SUPPLEMENTAL INFORMATION SUPPORTING REQUEST FOR ZONING RELIEF

BZA APPLICATION NO. 17035

HOWARD UNIVERSITY HOSPITAL CONVERSION OF MEDICAL BUILDING TO 11 UNIT APARTMENT BUILDING AT 915 RHODE ISLAND AVENUE

RECEIVED
D.C. OFFICE OF ZONING
2003 JUL 22 PM 12: 48

EDWARD M. JOHNSON & ASSOCIATES, P.C.
3612 Twelfth Street, NE ■ Washington, DC
(202)526-3610 (202)832-8228 FAX

BZA
Case No. 17035
Exhibit No. 33

July 22, 2003

Board of Zoning Adjustment
District of Columbia
CASE NO. 17035
EXHIBIT NO. 33

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

July 25, 2003

Geoffrey Griffis, Chairman
District Of Columbia Board of Zoning Adjustment
Office Of Zoning
441 4th Street, NW, Room 201S
Washington, DC 20001

Dear Geoffrey:

Regarding BZA Case No. 17035:

On April 7, 2003, I signed a letter of support for the request for zoning relief for Howard University Hospital's conversion of the former medical office building at 915 Rhode Island Avenue, NW into an 11-unit apartment building. At the time, I was not aware that the Advisory Neighborhood Commissioner in whose Single Member District the subject property was located, the civic association representing affected residents, and other stakeholders had significant concerns about the project and opposed granting of the requested relief until such outstanding issues had been resolved.

Further, I used as the basis of my support a vote by ANC 2C that was taken before the commission had jurisdiction. I was not aware of the fact that the commission failed to provide notice of its proposed action to affected residents, and that the concerns expressed by the community had not been taken into consideration by the commission in making its determination.

I therefore rescind my support for this project and urge Howard University Hospital to enter negotiations with the immediately impacted residents and institutions to address the community's concerns. If the applicant is unwilling to undertake actions to satisfy the community's objections, I would ask that the Board not grant the zoning relief sought.

Sincerely,

Jack Evans
Councilmember, Ward 2

HUH
HOWARD
UNIVERSITY
HOSPITAL

2041 Georgia Avenue, N.W.
Washington, D.C. 20060

202/865-6100
202/745-3731 fax

July 29, 2003

Geoffrey Griffis
Chairman
District of Columbia Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210 South
Washington, D.C. 20001

Dear Mr. Griffis:

We received a copy of a July 25, 2003 letter prepared by the French Street Neighbors Association and submitted to the DC Board of Zoning Adjustment. A copy of this letter was sent late last evening, by facsimile, to our zoning consultants, Edward M. Johnson & Associates, who have provided a copy for our review this morning. The letter appears to focus on two primary issues, (1) potential use of the building as a dormitory and (2) parking.

However, the letter does not take into consideration the fact that Howard University Hospital submitted on January 23, 2003, a letter to the French Street Neighborhood Association stating its commitment to convert this building into an 11 unit apartment for hospital staff (see attached January 23, 2003 letter). Additionally, the May 15, 2003 zoning application, accompanied by all supplemental information supporting the zoning relief, further confirms Howard University Hospital's legal commitment to convert the building and maintain the structure as an 11 unit apartment building. Also, we recognize that if zoning relief is granted, the building must be maintained as an 11 unit apartment building to satisfy the terms of the zoning relief.

With respect to parking, five spaces have been provided at the rear of the site, not four spaces, which do satisfy current zoning requirements for an 11 unit building. As the January 23, 2003 letter states, the Hospital will continue to pursue other parking accommodations. In the interim, parking is allowed on Rhode Island Avenue before and after rush hour, an accommodation which will reduce negative parking impacts to the French Street Neighborhood Association and their residences. Also, the statement in the July 25th letter that Mr. Johnson indicated that no zoning relief was required is inaccurate. Howard University Hospital and its consultants, Edward M. Johnson & Associates, have pursued all legitimate avenues, including acquisition of support from ANC 2C and Council Member Jack Evans, in an effort to secure zoning approval for converting the 915 Rhode Island Avenue former medical building into an apartment building, efforts which serve to expand the delivery of housing in the nation's capitol.

