or retail uses will allow the Hotel to serve both its guests as well as residents of the surrounding neighborhood. The Project's reconfiguration of the Hotel's interior conference room spaces, though not at all visible from the exterior, will allow the Hotel to meet the needs of travelers, conventions, and other groups that are often drawn to the District for pleasure or business and who drive a tremendous amount of the District's economic activity.

The Project is a much more modest and limited scope of improvement to the Hotel than the Former PUD. The Former PUD, the Commission's previous approval for the Property would have allowed a substantial increase in the height and density on the Property. The Former PUD, which did not involve the Applicant, included a Zoning Map amendment to the CR zone district and allowed a redevelopment of the Property to a maximum height of 110 feet and to an FAR of nearly 7.0. The Former PUD lapsed in 2016 without ever having been acted upon.

### **C. The Application and Commission Jurisdiction**

The Commission has jurisdiction to evaluate and approve this application. 11-X DCMR § 500.1. The Zoning Regulations expressly contemplate Zoning Map amendments, provided that the amendment is “not inconsistent with the Comprehensive Plan.” *Id.* § 500.3. The proposed Map amendment is appropriate and, as set forth in more detail below, satisfies the relevant regulatory requirements.

In summary, the requested MU-10 zone is not inconsistent with the Future Land Use Map designation for the Property (*i.e.*, Mixed Use High Density Residential / High Density Commercial Land Use). Upon the rezoning, the Project would maintain the Hotel’s existing height and density, which are consistent with the High Density designation on the Future Land Use Map. In addition to the Future Land Use Map, this application and the Project advance other individual policy objectives set forth in the Comprehensive Plan.

### **II. THE PROPERTY**

The Property is located midblock on the east side of New Hampshire Avenue, NW roughly halfway between Dupont Circle (to the northeast) and Washington Circle (to the southwest).

The Property is currently located within the RA-5 zone but is bordered to the east by the D-5 zone and is immediately across New Hampshire Avenue, NW from the MU-6 zone. The Property is not within any historic district. The Property is on the boundary of the West End and Dupont Circle neighborhoods and is located just outside of the Golden Triangle BID.

The Property includes only one building—the Hotel—along with a below-grade parking garage. There is no public alley access to the rear of the Property, so all valet/cab, garage, and loading access is via curb cuts from New Hampshire Avenue, NW. In the vicinity of the Property, New Hampshire Avenue, NW has one lane of vehicle travel in both directions and includes

designated bicycle lanes in both directions. The Property is approximately one-third of a mile from the Foggy Bottom Metrorail station and one-half mile from the Dupont Circle Metrorail station. Multiple Metrobus lines also serve the Property.

Surrounding the Property is a mix of office (to the east) and residential (to the west) and educational (to the south) uses. High-rise, high-density buildings and uses are the predominant characteristic of the blocks immediately surrounding the Property. Many, if not most, of the surrounding buildings are or exceed 90 feet.

### **III. THIS APPLICATION SATISFIES THE REQUIREMENTS FOR A ZONING MAP AMENDMENT**

The Commission should approve this application because it satisfies the requirements for a Zoning Map amendment: the requested rezoning is not inconsistent with the Comprehensive Plan. Moreover, this application affirmatively furthers numerous of the individual policy objectives set forth in the Comprehensive Plan.

In addition to the Comprehensive Plan considerations and more pragmatically, the requested Zoning Map amendment to the MU-10 zone is appropriate for the Property in light of the high-density, mixed use, transit-accessible character of the blocks surrounding the Property.

Finally, the Commission should approve this application because it has previously found that an application to rezone this Property was not inconsistent with the Comprehensive Plan even when such previously requested rezoning would have allowed much more intense development than is contemplated as part of the Project. The Commission's previous determination with respect to rezoning the Property was never challenged.

