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**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

POST-HEARING SUBMISSION OF THE APPLICANT

In Re: 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.

Subject Property:

**Lot 36, 33, 34 and 35, Square 3939
1251 Saratoga Avenue, N.E., 2407, 2409 and 2411 12th Street, N.E.**

**JORDAN & KEYS, PLLC
George R. Keys, Jr.
910 17th Street, N.W., Suite 317
Washington, DC 20006-2604**

Dated: February 4, 2013

BZA Application No. 18449

**BOARD OF ZONING ADJUSTMENT
District of Columbia**

CASE NO. 18449

EXHIBIT NO. 42

Board of Zoning Adjustment
District of Columbia
CASE NO. 18449
EXHIBIT NO. 42

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February 4, 2013

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+Also Admitted in Maryland

OF COUNSEL

HAROLD E JORDAN

HAND-DELIVERY

Lloyd Jordan, Esq , Chairman

District of Columbia Board of Zoning Adjustment

441 4th Street, N W. - Room 210 South

Washington, D.C 20001

Re BZA Application No. 18449

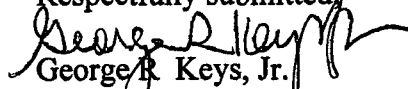
Dear Mr. Jordan.

This firm represents Israel Baptist Church and Israel Manor, Inc. (the "Applicant"), the owner of the real property located at the above-referenced addresses (Lots 33, 34, 35 and 36, Square 3939). The Applicant has applied for a variance pursuant to §§ 2101.1 and 3103.2 to reduce the parking requirements for a proposed community health facility and ancillary social and recreation space for church use and for special exception relief pursuant to § 2116.3 to provide required parking elsewhere than on the subject parking in the R-5-A zoning district at the subject property. The application was heard by the Board at a public hearing held on December, 4, 2012

During the public hearing, the Applicant requested additional variance relief under § 2116 4(b) in order to permit parking spaces to be located between the line of 12th Street, N E and the facade of the building addition and withdrew the request under §2116.3 for a special exception to locate parking spaces other than on the lot where the principal use was located.

In addition, at the conclusion of the public hearing, the Board requested that the Applicant submit the following additional information to supplement the application (1) the outcome of the Public Space Committee meeting on December 20, 2012, (2) programming and space plans for the addition, (3) parking mitigation measures, (4) revised site plan to show pedestrian access and landscaping along 12th Street, N E., and (5) engagement with Advisory Neighborhood Commission 5B. Each of these topics is addressed in the captioned sections which follow accompanied by exhibits where required.

Respectfully submitted,


George R. Keys, Jr.
Counsel for the Applicant

IMI Life Learning Center

Public Space Committee Decision

The Board requested an update on the then pending request that the adjacent unutilized Bryant St. ROW be rented by the Church and IMI for use as additional parking. These additional spaces are not part of the variance request from BZA but could be utilized by the both entities to reduce any potential overflow parking on nearby streets. The Public Space Committee heard the request at the December 20, 2012 meeting and approved the lease of the spaces to the Church. The conditional approval is shown below. The Church is in the process of satisfying the conditions to allow for the space to be utilized as parking for the proposed addition. The agreement is attached as exhibit I.

EXHIBIT I

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DISTRICT DEPARTMENT OF TRANSPORTATION



Public Space Regulation Administration

December 21, 2012

Israel Baptist Church
c/o Carrie Thornhill
1251 Saratoga Avenue, NE
Washington, DC 20018

Dear Property Owner:

Re: 1251 Saratoga Avenue, NE

On *December 20, 2012*, the District of Columbia Public Space Committee (PSC) approved as submitted with conditions/limitations for rental parking in public space at 1251 Saratoga Avenue, NW with the following conditions.

- 1) The applicant must submit a written agreement with the adjacent property owner of square 801/lot 4940
- 2) The applicant must submit written approval from MPD, Fire & EMS stating their denial of the need for access to the lot or the need for access to existing lot
- 3) This property will remain public space as directed by law; and no gaining of right to title or interest will be established by the rental of the parking spaces that were approved by the PSC
- 4) The applicant is aware that rental fees will be accessed for the proposed parking spaces in public space.
- 5) Final grading must be reviewed/approved by the regular plan review unit and comply with Blue Book Standard Specification and include Low Impact Development (LID) standards
- 6) The PSC's approval is not conditioned in time; but the applicant must report back to the PSC within six months to one year on the effectiveness of the rental parking operation.
- 7) That the applicant will secure the permit within six (6) months of the date of this letter, or the approval granted herein expires;

Please contact me at 202.535.2699 to arrange to submit your revised plan and to obtain your permit.
Thank you.

