GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 14179, of the National Council of Young Men's Christian Association, USA, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.48 to permit a hotel and variances from the parking requirements (Sub-section 7202.1) and from the depth requirement for a loading berth (Paragraph 7303.21) for the proposed conversion of an existing private club for enlisted personnel of the U.S. Armed Forces to a hotel comprising fifty-four rooms/suites in an SP-2 District at premises 1015 L Street, N.W., (Square 341, Lot 824).

HEARING DATE: September 26, 1984
DECISION DATE: October 3, 1984

FINDINGS OF FACT:

1. As a preliminary matter a private citizen objected to the wording of the application as advertised. The citizen argued that the facility was not a private club for enlisted personnel of the U.S. Armed Forces but rather it was basically a charitable organization for the public purpose of performing beneficial services for military personnel and that officers, enlisted men, retiree's and their families could use the facility. The organization provided housing. The citizen objected to the club being closed and the loss of its services. It was the citizen's opinion that the wording of the application was misleading to the public. The citizen never appealed the matter to the Zoning Administrator. A certificate of occupancy was introduced into the record by the applicant, dated November 23, 1982, evidencing that the use of the premises was for a private club for enlisted personnel of the Army, Navy, Air Force and Marines. The applicant further argued that the "private club" was a zoning definition and that its only relevance was to determine parking credits. The Chairperson concurred with the applicant's position. The Chairperson ruled that the basis of the objection was not a zoning issue and that the Board had no jurisdiction over the question of the termination of the prior use of the subject structure.

2. The subject site is located at the northeast corner of the intersection of 11th Street, L Street and Massachusetts Avenue, N.W. and is known as premises 1015 L Street, N.W. It is in an SP-2 District.

3. The subject site is rectangular in shape with a total lot area of 9,300 square feet. The site is occupied by two structures constructed as dwelling units circa 1860. Between 1920 and 1930, the two dwelling units were combined into one structure. For the past sixty years, the combined structure has been used as the Soldiers, Sailors, Marines and Airmen's Club. The structure occupies eighty percent of the lot.

4. The existing structure is classified as a Category III landmark on the D.C. Inventory of Historic Sites. A Category III landmark is a landmark of value which contributes to the cultural heritage or visual beauty and interest of the District and its environs.

5. The applicant proposes to completely renovate and restore the historic structure for use as a hotel, to be known as the Morrison-Clark Inn. The hotel will offer fifty-four guest rooms, including four suites. The two historic houses will be restored to their original elegance, and compatible additions will be added to the structure to achieve a total area of 32,369 square feet.

6. The proposed hotel will have a distinctive residential scale and character, commensurate with its landmark status. The hotel will be similar in character to other hotels nationwide which satisfy the demand for the kind of intimate scale lodging facilities achieved only by historic inns, bed-and-breakfasts, and similar small properties. The Tabard Inn, located in the 1700 block of N Street, N.W. is a hotal in the SP District which is similar to the concept for the Morrison-Clark Inn.

7. The major structural changes necessary to achieve the proposed use include: (A) a two story addition to an existing three story building which is attached to the rear (north) of the historic structure; (B) a two story addition to an existing two story building which is attached to the rear (east) of the building adjoining the historic structure; and (C) a two story addition extending outward from the eastern wall of the historic structure.

8. The applicant is requesting a special exception, the granting of which requires a showing through substantial evidence that the applicant has complied with the requirements of Paragraph 4101.48 of the Zoning Regulations. The applicant must also demonstrate that the variance relief requested under Sub-section 8207.11 can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan.

9. Paragraph 4101.48 provides that the Board may grant a special exception for the use of a site for a hotel or inn, provided that:

A. The height, bulk and design of the hotel or inn are in harmony with existing uses and structures of neighboring property. For this purpose, the Board may require special treatment in the way of design, building setbacks, screening, landscaping, sign controls and other features as it shall deem necessary to protect neighboring property;

B. 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;

C. The gross floor area devoted to function rooms and exhibit space shall not exceed fifteen percent of the gross floor area of the hotel;

D. The hotel or inn is located within 1,300 feet of the Central Employment Area or a Metrorail station. The 1,300 foot distance shall be measured from the entrance of the hotel or inn which 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; and

E. The Board may require more or less off-street parking spaces and loading berths than required by Articles 72 and 73 of these Regulations to accommodate the activities of the hotel or inn, so as to avoid unduly impacting parking or traffic on the surrounding streets.

