

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12757 of Market Square Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 for an amendment to the Master Plan for Gallaudet College to include property to be used as a parking lot in the C-M-1 District at the premises in the 1200 block of 5th and 6th Streets, N.E., (Square 3591, Lot 4).

HEARING DATE: September 27, 1978
DECISION DATE: October 4, 1978

FINDINGS OF FACT:

1. The subject property is located in the 1200 block of 5th and 6th Streets, N.E. and is in a C-M-1 District.
2. The subject property is approximately 66,744 square feet in area and is substantially unimproved.
3. Gallaudet College is a contract purchaser of the subject property and seeks to use the property as an automobile parking lot for approximately 190 cars for the use of its faculty, staff and students. Gallaudet College is an educational institution devoted exclusively to the practical and vocational institution of deaf persons.
4. The main portion of the Gallaudet College campus is located in an R-4 District, requiring approval by the Board of Zoning Adjustment. The Campus Plan for Gallaudet College was first approved by the BZA in BZA Order No. 11093, dated December 13, 1972, February 22, 1973 and April 5, 1973 and was approved with modifications in BZA Order No. 12068, dated June 17, 1976. The Campus Plan covers the proposed development from 1975 to 1985.
5. The main part of the campus, located one block away from the site will house all of the academic, administrative, residential and athletic facility of the college. The other property in Square 3591 owned by the College is zoned C-M-1 and is being used as a maintenance facility for approximately 100 college vehicles. This is a use permitted as a matter of right in a C-M-1 District.

6. A parking lot is also a use permitted as a matter-of-right in a C-M-1 District.

7. The subject property is not included in the approved Campus Plan. It is not within the approved Campus boundaries. The subject application is a request for an amendment to the Campus Plan to include the subject property as a permanent parking lot for the College's use.

8. The College at the time the Campus Plan was approved by the BZA, had an enrollment of approximately 1,000 undergraduate students, 250 graduate students, and 130 high school students and 162 elementary school students. There was a faculty which totaled approximately 450 and a staff of 990 persons.

9. The College testified that it currently has 971 parking spaces on the campus and that it proposed to provide 1,473 parking spaces by 1985. The College testified that the additional parking is required because of the unusual nature of Gallaudet College as a school for persons with hearing impairments. There is a very high ratio of faculty to students, a large number of visitors to the school, and a large proportion of students living on campus who own cars.

10. The applicant testified that the subject additional parking at the College is needed for a variety of reasons. At the present time there is a considerable amount of construction work underway on the main Campus. Vehicles owned by construction workers and construction disruption have eliminated a considerable amount of parking places on the Campus for use by the faculty, staff, and students of the College. Under construction is a large library, a high rise dormitory and the Kendall Demonstration Elementary School. Planned for construction in the very near future is a large Field House, the renovation of the Old Gymnasium and a major renovation to the Student Union Building and Fly Hall. In addition, Gallaudet College plans provide that the Field House will have underground parking spaces for approximately 360 vehicles. Inflation, the rapid increase of construction costs, and shortage of funds puts the possibility of 360 underground parking places in jeopardy. Lastly, when Gallaudet College acquired the property at 1599 - 5th Street, N.E., (Parcel 129/112), which was added to the College Master Plan by decision of the Board dated June 17, 1976, it was anticipated that the entire parcel could be used for Campus vehicle parking. Unfortunately, the open market which was located on the property at the time that Gallaudet College acquired it created a problem. The problem was resolved when Gallaudet College permitted the market to remain on one half of the property and the other half is now used for College vehicle parking. Thus, the College has parking on only half of the Penn Street property.

11. The applicant testified that the estimates previously made at the time of the approval of the Campus Plan for the number of students, faculty, staff and parking spaces for 1985 were grossly underestimated.

12. The Board admonished the applicant that it has not adhered to the Campus Plan that had been approved; that the plan had been ignored or that it was not a working plan; that the College would have to take some measures to control the number of students, staff, faculty and cars on the campus and enforce it; that the Master Campus Plan be reviewed and brought up-to-date and that a new Master Campus Plan be submitted to the Board.

13. On August 7, 1978 the application was referred to the Department of Transportation and the Municipal Planning Office for their review and report. No reports were received.

14. Advisory Neighborhood Commission 5B filed no recommendation on this application.

15. There was no opposition to the application.

CONCLUSIONS OF LAW:

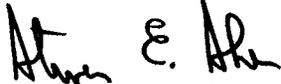
The subject parking lot is in a C-M-1 District. A parking lot is permitted as a matter of right in a C-M-1 District. Accordingly, the College may use the property for parking without the approval of the Board.

For the reasons heretofore stated in the findings of fact the Board concludes that the applicant is not abiding by the campus plan previously approved by the Board, and that the plan should be revised. It is therefore ORDERED that Gallaudet College shall submit a revised Master Campus Plan to the Board for its review and approval within six months of the final date of this order.

VOTE: 5-0 (Chloethiel Woodard Smith, Charles R. Norris, William F. McIntosh, Walter B. Lewis and Leonard L. McCants to grant).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

6 NOV 1978

BZA ORDER NO. 12757

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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.