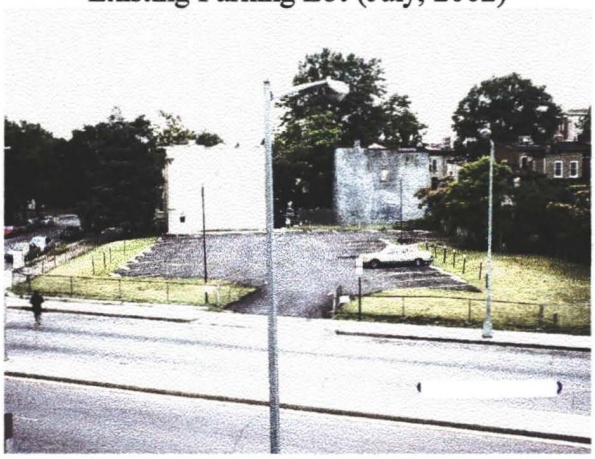
Westminster Neighborhood Association Opposition To The Most Worshipful Prince Hall Grand Lodge Request for Variances and Special Exception for Parking

BZA Application

The Most Worshipful Prince Hall Grand Lodge has requested a special exception under Section 3104.1 for accessory parking to 1000 U Street, NW provided for by Section 214.1 of the zoning regulations. The application is for Square 333, lot 827. (Lots 824 and 825 were included in their original application "Case 16938 dated Aug. 9, 2002." However, in later undated statements submitted by the Lodge they amended their application to exclude lots 824 and 825 from their request.) The Lodge has also requested a variance to the requirements of Sections 214.3 and 214.4

Existing Parking Lot (July, 2002)



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BZA
Case No. 16938
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16938
EXHIBIT NO.40

Objections Under Section 214

Section 214.2 provides that accessory parking spaces must be located in their entirety within two hundred feet of the area to which they're accessory. Lot 827 is located, in its entirety, over 200 feet from 1000 U Street.

Section 214.4 states that accessory parking spaces shall be contiguous to or separated only by an alley from the use to which they're accessory. 1000 U Street is separated from lot 827 by nine houses and two vacant lots. Lot 827 is at the intersection of 10th, Vermont Ave. and T Streets. The Lodge building, 1000 U Street, is a block away at the corner of 10th and U Streets.

Section 214.6 states that one element allowing the grant of a special exception for accessory parking is that it is economically impracticable or unsafe to locate accessory parking spaces within the principal. The Lodge hasn't demonstrated that creating parking in the basement of 1000 U Street is impracticable for the reasons stated in the regulation.

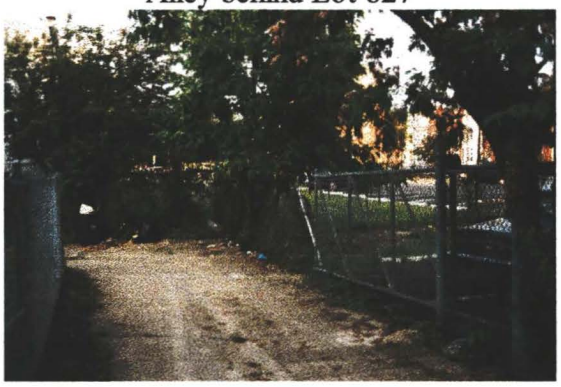
A variance to sections 214.2 and 214.4 must be granted if a special exception is to be granted. One main test for a use variance is that the applicant must prove that the physical characteristic of the property creates financial hardship for the owner in using the property consistent with the Zoning Regulations. In recent years, development of properties in this neighborhood has taken off. Property values have doubled over the last few years. Houses that sold for $180,000 in 1997 are selling for $450,000. Given the current housing market in DC, lot 827 (and lots 824, and 825) could be developed for housing as called for in an R-4 zone. The Lodge hasn't provided evidence to show that using Lot 827 consistent with the R-4 zoning regulations would be a financial hardship.

Objections Under Section 2303

Section 214.5 requires that all provision of chapter 23 regulating parking lots shall be compiled with.