10. The proposed hotel is to be located within an existing structure to which 8,579 square feet of new floor area will be added. The increased floor area will be added predominantly in the form of additional floors to existing structures. Upon completion, the proposed hotel will range in height from forty-six feet, six inches to fifty-eight feet, four inches. It will have a total FAR of 3.48. A hotel use in an SP-2 District is permitted a ninety foot height and an FAR of 6.0.

11. The proposed hotel will have a dining room having a capacity of 120 seats. Seating will also be provided in the outdoor garden during appropriate weather. The outdoor seating will be as an alternative to the indoor dining area, and not as an addition to the total number of seats.

12. The height, bulk and design of the hotel is in harmony with neighboring properties. The structure is substantially less than the permitted height and FAR limitations in the SP-2 District. The subject site is located across Massachusetts Avenue from the Central Employment

Area. The immediate vicinity of the subject site is predominated by apartment houses, churches, office buildings and parking lots. Other uses in the vicinity include retail, hotel and public utility uses. The subject structure is in harmony with these surrounding structures.

13. Approval of this application will result in a balance of residential, office and hotel use in the SP District in the vicinity of the site. The subject site is just north of the Hotel Residential Incentive District. The only other hotel in the vicinity is the Henley Park Hotel, located diagonally across Massachusetts Avenue to the southeast. Three blocks to the west, at Thomas Circle, are the Holiday Inn and the Washington Plaza, which are more traditional hotels. In the immediate neighborhood of the proposed hotel are a large office building occupied by federal agencies at 1100 L Street, the new National Food Brokers Association Building, located directly across Massachusetts Avenue, plus a large number of apartments, condominiums, private residences, and commercial office buildings. Churches, utilities, parking lots and retail uses are also located in close proximity to the subject site.

14. There are no function rooms or exhibit space in the proposed hotel.

15. The subject site is located directly across Massachusetts Avenue from the Central Employment Area. In addition, Metro Center is located in close proximity, four blocks to the south of this site. The proposed Mount Vernon Square/UDC Metrorail station will be located three blocks to the east of the site.

16. Sub-section 7202.1 requires one parking space for every four sleeping rooms or suites plus one space for each 300 square feet of floor area in the largest function room. With fifty-four rooms, four of which are suites, the applicant is required to provide fourteen parking spaces. Sub-section 7302.1 requires one loading berth for a hotel with between thirty and 200 sleeping rooms or suites. Due to site constraints imposed by the location of the historic structure, the applicant argued that it cannot provide on-site parking. Therefore, a variance from the on-site parking requirements is requested.

17. Paragraph 7303.21 requires a twenty-five foot depth for a hotel loading berth. The proposed loading berth measures twelve feet by 22.5 feet, or 2.5 feet short of the required depth. A variance from the depth requirements of a loading berth is requested by the applicant.

18. The parking requirement could theoretically be met in one of several ways. The historic structure could be

"retrofitted" with an underground parking garage for four vehicles. However, the lot is not large enough to accommodate the necessary ramp and parking space in one level. Moreover, such a project would require extensive underpinning and excavation beneath the entire structure, which would result in a tremendous cost for design and construction, with a marginal benefit to the project. Another theoretical alternative would be to devote the existing ground floor space to garage space. However, the resulting "lost" space would of necessity be added to the top of the existing structure. The building is already planned for the maximum height that the existing footings will permit and the maximum height that can be accommodated by a hydraulic elevator. Therefore, this "lost" space could not be added back into the building. Any decrease in the already limited number of rooms planned for the hotel would jeopardize this project. The only other alternative would be to construct a tunnel through the building, and accommodate the parking in the historic courtyard. However, the courtyard is an integral part of the historic nature of the structure, and a primary feature of the hotel. The courtyard will be used for dining during warm weather, and in any event is not large enough to accommodate four parking spaces. The resulting loss of hotel rooms due to the "tunneling" would adversely impact the feasibility of the project.

