GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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2002 APR -7 PM 2:36

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director

DATE April 8, 2002

SUBJECT: BZA Application 16864
La Clinica del Pueblo

APPLICATION
Application of La Clinica Del Pueblo, pursuant to Sections 2107.2, for a variance of the number of required parking spaces for a clinic in an R-5-B zone District at premises located at 2831 15th Street, NW.

SUMMARY RECOMMENDATION
OP **recommends approval** of the waiver for the parking requirements, previously granted in BZA Order #16500 December 7th, 1999 (Attachment 7).

SITE LOCATION
The subject parking lot is located to the rear of the building located at 2831 15th Street, NW in the Columbia Heights neighborhood. 15th Street is a 25 foot-wide minor arterial roadway, as classified by the "Functional Classification of Streets in the District of Columbia".

PROJECT DESCRIPTION
La Clinica is a free clinic providing primary care services to a largely Latino and immigrant population in the Columbia Heights neighborhood of the District. It addresses the need of a population that does not have access to traditional health care resources. The clinic purchased the subject property in 1999, a few blocks away from its current location at 1470 Irving Place, NW. The current structure was deemed inadequate to serve the needs of its growing client base and the proposed accommodation (a former vacant warehouse), was redesigned to include more examination rooms, a drugs dispensary, a medical records are, waiting rooms and counseling rooms for users of the facility. The clinic's previous approval for the variance of the number of required parking spaces (38) was granted per BZA Order 16500, 12/7/99. Due to other

BZA
Case No. 16864
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO.16864
EXHIBIT NO.27

circumstances, the applicant has not occupied the new facility and is now ready to do so. The order has since expired and the applicant is requesting a "renewal of the order" to comply with occupancy requirements.

ZONING REQUIREMENTS

The subject property is located in the R-5-B zone. Section 359 governs Health Care Facilities in R-5 zone. However, the discussion focuses on the parking requirements outlined in Sections 2101 as follows:

Parking Requirements

Section 2101: Schedule of Requirements for Parking Spaces
For clinics in an R-5 zone: 1 space for each 300 ft. of gross floor area or cellar floor area.
The applicant has a gross floor area of 11,400 square foot requiring 38 spaces.

The Board of Zoning Adjustment has authority to reduce the amount of parking spaces required for non-residential uses by Section 2101 pursuant to:

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.

ANALYSIS

The applicant is requesting a renewal of its previous approval (BZA Order #16500 12/7/99) which granted a waiver from the number of required on-site parking spaces to be used by the clinic in an R-5-B District.

The Office of Planning has reviewed the applicant's original submission regarding the parking waiver request (Attachment 6). Based on the information provided in the statement, OP notes that 29% of the clinic's clients walked to its current facility. The proposed facility is conveniently located near to the Columbia Heights (Green Line) Metro location, which would serve approximately 41% of the facility's clientele. Parking requirements for staff and client were minimal in 1999 and the applicant expects a similar situation for the relocated facility a few blocks from the existing site. In addition, the Columbia Heights Metro station area is adequately served by 12 Metro Bus routes (Attachment 3).

In an R-5 District, the Zoning Regulations specify one parking space per 300 square feet of floor space. The proposed location would require 38 spaces to satisfy 11,400 square feet of floor space. The proposed location cannot accommodate this requirement, since it only has five existing spaces at the rear of the building. The previous BZA order required the applicant to provide off-street parking in the Columbia Heights neighborhood. The Order states that the "Applicant and ANC 1 B entered into an agreement to provide 30 off-site parking spaces to be used by staff and volunteers of the clinic to supplement the five on-site parking". The applicant has provided OP with agreements by Columbia Village Apartments and Unity Health Care Inc. (both on 14th Street, NW) each granting approval for the use of 20 and 10 parking spaces respectively (Attachments 4 & 5). The applicant has assured OP that these agreements are still effective to date. Thus, requirements of the previous BZA Order are currently satisfied.

