

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15212 of Howard University, pursuant to 11 DCMR 3108.1, for a special exception under Section 211 for further processing under an approved campus plan for construction of a dormitory for on-call medical staff of Howard University Hospital in an R-4 District in the 600 Block of U Street, N.W. (Square 3079, Lots 39-43, 89-91 and 803-806).

HEARING DATE; January 17, 1990
DECISION DATE: February 7, 1990

FINDINGS OF FACT:

1. The subject property is located on the Howard University Campus which is generally bounded by Columbia Road to the north, 4th Street to the east, U and V Streets to the south, and Georgia, Sherman and Florida Avenues to the west. The campus includes property located in the R-4, R-5-B, R-5-D, SP-2, C-2-A, C-M-1, C-M-2 and C-M-3 zoned districts. The subject property is located on the north side of U Street between Bohrer Street and 5th Street. It is zoned R-4.

2. The applicant is seeking a special exception for further processing under an approved campus plan to allow for the construction of a House Staff Quarters dormitory on the site to provide sleeping, toilet, shower and lounge accommodations for on-call medical and dental Interns, Residents, Fellows and Junior and Senior medical students ("on-call staff") who serve at the Howard University Hospital. The proposed facility will not house a new hospital activity. Staff accommodations are now provided in the hospital building in space that was created and previously used for acute medical care. The applicant now seeks to restore that space to its original purposes in order to meet a substantially increased need for medical services.

3. Section 211 of the Zoning Regulations provides that a college or university which is an academic institution of higher learning, including a college or university hospital, dormitory, fraternity or sorority house proposed to be located on the campus of a college or university, is permitted as a special exception in a residential district, provided that:

- a. Such use is so located that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions;
- b. In R-1, R-2, R-3, R-4, R-5-A and R-5-B Districts, the maximum bulk requirements normally applicable

in such districts may be increased for specific buildings or structures provided the total bulk of all buildings and structures on the campus shall not exceed the gross floor area prescribed for the R-5-B District;

- c. The applicant shall submit to the Board a plan for developing the campus as a whole, showing the present location, height and bulk, where appropriate, of all present and proposed improvements, including, but not limited to buildings, parking and loading facilities, and a description of all activities conducted or to be conducted therein, and of the capacity of all present and proposed campus development;
- d. Within a reasonable distance of the college or university campus, the Board may also permit the interim use of land or improved property with any use which the Board may determine as a proper college or university function; and
- e. Before taking final action on an application for such use, the Board shall have submitted the application to the District of Columbia Office of Planning and the District of Columbia Department of Public Works for review and report.

4. This request for special exception is submitted pursuant to the 1988 Central Campus Plan for Howard University reviewed and approved by the Board in BZA Application No. 14733, dated December 23, 1988.

5. Howard University's Central Campus is located in an urban setting composed of residential, commercial, industrial and institution uses, generally centered at Georgia Avenue and Howard Place. The LeDroit Park Historic District borders the campus to the south. The site which is the subject of this application is located approximately one block east of the Howard University Hospital.

6. The Howard University Hospital is a comprehensive, 500-bed facility which provides urgently needed health care services in the Washington Metropolitan area. A wide variety of illnesses are treated at the hospital whose clientele includes a sizeable number of patients that are unable to pay for the services provided. The hospital is also a teaching institution that provides training in medicine, dentistry, pharmacy, nursing and the allied health areas to over 400 Interns, Residents, Fellows, and Junior and Senior medical school students ("Medical Personnel"). In addition to its own Medical Personnel, Medical Personnel from D.C. General

Hospital, Providence Hospital, Prince George's General Hospital and the University of the West Indies also receive training at Howard University Hospital.

7. The location, concept and phasing schedule of the proposed facility is consistent with the approved 1982 and 1988 Central Campus Plans and is consistent with previously approved zoning, traffic, and historic preservation proposals. The retention of the historic architectural facade of the eight existing row houses was favorably considered by the Board in its decision to approve the House Staff Quarters as part of the 1981 and 1988 Central Campus Plans.