Sincerely,

Juan Amaya
Executive Secretary, PSC

Cc: Regina James, ANC-2B

IMI Life Learning Center

Programming Documentation

The addition to Israel Baptist Church is comprised of 3 floors. Each floor is approximately 12,500 rentable square feet. Floors 1 and 2 will be leased to Unity Health Care Inc. The third floor will be utilized by Israel Manor Inc (IMI), a nonprofit subsidiary of the Church, and by the Church itself. The Board requested additional information on the intended programming of the new space.

Space plans for the three floors are attached as exhibits II, III & IV. A narrative description follows:

Unity Programming & Space Plan

Unity Health Care Inc. (Unity) currently operates the Brentwood Square Health Center less than 1 block from the proposed site. The operations of that facility will be relocated into the 1st and 2nd floors of the proposed IMI Life Learning Center. The new facility will upgrade the facilities currently offered at the Brentwood facility and expand services for existing and new clients.

Unity is currently the largest primary health care agency in the area with a team of more than 980 compassionate, multicultural professionals that include medical providers, nurses, medical and dental assistants, pharmacists, counselors, and social workers. Every year, our dedicated staff provides quality care to more than 93,000 patients, through more than 610,000 return visits.

Unity strives, in all its facilities, to be the medical home of choice for the medically underserved population within the District. To accomplish this goal, Unity employs physicians, dentists, nurse practitioners, physician assistants, and nurses, system wide, to treat and inform our patients about their health. Creating a medical home for District residents is important to treating the many health needs of the Unity client population. Unity provides these services with dedicated family practitioners and internists focus on health maintenance, management of chronic diseases such as diabetes and hypertension, and cancer screenings, such as pap smears and mammogram referrals for women.

The Unity, IMI facility, will be staffed by 11 professional staff and 40 other staff. Staffing will be reduced approximately 60% during evening and Saturday hours. The current Brentwood facility serves approximately 51 Patients per day. The new location is expected to see approximately 126 patients per day. The specific services to be offered at the IMI facility are as follows:

- Expanded Primary Care Services for the Whole Family
- 4 Dental Chairs
- Walk-In Clinic
- Podiatry
- OB/GYN Services
- Health Education
- Laboratory Services
- Psychiatry
- Social Services
- Other Specialty Services

These services will be offered in coordination with IMI to fully utilize the Life Learning Center and to ensure that the parking requirements of the facility don't conflict with the events and activities on the third floor IMI space

The Unity plan for the first floor (Exhibit II) contains the main entrance to the facility, administrative areas, waiting areas and medical offices. Labs and employee lounges are also on this level. The main Unity entrance is served by the 12th Street parking area directly adjacent to the entry doors. This parking will be used by Unity clients during Unity operational hours. The IMI kitchen relocated from the existing building is located in that area between the existing Church and the addition. A rear entrance located on this level provides direct access to the kitchen and secondary access to the IMI space via stairs or elevator. The Unity employee entrance is also on this level. The Unity employee entrance, as well as the IMI entrance, are served by a sidewalk connecting the addition to the Bryant St parking area

The second level (Exhibit III) contains exam and waiting areas as well as administrative space. Unity access to this floor is provided via stairs and two elevators near the Unity entrance. The main entrance to the IMI space is also on this level in the area adjacent to the existing church building. The IMI entrance will be directly served by the drop off circle and sidewalk access to the 12th Street lot during non-Unity operational hours.

IMI and Church Programming & Space Plan

IMI and Church programs will occur on the third floor of the addition (Exhibit IV). This space is directly linked to the Church via a foyer accessed by both structures on level 2 via an open stair in that space. Elevator access is also provided in the foyer for access the 3rd level.

The 3rd floor space is designed around a full size gymnasium and also includes restrooms and several classrooms and offices which can be converted as needed. The gymnasium is configured to also be used as multipurpose space to host meeting and events. Office areas are shown in blue with storage in orange

IMI and the Church currently operate a number of programs in the existing facility that will be expanded into the new addition. These include child care operations and community meetings and activities. The Church also currently hosts both community and church related functions in the existing fellowship hall below the sanctuary, these events will be relocated into the new multipurpose space served by a new kitchen on the first floor of the addition.

