BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

RE: Application of The Most Worshipful)
Prince Hall Grand Lodge for Special)
Exception and Variances to Operate)
an Accessory Parking Lot Located at) Case. No. 16938
1902 Vermont Avenue, NW,)
Lot 827, Square 333.)

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ALTERNATIVE PROPOSED DECISION AND CONDITIONS

Submitted by
Westminster Neighborhood Association

The Westminster Neighborhood Association (WNA) hereby submits the following Alternative Proposed Decision and Conditions for the Board of Zoning Adjustment's consideration. WNA has submitted on same date herewith Proposed Findings of Fact, Conclusions of Law and Decision in which the subject application is denied. This Alternative Decision and Conditions is submitted for consideration if, and only if, the BZA decides not to deny the subject application.

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DECISION

On consideration of the Findings of Fact and Conclusions of Law contained herein, the Board of Zoning Adjustment for the District of Columbia ORDERS that the amended application of The Most Worshipful Prince Hall Grand Lodge for a special exception and two variances to operate an accessory parking lot located at 1902 Vermont Avenue, NW, Lot 827, Square 3333, be GRANTED, subject to the following conditions:

BZA
Case No. 16938
Exhibit No. 73

Board of Zoning Adjustment
District of Columbia
CASE NO.16938
EXHIBIT NO.73

1) TIME PERIOD - The BZA approval shall be for a period of two years, subject to renewal at the discretion of the Board upon the filing of a proper application for same.

2) ALTERNATIVE USES – The Mason shall immediately consider methods of development of the subject lot for a use other than as accessory parking. Within three months of the date of entry of this Decision, the Masons shall have made a preliminary determination of whether they will be developing this lot or selling it. If they will be developing this lot, they shall have a feasibility study completed within six months thereafter and scaled plans completed within six months after completion of the feasibility study. If the Masons will be selling the lot, they shall place it on the market for sale within six months of the date of entry of this Decision.

3) PARKING SPACES - The parking lot shall be limited to 20 parking spaces, with a minimum of two such spaces to be for handicapped parking.

A)No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over any public space.

B) The parking lot shall be used by members of the lodge and tenants of the Prince Hall Grand Lodge only. No spaces shall be used for commercial purposes;

C) If an on-street parking space, located directly north of the parking lot, is removed due to safety concerns with the parking lot entrance and egress, then one space in the parking lot shall be reserved for neighbors with a Zone 1 residential sticker.

D) All parking spaces shall meet code standards with respect to size and location of parking spaces as required by the District of Columbia Municipal Regulations as set forth in 11 DCMR §§ 2115 and 2116.

4) TRAFFIC CONTROL - The Masons shall periodically remind its members, through announcements at its meetings and/or through flyers, that the parking lot is located in a residential neighborhood and that users of the parking lot should be mindful that horn-honking, loud talking and other noise, headlights, and litter should be kept to a minimum.

A) The Masons shall regularly encourage its members to use the Metro train as the preferred mode of transportation to and from the Prince Hall Grand Lodge.

B) The Masons shall install a traffic sign, to be visible when the parking lot drivers exit the lot, that it is unlawful to enter such lot by making a left turn from Vermont Avenue.

C) The Masons shall investigate off-street parking options in the community other than or in addition to the existing parking lot for its members. At a minimum the

Masons shall make reasonable inquiry as to whether it is practical and/or financially feasible to arrange for parking spaces for its members from the DC Housing Finance Agency at 9th and U Streets, Lee's Flowers at 11th and U Streets, the private parking lot on 1932 9th Street, the parking lot at 9 ½ and U Streets, the lot in the 1900 block of 12th Street, and the Reeves Center at 14th and U Streets, as well as investigating the cost of using a shuttle service or valet parking for the latter site.

5) LANDSCAPING - The parking lot shall comply with all landscaping requirements as set forth in 11 DCMR § 2300, *et seq.*

A) In recognition of 11 DCMR §2301.1, at least fifteen (15) feet of space along the east and south sides of the parking lot, starting from the sidewalk, and at least five (5) feet of space along the north side of the parking lot where such lot connects with the adjoining lot (but not where it connects with the alley) shall be devoted to landscaping, which shall include shrubs or trees and grass and flowers.

B) In compliance with 11 DCMR §2302.2, a row of hedges at least eighteen (18) inches thick and forty-two (42) inches high shall be planted on the perimeter of the property all along the east (except for the driveway), south, and west sides of the parking lot, as well as along approximately one-half of the north wall, starting on the west side and continuing east to the end of the alley. The hedges shall be of sufficient thickness to effectively prevent any significant light from automobile headlights to shine outside the perimeter of the parking lot. The hedges shall not be permitted to grow taller than 50".

C) The existing chain link fence shall be removed along the sides of the parking lot where the hedges will be installed. Such removal shall occur when the hedges are to be installed.