8. The proposed building is a two-story structure, 26 feet in height from the grade to the ceiling of the top story. The structure will contain 31,600 square feet on the two floors above grade and a terrace level of approximately 15,800 square feet. A 713 square foot environmentally controlled corridor will connect the structure with the hospital building at grade level. The addition of the House Staff Quarters structure will increase the total FAR in the R-1 through R-5 zones on the central campus to 0.43, well below the permitted level of 1.8.

9. The proposed building will contain 138 single rooms with accompanying toilet and lavatory facilities, three study rooms, four administrative offices, a recreation room, a kitchen, lounges, showers and lockers.

10. The southern facade of the eight existing structures on the site will be retained and restored to reflect the dominant Queen Anne style of the LeDroit Park area. The existing door openings on each structure along U Street will be retained but will not have hardware enabling them to be opened. Emergency exits will be provided. All pedestrian circulation into and out of the proposed structure will be through the north side of the building.

11. Parking availability in the area will be unaffected by the addition of the House Staff Quarters. The on-call staff currently uses parking spaces located on existing hospital lots.

12. To accommodate the construction of the environmentally controlled corridor, it is necessary to request that a portion of the alley adjacent to the site be closed north of Lots 40 through 43, 89, 90, 91 and 803 through 806 in Square 3079. The request has been submitted to the District of Columbia Surveyor. To facilitate the access of service vehicles to the portion of the alley that will not be closed, Howard University proposes to dedicate a portion of Lot 39 for use as a public alley that will connect the unclosed portion of the existing alley with U Street. The connection also will provide residential property owners along U Street continued vehicular access to the alley behind their

houses.

13. The alley closing application also includes a request to close Bohrer Street north of U Street to protect residents of the House Staff Quarters from the potential noise of persons who might park or congregate along the west wall of the new building. The closing of this portion of Bohrer Street also will enable the Applicant to upgrade the landscaping of the area along the west side of the building.

14. The Office of Planning (OP), by memorandum dated January 10, 1990, recommended conditional approval of the application. The OP was of the opinion that the applicant had met the requisite burden of proof. The OP was further of the opinion that the proposal would not have an adverse impact on the area provided the applicant install landscaping around the facility at the time the facility is built.

15. The Department of Public Works (DPW), by memorandum dated December 28, 1989, offered no objection to the proposal. The DPW was of the opinion that the proposal was consistent with the approved campus plan. The DPW noted that the project does not constitute a new function, as the proposed services already exist.

16. The Board waived its seven day filing requirement to accept the written report of Advisory Neighborhood Commission (ANC) 1B. By letter dated January 16, 1990, ANC 1B supported the granting of the application. The ANC representative testified at the public hearing that modifications were incorporated into the final project during the planning stages which addressed the concerns of the ANC.

17. There was opposition to the application at the public hearing. The opposition was generally related to a desire on the part of several community organizations to withhold approval of the subject case in order to elicit a commitment from the applicant not to build a parking facility at another on-campus location.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking special exception relief, the granting of which requires compliance with the requirements of Sections 211 and 3108.1 of the Zoning Regulations and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and that it will not tend to affect adversely the use of neighboring property. The Board concludes that the University has met its burden of proof and that the use is so located as to not likely to become objectionable because of noise, traffic, number of students or other objectionable conditions.

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The Board further concludes that, as hereinafter conditioned, the project is not likely to adversely impact adjacent or nearby properties. Accordingly, it is hereby ORDERED that the application is GRANTED, SUBJECT to the CONDITION that all landscaping shall be in place at the completion of construction.

VOTE: 3-0 (Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant; Paula L. Jewell not voting, having recused herself).

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER:

SEP 24 1991

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHT ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "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 CONSUMER AND REGULATORY AFFAIRS.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION/APPEAL NO. 15212

As Executive Director of the Board of Zoning Adjustment Adjustment, I hereby certify and attest to the fact that a copy of the Order in this application/appeal dated SEP 24 2010 has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Isham O. Baker
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A handwritten signature in black ink, appearing to read "E. Curry".

EDWARD L. CURRY
Executive Director

DATE: SEP 24 2010