AMERICAN UNIVERSITY
WASHINGTON, DC

CLINICAL PROGRAM

April 25, 2001

Board of Zoning Adjustment
441 4th Street NW Suite 210
Washington DC 20001

D.C. OFFICE OF ZONING
RECEIVED
2001 APR 25 PM 3:49

Re: Application # 16650

Dear Madam/Sir:

Southwest Church of Christ, Inc., special exception applicant, moves to amend its original application for special exception to include the following DCMR sections.

1) §2108.2 which provides in pertinent part that "Provided, that for a use which is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%)."

2) §2116.5 which provides in part that "if approved by the Board of Zoning Adjustment, open parking spaces accessory to any building or structure may be located anywhere on the lot upon which the building or structure is located, or elsewhere, ..."

We are amending the application per Corporation Counsel Marie Sansone's instructions. This includes the adding the word "amend" to a copy of the original application and submitting this copy along with the D.C. Board of Zoning Self-Certification form signed by a licensed District of Columbia agent.

We appreciate the Board's consideration of this request. Please call if you have any questions or need additional information. You can reach us at (202) 274-4147

Sincerely,

Barbara Alexander
Student Attorney

Mel Myers
Student Attorney

BZA
Case No. 16650
Exhibit No. 50

Board of Zoning Adjustment
District of Columbia
CASE NO.16650
EXHIBIT NO.50

BZA Form 2
(Revised 7/17/95)

Docket No. 16650

BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

APPLICATION

NOTE: See reverse side of this form for filing instructions, filing fees and information required by the Board

DO NOT MAIL AMEND DO NOT MAIL

TO THE BOARD OF ZONING ADJUSTMENT

Pursuant to Sections 334.1, 2108.2, 2116.5 of the Zoning Regulations of the District of Columbia, an application is hereby made for the following action: 1. Special exception for a Temporary Community Service Center (B-3) Floors 2 Reduction of 50% in parking requirements 3 Off-Site parking excpt., which is provided for by Section(s) 334.1, 2108.2, 2116.5 of the Zoning Regulations.

Premises affected are located at 1305/1307 Irving Streets N.W. (street address)

Lot(s) 69, Square(s) 2848,

in the District of Columbia, in Zoning District _____.

Present use of Property: Vacant.

Proposed use of Property: To open a Community Service Cent

Owner of Property: Southwest Church of Christ Inc

Address of Owner: 1313 Irving Street N.W. D.C. 200

State briefly the bases for action sought: To obtain permission to use the building as a Temporary Community Service Center, from a Community Residential facility.

Date: _____ Signature: Larry Bonner (Applicant)*

*The owner of the property for which application is made or his/her authorized agent may file an application. In the event an authorized agent files an application on behalf of the owner, the notice of application shall be accompanied by a letter signed by the owner authorizing the agent to act on his behalf in this appeal.

TO BE NOTIFIED OF HEARING AND DECISION:

Name: Larry Bonner

Address: 1303 Irving Street NW

Zip Code 20010 Phone No. (202) 332-1117

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Form 1 - BZA Certification - Side 1 (Revised 03/07/00)

ZONING SELF-CERTIFICATION FORM

Date	Project Address(es)			
4/23/01	1305-07 Irving St. NW			
Square	**Lot(s)**	**Zone District(s)**	**ANC(s)/Single Member District(s)**	**Case No.**
2848	69	R-4	1A	16650

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

☑	Use Variance DCMR 11 §3103	☐	Area Variance DCMR 11 §3103	☐	Special Exception DCMR 11 §3104	
which is provided for by DCMR Title 11 Section No(s).:						

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

(1) the agent is duly licensed to practice law or architecture in the District of Columbia;
(2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia;
(3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief as a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name (Please Print)
Agent's Signature	**Agent's Name (Please Print)**
Brenda V. Smith	BRENDA V. SMITH

D.C. Bar No.	404979	or	Architect Registration No.	

OFFICE OF ZONING DETERMINATION

(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, this application is

☐	Accepted for filing.
☐	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
☐	Rejected for failure to comply with the provisions of ☐ DCMR Title 11 §3113.2; or ☐ DCMR Title 11 Zoning Regulations. Explanation _____

Signature		Date	

Jerrily R. Kress, FAIA - Director of the Office of Zoning
441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * www.dcoz.dcgov.org

Side 2

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on BZA Certification Form 1. All certification forms must be completely filled out (front **and** back) and be typewritten or legibly printed. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.

2. Complete one self-certification form per each application filed. Present this form with the BZA Form 2 application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING	REQUIRED	ALLOWED	PROVIDED	VARIANCE Deviation/Percent
Lot Area					
Lot Width					
Lot Occupancy					
Floor Area Ratio (FAR)					
Parking Spaces	0	13		7	Requesting reduction of 6
Loading Berths					
Front Yard					
Rear Yard					
Side Yard					
Court, Open					
Court, Closed					

4-18-01; 5:24PM;DC OFFICE OF ZONING ;202 727 4925 # 3/ 5

District of Columbia

Board of Zoning Adjustment

In re:	BZA App. 16650
Southwest Church of Christ, Inc.	April 25, 2001 – BZA Information

Memorandum in Response to Board of Zoning Adjustment Questions Regarding

Southwest Church of Christ, Inc.'s Application

For a Special Exception, App. 16650

Submitted by:

Barbara Alexander, Student Attorney

Mel Myers, Student Attorney

Brenda V. Smith, Supervising Attorney

Counsel for Applicant
Washington College of Law, American University
Community & Economic Development Law Clinic
4801 Massachusetts Ave., NW
Washington, D.C. 2001
(202) 274-4147

District of Columbia

Board of Zoning Adjustment

In re:	BZA App. 16650
Southwest Church of Christ, Inc.	April 25, 2001 – BZA Information

Memorandum in Response to Board of Zoning Adjustment Questions Regarding Southwest Church of Christ, Inc.'s Application For a Special Exception, App. 16650

The applicant, Southwest Church of Christ, Inc. (SWCC), through its counsel submits this Memorandum in response to the Board of Zoning Adjustment's (BZA) request at the April 3, 2001 hearing for further information. In addition to the answers provided below, we plan to attend the May 1, 2001 public meeting, and we will be happy to supplement or further clarify the information provided herein at the request of the BZA. We believe that approval of this special exception to operate a community service center at 1305-07 Irving Street NW is consistent with both the legal requirements under Section 334 of the District of Columbia zoning plan[1], and the District of Columbia's Comprehensive for Ward 1.[2]

[1] See Exhibit (1) 11 DCMR § 334.1-§ 334.6.
[2] See Exhibit (2) 10 DCMR Chapter 12: District of Columbia Comprehensive Ward 1 Plan

SWCC, by pursuing a zoning exception is attempting to be a good neighbor and citizen by providing space and services that the Columbia Heights neighborhood needs. Pursuant to this goal, SWCC has consistently sought the input of surrounding neighbors through a petition and neighborhood meeting.[3] This has served a dual purpose. First, in order to more effectively serve the neighborhood, SWCC felt that neighborhood ideas, input, and resources have been vital to for it to more effectively accomplish its mission. Second, this input has allowed SWCC to address the legal concerns that a Temporary Community Service Center might have an adverse impact through noise or other conditions. As a result of this neighborhood input, SWCC has made many changes to its original plan. Consequently, SWCC now feels that its plan will more effectively serve the Columbia Heights community as well as satisfy the legal requirement that the building not become objectionable to neighboring properties because of noise or other conditions.[4]

Moreover, the Government of the District of Columbia has drawn up a comprehensive social and economic plan for the District's wards as a tool to more effectively use its resources and encourage private investment in areas where help and improvement is needed most. SWCC's plan to open a Temporary Community Service Center correspond to the District's devised plan for Ward 1. Section 1200.3 of the plan emphasizes the "major importance" of "the need for services and programs that strengthen the occupational skills of the resident labor force so that District residents can compete more effectively in the region's job market."[5] SWCC's adult high-tech training/career development programs, discussed in our March 26, 2001

[3] See Exhibit (3) p. 3 (Letter to ANC); see also BZA Memo of Support, March 26, 2001,Exhibit H - Neighborhood Petition.
[4] See Exhibit (1) 11 DCMR § 334.2.
[5] See Exhibit (2) Chapter 12: District of Columbia Comprehensive Ward 1 Plan § 1200.3.

Memorandum of support and below, would address this urgent need. Other economic development objectives include "nurtur[ing] and . . . creat[ing] suitable economic activities and employment centers" and "expand[ing] occupation skills . . . for Ward 1 residents, particularly the unemployed, underemployed, and economically disadvantaged."[6] As part of the space at 1305-07 Irving Street NW would be used for adult career development, this activity is also consistent with the Ward 1 Comprehensive Plan. Significantly, for the purpose of the BZA's decision-making process, another District of Columbia economic development objective is"[t]o relate selective conditional regulatory relief from zoning restrictions, if appropriate, to neighborhood employment, training, education, and other community services."[7] SWCC's proposed programs are consistent with those goals and pursuant to the Comprehensive Plan should receive regulatory relief in the form of a special exception under 11 DCMR Sec. 334.1 for a Temporary Community Service Center.

Section 1216 of the Comprehensive Plan also emphasizes that public facilities, such as recreation centers, "play an important role in serving residents and contributing to the quality of the ward's neighborhood."[8] Section 1216 highlights the need "to provide adequate full-service in-door recreational facilities for Ward 1 youth . . . ."[9] SWCC's partner organizations, Columbia Heights Village Together (CHVT) and Parents Striving for Joy (PSJ), plan to provide child and youth programs, which would help address this urgent need. This need continues to exist despite the presence of other facilities already in the Columbia Heights neighborhood.

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[6] Id. § 1201.1(a), (d).
[7] Id. § 1202.1(o).
[8] Id. § 1216.
[9] Id. § 1219.1(e)

I. Issues and Responses

During the April 3, 2001 hearing, the BZA requested additional information on a number of issues. We understand that the Office of Planning will submit a report on the certificate of occupancy history of 1305-07 Irving Street NW, and the Office of Zoning, Department of Consumer and Regulatory Affairs will submit a response to the question of parking requirements for a community service center at 1305-07 Irving Street NW. For ease of reference, we have outlined the BZA's questions and provided answers below each question.