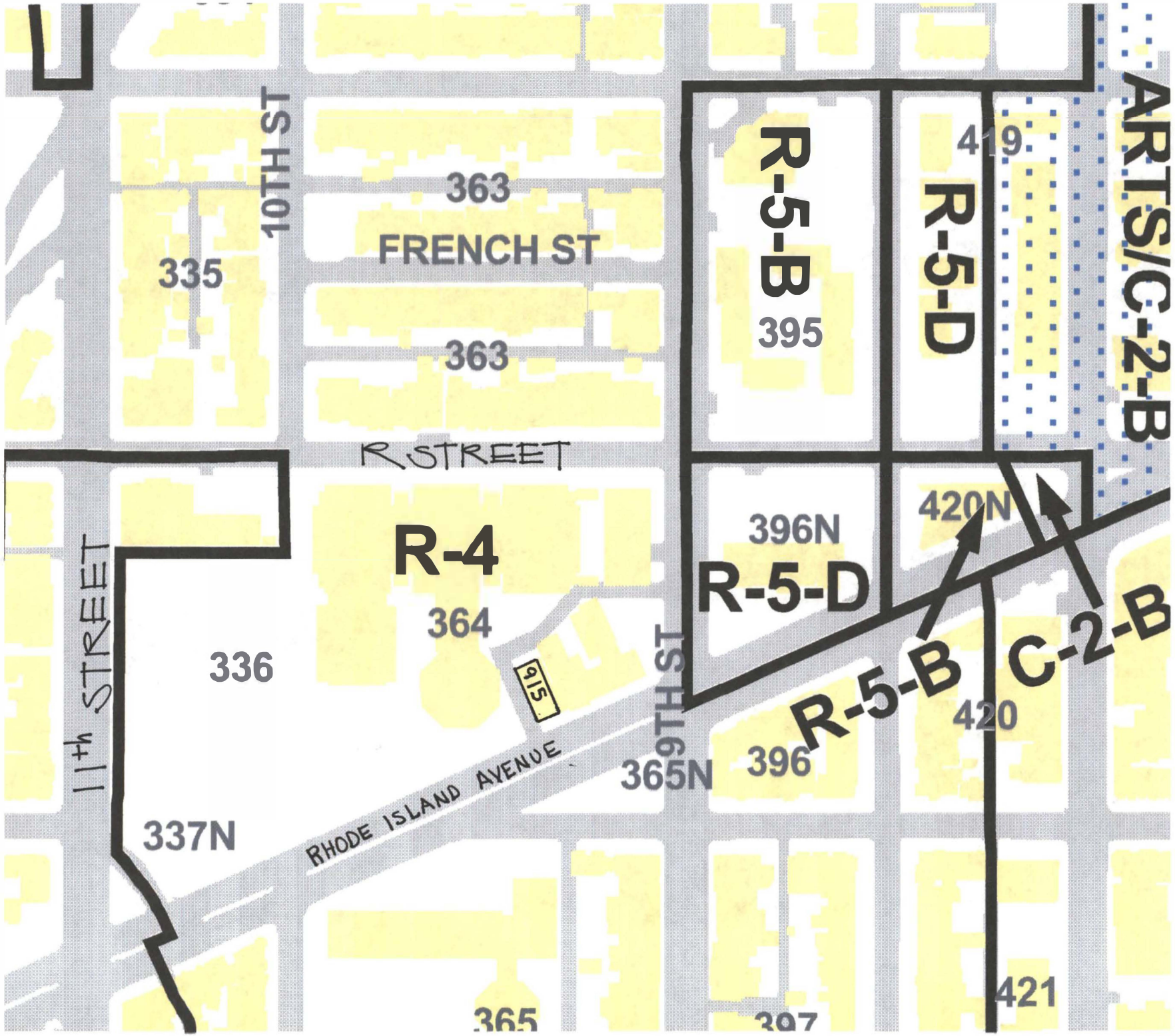
We trust that the information cited herein serves to reinforce Howard University Hospital's commitment to improve the quality of 915 Rhode Island Avenue, which in a broader context, serves to enhance the Rhode Island Avenue Corridor and produce new housing for Howard University Hospital staff.