Section 2303.2 provides that the parking lot must be screened from contiguous residential property by a brick or stone wall or evergreen hedges. The Lodge has had accessory parking on lot 807 since 1974. Until recently they maintained no screening or shrubbery on any side. In December 2002 the Lodge made an attempt to plant some low shrubs. However, many of these plants have died. It's doubtful that adequate plantings could be maintained without an irrigation system. The Lodge doesn't indicate, given lot 827's distance from its building at 1000 U Street, how the landscape will be maintained. Furthermore, the Lodge has stated, in their statement signed by Jimmy A. Bell, that they have no plans to build a wall or maintain landscaping between the parking lot (lot 827) and the adjoining lot to the north (lot 825) that the Lodge also owns. Mr. Bell states that plans for lot 825 haven't been made, negating the need for the wall required by Section 2303.2. However, since the lot 825 is zoned R-4, the only acceptable use for that lot is residential.

Alley behind Lot 827



Objections Under Section 3104.1

Section 3104.1 states that the proposed special exception will be in harmony with the general intent and purpose of the Zoning Regulations and Map. The Lodge application doesn't address this provision as required by the instructions to Form 121.

Section 101.2 explains that the zoning regulations and zoning map were designed with consideration of the character of the districts, the suitability of the districts for the uses permitted, and to encourage the stability of the districts and land values. Lot 827 is located well within an R-4 district. 1000 U Street is located in a C-2-A district. We feel it isn't consistent with the zoning map and regulations to locate parking that is accessory to property in a C-2-A district in a nearby residential neighborhood. The properties surrounding the proposed accessory parking are all single-family homes. Locating a parking lot among these homes is inconsistent with the character of the neighborhood. The lot's appearance and added noise and congestion adversely affect the quality-of-life and property values of the surrounding homes.

Section 3104.1 also states that the use granted under a special exception won't tend to affect adversely the use of neighboring property. The instructions to Form 121 define this as "traffic, noise, lighting, etc." The Lodge cites a long history of use to support their contention that its continued use won't adversely affect the neighborhood. The neighborhood has changed considerably since 1974 when the Lodge started using the lot for parking. In 1974 the lot was located in a neighborhood scarred by vacant and dilapidated buildings. That is no longer the case. The parking lot is now located in the center of a vibrant and diverse residential neighborhood. In 1999, the neighborhood became designated as The Greater U Street Historic District. Lot 827 is located in front of our community's only National Park, the African-American Civil War Memorial, and steps away from a National Historic Landmark, the Tibbs Home. The parking lot is out of character with the current neighborhood.

Vehicle headlights and noise from this accessory parking is a public nuisance. Noise from people congregating in the parking area after meetings, which are held every weeknight and Saturdays at 1000 U Street, negatively impact neighboring homes. Parking in lot 827 uses an entrance onto Vermont Avenue. This entry encourages people to drive north in the southbound lane of Vermont Avenue for 40 feet to get into the lot when approaching from T Street and Northbound Vermont Avenue. Litter along the front of and in lot 827 is evident.

Other Objections

1. In support of their application, the Lodge has submitted a copy of an earlier Zoning Board decision. Circumstances in the neighborhood have changed significantly since this and other early exceptions were granted. In 1976 when the original exception was granted, and in 1982 and 1988 when they were extended, there was no Metro stop within steps of the Lodge's front door as there is today. In addition, over the past few years nearly all of the 80 or more vacant houses that existed in the area as late as 1995 have been renovated and now occupied.
2. The Lodge has operated the parking facility at lot 827 without illegally for over ten years. They've done this by sidestepping zoning rules requiring renewal of their earlier special exception. By not adhering to the zoning regulations, the Lodge effectively silenced formal resident comment on this matter. The Lodge should not be rewarded for this behavior. Granting the Lodge a Special Exception and variances based on the premise that they have operated the lot as a parking facility for an extended period of time would do just that.
3. The lodge currently rents parking spaces in the lot to the general public on an ongoing basis in violation of the last Zoning Board decision they received.
4. A guard isn't on duty at all times during the hours of operation as stated in their 1988 zoning request.
5. ANC 1B has sent a report opposing the continued use of the lot for parking.
6. There is a great deal of opposition from the community to the use of the lot for parking. The Cardozo/Shaw Neighborhood Association, the French Street Neighborhood Association, and the Westminster Neighborhood Association have all passed motions opposing the parking lot.
7. A petition with over 60 signatures of neighborhood residents opposing the parking lot has been submitted for the record.
8. See the attached "Washington Regional Network Parking Analysis"

Alternatives

We encourage people visiting our neighborhood to use public transportation. This relieves parking pressures and traffic in our neighborhood. The U Street Cardozo/African American Civil War Memorial Metro Stop is located next door to the Prince Hall Lodge at 1000 U Street. Lodge members should make every effort to use this public transportation system.

