

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



ORDER

Before the Mayor's Agent for D.C. Law 2-144, the 'Historic Landmark and Historic District Protection Act of 1978.'

H.P.A. No. 86-732 application for demolition, alteration and new construction on Lots 800, 803, 804, 813, 63, 815, 16, 17 and 18 in Square 248, on the north side of K Street, N.W.

Hearing Date: February 27, 1987

FINDINGS OF FACT:

1. The Applicants, The Almas Temple Club (hereinafter "The Club") and Cadillac-Fairview Urban Development, Inc., have applied for demolition, alteration, and new construction permits under Sections 5, 6 and 8 of the Historic Landmark and Historic District Protection Act of 1978, D.C. Law 2-144 (hereinafter the 'Act'), to allow for demolition of an existing structure and addition of new construction on a site owned by them on Lots 800, 803, 804, 813, 63, 815, 16, 17 and 18 in Square 248, known as the "Almas Temple Building" at premises 1315-1323 K Street and 1000 13th Street, N.W. The Almas Temple Club is the record owner of the property and Cadillac-Fairview Urban Development, Inc. is the contract purchaser.

2. The Almas Temple building is a Category III Landmark on the District of Columbia Inventory of Historic Sites and it stands in the C-4 zoning district.

The subject site was designated as a Category III Landmark in 1981. As set forth in the designation decision of the Joint Committee on Landmarks (now the Historic Preservation Review Board or Review Board), the Almas Temple Building was found to qualify as a Category III Landmark because of its elaborate and ornamental polychrome terra cotta facade and because of its historic use as a clubhouse for the Almas Temple of the Ancient Arabic Order of the Nobles of Mystic Shrine. (Exhibit No. 5(C)).

3. An earlier development plan similarly involved the preservation and relocation of the Almas Temple facade, demolition of the remainder of the structure and the reconstruction of a new office and retail structure. The plan was given conceptual approval by the Joint Committee on Landmarks on January 20, 1982. (Exhibit No. 5).

4. Those plans were reviewed by the Zoning Review Branch and determined to require a waiver from the Board of Zoning Adjustment (BZA). On October 24, 1984, by a unanimous bench decision, the BZA granted the applicant in that case variance relief. (Exhibit No. 5).

5. On November 21, 1984, the Review Board reviewed the application and gave its preliminary approval.. (Exhibit No. 5(D)).

6. A hearing was held before the Mayor's Agent on January 24, 1985 and by order dated May 21, 1985, the Mayor's Agent approved the issuance of the demolition permit as consistent with the purposes of the Act and necessary in the public interest. (Exhibit No. 5(D)).

7. Following the previous Mayor's Agent order, the property was sold to Cadillac-Fairview Urban Development, Inc., which enlarged the site area, redesigned the construction plans and resubmitted them for approval. (Exhibit No. 5).

8. In accordance with Section 5(b) of D.C. Law 2-144, the new Application (Exhibit No. 1) was referred to the Review Board.

9. On October 15, 1986, the Review Board reviewed the application and gave its preliminary approval. (Exhibit No. 3).

10. In accordance with Section 5(b) of the Act, the permit application was referred to the Mayor's Agent for review to determine if the requested demolition should be permitted. Applicants filed the prehearing submission, setting forth the facts and arguments in support of the application and containing all information required to be filed under paragraph 3.3 of the Rules of Procedure. (Exhibit No. 5).

11. Notice was sent to the affected Advisory Neighborhood Commission 2C and the abutting property owners. The case was set for hearing on February 27, 1987, in accordance with the applicable notice requirements of the Act (Exhibit No. 4).

12. On Friday, February 27, 1987, the Mayor's Agent conducted a public hearing on said application. During the course of the hearing, four witnesses were heard.

13. The basis of the request for the issuance of the permit is that the demolition is consistent with the purposes of the Act.

14. The Applicants by Counsel stated that the proposed demolition would allow for 'safeguarding the City's historic, aesthetic and cultural heritages embodied in 'such landmarks and districts' in accordance with Section 2(A)2 of the Act in that the original ornamental facade of the structure will be relocated and reconstructed and given new life by virtue of the proposed redevelopment of the site on an economically sound basis.

15. The Applicants by Counsel stated that pursuant to Section 2(a) (4) and 2(a)(5) of the Act, the demolition proposed will protect and enhance the City's attraction to visitors and the support and stimulus to the economy thereby provided and will promote the use of landmarks and historic districts for the education, pleasure and welfare of the District of Columbia.

They reasoned that the proposed design and the necessary demolition to effectuate it will result in the protection and enhancement of the landmark as well as the economic adaptive reuse of a property now in decline and the continued presence of the historic Club function on the site. (Exhibit No. 5).

16. Applicants by Counsel stated that pursuant to Section 2(b)2(a) of the Act, the proposed demolition would in fact 'retain and enhance historic landmarks in the District of Columbia and encourage their adaptation for current use'.

