

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

January 28, 2013



Mr. Paul Tummonds
Goulston & Storrs
1999 K Street, NW - 5th Floor
Washington, DC 20006

RE: Sibley Memorial Hospital/Johns Hopkins Medicine – Proposed Proton Therapy Center on the Sibley Campus at 5255 Loughboro Road, NW

Dear Mr. Tummonds:

This letter addresses the ability of Sibley Memorial Hospital/Johns Hopkins Medicine (“Sibley”) to construct a new proton therapy center on the Sibley Campus pursuant to the BZA approval of BZA Order No. 18007. Based on the information that you have provided, and as discussed in detail in this letter, I conclude that BZA approval will not be required to construct a proton therapy center on the Sibley Campus.

As shown in the attached site plan, the proton therapy center will be located at the rear of the Sibley campus in a portion of the existing staff parking structure and will be attached to the approved cancer center and New Sibley (patient pavilion and emergency department) structures on the Sibley Campus. The proposed proton therapy center will consist of approximately 72,000 square feet of gross floor area, which when added to the total amount of gross floor area developed on the Sibley Campus, is less than the total amount of gross floor area approved for development by the BZA in BZA Order No. 18007.

BZA Order No. 18007

In Order No. 18007, the BZA granted variance approval from the floor area ratio (FAR) requirements and special exception and variance approval for the proposed roof structures of an expansion to the existing Sibley Hospital. The approved expansion included a new patient pavilion, emergency department, and cancer center. The BZA approved a total of 1,099,826 square feet of gross floor area on the 18.24 acre Sibley Campus¹. Six conditions of approval were included in BZA Order No. 18007, including a condition that a vegetated green roof (with a minimum area of 12,281.88 square feet) be constructed on the new cancer center.

¹ Please note that these calculations do not include the gross floor area and land area of the Medical Office Building and parking garage that were approved by the Zoning Commission as part of a Planned Unit Development project in ZC Order No. 05-42.

Gross Floor Area

As shown in the attached chart and site plan, the BZA approved a total of 1,099,826 square feet of gross floor area on the Sibley Campus. That included 514,663 square feet of gross floor area for the new patient tower and emergency department ("New Sibley") and the cancer center; as well as 585,163 square feet of gross floor area for the other existing structures on the Sibley Campus. The actual gross floor area of the New Sibley and cancer center structures was only 430,730 square feet of gross floor area. As noted above, the proposed proton therapy center will be located in a portion of the existing staff parking garage, which is included in the overall gross floor area calculation for the entire Sibley Campus.

Therefore, 83,933 square feet of gross floor area that was approved for development on the Sibley Campus (pursuant to BZA Order No. 18007) is not being utilized at this point. The construction of a proton therapy center of approximately 72,000 square feet of gross floor area will result in a total amount of gross floor area on the Sibley Campus that is less than what was approved by the BZA's FAR variance approval in BZA Order No. 18007. Therefore, I conclude that it is not necessary for Sibley to return to the BZA and seek a modification to the FAR variance that was previously approved.

Parking Spaces

It is my understanding that the construction of the proton therapy center will result in the loss of approximately 81 parking spaces in the existing staff parking structure. However, based on the attached chart of available parking spaces, I find that there are a significant number of available parking spaces at the times of peak occupancy on the Sibley Campus. Since the construction of the proton therapy center will not result in the need for any zoning relief related to the number of parking spaces provided on the Sibley Campus (and there appears to be a significant number of parking spaces available at times of peak occupancy), I conclude that it is not necessary for Sibley to return to the BZA to address any parking issues related to the construction of the proton therapy center on the Sibley Campus.

Conditions

It is my understanding that Sibley Hospital is amenable to the construction of a vegetated green roof, of a size similar to the vegetated green roof on the cancer center, on the roof of the proton therapy center. I believe that construction of such a vegetated green roof is consistent with the BZA's approval in Order No. 18007 and will be required by the Office of the Zoning Administrator in order to approve a building permit application for the proton therapy center. All other conditions of BZA Order No. 18007 will also continue to apply to the Sibley Campus.

