GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: January 2, 2001

BZA
Case No. 16654
Exhibit No. 26

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SUBJECT: BZA Application 16654 - Request for two Area Variances by Sibley Memorial Hospital at 5255 Loughboro Road, NW.

APPLICATION

Application of Lucy Webb Hayes National Training School for Deaconesses and Missionaries (doing business as Sibley Memorial Hospital), for a variance to §404.1 (minimum depth of rear yard) and §402.4 (maximum permitted floor area ratio) of the Zoning Regulations to allow the construction of a new oncology radiology addition at 5255 Loughboro Road, NW, Lot 25, Square 1447N. The property is in the R-5-A zoning district.

SUMMARY RECOMMENDATION

- The Office of Planning recommends approval of the application.

BACKGROUND

The applicant is requesting a variance to construct an addition to the rear of the hospital building to expand the oncology radiation facility. The new addition will allow the hospital to accommodate new radiation equipment and expanded patient care. The new radiology equipment and necessary vaults are larger than the previous equipment and require a larger facility then currently exists. The new vaults will be constructed at the rear of the hospital and will encroach into the minimum required rear yard. The proposed addition will also cause the hospital and associated community residential facility to exceed the maximum permitted floor area of 0.9. The applicant is requesting that a variance be granted to §404.1 for the proposed addition to encroach in the rear yard and to §402.4 to exceed the floor area ratio.

The Dalecarlia Reservoir adjoins the hospital property to the north. The reservoir is federal land, operated by the Department of the Army, Corp of Engineers. The proposed addition crosses the

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existing rear property line and extends 19 feet into the federal property. Legislation has been passed by Congress and signed by the President authorizing the sale of the adjoining property. The applicant reports that they are negotiating the price with the Army Corp of Engineers. Sibley Hospital currently has a lease for use of the negotiated portion of the federal property and the applicant has stated that the lease permits them to build on the property even if a price cannot be negotiated and it remains in federal ownership

AREA DESCRIPTION

The property is located in Lot 25, Square 1447N, in the northwestern quadrant of the District. The neighborhood on the south side of Loughboro Road is predominantly single family residential. The Dalecarlia Reservoir and Filtration Plant adjoins the hospital property to the north. Sibley Hospital currently has a lease for use of a portion of the federal property and is also currently negotiating its purchase. The reservoir is identified in the Section 1405.1 of the Ward 3 Plan as a public facility.

EXISTING ZONING AND VARIANCE REQUEST

The hospital property, lot 1445N, is zoned R-5-A residential and is located at the curve at Loughboro Road and Dalecarlia Road. The neighborhood south of Loughboro Road is zoned R-1-B and the areas to the east of Dalecarlia Parkway is zoned R-1-A. The reservoir property, although federal land, is also identified as R-1-B.

R-5-A Residential District

The R-5 zone district is designed to permit "all types of urban residential development if they conform to the height, density and area requirements established for those districts..."(§350.1) The zone also permits "the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses..."(§350.1)

ZONE	Matter of Right Uses	BZA Approved Uses	Rear Yard Setback	FAR Max.
R-5-A	Detached, attached and row dwellings, flats, child day care(15), public schools, youth care homes (15), residences for private schools, greenhouses, museums, churches, health clinics, hospitals	Multi-unit residential developments, group homes, private stables, community centers, emergency facilities, parking lots, rehab homes, universities, commercial antennas, health care facilities	20 feet	0.9

The applicant is requesting two variances pursuant to §3103 of the Zoning Regulations.

Variance Request - Required Rear Yard Setback

The first variance is to allow an encroachment into the required rear yard setback (§404.1). The required rear yard setback as noted above is twenty feet in the R-5-A zone. The applicant's proposed addition will add 14,000 square feet of new floor area to the hospital and will extend 101 feet from the existing rear hospital wall. The addition is proposed to be built completely over the twenty-foot setback and will extend an additional 19 feet onto the federal reservoir property. That portion of the addition that is within the rear yard is 2,280 square feet in area (114 feet wide by 20 feet deep). The addition therefore will utilize 11.4 percent of the required rear yard.

Variance Request - Maximum Permitted Floor Area Ratio
The second variance is to allow a floor area ratio in excess of the maximum permitted as setout in §402.4. The applicant is requesting that floor area approved by the Board in 1998 for the construction of the community residence facility (CRF), but subsequently not used, be in essence, transferred for this addition.

In 1998, the BZA approved a request by the applicant to construct an addition to the hospital and a separate building to be used a community residence facility. As part of that application a variance to the maximum permitted floor area ratio (FAR) was requested and granted. The Board approved the CRF and addition to the hospital with a total of 566,819 square feet for both buildings and a total site FAR of 1.09. Due to value engineering considerations, the CRF was reduced in size and the site currently has only 469,692 square feet of building and a total site FAR of 0.9. The applicant has requested an area variance for the hospital as a discrete building but also requests that the previously approved, yet unused FAR, be attributed to this project. The addition would result in a total of 541,508 square feet for both buildings and a new total lot FAR of 1.04.

Hardship
The applicant has stated that the property is eligible for relief under §3103 due to the following hardship:

- The expansion is necessary to accommodate new and larger equipment necessary to provide adequate oncology radiation care. In order to continue to provide needed medical care to patients, the current radiation vaults must continue in operation while the new vaults are under construction, therefore the existing vault location cannot be utilized for the expansion;
- A building is part of the "property" as considered in §3103.2 and the need to expand a public service to achieve adequate facilities within a property may be considered as an "other extraordinary and exceptional situation or condition of a particular piece of property;"
- To shut down the existing oncology radiation unit in order to accommodate the necessary expansion would result in exceptional practical difficulties to the patients in the form of unavailable care.

COMPREHENSIVE PLAN
The Generalized Land Use Plan identifies the property as institutional surrounded by low-density residential and open space. The Ward 3 Plan identifies the reservoir property as a public facility and the hospital as an established institutional use (§1405.1 and 1401.2 c). No specific language is provided regarding the hospital or expansion of institutional uses within the Ward Plan. However, there is general language regarding sensitive development and minimizing impacts on residential neighborhoods. OP believes this application does not contradict either of these objectives.

COMMUNITY COMMENTS

ANC 3D considered the application at their meeting of December 13, 2000 and voted to support the proposal. The **Palisades Civic Association** also voted to support the application.

RECOMMENDATION

The Office of Planning has reviewed the application in terms of the property's zoning, the intensity of use, the character of the neighborhood and the legal tests for variances. OP agrees with the applicant's statements and feels that the rear yard and FAR variance can be granted "without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map."

The property immediately adjacent to the addition is federal land and is used as a water treatment plant. Mr. Thomas P. Jacobus, Chief, Washington Aqueduct, Department of the Army, has issued a letter confirming that the proposed addition is unopposed by the Army Corp of Engineers and in compliance with the terms of the lease. The location of the facility to the rear may be dictated by the building's functional arrangement but it also results in an addition that has minimal impact on the immediately adjoining residential neighborhood.

The Office of Planning recommends approval of the application.

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