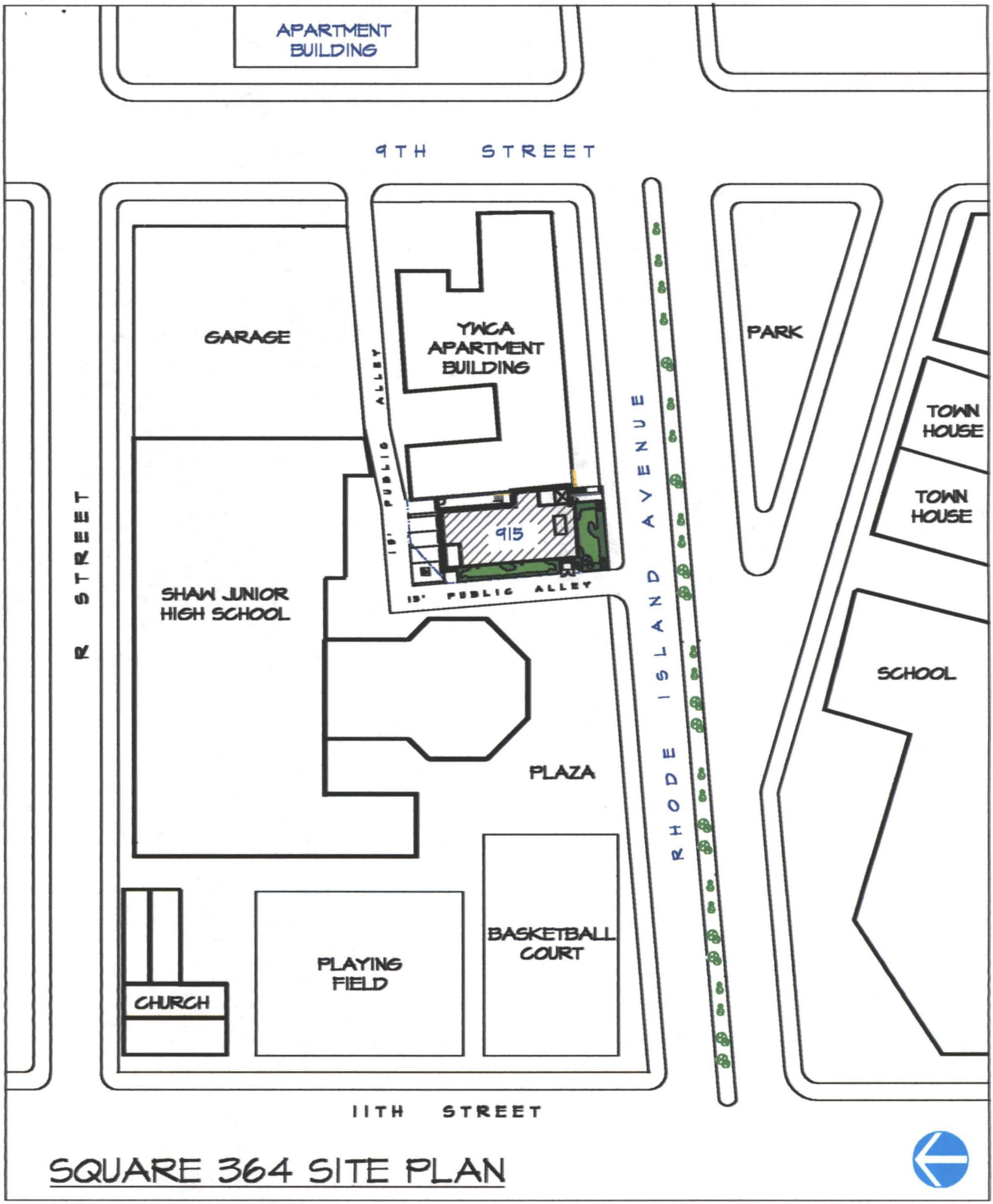
Sincerely,

SPMCoy

Sherman P. McCoy,
Executive Director/Chief Executive Officer

SPM/dr


10TH ST
363
FRENCH ST
335
363
R-5-B
395
R-5-D
419
ARTS/C-2-B
R STREET
R-4
396N
420N
R-5-D
364
336
11th STREET
915
9TH ST
R-5-B
C-2-B
420
RHODE ISLAND AVENUE
365N
396
337N
421
365
397