They reasoned that, although the proposal requires the demolition of the floors, interior structure and rear walls of the building, it preserves the character-defining features of this Category III landmark. The terra cotta facade will be stabilized and preserved and placed within a setting that emphasizes its unique, jewel-like architectural qualities. The Applicants, through counsel, requested that the testimony presented by the architectural historian during the previous Mayor's Agent case be incorporated in the record of this case.

17. The Applicants by Counsel contend that, pursuant to Section 2(b) of the Act, the demolition proposed would encourage the restoration of historic landmarks, in that it will retain and enhance the aesthetic appearance of the significant portion of the exterior of the structure.

18. Mr. Harley Cook, the Applicants' representative, stated that the Club determined that its structure was no longer adequate for their needs. The Club looked for alternatives that would allow them to remain in the area and "at the same time make economic good use of the land". The Club entered into an agreement with the Rouse Company to develop a proposal for a larger office building. (Mayor's Agent Hearing, T.16) As stated, this development proposal was given conceptual approval by the Joint Committee on January 20, 1982. Due to adverse market conditions, the Club was unable to go forward with its plans at that time.

19. Mr. Cook testified that, following the approval of the original development plans, the property was purchased by Cadillac-Fairview Urban Development, Inc., which also acquired four additional lots to expand the site. The new design requires demolition of the Almas Temple building with the reconstruction of the facade at a new location on K Street. (Mayor's Agent Hearing, T. 17).

20. Mr. Cook testified that the present proposal allows the Almas Temple to function behind the facade. The major entrance to the Club will be through the historic facade. The flexibility of being positioned within a larger building was said to enhance the interior facilities for the Club. Mr. Cook further testified that he had read the requirements under Sections 2(a) and 2(b) of the Act and felt this plan meets all those requirements. (Mayor's Agent Hearing, T.18).

21. Applicants' architect, George Hartman, described how the proposal restores, preserves and relocates the significant Almas Temple Building facade on K Street and allows for construction of a new office and retail structure beside the facade. The goal of the project was to keep the temple facade as the symbol of the building and actually the front door. Mr. Hartman testified that as a result of the expanded development site, the new plans allow the temple to retain its identity and its aesthetic integrity. In the former proposal, the new building came over and behind the temple facade. (Mayor's Agent Hearing, T.12). Mr. Hartman stated that, in his professional opinion, the project fully accords with the purposes of the Act. (Exhibit Nos. 6 and 7).

22. Applicant's expert preservation architect, Mary Oehrlein, described the demolition and reconstruction process. Ms. Oehrlein testified that the demolition of the facade by hand will ensure the preservation of the terra cotta facade with minimal damage and that its reconstruction will likewise promote its durability and permanence. (Mayor's Agent Hearing, T.21-22).

23. Advisory Neighborhood Commission 2C took no position on the application.

24. The D.C. Preservation League by testimony presented at the public hearing expressed its full support of the project.

25. There was no opposition to the proposed application for demolition.

CONCLUSION OF LAW

Pursuant to Section 5(e) of D.C. Law 2-144, no demolition or alteration permit may be issued unless the Mayor or his designated agent finds that issuance of the permit is necessary in the public interest: Section 3(j) of the Act defines 'necessary in the public interest' as 'consistent with the purposes of this Act as set forth in Section 2(b) or necessary to allow the construction of a project of special merit. The Mayor's Agent is of the opinion that the Findings of Fact show that Applicants' proposal to preserve the original portion of the K Street facade of the Almas Temple Club is consistent with the purposes of the Act.

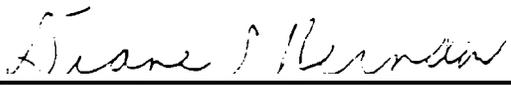
Based on the evidence of record, the Mayor's Agent finds that the Applicants' proposal will retain and enhance the aesthetic appearance Of the significant portion of the exterior of the structure. The evidence of record demonstrates that demolition of the structure is a viable way in which to effectuate adaptive reuse of the Almas Temple and allow the continued

historical presence of the Almas Temple Club on the site. Accordingly, demolition of all portions of the building and reconstruction of the original facade facing K Street, N.W., is consistent with the purposes of D.C. Law 2-144 and in the public interest as defined by Sections 2(a)(1), 2(a)(2), 2(a)(4), 2(a)(5), 2(b)2(A) and 2(b)2(B) of the Act.

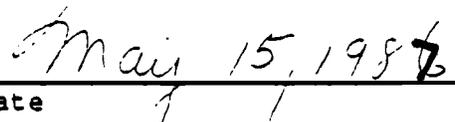
The Mayor's Agent therefore finds that the Applicants' application for demolition is consistent with the purposes of the Act and necessary in the public interest and that the permit should be issued as requested.

ORDERED:

Issue demolition permits. Application H.P.A. No. 86-732 is necessary in the public interest.



Diane L. Herndon, Esquire
Mayor's Agent for D.C. Law 2-144



Date