19. The applicant's traffic expert testified that, on the basis of surveys that have been made of actual parking needs for other downtown hotels of a similar nature to the proposed inn, the fifty-four room Morrison-Clark Inn would need a maximum of eleven spaces. For lunch guests the normal peak need would be for six spaces and for dinner the normal peak need would be for thirteen spaces. The expert assumed that with seasonal seating accommodations providing for up to 250 guests, the dinner peak parking need could be as high as twenty-eight spaces. The total peak needs thus would be seventeen during the lunch hour and thirty-nine during the dinner hour. There are seventy-six and 283 spaces available elsewhere in the area at those times, respectively. Even ignoring the two off-street lots north of Massachusetts Avenue, which may not serve the public a few years from now, the availability of parking within a one-block radius is sixty-two at lunch time and 111 at dinner time. Therefore, there would be adequate, convenient parking for the proposed use of the subject property. Furthermore, the traffic volumes that would be associated with these inn visitors would not affect the existing "A" level of service. Also, off-site parking can be accommodated at any one of the several commercial parking lots in close proximity to the subject site. The inn will provide a valet parking service.

20. The traffic expert's assumptions overstated the number of seats available for dining. Accordingly, the maximum parking demand would be less than was stated.

21. The applicant's traffic expert witness in post-hearing submission requested by the Board, reported that the mode of arrival at small hotels in downtown Washington was as follows:

HOTEL	ROOMS	PERCENT WALK, TRANSIT	PERCENT TAXI	PERCENT AUTOMOBILE
Jefferson	129	20	50	30
Tabard Inn	49	70	20	10
Rock Creek	52	50	10	40

22. The only proposed curb cut for the hotel will be for the loading berth on L Street. Due to the configuration of the existing structure and the interior layout, this is the only place where the loading berth can be accommodated. The loading berth is located as far to the east along the L Street frontage as possible, approximately seventy-five feet from the intersection of 11th and L Streets. This will n not result in any dangerous or other objectionable traffic conditions. There are no other driveways, access roads or circulation elements in connection with the hotel.

23. The size of the loading berth is dictated by both the interior and exterior configuration of the building. The rear wall of the loading berth will abut the hotel kitchen. The kitchen area has already been reduced to the maximum extent possible to accommodate the loading berth and still have functional kitchen, with minimal aisle and counter space. Although the loading berth will project 2.5 feet beyond the property line, there is approximately twenty-eight feet of public space between the property line and the curb line at this point. Therefore, the distance between the rear wall of the loading berth and the curb line will approximate fifty feet.

24. The applicant's traffic witness testified that, based on observations of similar types of inns in downtown Washington, as the Tabard and the Gralin, the maximum size of vehicle that could be expected to serve the site would be twenty feet long, and it would be rare for more than one vehicle to be at the site at one time. The witness concluded that there would be no adverse traffic impact resulting from the operation of the inn, there was adequate parking space and that truck service provisions would be satisfactory. The Board, in general, concurs with the traffic witness. The Board, however, will condition below that the inn provide twelve off-site parking spaces.

25. The Office of Planning, by report dated September 19, 1984, recommended approval of the application. The Office of Planning reported that it is the City's objective as enumerated in the Downtown Element of the Comprehensive Plan to increase substantially the number of hotels and hotel rooms in the area around and to the north of the D.C. Convention Center. By seeking to establish a hotel at 11th and L Streets, three blocks north of the Convention Center, the subject application is in complete accordance with this objective. The subject application is also in accordance with the special exception criteria of Paragraph 4101.48. It is in harmony with the general purpose and intent of the Zoning Regulations and will not adversely effect use of neighboring property. Finally, the location and configuration of the existing historic structure creates a practical difficulty for the applicant in terms of compliance with parking and loading berth dimensional requirements. The Board concurs with the reasoning and recommendation of the Office of Planning.

26. The Department of Public Works (DPW), by memorandum dated September 18, 1984, reported that as to the street system, L Street is a thirty-two foot wide local street with one-way westbound traffic in front of the site. One-hour parking is allowed in the north curb lane between 7:00 A.M. and 6:30 P.M. Parking is prohibited in the south curb lane from 7:00 A.M. to 6:30 P.M. Massachusetts Avenue is a principal arterial with a fifty foot wide pavement and an average daily traffic volume of 28,000 vehicles near the site. Two-hour metered parking is allowed in the north curb lane between 7:00 A.M. and 6:30 P.M. Parking is prohibited in the south curb lane. Eleventh Street is a seventy foot wide collector street with an average daily traffic volume of 12,000 vehicles near the site. Two hour metered parking is allowed in the east curb lane from 7:00 A.M. to 4:00 P.M., and in the west curb lane from 9:00 A.M. to 6:30 P.M. Tenth street is a forty-six foot wide minor arterial with one-way south bound traffic. Parking is restricted to two hours between 7:00 A.M. and 6:30 P.M. on both sides of the street under the Residential Parking Permit program.