CONCLUSION

OP notes that the subject property location can be adequately served by current Metro and public transportation facilities. The facility currently serves, and will continue to serve a pedestrian clientele at its new location and is not expected to generate additional traffic, or create a "parking burden" on the immediate neighborhood. The request meets the intent of the Zoning Regulations and Map and does not create an adverse impact on the neighborhood. In its previous decision, the Board concluded that the applicant met the burden of proof pursuant to 11 DCMR 3103.2, that there exists an exceptional or extraordinary situation or condition related tot the property which creates practical difficulty for the owner in complying with the Zoning Regulations.

In addition, OP recognizes that the applicant has fulfilled the requirements of the previous order to locate 30 additional off-site spaces to serve staff needs. Therefore, **OP recommends approval** of the request that the previously approved variance, (which has since expired), be re-granted to afford the applicant the opportunity to relocate and occupy its new and improved facility.

Attachments:

1. Aerial Photo
2. Applicant submitted Site Plan
3. Metrobus routes
4. Agreement – Columbia Village Apartments
5. Agreement – Unity Health Care Inc
6. Applicant's Original Submission
7. BZA Summary Order – 16500, 12/7/1999



Feature Key

Zoning Boundaries

Square Index

Board of Zoning Adjustment
Application No. # 16864

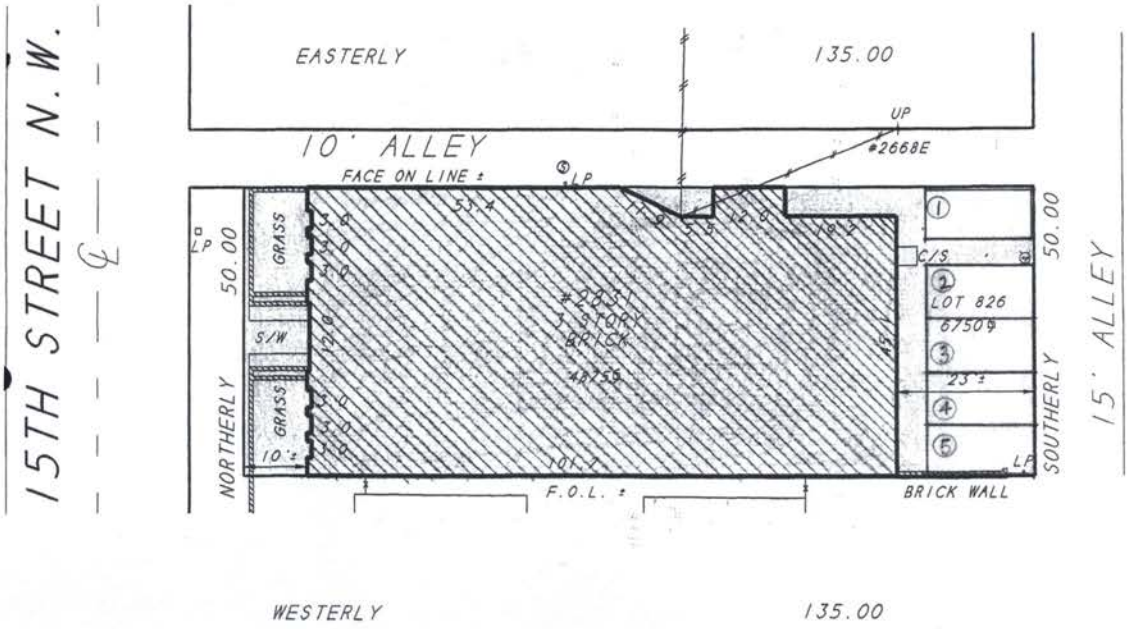
DC Office of Planning
April 25, 2002

Scale 1:1089

25 0 25 50 75

Attachment 1

LA CLINICA DEL PUEBLO 1:20



Attachment 3



Columbia Heights

Location: 14th and Irving Sts., N.W.

Early station/entrance closings: N/A

Last train departs: Branch Ave- 11:48 p.m.
Greenbelt- 12:23 a.m.
*No Red Line Transfer Possible
(Trains leave exactly 2 hours later on Friday and Saturday nights.)

Parking: N/A

Car Sharing: Available at this station.

