GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

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Memorandum

TO: Board of Zoning Adjustment

FROM: LS for Andrew Altman, Director
Office of Planning

BZA
Case No. 16901
Exhibit No. 23

DATE: July 16, 2002

SUBJECT: BZA Application #16901 (The Most Worshipful Prince Hall Grand Lodge)
1906 Vermont Avenue, N.W. (Square 333, Lots 824 and 825)

APPLICATION

The application by The Most Worshipful Prince Hall Grand Lodge requests, pursuant to 11 DCMR §3104.1, a special exception to allow accessory parking spaces located other than on the same lot as the main use under Section 214. The applicant proposes to convert the existing vacant lots into a nine space accessory parking lot for the premises of the above referenced applicant at 1000 U Street, N.W.

SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends that the special exception to provide accessory parking spaces at a location other than on the same lot as the main premises be **DENIED**, because the applicant has failed to meet the requirements of §214.

It is the recommendation of OP that the applicant combine the subject lots with the existing lot under one application to seek the necessary special exception and variance relief from the distance (§214.3) and proximity (§214.4) requirements.

SITE AND AREA DESCRIPTION

The subject lots are located at 1906 Vermont Avenue, N.W. (Square 333, Lots 824 and 825) at the northwest corner of the intersection of Vermont Avenue, N.W. and T Street, N.W. The subject lots are located immediately south of U Street, N.W. in the Shaw neighborhood in the Greater U Street historic district. See Attachment A. Many of the houses within the neighborhood have either been recently renovated or are in the process of renovation. The parking lot will be used by the members of the Most Worshipful Prince Hall Grand Lodge. The surrounding land uses include row houses, commercial and institutional uses, the U Street Green Line Metro Station, and the African American Civil War Memorial. The proposed parking lot is landlocked and surrounded by row houses and the historic Evans-Tibbs home to the north; Vermont Avenue to the east; an existing parking lot, contiguous to the

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proposed lot, is owned and used by the applicant to the west; and a public alley and additional row houses to the south. See Attachment B.

ZONING REQUIREMENTS

The subject site is zoned R-4. Accessory parking lots incidental to permitted uses are permitted if they meet the requirements of §214. The R-4 zone permits matter-of-right development of single-family residential uses, churches and public schools. The R-4 development standard requires a minimum lot area of 1,800 square feet, a minimum lot width of 18 feet, maximum lot occupancy of 60%, and a minimum height of 3 stories/40 feet.

ANALYSIS

The subject lots are located near the northwest corner of the intersection of Vermont Avenue, N.W., T Street, N.W., and 10th Street, N.W. The application proposes to convert a 4,190 square feet lot into a 9 space accessory parking lot with 3,223 square feet paved and 966.5 square feet landscaped. The subject lots are adjacent to and contiguous with the applicants' existing paved 29 space accessory parking lot at Square 333, Lot 800.[1] Up until the 1960s, all lots in this square were used for residential purposes. At some point, the residential uses were discontinued and the lots remained vacant for some time. In 1974, this Board approved the applicant's request to use Square 333, Lot 800 for accessory parking and that use continues today. The current lot is paved, completely fenced, lighted, and used primarily between the hours of 7:00 p.m. and 10:00 p.m., Monday through Friday and Saturdays, by the members of the Most Worshipful Prince Hall Grand Lodge. The only access to the lot is on Vermont Avenue. The applicant is currently using Lot 800 for accessory parking and has not provided any information as to why the additional spaces are necessary.

Similarly, the lots which are the subject of this application will be used by members of the Lodge primarily during the same hours and on the same days. It appears that the new lot will be paved, fenced, and lit similarly to the existing lot. The applicant proposes to construct a gate at the rear of the lots and to access the subject lots through the existing public alley. The alley is 12.5 feet wide and moves traffic in a one way northerly direction. See Attachments B & C. Access to the alley is on 11th Street, N.W.

Section 214

The standard by which the BZA should approve a special exception to provide accessory parking spaces is subject to the provisions of §214. The following demonstrates how these standards are met:

214.2 Accessory parking spaces shall be in an open area or in an underground garage no portion of which, except for access, shall extend above the level of the adjacent finished grade.

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[1] Refer to previous Board decisions allowing applicant to operate parking lot: BZA Order No. 11664, August 26, 1974; BZA Order No. 12215, (unsure of date); BZA Order No. 13675, June 4, 1982; and BZA Order No. 14732, September 9, 1988. Permission to use this lot for accessory parking expired June 4, 1992. However, the applicant has continued to use the lot for accessory parking. It should be noted that the Board granted permission to the applicant to operate a 21 space parking lot but according to the neighbors, the existing lot has 29 spaces.