#### **A. Legislative Purposes of the Comprehensive Plan**

This application is not inconsistent with, and indeed affirmatively advances, the purposes of the Comprehensive Plan. The purposes of the Comprehensive Plan are to:



(1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens; (3) Promote economic growth and jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Code § 1-306.01(b) (2006). This application advances these purposes by: promoting economic growth, maintaining and enhancing the architectural assets of the District, and assisting in the conservation, stabilization, and improvement of the neighborhood and community surrounding the Property. Because this application advances policy objectives set forth in the Comprehensive Plan it advances the defined requirements and aspirations of District residents and helps achieves District and community goals through private development.

## **B. Citywide Elements**

### **1. Framework Elements and Maps**

The requested Zoning Map amendment is not inconsistent with the Comprehensive Plan's Future Land Use Map, Generalized Policy Map, and Framework Element. The Framework Element provides guidelines for using the Comprehensive Plans two maps. This Element states that the Future Land Use Map should be interpreted "broadly" and notes that the zoning for an area should be guided by the Future Land Use Map interpreted in conjunction with the text of the entire Comprehensive Plan. 10-A DCMR § 226.1. The Comprehensive Plan also provides that the Future Land Use Map be given the same weight as the text of the Comprehensive Plan's Land Use Element and provides that the Land Use Element be given the greatest weight of any Element in the Comprehensive Plan. *Id.* §§ 200.5, 225.1, 300.3.

On the Future Land Use Map, the Property is mapped for Mixed Use High Density Residential / High Density Commercial Land Uses. The High Density Residential category "define[s] neighborhoods and corridors where high-rise (8 stories or more) apartment buildings

are the predominant use.” *Id.* § 225.6. The Comprehensive Plan provides that the RA-4 and RA-5 zones (formerly the R-5-D and R-5-E) are consistent with High Density Residential designation but allows that “other zones may apply.” *Id.* The High Density Commercial category “define[s] the central employment district of the city and other major office employment centers on the downtown perimeter. It is characterized by office and mixed office/retail buildings greater than eight stories in height.” *Id.* § 225.11. The current zones corresponding to High Density Commercial areas include the D-4, D-5, D-6 and D-7 zones (previously C-2-C, C-3-C, C-4, and C-5). *Id.* Again, the Comprehensive Plan contemplates other zones besides those expressly enumerated. *Id.* The instant rezoning request is not inconsistent with these definitions and the recommended zones: (i) the height and density for the Project are entirely consistent with the parameters established on the Future Land Use Map, and (ii) the Project’s mix of hotel uses (which are expressly allowed in the residential zone, when grandfathered) and eating and drinking establishment and hotel adjunct uses are consistent with the mixed use designation for the Property on the Future Land Use Map.

On the Generalized Policy Map, the Property is designed as a “Neighborhood Conservation Area.” Neighborhood Conservation Area are intended as “primarily residential in character [with] [m]aintenance of existing land uses and community character . . . anticipated over the next 20 years.” *Id.* § 223.4. Immediately to the east of the Property, the Generalized Policy Map designates the surrounding blocks as within the Central Washington Central Employment Area (“**CEA**”). The CEA is intended to be “the business and retail heart of the District and the metropolitan area. It has the widest variety of commercial uses, including but not limited to major government and corporate offices; retail, cultural, and entertainment uses; and hotels, restaurants, and other hospitality uses.” *Id.* § 223.21. The proposed rezoning is not inconsistent with the foregoing

designation for the Property especially in light of the proximate designation. The Project's primary hotel/lodging use is not inconsistent with a designation as primarily residential because the hotel/lodging uses are of a character similar to residential uses and are occasionally expressly identified as such. *See, e.g.*, 11-B DCMR § 304.2(d). Moreover, the Neighborhood Conservation Area designation provides only that such areas be "primarily" residential and not that such areas be exclusively residential. The Project's commercial component is appropriate in this context given the primary use on the Property and given the Property's immediate adjacency to the CEA. The Generalized Policy Map is not to be construed strictly as a zoning map but is intended to be read broadly with somewhat indistinct boundaries. *Id.* § 226.1. In light of the CEA designation on adjacent blocks and read together with the Future Land Use Map's express contemplation of commercial uses, the Project's proposed new and expanded commercial uses are not inconsistent with the Generalized Policy Map. In addition, the proposed rezoning largely allows the Property to maintain its current land use and does not at all adversely affect the community character.

