

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
BOARD OF ZONING ADJUSTMENT



Application No. 13808, of the Columbia Hospital for Women, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the prohibition against permitting an addition to a non-conforming structure which now exceeds the allowable height requirements (Paragraph 7101.21) to permit a second story addition to a hospital in an R-5-B and C-2-C District at the premises 2425 L Street, N.W., (Square 25, Lot 19).

HEARING DATE: July 28, 1982
DECISION DATE: August 4, 1982

FINDINGS OF FACT:

1. The subject site is bounded by M Street, N.W. and the United States Department of Commerce Building on the north, L Street, N.W. on the south, 24th Street, N.W. on the east and 25th Street, N.W. on the west. The subject site is comprised of Lot 19, in Square 25. The lot is in the R-5-B and C-2-C Districts and is known as premises 2425 L Street, N.W.
2. The site is an improved L-shaped parcel with a total site area of 153,246.2 square feet. The site is split zoned with approximately 103,285 square feet in the R-5-B District and 49,961 square feet in the C-2-C District.
3. The site is improved with the existing Columbia Hospital for Women, hereinafter referred to as the Hospital, which is located entirely in the R-5-B District. The Hospital building is a non-conforming structure devoted to a conforming use. A hospital is a permitted use in both the R-5-B and C-2-C Districts.
4. The maximum gross floor area permitted on the site is 285,835.36 square feet. The existing Hospital occupies approximately 157,275 square feet. There remains 128,560.36 square feet of buildable gross floor area on the site.
5. The Hospital is a private, non-profit, obstetric-gynecological specialty hospital. It was chartered by the United States Congress in 1866 and has occupied its current site since 1873. The Hospital was chartered for the "treatment of diseases peculiar to women and lying-in asylum in which those unable to pay, therefore shall be furnished with food, lodging, medicine and medical

attendance." Congress initially appropriated the funds for the Hospital's land and buildings. Although the Hospital became chartered as a private, non-profit Hospital in 1952, its land and buildings will revert to the Federal government should they no longer be used for charter purposes, that is, the care of women and infants. The Hospital has the capacity for 154 beds and eighty-three bassinets, and employs 502 persons.

6. The Hospital building is a non-conforming structure as the result of a map amendment by the Zoning Commission in 1974 which placed the Hospital building with its existing 75.92 foot height in the R-5-B zone District. The building exceeds the sixty foot height limit of the R-5-B District.

7. The R-5-D Districts are designed to permit a flexibility of design by permitting in a single district all types of urban residential development of medium height and density. The R-5-B District permits a maximum floor area ratio ("FAR") of 1.8, and a maximum lot occupancy of sixty percent and has a sixty foot height limitation.

8. The C-2-C District is designed to serve commercial and residential functions, such as shopping and business needs, housing and mixed uses at high densities. Such districts are located in or near the central employment area. Buildings may be entirely residential or may be a mixture of commercial and residential uses. The C-2-C District allows development to a maximum FAR of 6.0, of which 2.0 may be nonresidential uses. It has a height limitation of ninety feet and a maximum lot occupancy of eighty percent for residential uses.

9. The area surrounding the subject site is characterized by medium density, mixed land use, which includes apartments, office, retail, light industrial and surface parking lots. There are some high rise mixed use developments, such as the nine-story Westbridge located north of the subject site. The ten-story Guest Quarters Hotel, the Washington Circle Inn Hotel, the Shoremeade, Bader and Barclay Apartments, all eight to nine stories high, are located to the south of the subject site.

10. The applicant proposes to build a 4,696.61 square foot addition above an existing one-story wing at the west end of the existing building. The west wing is entirely in the R-5-B zone District. The purpose of the addition is for the needed expansion of the existing administrative office space for the Hospital. The Hospital's administrative offices are now primarily located in the existing 4,696.61 square foot first floor west wing. This space is not sufficient to house the Hospital's administrative staff. The height of the new addition is 13.2 feet which would make the total height of this element of the building

approximately twenty-six feet. With the addition, the height of this wing will be thirty-four feet below the allowable building height. After construction is completed on the west wing, the Hospital will be 128,560.36 square feet below the total gross floor area allowed for the site.

11. The proposed addition will not add to the non-conforming portion of the building.

12. The addition will not result in increased employment, or increased patient capacity for the Hospital. The addition is necessary, to consolidate the administrative and nursing space and avoid converting needed patient space to office use. Because the addition will not include additional Hospital beds, no additional parking spaces will be required.