Metrobus service at COLUMBIA HEIGHTS METRO station

- H1
- H2
- H3
- H4
- H8
- 52
- 53
- 54
- H5
- H7
- S1
- S2

Source: **www.wmata.com**

Columbia Heights Village Apartments
2900 14 TH STREET, N.W.
WASHINGTON, DC 20009
(202) 234-6900
FAX (202) 234-3441

October 12, 1999

Juan Romagoza, MD
Executive Director
La Clinica del Pueblo
1470 Irving Street, NW
Washington, DC 20010

Dear Dr. Romagoza:

It was a pleasure to discuss a future arrangement between La Clinica del Pueblo and Columbia Heights Village concerning parking spaces in our parking lot, and this letter will serve as a letter of agreement between your organization and Columbia Heights Village.

We are willing and able to rent at least 20 parking spaces for your staff needs at the time you occupy your new location at 2831 15th Street, NW, at a rate of $40.00 per month per vehicle. Your expected timetable, which is necessarily open to construction changes, is anticipated to be no sooner than July 2000, and our mutual intention is to remain in contact regarding these spaces in order to assure their availability at the time you and your colleagues make the move to our immediate neighborhood.

If more spaces are available at the future time, we will notify you in order to solicit your interest in additional spaces at the time of your occupancy at 2831 15th Street, NW.

We are delighted to be offering this letter of agreement, and we look forward to your relocation to 15th Street and the beginning of our mutually beneficial parking arrangements.

Sincerely,

Mrs. Franki Jones
Property Manager
Columbia Heights Village

Formerly Health Care for the Homeless Project, Inc.

October 12, 1999

Juan Romagoza, M.D.
Executive Director
La Clinica del Pueblo, Inc.
1470 Irving Street, N.W.
Washington, D.C. 20010

Dear Dr Romagoza:

It was a pleasure to discuss a future arrangement between La Clinica del Pueblo and Unity Health Care, Inc., concerning parking spaces at our facility, and this letter will serve as a letter of agreement between your organization and Unity Health Care.

We are willing and able rent at least ten (10) parking spaces for your staff needs at the time you occupy your new location at 2831 15th Street, NW at a rate of $25.00 per month per vehicle. Your expected timetable, which is necessarily open to construction changes, is no sooner than July 2000, and our mutual intention is to remain in contact regarding these spaces in order to assure their availability at the time you and your colleagues make the move to your immediate location.

If more spaces are available at a future time, we will notify you in order to solicit your interest in additional spaces at the time of your occupancy at 2831 15th Street.

We are delighted at this future arrangement, and look forward to your move to 15th Street, and the commencement of our parking arrangements.

Sincerely,

Vincent A. Keane
Executive Director

VAK

OFFICE OF THE EXECUTIVE DIRECTOR
3020 14th Street, N.W., Suite 401, Washington, DC 20009 • 202-518-6409 • Fax: 202-462-6128

HOGAN & HARTSON
L.L.P.

ERIC VON SALZEN
PARTNER
DIRECT DIAL (202) 637-5718

October 6, 1999

COLUMBIA SQUARE
555 THIRTEENTH STREET, NW
WASHINGTON, DC 20004-1109
TEL (202) 637-5600
FAX (202) 637-5910

BY HAND DELIVERY

Hon. Jerrily R. Kress
Director
Office of Zoning
441 Fourth Street, N.W.
Suite 210
Washington, D.C. 20001

Re: BZA Application No. 16500 (Application of La Clinica del Pueblo)

Dear Ms. Kress:

On behalf of the Applicant in the above-captioned matter, which is scheduled for hearing before the Board of Zoning Adjustment on October 20, 1999, at 9:30 a.m, I enclose the original and 10 copies of a Statement in support of the Application. Please telephone me if there is any further information that we can provide before the hearing.

Thank you for your kind attention in this matter.

Respectfully submitted,

Eric Von Salzen
Attorney for Applicant
La Clinica del Pueblo

99 OCT -6 P 3:45

EVS/cmd

Enclosures: As stated

cc: Peter Shields, MD
Juan Romagoza, MD
Mr. Enrique A. Cobham

BZA
CASE No. 16500
EXHIBIT No. 45

\\\DC - 90334/8846 - #959630 v1

HEARING BEFORE THE BOARD OF ZONING ADJUSTMENT
October 20, 1999
9:30 a.m.