Conclusion

For the reasons noted above, I determine that Sibley may construct a proton therapy center, as shown on the attached site plan, without the need for further BZA approval. Please

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feel free to contact me if you have any questions regarding the issues addressed in this letter.

Sincerely, Matthew Le Grant

Matthew Le Grant
Zoning Administrator

Enclosures

File: Det Let re Sibley Hospital- Proton Therapy Ctr to Tummonds 1-28-13

Sibley Memorial Hospital

Date: 12/04/12

Summary of Sibley Campus FAR

Total gross floor area for Sibley Campus approved by BZA Order No. 18007 – See attached Site Plan	1,099,826 sf	
	Total gross floor area for existing buildings on Sibley Campus	585,163 sf
	Gross floor area approved by BZA Order No. 18007 for new patient tower, emergency department (“New Sibley”) and cancer center (“CC”)	514,663 sf
Actual gross floor area for New Sibley and CC approved in building permit applications	430,730 sf	
<u>Difference between BZA approved gross floor area and building permit approved gross floor area</u>	<u>83,933 sf</u>	
Existing parking garage gross floor area in area of proposed Proton Therapy Center	13,231 sf	
Available gross floor area for Proton Therapy Center	97,164 sf	
Proposed gross floor area of Proton Therapy Center	72,000 sf	
<u>Remaining gross floor area approved by BZA Order No. 18007</u>	<u>25,164 sf</u>	



January 8, 2012

Parking Spaces

LOT	2007	2008	2009	2010	2011	2012
MOB Surface LOT 2	0	0	0	0	153	153
Old Lot 2	80	80	40	40	0	0
Lot 2 Employee Handicap	0	0	12	12	12	12
Lot 3 (Fence line)	47	47	36	36	36	0
Lot 4 (Old Lot)	72	72	72	0	72	72
Lot 4 (Top Deck)	156	156	156	156	156	156
Lot 5	195	195	195	195	195	195
Lot 6	178	178	178	178	178	178
Lot 7	103	103	103	103	103	103
Lot 8	73	73	73	73	73	73
Lot 9 (Grand Oaks)	49	49	49	49	49	49
Employee Handicap Little Falls Rd.	17	0	0	0	0	0
Little Falls Rd.	10	10	10	10	0	0
Hayes Hall (Oncology)	14	14	8	0	0	0
Doctors Lot (Front)	62	62	62	62	52	52
Doctors Lot (Rear)	46	46	0	0	0	0
MOB GARAGE Visitors Lot	232	232	149	160	750	750
Board Member /Chaplain	-	-	-	-	6	6
GRAND TOTAL	1334	1317	1143	1074	1835	1799

