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04-17

Jerrily R. Kress, FAIA
Director, Office of Zoning
441 Fourth Street, N.W.
Suite 220 South
Washington, D.C. 20001

RE: **Zoning Commission Order Nos. 02-43 and 04-17 (PUD Map Amendment-MedStar Health)**

Dear Ms. Kress:

Please accept the following Request to Place a Minor Modification on the Consent Calendar at the next meeting of the Zoning Commission for the District of Columbia.

I. Relief Requested

Pursuant to Section 3030 of the D.C. Zoning Regulations, MedStar Health, the Applicant in Zoning Case Nos. 02-43 and 04-17, requests the Zoning Commission to approve, without further public hearing, two minor modifications to Zoning Commission Order No. 02-43, as modified by Order No. 04-17. These minor modifications would:

1. Further modify Order No. 02-43 by allowing the construction of an electrical substation facility as an accessory to the uses that have been approved; and

2. Authorize the infill of an existing closed court with a single story structure that would be used for hospital purposes.

In Order No. 02-43, inter alia, the Commission approved a hospital expansion and a parking garage as "Addition A", but made no specific provision for an electrical substation facility to be included within that structure. In Order No. 04-17, the Commission approved a minor modification to Order No. 02-43 to allow for the construction

ZONING COMMISSION
CASE No. 04-17A
EXHIBIT No. 1

ZONING COMMISSION
District of Columbia
CASE NO.04-17A
EXHIBIT NO.1

and use of an electrical substation facility within "Addition A". See Exhibit A, p. 6R. This approval was largely based on the facts that: (1) the operational capacity that the new substation would provide was critical to the construction that had already been approved on the hospital campus; and (2) the substation would be consumed within Addition A and, thus, not be visible from outside of the hospital building.

In this application, MedStar asks the Commission to approve:

1. A new location for the electrical substation facility; and

2. The construction and use of a one story infill structure within an existing closed court.

A new electrical substation facility continues to be critical to MedStar's ability to supply electrical power to the future developments on the hospital campus. The relocation of that facility has become necessary because additional engineering, investigation and campus planning has determined that the previously approved location will cause the rerouting of existing underground utilities that could block the future expansion of the hospital. The new location for the substation will be immediately to the south of the existing E Wing of the main hospital as shown on Exhibit A, p. 6R2.

Initially, the substation will be constructed as a below grade structure in the existing E Wing of the Main Hospital. The substation will later be enclosed within Additions "A" and "B" of the hospital, when they are built, and will not alter the external appearance of either addition.

The one story infill project will be constructed in a courtyard located between Buildings "F" and "D". See Exhibit "A", p. 19R2. It will not visible from outside of the hospital buildings because each of the surrounding buildings are now at least five stories in height. The court is currently being used as a relaxation area for the staff and patients of the hospital. This fair weather activity will be relocated to

an existing courtyard between the "D" Wing and the Cancer Suite, if this application is approved.

The adjustments to the land area, floor area ratio and permitted gross floor area that these two modifications will engender are set forth in Exhibit A, p. C2. Each of these modifications will be implemented within the Sp-2 zone district.

II. The Planned Unit Development Order

By order dated February 24, 2003, the Zoning Commission granted second stage approval to a Planned Unit Development ("PUD") and map amendment for all of the area of Square 3129 that was zoned R-5-A. This approval was the result of a three year administrative process during which MedStar assembled and submitted a "Master Plan 2000" setting forth the history of the medical uses on the site, its development objectives for a 15 year period, a discussion of the programmatic and space needs of the hospital, development guidelines and implementation sequences for the development of each of the approved projects. "Zoning Strategy B" of the Master Plan, dated August 2000, is the basis for the development plan that was approved in the PUD. See Exhibit "B."