SQUARE 364 SITE PLAN

EHT TRACERIES INC

1121 FIFTH STREET, NW, WASHINGTON, DC 20001-3605 TEL (202) 393-1199 FAX (202) 393-1056 E-MAIL EHT@TRACERIES.COM
WWW.TRACERIES.COM

July 21, 2003

Mr. Edward M. Johnson
Edward M. Johnson & Associated, P.C.
3612 12th Street, NE
Washington, DC 20017

Re: Building Permit for 915 Rhode Island Avenue, NW

Mr. Johnson:

In response to your request, EHT Traceries, Inc. has undertaken a thorough search for the building permit for 915 Rhode Island Avenue, NW, a medical clinic constructed for Medical Associates, Inc. in 1958. The following sources of information were searched:

- **Index to Washington, D.C. Building Permits.** This hand-written index to building permits beginning in 1877 and ending in 1958 is available on microfilm at the Martin Luther King Branch of the DC Public Library. EHT Traceries reviewed both the Square and Lot Index and the Street Address Index. No building permits pertaining to the current building at 915 Rhode Island Avenue, NW were recorded in the index. Taking into account the possibility of human error in the recording of permits in the index, Traceries widened the search to include adjacent odd and even-numbered properties as well as corresponding street addresses on Rhode Island Avenue, NE. No building permits pertaining to the subject building were recorded.

- **Washington, D.C. Building Permit Office.** In the absence of any recorded building permits prior to 1958, post-1958 building permits were requested for 915 Rhode Island Avenue, NW from the DC Building Permit Office. Five boxes at the DC Archives were indicated by DC permit officers, and searched by EHT Traceries. The boxes consisted of building permits filed by street address. No building permits pertaining to the current building at 915 Rhode Island Avenue, NW were located in the proper order. Again taking into account the possibility of filing errors, Traceries widened the search to adjacent odd and even-numbered properties as well as corresponding street addresses in NE. This search uncovered several early building permits for the subject building at 915 Rhode Island Avenue, NW, including a sign permit for Medical Associates, Inc. from 1960. No building permit for the initial construction of the building was located.

- **Maps.** In the absence of the original building permit, Traceries undertook isolated map research to provide additional information about the date of construction of the subject building. Baist Real Estate and Sanborn Fire Insurance maps from the late 1940s and 1950s located at the Martin Luther King Branch of the DC Public Library indicated the following:

- 1948 Baist - The medical clinic is not present on the site. A smaller, likely residential building occupies a portion of the site.
- 1957 Baist - No building is shown on the site, indicating that the former residential building was, by this time, no longer extant.
- 1959 Sanborn (1928 base, revised to December 1959) - Shows the current medical clinic on the site and indicates that it was constructed in 1958.

- **Tax Records**. Traceries searched Lusk's District of Columbia Real Estate Directories, located in the Washingtoniana Room of the Martin Luther King Branch of the DC Public Library for additional information.
  - 1959 Edition - Indicated that as of June 30, 1958, no improvements had been made to the property at 915 Rhode Island Avenue, NW
  - 1960 Edition - Indicated that as of June 30, 1959, $65,000 worth of improvements had been made to the property at 915 Rhode Island Avenue, NW.

- **Deeds**. At the special request of Johnson & Associates, EHT Traceries obtained the deed recording the transfer of the property to Medical Associates, Inc. on August 2, 1957.

- **Certificate of Occupancy**. Johnson & Associates located the initial Certificate of Occupancy for the building, dated June 22, 1959.