13. The applicant's architect testified that the project represents the most logical and efficient place to locate the needed office space for the Hospital. In addition, he testified that the total lot occupancy will not be increased as a result of the addition, nor will the addition add to the non-conforming height of the building and that there will be compliance with all yard and court requirements of the Zoning Regulations adjacent to the addition. The Board so finds.

14. The applicant's architect further testified that the height of the existing Hospital building creates an inability to accommodate the normal expansion of business or structural changes required to properly utilize the existing facility and thus creates an exceptional and extraordinary condition. The Hospital is faced with a practical difficulty of choosing between overcrowded administrative offices or shifting Hospital space from required medical facilities to administrative functions. The addition is designed merely to make the administrative space more functional and efficient and allow the health care delivery system of the Hospital to function likewise. The Board so finds.

15. The applicant's architect further testified that it was his opinion that the variance requested will not have an adverse effect on the surrounding neighborhood since the size and height of the proposed addition will be visually sensitive to the surrounding neighborhood and compatible with the existing architectural design of the Hospital. The architect testified that the variance would not substantially impair the intent and purpose of the Zoning Regulations. The Board so finds.

16. The applicant's architect testified that the existence of an exceptional situation and condition, that is, the existence of the Hospital, in a zoning district

which had been amended resulting in a nonconforming structure, creates a practical difficulty on the applicant by precluding it from enlarging the structure without a variance despite the presence of additional allowable gross floor area. The Board so finds.

17. The Office of Planning and Development, by report dated July 23, 1982, recommended that the application be approved. The OPD reported that it was of the opinion that there are practical difficulties stemming from the existence of two high towers approximately eighty feet high located in the R-5-B District. The towers are part of the original Hospital building built in 1916, and are the only part of the Hospital that exceeds the current height requirements. This creates an exceptional situation on this specific piece of property. In OPD's view, the proposed addition can be approved without substantial detriment to the public good and without impairing the intent, purpose and integrity of the Zoning Regulations and Plan. As mentioned in the OPD report, the addition will not exceed two stories in height, will be constructed of materials to match the existing Hospital, and will not increase the building mass to a point where the FAR or lot occupancy is in violation of the R-5-B District provisions. The Board concurs with the findings and conclusions of the OPD report.

18. Advisory Neighborhood Commission 2A, by report dated July 8, 1982, advised that it voted to support the application. No reasons for the support were enumerated.

19. Two concerned citizens appeared at the hearing as persons in opposition to the application. They testified that they were not opposed to this proposed addition but were concerned with the appearance of the existing one-story west wing upon which the proposed addition would be constructed, particularly that portion used for delivery services, with the possibility that an entrance for the proposed addition would be placed on the 25th Street side of the Hospital increasing traffic and noise and with the existing potential for further development on the Hospital site because of the excess gross square footage available. The applicant testified that the loading platform would remain as is, that there would be no entrances or exits from the proposed addition accessing to 25th Street and that the addition would be entered and exited only internally. The applicant stated that future development is in a study stage only and that the opposition would be notified personally to attend any future meetings when and if the study project is consummated and further development is contemplated. The Board, in addition, advised the opposition that any further building on the site would have to have the BZA's approval.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking an area variance, the granting of which requires proof of a practical difficulty that is inherent in the land. The Board concludes that the aforementioned rezoning of the property, which has placed the existing Hospital building with its existing 75.92 foot height in the R-5-B District, has thereby caused the building to exceed the sixty foot height limit of that district and has caused an extraordinary and exceptional situation and condition. The Board further concludes that because of this extraordinary and exceptional condition and situation, the Hospital is experiencing an exceptional practical difficulty as a result of the strict application of the Zoning Regulations to this site which renders the Hospital unable to accommodate the normal expansion of business and the structural changes required to properly utilize the existing facility without first seeking the Board's approval. This forces the Hospital to make the unreasonable choice between overcrowded administrative offices or the loss of required medical facilities and needed hospital space. The Board further concludes that the variance will not cause substantial detriment to the public good, nor substantially impair the intent, purposes or integrity of the zone plan as embodied in the Zoning Regulations and Map.

Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the CONDITION that construction shall be in accordance with the plans marked as Exhibit No. 21A of the record.

VOTE: 4-0 (Walter B. Lewis, Connie Fortune and Charles R. Norris to GRANT; Douglas J. Patton to GRANT by PROXY; William F. McIntosh not voting, not having heard the case).

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

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

OCT 25 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.