

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15245 of Howard University, pursuant to 11 DCMR 3108.1, for a special exception under Section 211 for amendments to an approved campus plan and further processing under the amended plan to increase seating capacity of an athletic stadium in the R-4, R-5-B, R-5-D, SP-2, C-M-1, C-M-2, and C-2-A Districts for a campus generally located within the area bounded by Columbia Road, N.W. to the north; the McMillan Reservoir and 2nd Street, N.W. to the east; Rhode Island and Florida Avenues and U Street, N.W., to the south; and a portion of 11th Street, Sherman and Georgia Avenues, N.W. to the west, (Square 330, Lot 800; Square 2873, Lots 787, 788, 790, 870 and 974; Square 2875, Lots 1032, 1036, 1038, 1104, 1105, 2000-2002, 2033, 2035, 2036, 2037 and 2039; Square 2877, Lots 811, 933, 934, 945, 968, 970, 979 and 1023; Square 2882, Lot 951; Square 3055, Lots 821 and 822; Square 3057, Lot 92; Square 3058, Lots 827, 828, 829 and 833-835; Square 3060 Lots 41 and 839; Square 3063, Lot 801; Square 3064, Lots 826 and 837; Square 3065, Lots 33, 36 and 831; Square 3068, Lots 27-29, 801, 807 and 808; Square 3069, Lots 65 and 66; Square 3072, Lots 52 and 818; Square 3074, Lot 11; Square 3075, Lot 807; Square 3079, Lots 29-35, 37, 39-46, 49 and 89-91; Square 3080, Lots 42, 44, 45, 47, 48, 58, 67, 70-72, 832, 843, and 844; Square 3084, Lot 830; Square 3088, Lot 835; Square 3090, Lot 41, and; Square 3094, Lot 800).

HEARING DATE: January 17, 1990  
DECISION DATE: January 17, 1990 (Pench Decision)

DISPOSITION: The Board CONDITIONALLY GRANTED the application by a vote of 3-0 (William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant; Paula L. Jewell not voting, having recused herself; and Tersh Boasberg not present, not voting).

FINAL DATE OF ORDER: February 2, 1990

ORDER

The Board granted the application subject to three conditions by its Order dated February 2, 1990. By letter dated February 14, 1989, counsel for the applicant requested the Board to extend the ten-day filing period to allow the applicant an opportunity to review the transcript of the public hearing prior to filing a motion for reconsideration.

At its public meeting of March 7, 1990, the Board waived its Rules and accepted the motion for reconsideration into the record.

By letter dated February 27, 1990, counsel for the applicant filed a motion for reconsideration of the Board's decision in the application relative to Condition No. 3 of the Order dated February 2, 1990. Condition No. 3 reads as follows:

"The applicant shall provide shuttle service from its surface parking lots to the stadium during all stadium events."

Counsel for the applicant argued that Condition No. 3 is inconsistent with the evidence of record, would be prohibitively expensive, and would require the applicant to limit the use of the stadium by the community and other non-profit groups. Counsel for the applicant argued that the record evidences that the planned increase in seating capacity would result in increased attendance at Howard University football games, but would have a negligible impact on other events which take place at the facility sponsored by such community groups as the D.C. Special Olympics, the D.C. Girl Scouts, the Mayor's Youth Leadership Program and D.C. Senior Citizens Program. Counsel for the applicant recommended that the condition be modified to require shuttle service from surface parking lots in the central campus area to the stadium for patrons of Howard University home football games only. There were no responses to the motion from any parties to the application.

Upon consideration of the motion and the evidence of record, the Board concludes that the record supports the modification of Condition No. 3. The proposed modification is minor in nature. The material facts relied upon by the Board in granting the application remain the same. Accordingly it is hereby ORDERED that the motion is GRANTED and Condition No. 3 of the Board's Order dated February 2, 1990 is hereby modified to read as follows:

"3 - The applicant shall provide shuttle service between its parking lots located on the Central Campus of Howard University and Greene Stadium for patrons of Howard University football games which are played at Greene Stadium."

In all other respects the previous Order of the Board and the conditions imposed thereby shall remain in full force and effect.

DECISION DATE: March 7, 1990

VOTE: 3-0 (Charles R. Norris, William F. McIntosh and

Carrie L. Thornhill to approve; Paula L. Jewell not voting, having recused herself; Tersh Boasberg not voting, not having heard the case).

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

ATTESTED BY:

  
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EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: APR 17 1990

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

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.

15245order/BHS16

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15245

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated APR 17 1980, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Jerry A. Moore  
Linowes & Blocher  
655 - 15th Street, N.W.  
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Isham O. Baker  
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Stanley J. Mayes, Chairperson  
Advisory Neighborhood Commission 1-B  
519 Florida Avenue, N.W.  
Washington, D.C. 20001

A handwritten signature in black ink, appearing to read "E.L. Curry", written over a horizontal line.

APR 17 1980

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EDWARD L. CURRY  
Executive Director

DATE: \_\_\_\_\_