A. Staffing/Capacity

1. What is the minimum number of persons who will staff the community service center programs (staff-to-participant ratio)?

SWCC's Memorandum of Support dated March 26, 2001, submitted to the BZA prior to the April 3, 2001 hearing, provided a schedule of program offerings.[10] This schedule of program offerings included hours of operation for youth, adult, and family programs. The BZA requested that SWCC further supplement this schedule of program offerings with information on how many persons will staff these programs.

a. Children's Programs (Ages 6-12) – Monday-Friday, 3:30pm-6pm

CHVT and PSJ will work together to expand the services that CHVT currently provides

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[10] See Exhibit (3) at 2. Exhibit 3 appears in the March 26, 2001 Memorandum submitted to the BZA as Exhibit F. **Please note that this exhibit is a letter that was submitted to the Advisory Neighborhood Commission (ANC) for Ward 1A prior to its March 21, 2001 special session. The changes between this letter and our current schedule for program offerings reflect agreements reached with the ANC in order to address neighborhood concerns.**

at Columbia Heights Village Apartments, 2900 14th Street NW, to other children in the community. Collaboration with SWCC is intended to assist in that expansion. CHVT and PSJ staff currently consists of a full-time executive director, two part-time assistant program directors, five parent aides who receive stipends, and a cadre of parent volunteers. The children's programs will operate Monday-Friday between 3:30pm and 6pm in the basement of 1307 Irving Street, which has a kitchen area where SWCC will provide afternoon snacks. Although it is not possible to say how many children will come to the community service center on any given afternoon, CHVT and PSJ have agreed that no more than 20 children will participate in programs at the Irving Street location under their supervision at any given time, and **they will maintain a one (1) staff person for every five (5) children ratio.**

b. Youth Programs (Ages 13-23) Monday-Friday, 5pm-7pm

CHVT's 13-23 year-old program has a full-time director and a part-time assistant director. It plans to use the space in 1305-07 Irving Street to provide individual/small group counseling sessions and job counseling/mentoring. **No more than 10 young adults** will participate in these programs at any given time, which will operate between 5pm-7pm, Monday-Friday. These young adults will be in the building **by appointment only** and will be supervised while there. **CHVT has agreed to have one (1) staff person for every five (5) young adults in its program in the building.**

c. Adult Programs

SWCC will operate two programs for adults: (1) professional and pastoral counseling, and (2) high-tech training/career development. SWCC already has one minister dedicated to this effort and will hire **one licensed professional counselor** for its professional and pastoral counseling program. This program will operate Monday-Friday between 9am-5pm by

appointment or on an as needed basis. SWCC will hire **one instructor** for its high-tech training program. The high-tech training/career development program will operate Monday-Friday between 9am-5pm. This program will have **no more than 10 participants** at any one time between 9am-5pm.

d. Teen Crisis Intervention

In order to assist neighborhood teens in crisis, SWCC will operate a teen crisis intervention program. SWCC will hire **one licensed professional counselor** to staff this program. The program will operate daily between 6pm-10pm on an as needed basis.

e. Family Programs: Arts and Crafts

Church member Donna Bonner, along with other church volunteers, will staff this program on a volunteer basis. This program will include children and adults. This program will operate on alternate Saturdays between 10am-3pm. **No more than 25 persons** will participate in this program at any one time.

2. How many persons will be allowed to participate in the programs?

BZA Commissioners expressed concern about the number of persons who would be using the building at any given time, and requested additional information as to how many persons would participate in each program and when these programs would operate:

- **Children's Program**: No more than 20 children, ages 6-12, 3:30-6pm
- **Youth Program**: No more than 10 young adults, ages 13-23, 5-7pm
- **Adult Programs**

  - Pastoral and Professional Counseling: The licensed professional counselor and the minister will each meet with one person at a time.

  - High-Tech Training Program/Career Development: No more than 10

persons at a time.

- Teen Crisis Intervention: No more than 2 persons at a time
- Family Programs: Arts & Crafts: No more than 25 persons

These programs have staggered hours of operation. At its peak, which appears to be between 5pm and 6pm, no more than 36 persons, including staff, will be in the buildings. This number assumes 100% enrollment and maximum participation in the programs, which will not always be the case.

B. Building Capacity

1. How many persons are legally allowed in the building at any one time?

According to Fire Inspector Sidney Lester, in order to determine building capacity, an architect makes a site visit and does a floor plan. According to the Office of the Surveyor, a floor plan has never been done for 1305-07 Irving Street NW. Mr. Lester informed us that for a change of use such as a special exception for a community service center, prior to the issuance of a certificate of occupancy, SWCC will be required to retain an architect to make plans for the Office of Fire Inspection's review. In the interim, to help us informally calculate building capacity for the basement where after school and youth programs will operate, Mr. Lester informed us that the regulation is 1 person per 15 square feet for open space with non-fixed furniture. Once an official determination of building capacity is made, Mr. Lester informed us that SWCC would be required to post a capacity placard in the building. Until the certificate of occupancy process begins, however, and a floor plan is completed, it is impossible to secure an official number. If we estimated that each of the floors, including the basement, of 1305-07 Irving Street NW were the same size, each floor would be approximately 1333 square feet.

Therefore, a rough estimate for the basement would be 88 persons allowed, which is more than SWCC, CHVT, and PSJ intend to have in the total space. As we informed the Commissioners at our April 3, 2001 hearing, the determination of building capacity is integral to the process for obtaining a certificate of occupancy. If granted a special exception, SWCC will comply with the requirements of D.C. regulatory authorities consistent with the representations made to this Board. If it becomes clear that the community service center must serve fewer participants, SWCC and its partners will do so.

C. Parking

1. Does the special exception application need to be amended to address the parking waiver issue?

After consulting with Marie Sansone, Assistant Corporation Counsel for the Board of Zoning, SWCC has amended its application to include a request for a reduction in the parking requirements for the proposed community service center. The Board of Zoning can reduce the parking requirements up to 50% for the category of "all other uses."[11] Community service center parking requirements are governed by the category "all other uses, " which requires one parking space for every 600 square feet[12] Together, the two buildings' interior space, including basements, measures 8,000 square feet.[13] This square footage requires that there be 13 parking spaces.[14] Therefore, the Board of Zoning is authorized to decrease the parking requirements by half to 6.5 spaces or by rounding up, no less than seven spaces. Per Marie Sansone's instructions, SWCC is resubmitting the application showing that it seeks an exception to the

[11] See Exhibit (4) 11 DCMR § 2108.2 and § 2101.1.
[12] Telephone conversation with Marie Sansone, 04/18/2001.
[13] Telephone conversation with Larry Bonner, 04/18/2001.
[14] 11 DCMR § 2118.6 provided in part "any fraction under one-half shall be disregarded, ..."

parking requirements required for a community service center to require only 7 spaces.[15]

2. Will off-street parking be available at Columbia Heights Village Apartment and/or the Harriet Tubman Elementary School?

BZA members requested additional information about off-site parking to address neighborhood concerns. We would like to stress again that persons using and staffing the community service center are primarily members of the community who live within walking distance. In order to provide further assurances to the BZA that a community service center will not exacerbate the already limited street parking, SWCC is working with the CHV Tenants Association. As of April 25, 2001, CHV Tenants Association President Patricia Jenkins had entered into a verbal agreement with PSJ member, Vadonia Crawford, to provide PSJ with a minimum of two and a maximum of five parking spaces at Columbia Heights Village Apartments. The CHV Tenants Association has not yet been able to meet to vote on this issue, and therefore, there is no official documentation available at this time. We will submit such documentation when it becomes available.

In addition to parking at Columbia Heights village, SWCC has space for more parking on its premises. Arthur Jackson at the District of Columbia Office of Planning suggested that many older buildings have areas behind them sufficient for what he called "tandem parking" and mentioned that we should inquire as to whether there was an area behind 1305-7 Irving Street NW where four cars could be parked. He specified that if there were space behind the buildings, the area would have to meet all the D.C. parking requirements. SWCC does have a paved area sufficient to park four cars and the area has access to the alleyway and road. SWCC will allocate four spaces towards its off-street parking requirements to this area.

[15] See Exhibit (5) Amended Application.

C. Maintenance Program

At the BZA hearing, opposition witnesses expressed concern about the upkeep of 1305-07 Irving Street, NW. In particular, they mentioned that there were broken windows in the building. Mr. Bonner, trustee of the SWCC, informed the BZA that those windows were broken by homeless persons who entered the building seeking shelter and indicated SWCC planned to replace those windows within the week. On Monday, April 9, when these windows were being replaced, an anonymous neighbor called the District of Columbia Housing Authority and informed them that the church was undertaking major renovations at 1305-07 Irving Street without a building permit. While SWCC was able to replace the windows, the District of Columbia Housing Authority posted a "Stop Work" order on the property, and halted all work. When Mr. Bonner called the District of Columbia Housing Authority, he asked if SWCC needed a permit to replace broken windows and was informed it did not. The District of Columbia Housing Authority informed Mr. Bonner that it is required to respond to all complaints by issuing a stop work order, and it investigates later. The Stop Work order was ultimately rescinded.

1. What repairs/improvements does the SWCC intend to make to 1305-07 Irving Street NW?

Absent further disruption, with the assistance of licensed contractors, SWCC will complete the following maintenance program: paint, install and replace carpet, and repair banisters/handrails. All improvements and minor repairs will be completed by July 15, 2001.[16] Additionally, SWCC will make any other repairs that the Department of Consumer and Regulatory Affairs indicates it must make to obtain a certificate of occupancy.

[16] See Exhibit (6) Maintenance Program

2. Who will be in charge of ongoing maintenance?

The onsite permanent caretaker will be responsible for ongoing maintenance of the buildings.

3. What will be the responsibilities of the maintenance person?

The caretaker's maintenance responsibilities will include both the interior and exterior of the buildings, including but not limited to, general upkeep of the exterior; replacing broken windows, fixtures, lighting; and plumbing.

D. Permanent onsite caretaker

BZA Member Mitten asked if SWCC would agree to hire a permanent onsite caretaker for the community service center.

