

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 13, 1971

Appeal No. 10943 Marion Oken, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with William F. McIntosh absent, the following Order of the Board was entered at the meeting of December 21, 1971.

EFFECTIVE DATE OF ORDER - Jan. 28, 1972

ORDERED:

That the appeal for further processing of large scale development under Article 75 for project (private general psychiatric hospital) at 4452 MacArthur Blvd., NW., Lot 836, Square 1356, be conditionally granted.

FINDING OF FACTS:

1. The Zoning Commission for the District of Columbia on December 11, 1969, in Zoning Case No. 69-8 and 69-9 gave preliminary approval in granting a change in zoning from R-1-B to R-5-A for a portion of Lot 836 in Square 1356, located at 4452 MacArthur Blvd., NW., for the development under Article 75 as a planned unit development, a new private general psychiatric hospital. In approving the subject case, the Commission determined that the proposal conformed to Section 7501.23(c) as being of exceptional merit and in the best interest of the city.

2. The Zoning Commission for the District of Columbia on January 21, 1971, in Case No. 70-15 approved the final application submitted as complying with the guidelines and standards established by the Commission in December 11, 1969.

3. The Zoning Commission specifically approved Phases 1 and 2 of construction which calls for two (2) stories and basement in the first phase and one additional in the second stage with respective floor area ratios of approximately 0.47 and 0.89. Lot occupancy for the first phase will be 19 per cent and lot occupancy for Phase 2 will be 23 per cent. The height for Phase 1 will be 31.0 feet and 42.0 feet for Phase 2. Parking Stage 1 - 107 spaces, (87 in garage), Stage II - 200 spaces (180 in garage).

4. In addition to the incorporation by reference of the entire files of the Zoning Commission in Zoning Cases No. 69-8, 69-9, and 70-15, applicant at public hearing submitted for consideration by the Board all of the requirements under Section 7501.41.

5. The Board approves Phase 1 of the planned unit development in accordance with the plans in the record of the Zoning Commission in Zoning Case No. 70-15 and the plans submitted to the Board in this appeal. Phase 2 of construction will be submitted to the Board and may not exceed those limits set by the Zoning Commission in its order of final approval.

6. Applicant complies with the requirements of Section 7501.41 since it has submitted and the Board has approved the following:

- (a) Typical floor plans and architectural elevations for the proposed Hospital;
- (b) Roof plans and architectural elevations of all roof structures for the building;
- (c) Final grading and drainage plan for the development area;
- (d) Planting and landscaping for the development area;
- (e) Finished site plan with lot areas and dimensions showing all buildings. It should be noted that driveway and landscaping are consistent with Zoning Commission conditions.
- (f) The detailed parking garage and circulation plans as required.

7. Applicant complies with Section 7501.42 in that the Zoning Commission has approved Phases 1 and 2 construction and this Board has approved Phase 2.

8. Applicant complies with Sections 7501.43 through 7501.45.

9. This appeal was filed and heard under plan by Lockman Associates, Architects, drawings No. BZA 1,2,4,6-9, dated August 27, 1971, noted by Howard H. Mackey, member of the Board, on December 21, 1971.

10. Applicant complies with Sections 7501.47, 7501.39 and 7501.23(c), in that the file contains a certification that all information submitted is in accordance with the elements and guidelines contained in the Zoning Commission's approval; the proposed use, location, dimension, number of stories and height of each building and structure and finished grades were submitted to the Zoning Commission also indicate the area, dimensions of the lot proposed for the building, the lot occupancy of the building. The exhibits of record indicate the location and number of all off-street parking spaces and unloading berths; the existing topography of the area; the elevation of streets and alleys bounding the site; the existing or proposed public and private rights of way and easements bounding or traversing the project area and which rights of way or easements are to be continued, relocated or abandoned; the location, approximate number and size of uses and commercial adjuncts within the structure; and all other maps and documents required under Section 9101 for an amendment to these Regulations.

11. No objection to the granting of this appeal was registered at the public hearing.

OPINION:

The applicant in this appeal has requested approval of Phase 1 of construction as filed which is larger than contemplated by the Zoning Commission. The Board approves this increase as being consistent with the plan finally approved by the Zoning Commission and accepts jurisdiction as provided to the Board in sub-paragraph 7501.49

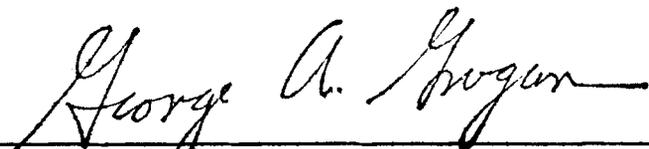
This appeal complies with the Zoning Commission approval. The Board concludes that the roof structures of this proposed hospital will harmonize with the street frontage of the building in architectural character, material and color. The roof structures are in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of nearby and adjoining property.

This Order shall be subject to the following conditions:

- (a) Construction of Stage II will be started within ten (10) years from effective date of this order and completed within two (2) years hence.
- (b) The Board shall retain jurisdiction over this application for further processing in accordance with the provisions of sub-paragraph 7501.49 when Stage II is presented, any deviation from Zoning Commission's final approval must be justified.
- (c) Applicant shall record an appropriate covenant covering the development of the entire project as approved by the Zoning Commission Case No. 70-15 and this appeal.

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

ATTESTED:

BY: 

GEORGE A. GROGAN
Secretary of the Board