

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12707, of Christian Services Corps, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to operate a parking lot in the R-5-B District at the premises 1522-24-26 Church Street, N.W., (Square 194, Lots 50, 51 and 52).

HEARING DATE: July 26, 1978
DECISION DATE: August 2, 1978

FINDINGS OF FACT:

1. The subject site is located in the R-5-B District and is known as 1522-24-26 Church Street, N.W.
2. The subject property was established as a parking lot with Board of Zoning Adjustment approval by Order #6874, dated July 24, 1962.
3. The Board granted permission to continue the parking lot in Order #12448, dated August 2, 1977 for three years.
4. Since Order No. 12448 as aforementioned was issued, the property was sold to a new owner. No Certificate of Occupancy was issued following that Order. The applicant seeks to continue the use of the site for parking, as it has been so used since 1962.
5. The Christian Services Corps, is an inter-denominational Christian Mission non-profit organization that recruits and trains missionaries for the United States and the World.
6. The Christian Services Corps, own a number of buildings on 16th Street that are without parking facilities. The main office, known as the Christian Inn, is a seven floor building. The first three floors are used for teaching classes and office space. The top floors are a hotel. In addition, 1513 - 16th Street, 1515 16th Street and 1525 Church Street are owned by the Corps and are used as residences. All of the sites are in the immediate vicinity of the parking lot. Only the building at 1515 - 16th Street has any parking at the moment, and that lot contains four spaces.

7. The Christian Science Service Corps, owns no property that is contiguous with the subject parking lot.

8. The applicant proposes to use the parking lot to accomodate the staff and visitors to the Christian Service Corps located at 1509 Church Street, and its visitors. Any excess parking spaces will be available to the neighborhood residents on a charge basis.

9. The applicant has no present plans for use of the subject lot other than as a permanent parking lot as described above.

10. Due to the function of the applicant organization, most of its students are transients and little traffic is generated by them.

11. On June 19, 1978, the application was referred to the Department of Transportation for its review and report. The Department requested additional information before it would review the application. The applicant was advised of the request for additional information. The applicant never responded. No Department report was available to the Board as of the public hearing date.

12. The Municipal Planning Office made a site inspection of the subject property and testified that the site was basically in compliance with the Board's previous Order.

13. The Dupont Circle Citizens Association opposed the application on the grounds that the application was for a use of the subject property as a permanent parking lot; that according to the District of Columbia Transportation Department policy parking lots in areas served by metro should be phased out; that a permanent lot is completely inconsistent with the present character and the future development of this neighborhood; that the subject site is suitable for building town houses; that houses would increase the tax base for the District more than a parking lot; that housing is lost where parking lots remain and that parking lots increase air pollution.

14. Several neighborhood property owners opposed the application on the grounds that traffic would be increased and that a commercial parking lot in a residential neighborhood is out of character with the neighborhood.

15. Advisory Neighborhood Commission 2B opposed the application on the grounds that the continuance of the parking lot is contrary to District and Federal Policies; that the area is served very adequately by metro and rail and there is no reasonable need for the subject lot and that the continuance of the lot is detrimental to the neighborhood.

16. As to the issues and concerns of the ANC, which are common to the Dupont Circle Citizens Association and other persons in opposition, the Board finds that each application must be judged on its own merits. In this case, a parking lot has been operated on this site since 1962, without creating any identifiable negative traffic effect, and without substantial harm to the character or development of the area. In fact, new development and rehabilitation of existing houses in the immediate vicinity is presently occurring. In this case, in addition, the present applicant has recently purchased the property, and has not yet developed plans for any future use of the site. Under these circumstances, the Board finds that it is not unreasonable to grant continuation of this lot for a limited period of time, to allow the applicant the opportunity to determine what should be done with the property.

17. As to the availability of mass transit, the Board is fully aware that the Dupont Circle station of the Metrorail system is in operation. The Board however, notes that only a limited portion of the entire system is in operation, and that even with a feeder bus system, it is not reasonable at this time to expect that all commuter parking lots in this area be terminated at once. The Board is mindful of the need for a balanced transportation system, and believes that as more of the Metrorail system is opened and transit accessibility increases, greater numbers of commuter parking lots should be phased out. At this point in time, the Board finds that the subject lot should be continued on the basis stated above.

18. The Board notes that no substantive report from the Department of Transportation was received regarding this application, and the Board is therefore unable to determine what if any District or Federal policies may be violated by this application. Such policies are usually broad in scope, and general in application. It remains for this Board to decide this application on the specific set of facts involved here.

19. The Board also notes that as a matter-of-right in an R-5-B District, the applicant could erect an apartment house with a maximum floor ratio of 1.8, and an unlimited number of accessory parking spaces. Such a use could generate more traffic on a daily basis than the subject lot. The Board also finds that the proposed continuation of a lot would not generate any new traffic, since the use has already been in existence since 1962.

CONCLUSIONS OF LAW AND OPINION:

The Board is of the opinion based upon the findings and the record and the conditions hereinafter listed that this parking lot will not create dangerous or otherwise objectionable traffic conditions; will not affect adversely the present character and future development of the neighborhood and that the parking lot is reasonably necessary and convenient to other uses in the vicinity. The Board concludes that this parking lot will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and that it will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and Maps. Accordingly, it is Ordered that this application be GRANTED subject to the following CONDITIONS:

- a. Approval shall be for a period of one year from the date of this Order.
- b. At the time of filing an application for renewal of this lot, if renewal is requested, the applicant should be prepared to advise the Board as to definitive plans for use and development of this property.
- 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. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- f. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- g. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

- h. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the Zoning District in which the parking lot is located.
- i. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 4-0 (Theodore F. Mariani, Charles R. Norris, Chloethiel Woodard Smith and William F. McIntosh to GRANT, Leonard L. McCants not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 11 SEP 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.