GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

DATE: July 1, 2003

TO: District of Columbia Board of Zoning Adjustment

THROUGH: JLS for
Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP DJM

SUBJECT: Board of Zoning Adjustment Case No. 17035
Howard University Hospital Property
915 Rhode Island Avenue, N.W.
Square 364 Lot 839

Summary

The applicant seeks a variance from the lot area provisions of §403.2 to allow an 11-unit multi-family dwelling in the R-4 zone. The applicant seeks to convert the existing three-story, vacant, medical office building into an apartment building with 3 units on the ground floor and 4 units on each of the upper floors. The applicant intends to demolish interior walls and examination rooms, restore the façade and construct new bathrooms, kitchens and heating/air conditioning systems. Section 403.2 requires that conversions of existing structures to apartments require 900 square feet of lot area per unit. The existing lot area is 4,857 square feet, which is 5,043 square feet (103.83%) short of the lot area requirement.

Recommendation:
The Office of Planning recommends approval of the variance based on the following findings:

- The applicant has shown an exceptional situation. The structure, built in 1959, is a concrete and steel structure with an elevator, two fire stairs, and a major load-bearing wall running the length of the building. The site is surrounded by other institutional

BZA
Case No. 17035
Exhibit No. 29

Board of Zoning Adjustment
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CASE NO. 17035
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uses on the square including Shaw Junior High School, the YWCA, and a church. The lot area cannot be expanded due to alleys and existing structures. There is a shortage on nurses and housing choices in the immediate vicinity of the Hospital for nurses recruited from other areas.

- ❖ The strict application of the zoning regulations results in an exceptional practical difficulty. The existing structural characteristics of the building present extraordinary renovation and maintenance costs. The surrounding building, alleys and uses make many matter-of-right uses impractical. The shortage of nurses requires the Hospital to find housing opportunities in the local area to help encourage more nurses to accept employment with the lure of reasonable housing accommodations.
- ❖ The use of this property as an 11-unit apartment is less intensive than the medical clinic with over 30 offices or exam rooms. The conversion of this building to an apartment is not a substantial detriment to the intent of the zone plan, the character of the R-4 zone, and the public good.

Background

The applicant, Howard University Hospital, owns 915 Rhode Island Avenue, N.W. (Square 364 Lot 839). The property lies in the R-4 Zoning District and contains approximately 4,857 square feet of land. The lot is improved with a three-story medical clinic. The building was built in 1959 as a clinic. The area contains a mix of uses including institutional, commercial and multi-family residential as well as single-family row houses (Attachment 1).

The existing structure is vacant and according to the applicant requires substantial interior renovation to create habitable, modern apartments. An alley abuts the side and rear of the property and separates the lot from Shaw Junior High School. The larger building to the east is run by the YWCA and provides some residential apartment space. Across the street from the site is one of the triangular parks created by the intersection of the diagonal Rhode Island Avenue and the street grid. The property is therefore substantially isolated from traditional R-4 uses such as the row house.

Project Description

The applicant seeks to convert the existing three-story, vacant, medical office building into an apartment building with 3 units on the ground floor and 4 units on each of the upper floors. The applicant intends to demolish interior walls and examination rooms, restore the façade and construct new bathrooms, kitchens and heating/air conditioning systems. The façade will be modified with new and expanded window openings to provide more light and air to the interior. A small patch of paved ground between the building and alley will be converted into planted beds and the rear yard will be restriped and signed to provide one handicapped space, one compact space and three standard spaces.

