

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13416, of Howard University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exceptions under Paragraph 3101.46 for review and approval of an amended campus plan in R-4, R-5-B, SP-2, C-2-A, C-M-1, C-M-2 and C-M-3 Districts at premises generally bounded on the north by Columbia Road, on the west by Georgia, Sherman and Florida Avenues, on the south by U and V Streets and on the east by 4th Street, N. W., (all of Squares 2873, 2875, 2877, 3053, 3054, 3055, 3057, 3058, 3060, 3063, 3064, 3065, 3067, 3068, 3072, 3074, 3075, 3078 and 3079, Lots 74-90, 163-173 of Square 3051, Lot 859 of Square 3069, Lots 22-26, 41-48, 57-72, 803, 812-815, 818, 820, 822-826, 828, 829, 831-842 of Square 3080, Lot 830 of Square 3084, Lot 835 of Square 3088, Lots 17-23 of Square 3090, Lot 800 of Square 3094 and Lots 742-769, 883, 888-891, 894, 939, 945, 946 and 1034 of Square 2882), for specific approval of a child care center at 1911 - 5th Street, N. W., (Square 3090, Lot 41); and for specific approval of a hospital parking structure at 5th, V and 4th Streets, N. W., (Square 3072, Lot 52).

HEARING DATES: January 28, March 25 and May 27, 1981
DECISION DATE: September 2, 1981

FINDINGS OF FACT:

1. The subject application is before the Board requesting three separate actions. First, the applicant, Howard University, seeks approval of a revised campus plan for the area of the University's main campus generally bounded on the north by Columbia Road, on the west by Georgia, Sherman, and Florida Avenues, on the south by U and V Streets and on the east by 4th Street, N. W. Second, the applicant seeks approval to construct a child care center at 1911 5th Street, on the east side of 5th Street between T and U Streets. Third, the applicant seeks approval to construct a parking garage on the north side of V Street between 4th and 5th Streets to serve the Howard University Hospital.

2. Within the area proposed to be included in the campus are properties zoned R-4, R-5-B, SP-2, C-2-A, C-M-1, C-M-2 and C-M-3. The child care center site is zoned R-4. The parking garage site is zoned R-5-B.

3. The requirement for BZA approval of a college or university use applies to properties located in residential

districts. In all other zones, a college or university use is permitted as a matter-of-right. The major part of the Howard University campus is located in R-4 and R-5-B Districts. In order to determine the overall impact of the University, and in order to insure that the proposed use would not be an "unreasonable campus expansion into improved low-density districts," the Board must consider the overall proposed plan for the entire campus, regardless of the zone district applicable to any particular property.

4. The last previously approved campus plan for the University was approved by the Board in Application No. 12018, by order dated July 16, 1976. That plan was limited to an area of approximately seventy-nine acres in the area bounded generally by Hobart Street on the north, McMillan Drive and 4th and 5th Streets on the east, the rear of U Street on the south and Georgia Avenue on the west. The Board specifically declined to include in the approved campus areas north of Hobart Street to Columbia Road, south of U Street to Florida Avenue and west of Georgia Avenue to Sherman Avenue.

5. By letter dated March 24, 1981, the applicant advised the Board that it wished to amend its application regarding campus boundaries. The boundaries as requested by the University are shown on Sheet 6 of the drawings marked as Exhibit No. 47 of the record. The University withdrew its request for expansion of the boundaries north of Gresham and Hobart Places.

6. As compared to the boundaries approved in 1976, the University requested the inclusion of the following additional property within the campus:

- A. The Mott School property now owned by the District of Columbia on the east side of 4th Street between Bryant and W Streets.
- B. The property east of the Hospital between 5th and 4th Streets N. W.
- C. The property south of the Hospital to U U Street.
- D. Various properties on the east side of Georgia Avenue not owned by the University, including the Miner Teachers' College building.

7. At the public hearing held on May 27, 1981, the university further amended its requested boundaries to delete the location of a proposed In-and-Out Surgery facility located south of the Hospital on the north side of U Street. The only extension of boundaries to the south

from the 1976 plan is for the inclusion of the House Staff Quarters located on the north side of U Street, marked as Building 244 on Sheet 9 of Exhibit No. 47.

8. Howard University is an academic institution of higher education which has operated in the District of Columbia since 1867. The University offers undergraduate programs in liberal arts, allied health, architecture and planning, business, communication, education, engineering, fine arts, human ecology, nursing, pharmacy and dental hygiene. The University offers a graduate school and professional programs in medicine, dentistry, law, social work, religion, architecture, business, education, engineering and fine arts.

