

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12684, as amended, of the George Washington University, pursuant to Sub-section 3101.46 to operate a parking lot for a period of five years in the R-5-D and R-5-C Districts, at the premises 928-930, 934 and 946 - 23rd Street and 2304 Pennsylvania Avenue, N.W. (Square 40, Lots 20, 33, 820, 821 and 822).

HEARING DATE: June 28, 1978

DECISION DATE: July 5, 1978

FINDINGS OF FACT:

1. The application was originally advertised under Paragraph 3104.44. At the June 21, 1978 hearing, the applicant was allowed to amend its application to seek special exception relief under Paragraph 3101.46.
2. The subject site is located in the R-5-D and R-5-C Districts and is known as 928, 930, 934 and 946 23rd Street and 2304 Pennsylvania Avenue, at Washington Circle. It is located within the boundaries of the approved campus plan for the George Washington University.
3. The site was previously improved with row structures which were recently razed by the applicant.
4. The subject property is contiguous to an existing large parking lot and is vacant at this time. The site is bounded or surrounded on all sides by public streets and the existing parking lot. The existing large adjacent parking lot serves the parking needs of the University Hospital's doctors, nurses, and house staff. The Hospital is located directly across 23rd Street from this lot. The proposed lot will also be limited to the exclusive use of the doctors, nurses, and house staff. Parking for visitors is provided within a nearby parking garage. The Hospital has 512 beds and 1,855 employees.
5. The subject property has been designated for development with a clinical science building in Phase II of the George Washington University Campus Development. Construction of such a building would not occur for five to ten years.
6. The University Campus Plan previously approved by the Board provides for 2,700 - 3,000 parking spaces. There are presently 2,747 parking spaces available for use by the University.

7. The applicant proposes to provide twenty-six spaces for a period of five years along with the existing university parking lot, approved by BZA Order No. 12236 on February 28, 1977 for a period of five years. The subject lot would be landscaped in a manner consistent with the adjoining lots.

8. The proposed additional parking spaces will off-set seventeen spaces removed from the existing large adjacent lot. Those seventeen spaces were removed to provide space for landscaping and aisles, as required by the Board in BZA Order No. 12236. The limited number of spaces to be provided in this application will not create any dangerous or objectionable traffic conditions. The lot will use the existing driveway and access lanes on the square.

9. Parking in Square 40 is critical to the Hospital, since it would provide facilities within a short and safe walking distance of the Hospital, which is important for the security of evening and night shift personnel.

10. The lot will be operated on a twenty-four hour basis.

11. There is an entrance to a Metro station at the southeastern corner of Square 40. Even though the Metro station in the area is now operational and even when hours of operation are extended in September, Metro does not and will not operate during all of the hours for which its use would be required by the Hospital staff.

12. The University has followed policies designed to discourage automobile commuting and to encourage use of mass transit, by not subsidizing parking for employees, students or visitors, by participating in the COG commuter club program and by maintaining an active car pool locator service.

13. The application was referred to the Department of Transportation on May 5, 1978. No report was received from the Department of Transportation within the forty day period specified by Section 7608. No report from the Department was received by the Board prior to the time the Board decided the case on the record as it then existed.

14. The Municipal Planning Office, by report dated June 27, 1978, recommended that the application be approved subject to the Board's approval of a parking layout and appropriate landscape plans.

15. Letters of opposition were received into the record from area residents concerned over the increase in vehicular traffic, and air pollution which would result and the decrease in the availability of land for residential uses.

16. Advisory Neighborhood Commission 2A, adopted a resolution in opposition to the application. The ANC representative testifying at the public hearing expressed the following issues and concerns:

- a. The area is heavily impacted by traffic.
- b. The University has already had 2,700 of 3,000 spaces approved.
- c. According to the approved Campus Plan it is difficult to estimate the effect of parking.
- d. There has been no reanalysis of its Campus Plan by the University.
- e. The University should not continue to tear down residential buildings and replace them with parking lots.

17. As to the issues and concerns of the Advisory Neighborhood Commission, the Board finds that the provision of twenty-six parking spaces as requested by the University will have no significant impact on traffic in the area. It is impossible to attribute all of the traffic in that area to the University, and the relatively small number of spaces involved in this application eliminates any substantial effects. The Board finds no evidence in the record submitted by the ANC or other witnesses that there would be an adverse traffic impact as a result of granting this specific application. The Board further finds that the requested parking spaces are within the parameters of the approved campus plan. The Board finds that the campus plan did anticipate the existence of a Metro-rail system. The Board finds that the campus plan as approved, recognized the need to foster the use of public transportation, and accordingly the maximum amount of parking on a campus wide basis has been restricted to a level below the amount normally required by Section 7202. The Board finds that the subject application proposes parking as an interim use, while the University proceeds to ultimately develop the property with a university facility. In that event, the residential uses on the site would be terminated the same as they were in the present situation.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the request for twenty-six parking spaces to serve the Hospital is a permissible interim use of land within the approved campus boundaries and is a proper University function. The Board further finds that the twenty-six spaces would be within the limits of the approved campus plan. The Board also concludes that the University has actively sought to discourage commuter parking as evidence by its policy of not subsidizing parking for employees, students, or visitors, its participation in the Commuter Club, and its maintenance of a car pool locator service. The Board concludes that the granting of the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighborhood property in accordance with the Zoning Regulations and Maps. The Board concludes that it has given great weight to the issues and concerns of the ANC, but for the reasons stated above, concludes that the application should be granted. Accordingly, it is ORDERED that the application is GRANTED, subject to the following conditions:

- a. Approval for this use shall expire at the same time as the Board approval of the adjoining parking lot at 906 - 23rd Street, which was approved by the Board for five years, by BZA Order No. 12236 dated February 28, 1977.
- b. The applicant shall construct a brick wall forty-two inches in height with a concrete coping along the side of the property facing Washington Circle as shown on the plan marked as Exhibit #3 in the record. The applicant shall also landscape the property in accordance with Exhibit #3.
- c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



October 17, 1978

Application No. 12684 of George Washington University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 to operate a parking lot in the R-5-D and R-5-C District at the premises 928, 930, 934 and 936 - 23rd Street, N.W. and 2304 Pennsylvania Avenue, N.W., (Square 40, Lots 20, 33, 822, 821 and 820).

HEARDING DATE: June 28, 1978
DECISION DATE: July 5, 1978

DISPOSITION: The Board GRANTED the application by a vote of 3-0 (William McIntosh, Chloethiel Woodard Smith, and Charles Norris to gran; Leonard McCants not present, not voting.)

FINAL DATE OF ORDER: August 24, 1978

ORDER

Upon consideration of the opposition's Motion for Reconsideration/Rehearing dated September 1 and 20, 1978, the Board finds that the motion fail to state an acceptable basis of error on the part of the Board to support a Motion for Reconsideration/Rehearing. It is therefore ORDERED that the Motions for Reconsideration/Rehearing are DENIED.

DECISION DATE: October 4, 1978
Vote: 3-1 (Charles Norris, William McIntosh, Chloethiel Woodard Smith to deny motion; Leonard McCants to grant motion.)

BY D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____

STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

18 OCT 1978