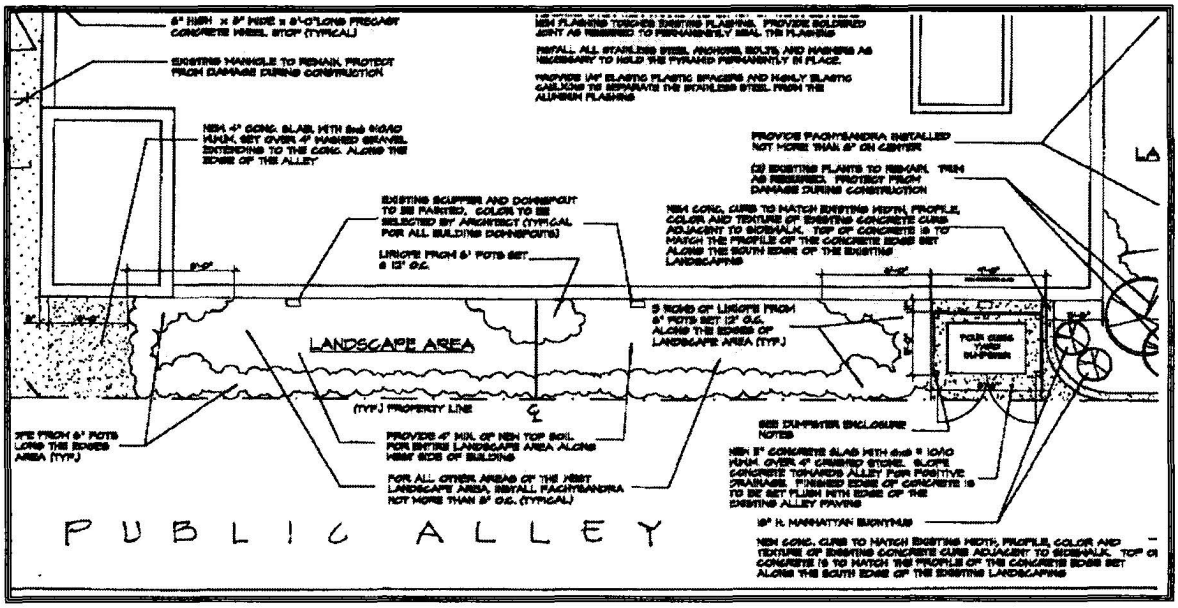


Figure 1 New Landscaping

Comprehensive Plan

The property is identified as local public facilities on the General Land Use map (See Attachment 2). The local public facilities land use category includes District-occupied land and facilities as the predominant use, excluding parks, recreation centers, and open space. Typically the designation identifies areas for schools, police, fire and EMS facilities, government support, and health and social services centers.

The Comprehensive Plan sets goals of encouraging the renovation and adaptive re-use of exiting structures rather than demolition. The Housing Element seeks to encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused (302.2(e)). This development is consistent with these goals..

Zoning

The proposed number of units is not permitted in the R-4 Zone District and the applicant is seeking relief under 11 DCMR §3103 for an area variance from the provisions of §403.2. The R-4 District sets forth the following purposes:

330.1 The R-4 district is designed to include those areas now developed primarily with row dwellings, but within which there have been a substantial number of conversions of the dwellings into dwellings for two (2) or more families.

330.2 Very little vacant land shall be included within the R-4 district, since its primary purpose shall be the stabilization of remaining one-family dwellings,

330.3 The R-4 District shall not be an apartment house district as contemplated under the General Residence (R-5) districts, since the conversion of existing structures shall be controlled by a minimum lot area per family requirement.

Section 403.2 requires that conversion of existing structures to apartments provide 900 square feet of lot area per unit. The existing lot area is 4,857 square feet, which is 5,043 square feet (103.83%) short of the lot area requirement.

Analysis

The provisions of §3103.2 require the applicant to show a unique physical aspect or other extraordinary or exceptional situation or condition of a specific piece of property that creates an undue hardship or practical difficulty. In addition, there should be no harm to the public or to the zone plan.

Extraordinary or Exceptional Situation

In accordance with §3103.2, which gives the Board the authority to grant a variance if, by reason of exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property.

The existing structure was designed to be used as a medical clinic, a use that is no longer suitable. The applicant's statement presents three arguments to address this test:

1) Of the uses in the R-4 zone, the existing building (formerly a medical clinic) is most easily converted to an apartment building. The structure, built in 1958, is a concrete and steel structure with an elevator, two fire stairs, and a major load-bearing wall running the length of the building;
2) The context of the site with the neighboring uses. The site is surrounded by other institutional uses on the square including Shaw Junior High School, the YWCA, and a church;
3) The lot area cannot be expanded due to alleys and existing structures; and,
4) There is a shortage on nurses and housing choices in the immediate vicinity of the Hospital for nurses recruited from other areas.

The Office of Planning concurs with these arguments.

Practical Difficulty

The practical difficulties identified by the applicant that result from the strict application of §403.2 are:

1. The high cost of renovation at over a million dollars requires a reasonable number of units to justify the project.
2. The current building configuration with concrete floors and steel supports is not conducive to development of the building at lower density.
3. There is no vacant land available to purchase that would allow the applicant to comply with the regulation.