- **Washington Star Archives**. EHT Traceries searched the articles and photographs of the Washington Star, located at the Martin Luther King Branch of the DC Public Library, for additional information that might positively date the construction of the building at 915 Rhode Island Avenue, NW. Traceries also searched articles and photographs of the Phillis Wheatley YWCA Building, located just east of the property. No references or images of the medical clinic were found.

- **Metropolis Realty and Investment Company**. The Metropolis Realty and Investment Company is listed on the Certificate of Occupancy as the Authorized Agent for Owner of Business Signs. At the special request of Johnson & Associates, EHT Traceries located the modern office of the Metropolis Realty and Investment Company and made repeated attempts to contact company personnel by telephone. Messages left on the voicemail had not been returned at the time of the preparation of this letter.

As indicated above, a building permit could not be located for the current building at 915 Rhode Island Avenue, NW. An exhaustive search of the building permit indexes and records turned up no original construction permit for the building, indicating that the permit has either been lost of was never filed. Further research aimed at locating the original building permit or identifying the date of the issuance of the permit is not likely to yield any additional information.

Most Sincerely,

Carrie Albee

Carrie Albee
Architectural Historian

Form 11-P-101-A
Formerly 101-A-CPB
Rev. 2-15-57

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF LICENSES AND INSPECTIONS
LICENSE AND PERMIT DIVISION
PERMIT BRANCH

JUN 23 1959

CENTRAL

APPLICATION FOR CERTIFICATE OF OCCUPANCY—COMMERCIAL SECTION
(WRITE WITH TYPEWRITER OR INK)

Do NOT use this form if Certificate is to be issued for Hotel, Flat or Apartment, Rooming, Boarding or Tenement House, Day Nursery, Private Club, Convalescent Home, or Other Residential Use.

Permit No. 13-16554 Issued 8-5-59

Date June 22, 1959

TO THE DIRECTOR OF INSPECTION:

The applicant(s) request the issuance of a Certificate of Occupancy for the use of the premises described below, and agree to comply with all applicable laws and regulations of the District of Columbia, and any terms and conditions appearing on BOTH sides of this application and on any Certificate of Occupancy issued on the basis of this application.

Full Name of Owner(s) of Business Medical Associates, Inc.
(See instruction on reverse side) (PRINT) (FIRST) (MIDDLE) (LAST)

Trade Name of Business MEDICAL ASSOCIATES, INC.
(See instruction on reverse side) (PRINT) (This *trade* name must be identical with that shown in application for business license)

Description of Premises for which Certificate is Requested

Address 915 Rhode Island Avenue, NE (of building to be occupied) Lots 829-830 Square 364

Name and address of owner of building MEDICAL ASSOCIATES, INC. c/o Metropolis Realty & Investment Co. ~~1713 North Capitol Street~~

To the best of your knowledge is the building now being condemned? No

Material of building Brick No. of Stories High 2 Basement? Yes

Proposed use Clinic for Humans

Which Floor(s) will be occupied for above use All floors

Previous use New Building

If previous use was residential, how many living unit are being abandoned?

READ INSTRUCTIONS AND INFORMATION ON REVERSE SIDE OF THIS APPLICATION
PENALTIES ARE PROVIDED FOR MISREPRESENTATION.

To Be Filled in by Clerk

Use District R-4
Height District 2-30-45
Area District D-4-E
Transcript of No
E. D. No.
B. Z. A. No.
Bldg. Permit No
Previous use Bldg. Medical Clinic
No
Name of Clerk

IF OWNER OF BUSINESS SIGNS:

Signature of Owner (in ink)
Home Address Tel. No.

IF AUTHORIZED AGENT FOR OWNER OF BUSINESS SIGNS:

Name of Agent Metropolis Realty & Investment Co.
Address of Agent 1713 North Cap. St. Tel. No. DE 2-3112
Name of Owner(s) of Business Medical Associates, Inc. (as shown above)
Signature of Agent (in ink) Metropolis Realty & Investment Co. By Haddell N. Thomas

Recommend Approval

APPROVED:

RESERVED FOR APPROVALS

F.S. H. O. Williams Date 7/31/59
Bldg. Taylor Date 7/31/59
Plbg. Lamala Date 7/31/59
Elec. Jones Date 7/31/59

