

Government of the District of Columbia

ZONING COMMISSION



Application No. 14694 of Teamsters Local 639 Employers Pension/Health and welfare Trust Funds, and local 639 Building, Inc., pursuant to 11 DCMR 3108.1, for special exceptions as follows:

1. Under Sub-section 2116.6 or 803.1, to allow accessory parking serving 3100 Ames Place, N.E., (Lot 4) to be located on the C-M-1 portion of 3130 Ames Place, N.E., (Lot 3);
2. Under Section 212 or Sub-section 213.1, to allow accessory parking serving the building at 3100 Ames Place, N.E., which is in a C-M-1 District, to be located on the R-1-B portion of both 3100 and 3130 Ames Place, N.E.; and
3. Under Section 212 or Sub-section 213.1, to allow accessory parking serving the building at 3130 Ames Place, N.E., which is in a C-M-1 District, on the R-1-B portion of 3130 Ames Place, N.E.

Premises located in a C-M-1 and R-1-B District at 3100 and 3130 Ames Place, N.E., (Square 4364, Lots 3 and 4).

HEARING DATE: October 21, 1987

DECISION DATE: November 4, 1987

1. The site, known as premises 3100 and 3130 Ames Place, N.E., consists of lots 3 and 4 in square 4364 which is bounded by Adams Street to the north, 33rd Street to the east, Ames Place to the south and 31st to the west. The site is split zoned, with the southern portion located in a C-M-1 District and the northern portion located in an R-1-B District.

2. The site is formed by two adjoining lots and has the shape of two unequal rectangles. The site is 228 feet deep. On the Ames Place frontage, the site measures 405 feet. On the north side, or the Adams Street frontage, the site measures 305 feet.

3. The site is improved with two brick, one-story structures. One structure is located at the east side and one at the west side of the site. In between the structures is a paved, at-grade parking lot.

4. There is access to and from the subject site through Ames Place on the south. There is no other vehicular access to the site.

5. The property is bounded on the south by a Metrobus parking garage, on the east by a construction company site, on the west by a single family structure followed by vacant land, and on the north by park land. The site is enclosed by chain link fences and a masonry wall to the north of the site.

6. The applicants purchased the site in January, 1981. Prior to the purchase the site was used by the Ledford Construction Company for more than ten years as a parking lot for employees, as well as for trucks and other company vehicles. The lot was last approved for use by the Ledford Construction Company by BZA Order No. 13278, dated November 10, 1980.

7. The applicants purchased the property for the purpose of renovating the two buildings then on the site, to use one for union offices and an assembly hall, and the other as offices for the Pension/Health and Welfare Trust Funds. The Zoning Administrator determined that those uses required 104 parking spaces. The parking lot on the site holds approximately 150 cars, but since some of the spaces are located in the R-1-B portion of the site, and some of the spaces required for 3100 Ames Place are located at 3130 Ames Place, the special exceptions specified above were required. The applicants applied for and obtained these special exceptions in 1981, BZA Order No. 13448, dated June 18, 1981. BZA Order No. 14154 dated September 14, 1984 granted the applicant permission to operate the lot for three years.

8. The building on the east part of the site, known as 3130 Ames Place, was renovated in accordance with the proposal presented to the BZA in 1981, and serves as the offices for the Pension/Health and Welfare Trust Funds. The building on the west part of the site, known as 3100 Ames Place, was similarly renovated in accordance with the proposal presented to the BZA in 1981, and serves as the offices for Teamsters Local 639 and as its assembly hall.

9. Approximately fourteen persons are employed as officers and agents of the union on a full-time basis. The union, known as local 639 of the Teamsters Union, is primarily a truck drivers' union. The assembly hall is used monthly from 8:00 P.M. to 10:00 P.M. for union meetings. The normal daily operations of the site are from 9:00 A.M. to 5:00 P.M. When the lot is not in use, it is closed.

10. There is one full-time maintenance man employed to keep the grounds clean and free of debris, to tend the landscaping and maintain the parking lot.

11. Access to and from the site is through two gates located on Ames Place. Vehicular movement on Ames Place is very light. The monthly meeting of the union occurs at hours that are not peak hours. There are car pools so that no more than seventy-five cars are involved at a meetings. Traffic need not and normally does not go through the local residential neighborhood. The parking spaces provided are more than adequate.

12. The applicant proposes to continue the use of the parking lot at the site to provide on-site parking for its members and visitors. The existing Certificate of Occupancy has expired and Board approval is needed for renewal. There would be no change in the use or the conditions of operation.

13. By memorandum dated October 1, 1987 the Department of Public Works reported that it has no objection to the continued use of the parking lot and that if the parking lot were discontinued parking spillover would adversely affect the surrounding residential neighborhood.

14. Advisory Neighborhood Commission (ANC) 5A made no recommendations on the application.

15. A Commissioner of ANC 5A testified in support of the application.

16. Two neighbors of the site testified at the public hearing that the lot was well run and maintained but that noise generated by a disco operated at the site on weekends disturbed them. The president of the union testified that the union will work to address and eliminate the neighbors' complaints.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the applicants are seeking three special exceptions, the granting of which requires proof of compliance with the requirements of those sections of the Zoning Regulations under which the relief is sought. The Board concludes that the applicant has met the burden of proof as to Sub-Sections 2116.6 or 803.1, and sections 212 or Sub-section 213.1. The open parking spaces accessory to the structures are not located within ten feet of any residences, the spaces are wholly within 300 feet of the lot or part thereof on which the principal use is permitted, the parking lot is located in its entirety within 200 feet of an existing commercial or industrial district and it is

economically impracticable to locate such parking spaces within the principal buildings or on the same lot.

The Board notes that the site is split zoned. The Board further concludes that as hereinafter conditioned the relief 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 ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. Approval shall be for a period of FOUR YEARS from the date of the order.
2. The union shall have two sergeant-at-arms or private security guards responsible for maintaining proper decorum and security at all times that meetings or other functions are held at the subject premises.
3. The existing masonry wall at the rear of the property shall be maintained.
4. The lot shall not be operated as a commercial parking lot and shall be used solely by persons using or occupying 3130 and 3100 Ames Place, N.E.
5. The applicant shall place alarmed "panic bars" on the emergency exits to the assembly hall to ensure that those doors will not be opened during functions held in the hall.
6. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
7. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
8. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
9. 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.
10. 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

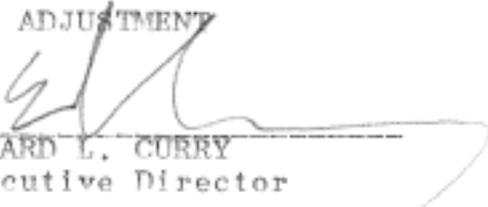
the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

11. 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 (Charles R. Norris, William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to approve)

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER:

DEC 22 1987

UNDER 11 DCMR 3103.1, "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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