1. Will there be a permanent onsite caretaker?

Yes. As agreed upon at the BZA hearing, there will be a permanent onsite caretaker who will reside at 1305-07 Irving Street, NW. Upon approval of a special exception to operate a community service center, SWCC plans to hire Sanford Moore, who has been providing security for the vacant property since August 2000.[17] Mr. Moore is familiar with both buildings and the neighborhood.

2. What will be this person's responsibilities?

Mr. Moore's responsibilities will include, but not be limited to, building security and maintenance. He will also be authorized to hire appropriate staff to do repairs that exceed his ability.

3. When will this caretaker be required to be onsite?

Mr. Moore will be required to be onsite between 6pm and 8am daily. During other times,

[17] See Exhibit (7) Employee Agreement

staff will be in the building for commercial contact, or as agreed at the March 21, 2001 ANC Special Session, neighbors or others needing assistance can call Mr. Bonner at (202) 332-1117.

E. Trash Removal

BZA Member Mitten expressed concern about trash collection issues.

1. Who will be responsible for trash pick-up?

Upon approval of a special exception to operate a community service center, SWCC will hire Herman Bullock, 1221 Decatur Street, NW, Washington DC 20011 to pick up and remove all trash, debris, newspapers, and garbage from 1305-07 Irving Street, NW.[18]

2. How often will trash pick-up occur?

Trash will be picked up every Monday.

3. Where will the trash dumpsters be located?

The trash dumpster will be located at the northwest corner of 1307 Irving Street.[19]

F. Handicap accessibility

BZA Member Renshaw requested information about whether or not 1305-07 Irving Street needs to be handicap accessible and have an elevator for purposes of operating a community service center.

1. Is 1305-07 Irving Street required to be handicap accessible under the law?

According to the District of Columbia Municipal Regulations, a building zoned for an R-4 use is excepted from the requirements for the handicapped and the aged.[20] The regulation

[18] See Exhibit (8) Consulting Agreement
[19] See Exhibit (9) Site Plan
[20] See Exhibit (10) 12 DCMR § 512.1 (3) Use Group R-3 and R-4.

provides in pertinent part that a Temporary Community Service Center is in an R-4 use district and therefore is exempted from being handicap accessible.[21]

H. Certificate of Occupancy Denial Letter

BZA Member Mitten expressed concern about the certificate of occupancy denial letter from Michael Johnson to Larry Bonner, dated July 2000, which required that SWCC appear before the BZA to seek a special exception. In particular, her concern appeared to be that the denial letter indicated that only the first through third floors would be used; the basement was not referenced in the letter. We requested that Mr. Johnson's supervisor, Olutoye Bello, amend this denial letter to reflect that the basement would also be used. Although Mr. Bello informed us that this amendment of the rejection letter was unnecessary, he agreed to submit such a letter.[22] Despite numerous phone calls and a personal visit by us, we were unable to secure this letter from Mr. Bello prior to our April 25, 2001 deadline. We will submit it when it becomes available.

III. Neighborhood Opposition Letters

Several neighbors submitted letters to the BZA opposing a special exception for a 1305-07 Irving Street NW. These letters include Mrs. Mina Veazie's and Mrs. Greta Brown's letters, which were submitted during the hearing on April 3, 2001. Ward 1 Council Member Jim Graham also submitted a letter opposing a community service center, based on a neighborhood petition opposing it, which was submitted on the day of the hearing. Since we have not had an opportunity to respond to these letters, we are taking this opportunity to respond below.

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[21] See 11 DCMR § 334.

[22] Telephone Conversation with Mr. Bello April 16, 2001.

A. Letter from Stephen Kline, 1309 Kenyon Street, NW, dated 3/20/01

1. Mr. Kline's letter opposes a community-based residence facility (CBRF), not a community service center. As CBRFs and community service centers are different entities, with different goals, subject to different regulations, Mr. Kline's concerns about the number of CBRFs do not address the issue before this Board, the approval of a special exception for a community service center.

2. Mr. Kline's letter expresses concern about the general upkeep of the buildings and the need for repairs. SWCC has committed to repairing and painting the buildings upon receiving approval to operate a community service center. In fact, when SWCC was replacing a broken window that Mr. Kline mentioned during the hearing, it was halted in those efforts by an anonymous neighborhood tipster who informed the D.C. Housing Authority that SWCC was undertaking major repairs without a permit.[23]

3. Mr. Kline's letter expresses concern about the lack of security at the buildings in the past. SWCC has agreed to hire a permanent onsite caretaker to help secure the buildings. Further, SWCC, along with CHVT and PSJ, have agreed to work with the Fourth District police to ensure the security and safety of the buildings.

4. Mr. Kline's letter expresses concerns about proposed hours of operation from 10am-10pm. In response to this concern, SWCC, CHVT, and PSJ agreed at the March 21 ANC special meeting to conclude regular programs no later than 7pm.[24]

A. Letter from Andrew Krieger, 1309 Irving Street NW, dated 3/21/01

1. Mr. Krieger's letter expresses concern about the number of CBRFs in the

[23] See discussion supra Sec. D.
[24] See Exhibit (11) ANC Resolution of Support.

neighborhood. As CBRFs and community service centers are different entities, with different goals, subject to different regulations, Mr. Krieger's concerns about the number of CBRFs do not address the issue before this Board, the approval of a special exception for a community service center.

2. Mr. Krieger's letter expresses concern about parking. Mr. Krieger's letter reflects that he has misunderstood the ongoing parking discussion, as SWCC has no authority to "remove [parking spaces] from the use of residents on Irving Street. This concern for parking does not take into account the fact that the persons using and working at the community service center will live within walking distance. Furthermore, as owners of 1305-07 Irving Street, SWCC is entitled to use the parking spaces directly in front of these buildings. Even though city regulations permit two-hour parking on Irving Street by non-residents, SWCC has taken additional steps to address neighborhood concerns by locating off-street parking for its use.

3. Mr. Krieger's letter expresses concern that SWCC has not approached other community/youth programs operating in Columbia Heights. This assertion is not accurate. SWCC has partnered with CHVT and PSJ, which have community/youth programs in Columbia Heights and require more space to meet their needs. CHVT already has relationships with other programs in Columbia Heights, such as the Latin American Youth Center (LAYC). Further, counsel placed calls to Change, Inc., Shaw Family Collaborative, the Metropolitan Boys & Girls Club, and Sojourners Neighborhood Center explaining SWCC's plans to operate a community service center and its interest in working together. We have to date received no return calls.

C. Letter from Mina and Shayna Veazie, 1330 Irving Street NW, dated 1/09/01

This letter does not specifically address concerns about how a community service center will adversely impact the neighborhood. Rather, it attacks SWCC's alleged lack of community

involvement in the past. Although the Veazies complain about the lack of church involvement in the community, their letter seems to suggest that they no longer want the church to attempt to remedy its alleged past lack of community involvement.

1. The Veazies' letter states that SWCC "owns development rights to numerous pieces of city property that have not yet been developed." This statement is untrue. As Mr. Bonner testified at the April 3rd hearing, SWCC only owns 1303 Irving Street NW and 1305-07 Irving Street NW.

D. Letter from Greta Brown, 1313 Irving Street NW, undated

As with the Veazies' letter, this letter does not explain how Ms. Brown believes a community service center will adversely impact the community. Her main concern is the existence of CBRFs in the neighborhood and their past disruption to her comfort. As CBRFs and community service centers are different entities, with different goals, subject to different regulations, Mrs. Brown's concerns about the number of CBRFs do not address the issue before this Board, the approval of a special exception for a community service center.

E. Letter from Council Member Jim Graham, Ward 1, dated 4/3/01

Council Member Jim Graham submitted an opposition letter to the BZA at the request of Mr. Krieger, who collected 55 signatures on a petition opposing the SWCC's application. In this petition, Mr. Krieger stated, "We continue to support the numerous existing CBRF social service facilities in our area but strongly feel that the application before the board should not be approved, is not in the best interest of the community of Columbia Heights and is a violation of a cohesive neighborhood plan for the benefit of all its residents." Because of this confusing reference to CBRFs, it is impossible to determine if those individuals who signed this petition oppose a community service center or another CBRF, or if they even understand the distinction.

Therefore, the Board should accord less weight to this petition than it accords to the ANC resolution of support and SWCC petition of support, which are both in the March 26, 2001 Memorandum of Support.[25] Most of these neighbors did not attend either the March 1, 2001 neighborhood meeting or the March 21, 2001 ANC special session.

1. Council Member Graham's letter also references the "numerous existing group homes within 200 feet in the same block," and his recent opposition to two halfway houses in Mount Pleasant. As these are CBRFs and not community service centers, these points are not relevant for this application.

2. Council Member Graham's letter references neighborhood concerns with "parking, noise, lack of clarity in programming, and the need for more community input." SWCC has addressed these concerns, as discussed above.

While several neighbors have expressed concerns that they have not had sufficient input, there have been numerous opportunities for neighbors to be heard: (1) March 1, 2001 neighborhood meeting; (2) March 14, 2001 ANC meeting; and (3) March 21, 2001 ANC special session. Most of these neighbors have not participated in the opportunities available to offer input thus far. At the hearing, when asked by BZA members what they would like to see SWCC do or how they would like to see the buildings used, neighbors were unclear. Mr. Krieger offered that "a library" would be good. Putting aside that the location is not zoned for a library, the continuous use for this property since 1970[26] has been as either a community residence facility or community service center. SWCC merely wishes to continue that use. SWCC finds itself in the situation of being criticized for not reaching out to the community in the past and

[25] See BZA Memo of Support, March 26, 2001,Exhibit H - Neighborhood Petition.
[26] Per research from Arthur Jackson at the D.C. Office of Planning.

being criticized for trying to reach out to the community now. As explained above, SWCC is very willing to work with the community to address its concerns.

