

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12660 of Washington Medical Center, Inc., pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Sub-section 7205.3 to locate required parking spaces other than on the lot where the principal use is located; for variances from the floor area ratio (Sub-section 3302.1) and percentage of lot occupancy (Sub-section 3303.1) requirements and for a variance from the roof structure requirements (Paragraph 3308.12) to allow an existing hotel and extended care facility to be converted to a hospital in the R-5-D District at the premises 1143 New Hampshire Avenue N.W., (Square 72, Lot 74).

HEARING DATE: May 24, 1978
DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. By memo, dated May 16, 1978 of the Zoning Review Branch, the approval of the BZA for a variance from the lot occupancy requirements (Sub-section 3303.1) was not required. In all other aspects this application, as advertised, remains the same.
2. The subject property is located on the east side of New Hampshire Avenue north of L Street, N.W. and is known as 1143 New Hampshire Avenue, N.W. It is in an R-5-D District.
3. To the south of this site are two large apartment buildings. Adjacent on the north is a nine story office/retail building (2100 M Street). To the rear of the site is an office/retail building which has frontages on both 21st Street and L Street, N.W. Across New Hampshire Avenue from this site is an Exxon Gasoline service station at the northwestern corner of New Hampshire Avenue and M Streets. In addition there are two small office buildings and a three story structure at the corner of New Hampshire Avenue and 22nd Street. The three story structure appears to be devoted to non-residential use.

The R-5-D district extends along New Hampshire Avenue to Virginia Avenue in the south and to N Street on the north. The eastern half of Square 72 is zoned C-3-B. The R-5-B, R-5-C, C-2-B, SP and CR zones are all found within 3 or 4 blocks of this site. In general the areas east of New Hampshire Avenue at this location are devoted to high intensity office and retail uses while the areas to the west are more residential in character.

4. The subject site has a lot area of approximately 31,244 square feet and is improved with an apartment hotel and extended health care facility. By BZA Order No. 9998, dated July 4, 1969, the Board approved this existing improvement. It granted variances from the rear yard and lot occupancy requirements and approved roof structures to permit the construction of the existing improvement.

5. The applicant now seeks to convert the existing improvement to a 317 bed hospital. The building will serve as a replacement for Doctors Hospital presently located at 1815 Eye Street, N.W.

6. On September 10, 1977 the applicant was granted by the Government of the District of Columbia, Department of Human Resources, a renewal of a certificate of need for an acute care hospital at the subject premises.

7. The subject building, as a hotel and extended care facility, for zoning purposes was classified as a residential building, which permitted a maximum floor area ratio of 6.0. The building was constructed to a floor area ratio of approximately 5.7 (178,870 square feet). In the proposed conversion to a hospital the permitted floor area ratio decreases from 6.0 to 5.0. The applicant now seeks a variance from the floor area requirements in the amount of 22,650 square feet or 14.5 per cent.

8. The floor area ratio of the roof structure as originally constructed was 0.145 or 4,575 square feet. The applicant requires a variance from Paragraph 3308.12 of the Zoning Regulations to permit roof structures of unequal height. The variance is required due to a proposed addition of a roof structure to the existing building. The proposed roof structure is 18'-0" in height. Total gross floor area of the roof structures as proposed is approximately 9,849 square feet. A maximum of 11,560 square feet is permitted. The existing and proposed roof structures falls

within the allowable floor area ratio limits as stated in Section 3308 of the Zoning Regulations. The proposed roof structure is 18'-0" high, which is within the limits outlined in this Section. The existing roof structure which was previously approved by the Board was built prior to the adoption of the 1976 amendments to the roof structure section of the Regulations and exceeds the 18'-6" height limitation of the Section. The proposed addition to the penthouse roof structure results in a roof structure with unequal heights.

9. The existing building is non-conforming as to structure but not as to use. There will be no increase in floor area ratio resulting from the proposed full conversion to a hospital. The requested variance is sought because the existing structure is non-conforming. The full conversion to a hospital does not change the structure's non-conforming status.

10. Article 72 of the Zoning Regulations requires one off-street parking space per hospital bed. A total of 217 spaces are required. The applicant has stated that 108 spaces can be accommodated on site. Twenty-seven spaces can be secured at 2100 M Street, N.W. and an additional twenty-seven spaces at 2000 L Street, N.W. The applicant proposes to provide a total of 126 spaces. Due to the location of the existing structure on the lot and its size, it is impossible to locate additional parking spaces on the subject site. The structure contains no front yard or side yards in which to park vehicles and the rear yard is inaccessible due to the lack of an alley in the subject square.

11. The proposed accessory parking to be located at premises 2100 M Street, N.W., Square 72, Lot 75, is preferred accessory parking pursuant to the Regulations as it abuts the subject site to the north. Parking will be provided by the knocking out of garage separation panels which exist between the two buildings. The only difference between the 108 spaces provided onsite and the 27 accessory spaces at 2100 M Street, N.W. is the lot line between the two properties, as physically the garage will operate as a unit.

12. The site at 2000 L Street, N.W., is located only 700 feet from the subject site and is accessible by crossing 21st Street and L Street, both of which have a 900 foot right-of-way. Both street intersections have pedestrian crosswalks with street lighting indicating where it is safe to walk.

13. The accessory parking at 2100 M Street is located within 100 feet of all lot lines of the structure to be served. The accessory parking at 2000 L Street, N.W. is located within approximately 700 feet of all lot lines of the structure to be served.

14. The applicant, in support of its contention that 162 parking spaces is sufficient to service the proposed hospital, has submitted its parking analysis with the supporting raw data on which it is based.

15. The Municipal Planning Office, by report dated May 18, 1978, recommended that the application be conditionally approved. It found that the existing building is well suited for use as a hospital and contains many features of a hospital. The MPO noted that this property is located within three blocks of three Metro stations and the area is well served by Metrobus. The Municipal Planning Office recommended that due to the proximity of Metro and bus service that the required parking be reduced by the 25% permitted in Section 7203 of the Zoning Regulations. The Municipal Planning Office recommended that the applicant provide a minimum of 238 parking spaces to serve the hospital either on site or within a reasonable distance of the site.

16. This application with the applicant's parking analysis and its supporting data, was referred to the Department of Transportation for its review and report. By memorandum, dated June 5, 1978, the Department of Transportation found that the reduced amount of parking requested by the applicant to be reasonable. The Board so finds.

17. Advisory Neighborhood Commission 2A, by letter dated May 25, 1978, reported that it would neither oppose nor support the application.

18. The Dupont Circle Citizens Association opposed the application on the grounds that it would lead to traffic congestion, the subject area was already overcrowded with hospitals and doctor faulties and that the existing building could be used for residential purposes. In reply the Board notes that a certificate of need was issued for the subject premises and that any parking issue has been resolved though the DOT report.

CONCLUSIONS OF LAW:

The applicant seeks area variances the granting of which requires a showing of a practical difficulty arising from the property itself. The Board concludes that the history of the construction of the subject building evidences this practical difficulty. The Board further concludes that the applicant complied with Section 7205 and Sub-section 8207.2 of the Zoning Regulations with regard to the location of accessory parking elsewhere than on the lot upon which the structure to be served is located. The Board also concludes that the relief can be granted without substantial detriment to the public good and without adversely affecting the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh to grant, John G. Parsons to grant by proxy).

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

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

JUL 21 1978

FINAL DATE OF ORDER: _____

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.