9. In 1980-81, the undergraduate programs had a total enrollment in full-time equivalent students of 6,784. The graduate and professional schools had a total enrollment of 10,100 full-time equivalent students. The University projected an enrollment of approximately 10,200 undergraduates and 18,800 graduate and professional students by 1995-96. The University projected a total faculty of 1,970 full time equivalent persons by 1995, and 5,400 full time and 700 part time staff.

10. The 1976 approved plan anticipated an enrollment of 20,000 students by 1985 and projected enrollments as high as 30,000 students beyond 1985.

11. Since 1976, the University moved forward to implement the approved plan. The University Center Building, the Cancer Research Facility and the Seeley Mudd Building were all occupied in 1979. The Dental Building addition, the Medical-Dental Library expansion and the WHMM TV station are all under construction. Renovations to the Freedmen's Square project have begun.

12. The University proposes to complete additional projects which were contained in the approved 1976 plan. Those projects are listed on page 31 of the Howard University Central Campus Plan, marked as Exhibit No. 44 of the record. These projects include facilities to serve all major use categories on the campus, including academic, administrative, residential, recreational and service areas.

13. The University further identified additional specific development projects which it expects to undertake in the plan as follows:

- A. The Physical Medicine and Rehabilitation Center at the southeast corner of the intersection of Oakdale Street and 5th Street.

- B. The Gerontology Center on the south side of 5th Street east of the Physical Medicine and Rehabilitation Center.
- C. The Child Care Center on the east side of 5th Street between T and U Streets.
- D. The House Staff Quarters for the Hospital on the north side of U Street east of Bohrer Street.
- E. The Nurses Quarters at the southeast corner of the intersection of 5th and T Streets.
- F. The East Hospital Plaza in the block bounded by 5th, 4th, V and Oakdale Streets.
- G. The Hospital parking structure on the north side of V Street between 5th and 4th Streets.
- H. The Hospital Heliport on the roof of the Bio Medical Research Center on the east side of Georgia Avenue just north of the Hospital.
- I. The Central Receiving Building on the east side of 9th Street between V Street and Barry Place.

14. The University further proposed to delete the following projects contained in the approved 1976 plan:

- A. Dormitories at 5th and Hobart and 5th and Gresham Streets.
- B. Two parking structures adjacent to the above cited dormitories, a parking structure east of the stadium and parking within Classroom Building No. 4.
- C. An addition to Burr Gymnasium.

15. The present plan further proposes significant modifications in the area of the proposed stadium. The proposed stadium has been increased to a capacity of 20,000 seats for football. There is a 958 car parking structure below it. The building also contains athletic and physical education facilities. One level of the parking garage is connected to Burr Gymnasium and Cramton Auditorium by tunnels.

16. The overall proposed floor area ratio for the total campus is 1.92. The maximum allowable floor area

ratio as a composite of all sites with their respective zoning is 2.98.

17. The proposed overall lot occupancy is 42.4 percent, compared to an allowable lot occupancy of 74.1 percent.

18. The University is presently required to provide 2,153 parking spaces. The University presently has 2,277 parking spaces, including 1,566 for the University and 711 for the Hospital.

19. The University would be required to provide a minimum of 3,600 parking spaces under the Zoning Regulations. The University is proposing to provide a total of 4,181 parking spaces at the end of the plan period. The University submitted a phasing plan for parking supply, on pages 205-207 of Exhibit No. 57A of the record.

20. The University has an implied parking demand for 5,780 spaces. To provide that many parking spaces would be infeasible from an economic viewpoint for the University, and would violate the D.C. Department of Transportation's policy of discouraging private travel while encouraging the use of public transportation. Therefore, the University originally proposed to provide 3,700 spaces. An additional 400 spaces were added at the request of citizen groups, for a total of 4,100 spaces. The University would institute a vigorous program of encouraging car-pooling and promoting transit use. As part of this program, a shuttle bus operation, linking the campus with existing and future Metrorail stations, would be established. The shuttle concept is already accepted by Howard University students: Sixty-nine percent of dormitory residents at Sutton Plaza, at 13th and M Streets, and at Meridian Hill Hall, at 16th and Euclid Streets, now use existing shuttle buses to reach the campus.