STATEMENT OF LA CLINICA DEL PUEBLO, INC.

Good morning Chairperson Cross and Members of the Board of Zoning Adjustment. We are Dr. Juan Romagoza, Executive Director of La Clinica del Pueblo, Dr. Peter G. Shields, President of the Board of La Clinica, Dr. Andrew Schamess, Medical Director of La Clinica, and Enrique A. Cobham, La Clinica's Chief Administrator.

La Clinica del Pueblo, Inc. is a free medical clinic that has served the Latino community since 1983. The local community and the District government recognize us as an essential service.

Introduction and Summary

La Clinica is requesting that the Board grant a variance of the number of parking spaces required for a medical clinic in an R-5-B district. La Clinica has purchased a vacant building, formerly used as a warehouse, at 2831 15th Street, N.W., and plans to move its clinic there from its present location a few blocks away at 1470 Irving Place, N.W., if the Board grants this application. The building at 2831 15th Street, N.W. is well located within the community that La Clinica serves, and it is the only building that we were able to find that would meet the needs of La Clinica and its patients.

However, there is room on this property for no more than five parking spaces (our Application says four spaces, but our architect now advises us that there is room for five spaces). The Zoning Regulations, however, specify one parking space for every 300 square feet of floor space, 11 DCMR § 2101.1, which would require 38 spaces for the 11,400 square feet in this building. We cannot possibly meet this requirement, and it would therefore be impossible for La Clinica to operate its clinic at this location unless the Board grants the variance that we request.

We believe that the variance that we request will not impose any substantial hardship or inconvenience on our neighbors. There are several reasons for this. First, La Clinica is already located in this neighborhood, and there are only two parking spaces at our present location; moving the clinic a few blocks away to 2831 15th Street, N.W. will not have any impact on parking in the neighborhood. Second, most of La Clinica's patients do not come to the clinic by car; they either live in the neighborhood and walk, or they come by bus. Third, the Columbia Heights Metro station has recently opened, and we anticipate that many of our staff members, who now drive to the clinic, will be using Metro in the future (and we will encourage them to do so). Fourth, we have made a survey of available on street parking in the vicinity of 2831 15th Street, N.W., and we have found that it is more than adequate.

Who is La Clinica Del Pueblo, Inc.?

La Clinica del Pueblo is a free medical clinic that provides primary care and subspecialty services, mostly to the Latino population. It was founded in 1982 by a coalition of North and Central Americans to address a lack of health care resources. La Clinica was a project of the Central American Refugee Center (CARECEN), which focused on immigration and human rights. Our clinic started as a one evening, all volunteer clinic, caring for whomever was able to walk through our doors. Now, our hours of operation are Monday 9 AM-7 PM, Tuesday 9 AM-10 PM, Wednesday 9 AM-8 PM, Thursday and Friday 9 AM-5 PM, and Saturdays 9 AM-1 PM.

La Clinica continuously has been located at its present address at 1470 Irving St., N.W. We now plan to move to 2831 15th Street, NW.

We have provided care to the uninsured and underinsured. Recent data show that more than 30% of Latinos are uninsured. We have recently expanded our population by also accepting Medicaid patients, although not many Latinos have Medicaid. Over the years we have cared for children and persons with cancer. We have helped people get hospitalized, operations, and dialysis. What was started as literally a one-room clinic at the Centro Comunal Unidad, formerly known as the Wilson Center, now occupies two full floors. Our clinic employs approximately 38 staff members and cares for approximately 3,500 patients per year on-site. Almost all of our staff is Latino, and most of our Board and volunteers are Latino too.

The official mission statement of La Clinica del Pueblo, Inc. is:

> "To provide free, culturally sensitive, and comprehensive health care and education services to the Latino community, and any others in need. La Clinica del Pueblo promotes community participation and empowerment through professional care, advocacy and a vision of health as a basic human right."