Accordingly, this application is not inconsistent with neither the Framework Element nor the Comprehensive Plan's two Maps.

## 2. Land Use Element

The proposed rezoning is not inconsistent with, and as set forth below directly advances several policies of, the Comprehensive Plan's Land Use Element.<sup>1</sup>

***Policy LU-1.3.7: TOD Boundaries--Tailor the reach of transit-oriented development (TOD) policies and associated development regulations to reflect the specific conditions at each Metrorail station and along each transit corridor. The presence of historic districts and conservation areas should be a significant consideration as these policies are applied. Id. § 306.16.***

---

<sup>1</sup>The Land Use Element includes more than 100 specific policies. Only those policies relevant to this application are addressed here, and this application is not inconsistent with any policies not specifically identified herein.

The requested rezoning respects the transit-oriented nature of the Property and the surrounding neighborhood. New Hampshire Avenue, NW between Dupont Circle and Washington Circle has become a dense, transit-oriented core with bike and bus service in both directions. The proposed rezoning is not inconsistent with that objective. Moreover, the Property's inclusion of a ground floor commercial use with the possibility for outdoor café seating strengthens and enlivens this street as a zone for non-automotive transit.

***Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods--Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. Id. § 309.8.***

This application balances expanding neighborhood commerce with protecting neighborhood character and will contribute to the neighborhood's ongoing success. The proposed rezoning would allow a modest amount of ground floor commercial use. Otherwise, the Project retains its largely residential-like lodging use. The proposed mix of uses is essential to establishing pedestrian vitality along New Hampshire Avenue, NW and providing residents and visitors alike a new dining option.

***Policy LU-2.4.2: Hierarchy of Commercial Centers--Maintain and reinforce a hierarchy of neighborhood, multi-neighborhood, regional, and main street commercial centers in the District. Activities in each type of center should reflect its intended role and market area, as defined in the Framework Element. Established centers should be expanded in areas where the existing range of goods and services is insufficient to meet community needs. Id. § 312.6.***

The requested rezoning reinforces the area immediately around the Property as a mixed-use street that supports and leads to the more heavily commercial areas nearby in Dupont Circle and the Golden Triangle. The inclusion of some retail or restaurant uses on the Property is appropriate given its proximity to the CEA and dense residential area. The Project's new

restaurant, which will be open to the general public including nearby residents, helps satisfy community demand.

***Policy LU-2.4.4: Heights and Densities in Regional Centers--Maintain heights and densities in established and proposed regional centers which are appropriate to the scale and function of development in adjoining communities and which step down to adjacent residential areas, and maintain or develop buffer areas for neighborhoods exposed to increased commercial densities. Id. § 312.8.***

The Project retains the 90-foot height and existing density of the Hotel. The Hotel's existing bulk represents a transition from the dense development of the CEA to the southeast and the relatively lower-scale development in historic Dupont Circle neighborhoods three and four blocks to the northwest. The height and density allowed by the rezoning are identical to those allowed on the Property today given the existing use and are appropriate for the scale and function of the adjoining neighborhoods, which are generally of similar heights and densities.

***Policy LU-2.4.5: Encouraging Nodal Development--Discourage auto-oriented commercial "strip" development and instead encourage pedestrian-oriented "nodes" of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them. Id. § 312.9.***

The requested rezoning allows for the further pedestrianization of New Hampshire Avenue, NW. The Project's ground floor commercial uses add visual interest and activity for pedestrians along this corridor.