21. The University is proposing three major new parking structures, one for 958 spaces under the stadium, one at Freedmen's Square for 800 spaces and one at 5th and V Street with 580 spaces for the Hospital. The addition of the stadium parking traffic would produce a B level of service on Georgia Avenue and a C level of service on Fourth Street. Egress from both the Freedmen's Square garage and the Hospital garage would be oriented primarily toward Georgia Avenue, with secondary egress to 4th Street. Georgia Avenue, with a level of service B, could easily absorb the approximately 300 peak hour vehicles that would be directed toward it. The Hospital garage, in particular, would have little impact on peak hour traffic. The main entering times are 7:00-7:30 A.M. and 3:00-3:30 P.M. and between midnight and 12:30 A.M. The heaviest movement would be between 4:00 and 4:30 P.M., when 221 vehicles would leave the garage.

22. There have been no significant changes in traffic volumes since the traffic analysis which proceeded the 1976 plan. Traffic on Georgia Avenue has increased about ten percent, while volumes on other principal streets have declined slightly. Comparative figures for a five year period show Georgia Avenue traffic increasing from 21,000 to 23,500, Fourth Street decreasing from 19,000 to 18,000, Bryant Street decreasing from 7,300 to 5,200, and W Street decreasing from 4,700 to 3,500. All intersections in the immediate area of the campus now function at level of service C or better during peak hours. The operational problems relating to Wonder Bread trucking have been resolved with Bryant and W Streets having been made into a one-way pair.

23. With specific regard to those facilities proposed to be located closest to the adjoining residential area to the south, the Child Care Center, the Nurses Quarters, the Physical Medicine and Rehabilitation Center, and the Gerontology Center, a total of thirty-five vehicle trips would be generated during the AM peak hour and forty-four trips during the PM peak hour. These trips, averaging less than one per minute overall, would have no adverse effect on the surrounding neighborhood.

24. The University's traffic expert testified that the parking program that has been developed as an integral part of the campus plan is appropriate for the future needs of the University and Hospital, and that the traffic that would result would not adversely impact the surrounding community or the street system in general. The Board so finds.

25. The University gave special attention to the area surrounding the Hospital and in the LeDroit Park residential area located at the southern end of the campus. The University proposed several new projects in this area, including the House Staff Quarters, an In-and-Out Surgery facility, the Gerontology Center, the Physical Medicine and Rehabilitation Center, a plaza, a parking garage, a Child Care Center and Nurses Quarters. As a result of further consideration by the University, the applicant withdrew its request for approval of the In-and-Out Surgery facility. The plans for the House Staff Quarters were modified. These quarters provide sleeping rooms for doctors on call at the hospital for up to thirty-six consecutive hours. The original plans involved some demolition of existing townhouses and some new construction. The revised proposal entails renovation of the front portion of the existing townhouses and new construction to the rear. The campus plan as finally before the Board represents the minimum level of intrusion into the existing neighborhood that is essential for the accommodation of support facilities for the hospital. The Board is convinced that the University has diligently examined all reasonable alternatives for

location of the described facilities, and that as now proposed, the campus plan will result in no unreasonable adverse impacts on the adjoining community.

26. The Office of Planning and Development, by memoranda received by the Board on May 27 and June 30, 1981, and by testimony at the hearing, recommended that the campus plan as modified by the University be approved. The OPD reported that the initial request for the expansion of the campus boundaries included certain squares to the north, which contain residential properties not owned by the University. The request has been modified, and the University does not now request expansion of the boundaries to the north. The OPD considered this change in requested boundaries to be a major improvement. The OPD further noted that the proposed expansion of the campus to the west, generally between Georgia Avenue and Sherman Avenue, Barry Place and Florida Avenue, is no longer being requested. The OPD stated its belief that long-term expansion of University facilities to the west of Georgia Avenue is the preferred direction of growth, if any future geographic expansion is needed. This would remove the necessity of future expansion into residential areas to the north and south of the campus. Also, University facilities in the unsightly and underutilized industrial areas west of Georgia Avenue would help redevelop and revitalize that area. The OPD recommended that the Board explicitly advise the University that no further expansion of University activities to the south, into the LeDroit Park area, would be permitted. The OPD specifically reviewed the facilities proposed to be located in the LeDroit Park area, including the House Staff Quarters, the Nurses Quarters, the Child Care Center, the East Hospital plaza, the Gerontology Center and the parking structure. The OPD found that all of the proposed facilities as finally proposed by the University would not be objectionable and should be approved. In the opinion of the Office of Planning and Development, the applicant has modified its application such that the proposed campus plan modifications are not likely to adversely impact the surrounding area by creating objectionable traffic or other conditions. The Office of Planning and Development recommended that the application for the campus plan modifications be approved subject to the provision that the recommendations of the Department of Transportation in regard to traffic circulation will be implemented. The Board concurs with the findings and recommendation of the OPD.