The gymnasium/multipurpose space would host basketball games for Church related groups as well as the community at large. The space would also host smaller community fitness activities such as aerobics and yoga classes. Gym usage would occur predominately in the evenings and on weekends. The multipurpose space would also allow the church to better provide for events that are currently sited in the fellowship hall. The Churches nonprofit subsidiary IMI would also relocate its office out of the church and into the new facility. This will allow IMI to manage operations in the addition.

In addition to the events currently held in the church, the addition would host new events including both community and private functions. This will provided a better environment than currently available for these events including upgraded facilities such as the stage and upgraded kitchen services. These events such as weddings, community meeting and conferences will be held in the addition in coordination with Unity health. All events would be scheduled on the weekends or evenings when Unity is not operating in the 1st and 2nd floor facility.

Operational Schedule

The Life Learning Center will use a shared parking arrangement to more efficiently utilize the parking available at the site. The hours of operation of the Church, Learning Center and Unity Health facility will be coordinated to minimize overflow conditions. The proposed operational schedule is as follows:

Sunday

	7am - 12am	12am - 5pm	5pm - 9pm	9pm - 7am
Unity				
Church				
IMI				

Saturday

	7am - 12am	12am - 5pm	5pm - 9pm	9pm - 7am
Unity				
Church				
IMI				

Weekdays

	7am - 12am	12am - 5pm	5pm - 9pm	9pm - 7am
Unity				
Church				
IMI				

Legend

Exclusive Use
Shared Use
As Available
No Use



Use of the Bryant St parking only, if not occupied by Unity employees

Exhibit II

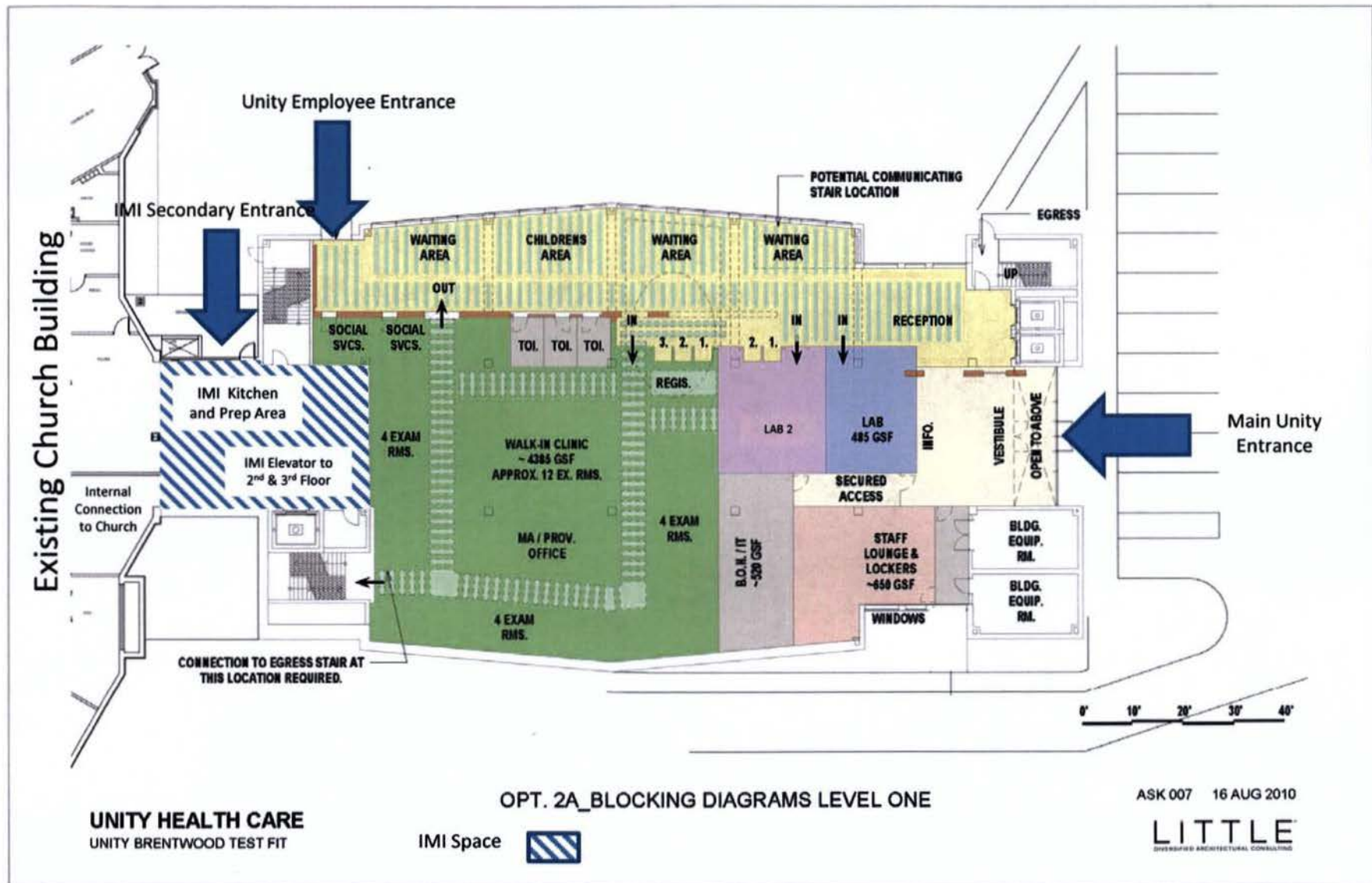


Exhibit III

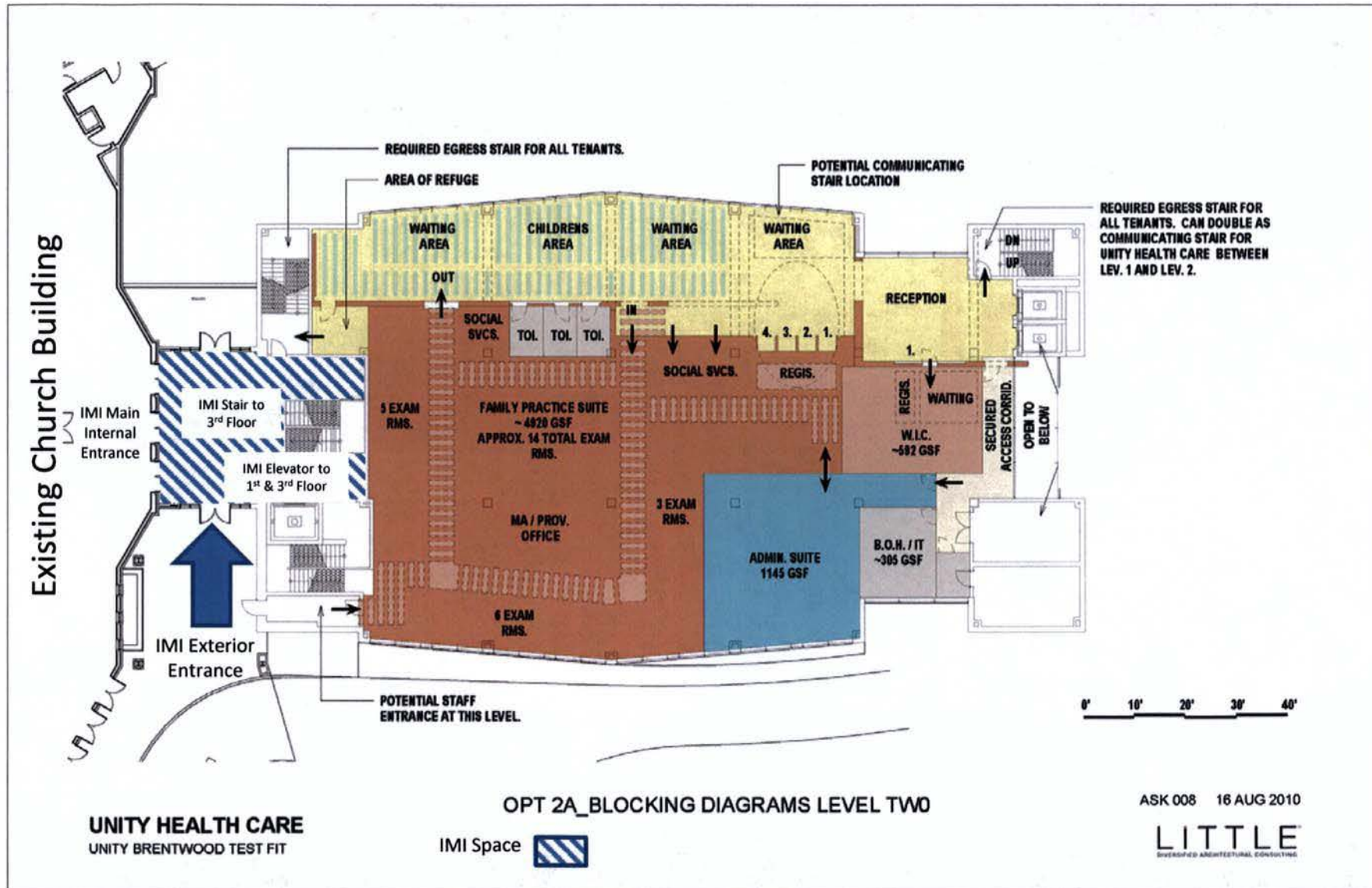
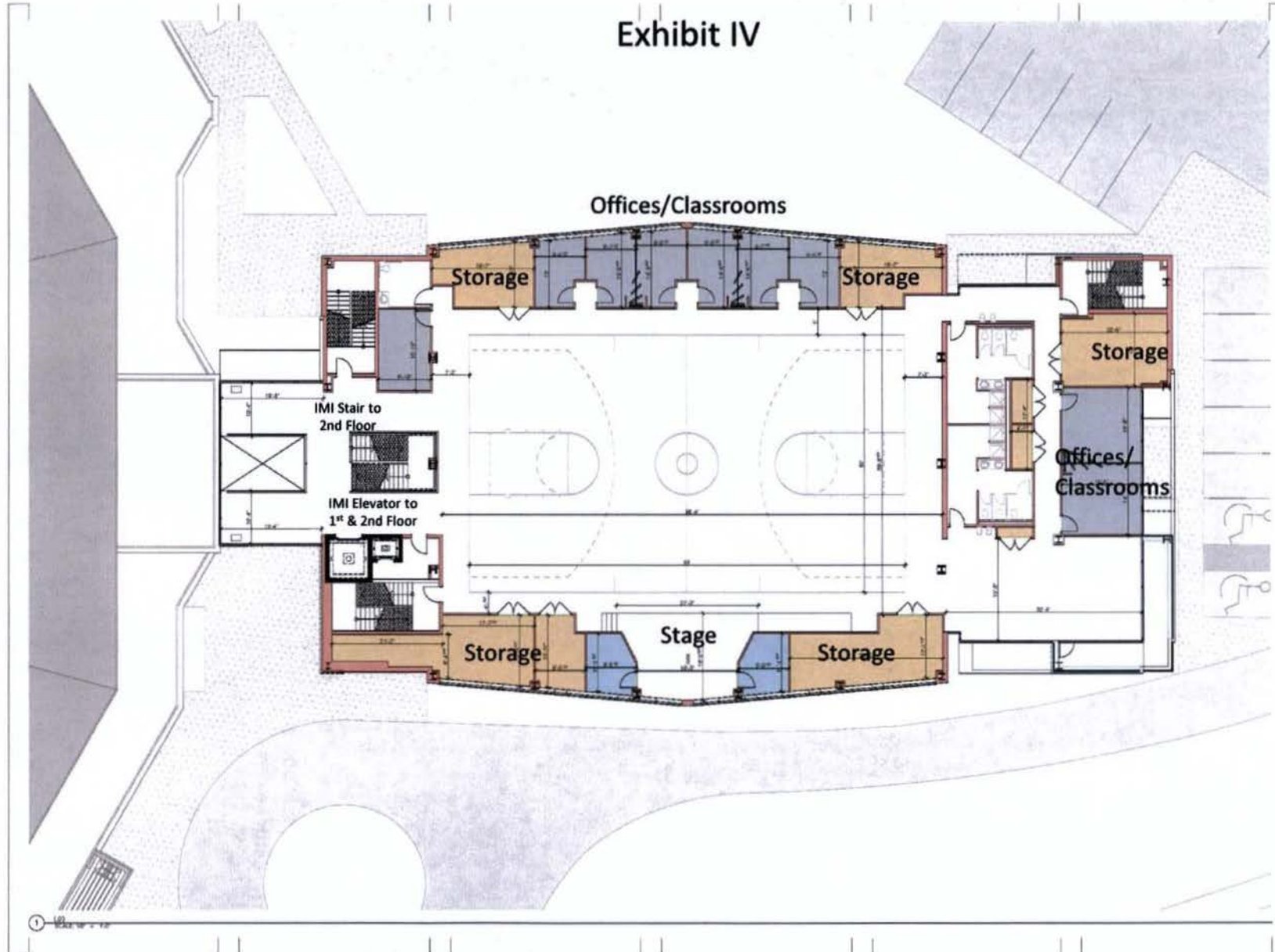