In approving the PUD and map amendment, the Commission noted the support of the D.C. Office of Planning, the Children's Hospital National Medical Center, the Department of Veterans' Affairs, Providence Hospital, Catholic University, the D.C. Chamber of Commerce, the American Heart Association, Advisory Neighborhood Commission 4D, Advisory Neighborhood Commission 5C, the Bloomingdale Civic Association, and various area residents. There were no expressions of opposition in the records of Case No. 02-43 or Case No. 04-17.

III. Description of Minor Modification

As was evidenced in Case No. 04-17, the construction of an electrical switching facility is directly related to the hospital's ability to respond to public emergencies such as terrorist events[1].

Attached is the "Washington Hospital Center Minor Modification September, 2005 to PUD and Map Amendment, Zoning Commission Order No. 02-43" prepared by Wilmot Sanz, MedStar's architectural consultant. This plan details the approved and the revised site plan, sub-basement plan, basement plan, ground floor plan, first floor plan and elevations depicting the new location for electrical substation and the one story infill of the existing courtyard. In addition, it provides a site location plan and three perspective views of the previously approved development plan. The document also details the insignificant impact on the approved floor area ratio and number of parking spaces.

IV. Agency Views

MedStar has discussed this minor modification request with appropriate representatives of the Office of Planning. From that discussion, MedStar anticipates a supporting recommendation will be forthcoming. MedStar will also endeavor to discuss this application with Advisory Neighborhood Commission 5C. The approval of this minor modification will not affect any of the transportation related conditions to the PUD order.

V. Applicable Standards Are Met

Section 3030 of the Zoning Regulations clearly accords the Commission the authority to grant this minor modification without further public hearings.

[1] We have previously noted that Washington Hospital Center was designated a primary terrorism response care facility on September 11, 2001.

The proposed minor modification will improve the ability of the Washington Hospital Center to serve the general public, an objective that is both reasonable and appropriate, especially with respect to public emergencies. Approval will not adversely affect the interests of neighboring property owners or the neighborhood, none of whom have objected to MedStar's development plans. In these circumstances, the minor modification is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act and, as a minor modification to an approved plan, is not inconsistent with the Comprehensive Plan for the National Capital.

VI. Summary

The approved electrical substation, as now proposed, and the proposed infill structures will each be completely enclosed within the structural additions that have already been approved. Modifying the development plan is of little or no consequence to the overall development scheme but, at the same time, is critical to its success. Approving this request as a minor modification is in the interest of efficiency and will not adversely impact the approved design, densities, parking or uses approved by the Zoning Commission in Order No. 02-43. This minor modification is also consistent with the Commission's expressed intention to accord MedStar a reasonable "degree of flexibility" with the approved PUD to efficiently meet the ever evolving needs of the healthcare service industry. The absence of electrical capacity to meet existing needs and the continuing threat of another public emergency each suggest and support the need for an expeditious and favorable disposition of this request.

Thank you.

Respectfully submitted,

Jerry A. Moore III
Counsel to MedStar Health

Attachments: Exhibits A and B (20 copies)