The existing building is three stories with approximately 9,500 square feet of floor area. A five-unit development that would be permitted as a matter of right would average 1,400 square foot per unit. Due to the steel and concrete construction it is not practical to create a 2-story unit; therefore, one unit of a 5-unit development would occupy a whole floor

creating an exceptionally and unusually large apartment (approximately 2,766 square feet), which would be a peculiar and exceptional practical difficulty for the applicant to lease. Additionally, because the existing building has an elevator and two fire exit staircases, a 5-unit layout would be a very inefficient use of the structure and require higher rents than the market could bear to offset the costs of maintaining the elevator. The applicant has provided an evaluation that outlines the economic difficulties imposed by dealing with this existing structure (Attachment 4).

Substantial Detriment

In addition to the above tests, §3103.2 further requires that the relief requested could be granted, provided that it will not be a substantial detriment to the public good or substantially impair the intent, purpose and integrity of the zone plan. The application proposes that three points address this standard:

1) The proposed renovation of a vacant structure will help stabilize the neighborhood;
2) The apartment building will be compatible with the adjoining uses and structures.
3) The provision of required on-site parking will be an asset to the community; and,
4) The proposed use will cause less traffic and parking demand than the previous medical clinic use.

OP concludes that the expansion will not impair the intent of the Zoning Regulations or the integrity of the Plan. The proposed development reuses an existing structure for a use that is appropriate and of less impact than the previous use.

ANC Recommendation

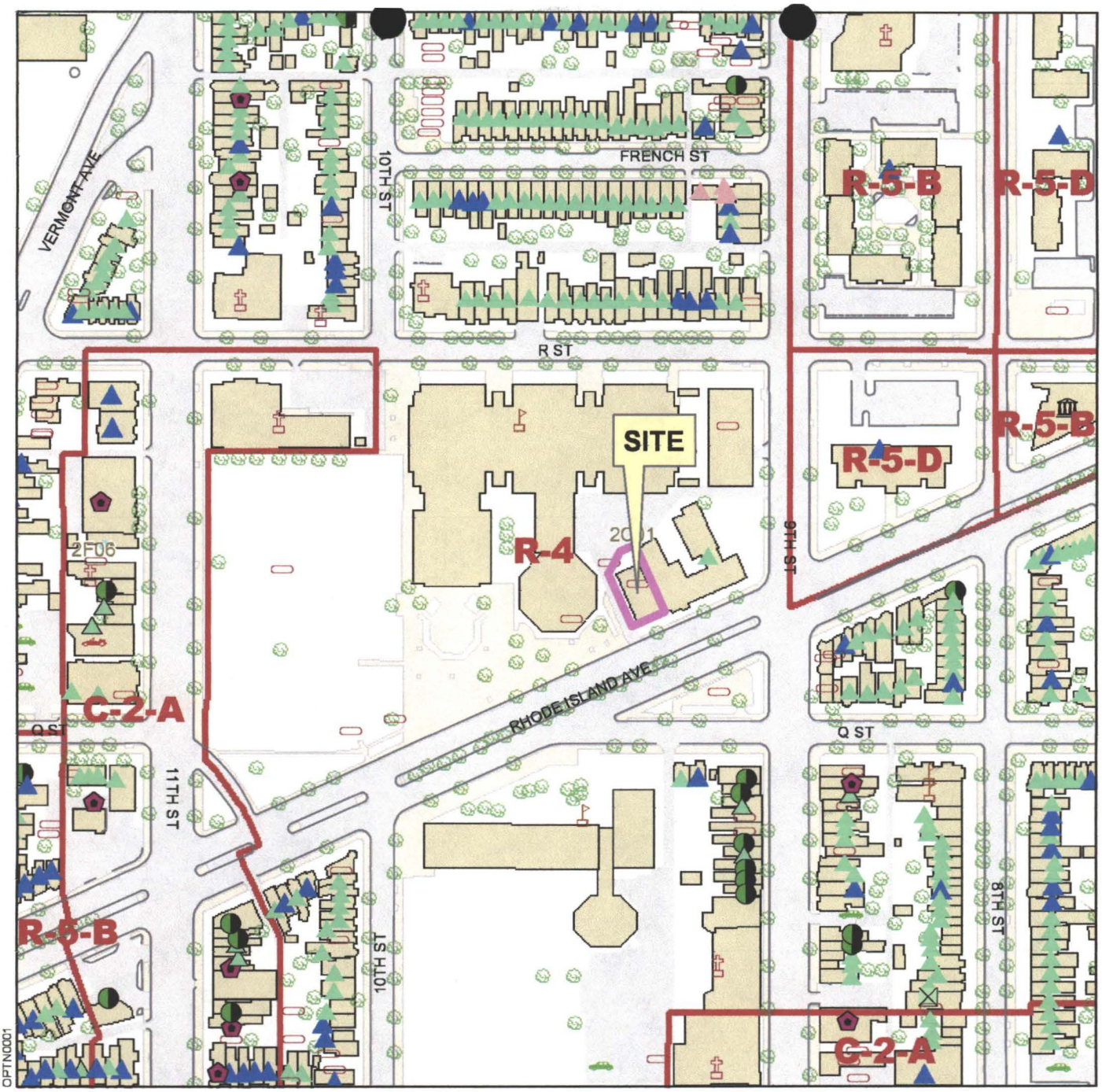
ANC 2C supports the application.