D) There shall be installed a row of hedges and/or trees, including grass and/or flowers, in approximately the center of the parking lot, running east to west. Such row shall run the length of the parking lot except that it shall terminate prior to each end so as to provide sufficient room for automobiles to drive from one side to the other.

(1) The Masons shall select a qualified, reputable, professional, and licensed company for both the purchase and the installation of the landscaping noted herein.

(2) The Masons shall retain the services of a qualified, reputable, professional, and licensed company for the continual maintenance of the landscaping discussed herein, who shall be retained under a contract in which the landscaping company shall determine the necessity and type of landscaping (including fertilizer, mulch, and water) needed to keep such landscaping in a healthy growing condition, neat, and orderly appearance.

(3) The Masons shall consult with and obtain the consent of the WNA Coordinator for its selection of the types of landscaping noted herein and for the selection of any company(ies) to perform these services.

(4) The purchase and planting of all landscaping discussed herein, as well as the retention of the services of a landscaping company, shall be completed no later than May 15, 2003, time being of the essence.

(5) The Masons shall have installed within the confines of the parking lot a water line and faucet(s) of sufficient size and pressure so that at least one-half of the entire landscaped area can receive sufficient water simultaneously. Such water line shall be installed no later than May 1, 2003.

6) MAINTENANCE - All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all weather impervious surface.

A) All parts of the parking lot and the surrounding area shall be kept free of refuse and debris. This area shall include the sidewalks, boulevards, alleys surrounding the parking lot, and the sidewalk from the parking lot to the Prince Hall Grand Lodge at 1000 U Street, NW. The Masons shall determine and implement a written plan as to how the parking lot and surrounding area will be regularly inspected and the refuse and debris removed. The Masons shall consult with and obtain the consent of the WNA Coordinator for this trash plan.

B) At least one trash receptacle shall be installed in the parking lot for the use of those using the parking lot and shall be emptied on a regular basis so that it does not overflow. Such receptacle should be aesthetically consistent with the historic character of the neighborhood and shall be approved by the WNA Coordinator. Such trash receptacle(s) shall be purchased, if available, and if not, shall be ordered by April 1, 2003.

C) All snow shall be cleared from the sidewalks along the east and south side of the parking lot in a timely manner. The Masons shall retain the services of a snow removal company for this purpose and the contract with them shall provide for timely snow removal on a continuous basis and without the need for the Masons to request such snow removal when it snows.

7) LIGHTING - Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting be confined to the surface of the parking lot.

8) SECURITY - The Masons shall determine and implement a written plan for monitoring the parking lot on a regular basis for security purposes. The Masons shall consult with and obtain the consent of the WNA Coordinator for this security plan.

A) The damage to the chain link fence along the west side and the north side of the parking lot shall be repaired so as to discourage pedestrians or others from entering or exiting the parking lot at any place other than the driveway on the east side of the parking lot. These repairs shall be completed by March 15, 2003.

9) COORDINATION - The Masons shall choose a sole trustee, who shall have full knowledge and authority over the issues stated herein, to meet at least on a calendar quarterly basis with the WNA Coordinator. The WNA shall choose a sole person to act as the WNA Coordinator, who shall have full knowledge and authority over the issues stated herein, to meet at least on a calendar quarterly basis with the Masons Coordinator.

A) Such meetings shall include, but need not be limited to, compliance with the terms of this Order as well as any other issues with respect to the operation of the parking lot that may be affecting the community.

B) Absent any emergency, prior to the WNA or any WNA member filing for revocation of the occupancy permit which may be issued to The Most Worshipful Prince Hall Grand Lodge, the WNA Coordinator shall bring any alleged breach of to the attention of the Masons Coordinator, in writing, and the Masons shall have fifteen days to either correct the alleged breach or explain why such action cannot or need not be taken.

C) With respect to the purchase and planting of all landscaping discussed herein, as well as the retention of the services of a landscaping company, the Masons and WNA Coordinators shall meet as often as either Coordinator requests so that the time deadlines stated herein may be met.

10) REVOCATION - The BZA shall, upon a proper showing, revoke any occupancy permit granted to The Most Worshipful Prince Hall Grand Lodge if any of the conditions stated herein are not met timely or are thereafter violated.

The vote of the Board of Zoning Adjustment was taken at a public meeting on May 6, 2003, (_____), to approve; (_____), to deny, and the Order was adopted by the Board of Zoning Adjustment by a vote of ___to____.

In accordance with the provision of 11 DCMR § 3028, this Order shall become final and effective upon publication in the D.C. Register, on _____.

_____	_____
Geoffrey Griffis, Chairperson	Jerrily R. Kress, FAIA, Director
Board of Zoning Adjustment	Office of Zoning

CERTIFICATE OF SERVICE

I hereby certify that on the 29 day of April 2003 a copy of the foregoing Alternative Proposed ~~Findings of Fact, Conclusions of Law and~~ Decision and Conditions by the Westminster Neighborhood Association was served by first-class mail, postage prepaid, on:

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