27. The D.C. Department of Transportation, by memorandum dated June 30, 1981, addressed the transportation elements of the proposed campus plan. The DOT determined that the parking supply of 2,500 spaces for students, faculty and staff, and 1,200 spaces for hospital use is reasonable and consistent with the City's policies for air

quality and energy conservation. The DOT further noted that it did not object to the 400 additional spaces to be located west of Georgia Avenue. The DOT proposed specific condition to be applied related to the three major new parking garage. Thus DOT found that the hospital support facilities within the LeDroit Park area will cause little or no traffic impact in that area. The DOT further recommended that the University adopt certain specific proposals designed to reduce automobile use by University personal. The Board concurs with the findings and recommendation of the DOT.

28. Advisory Neighborhood Commission 1B, by letter dated March 23, 1981 and by statement dated June 16, 1981, opposed the application. The opposition of the ANC was primarily directed at the proposed expansion of the University into the LeDroit Park area. The ANC noted that the area is a residential area as well as a historic district. The ANC stated that the University had not justified its request for the boundary change and had not fully utilized existing vacant or underdeveloped land within the campus for its needed expansion. The ANC stated its belief that the subject application represented just the beginning of the University's attempted expansion into the LeDroit Park area. The ANC had no issues and concerns other than those related to the potential impact on the LeDroit Park area.

29. The LeDroit Park Civic Association, the LeDroit Park Historic District Project Inc. and the single member district commissioner from ANC 1B06 entered into an agreement with the University. In that agreement, the community groups supported eight specified hospital support projects in the area south and east of the Hospital. Among other items, the University agreed to:

- a. Dispose of or renovate for residential use University controlled property in the LeDroit Park area, except for property on the sites of the eight project supported by the community groups.
- b. Locate the In-and-Out Surgery facility outside the LeDroit Park Historic District.
- c. Provide and control off-street parking for the residents of the House Staff Quarters.
- d. Cease purchasing additional property and proposing further expansion in the LeDroit Park area.
- e. Make the child care facility available to residents under certain conditions.
- f. Provide additional parking spaces west of Georgia Avenue.

Based on the agreement, the Association, the Project and the ANC commissioner felt that the proposed plan would not be objectionable to or adversely affect the community. The Board agrees, and in so far as is appropriate, will so condition the approval of this application. The Board notes, however, that many of the areas of agreement between the parties are outside the scope of the Board's review.

30. The Bloomingdale Civic Association, by letter dated May 27, 1981, withdrew its previously submitted opposition to the application. The Association noted the agreement between the University and the LeDroit Park Civic Association. The Bloomingdale Civic Association reported that it therefore supported the plan.

31. The LeDroit Park Preservation Society opposed the application on the grounds that expansion of the University boundary would adversely effect the historic residential character of LeDroit Park.

32. The Board is required by statute to give "great weight" to the issues and concerns of the Advisory Neighborhood Commission. The issues raised by the ANC and the other opposition to the application relate solely to the potential impact on the historic and residential character of LeDroit Park. As to those issues, the Board finds as follows:

- A. The revised plan finally proposed by the University would have a minimum impact on LeDroit Park. The Nurses Quarters and the House Staff Quarters are both essentially low scale residential uses. The child care center is a use normally permitted as a matter-of-right in an R-4 District if it was not a university use. The Office of Planning and Development and the Department of Transportation both found no significant adverse impact from any of the proposed facilities in the area.
- B. Many of the functions proposed to be located in the area already exist in one form or another. Construction of the new facilities will therefore not result in new impacts, other than the buildings themselves.
- C. The University has adequately documented to the Board the need for the new hospital support facilities. The Board is convinced that all such facilities should be built. The Board is further convinced that the University has explored all reasonable alternatives for the location of such facilities. The Board further finds that approval

of the plan as proposed will not unnecessarily intrude into surrounding residential areas.