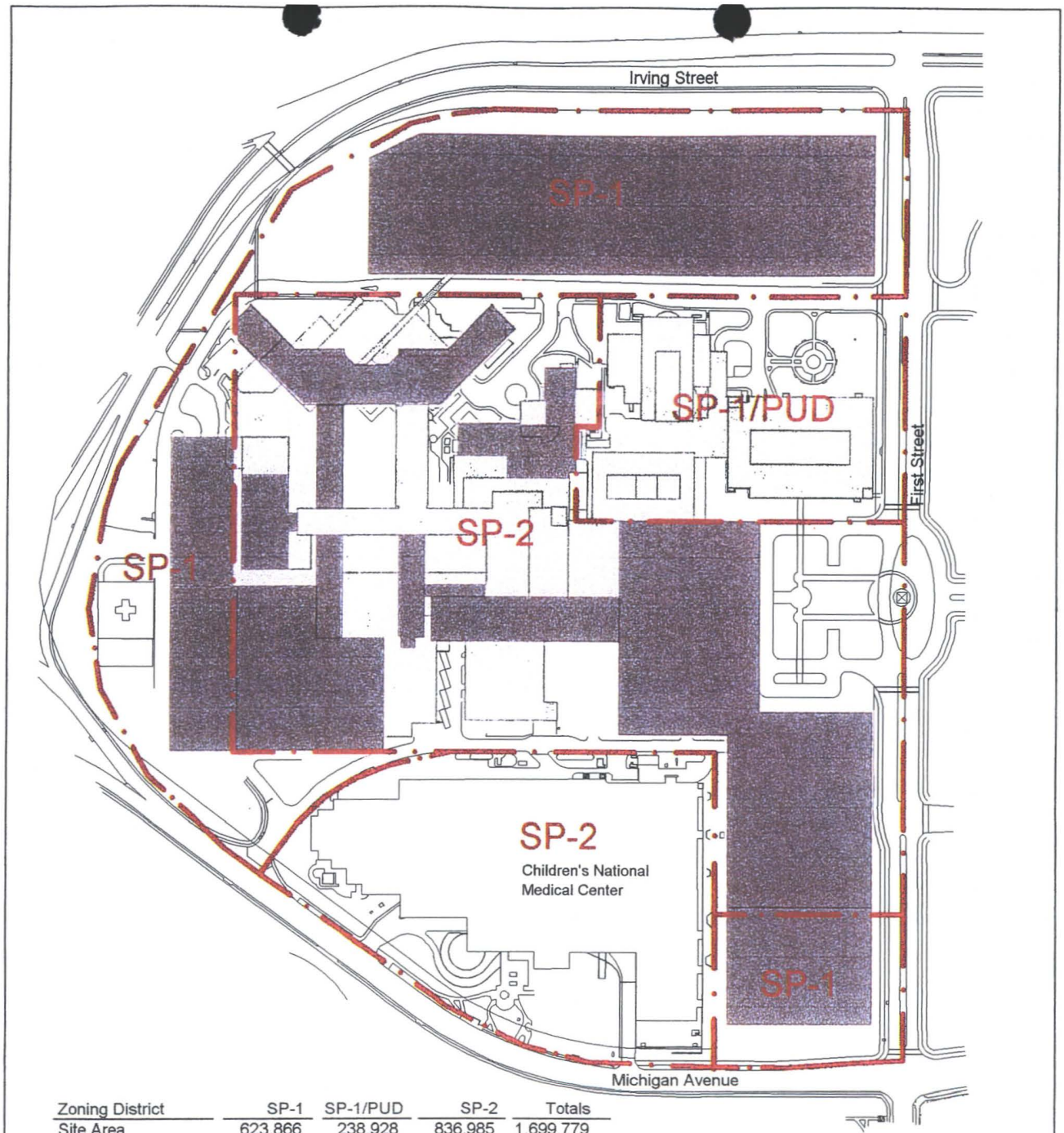
cc: Advisory Neighborhood Commission 5C
D.C. Office of Planning
D.C. Department of Transportation

Exhibit A

Wilmot Sanz Drawings

Exhibit B

Zoning Strategy B



Zoning District	SP-1	SP-1/PUD	SP-2	Totals
Site Area	623,866	238,928	836,985	1,699,779
Floor Area Ratio	X 2.5	1.75	X 3.5	
Permitted Floor Area	1,559,665	417,135	2,929,448	4,906,248
Existing Floor Area	537,657	417,135	902,972	1,857,764
Additional Floor Area	1,022,008	0	2,026,476	3,048,484
Permitted Height	65'	67'	90'	

Zoning Strategy B

- Zoning Boundaries
- Existing Buildings
- New Construction Opportunities

Washington Hospital Center
Master Plan 2000
WHC Design & Construction Management
Oudens + Knoop Architects, PC