IV. Conclusion

SWCC has demonstrated that it is willing to take the necessary steps to ensure that a community service center at 1305-07 Irving Street NW will improve and not adversely impact the community by helping to meet critical community needs. Moreover, SWCC's application is consistent with the District of Columbia's Comprehensive Plan for Ward 1 and effectively furthers the Plan's desired goals for Columbia Heights. As demonstrated by the ANC's resolution of support, SWCC has already been responsive to neighborhood concerns. At the March 21, 2001, ANC special session, SWCC helped broker and agreed to all of the stipulations set forth in its resolution to support the community service center. The ANC's vote to support SWCC's application reaffirms that a community service center will improve the economic and social well-being of the neighborhood, that it should not become objectionable to neighboring properties, and that it is reasonably necessary and convenient to the neighborhood. At the April 3, 2001 hearing before the BZA, SWCC made additional commitments. For example, SWCC has assured the BZA that there will be adequate client/staff ratios, reliable trash removal, scheduled maintenance and repair, in addition to promising to provide a permanent onsite caretaker for the property.[27]

While several neighbors state that continuous changes to the proposal is one reason they oppose the community service center, we submit that the proposal has changed in response to community concerns. Continued neighborhood opposition, at this juncture, gives the appearance that no change would be sufficient or acceptable. The neighbors' solution is for SWCC to

[27] See supra pp. 9-11.

abandon its plans. From the perspective of SWCC and its partner organizations, this solution is unacceptable. Based on the additional foregoing information provided, as well as the information provided during the April 3, 2001 hearing, the BZA should grant SWCC's request for a special exception to operate a community service center at 1305-07 Irving Street NW.

Submitted by:

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Mel Myers, Student Attorney

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CHAPTERS 12-19: WARD PLANS ELEMENT

CHAPTER 12: WARD 1 PLAN

Secs.

1200 WARD 1 Economic Development
1201 WARD 1 Objectives for Economic Development
1202 WARD 1 Policies in Support of Economic Development Objectives
1203 WARD 1 Actions to Implement Economic Development Objectives
1204 WARD 1 Housing
1205 WARD 1 Objectives for Housing
1206 WARD 1 Policies in Support of Housing Objectives
1207 WARD 1 Actions to Implement Housing Objectives
1208 WARD 1 Environmental Protection
1209 WARD 1 Objectives for Environmental Protection
1210 WARD 1 Policies in Support of Environmental Protection Objectives
1211 WARD 1 Actions to Implement Environmental Protection Objectives
1212 WARD 1 Transportation
1213 WARD 1 Objectives for Transportation
1214 WARD 1 Policies in Support of Transportation Objectives
1215 WARD 1 Actions to Implement Transportation Objectives
1216 WARD 1 Public Facilities
1217 WARD 1 Objectives for Public Facilities
1218 WARD 1 Policies in Support of Public Facilities Objectives
1219 WARD 1 Actions to Implement Public Facilities Objectives
1220 WARD 1 Urban Design
1221 WARD 1 Objectives for Urban Design
1222 WARD 1 Policies in Support of Urban Design Objectives
1223 WARD 1 Actions to Implement Urban Design Objectives
1224 WARD 1 Preservation and Historic Features
1225 WARD 1 Objectives for Preservation and Historic Features
1226 WARD 1 Policies in Support of Preservation and Historic Features Objectives
1227 WARD 1 Actions to Implement Preservation and Historic Features Objectives
1228 WARD 1 Land Use
1229 WARD 1 Objectives for Land Use
1230 WARD 1 Policies in Support of Land Use Objectives
1231 WARD 1 Actions to Implement Land Use Objectives

Exhibit 8

1200 WARD 1 ECONOMIC DEVELOPMENT

1200.1 The development and expansion of the economy of the District of Columbia ("District") is a high priority item on the District's work agenda. It is an especially complex undertaking as it requires an intensive effort in public and private cooperation to set specific objectives for a variety of economic sectors and carry out

the objectives on a ward level by engaging the resources of multiple public agencies and private organizations.

1200.2 The Ward 1 Plan addresses development issues that affect all levels of the ward's economy. The plan calls for restructuring the business activities of commercial and selected industrial zones and maintaining or restructuring retail and commercial centers to effectively serve the needs of the ward's neighborhoods.

1200.3 Of major importance, the plan highlights the need for services and programs that strengthen the occupational skills of the resident labor force so that District residents can compete more effectively in the region's job market. Gaining access to the region's job opportunities is an important element in meeting the employment needs of less skilled workers and expanding the number of labor intensive industries that employ semi-skilled and unskilled workers.

1200.4 The purpose of the ward plan is to encourage the meaningful cooperation and involvement of community development organizations and the District government in economic revitalization.

1200.5 The economic development goal is to retain, expand, and attract new businesses and industries that are compatible with the adjoining residential neighborhoods, create jobs for the ward's residents, and facilitate and develop business ownership and employment advantages for the under-represented in the District's economy.

1201 WARD 1 OBJECTIVES FOR ECONOMIC DEVELOPMENT

1201.1 The objectives for economic development are as follows:

(a) To nurture and create suitable economic activities and employment centers that do not encroach on or adversely affect the residential communities in the commercial and mixed-use areas of Ward 1;

(b) To encourage and promote the development of active and effective Community Development Corporations (CDCs) and other neighborhood-based economic development groups within Ward 1 and integrate the groups into the ward's overall planning for and implementation of economic development;

(c) To focus District government attention on Neighborhood Revitalization Areas by using economic development, capital improvement funds, and other public financial assistance programs to renovate and revitalize appropriate areas within the ward, such as the now restored Lincoln Theatre, in such a way as to benefit, and not adversely affect, the neighboring residential communities; and

(d) To expand the occupational skills and job opportunities for Ward 1 residents, particularly the unemployed, underemployed, and economically disadvantaged.

1202 WARD 1 POLICIES IN SUPPORT OF ECONOMIC DEVELOPMENT OBJECTIVES

1202.1 The policies in support of economic development objectives are as follows:

(a) To stimulate well-planned economic activity centers along major commercial corridors at the Shaw-Howard University, Columbia Heights, and U Street-Cardozo metrorail stations, at appropriate underused commercially and industrially zoned sites, and at the neighborhood level in Ward 1;

(b To support appropriate development of the Howard Gateway areas, including U Street, the Shaw-Howard, Columbia Heights, and U Street-Cardozo metrorail station areas, and lower Georgia Avenue, including initiatives to make the redevelopment efforts priority items on the working agenda of the economic development entities of Ward 1;

(c) To implement updated plans for the Shaw and 14th Street urban renewal corridors that are consistent with the Comprehensive Plan's objectives and policies;

(d) To consider recommending appropriate amendments to the Zoning Regulations consistent with development objectives to allow for orderly and controlled growth of appropriate economic activity in areas adjacent to residential communities;

(e) To maximize the leverage potential of public funds to produce private sector investments and loans in target areas of Ward 1 that might be considered areas of high risk;

(f) To give priority to Ward 1's neighborhood economic development by incorporating the participation of qualified neighborhood development organizations or CDCs;

(g) To provide and support a variety of actions and strategies conducive to a positive climate for economic growth in Ward 1 and strengthen public safety in and around neighborhoods in the ward;

(h) To provide for governmental participation in joint ventures and co-investment in sound economic endeavors that increase job opportunities for the residents of Ward 1;

(i) To promote compliance, by private sector employers, with equal employment opportunity and affirmative action requirements for women, Blacks, Hispanics, and other under-represented persons in Ward 1 and seek the maximum involvement of the private sector in the design and implementation of training and job placement programs;

(j) To encourage an increase in the participation of Howard University, the University of the District of Columbia, and other educational institutions in economic development efforts in Ward 1, which may include assisting small- and medium-sized firms in research and development projects and supplying data and information to the business community on economic trends and new industry ventures;

(k) To seek optimum involvement of the Board of Education in planning and implementing of educational skill attainment standards and the development of curricula at magnet schools and career development centers that reflect the skill needs and attainment standards set by the public and private sectors in the ward;

(l) To use District and federal government resources to leverage private sector participation in achieving Ward 1 neighborhood development projects;

(m) To encourage the development and retention of needed commercial and service establishments in appropriately zoned locations;

(n) To consider revising the Zoning Regulations to ensure that commercial districts have a variety of services needed by neighborhood residents; and

(o) To relate selective conditional regulatory relief from zoning restrictions, if appropriate, to neighborhood employment, training, education, and other community services as well as to the surrounding neighborhood.

1203 WARD 1 ACTIONS TO IMPLEMENT ECONOMIC DEVELOPMENT OBJECTIVES

1203.1 The incomes of residents in Ward 1, as a whole, are among the lowest in the District. The actions to implement economic development objectives are as follows:

(a) To increase access to industry related training schools and programs for Ward 1 residents and improve basic skills development in the local public schools;

(b) To increase the supply of higher paying jobs within the region and ward and assist Ward 1 residents in qualifying for and attaining job placements with higher wage potential;

(c) To increase daycare facilities for single parent and other households to encourage the entry of Ward 1 residents into the workforce;

(d) To increase employment opportunities in commercial and industrial areas of the ward, including the Howard Gateway, Georgia Avenue, and 14th Street and U Street corridors;

(e) To re-evaluate zoning patterns in urban renewal and industrially zoned areas in Ward 1 to improve employment opportunities at appropriate locations;

(2) Studying ways to make pedestrian travel more desirable and less hazardous in Ward 1;

(3) Providing improved public space for use by pedestrians by incorporating carefully planned street furniture and planting;

(4) Improving the median strip in the center of Sherman Avenue with trees, shrubs, grass, and flowers;

(5) Providing additional two-way or four-way stop signs where needed, such as the corner of 19th Street and Kalorama Road and the corner of Champlain and Euclid Streets;

(6) Considering the provision of a planted median strip along Calvert Street to Adams Mill Road similar to the median strip along Cleveland Avenue, or Adams Mill Road in Lanier Heights, which is raised in surface and alternately planted and paved; and

(7) Providing additional traffic control signal lights where warranted, including 13th and Fairmont Streets; and

(j) To address the severe congestion of arterial and other streets in the ward which do not have sufficient capacity to carry rush hour traffic through or around the ward by:

(1) Retaining certain one-way streets, such as on 15th and 17th Streets, designed especially to accommodate through traffic, but do not expand the number of such one-way systems unless it is designed to improve safety and functioning of the local streets;

(2) Encouraging the use of mass transit for commuter trips; and

(3) Removing as feasible the rush hour restriction parking areas along streets utilized for through traffic as part of an overall effort to encourage increased use of mass transit.

1216 WARD 1 PUBLIC FACILITIES

1216.1 The public facilities throughout Ward 1 play an important role in serving residents and contributing to the quality of the ward's neighborhoods. These facilities include schools, parks and recreation centers, libraries, police and fire stations, and health and cultural facilities. The following section highlights these facilities in Ward 1, some of which are designed to serve both the immediate areas and the city.