- D. The design of all new facilities and exterior renovation of existing facilities in the designated Historic District will be subject to review by the Joint Committee on Landmarks under the process established by the Historic Landmark and Historic District Protection Act of 1978. The Board will further require the preservation of existing building facades in the design of the House Staff Quarters.
- E. The impact of the hospital parking garage can be tolerated, as demonstrated by the testimony of the applicant's traffic consultant and the Department of Transportation. The Board will further condition approval of the application as recommended by the DOT.

CONDITIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 3104.46 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied.

The sum total of the evidence of record, including testimony and evidence presented by the applicant, the reports of Government agencies and the support of several citizens based on an agreement between the University and those groups, leads the Board to conclude that the proposed campus plan will not result in objectionable conditions because of noise, traffic, number of students or other conditions. The only substantial opposition related to alleged potential infringement on the LeDroit Park area. The Board concludes that the University's expansion into that area is very limited, the uses proposed are consistent with the residential use and zoning of that area, the need for those facilities to support the Hospital has been demonstrated and the proposed campus plan should thus be approved.

The Board is very mindful of the needs to balance the needs of the University with the need of the adjoining residential areas. The Board has therefore approved the subject proposed plan, but has expressly limited the applicant in terms of the future expansion to the south, east and north. The Board strongly cautions the University to proceed with any future expansion of the University if

necessary away from adjoining residential areas; that is, to the west across Georgia Avenue, south of Barry Place.

The Board concludes that it has accorded to the Advisory Neighborhood Commission the "great weight" to which it is entitled by law. The Board further concludes that the special exceptions can be granted as in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. The campus boundaries shall be those as shown on sheet 6 of Exhibit No. 47 of the record, with the exclusion of the area proposed to be used for the in-and-out surgery facility and the inclusion of area west of Georgia Avenue proposed to be used for parking as shown on Figure 70 of Exhibit No. 57A of the record.
2. The University should propose to develop its campus within the boundaries established above. However, if any expansion outside those boundaries is necessary, that expansion should be to the west across Georgia Avenue south of Barry Place and not to the north, south, or east into existing residential neighborhoods.
3. The University, in conjunction with the D.C. Department of Transportation, shall implement the traffic control measures cited in the DOT report marked as Exhibit No. 63 of the record with regard to the stadium, Freedmens Square and Hospital parking garages.
4. The University shall conform to the recommendations set forth on page 6 of the DOT report marked as Exhibit No. 63 of the record, except that parking areas for motorcycles and mopeds shall be limited to specific peripheral areas of the campus so as not to adversely impact on the functioning of the University or the surrounding residential neighborhoods because of noise. The University shall demonstrate to the Board with all future individual applications how it is meeting those conditions.
5. Parking spaces shall be provided in accordance with the parking staging plan shown on pages 205-207 of Exhibit No. 57A of the record.

6. The overall campus development plan showing use, location, height and bulk of campus facilities shall be as shown on Exhibits 44 (Booklet), 47 (Plans) and 57A (Supplemental submission) of the record, except as specifically modified by this Order.
7. In approving the plan in general, the Board is not approving the specific design of any individual buildings. For any future proposed buildings in Residential Districts, the University shall submit a specific application for a special exception under Paragraph 3101.46, including the specific design of that particular building, including details of screening, landscaping, parking and access.
8. The design for the House Staff Quarters, marked as Building 244 on sheet 9 of Exhibit No. 47 of the record, shall provide for the retention of the facades and the front portions of the existing buildings on the north side of U Street.
9. The location and design of the child care center at 1911 - 5th Street is specifically approved subject to the following CONDITIONS:
 - a. Construction shall be in accordance with the plans marked as Exhibit No. 7 of the record.
 - b. At least fifteen spaces in the center shall be reserved for children residing within a half-mile radius of the center whose parents are not students, faculty or staff of Howard University.
10. The location and design of the hospital parking garage at 5th, V and 4th Streets is specifically approved, subject to the following CONDITIONS:
 - a. Construction shall be in accordance with the plans marked as Exhibit No. 9 of the record.
 - b. The University, in conjunction with the D.C. Department of Transportation, shall install "Do

Not Enter" signs at the intersection of 5th and V Streets, as specified in the DOT report marked as Exhibit No. 63 of the record.

VOTE: 4-0 (Ruby B. McZier, William F. McIntosh, Connie Fortune and Douglas J. Patton to GRANT; Charles R. Norris not voting, not having heard the entire application)

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

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAR 22 1982

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 LICENSES, INVESTIGATIONS AND INSPECTIONS.