

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13530 of the National Medical Association, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 for a proposed office building for a non-profit organization in an HR/SP-2 District at the premises 1012 - 10th Street, N.W., (Square 342, Lots 51 and 52).

HEARING DATE: July 22 and September 16, 1981
DECISION DATE: September 16, 1981 (Bench Decision)

FINDINGS OF FACT:

1. The subject application was originally scheduled for the public hearing of July 22, 1981. Prior to the scheduled public hearing, the applicant notified the Board of its intention to relocate the proposed project to an adjacent parcel consisting of Lots 51 and 52 and not build on Lot 50 as had been advertised. In view of the intention of the applicant to relocate the building, the Board decided at its July 22, 1981 Public Hearing that the application had to be readvertised and rescheduled. Having been readvertised, the case was heard by the Board on September 16, 1981.

2. The subject property is located on the west side of 10th Street, N.W. between K Street and Massachusetts Avenue, N.W. It is in an HR/SP-2 District at the premises known as 1012 - 10th Street, N.W.

3. The subject site consists of 3,258 square feet. It is currently vacant. Abutting the site on the south and west are public alleys.

4. Immediately south of the subject site, as well as generally to the west, is a C-3-C District. To the northwest and northeast, generally along Massachusetts Avenue, is an HR/SP-2 District. The HR overlay district includes all of the square in which the subject site is located as well as adjacent squares.

5. The general area surrounding the site consists of a mixture of older buildings and a limited number of examples of new construction. Included in the mixture of older buildings are row houses, apartment buildings, offices and a few retail establishments. At the northwest corner of the square is a new office building currently under construction

for use by the National Food Brokers Association. Across 10th Street at Massachusetts Avenue is an eight-story building known as the Tudor Hall which is currently undergoing conversion to hotel use. The Convention Center, currently under construction, is located 700 feet to the south of the subject site.,

6. Immediately north of the subject site is vacant land which fronts on 10th Street for a distance of approximately forty-five feet. Along Massachusetts Avenue to the north are a number of rooming houses and three-story row structures. To the west of the site, across the public alley, are row dwellings and small retail establishments fronting on 11th Street. The majority of the buildings on 11th Street are vacant.

7. The applicant proposes to build a headquarters building on the subject site. The applicant, the National Medical Association, Inc., is a non-profit professional organization which represents approximately 9,000 black physicians from every branch of medicine.

8. The proposed office building will be four stories above grade and will occupy approximately ninety percent of the site. The gross floor area is proposed to be approximately 11,000 square feet. This constitutes an F.A.R. of approximately 3.5, as permitted in the HR/SP-2 zone District.

9. The Association plans to occupy the entire building and to use it for Association activities and purposes.

10. One level of underground parking will be provided in the structure. Five parking spaces, as required by the Zoning Regulations, will be provided. Four of these spaces will be below grade and one parking space will be located in an area provided for that purpose in the rear of the subject structure.

11. A rear yard of fifteen feet will be provided. No side yard is required or provided.

12. Witnesses for the applicant testified that the proposed building is relatively small because the staff of the Association is also small, consisting of at present only nine fulltime persons. The provision of conference rooms, offices, and space for secretarial and support staff within the building were believed by the applicant to be more than ample for Association needs, particularly because the Board of Directors does not meet more than quarterly.

13. The applicant's witnesses testified that the project will have no negative effects on the neighborhood because pedestrian and vehicular traffic to the building

will be limited, because the staff is small and because the activities carried on by the Association do not result in large numbers of persons having any need to visit the headquarters building. The applicant believes the five parking spaces to be provided to be more than adequate, particularly because a majority of current employees come to and from work by bus or subway. The Board so finds.

14. The witnesses for the applicant also testified that the height, bulk and design of the proposed building are in harmony with existing uses and structures on neighboring property. In particular, the applicant's architect testified that, by employing harmonious materials, detailing and a glass facade which is stepped back at each floor, the building will reinforce and be compatible with the immediate neighborhood. The Board so finds.

15. The Office of Planning and Development, by report dated July 16, 1981, recommended that the application be approved. The Planning Office, through its report and testimony at the public hearing, stated that the height and bulk of the proposed building would be consistent with many of the other row houses and commercial buildings in the area and would be significantly lower than the height of several buildings also in this area. The small lot development typified by the subject application, OPD reported, will prevent the massing of large office buildings, thereby satisfying a purpose of the SP Zone District to act as a part of the transition between downtown development and adjacent residential area. With regard to potential traffic and transportation impacts, the OPD reported that on-site parking, the location of the nearest Metro stop, approximately 2,000 feet from site, and the location of several bus lines which serve the area should be capable of accommodating transportation demand generated by this building. The OPD believed that the proposed building would be characteristic of this SP-2 District in height and bulk and would effectively signal the termination of the C-3-C District located immediately to the south of the subject site. The OPD was of the opinion that the proposed building meets the conditions required by Paragraph 4104.44 of the Zoning Regulations. The Board concurs with the findings and recommendations of the OPD.

16. Pursuant to Sub-section 4101.5 the application was referred to all relevant District Departments and agencies. No reports were received.

17. There was no report from Advisory Neighborhood Commission 2C.

18. There was several letters in the file in support of the application.

19. There was no opposition to the granting of this application at the public hearing or of record.

CONCLUSIONS 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. The granting of the exception requires that the applicant comply with the requirements of Sub-section 8207.2 and Paragraph 4101.44 of the Zoning Regulations. The Board concludes that the Applicant has met the burden of proof. The Board concludes that the proposed office building will be in harmony with existing uses on surrounding properties and will provide adequate parking on site so as to avoid the creation of objectionable traffic or parking conditions. The Board further concludes that the height, bulk, and design of the proposed building are in harmony with existing uses and structures on neighboring property and that this small scale development will effectively implement one of the purposes of the SP District, that of providing a transition from high density commercial activities to predominantly residential areas.

The Board further concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plans as embodied in the Zoning Regulations and Map. The proposed project will be in harmony with the general purpose and intent of the Zoning Regulations and Map. Accordingly, it is ORDERED that the Application is GRANTED SUBJECT TO THE CONDITION that the building shall be constructed pursuant to the revised plans marked as Exhibit Nos. 21 and 32 of the record.

VOTE: 5-0 (Walter B. Lewis, William F. McIntosh, Charles R. Norris, Douglas J. Patton and Connie Fortune to grant).

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

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

FINAL DATE OF ORDER: 25 NOV 1981

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.