

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13999 of the George Washington University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 to continue the use of a parking lot as a college or university use in an R-5-C District at the premises 733-39 - 24th Street, N.W., (Square 42, Lot 844).

Hearing Date: August 3, 1983  
Decision Date: September 7, 1983

FINDING OF FACT:

1. The subject property is located at the southeast corner of the intersection of H and 24th Streets, N.W. and is known as 733-39 24th Street, N.W. It is located in an R-5-C District.
2. The Board, by BZA Order No. 13146 dated May 5, 1980, approved the continued use of the subject parking lot for a period of four years as a college or university use.
3. The existing parking lot on the site contains fifty-seven parking spaces and contributes to the overall parking requirements of the University. The approved University Campus Plan provides for 2,700 to 3,000 parking spaces.
4. The subject site is included within the area of the George Washington University Campus Plan as approved by the Board. The site is designated for development during the third phase of the university campus development. There are no present plans to develop the site. Such development would occur at some undesignated future time.
5. The University's Campus Plan, which was reviewed and approved in 1970 by the Board of Zoning Adjustment, established a requirement for 2,700 to 3,000 parking spaces. George Washington University must provide the physical facilities, including parking, which are essential to its staff, faculty, students, patients, attending physicians and visitors. The faculty, staff and on-campus enrollment approximates 23,000 people. There is also a 500 bed hospital and a large medical out-patient load with its daily flow of visitors.

6. The nature and scope of the University's activities are not the typical 9:00 A.M. to 5:00 P.M., five day a week operation. Much of the employment is a shift nature or teaching mode. Schedules change frequently limiting ability to use public transportation or car pools. Many of the work shifts begin before or end after public subway transportation is operating.

7. The applicant testified that the Metrorail system as currently constituted has created no material change in the required parking spaces since the Board last approved the subject parking lot.

8. The subject parking lot is an attended lot with access off 24th Street controlled by an attendant. The attendants are on duty from 7:00 A.M. to about 10:00 P.M. Their responsibilities are basically restricted to operation of the lot. They screen for valid parking stickers. They have responsibility for surveillance to prevent theft and to move vehicles where stacked parking is involved. The attendants are also responsible for policing the area near the attendant booth. Parking supervisors check this lot daily and call in for any non-scheduled trash removal or area maintenance if necessary. Routine grounds care, lot house-keeping and trash are picked up on a scheduled basis.

9. The applicant has received no complaints about the operation and maintenance of the lot.

10. The lot is in compliance with all the conditions enumerated in the last Order of the Board.

11. The University encourages the use of public transportation. It also maintains a car pool locator service. In addition, the University passes the full cost of its parking operations on to the users to further discourage the use of automobiles.

12. The applicant testified that at the request of the D.C. Department of Transportation, the University had a consultant conduct a study projecting its parking needs both current and through the 1990's based on the 100-mile Metro operation. The study indicated that in 1985, the University would need 2,889 spaces. By 1990, that would be reduced to about 2,556 spaces, basically attendant with the opening of the 100-mile Metrorail system. By the end of 1984, the University projects that its inventory will stabilize at 2,836 spaces, which includes the subject fifty-seven spaces. By 1984 to 1985, the applicant projected a decrease from 2,836 spaces to 2,659 spaces due to planned construction on Squares 75, 100 and 103. These 2,659 spaces, when compared to a projected 1985 requirement of 2,889 developed by the consultant and also compared with the 2700 minimum required

by the approved Campus Plan, reaffirms the urgent need to approve the subject application.

13. The Department of Transportation, by memorandum dated June 6, 1983, reported that the subject lot is currently used for all-day student, faculty, staff, and service vehicle parking by the George Washington University. It contributes fifty-seven spaces to the total of 2,700 to 3,000 required under the University's Campus Plan, approved by the BZA in 1970. The Department of Transportation site inspection revealed that this parking lot was clean and well-maintained. The Department of Transportation further reported that at the time of the last application for continued operation of this lot, in a January 30, 1980, report, the Department recommended BZA approval for a two-year period, and undertook to reevaluate the transit situation near the site at the end of that period. The Department of Transportation recent reevaluation indicated that the limited expansion of the Metrorail system since 1980 had not increased appreciably the site's accessibility by transit, nor had it reduced the need for off-street parking in the George Washington University area. Accordingly, the Department of Transportation had no objection to the continued operation of this parking lot. The Board concurs in the Department of Transportation recommendation.

14. Advisory Neighborhood Commission 2A made no recommendation on the application.

15. There was no opposition to the application at the public hearing or on file.

16. At the conclusion of the public hearing, the record was left open for the applicant to submit the parking rates effective on July 1, 1983, and a parking inventory and status of all the parking lots controlled by the University. The evidence submitted reflects that the rates, which include a twelve percent D.C. tax, for faculty and staff are \$50.40 per month, for commuter students are \$2.41 a period (first period is from 6:00 A.M. to 5:50 P.M., second period is from 2:00 P.M. to Midnight) and for visitors, are \$2.00 per hour with a maximum of \$7.25. The status evidence reflected that the University operates twenty-eight parking lots. The number of parking spaces is 2,863. Eleven of the lots are subject to continued approval by the BZA. The closest termination date is June 9, 1984. The furthest termination date is November 14, 1987.

17. The Board takes cognizance of the many applications for the continued operation of its parking lots that the applicant processes during a year. It is the Board's opinion that treating each application singly may give a distorted view of the affect on the campus itself and

the surrounding neighborhood. In order to obtain a more total impression, it is the Board's intent to terminate future applications on the same date that the subject application will terminate. In this way, the Board will eventually have all the parking lots before it at one time. It is the Board's intent to view the total impact rather than to review one parking lot and its impact at a time.

CONCLUSIONS OF LAW AND OPINION:

Based on the record the Board concludes that the applicant is seeking a special exception, the granting of which requires compliance with the requirements of Paragraph 3101.46 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof. The lot by itself does not reasonably contribute to adverse traffic effect, and the operation of the lot to this point has not had an adverse effect on the present character or future development of the area. The lot is at present reasonably necessary for existing uses in the area, is part of the inventory of spaces used by the University and is necessary to keep the number of parking spaces available for University use in the range of 2700 to 3000 as required by the Board. The Board notes that testimony from a representative of the University, as set forth in Finding of Fact No. 12, indicated that the number of parking spaces is projected to fall below 2,700 in the future. While that issue is not now before the Board, the Board reminds the University that the present approved campus plan requires 2,700 to 3,000 parking spaces to be provided.

The Board further concludes that the relief can be granted as in harmony with the intend and purpose of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

- A. Approval shall be for a period terminating on November 14, 1987.
- B. Maintenance and service vehicles up to 1.5 tons in weight and recreational vehicles and pickup trucks of students, faculty and staff, provided that they are no larger than nine feet by nineteen feet, may be permitted to park on the subject 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. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

- E. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- F. All parts of the lot shall be kept free of refuse and debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- G. 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 structures are otherwise permitted in the zoning district in which the parking lot is located.
- H. 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: 5-0 (Lindsley Williams, William F. McIntosh, Carrie L. Thornhill, Douglas J. Patton and Charles R. Norris to grant)

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

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER:

DEC 13 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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