Recommendation

The applicant met the burden of proof for a variance and the Office of Planning recommends the case be approved.

Attachments:

1. Zoning and Use Map
2. Comp Plan Map
3. Aerial Photo
4. Economic Feasibility Memo



Zoning and Land Use
BZA Application #17035

N

Feet

0 100 200 300

★ ★ ★ Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ May 27, 2003

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

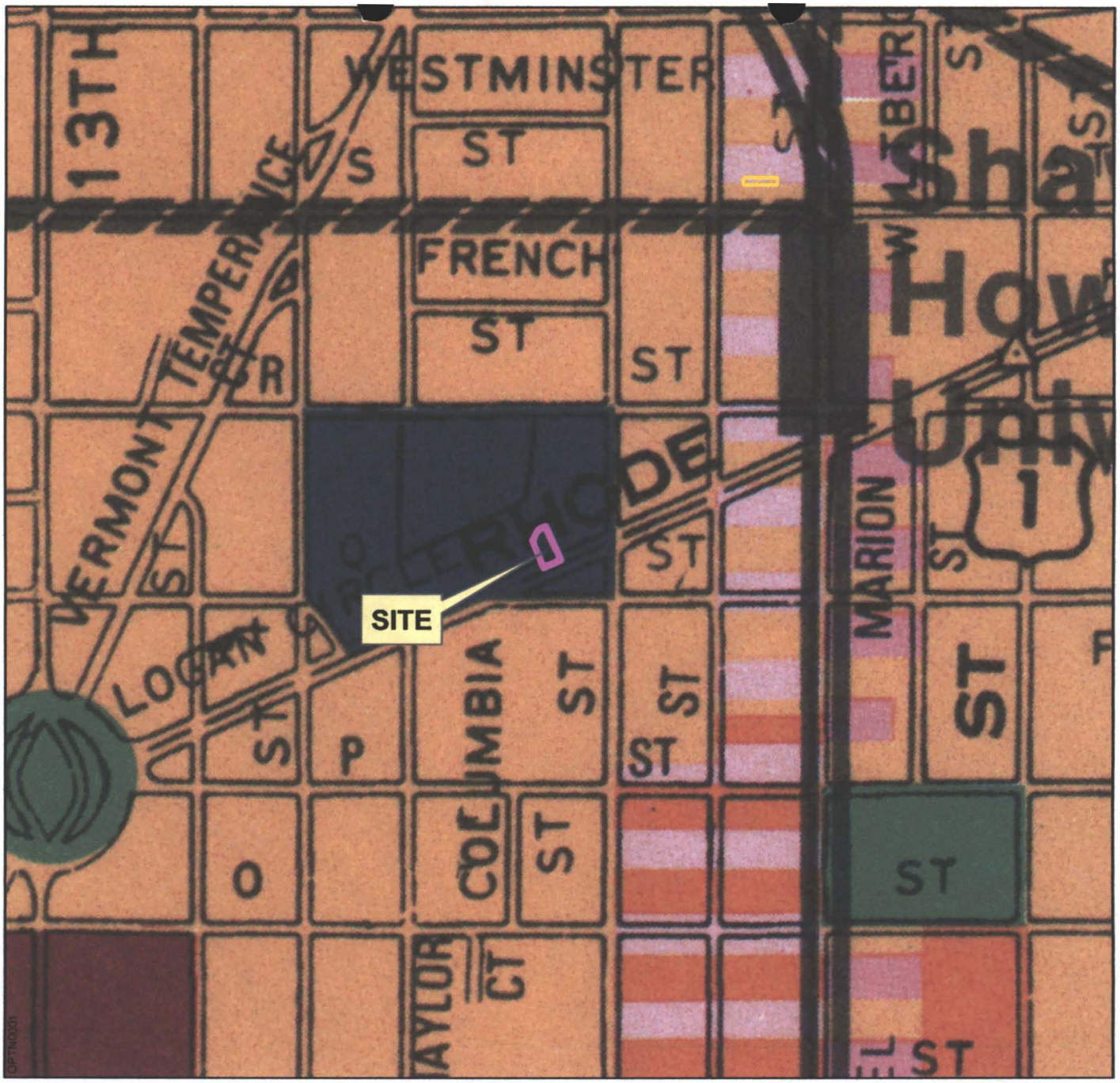
Note: Land Use Info based on OTR records.