APPROVED FOR ISSUANCE OF PERMIT

Fred L. Hester Date AUG 4 1959
(Bldg. Approval Clerk)

9-4160

COMPLIES WITH REQUIREMENTS OF ZONING REGULATIONS 118-23

Dir. - Hyman
Asst. Dir. - Williams
Chief Engr. - Banks
Supervising Engr. - Bryant
Engr. - Russell

Form 851 – CPS

CERTIFICATE OF OCCUPANCY

No. B 18554

Washington, D.C., AUGUST 5TH, 1959

Permission is hereby granted to MEDICAL ASSOCIATES, INC.

to use the ATT. floor(s) of the building located on lot 834 Square 364

known as premises 915 RHODE ISLAND AVE., N.W. for the following

purpose(s): CLINIC

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

DEPT. OF LICENSES & INSPECTIONS, GOVT. OF DIST. OF COL.

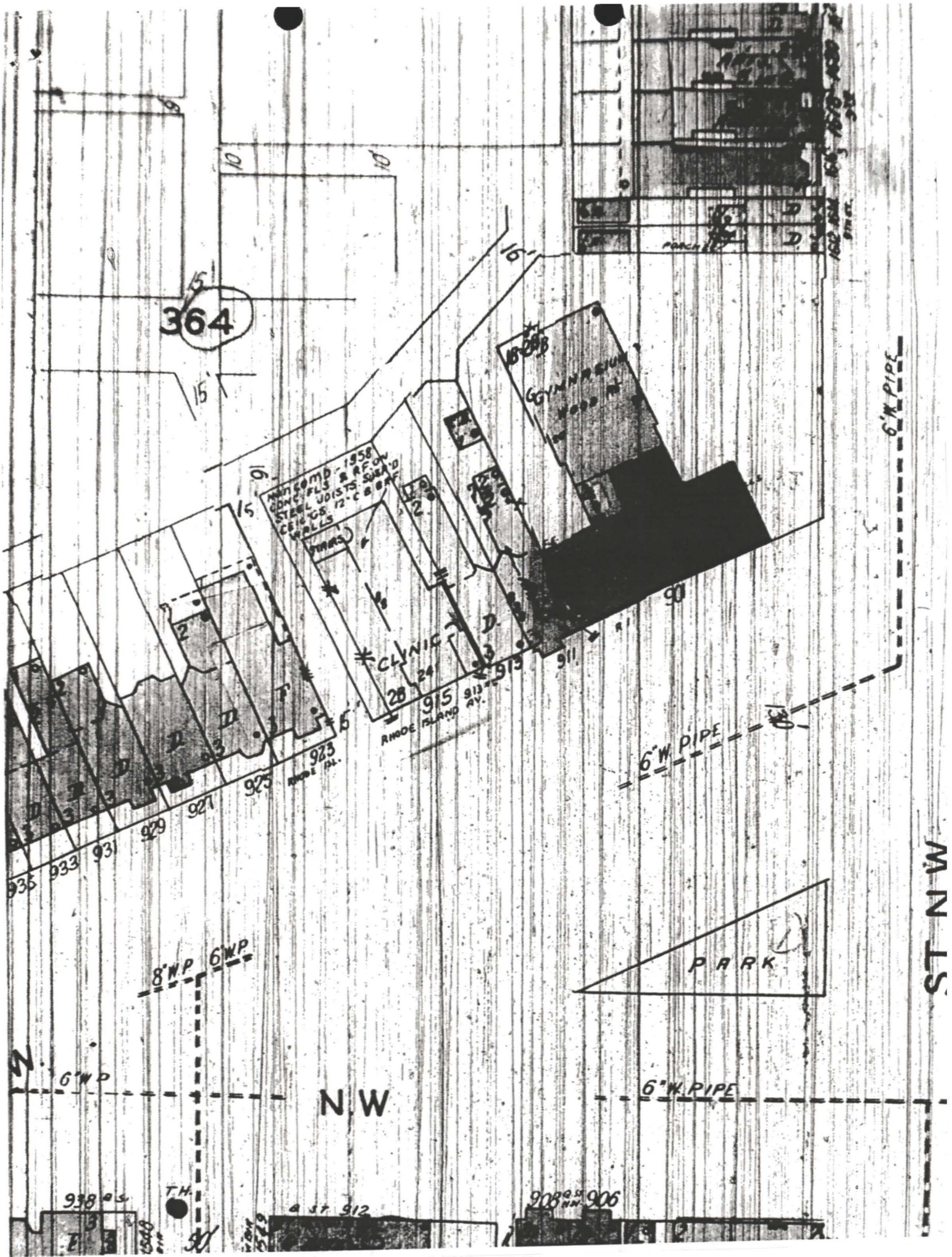
ZONE R-4 FEE $ 10.00

Chief ~~Examiner~~ of Permits.

By Mary D. Savage
Deputy Clerk

OFFICE COPY

Sheet 307 1926 ed 12/59



EDWARD M. JOHNSON & ASSOCIATES, P.C.
3612 TWELFTH STREET, N.E. • WASHINGTON, D.C. 20017
(202) 526-3610 FAX LINE (202) 832-8228

July 22, 2003

Mr. Geoffrey Griffis
Chairman
District of Columbia Board of Zoning Adjustment
441 4th Street, NW
Suite 210 South
Washington, DC 20001

Dear Chairman Griffis,

At the request of the District of Columbia Board of Zoning Adjustment (BZA), we have further consulted with the District of Columbia Department of Housing and Community Development (DHCD) officials regarding the use of Lot 838 which is approximately 250 sq.ft. located at the northwest corner of the property at 915 Rhode Island Avenue, NW. Although (DHCD) officials felt Lot 838 had very little value to the city, an appraisal of the land must be conducted before a final determination of the lands value can be identified. However, in the interim, in order to allow Howard University Hospital uninterrupted, continuous use of the land, DHCD has drafted the attached July 21, 2003 letter for our submission to our client, Howard University Hospital and the BZA.