The proposed parking lot is an open air, surface parking lot and no portion extends above the level of the adjacent finished grade.

214.3 Accessory parking spaces shall be located in their entirety within two hundred feet (200 ft.) of the area to which they are accessory.

It is difficult to determine from the information provided how much of the proposed parking lot is within 200 feet from the subject site. OP has requested that the applicant provide the exact distance but has not yet received that information.

214.4 Accessory parking spaces shall be contiguous to or separated only by an alley from the use to which they are accessory.

The proposed parking lot is not contiguous to or separated only by an alley from the use to which it will be accessory. On Vermont Avenue, the lots are separated from the main premises by numerous row houses, the metro station and the African American Civil War Memorial. From the rear of the applicant's main building and down the alley is approximately 190 feet to the tip of the lot closest to the alley. It is physically impossible for the lot to be contiguous to or separated by only an alley from the main location.

214.5 All provisions of chapter 23 of this title regulating parking lots shall be complied with, except that the Board may in an appropriate case under §2303.3 modify or waive the conditions specified in §2303.2 where compliance would serve no useful purpose.

The parking lot complies with the requirements outlined in §2303 as it will be paved, fenced, striped, and adequately lighted. It should be noted that the applicant's existing parking lot is paved, fenced, striped, adequately lit, and well maintained. At least 966 square feet of the lot will be landscaped which well exceeds the 5% requirement. The applicant plans to access the new lot from the public alley to the rear of the site. The alley is one-way and 12.5 feet wide. Access to the lot from the public alley could be problematic because of the narrowness of the alley. Since the public alley is used by others, objectionable traffic conditions could occur. The fact that the lot is to provide only 9 spaces and will be used on a limited basis could serve to minimize the adverse conditions.

The only contiguous residential property is the historic Evans-Tibbs home. This row house dwelling is an end unit and is separated from the lot by an outer brick wall. See Attachment. The lot will be entirely fenced. Given the limited use of the parking lot, appropriate landscaping, and this outer brick wall, there is adequate screening to meet the requirements of §2303.2.

214.6 It shall be economically impracticable or unsafe to locate accessory parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:

- ***(a) Strip zoning or shallow zoning depth;***
- ***(b) Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot;***
- ***(c) Unusual topography grades, shape, size, or dimensions of the lot:***
- ***(d) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets; or***

(e) Traffic hazards caused by unusual street grades or other conditions.

It is both economically and physically impossible to locate any parking spaces on the subject property because the lot is fully occupied by existing buildings and there are no vacant lots in the vicinity of the applicant's main use. Although the applicant owns the building, there are several other tenants in the building.

214.7 Accessory parking spaces shall be so located, and facilities in relation to the parking lot shall be so designed, that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

The new parking lot is owned and will be maintained by the applicant. It is contiguous to an existing 29 space parking lot owned and operated by the applicant albeit without a valid BZA Order. The subject lots can be accessed through the alley at the rear of the lots. If accessed from the alley, cars must enter on 11th Street, N.W. Based upon the limited hours of operation and the fact that there are only 9 additional spaces, any objectionable impacts should be minimized. However, this lot is located next to the applicant's existing lot, and OP believes the impacts should be assessed based upon both lots.

There is a significant amount of opposition to the continued use of the existing lot and the new use of the subject lots as a parking lot by the community. The community would like the property redeveloped as residential and feel that the current use provides no benefit to the community.

This application has been referred to DDOT for review and recommendation. OP expressed concern to DDOT about the use of such a narrow alley and the adjacency to the existing parking lot.

214.8 Before taking final action on an application for use as an accessory parking space, the Board shall submit the application to the D.C. Department of Public Works for review and report.

OP referred the application to the DDOT and requested a recommendation on the proposal. OP has not received a traffic report.

Section 3104.1

The standard by which the BZA should approve a special exception is set forth in Section 3104.1 of the Zoning Regulations. The following demonstrates how the proposed accessory parking lot has met these standards:

. . . special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

The proposed accessory parking lot is a permitted use in the R-4 District subject to the requirements of §214. As demonstrated above, the parking lot does not meet these requirements because it is not located within 200 feet of the main use and it is not contiguous to or separated only by an alley from the use to which it will be accessory. It is also unclear whether access to the lot will create objectionable traffic conditions.

Because of these circumstances, OP concluded that the proposal would not be in harmony with the general purpose and intent of the Zoning Regulations.