1216.2 The public facilities goals of the District are to provide adequate public facilities in good condition to support the cost-effective delivery of municipal programs and

services and to support economic development and neighborhood improvement and residential service objectives.

1216.3 A major survey of public facilities in Ward 1 is essential to determine maintenance problems and capital improvement needs. This is especially important in Ward 1 which has a high population density and few parks, open spaces, and recreational facilities.

1217 WARD 1 OBJECTIVES FOR PUBLIC FACILITIES

1217.1 The objectives for public facilities are as follows:

(a) To ensure the construction, rehabilitation, and maintenance of facilities essential for public service delivery in Ward 1;

(b) To provide for the coordinated planning of public facility construction and rehabilitation in Ward 1; and

(c) To locate public facilities to provide optimum service and to support the land use, transportation, economic and social development, and neighborhood improvement plans throughout Ward 1.

1218 WARD 1 POLICIES IN SUPPORT OF PUBLIC FACILITIES OBJECTIVES

1218.1 The policies in support of public facilities objectives are as follows:

(a) To develop appropriate criteria, adequate information, and thorough coordination of procedures to assist in establishing priorities for capital improvement projects in Ward 1;

(b) To provide adequate funding for Ward 1's public facility maintenance, and develop alternative capital financing and public facility construction techniques, including joint development, creative leasing arrangements, and financing instruments designed to reduce long-term debt accumulations;

(c) To develop a ward-wide public facilities plan based on the Comprehensive Plan and the agencies' facility master plans, and conduct a regular review of facility use and an assessment of trends and factors that will affect the future use of facilities or the demand for the services provided;

(d) To review all proposals in Ward 1 for new construction, replacement, or reuse of public facilities for consistency with the objectives of the District's Comprehensive Plan elements; and

(e) To consider the adequacy of transportation access throughout Ward 1 in locating proposed public facilities, and providing appropriate landscaping, buffering, and

access for all public facilities so that undesirable community impacts in the ward are minimized.

1219 WARD 1 ACTIONS TO IMPLEMENT PUBLIC FACILITIES OBJECTIVES

1219.1 The actions to implement public facilities objectives are as follows:

(a) To improve maintenance of public facilities throughout the ward by doing the following:

(1) Securing regular and effective maintenance and safety at the following public areas and facilities:

(A) 16th Street and Harvard Park;

(B) Parkview Park;

(C) Bancroft Elementary School Playground;

(D) New Hampshire Avenue and T Street Park;

(E) Harrison Playground;

(F) 14th Street and Ogden Street Park;

(G) Cooke School Grounds;

(H) Unity Park;

(I) 18th Street and Columbia Road;

(J) Warder and Newton Streets;

(K) Park Road and New Hampshire Avenue;

(L) 13th and U Streets;

(M) Kenyon and Warder Streets;

(N) Georgia Avenue and Newton Street;

(O) Georgia Avenue and Park Road;

(P) Georgia Avenue and Otis Place;

(Q) Kalorama Park;

(R) Walter C. Pierce Park;

(S) Small triangular parks and other street parks, especially the small park bounded by 19th Street, T Street, and Florida Avenue; and

(T) Lamont Street Park in Mount Pleasant; and

(2) Redesigning and completely renovating Unity Park with amenities that include water and a decorative fountain, eliminating the bandstand, ending the use of the park by festivals to protect the new amenities and floral and evergreen landscaping, establishing rules to close the park at night and to encourage the park's use by local residents, particularly the elderly and parents with children;

(b) To plan for new facilities and rehabilitate existing facilities to accommodate, as necessary, physically impaired individuals, since many public buildings and recreational areas are inaccessible to people with physical disabilities;

(c) To improve library services and collections, which are inadequate for certain age and population groups in the ward by doing the following:

(1) Expanding resources of the D.C. Public Library through utilizing public school and local college resources as well as those of its own;

(2) Increasing, through the District of Columbia Public Library, the number of "bookmobiles" within easy walking distance of each residence; and

(3) Considering establishment of a library in Adams Morgan;

(d) To improve Ward 1 recreation and park facilities, some of which are understaffed and inadequately equipped, by doing the following:

(1) Retaining existing federal and District-owned park and recreation centers, illustrating the boundaries of these facilities on the Comprehensive Plan Land Use Map, and creating a zoning category for parks and open space;

(2) Completing Phase II of the Walter C. Pierce Park, providing a small field house and staff, and illustrating park boundaries on the map;

(3) Providing improvements in Kalorama Park in such a way as to not adversely affect the adjacent residential community;

(4) Providing parks and recreation areas, especially for children, on public land or other vacant lots in Mount Pleasant, with playground equipment and proper maintenance;

(5) Encouraging use of parks for non-noisy, relatively small, open air events, such as non-amplified chamber music concerts or puppet shows;

(6) Continuing current and developing additional community garden programs; and

(7) Developing small pocket parks and open space areas; and

(e) To provide adequate full-service, in-door recreational facilities for Ward 1 youth by doing the following:

(1) Developing a full-service, year round, youth recreational facility for Ward 1 youths at RLA Parcel twenty-seven (27) in the area of 14th and Irving Streets; and

(2) Reviewing current recreational facilities and programs and targeting improvements through the regular budget cycle and the Capital Improvements Program.

1220 WARD 1 URBAN DESIGN

1220.1 Ward 1 is an old part of the city with strong architectural character. Structures and design elements date to the late 19th and the early 20th centuries. The low skyline is punctuated with spires, pediments, turrets, mansards, and richly carved cornices, all of which recall "period" architectural styles. Other building design elements include bay or oriel windows, carved limestone lintels, arched openings, English basements, tiled vestibules, and leaded and stained glass transoms. Large residential, commercial, and public buildings generally have limestone facades with metal or slate roofs. Smaller apartments and rowhouses consist of masonry with limestone and pressed metal detailing. Brick is the predominant building material for the ward.

1220.2 Architectural style and form differ from one major artery to the next. Connecticut Avenue has a full range of architectural styles dating from the early 1900's to the 1970's. Sixteenth Street, the former "Street of Embassies", displays the grandest of styles. "Palaces" and stately chanceries are found in great abundance. Fourteenth Street, historically the commercial strip for the area, is now a Development Opportunity Area characterized by vacant or boarded parcels awaiting development, new mid-rise apartments, public buildings built since the 1968 civil disturbances, and older rehabilitated apartment buildings. Lower Georgia Avenue's predominant character is defined by the campus of Howard University to the west, north, and south.

1220.3 Eighteenth Street and Columbia Road are particularly expressive of a strong multi-ethnic, historic, and urban character. The festive ambience of both streets created by antique shops, art galleries, boutiques, ethnic restaurants, largely in restored turn-of-the-century buildings, and the cultural kaleidoscope of the area should be preserved.

1220.4 U Street, the major east-west artery, and one of the former cultural centers of the Black community, today contains both rehabilitated and deteriorating buildings. Major changes are anticipated now that the U Street-Cardozo and Shaw-Howard

March 19, 2001

To ANC Commissioners Ward 1A:

On behalf of our client the Southwest Church of Christ, we are writing this letter for the purpose of providing the commission with additional information and to address some of the questions and issues that were raised at the ANC meeting on March 14, 2001.

Background:

The Southwest Church of Christ (Church) submitted an application for a special exception for 1305-07 Irving St. N.W. with the District of Columbia Board of Zoning (Application # 16650) August 22, 2000. The Church has partnered with Parents Striving For Joy, Inc. a nonprofit group established in March of 1998 out of Columbia Heights Village to address the problems of youth in Columbia Heights. Their vision is to build a community service center to deal with the issues that face the Columbia Heights neighborhood. These issues include abandoned housing, homelessness, low rate of ownership, high unemployment, dysfunctional families, crime, and lack of educational resources for the youth. This partnership would like to build this community service center at 1305-07 Irving Street. The buildings are currently zoned R-4. The most recent Certificate of Occupancy issued provided for the use of a *community residence facility* for 36 persons to live. The Church is seeking a special exception to change this use to allow a *community service center*. The buildings have been used for a community service center before, for a period of nine years from September 29, 1969 to June 9, 1978. The original Board of Zoning hearing was January 9, 2001. Mr. Eric Heard ANC Commissioner for the single member district 1A06, where the buildings are located requested that Mr. Bonner and the Church postpone their hearing in order for the ANC to deliberate on the issue. Mr. Bonner agreed to postpone the hearing. The Board of Zoning rescheduled the hearing for Tuesday April 3, 2001.

Exhibit 3

1. **Social Service Centers within 200ft. (Raised by Andrew Krieger):** We cannot identify four social services being run within 200 feet of 1305-07 Irving Street, but we can identify two centers. One on Kenyon Street houses abused young women who have been referred by the courts and schools. Another facility houses individuals who are HIV-positive and persons living with AIDS. The Church is unaware of the names of these facilities.

2. **Capacity of other service centers in the area:** The Latin American Youth Center (LAYC) targets low-income Latino families and youth in the Columbia Heights and Mount Pleasant areas. Although the LAYC is open to other groups, the center targets these groups and not surprisingly its population is overwhelmingly Latino. The youth population of Columbia Heights Village whom Parents Striving For Joy, Inc. serve are not a part of this Latino target

community. Apart from the Latin American Youth Center's capacity, (they are already serving approximately 500 persons per week) there is a legitimate issue surrounding a language and cultural gap that may deter those from outside the Latino population from using the center. Parents Striving For Joy identified a great need for types of services the proposed community service center would offer. They want to help fill that need. They want to work with existing agencies to maximize service provisions in the community.