***Policy LU-2.4.11: Hotel Impacts--Manage the impacts of hotels on surrounding areas, particularly in the Near Northwest neighborhoods where large hotels adjoin residential neighborhoods. Provisions to manage truck movement and deliveries, overflow parking, tour bus parking, and other impacts associated with hotel activities should be developed and enforced. Please refer to Policies 2.3.9 and 2.3.10 of this Element for additional guidance on hotel uses within residential neighborhoods. Id. § 312.15.***

The requested rezoning does not change the primary use of the Property as a hotel. The hotel managers for Applicant and its affiliates have long and successful experience managing hotels in dense urban neighborhoods and avoiding and addressing concerns with residential

neighbors. The Applicant has established a strong working relationship with neighborhood groups and will continue to be responsive to neighbor and community concerns and needs as they pertain to the Project.

3. Other Elements

This rezoning is also not inconsistent with the numerous policies in the Transportation, Economic Development, Urban Design, and other Elements of the Comprehensive Plan.<sup>2</sup>

***Policy T-1.1.4: Transit-Oriented Development--Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points. Id. § 403.1.***

***Policy T-1.3.1: Transit-Accessible Employment--Work closely with the federal government and suburban jurisdictions to support transit-oriented and transit-accessible employment throughout the region. This would maximize the use of major transit investments such as Metrorail, and enhance the efficiency of the regional transportation system. Id. § 405.11.***

***Policy T-2.4.1: Pedestrian Network--Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city. Id. § 410.5.***

***Policy T-2.5.1: Creating Multi-Modal Corridors--Transform key District arterials into multi-modal corridors that incorporate and balance a variety of mode choices including bus or streetcar, bicycle, pedestrian and auto. Id. § 411.11.***

The rezoning and the Project are not inconsistent with the Comprehensive Plan's Transportation Element objectives of encouraging transit-oriented development and transit-oriented employment activities. The Property's location is transit-, bus-, bike-, and pedestrian-friendly and the rezoning and the Project it allows will augment its multi-modality.

***Policy T-2.4.4: Sidewalk Obstructions--Locate sidewalk cafes and other intrusions into the sidewalk so that they do not present impediments to safe and efficient pedestrian passage. Maintain sidewalk surfaces and elevations so that disabled or elderly pedestrians can safely use them. Id. § 410.8.***

---

<sup>2</sup> As noted above, only those policies relevant to this application are addressed here, and this application is not inconsistent with any of the many hundreds of policies in the Comprehensive Plan not specifically identified herein.

The rezoning and the Project will allow the opening of sidewalk café seating adjacent to the Hotel. However, given the wide right-of-way along New Hampshire Avenue, NW in the vicinity of the Property, such a café will be a benefit rather than an impediment to pedestrian activity in the neighborhood.

***Policy ED-1.1.1: Core Industries--Continue to support and grow the District's core industries, particularly the federal government, professional and technical services, membership associations, education, hospitality, health care, and administrative support services. Id. § 703.9.***

***Policy ED-2.1.5: Infill and Renovation--Support the continued growth of the office sector through infill and renovation within established commercial districts to more efficiently use available space while providing additional opportunities for new space. Id. § 707.1.***

***Policy ED-2.2.1: Expanding the Retail Sector--Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas. Id. § 708.4.***

***Policy ED-2.2.5: Business Mix--Reinforce existing and encourage new retail districts by attracting a mix of nationally-recognized chains as well as locally-based chains and smaller specialty stores to the city's shopping districts. Id. § 708.9.***

***Policy ED-2.3.1: Growing the Hospitality Industry--Develop an increasingly robust tourism and convention industry, which is underpinned by a broad base of arts, entertainment, restaurant, lodging, cultural and government amenities. Strive to increase: (a) the total number of visitors to Washington; (b) the number of visitors staying in the District (rather than in suburban hotels); and (c) longer visitor stays in Washington. Promote the District not only as the preferred base for exploring the city's attractions but also the preferred overnight base for visiting regional attractions. The economic impact of tourism includes both direct employment in the hospitality industry and spending by tourists and business travelers during their stays in the District. The Washington Convention Center alone is estimated to have generated more than \$700 million in direct spending by attendees in 2005. Id. § 709.5.***

***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. Id. § 709.8.***

The rezoning and the Project are not inconsistent with and indeed affirmatively advance numerous economic development objectives of the Comprehensive Plan. The hospitality industry

is a core industry in the District, and the Project's inclusion of conference space adds capacity to the District's supply of hotels that can accommodate out-of-town events and visitors, who drive much of the District's economy. The Project's restaurant use infills an existing commercial corridor with new and expanded retail options and adds to the vibrant mix of ground level uses in the neighborhood.