Land Use Legend

- Non-Conforming
- Single Family Dwelling/Flat
- Res. Condo
- Multi-family Dwelling
- Hotel/Motel/Boarding
- Retail Store
- Restaurant
- Office
- Auto-oriented Service
- Parking Garage/Lot
- Theater
- Industrial
- Religious
- Medical
- Educational
- Public Service
- Museum, Library, Gallery
- Recreational
- Special Purpose
- Vacant



Attachment 1



Comprehensive Plan Map
BZA Application #17035

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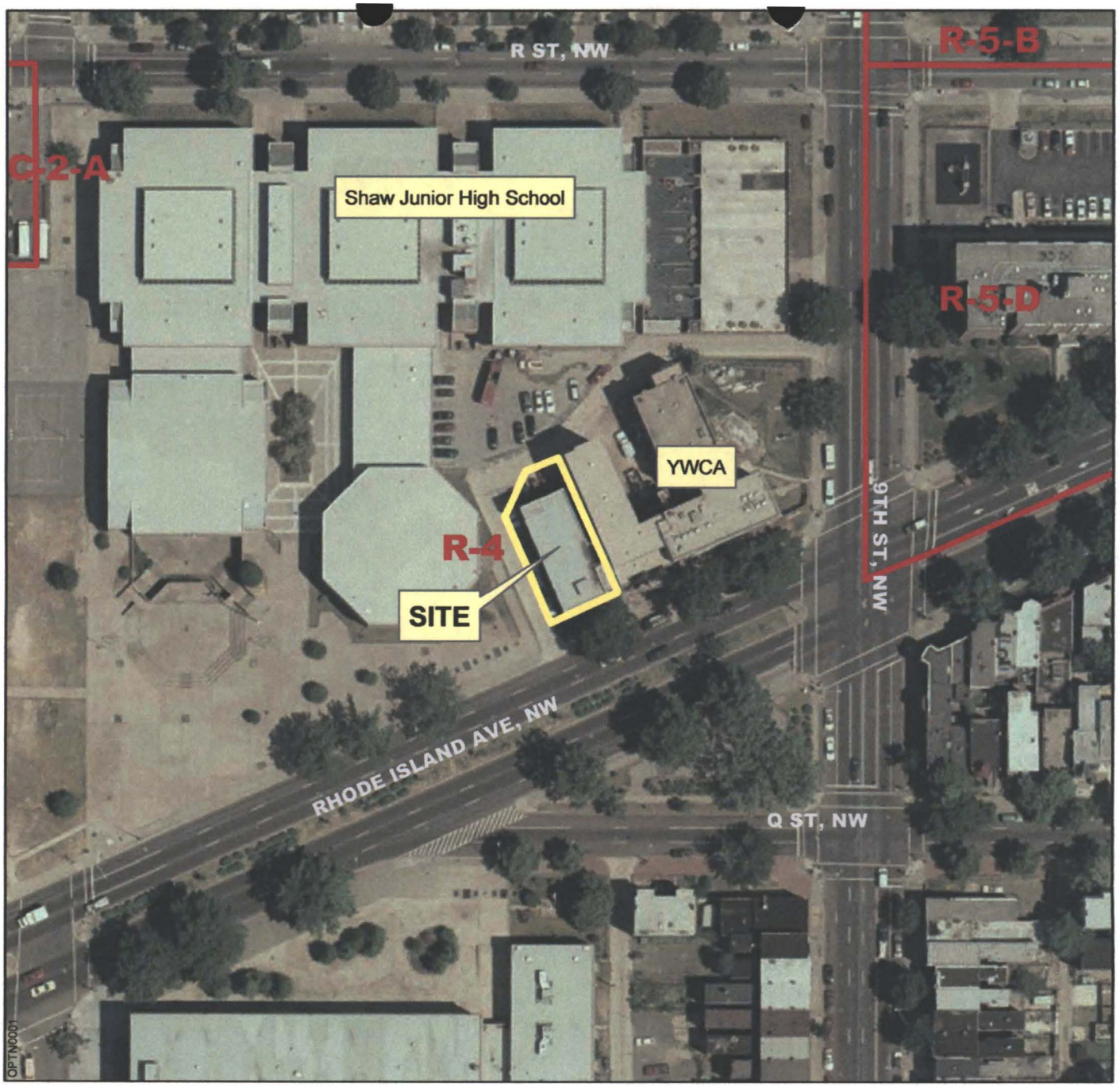
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Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment



Attachment 2



Aerial Photo
BZA Application #17035

N

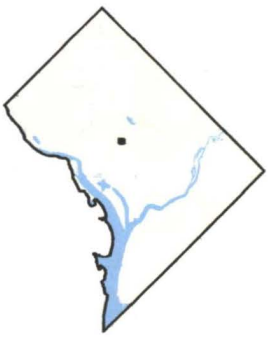
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Attachment 3

DAVIS DEVELOPMENTS
INCORPORATED

TEL: (202) 986-4664 FAX: (202) 332-1578

June 30, 2003

Edward M. Johnson, AIA
Edward M. Johnson & Associates, P.C.
3612 Twelfth Street, N.E.
Washington,D.C. 20017

Re: Economic Feasibility of Alternative Configurations of Apartment Building Located at 915 Rhode Island Avenue, N.W., Washington, D.C.

Dear Mr. Johnson:

As you know, Davis Developments, Inc. has provided development consulting services to numerous nonprofit organizations, churches and universities over the past nearly twenty years in the Washington, D.C. area. During this period, I have personally been involved in structuring and obtaining the financing for projects, including over 1200 units of housing, and advised clients and their architects concerning the best and most economically feasible configuration for apartment buildings.

You have requested my professional opinion concerning whether it is economically feasible to renovate the building located at 915 Rhode Island Avenue, N.W., which contains a gross building area of approximately 9,500 square feet, and was previously used for non-residential purposes, into a five (5) unit apartment building. The result of such renovation would be five apartments of approximate size of 1,400 square feet each, a total of approximately 7,000 square feet of total square footage in the apartment units, with the remaining 2,500 square feet in the building being used for circulation purposes. These apartment units, based on their overall size, would likely have three or four bedrooms and probably more than one bathroom in their final design.

The alternative configuration, which you have already designed, results in eleven (11) apartment units, which range in size from 315 square feet to 650 square feet in size, and are sized as efficiency and one-bedroom units, each with one bathroom.

Your client, the owner of the building, Howard University Hospital, intends to use the renovated building to rent to nurses working at the hospital. With respect to the first configuration, the five-unit apartment building, we have calculated that the market rental rate for such size units would be about $2,300 per month. With respect ,.

to the eleven-unit apartment building, the range of rental rates would be from about $500 to $1,000 per unit, depending on the size of the unit. These rental rate projections are based on about 1.65 per square foot, which is our calculation of the average rental cost in that area of the city today.

While this area of downtown D.C., like many areas, is undergoing a transformation due to increased renovation activity and higher income residential inflow, it is our view that it is not yet economically feasible to market large apartment units with high rental rates above $2,000 per month at this location.

You have indicated that from an architectural/design point of view, the construction cost in order to configure the building into five (5) units would be substantially higher per square foot than the cost of configuring the building into eleven (11) units. This factor would increase the cost above our estimate of the cost per unit in the eleven unit building.

Finally, it is clear that the five-unit apartment building would not be suitable for the purposes that the Owner has for the property. The average single nurse would be unable to afford the larger size units, and would have no need for the super size apartment units. With only five units, Howard University Hospital would have to rent each unit to three or four nurses—essentially making a dormitory out of the apartment building—which would not be a desirable result for the tenant, the university or the city.

We recommend, therefore, that you seek zoning relief in order to be permitted to configure the apartment building into smaller-size units, with reasonable rental rates, which is more compatible with the sizes of other apartments, and market rental rates, in this part of the city.

Yours sincerely,

William A. Davis, Jr.

William A. Davis, Jr.
President