Additionally, at the request of the Board, we have contacted and contracted with an architectural historian, EHT Traceries Inc. Traceries' personnel has conducted exhaustive research in an effort to determine the date of the building permit and the date the building was constructed. Their findings are outlined in the attached July 21, 2003 letter/report. However, based upon review of the letter/report and consultations with EHT Traceries Inc personnel, the actual construction date cannot be determined. It is reasonable to believe, based upon our research and research conducted by EHT Traceries Inc, that the building could have been constructed before zoning laws were enacted.

Attached are the following documents to support our case for an Area Variance:

- Letter from District of Columbia Department of Housing and Community Development (DHCD) - Lot 838 lease agreement status
- Letter/Report EHT Traceries Inc. regarding Building Permit for 915 Rhode Island Avenue, NW
- 1959 Certificate of Occupancy Application and Certificate of Occupancy for 915 Rhode Island Avenue, NW
- 1959 Sanborn - showing the current medical clinic on the site at 915 Rhode Island Avenue in 1958.

We trust that the additional information provided will further serve to support our clients legitimate request for the conversion of this former medical building at 915 Rhode Island Avenue into an 11unit apartment building. If you have any questions, please call. Thank you.

Respectfully,

Edward M. Johnson, AIA
President

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

JUL 21 2003

Office of the Director

Mr. Edward M. Johnson
President
Edward M. Johnson & Associates
3612 12th Street, N.E.
Washington, D.C. 20017-2546

Dear Mr. Johnson:

This will confirm that the Department of Housing and Community Development (DHCD) will give favorable consideration to leasing the District of Columbia owned property at the rear of 915 Rhode Island Avenue, N.W, legally identified as Square 364, Lot 838, and containing approximately 250 square feet, to your client, Howard University, to be used for parking for its eleven unit apartment house at 915 Rhode Island Avenue, N.W.

DHCD is in the process of having the property appraised to establish its value, and if Howard University agrees with the lease rate so established, DHCD is prepared to execute a lease. It is expected that the value/lease rate will take approximately 45 days to be determined.

Should you have any questions please do not hesitate to contact me at 202/442-7231.

Sincerely,

Robert L. Trent
Chief of Staff