

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14514, No. of George Washington University, pursuant to Paragraph 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 to continue to use a parking lot as a University use in a R-5-C District at premises 2003-11 H Street, N.W., (Square 101, Lot 60).

HEARING DATE: December 10, 1986
DECISION DATE: December 10, 1986 (Bench Decision)

1. The site known as premises 2003-11 H street, N.W. is located at the northwest corner of the intersection of 20th street and H Street. It is in an R-5-C District.

2. Th site is irregularly shaped with a frontage of 143.75 feet along H Street and a frontage of 91.75 feet along 20th Street. The site provides parking for faculty staff and students of the University.

3. The property is located within the boundaries of the George Washington University Campus Plan.

4. BZA Order No. 13667, dated October 6, 1982 granted approval for the applicant to use the premises as a parking lot for a period of five years. BZA order No. 12781 dated January 30, 1979 approved the same use of site for a period of three years.

5. The applicant is seeking a special exception to continue the use of these lots as part of an approved campus plan.

6. The University's approved Campus Master Plan requires the provision of 2,700 to 3,000 parking spaces. There are 2,716 spaces now available including those in the subject lot.

7. The campus plan as approved in 1971 recognized the future impact of a Metro subway system that was not in operation at that time. The Board restricted the maximum number of parking spaces to a level considerably below that normally required by the Zoning Regulations.

8. The facilities and operation of the University on its main campus have been increased and intensified, in accordance with the approved plan, without any overall increase in the number of parking spaces.

9. Between 24,000 and 25,000 people are served by the University's parking spaces on a daily basis. Further, the University is not a typical 9:00 A.M. to 5:00 P.M., five days a week operation. Many work shifts and class hours begin before or end after public transportation is widely available.

10. 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 faculty, by participating in the Board of Trade and COG commuter club and by maintaining an active car pool locator service.

11. The applicant has received no complaints resulting from the operation of this lot.

12. The lot is maintained on a regular basis.

13. In the prior application the Department of Public Works reported that it had no objection to the continued operation of the lot.

14. Advisory Neighborhood Commission 2A filed no reported on the application.

15. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record the Board concludes that the applicant seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Paragraph 3101.46 and Sub-section 8207.2 of the Zoning Regulations. Paragraph 3101.46 allows for the location of a college or university use at the site provided that:

3101.461 Such use is so located that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions;

3101.462 In R-1, R-2, R-3, R-4, R-5-A and R-5-B Districts the maximum bulk requirements normally applicable in such districts may be increased for specific buildings or structures provided the total bulk of all buildings and structures on the campus shall not exceed the gross floor area prescribed for the R-5-B District. In all other residential districts, similar bulk of all buildings and structures on the campus shall not exceed the gross floor area prescribed

for the R-5-C District. Because of permissive increases as applicable to normal bulk requirements in the low-density districts regulated hereunder, it is the intent of this subparagraph to prevent unreasonable campus expansion into improved low-density districts;

3101.463 The applicant shall submit to the Board a plan for developing the campus as a whole, showing the location, height, and bulk, where appropriate, of all present and proposed improvements, including, but not limited to buildings, parking and loading facilities, screening, signs, streets, and public utility facilities, athletic and other recreational facilities, and a description of all activities conducted or to be conducted therein, and of the capacity of all present and proposed campus development;

3101.464 Within a reasonable distance of the college or university campus and subject to compliance with the provisions of Sub-paragraph 3101.461 hereof and sub-section 8207.2 the Board may also permit the interim use of land or improved property with any use which the Board may determine is a proper college or university function; and,

3101.465 Before taking final action on an application for such use, the Board shall have submitted the application to the District of Columbia Office of Planning and Development and the District of Columbia Department of Transportation for review and report.

The Board concludes that the applicant has met the burden of proof. The parking lot is located so as not to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions.

The continuation of the subject parking lot is consistent with the approved campus plan for the University as being within the range established by the plan. The Board concludes that the proposed use is a valid university function and may be permitted under the Zoning Regulations. The Board further concludes that the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.

Accordingly, it is hereby ORDERED that the subject application is GRANTED subject to the following CONDITIONS:

- a. Approval shall expire on November 14, 1987.
- b. All areas devoted to driveways, access lanes, and

parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

- c. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- d. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- e. 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.
- f. 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.
- g. 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 (William F. McIntosh, Paula L. Jewell, Charles R. Norris, Carrie L. Thornhill to grant).

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

ATTESTED BY:



EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: JAN 30 1987

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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