27. As to the transit system, the DPW reported that three Metrobus routes, the G-6, 60 and K-4, pass adjacent to the site on 11th Street. Four additional Metrobus routes are located approximately two to three blocks from the site, including the D4, D8, and 73 routes. The site is located five blocks from the Metro Center Metrorail station and five blocks from the future planned Mount Vernon Square-UDC Metrorail station.

28. The DPW reported that the proposed hotel will generate a demand for between forty and sixty parking spaces during peak period of operation, when there is a full complement of hotel guests, restaurant patrons, and employees

on the premises. The DPW realized the physical difficulty involved in renovating an historic landmark and providing on-site parking spaces where none previously existed. The DPW did not recommend that the applicant be required to provide on-site parking. However, since there are available parking spaces located on lots near the site, the DPW recommended that the applicant attempt to secure a parking contract as an interim solution to the hotel parking needs. The surrounding street system does have available curb-side parking which can accommodate some portion of the short-term parking demand generated by the hotel/restaurant. At some future date, when the parking lots in the area are developed with commercial buildings, the applicant should seek a parking contract on a permanent basis in a parking garage.

29. After reviewing the loading berth arrangement proposed by the applicant, the DPW was in consensus that the size and location of the loading berth will satisfy the loading requirement. Although the berth itself is only 22.5 feet in length, there will be approximately forty feet of driveway between the loading berth and the sidewalk area. Therefore, there will be sufficient space to accommodate a thirty foot truck without blocking the sidewalk. The DPW concluded that the developer must coordinate all construction and design elements within public space with the DPW and assume their cost. The Board concurs with the reasoning of the DPW.

30. The Department of Housing and Community Development (DHCD), by memorandum filed August 10, 1984, reported that the proposal of the applicant to convert a private club to a hotel with fifty-four rooms is a change in land use consistent with other land use modifications which are occurring in the area. The proposed size of the hotel is unlikely to have any adverse effect on other future hotels nearby, such as that being planned at 9th Street as part of a coordinated development including downtown facilities for the University of the District of Columbia. From the standpoint of land use, therefore, the DHCD had no objection to the granting of the requested relief. The Board concurs.

31. Advisory Neighborhood Commission 2C filed no recommendation on the application.

32. There were over one dozen letters filed in support of the application by property owners in the neighborhood of the proposed hotel based on the grounds that the proposed inn would be in harmony with the uses in the subject area, the restored structure would end one blight in the immediate area, the inn is a needed use in the area, the restoration would encourage others to improve their property and that the inn would encourage people to come into the area.

33. Other than the matters recited in Finding No. 1, there was no objection to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the evidence of record, the Board concludes that the applicant is seeking special exception and variance relief. The Board concludes that the applicant has met the requirements of Paragraph 4101.48 for special exception relief for the proposed hotel and that such relief will be in harmony with the general purpose and intent of the regulations and will not adversely affect the use of neighboring property.

The Board further concludes that the applicant is entitled to variance relief from the parking and loading requirements. The property is affected by an exceptional or unusual situation or condition as evidenced in the report of the Office of Planning and the Department of Public Works. Strict application of the regulation would result in a practical difficulty. The Board further concludes that the variance relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose or integrity of the Zoning Regulations. Accordingly, it is ORDERED that the application is GRANTED in its entirety SUBJECT to the following CONDITIONS:

1. The seating capacity for all dining facilities located on the subject premises shall not exceed 120 seats at one time.

2. At least twelve off-site parking spaces shall be provided to serve the hotel. The certificate of occupancy for the subject hotel shall be issued only for that period of time for which the applicant can demonstrate the availability of a minimum of twelve parking spaces.

VOTE: 4-0 (Douglas J. Patton, Carrie L. Thornhill, William F. McIntosh and Maybelle T. Bennett to grant; Charles R. Norris not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 9 NOV 1984

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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