La Clinica is truly a collaborative effort between staff and volunteers, and Latinos and North Americans. We are a community-based organization attempting to address the major barriers to health care for low income Latinos. La Clinica provides more than 9,000 client-visits per year, which span primary care and specialty clinics, including adult primary care, pediatrics, adolescents, dermatology, rheumatology, neurology, AIDS, diabetes, reproductive health, occupational medicine, mental health, alternative medicine and others. Our educational services include an active HIV outreach program, cultural sensitivity training to health professionals through interpretations and public media presentations. Among our largest programs is the Health Fair Project, where we provide health information and early detection services annually.

Why is La Clinica Needed?

Many of the adverse conditions that required us to go into business 17 years ago exist today. There are more than 250,000 Latinos in the metropolitan area; more than 30% are uninsured. Our client population at La Clinica is more than 90% Latino. Over one-half of our clients do not speak English, and many of them are illiterate. The mean years of education is 7.0.

Only 10% of our clients have health insurance or receive entitlement benefits.

La Clinica's patients come because La Clinica is a small answer to the Latino's health needs. Latinos in the Washington, D.C. area

1) face a multitude of barriers to health care, some of which continue to worsen;
2) have a demographic profile that makes them particularly vulnerable to such barriers;
3) have a socioeconomic status that makes it impossible to address the barriers without support from other communities and governmental agencies; and
4) lack reachable health services and health education.

The inability to access affordable health care is the highest barrier to receiving health care. No matter how much we can improve access to health care, there will always be individuals who are not covered by entitlements such as Medicaid, are not provided insurance by their employers, and are unable to afford insurance as individuals. Some might have life savings in their bank or make a sufficient income to be ineligible for Medicaid. Traditionally, members of our Latino community are either not enrolled, not eligible due to documentation status, or over the income limits. Moreover, many Latinos do not apply for benefits because of the misconception that if they use entitlements, their documented residency status could be jeopardized.

Other barriers to health care include linguistic isolation, where hospitals and medical providers regularly lack interpreters. This makes it impossible to be adequately diagnosed, arrive at informed decisions regarding your care and be educated about the treatment you receive. But the lack of culturally appropriate care is not limited to linguistic reasons alone. There needs to be an understanding of the morals and mores, a heavy emphasis on spirituality, an understanding of traditional approaches to treating illness (i.e., many receive medicines from their own country and inadequately self-medicate themselves), and educated perceptions of health care providers. Many of these issues differ from country to country of Latin America, and even the spoken word may have vastly different meanings. In our model of free medical care, we provide services in an environment that is Latino, where culturally appropriate care is seamless, and the clients can feel "at home."

The health problems in the Latino community are complex, consisting of problems common to both lesser and more developed countries. They suffer from chronic parasitic illnesses, nutritional problems, heart disease, and cancer. Importantly, such illnesses such as diabetes occur more commonly in Latinos than in African or Caucasian Americans. Thus, there is a great need for culturally appropriate Latino free medical services.

Recognizing the importance of La Clinica to the community, we regularly receive funding from the District of Columbia for HIV, mental health, housing and other services. In fact, the Office of Community and Housing Development provided $300,000 and the Office Of Latino Affairs provided $15,000 for the purchase of the new building.

Moreover, we have recently received Certificates of Need for our facility to perform outpatient medical services from the State Health Planning & Development Agency (SHPDA), Department of Health, Government of the District of Columbia.

We also enjoy the support of our community leaders. For example, Mayor Williams and Councilmember Graham attended our new building blessing ceremony. The Honorable Eleanor Holmes Norton, Councilmember Catania, and Councilmember Smith have visited our clinic several times, as has every Public Health Commissioner that DC has had since 1983. Thus, our community and the city need our clinic.

What Does La Clinica Need to Function Effectively?