* At completion of Medical Building

**2012 PARKING
BREAKDOWN:
AVAILABLE SPACES**



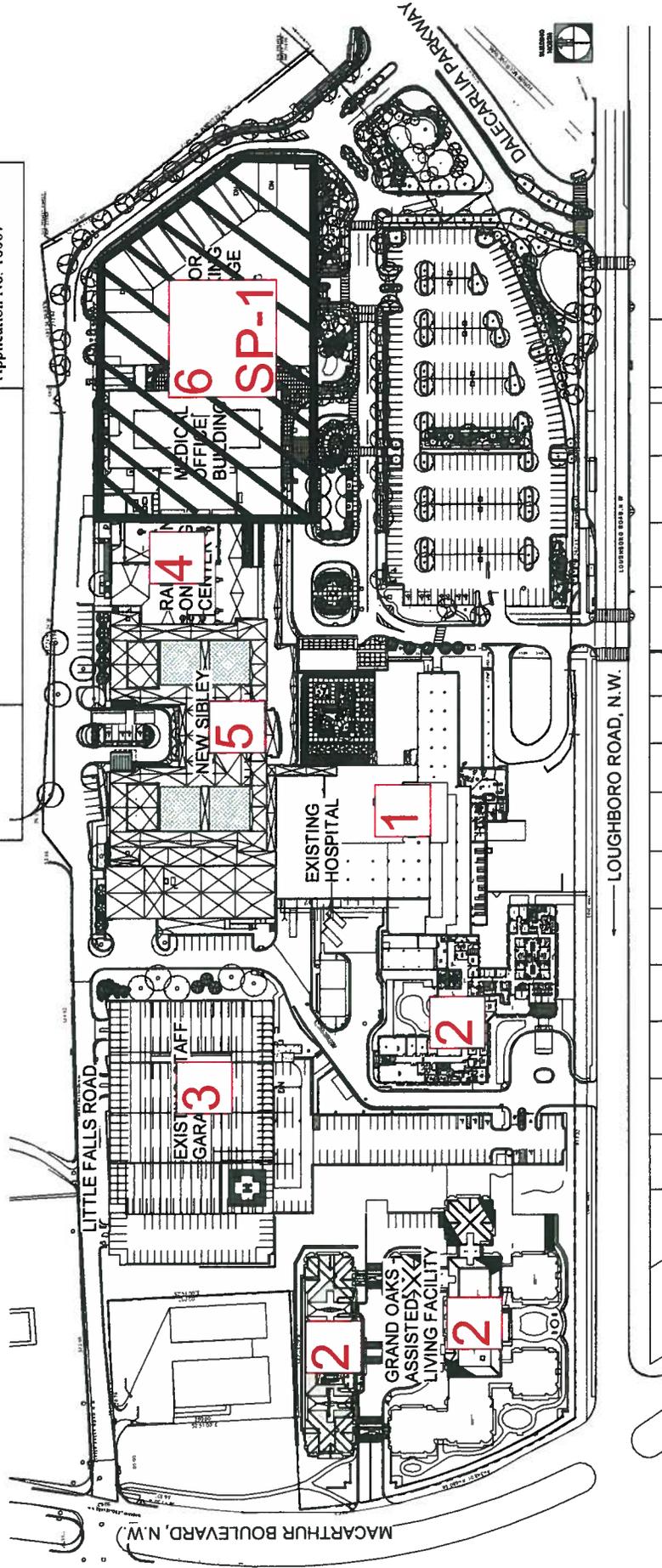
**SIBLEY MEMORIAL
HOSPITAL**

JOHNS HOPKINS MEDICINE

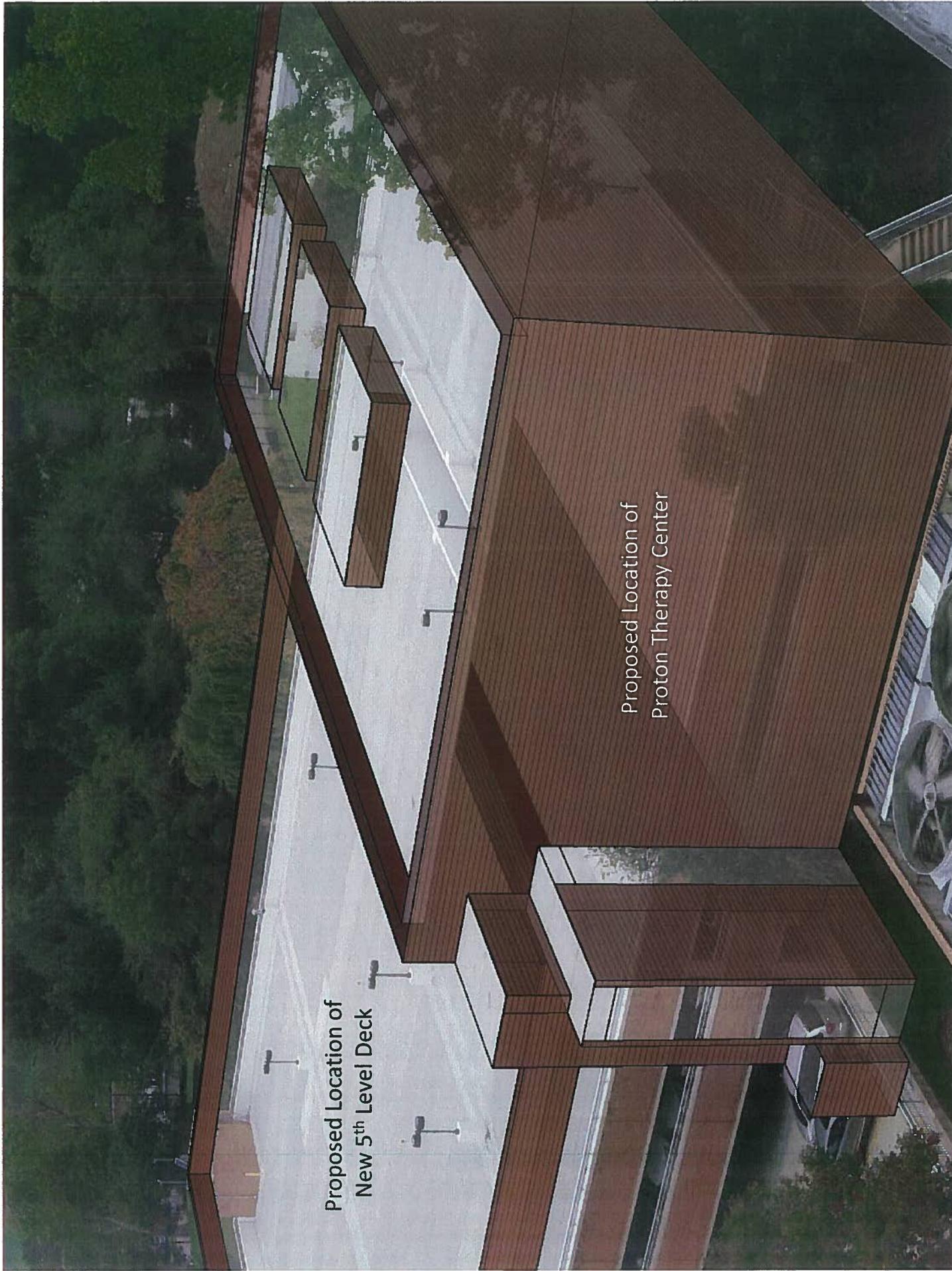
LOT	TOTAL SPACES	AVAILABLE SPACES AT PEAK OCCUPANCY
MB Surface Lot (Lot 2+ Doctor's Lot)	217	54
Lot 4	228	46
Lot 5	195	88
Lot 6	178	23
Lot 7	103	9
Lot 8	73	11
Grand Oaks (Lot 9)	49	not included in study
MB GARAGE (Visitors Lot)	750	363
Board Member /Chaplain	6	3
GRAND TOTAL	1799	597

BUILDING NO.	USE	GROSS FLOOR AREA
1	Existing Hospital	335,940 sf
2	Skilled Nursing and Assisted Living	165,472 sf
3	Parking Garage	83,751 sf
4	New Radiation/Oncology Center (Approved in BZA Order No. 18007)	20,974 sf

5	New Patient Pavilion and Emergency Department (Approved in BZA Order No. 18007)	409,756 sf
6	Medical Office Building and Parking Garage	These buildings were constructed pursuant to the PUD approval of ZC Case No. 05-42 and were not included in the gross floor area calculations of BZA Application No. 18007