In a telephone conversation with Ms. McIntire she requested that we check with other sevice centers in the area to find out whether or not a communty service center is needed in the community. We contacted the following organizations:

1. Change, Inc. (Some overlap with adult services but they do not provide youth services/Location 1413 Park Road, NW)
2. Metropolitan Police Force Boys and Girls Club (did not answer repeated phone calls/Phone number (202)-673-6941)
3. Columbia Heights/Shaw Family Support Collaboration (left message with Ms. Brenda Proctor/ Location 1816 12th St. NW #201)
4. Sojourners (Educational, Social, and Spirtitual Development Center Location: 1323 Girard St. NW)

3. **Schedule for Program Offerings**

YOUTH PROGRAMS
Afterschool Program [25-30 kids][Summer 4pm-6pm] [Winter 3:30pm-5:30pm]
Mentoring Program [M-W-F (approx. 3:30pm to 5:30pm)]
(Parents Striving for Joy Inc. 6 Volunteers all from within the community)
College Prep [Saturdays only 10am-3pm] (1 staff members 2 volunteers)
Teen Crisis Intervention [daily 6pm-10pm](1 professional licensed counselor)

ADULT PROGRAMS
Career Development [Daily 9am-4pm]
Professional Pastoral Counseling [1 licensed professional counselor, 1 minister] 9am –5pm
High-Tech Training Fairfax Church of Christ will donate ten computers (1 instructor)[9am-5pm] Capacity ten people
Urban Wellness (Mondays and Wednesdays 6pm-8pm) [Volunteers from Howard University Masters Candidates in Public Health]
Monthly Adult Health Seminar (One evening a month 6pm-9pm)

FAMILY PROGRAMS: [every other Friday night] (Volunteers from Church)

ARTS AND CRAFTS: [Alternate Saturdays between adults and children 10am-3pm] (One volunteer (Mr. Bonner's wife))

HEALTH INFORMATION LIBRARY: (Daily 9am-5pm) [1 staff member]

4. **Community Input (What kind of programs does the community want?)**

Parents Striving for Joy, Inc. is a nonprofit Columbia Heights based organization. Aside from being based in the community, its members and officers are *all* members of this community. Therefore, it also reflects the will of the Columbia Heights neighborhood because it consists of both members and parents of the youth of the community. As parents, Parents Striving For Joy is well aware of the problems that fellow parents and kids face. Parents Striving for Joy has been running programs from Columbia Heights Village since 1998. They have experience with the trials and errors that go into running programs of this kind. They also, by running programs, have had the benefit of direct feedback from neighborhood parents and kids about the quality and helpfulness of their programs. This includes input about what changes to make in the current programs as well as what new programs need to be added.

In addition, Fairfax Church of Christ who is part of this partnership with the Church and Parents Striving For Joy have conducted computer training programs and is equipped to run the same programs at the 1305-07 buildings should they open. Fairfax Church of Christ has the resources and the personnel to begin computer and technical training immediately.

Finally, the Church and Parents Striving for Joy have canvassed the neighborhood in a petition campaign to gather support. The Church has also held a special neighborhood meeting where it sent personal letters weeks in advance to all those within the BZA mandated 200 square foot area of the proposed center. Later, and also in anticipation of the neighborhood meeting, as an extra measure in order to attract as many people from the neighborhood as possible to the informational meeting, the Church passed out flyers to those both within the 200 square foot area and also to those outside this area.

5. **Does the Community want this Center?**

The Church acknowledges that there are persons who for different reasons do not want this facility in the neighborhood. Some reasons cited at the March 14th meeting were lack of parking, the possibility of noise at night, lack of detail in proposed programs, and the need for more community input. The Church feels that since its initial application in August of last year, it has sought the community's input in the process. To seek community input, the Church has canvassed the neighborhood and held a community meeting.

While the community members present at the ANC meeting expressed concern that the center would be open until 10:00pm, as Mr. Bonner clarified, the Church will not be running programs until 10:00pm in the evening. It will be open from 6pm to 10pm to serve youth and adults who come to the center on an individual basis because of crisis. The Church has identified the need for this type of service and has the staff necessary to administer this endeavor and the individual and

sporadic nature of this service properly addresses the fear that large numbers of people will make noise late at night. We discuss the parking issue below.

6. **Traffic/Parking**

At the March 14 meeting, we submitted copies to all commission members of the office of planning recommendation that the Church be granted a parking exception. (See letter from Andrew Altman-Exhibit #24 submitted at March 14 hearing) Citing the target population, the Office of Planning decision reads that since the center "is designed to serve very localized needs, OP feels that such relief [from parking requirements) could be granted with no detriment to the neighboring property owners." The Community Service center will operate for the immediate Columbia Heights community. We expect the vast majority of the target population to walk to the center for services. In addition, the proximity of the metro station will make the service center even more convenient and obviate some of the need for driving.

7. **Neighborhood Advisory Board**

This issue was raised at the ANC meeting and by Ms. McIntire in her phone conversation with counsel on March 18, 2001. Mr. Bonner addressed this question at the ANC meeting. The Church has been open and will continue to be open to community input. The Church sees community input as a positive force because the primary purpose of the center is to serve the community. The neighborhood meeting held at the Church March 1, 2001 provides ample evidence of the Church's willingness and desire to get community input.

The Church is concerned about the scope of authority of an advisory board. The Church is concerned that should it form a board, the board's role might expand and it would seek to involve itself in all aspects of the Church's activities apart from the Community Service Center. Therefore, the Church believes that an effective means for obtaining community input about the center without the attendant concerns would be to hold neighborhood meetings like the one it held March 1, 2001. These meetings would be scheduled every three months to give the community a forum for giving input, expressing grievances, proposing changes, etc. The Church believes that this would be an effective mechanism for securing community input because it would promote wider participation by allowing *all* to participate rather than a selected board made up of only a few people from the community.

Conclusion:

In closing, the Church along with Parents Striving For Joy, Inc. would like to reiterate its belief that there is a need for a community service center in the rapidly changing community of Columbia Heights. The ANC's support for the Church's vision for improving the community is crucial. The Church looks forward to discussing these issues along with any others that arise at the meeting this Wednesday evening. Thank you for your time and effort in considering the application.

Sincerely yours,

Barbara Alexander
Student Attorney

Mel Myers
Student Attorney

2107 EXCEPTION TO THE SCHEDULE OF REQUIREMENTS: OUTSIDE THE CENTRAL EMPLOYMENT AREA

2107.1 The Board of Zoning Adjustment is hereby authorized to reduce or eliminate the amount of required parking spaces for nonresidential buildings or structures located outside the Central Employment Area; Provided, that the building or structure is provided with a direct connection to a Metrorail station currently in operation or for which a construction contract has been awarded.

2107.2 The parking spaces normally required are not necessary to serve the use located in the building or structure. In determining whether the parking spaces are necessary, the Board shall give consideration to the following:

(a) The nature and location of the building or structure and the nature and location of the connection to Metrorail;

(b) The maximum number of students, employees, guests, customers, or client who can reasonably be expected to use the proposed building or structur at one (1) time;

(c) The amount of traffic congestion existingor which the building or structu can reasonably be expected to create in the neighborhood;

(d) The quantity of existing public, commercial, or private parking, other th on-street parking, on the property or in the neighborhood which c reasonably be expected to be available when the building or structure is use; and

(e) The availability of public transportation service in the area, or ride-sharing program approved by the District of Columbia Department Public Works.

Exhibit 4

2107.3 If the applicant relies on a ride-sharing program, the applicant shall demonstr to the Board that the program shall continue as long as the use continues.

2107.4 Prior to taking final action on an application under this section, the Board shall refer the application to the District of Columbia Department of Public Works for review and report.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6598 (December 28, 1984), effective March 1, 1985.

2108 REDUCTION OF PARKING SPACES: AUTHORITY OF THE BOARD

2108.1 The Board of Zoning Adjustment is hereby authorized to reduce the amount of parking spaces required for nonresidential uses by §2101.1 pursuant to the provisions of this section.

2108.2 The amount of required parking spaces shall not be reduced by more than twenty-five percent (25%); Provided, that for a use which is in the category of "All

Other Uses" in the table in §2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).

2108.3 The Board shall give consideration to the following:

(a) The nature and location of the structure;

(b) The maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;

(c) The amount of traffic congestion existing or which the building or structure can reasonably be expected to create in the neighborhood;

(d) The quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood which can reasonably be expected to be available when the building or structure is in use; and

(e) The proximity to public transportation,particularly Metrorail stations, and the availability of public transportation service in the area, or a ride-sharing program approved by the District of Columbia Department of Public Works.

2108.4 If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.

2108.5 Prior to taking final action on an application, the Board shall refer the application to the District of Columbia Department of Public Works for review and report.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6600 (December 28, 1984), effective March 1, 1985.

2109 APPLICABILITY OF RESIDENTIAL BUILDING

2109.1 For the purposes of §§2104, 2105, 2107 and 2108, a non-residential building or structure includes any building or structure where eighty percent (80%) or more of the gross floor area is devoted to a use other than a dwelling, flat, multiple dwelling, rooming or boarding house, community based residential facility or hospital.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6600 (December 28, 1984), effective March 1, 1985.

2110 - 2114 [RESERVED]

2115 SIZE OF PARKING SPACES

2115.1 Except as otherwise provided in this section, a required automobile parking space shall be a minimum of nine feet (9 ft.) in width and nineteen feet (19 ft.) in length,

2101.1 (Continued)

USES	NUMBER OF PARKING SPACES REQUIRED
High school and accessory uses:	
All districts	2 for each 3 teachers and other employees, plus either 1 for each 20 classroom seats or 1 for each 10 seats in the largest auditorum, gymnasium or area usable for public assembly, whichever is greater
WAREHOUSE:	
All districts	1 for each 3,000 ft.^{2} of gross floor area
ALL OTHER USES:	
All districts	1 for each 600 ft.^{2} of gross floor area and cellar floor area

2101.2 Nothing contained in this section shall be construed to prohibit the establishment of accessory parking spaces in an amount which exceeds that required by §2101.1; Provided, that each case complies with all other applicable provisions of this chapter and chapter 23.

2101.3 Nothing contained in this section shall be construed to prohibit the establishment of parking spaces accessory to buildings or structures for which no required parking spaces are specified in §2101.1; Provided, that each case complies with all other applicable provisions of this chapter and chapter 23.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6588 (December 28, 1984); as amended by Final Rulemaking published at 32 DCR 4374, 4378 (July 26, 1985); by Final Rulemaking published at 33 DCR 2818 (May 9, 1986); by Final Rulemaking published at 39 DCR 8305, 8309 (November 13, 1992); and by Final Rulemaking published at 40 DCR 3744, 3747 (June 11, 1993).