***Policy UD-1.1.2: Reinforcing the L'Enfant and McMillan Plans--Respect and reinforce the L'Enfant and McMillan Plans to maintain the District's unique, historic and grand character. This policy should be achieved through a variety of urban design measures, including appropriate building placement, view protection, enhancement of L'Enfant Plan reservations (green spaces), limits on street and alley closings (see Figure 9.3), and the siting of new monuments and memorials in locations of visual prominence. Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds. Id. § 903.7.***

***Policy UD-1.4.1: Avenues/Boulevards and Urban Form--Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/ boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city. Id. § 906.6.***

***Policy UD-2.1.1: Design Character--Create a more coherent design character for Central Washington by improving the physical linkages between the monumental core, the business sub-districts on the perimeter of the National Mall, and the expanding mixed use areas to the east and southeast of Downtown. Urban design strategies should focus on making the entire area more walkable, discouraging monolithic architecture, improving signage and streetscape features, and adding new land uses which make the area more lively, interesting, and dynamic. Id. § 909.7.***

***Policy UD-2.2.1: Neighborhood Character and Identity--Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context. Id. § 910.6.***

***Policy UD-2.2.5: Creating Attractive Facades--Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street. (see Figure 9.12) Id. § 910.12.***

The proposed changes made possible by this rezoning request are all consonant with the objectives articulated in the Urban Design Element of the Comprehensive Plan. In particular, the



Project preserves the L'Enfant Plan character of New Hampshire Avenue, NW and contributes to the conservation of a rich trove of mid-century hotels and high-rise apartment buildings in the vicinity of Dupont Circle and the Golden Triangle. The Applicant's ability to differentiate ground floor uses through by publicly presenting a restaurant in the Hotel furthers the urban design objectives of creating attractive, human-scaled façades.

***Policy UD-2.2.10: Surface Parking--Encourage the use of shade trees and landscaping or screening of surface parking areas. Parking should be designed so that it is not the dominant element of the street, and should be located behind development rather than in front of it (see Figure 9.14). Id. § 910.19.***

***Policy UD-2.2.11: Parking Structures--Encourage creative solutions for designing structured parking to minimize its visual prominence. Where feasible, the street side of parking structures should be lined with active and visually attractive uses to lessen their impact on the streetscape (see Fig 9.15). Id. § 910.21.***

Although the Project does not contemplate modifying the Hotel's existing parking, the Applicant notes that the improvements authorized through the rezoning allow the Hotel to maintain its current site plan with no surface parking and all parking located in a below-grade garage.

***Policy UD-3.1.1: Improving Streetscape Design--Improve the appearance and identity of the District's streets through the design of street lights, paved surfaces, landscaped areas, bus shelters, street "furniture", and adjacent building facades. Id. § 913.8.***

***Policy UD-3.1.2: Management of Sidewalk Space--Preserve the characteristically wide sidewalks of Washington's commercial districts. Sidewalk space should be managed in a way that promotes pedestrian safety, efficiency, comfort, and provides adequate space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic. Id. § 913.9.***

***Policy UD-3.1.6: Enhanced Streetwalls--Promote a higher standard of storefront design and architectural detail along the District's commercial streets. Along walkable shopping streets, create street walls with relatively continuous facades built to the front lot line in order to provide a sense of enclosure and improve pedestrian comfort. Id. § 913.13.***

***Policy UD-3.1.8: Neighborhood Public Space--Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the "activation" of such spaces through the design of adjacent structures; for example, through the location of shop entrances, window displays, awnings, and outdoor dining areas. Id. § 913.15.***

***Policy UD-3.1.10: Sidewalk Cafes--Discourage the enclosure of sidewalk cafes in a manner that effectively transforms them into indoor floor space. The design of sidewalk cafes should be compatible with the architectural qualities of the adjoining buildings, should complement the street environment, and should not impede pedestrian movement. Id. § 913.17.***

Finally, as noted above, the Project and the rezoning are not inconsistent with and instead directly advance the street and pedestrian level urban design objectives of the Comprehensive Plan. As part of its discussions with neighborhood groups, the Applicant has agreed to modest landscaping improvements in public space. The Applicant is also studying modest cosmetic improvements to the Hotel's façade.