If lodge members must drive to a function, the lodge should investigate the use of existing parking lots located in the commercial district. This could include the parking garages that are part of the Reeves municipal building at 14th and U Streets and the DC Housing Finance Center at 9th and U (The Finance Center has indicated that they would consider a proposal from the Lodge to use 50 of their 90 spaces during the evening hours and on weekends.) There are also parking lots run by Howard University near the 930 Club, a lot at 9½ Street at U Street, and a commercial lot at 1932 Ninth Street. The Lodge could also investigate the use of Lee's Florist parking lot, located next door to the Lodge on 11th Street, for use by its handicapped members during the evening events.

The Lodge hasn't indicated that they have investigated any alternative solutions to their parking needs. Solutions such as valet parking, or shuttle service to and from parking should be taken under consideration.

If the Lodge feels strongly that it needs accessory parking, it should investigate converting the basement in their building at 1000 U Street to a parking garage. Lot 827 should be used for housing compatible with R-4 zoning.

Historic Picture

This is the building that occupied the lots until destroyed by fire in the early 60's



This large and elegant apartment building , pictured here on August 25, 1951, once occupied the northwest corner of Vermont Avenue and T Street before it was destroyed by fire. Automobile parking fills the lot today. (Courtesy of Historical Society of Washington.)

Paul K. Williams, *Images of America: Greater U Street*, Arcadia Publishing, 2002

Three streets (T, Vermont, & 10th) come together at the intersection where lots 800, 824, and 825 are located. This picture shows the homes that stand on this intersection.



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Addressing Prince Hall Freemason Access Needs:
Improved Parking & Access Strategies

July 15, 2002
Cheryl Cort

The existing and proposed surface parking lots are only one of many ways to address the access needs of the Freemason building. The surface parking lots are also likely to be both the most cost-ineffective way to provide access for use of the Freemason building, and most detrimental to the neighborhood.

Surface parking lots are a significant problem throughout the Cardozo Shaw neighborhood. Many single use parking lots – especially for churches -- remain underutilized for much of the week. These car lots have many negative effects on the neighborhood – empty spaces in the neighborhood create a less pedestrian-friendly environment, making walkers and residents feel less safe, and such a passive land use displaces housing opportunities in a neighborhood with tremendous demand and escalating prices. According to research in the field of "crime prevention through environmental design," vacant lots, parking garages and parking lots enclosed by chain link fences are correlated with higher incidents of crime than similar places with pedestrian-oriented buildings and streetscapes.

Single use surface parking is an extremely inefficient use of urban land and resources. Alternatives to surface parking lots as a means of providing access to businesses are likely to be more cost-effective and provide greater benefits to both the business/institution and to the neighborhood. Given the inefficiencies and neighborhood-degrading aspects of surface parking lots, alternative strategies should be strongly encouraged for meeting the access needs of businesses and institutions in the neighborhood.

The planned Parking Demand Management Study for the 14th & U Streets Business District should address issues such as the number and types of users of parking and all other modes (employees, night time visitors, people with disabilities, people who cannot walk more than 1 block, etc.) and types of uses – long term versus short term. A demand management study examines not only what modes are used now, but how changed incentives would change preferences for different modes.

In anticipation of a Parking Demand Management Study, we suggest the following questions for addressing the access needs for the Freemasons' activities:

1. What parking facilities exist nearby? [i.e. Housing Finance Agency parking garage, Reeves Center parking garage, Public Welfare Foundation surface parking lot, Howard University, others?] What are the possibilities of sharing these facilities to meet the Freemason needs (especially special event needs)? What would be the cost to use them? What obstacles need to be overcome to share underutilized parking facilities?

2. What would valet parking service to and from such parking facilities cost? Note: the advantage of valet parking is that patrons who have difficulty walking or fear for their safety could be dropped off in front of the building rather than walking to the existing/proposed Freemason parking lots.

3. What would a taxicab fare program cost to subsidize patrons' trips to the building from home? Would subsidized transit fares make transit use more attractive to some patrons?

4. Can cash be provided in lieu of free parking so that the uncounted cost of free parking can be converted to a subsidy equally shared by all patrons regardless of mode of access (i.e. drive, transit, walk, drop off, cab)?

5. What are the opportunity costs of maintaining the surface parking lots as parking lots rather than developing them for their designated use -- housing -- and providing funds for an alternative access strategy to the Freemason building? Could the development of the parking lots provide sufficient funds to support an effective alternative access strategy for the Freemasons' needs?