Many of those adverse conditions we worked under 17 years ago still exist today. In our present building at 1470 Irving Place, N.W., we cannot install adequate air conditioning because of an inadequate electrical system. We have no elevator; some patients walk up 92 steps to get care, or they are carried. The electricity frequently goes off when we are seeing patients, particularly in the middle of the Summer and Winter. The heating is inadequate and we cannot examine patients with their clothes off in the wintertime. Our current square footage is approximately 4,000 square feet. We only are able to perform our services with difficulty, where examination rooms also exist as offices. Patients are sometimes counseled in non-private spaces. Even some patients are examined in the stairwells.

Separately, we have had two architectural needs assessment. One was performed by Robert Schwartz and the other by Zell Partners. Independently, they determined that we need approximately 11,000 sq. feet to function effectively. We need about 10 examination rooms with sinks, a procedure room with a sink, a laboratory, a drugs dispensary, 5 counseling areas, group therapy rooms, a yoga classroom, confidential medical record areas and a waiting room. We also need a handicap parking space, an elevator, air conditioning, heating, outside windows for counseling rooms and a space designed where the leadership can be accessible to the clients.

The new building design for 2831 15th Street, N.W., developed by Robert Schwartz, includes all these requirements, plus classrooms and a chapel.

How Will The Community Around 2831 15th St., NW Benefit?

La Clinica has been a resident at 1470 Irving Street NW for 17 years. We have been a good neighbor and have had no complaints. In fact, we have helped in the neighborhood with stability and security. At times, we have hired security guards to watch the community, when it seemed needed. We enjoy excellent relations with the local police authorities and are looked upon by them to assist with peaceful efforts.

We expect that our move to the new facility, less than 3 blocks away, will not change any of our good neighborly relations. Many of our staff, board and volunteers are homeowners in the District and support the rights, convenience and peace of homeowners.

Upon moving, we do not expect to substantially increase the quantity of our services.

Our current plans are to improve the quality of our services and to increase the educational opportunities to medical professionals (i.e., increasing the level of partnership with Howard University). The size of the new facility is matched to what we can afford, and to what is the current size needs of our programs.

The location at 2831 15th Street has been vacant and boarded for almost 4 years. We will bring life and safety to the facility. We did not beat out any other potential buyers and in fact, there were none during the time is was vacant. The previous use of the facility was a warehouse, where large trucks made frequent deliveries. This will not happen with La Clinica as an occupant. We do not do acute care, so we do not have patients come in ambulances, there are no sirens or loud activities and the only supplies we receive is periodic office and medical supplies. Our medical waste, stored inside, is disposed of legally by a private contractor.

La Clinica and its members are recognized as community leaders. The Executive Director, Dr. Juan Romagoza, is a physician trained in El Salvador and is one of the few individuals from that country who had been granted political asylum in this country because he has physical evidence of having been tortured. He has been at La Clinica for more than eleven years and is a District resident. Dr. Romagoza received the prestigious Robert Wood Johnson Community Health Leadership Award and The National Council of La Raza's Human Rights Award. Dr. Romagoza has served on the Mayor's election committee, selection committee for the Government of the District of Columbia's Department of Health Director.

The President of our Board, Dr. Peter Shields, is a District resident and has volunteered in the community for more than 16 years. He has received many prestigious awards for community service, including for the DC CARE Consortium and the George Washington University.

Our Medical Director is Dr. Andrew Schamess. He lives on Harvard Street, N.W., just a few blocks from the existing and new clinic sites. Dr. Schamess is currently serving on the Mayor's Healthcare System Development Commission. He is Chairman of the Non-Profit Clinics Consortium, a D.C. non-profit association of the free clinics and CBOs in Washington, D.C. He is a Diplomate of the American Board of Internal Medicine.

Mr. Enrique Cobham is La Clinica's Chief Administrator. He is also a District resident. Mr. Cobham is an MBA graduate of Howard University and a Certified Healthcare Executive of the American College of Healthcare Executives, with over 20 years of experience in healthcare management.

Thus, these individuals have a long history of serving the particular community where La Clinica is located and needs to continue to operate from that area.

Why Does La Clinica Need The Space At 2831 15th Street, NW?

La Clinica has searched for an adequate facility for more than 3 years without success. And in fact, several of our funding sources have threatened to cut our funding unless we provide appropriate handicap access. Moreover, our Certificate of Need that allows us to bill for Medicaid services, awarded in 1998, was easily approved because of the needs we fill, but was

also conditional on our moving to an appropriate facility.