COMMUNITY COMMENTS

The subject property is within ANC-1B. At the time of this report, the ANC had given preliminary approval to the application on the condition that the applicant reach an agreement to provide nine daytime parking spaces to opposing property owners. Per the chair, Mr. Melcher, the applicant has not yet complied with this condition. If this condition is not met by the next meeting, the ANC will submit documentation of this agreement. Nearby property owners continue to voice opposition to the application and will probably seek party status.

SUMMARY AND RECOMMENDATION

The Office of Planning recommends that the special exception to provide accessory parking spaces at a location other than on the same lot as the main premises be **DENIED**, because the applicant has failed to meet the requirements of §214. Specifically, the subject lots are not located within 200 feet from or contiguous to the main use. It is the opinion of OP, that the applicant combine the existing lot with the subject lots under one application to seek the necessary special exception and variance relief from the distance (§214.3) and proximity (§214.4) requirements.

ATT: Aerial Map
Attachment A – Pictures of Surrounding Area
Attachment B – Pictures of Lots 800 (existing parking lot), 824 and 825
Attachment C – Site Plan

AA/vr



Feature Key

Zoning Boundaries
Square Index

Board of Zoning Adjustment
Application No. # 16901

DC Office of Planning
July 16, 2002

Scale 1:1305

25 0 25 50 75 100 Feet

Attachment 1

The Most Worshipful l ...ce Hall Grand Lodge
BZA 16901
Attachment A - Surrounding Area



Looking south on Vermont Avenue, N.W.



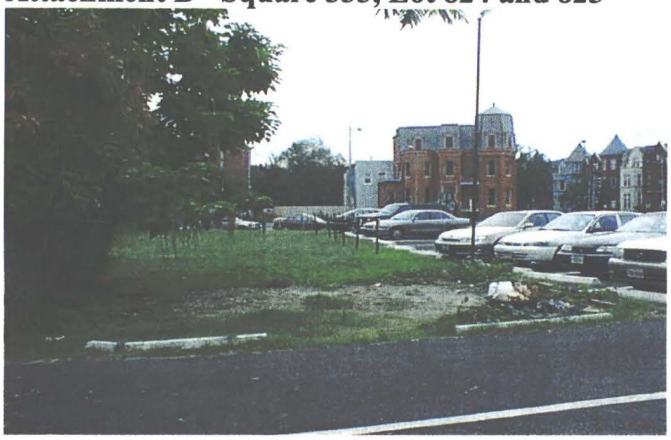
Opposite side of Vermont Avenue facing west.

The Most Worshipful I ːe Hall Grand Lodge
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Attachment A - Surrounding Area



Facing north-west at the intersection of Vermont Avenue, T Street, and 10th Street.

The Most Worshipful [illegible]ce Hall Grand Lodge
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Attachment B - Square 333, Lot 824 and 825



At rear of existing parking lot looking east towards Vermont Avenue and subject lots.

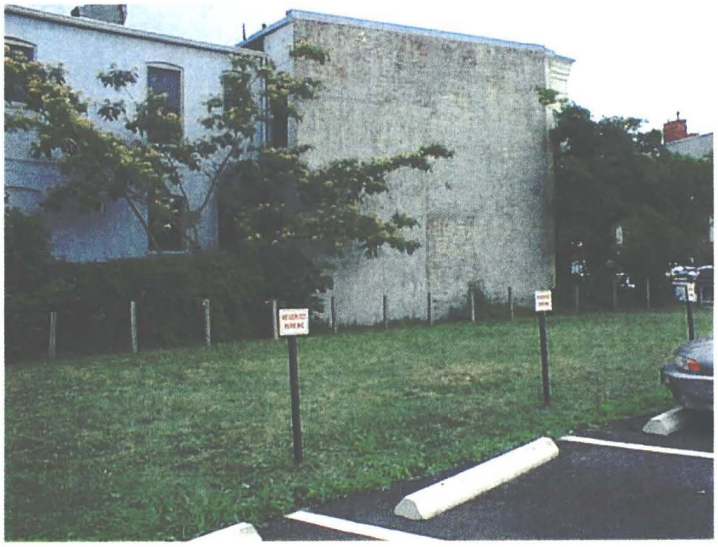


Facing west on Vermont Avenue

The Most Worshipful [illegible]ce Hall Grand Lodge
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Attachment B - Square 333, Lot 824 and 825



Facing west from Vermont Avenue.



Standing on existing parking lot facing north.

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Attachment B - Square 333, Lot 824 and 825



At rear of existing parking lot looking west towards the alley and proposed gate to access subject lots.