Exhibit IV



A2 Design, Inc.
architects | interior | planning

4740 Old Mill Lane, Suite 200
Falls Church, VA 22044
P 703.448.2100
F 703.448.2470

Inland Baptist Church
3215 Sutherland Ave. NE
Washington, DC

3rd Floor Plan

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© 2010 A2 Design, Inc.

IMI Life Learning Center

Mitigation of Community Impact

IMI and the Church have worked with the community to revise the proposed plan to reduce the impacts on the community. The plan was modified to eliminate the vehicular entrance on 12th street, add additional landscaping along 12th Street and the adjoining properties, address drainage concerns and eliminate the wall at the 12th street side of the project. An additional pedestrian access point was also added on Saratoga Ave to reduce pedestrian traffic through the adjoining residential areas.

To address the parking concerns the Church has reached an agreement with the District to lease additional parking along the abandoned Bryant Street ROW (See Exhibit I). The Church also has an existing verbal agreement with Isle of Patmos Baptist Church located across Saratoga Ave to utilize their parking (approximately 24 spaces) during special events. This agreement has been in place and has functioned well for a number of years. In addition the Church utilizes valet parking during special events to increase the capacity of all the lots utilized.

Unity Health will also be implementing measures to reduce parking load. The proximity to the Metro will allow patients and employees to use rail and be within a 10 minute walk of the facility. In addition, the facility is served by a number of bus routes which provide easy access to the client population. Five bus stops are within a 3 minute walk of the addition

Unity will also undertake specific actions to mitigate traffic and parking issues.

- a Unity will take advantage of the site's proximity to the existing Rhode Island Avenue NE Metrorail station which is 2,100 feet or an approximate nine minute walk from the proposed location**
- b Unity will take advantage of the site's proximity to the three bus stops serving the D8, D9, H8, H9 & T18 bus routes which are directly adjacent to the proposed location.**
- c. Unity will provide employees with flexible benefits for transit, resulting in pre-tax salary deduction for Metro rail/bus expenses.**
- d. Unity will designate a staff member(s) of building management of the Health Center as Transportation Coordinator to be a primary point of contact responsible for coordinating the implementation of the traffic mitigation items**
- e. Unity will provide information regarding ridesharing opportunities via website links to www.commuterconnections.com**
- f Unity will meet with DDOT Bicycle Program staff members on site to review the inventory and location of bicycle parking and Unity will provide shower and locker facility for employee bikers**

- g. Unity in conjunction with IMI will provide effective directional signage to direct visitors and employee vehicles to the appropriate parking lot.**
- h. Unity will provide incentives for Unity Health Care Center professionals to participate in a carpool. The carpool program will offer a parking incentive.**
- i. Unity will provide a community bulletin board or kiosk located in the lobby of the building providing information related to local transportation alternatives and resources**

In addition to the above stated items the Church, IMI and Unity will monitor the ongoing traffic and parking situation and respond to community concerns regarding operations of the facility.

IMI Life Learning Center

Pedestrian Access

During the December BZA hearing, a resident raised a concern at the meeting that the proposed pedestrian access point on 12th St may be a security risk. DDOT was supportive of an access on 12th St as it could provide for easier Metro access. To evaluate this issue we held a public meeting in which residents were invited to vote on the most desirable entrance. Residents voted to keep the 12th Street entrance and also provide access off of Saratoga Ave. Based on DDOT recommendation and the concurrence of the community; we have included the 12th St. pedestrian access. Appropriate lighting will be installed to mitigate security risks. In addition we will monitor the 12th St entrance after construction and evaluate any security issues that may arise.