2102 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: C-4 DISTRICT

2102.1 In a C-4 district, the provisions in this section shall apply.

2102.2 The parking requirements applicable to a Disposition Lot as defined in the urban Renewal Plan for the Downtown Urban Renewal Area shall be as specified in that Plan.

2102.3 The parking spaces required pursuant to §2101.1 for office and retail and service uses need not be limited to use by employees, occupants, guests, visitors or customers of such uses and may be used for general public parking.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6596 (December 28, 1984), effective March 1, 1985.

2116.3 For a church, up to fifty percent (50%) of the number of parking spaces may be located elsewhere. The spaces shall be located within four hundred feet (400 ft.) of the church in a public or private parking lot or garage where the required number of spaces are made available for the use of the church through a binding agreement with the owners of the parking facility. However, at least three (3) parking spaces shall be provided on the lot where the church is located.

2116.4 Required parking spaces shall not be located in the area between a building line and lot line abutting a street.

2116.5 Except as provided in §2117.9, if approved by the Board of Zoning Adjustment, open parking spaces accessory to any building or structure may be located anywhere on the lot upon which the building or structure is located, or elsewhere, except in the case of a one (1) family dwelling, in accordance with §§2116..6 through 2116.9.

2116.6 The Board shall determine that it is not practical to locate the spaces in accordance with §2116.2 for the following reasons:

(a) Unusual topography, grades, shape, size, or dimensions of the lot;

(b) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;

(c) Traffic hazards caused by unusual street grades; or

(d) The location of required parking spaces elsewhere on the same lot or on another lot would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties.

2116.7 When the accessory parking spaces are to be located elsewhere than on the lot upon which the building or structure they are intended to serve is located, the parking on adjacent lots or lots separated only by an alley from the lot upon which the building or structure is located, shall be preferred.

2116.8 The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures which they are designed to serve.

2116.9 The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it shall deem necessary to protect adjacent or nearby property. It may also impose the other conditions as it shall deem necessary to assure the continued provision and maintenance of the spaces.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6603 (December 28, 1984), effective March 1, 1985.

BZA Form 2
(Revised 7/17/95)

Docket No. 16650

BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

APPLICATION

NOTE: See reverse side of this form for filing instructions, filing fees and information required by the Board

DO NOT MAIL AMEND DO NOT MAIL

TO THE BOARD OF ZONING ADJUSTMENT

Pursuant to Sections 334.1, 2108.2, 2116.5 of the Zoning Regulations of the District of Columbia, an application is hereby made for the following action: 1. Special exception for a Temporary Community Service Center (B-3) Floors 2 Reduction of 50% in parking requirements 3 Off-Site parking excpt., which is provided for by Section(s) 334.1, 2108.2, 2116.5 of the Zoning Regulations.

Premises affected are located at 1305/1307 Irving Streets NW, (street address)

Lot(s) 69, Square(s) 2848,

in the District of Columbia, in Zoning District _____.

Present use of Property: Vacant.

Proposed use of Property: To open a Community Service Cent

Owner of Property: Southwest Church of Christ Inc

Address of Owner: 1303 Irving Street N.W. D.C. 20010

State briefly the bases for action sought: To obtain permission to use the building as a Temporary Community Service Center, from a Community Residential facility.

Date: _____ Signature: Larry Bonner (Applicant)*

*The owner of the property for which application is made or his/her authorized agent may file an application. In the event an authorized agent files an application on behalf of the owner, the notice of application shall be accompanied by a letter signed by the owner authorizing the agent to act on his behalf in this appeal.

TO BE NOTIFIED OF HEARING AND DECISION:

Name: Larry Bonner

Address: 1303 Irving Street NW

Zip Code 20010 Phone No. (202) 332-1117

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Exhibit 5

Form 1 - BZA Certification - Side 1 (Revised 03/07/00)

ZONING SELF-CERTIFICATION FORM

Date	Project Address(es)			
4/23/01	1305-07 Irving St. NW			
Square	**Lot(s)**	**Zone District(s)**	**ANC(s)/Single Member District(s)**	**Case No.**
2848	69	R-4	1A	16650

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

☑	Use Variance	DCMR 11 §3103	☐	Area Variance	DCMR 11 §3103	☐	Special Exception DCMR 11 §3104

which is provided for by DCMR Title 11 Section No(s).:

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

(1) the agent is duly licensed to practice law or architecture in the District of Columbia;
(2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia;
(3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief as a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name (Please Print)
Agent's Signature: Brenda V. Smith	Agent's Name (Please Print): BRENDA V. SMITH

D.C. Bar No.	404979	or	Architect Registration No.	

OFFICE OF ZONING DETERMINATION

(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, this application is

☐	Accepted for filing.
☐	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
☐	Rejected for failure to comply with the provisions of ☐ DCMR Title 11 §3113.2; or ☐ DCMR Title 11 Zoning Regulations. Explanation _____

Signature		Date	

Jerrily R. Kress, FAIA - Director of the Office of Zoning

441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * www.dcoz.dcgov.org

Side 2

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on BZA Certification Form 1. All certification forms must be completely filled out (front **and** back) and be typewritten or legibly printed. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.

2. Complete one self-certification form per each application filed. Present this form with the BZA Form 2 application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING	REQUIRED	ALLOWED	PROVIDED	VARIANCE Deviation/Percent
Lot Area					
Lot Width					
Lot Occupancy					
Floor Area Ratio (FAR)					
Parking Spaces	0	13		7	Requesting reduction of 6
Loading Berths					
Front Yard					
Rear Yard					
Side Yard					
Court, Open					
Court, Closed					

4-18-01; 5:24PM;DC OFFICE OF ZONING ;202 727 4925 # 3/ 5

SOUTHWEST CHURCH OF CHRIST INC.

Preliminary Plans for Minor Repair & Maintenance at: 1305 & 1307 Irving Street, N.W.

1305 Irving Street, N.W.

a. Replace Picture window, 2nd. Floor 1305 Irving Street and replace picture window 3rd Floor 1307 Irving Street, N.W. (Completed)

b. Paint the 3rd floor at 1305 Irving Street, N.W. (2 Rooms)

c. Replace Carpet in large room on Second Floor facing Irving Street, N.W. and Install carpet at the front entrance to the 1st Floor, 1305 Irving Street, N.W.

1307 Irving Street, N.W.

a. Paint (3) three rooms on the 1st. Floor and (3) three rooms on the third floor and replace carpet on the 3rd floor.

b. Repair the bannister or the handrail leading from the 2nd Floor to the 3rd Floor.

C. Replace carpet on the Second floor, large room facing Irving Street, N.W.

d. Replace carpet on the Second floor, room facing the alley way.

D. Repair the bannister or the handrail on the 2nd Floor.

Note: All improvements and minor repairs will be completed by July 15th 2001.

Larry Bonner
202-332-1117

4/16/01

Exhibit 6

1303 Irving Street, N.W. Suite 200 - Washington, DC 20010-2408
Office 202-332-7399 - Fax 202-667-4930

EMPLOYMENT AGREEMENT

between

The Southwest Church of Christ, Inc
1303 Irving Street, N.W.
Washington, D.C. 20010

and

Sanford Moore, Caretaker
1305 Irving Street, N.W.
Washington, D.C. 20010

Employment Agreement made on this 14th day of May, 2001 between the Southwest Church of Christ, Inc (a non-profit corporation) ("Employer") and Sanford Moore, ("Employee")

Employer and the Employee accepts employment agreement based upon the terms, conditions and covenants as follows:

1. The term of employment shall be from May 14th to May 10th, 2002.

2. Employee shall receive, for all services rendered, a salary of $500.00 per month, payable the first and 15th of each month. Salary payments shall not be subject to withholding or other applicable deductions.

3. The duties of the Employee shall be to provide janitorial, maintenance and caretaker services between the hours of: 6:00PM to 10:00PM Monday through Friday. The employer will occupy living quarters in the facility, to assure its security overnight. More specifically the incumbent will perform the following tasks:

- Daily cleaning of the facility;
- Emptying and removing trash from the facility;
- Vacuuming the carpet in the facility;
- Cleaning of bathrooms and supplying with appropriate paper items and soap;
- Dusting as needed;
- Moping title floors as needed.

The incumbent will be responsible for assuring the building is secured after closing at 10:PM The incumbent will spend a minimum of 4 hours per day, to the maintenance and cleaning of the facility.

Exhibit 7

4. Employee shall have living quarters in the facility, with kitchen usage, suitable to the position and appropriate for the performance of Employee's duties as caretaker for the facility.

5. Employer shall reimburse Employee for all approved expenses incurred in the performance of Employer's business, and as approved by a member of the Board of Trustees for the Southwest Church of Christ, Inc. Each expense item should be accompanied with a receipt where practical.

6. Employees shall entitled to (1) One week of paid vacation each year.

7. If Employee's duties by reason of illness or incapacity for a consecutive period of more than (2) two weeks, the compensation payable after the aforesaid period shall be $25.00 per week. Upon return to full employment, full compensation shall be reinstated.

8. Notwithstanding any provision in this Employment Agreement to the contrary, if Employee is unable to perform or is absent from employment for a period of more than (2) Weeks, Employer may terminate this agreement without further cause and all obligations of Employer thereunder shall terminate.

9. This Employment Agreement may be terminated at will or at any time without cause by either party upon a (14) fourteen day written notice. If employer elects to terminate, Employer shall pay to the Employee on the last day of employment a servance pay of one extra week. If Employee elects to terminate, Employee shall receive salary up to the last day of employment but not servance pay.

10. In the event the Employee dies during the term of Employment, Employer shall pay to the Employee's estate the salary that would otherwise would be payable to the end of the month .

11. Any controversy or claim arising out of or relating to this Employment Agreement or the breach thereof, shall be settled by arbitration in the District of Columbia, in accordance with the then governing rules of the American Arbitration Association. Judgment upon the award rendered by the Arbitrator may be entered in any court of competent jurisdiction.

12. Any notice required to be given shall be either:
a. Personally delivered or (ii) sent by U.S. Postal Service, postage pre-paid, Certified Mail, Return Receipt Requested to the Employer at the place of employment and to the Employee at the last residence address given to and on file with the Employer.

13. A waiver of a breach of any provision of this Employment Agreement shall not operate or be construed as a waiver of any subsequent breach.