Using Zell Partners as our realtors, we examined more than 20 properties. Most were too large, too small or too complicated to renovate. For example, La Clinica had plans to rent a space in the neighborhood, but the size of the facility was too small and we had to pass on the opportunity. We discussed the possibility of purchasing our current facility at 1470 Irving Street, N.W. from the Presbyterian Church, but the purchase price and the renovation costs would have been too expensive.

La Clinica primarily serves the Latino community. Thus, it is imperative that we are located in our present neighborhood. Most of our clients come to La Clinica by foot and bus. Importantly, we view the opening of the Columbia Heights Metro station, 3 blocks away, as an important way for clients and staff to come to La Clinica.

We recognize that the available parking on site, namely five spaces including one for handicapped access, is suboptimal. Had we been able to find a site with more parking, we would have opted for this. We recognize that this would have been convenient for patients and staff. However, it is more important that our facility is located in the community we serve, and buildings with adequate parking were not to be found.

How Will La Clinica Affect The Parking Around 2832 15th Street NW.?

We do not anticipate an adverse impact on parking within the neighborhood. Importantly, we already are in the neighborhood so there will not be a net increase in parking needs. Second, we expect that there will be less parking needs because of the recent opening of the Metro station.

In March, 1999, we performed a survey of our staff and clients. While 83% of our staff come by car now, more than 43% indicated that they will use the Metro when it opens. Importantly, only 28% of our clients come by car. More than 29% live in the neighborhood and walk, while the remainder take the bus. The numbers of persons who said that they would take the Metro, when the new station opened, was 41%.

We also surveyed the 15th street area around our building. Observing the parking in the morning and the afternoon over two weeks, on 15th Street itself, between Euclid and Columbia Road, we always found at least 7 available spaces and as many as 14. It should be remembered that this is on top of the fact that we are already in the neighborhood and some of our staff and clients already park on 15th street (about 26%).

The results of these surveys are attached to this Statement.

Therefore, we believe that the impact on our neighbors regarding parking as a result of the relocation of La Clinica from Irving Street to 15th Street will be minimal.

Conclusion

La Clinica del Pueblo, Inc. is a free medical clinic that has served the Latino community since 1982. The local community and the District government recognize us as an essential service. Our current location is clearly inadequate for us to fulfill our mission and to serve the community.

We have identified a suitable new home for La Clinica. It is a boarded-up building that has been vacant for about four years. Our use of the building will be a great improvement over its current deteriorating condition and its previous use. We currently now have a record of being a good neighbor, and becoming an owner-occupant at our new location will ensure that we continue to be a good neighbor and support the neighborhood. While we recognize that some of our immediate neighbors may be concerned about inconvenience in finding on-street parking, we believe that such inconvenience, if any, will be minimal. Overall, the new La Clinica building will be an asset to the neighborhood. The improvement that La Clinica will bring to the neighborhood and that the need for our services in that community, will far outweigh any inconveniences regarding parking.

Thank you for your consideration.

LA CLINICA DEL PUEBLO

SURVEY OF PARKING BY PATIENTS AND STAFF

Jant on 3-23-99

LA CLINICA DEL PUEBLO, INC.

1470 Irving Street Northwest
Washington, DC 20010-2804

(202) 462-4788
Fax (202) 667-3706

Results of Parking Survey
Staff Only

The following are percentages based on questions asked to La Clínica staff only. A total of 23 staff members were part od this survey. The provided information ws collected during a two week period in the month of February of 1999.

1) **How do you come to La Clínica?**

Bus and/ or Metro	8.70%
Car	82.60%
Walking	8.70%

2) **If you come by car:**

Where are your tags from?

MD	52.63%
DC	21.05%
VA	26.31%

Where do you park?

On Irving St., and/ or on Hiatt Pl.	47.36%
(the locations mentioned above include the Lincoln Junior High parking lot)	
On 15th St.	26.31%
Anywhere	26.31%

3) **When the Metro on 14th and Irving Sts is finished, will you ...**

Use the Metro to come to La Clinica?

