

18449

Report: Single Member District 5B03	BZA Applicant Number: 18449
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DETAIL

The following Single Member District (SMD) members and organization associate themselves to this Report.

Brentwood Community Association, President Earline C. Frazier

BASIS FOR SINGLE MEMBER DISTRICT 5B03 OPPOSTION:

To oppose the Application of Israel Baptist Church and Israel manor, Inc. for variance relief pursuant to Section 3103.2 to reduce the parking requirements for a proposed community health facility and ancillary social and recreation space for church use to be erected as an addition to the existing church building and for a special exception relief pursuant to Section 2116.3 to provide required on-site parking elsewhere than on the subject property within the R-5-A Zoning District.

HISTORICAL BACKGROUND:

During my tenure as the Advisory Neighborhood Commissioner for SMD 5B03, currently known as 5C05, As a community of people, we have met with Israel Baptist Church, twice regarding Israel Baptist Church first proposal, when Israel was seeking community approval and support of its building project. One meeting took place at Isle of Patmos Baptist Church and the other meeting took place at Israel Baptist Church. The first two community meetings with Israel Baptist Church were contentious. As a last resort, the pastor of the church called the ANC Commissioner to provide a letter of support without meeting with the Brentwood community. The ANC Commissioner informed the pastor that a meeting with the community is necessary in order for the ANC Commissioner to write a letter of support. The pastor informed the commissioner that she was not a leader; a leader makes decision without the need to meet with the community. The commissioner reiterated her position again to the pastor, if he wanted a letter of support, he would have to meet with the community. Under the Williams and Fenty Administrations', respectively, Israel Baptist Church did not receive support of this project because the community was opposed to the destruction of their quiet community. At that time, Ward 5 Councilmember Vincent B. Orange, Sr. informed Israel Baptist that he would need the support of the Advisory Neighborhood Commissioner. A representative of the Fenty Administration informed the ANC Commissioner of Israel Baptist Church request of Mayor Fenty regarding the mayor's support of Israel's building project, the ANC Commissioner informed the Representative of the Executive, that the community has been fighting with Israel for years regarding its project. Now, we are under the Gray's administration and the community has not changed its position regarding Israel Baptist destruction to their way of life.

OPPOSITION:

Now, we have a second proposal from Israel different from the first but this includes a clinic and the neighborhood still has concerns about the destruction of their quiet neighborhood. An agent of the church spoke to some residents from 12th Street, Rhode Island Avenue, Brentwood Rd, 1000 Block of Bryant Street, 1300 Block of Bryant Street, without the benefit of the ANC-SMD Commissioner holding a community meeting. The Agent of the church contact the ANC/SMD Commissioner but when the ANC/SMD Commissioner called several times the agent would not return the telephone calls. The residents of that part of 5B03 do not want the traffic from the church and/or the clinic that would be on the first floor to be dump out onto 12th Street, NE. The street is narrow and unable to support the majority of the church members from the state of Maryland, the clinic patrons and the residents that live there in that section and, the sheer volume alone would be too much for the resident taxpayers and the majority of the church members from the State of Maryland and clinic patrons.

Prepared By: Regina James, Advisory Neighborhood Commissioner, 5B03 Earline C. Frazier, President	ORGANIZATION Advisory Neighborhood Commissioner, 5B03; Brentwood Community Association
SIGNATURE BOARD OF ZONING ADJUSTMENT District of Columbia	DATE August 30, 2012

CASE NO. 18449
 EXHIBIT NO. 21

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The parking lot would co-exist next the property owners of 1205 12th Street, NE. BZA's Report on page 2 states, "Topographically, the subject property slopes downward from the highest elevation in the eastern corner to a low point along 12th Street, N.E. on the western edge. There is a sharp 12-foot grade change in the middle of the site along a line separating the rear of the residential lots from the property owned by the Church."

Construction would be difficult based on the topographically hill that hangs over the property owner house for both the residents of 1201 and 1205 12th Street, NE. If construction is allowed, it would surely cause structural damage to the two houses that remain on 12th Street, NE. When it rains the runoff from the water that comes from the church goes on one the property owners' backyard and front yard of the other property owner.