14. The services of the Employee are personal and unique and therefore Employee may not assign this Employment Agreement nor delegate the duties and obligations thereunder except in the normal course of business.

15. This Employment Agreement contains the entire understanding of the parties, except as may be set forth in writing signed by the party against whom enforcement may be sought, simultaneously with or subsequent to the execution of this Employment Agreement.

INTENDING TO BE LEGALLY BOUND, the parties have executed this Employment Agreement of the date first above written.

By: Southwest Church of Christ

Employer_____

Sanford Moore, Employee

_____

Consulting Agreement

Between

Consulting Agreement

Between

Southwest Church of Christ, Inc
1303 Irving Street, N.W.
Washington, D.C. 20010

and

Herman Bullock, Independent Contractor
1221 Decatur Street, N.W.
Washington, D.C. 20011

This Agreement made this 16th Day of July, 2001 by and between Southwest Church of Christ, Inc, a non-profit corporation (Corporation) and Herman Bullock, (a Entrepreneur and Independent contractor)

The Consultant is an independent contractor, capable of providing the following types of services: Light Hauling, Cement Work, gutter Repair, Painting, Tree Cutting, Yard Maintenance and Painting.

In consideration of the mutual terms, conditions hereinafter set forth, Sole Proprietor and Entrepreneur agree as follow:

1. The Southwest Church of Christ do hereby employs the Consultant as independent contractor, and the Contractor hereby accepts employment.

2. The term of this Agreement shall commence on July 16th, 2001 and shall terminate on July 16th, 2002. After the first thirty (30) days of the term either party may, with or without cause terminate this Agreement by giving a written notice to the other.

3. The Southwest Church of Christ shall pay to Herman Bullock (Entrepreneur) compensation for all services provided pursuant to this agreement, the Sum of: (To Be determined) Twice per month.

4. The Consultant shall provide the following services:

Pick-up and removing of trash and debris , newspapers and garbage from the premises at 1305 & 1307 Irving Street, N.W. every **Monday. Note: If Monday is holiday, the trash will be pick-up the next business day.**

The independent contractor shall be paid at an agreed up price to remove bulk items, such as sofas, desks, mattress or other such items. The consultant shall devote such time and attention to the duties as required.

Exhibit 8

5. Consultant is an independent contractor/Entrepreneur and may engage in other business activities.

6. If consultant becomes unable to perform services pursuant to this Agreement by reason of illness or incapacity or death, compensation shall cease upon the happening of this event.

7. Neither party may assign this Agreement without the express written consent of the other party.

8. Consultant is an independent contractor and nothing contained in this Agreement shall be deemed or interpreted constitute the Consultant as a partner, agent or employee of the Southwest Church of Christ, Inc. Nor shall either party have any authority to bind the other.

9. It is agreed between the parties that there are no other agreements or understandings between them relating to subject matter of this Agreement. This Agreement supersedes all prior agreements, oral or written between the parties and is intended as a complete and exclusive statement of the agreement between the parties. No changes or modification of this Agreement shall be valid unless the same be in writing and signed by the parties.

10. 12. Any notice required to be given shall be either:
(i) Personally delivered or (ii) sent by U.S. Postal Service, postage pre-paid, Certified Mail, Return Receipt Requested to the Employer at the place of employment and to the Employee at the last residence address given to and on file with the Employer.

11. This Agreement shall be construed in accordance with the governing laws of the District of Columbia.

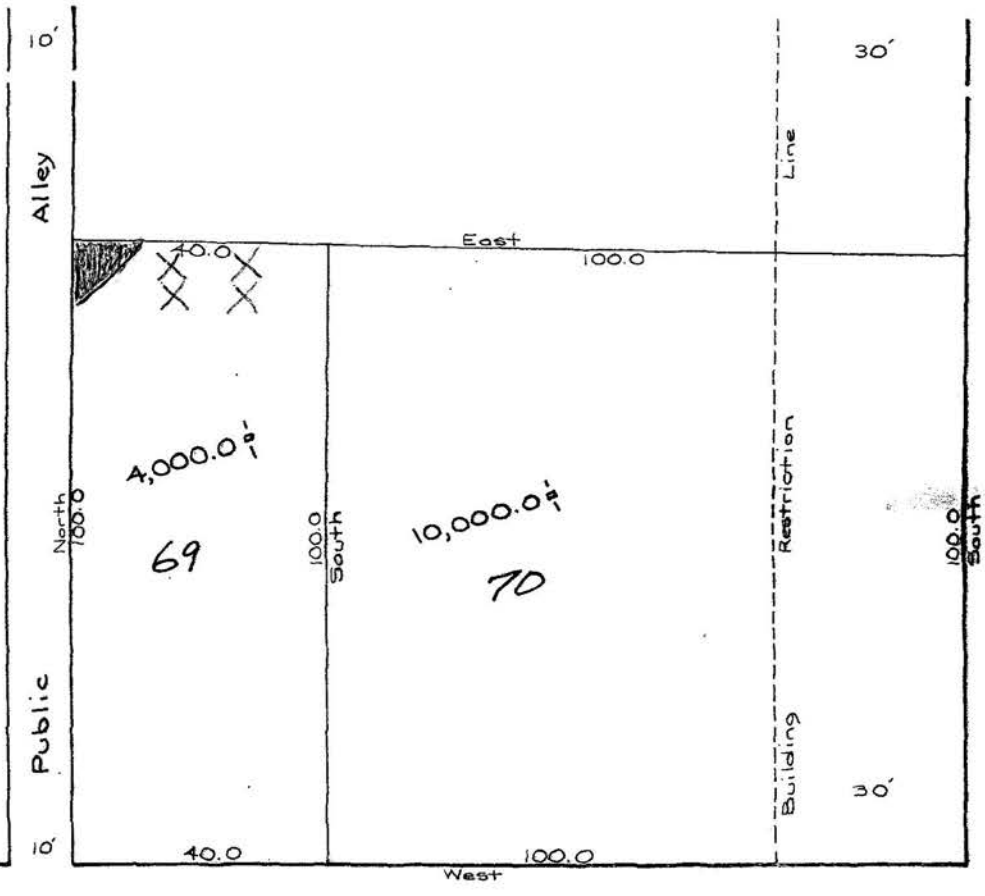
INTENDING TO BE LEGALLY BOUND, the parties hereto have caused this Agreement to be executed as of the date first above written.

Southwest Church of Christ, Inc.

BY:_____

By:_____
Herman Bullock,

SUBDIVISION SQUARE 2848



Key

- Trash Dumpster

XX
XX - Tandem Parking (4) Spaces

Exhibit 9

Section 105 of DCMR Title 24 shall be issued upon approval of the Department of Public Works. Permits for sockets confer no authority to erect temporary covered ways across sidewalks or parking. Where sockets have been regularly installed, the Police Department will thereafter issue temporary permits authorizing the use of the temporary covered way in inclement weather.

SECTION 512.0 PHYSICALLY HANDICAPPED AND AGED

Change subsection to read as follows:

512.1 Where required: The provisions of this section shall apply to all buildings and portions of buildings of Use Groups A, B, E, F, I, M and R. The provisions of this section shall also apply to open parking structures, public garages, and parking lots, whether independent structures or accessory to other structures.

Exceptions:
1. Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks, lookout galleries, electrical and telephone closets, general utility rooms, and similar incidental spaces which normally are not frequented by the public or employees of the building.
2. Mezzanines and balconies in Use Groups A and E, provided accessible seating accommodations are available and the services are identical.
3. Use Group R-3 and R-4.
4. Use Group I-1 with 15 or fewer occupants.
5. Parking lots accessory to and serving only structures otherwise exempt from the requirements of section 512.0.

Change subsection to read as follows:

512.1.3 Grade Level Access: Buildings having accessibility at occupiable grade levels, where a public elevator is not provided, shall not be required to comply with this section at floors above or below such levels if facilities normally sought and used by the public in such buildings are available at said grade level.

Change subsection to read as follows:

512.2 Use Group R-1: Those buildings of Use Group R-1 containing more than 10 bedroom units shall be made accessible to physically handicapped persons in accordance with this section. The number of bedroom units accessible to physically handicapped persons shall not be less than the following:
1. 11 through 20 units, one unit; and
2. 21 units and over, one unit plus one for each additional 20

Exhibit 10

ANC 1A (COLUMBIA HEIGHTS)
3511 14TH Street NW #2 Washington, DC 20010 202.588.7278

ANC 1A RESOLUTION – RE: BZA APPLICATION # 16650

Whereas, the Southwest Church of Christ is located within the boundaries of ANC 1A and proposes to establish a Community Service Center at 1305-1307 Irving St NW for the purpose of improving the economic or social well being of the residents of the neighborhood.

The church has slated many activities for the residents from after school activities including computer training to teen crisis intervention. Some of the facility will be staffed with professionals and the church will also have volunteers on premises. The programs will serve community residents who would walk or use public transportation to reach the center. The church does not feel that the residents will impact the parking in the local area thus the church feels that offsite parking is not necessary.

ANC 1A resolves to support the application for special exceptions to permit the Southwest Church of Christ to use the property for a community service center, with the following recommendations:

- **Group programs will operate no later than 7 PM ; the crisis intervention service office will close at 10 PM**
- **Staff and guests will be directed to off -street parking at Columbia Heights Village parking lot at 2900 14th St NW, and visitors will be warned that violation of residential parking restrictions may cause vehicles to be ticketed and/or towed**
- **The staff at the center will network with existing social service organizations in the area to optimize services**
- **The church and staff will work with 4th District police to address security and safety issues, particularly at closing time**
- **The facility will at no time exceed the capacity allowed by fire and occupancy regulations**
- **That staffing and supervision will be sufficient to deliver services promised and to maintain a safe, orderly and efficient operation**
- **In lieu of a neighborhood advisory committee, the church will schedule quarterly meetings with community residents, to provide information and address concerns, and will name a contact person to ensure an ongoing channel of communication**

This resolution was approved at ANC 1A's meeting on March 21, 2001, for which due notice was given and a quorum (6) present with 8 commissioners in attendance, by a vote of 6 to 0 . SMD 1A06 representative Eric Heard is authorized by the Commission to present this report.

Elizabeth McIntire
Chairperson

Regina Upchurch
Secretary

Exhibit 11