### **C. Compliance with Area Elements**

The Property is located within the Near Northwest ("**NNW**") Area Element on a block that is immediately adjacent to the Central Washington Area Element. The NNW Area Element notes that "Much of the attraction of Near Northwest lies in the beauty of its tree-lined streets, its urbane and historic architecture, and the proportions of its buildings and public spaces. Maintaining the quality and scale of development continues to be a top priority for the community. Residents expressed the opinion that new infill development should avoid creating monotonous or repetitive building designs, and strive for a mix of building types and scales." *Id.* § 2107.2. Within the NNW Area, the Property is located in the Foggy Bottom/West End Policy Focus Area. *Id.* § 2110.3. However, the specific policy recommendations for this Focus Area are generally related to George Washington University campus concerns and do not directly implicate the Property or hotel uses. *See id.* §§ 2115.1-2115.14. Area Element policies implicated by this application include:

***Policy NNW-1.1.3: Enhancing Stable Commercial Areas--Sustain and enhance the neighborhood, community, and regional shopping areas of Near Northwest, including M Street, P Street, Wisconsin Avenue, Connecticut Avenue, Florida Avenue, 18th Street NW, 17th Street NW, and 14th Street NW. Sustain these areas as diverse, unique, pedestrian-oriented shopping streets that meet the needs of area residents, workers, and visitors. Id. § 2108.4.***

This rezoning and the Project that it facilitates sustain and enhance the New Hampshire Avenue, NW corridor and other nearby commercial areas. The Hotel draws patrons to nearby businesses, and the Project's restaurant will add to the commercial options in the neighborhood.

***Policy NNW-1.1.13: Managing Transportation Demand--Strongly support buses, private shuttles, and other transit solutions that address travel needs within the Near Northwest area, including connections between Metrorail and the universities and the Georgetown commercial district, and connections between the Connecticut Avenue and Embassy Row hotels and the National Mall and downtown areas. Also, promote the formation of Transportation Management Associations to assist hotel operators, employers, and large apartment managers with efforts to promote transit use and alternatives to car ownership. Id. § 2108.14.***

As noted above, the Hotel is very well-served by transit, bus and bike, which helps alleviate congestion in the NNW Area.

The Applicant is not aware of any other adopted public policies and active programs related to the Property that would bear on this application. For the foregoing reasons, this application is not inconsistent with neither the District Wide Elements nor the NNW Area Element and is not inconsistent with the Comprehensive Plan as a whole.

#### **IV. COMMUNITY OUTREACH**

As noted above, the Applicant has met and has a productive working relationship with representatives of the West End Citizens Association. Also as part of this application, the Applicant has met with the ANC and secured its unanimous support for this application.

#### **V. CONCLUSION**

The Applicant requests the Commission approve this application because it is not inconsistent with the Comprehensive Plan, because the requested rezoning is appropriate for the Property in light of the high-density, mixed use, transit-accessible character of the blocks surrounding the Property, and because the Commission has previously reviewed and approved a Zoning Map amendment for the Property. For the foregoing reasons, the Applicant submits that

the enclosed application constitutes the substantial evidence justifying the requested rezoning pursuant to the standards of Chapter 5 of Subtitle X and the procedures of Chapters 2 and 3 of Subtitle Z of the Zoning Regulations.

Accordingly, the Applicant respectfully requests that the Zoning Commission set the rezoning application down for a public hearing at the earliest possible date.

Respectfully submitted,

GOULSTON & STORRS PC

/s/  
Allison C. Prince

/s/  
David A. Lewis

Date: June 12, 2018