BZA's report on page 2 states: "The Church also has an arrangement with the District of Columbia that permits the Church to use the land lying within the closed portion of Bryant Street, NE. To the south of the church building to be used for parking by members and visitors of the Church."

We find it difficult to comprehend that the District of Columbia Government would make an informal agreement with Israel Baptist Church regarding parking when the Lot 801 and Square 3940 belongs to Clearview 1200 LLC, 7800 Orchard Street, NW, Washington, DC 20012-1132. The residents of Single Member District 5B03 – 5C05 would appreciate if Israel Baptist Church produces a copy of this informal agreement for review between them and the Government of District of Columbia.

The owners of the property Lot 801 and Square 3940 spoke with the ANC Commissioner regarding the development of their respective property. And, the owners will need space for their respective patrons of the business. The owner objective will bring much needed revenue to the District, which would possibly benefit the residents of the District of Columbia, as a whole, and the community, at large through additional revenue from sales taxes. The monies generated from the church benefits the Israel Baptist Church and Israel Manor, Inc. and its membership.

It seems that it would be an undue hardship on the residents of Single Member District 5B03 – 5C05 due to Israel Baptist Church pursuit of building a three (3) story building without the necessary parking requirements to support it activities. Saratoga Avenue is unable to support Israel Baptist Church parking due to the flow of traffic. It is two lanes, on both sides, with the opposite side, one arrow on the street to the right to make a right turn to enter onto Brentwood, and the left lane arrow, so that you can make a left turn or go straight. When there is an event at Israel and the big buses parking on Saratoga Avenue, it is difficult for the motorist to see the pedestrians when making that right turn. On Sunday, it is bad enough, when Israel's members use the parking within the neighborhood and take the parking spaces in front of the homeowner's respective house.

**Rationale for Zoning Relief
Page3; Line 5**

Off-street parking spaces along Saratoga Avenue, NE...

To allow Israel Baptist Church to be grant the parking variance would create a public safety hazard within the Brentwood Community. The lanes that Israel Baptist Church wants to use along Saratoga Avenue would impede the flow of traffic onto and off of Brentwood Road. That piece of roadway along Saratoga Avenue supports two (2) churches. The signs posted along that roadway do not allow parking until after 7:00pm. Based on the last traffic count,

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from the Councilmember's office, over 50,000 motorist travel to and from that area on Brentwood Road. Saratoga Avenue is considered a feeder on and off Brentwood Road.

On the BZA report, Israel claims the use of forty seven 47 additional parking spaces and an informal agreement between the Church and the District of Columbia Government, but the property belongs to Clearview 1200, LLC. This creates a negative numerator of 47 parking spaces for Israel Baptist Church because the land is Clearview 1200, LLC. Clearview 1200 LLC has spoken with the ANC Commissioner regarding the development of their property.

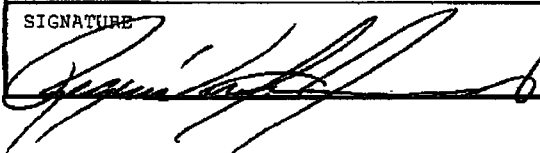
To conclude, Israel request for a variance relief to reduce the parking requirements and special exception if granted would adversely impact our community and the flow of traffic, and would lead to more congestion within our community, It would create undue hardship and burden not only for the resident of Brentwood but to the community, at large. The Brentwood community finds it unnecessary for the church to have a clinic, when Unity Clinic is across the street at Brentwood Square; the community feels that we do not need 2 clinics in the area. If Unity Clinic feels that it needs more space then the Brentwood community suggests that Unity should take a look at 4th and Rhode Island Avenue, NE.

We will probably file this report again, once the governmental entities have completed the ANC Commissioner and the President of Brentwood Community Association's request for an area assessment to report out their respective findings. Thank you for your time and attention in this matter.

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