The Board also requested updated plans to show the requested changes from DDOT and OP. These changes involved the addition of bike racks and landscape screening.

The revised site plan, attached as Exhibit V, was modified to reflect the new pedestrian plan as well as the landscaping and bicycle racks requested by DDOT. The fencing discussed was eliminated based on the inclusion of the landscaping screen. The landscaped screen was incorporated as requested and was extended to screen all of the residential units bounding the property. On the plan, the proposed landscaping is shaded and the existing outlined in green. The pedestrian site access points are designated by the red arrows, building entrances are blue and onsite walkways are yellow.

Exhibit V



IMI Life Learning Center

Community Involvement

IMI and Israel Baptist Church view the involvement of the local community as the key to the success of any community based initiative. In the case of the design and development of the Life Learning Center IMI utilized both ANC meetings and local meeting in the Church to involve as broad a cross section of the community as possible. The meeting are summarized below with ANC meetings highlighted in red:

Thursday, September 13, 2012

After consultation with Jacqueline Manning, Chair of ANC5B, three IMI representatives attended the Advisory Neighborhood Commission 5B meeting held at the 5th District Police Headquarters. Approximately 30 persons were in attendance including 6 residents living within 200 feet of the Life Learning Center Project site. The Life Learning Center Project was an agenda item and the chair permitted a brief review of IMI and the Project by Carrie Thornhill, Phinis Jones and Andy Botticello. Chair Jacqueline Manning encouraged IMI to sponsor a meeting with community residents before the October meeting of ANC 5B at which time she would hope to take a vote. The ANC obtained no quorum and took no vote on our project at this meeting.

Tuesday, September 24, 2012

IMI hosted a community informational meeting at Israel Baptist Church. Invitations were extended through a mailing to the list of 55 property owners within 200 feet of the site. In addition, three hundred invitations were hand delivered to the following houses and apartment buildings immediately surrounding the subject site including the 2400 block of 12th Street, NE; 2400 block of Rhode Island Avenue, NE; 1200 block of Brentwood Road, NE; 1000 block of Bryant Street; 1300 block of Saratoga Avenue, NE; and the 1300 block of Bryant Street, NE. Eighteen (18) persons signed in on the attendance sheet. Approximately thirty (30) persons attended. Four representatives of IMI were in attendance. A representative of the Office of Planning also attended. Opening remarks were made by Carrie Thornhill and an overview power point presentation was made by Phinis Jones and Andy Botticello on the project. IMI promised to host a second community meeting to respond to the issues and concerns raised.

Tuesday, October 30, 2012

IMI held a community meeting at the Church. The meeting was a follow up to the September 24th meeting at which the community requested certain modifications to the plan. These modifications were presented to the community. Jacqueline Manning chair of ANC 5b attended the meeting. In general turnout was light as the meeting occurred during the clean up from "Sandy".

Thursday, November 1, 2012

Five IMI representatives attended the November meeting of the Advisory Neighborhood Commission 5B at the 5th District Police Headquarters. Twenty-five (25) or so persons were in attendance. The development team presented a power point presentation on the project and

answered questions from both the ANC and residents. The outcome of the meeting was that the ANC 5B could not/would not vote on the project without a meeting and recommendation on the project by the 5B03 Single Member District representative, Regina James.

Tuesday, November 6, 2012

Five IMI representatives attended the meeting of the Brentwood Civic Association at the Center on Aging, 7:00 – 8:30 pm. Ten (10) civic members attended. IMI reviewed the project through a power point and answered questions. Those in attendance noted that they had no objection to the Church's project. Their issues and concerns related to overflow parking of church members on neighborhood streets on Sundays.

Tuesday, November 20, 2012

IMI hosted a third community informational meeting at Israel Baptist Church. Three hundred (300) invitations were hand delivered to the houses and apartments on the six blocks immediately surrounding the subject site. Additionally, 2940 invitations were mailed to all residents and businesses within a quarter mile radius of the site. Six IMI representatives were in attendance. Twenty-five (25) persons signed in on the attendance sheets, a total of 35 were in attendance including Chair Jacqueline Manning of ANC 5B and Regina James, Single Member District Commissioner for 5B03. After opening remarks by Carrie Thornhill, an overview power point presentation on the project was made by Andy Botticello, showing adjustments requested at the last community meeting. Monica Ray and Ian Swain posted new or modified issues and concerns raised at the meeting.