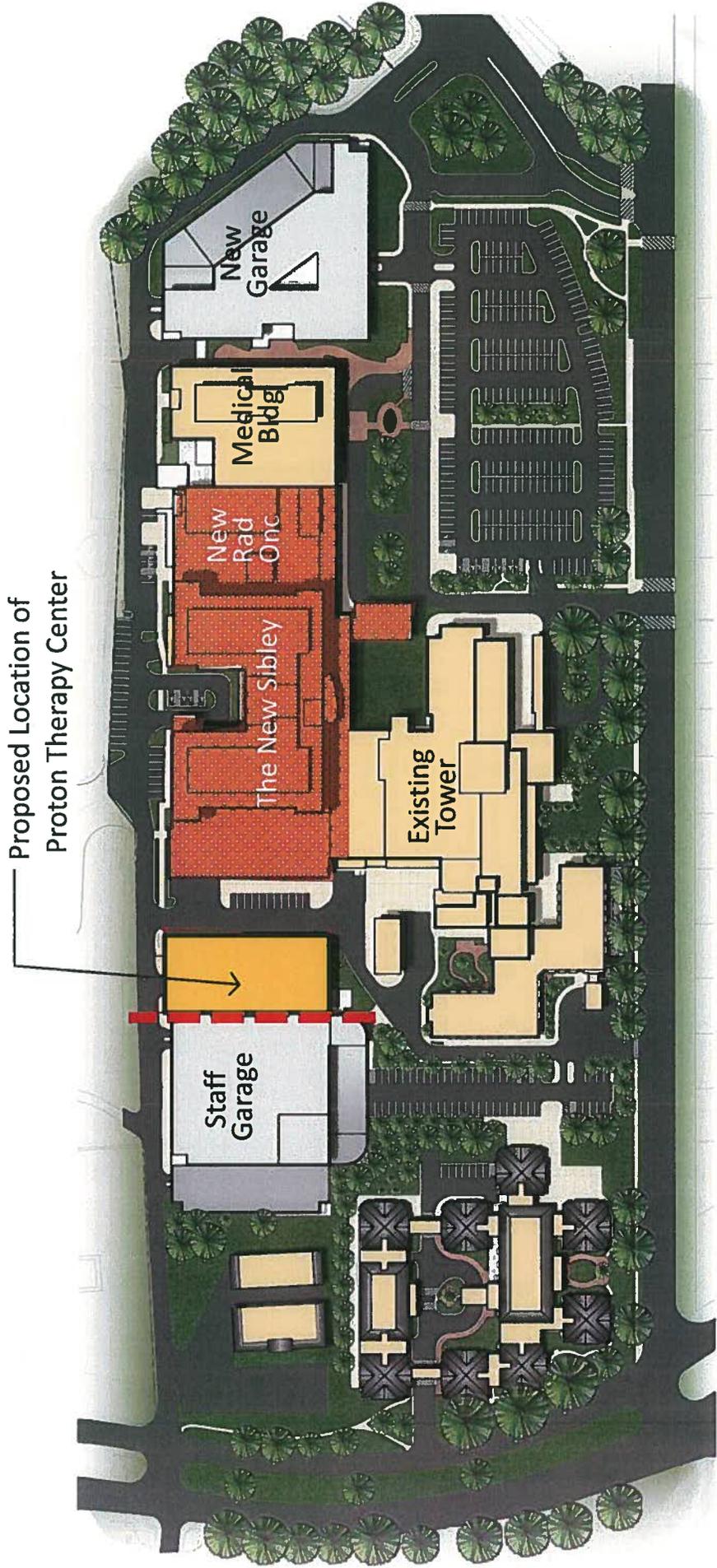


Summary of Sibley Campus FAR Approved in BZA Order No. 18007



Proposed Location of
New 5th Level Deck

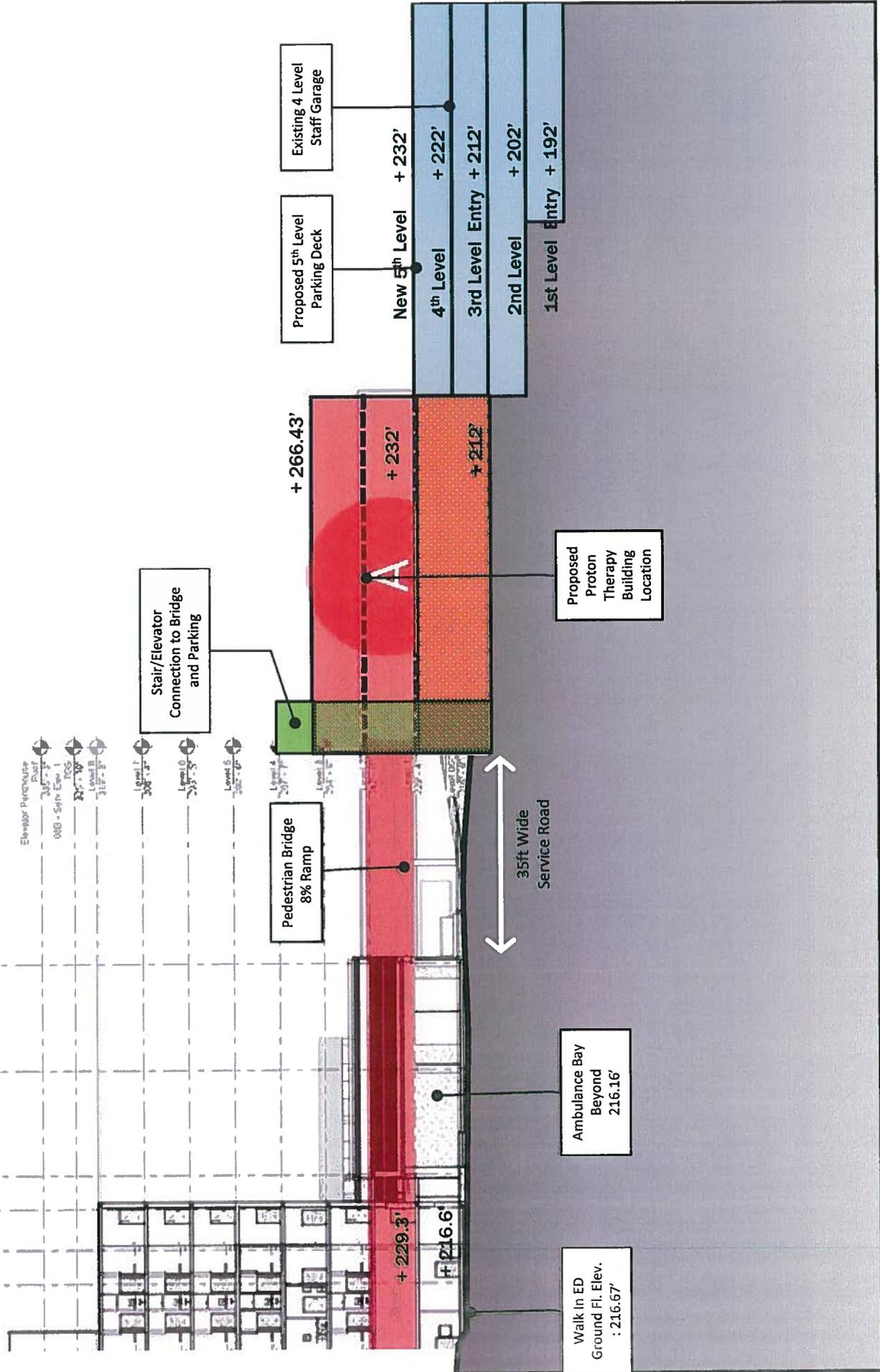
Proposed Location of
Proton Therapy Center



Campus Site Plan

A B C C4 D D4

Elevator Penthouse	237'-3"
Roof	237'-3"
1000 - Self Exp. 1	237'-3"
1000	237'-3"
Level 5	212'-0"
Level 4	212'-0"
Level 3	212'-0"
Level 2	212'-0"
Level 1	212'-0"
Level 0	212'-0"
Level -1	212'-0"
Level -2	212'-0"
Level -3	212'-0"
Level -4	212'-0"
Level -5	212'-0"



Existing 4 Level Staff Garage

Proposed 5th Level Parking Deck

New 5th Level + 232'

4th Level + 222'

3rd Level Entry + 212'

2nd Level + 202'

1st Level Entry + 192'

Stair/Elevator Connection to Bridge and Parking

Pedestrian Bridge 8% Ramp

Proposed Proton Therapy Building Location

35ft Wide Service Road

Ambulance Bay Beyond 216.16'

Walk in ED Ground Fl. Elev. : 216.67'

+ 266.43'

+ 232'

+ 212'

+ 229.3'

+ 216.6'