Yes	43.47%
No	56.52%

Would you pay to use the Metro parking?

Yes	21.73%
No	78.26%

LA CLINICA DEL PUEBLO

SURVEY OF AVAILABLE PARKING SPACES

Fifteenth Street, N.W.,
between Euclid Street and Columbia Road, N.W.

Number of Standard Size (3 M) Parking Spaces
on Both Sides of the Street
During Two One-Hour Periods (Morning and Afternoon)
on Two Week Days

A) **M. ch 1, 1999**

	10am-11am	3pm-4pm
Monday	10 spaces	12 spaces
Tuesday	6 spaces	8 spaces
Wednesday	9 spaces	8 spaces
Thursday	12 spaces	14 spaces
Friday	9 spaces	10 spaces

B) **March 8, 1999**

	9am-10am	2pm-3pm
Monday	13 spaces	14 spaces
Tuesday	7 spaces	8 spaces
Wednesday	9 spaces	7 spaces
Thursday	10 spaces	12 spaces
Friday	8 spaces	14 spaces

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16500 of La Clinica del Pueblo, pursuant to 11 DCMR 3107.2 (new 3103.2), for a variance under Subsection 2101.1 for a waiver from the number of required on-site parking spaces to be used by the clinic in an R-5-B District at premises 2831 15th Street, N.W. (Square 2669, Lot 826).

HEARING DATE: **October 20, 1999**
DECISION DATE: **November 3, 1999**

SUMMARY ORDER

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, by mail to Advisory Neighborhood Commission (ANC) 1B, and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 1B. ANC 1B, which is automatically a party to this application, submitted a written statement in support of the application.

As directed by 11 DCMR 3119.2, the Board required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 2101.1.

The Applicant indicated that 38 parking spaces are required; however, the site can only accommodate five spaces. The Applicant requested zoning relief for 33 of the 38 required on-site parking spaces.

The Board received letters and petitions of opposition to establishment of the clinic; and, residents testified in opposition to the application. The overwhelming issue concerned the lack of parking, on and off-site, and its impact on the neighborhood. To ameliorate the problem, the Board determined that:

- Many of the clinic's employees live in the neighborhood and walk to work;
- Most patients walk or use public transportation;

- The Columbia Heights Metrorail Station is located close to the site and is accessible to staff, volunteers and patients;

- The clinic would be establishing an incentive program to encourage employees to use Metrorail; and,

- In order not to create traffic impacts, the Applicant should be encouraged to provide off-street parking in the Columbia Heights neighborhood.

The Applicant and Advisory Neighborhood Commission 1B entered into an Agreement to provide 30 off-site parking spaces to be used by staff and volunteers of the clinic to supplement the five on-site parking spaces (Exhibit No. 46 of the record).

No person or entity appearing as a party to this case testified in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property which creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. It is therefore **ORDERED** that this application be **GRANTED.**

Pursuant to 11 DCMR 3101.6, the Board has determined to waive the requirement of 11 DCMR 3125.3 that findings of fact and conclusions of law accompany the order of the Board. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3 - 0 - 1 (Sheila Cross Reid, Jerry Gilreath and Robert Sockwell to grant; Anthony Hood, not voting, not present at the hearing.)

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

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director

FINAL DATE OF ORDER: DEC 7 1999

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

UNDER 11 DCMR 3125.9, "NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBSECTION 3125.6."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

BAB/11-18-99

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16500

As Director of the Office of Zoning, I hereby certify and attest that on DEC 7 1999 a copy of the order entered on that date in this matter was mailed first class, postage prepaid, to each party who appeared and participated in the public hearing concerning the matter, and who is listed below:

Chris Murphy, Esquire
Hogan & Hartson, L.L.P.
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Dr. Juan Ramagoza
Executive Director
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1470 Irving Street, N.W.
Washington, D.C. 20009

Nik Eames, Chairperson
Advisory Neighborhood Commission 1B
P.O. Box 73710
Washington, D.C. 20009-3710

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director