Thursday, November 29, 2012

At the request of ANC 5B Chair Jacqueline Manning and the Public Space Committee, IMI provided space at Israel Baptist Church for a meeting of 5B05 Single Member District Commissioner Regina James on this date. Ms. James distributed and maintained control of the sign in sheet. We would note that approximately 35 persons were in attendance for the part of the meeting hosted by Ms. James and another 40 persons attended the meeting that IMI presided over after Ms. James left. At this meeting, Ms. James did not take a vote to determine whether persons in attendance were or were not in favor of the project. The two part meeting resulted because of confusion over the time of the meeting, 5:00 p.m. and 7:00 p.m. respectively.

Letter Requesting Action on Project by ANC

On Saturday, December 7, 2012, IMI Managing Director emailed the traffic study and a letter requesting that the Life Learning Center Project be placed on the agenda for the December 13, 2012 meeting of the ANC for official response by the ANC to the BZA. The letter was also messengered by courier on December 7, 2012. The letter is attached as Exhibit VI.

Thursday, December 13, 2012

Three representatives of IMI attended the December 13, 2012 meeting and reported on the site plan adjustments made since the previous ANC-5B meeting. Chair Manning indicated that our project was not placed on the agenda for a vote. It is noted that the SMD representative Regina

James did not attend this meeting so no recommendation was made in favor nor against our project. Also no quorum was achieved at this meeting.

Tuesday January 29th, 2013

IMI held a community meeting at the church. The meeting was well attended with over 100 residents attending. The meeting featured a presentation by Unity Health in which the operation of the new health facility was explained. Unity also presented information on the programs they offer and the services that are available to residents. The meeting also included a review of the updated landscape plan for the site and a vote on the desired pedestrian access plan for the project.

EXHIBIT VI



December 7, 2012

**Jacqueline Manning, Chair
Advisory Neighborhood Commission 5B
2116 R Street, N.E.
Washington, DC 20002**

Dear Chair Manning:

As you know Israel Manor Inc. is working with Israel Baptist Church on the creation of the new Life Learning Center at 1251 Saratoga Ave. We have appeared before ANC 5B at the September and November meetings. At the last ANC meeting IMI and the project developer presented the revised plan that had been developed after reviewing community input gathered at several community meetings held at the Israel Baptist Church. ANC 5B requested that IMI present these changes to the community again, as the prior presentation had been held immediately after the recent hurricane. ANC 5B also requested that the traffic study that was underway be made available for review.

To address these issues, IMI held several additional meetings, including hosting a SMD meeting for 5B03 Commissioner Regina James. At these meetings the revised plan was presented to the community. Also the traffic study was completed and indicates no negative impacts from the proposed addition. This report was made available at the SMD meeting on November 29th and a copy is attached for your review.

With these items completed, IMI is now requesting a place on the agenda to present to the ANC the final plan as reviewed by the community. It is imperative that this occur at the December meeting due to the fact that the project is in an area that has been redistricted and would fall outside of the purview of ANC 5B in January of 2013.

IMI has been diligent in keeping the community informed about the project and soliciting input. Community member have spent time reviewing the plans and providing input. The meetings that have been held are as follows:

- Initial Full ANC 5B meeting September 13th**
- Initial Community Meeting September 24th**
- Second Community Meeting October 30th**
- Second Full ANC 5B Presentation November 1st**

- **Brentwood Civic Association November 6th**
- **Third Community Meeting November 20th**
- **ANC SMD 5B03 Meeting November 29th**

In addition, the project was presented at the December 4th public hearing before the D.C. Board of Zoning Adjustment. The SMD 5B03 representative was present for the public hearing and testified in opposition though no vote was taken of the attendees at the November 29th SMD meeting. At that meeting, the BZA requested input from ANC- 5B in the form of an official response to the proposed development. To facilitate this response, we request time to present to the ANC the development plan and the results of this community review and comment process undertaken. The BZA will make its decision in this case at its February 12, 2013 public meeting and the record will be open until February 4, 2013 for required submissions.

If you have any questions or need additional information please call me at 202.379.8843 or 202.269.0017.

Sincerely,

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

**Carrie L. Thornhill
Managing Director**

**cc: Regina James, 5B03 Commissioner
Veronica Harrison, IMI Chair**