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May 30, 2002

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2002 MAY 30 PM 4:22

BY HAND DELIVERY

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

Re: BZA Application No. 16864 (Application of La Clinica del Pueblo)

Dear Ms. Kress:

In accordance with the Order of the Board of Zoning Adjustment in the above-captioned matter, dated May 22, 2002, enclosed for inclusion in the record is a copy of the agreement between La Clinica del Pueblo and ANC 1B regarding off-site parking.

Respectfully submitted,

Eric Von Salzen
Attorney For La Clinica del Pueblo

EVS/cmm

Enclosure: As stated

cc: Peter Shields, M.D.
Juan Romagoza, M.D.
Mr. Enrique Cobham
Thomas Wilson, Esq.

BZA
Case No. 16864
Exhibit No. 38

Board of Zoning Adjustment
District of Columbia
CASE NO.16864
EXHIBIT NO.38



LA CLINICA DEL PUEBLO, INC.

1470 Irving Street Northwest
Washington, DC 20010-2804

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

October 29, 1999

BY TELECOPY

Nik Eames
Chair
Glenn Melcher
Vice Chair
Gary Imhoff
Secretary
Advisory Neighborhood Commission 1B
Government of the District of Columbia
P.O. Box 73710
Washington, DC 20009

Re: Confirmation of Agreement

Gentlemen:

As a result of the very productive meeting last night between representatives of Advisory Neighborhood Commission 1B ("the ANC") and representatives of La Clinica Del Pueblo ("La Clinica"), La Clinica is modifying its previous proposal for addressing the ANC's concerns about the effect that the relocation of La Clinica from 1470 Irving Street, N.W. to 2831 15th Street, N.W. may have on parking for residents of the neighborhood.

La Clinica will lease or otherwise obtain thirty (30) off-site parking spaces, to supplement the five on-site parking spaces at 2831 15th Street, N.W., for the use of La Clinica staff and volunteers, beginning on the date La Clinica opens its clinic at the 15th Street location. This provision will not be time limited but subject to the conditions as stated below.

La Clinica will develop programs to reduce staff's reliance on automobiles to commute to and from work. Measures being considered include implementing a Metrochek program to encourage staff to use the Metro. In addition, La Clinica will continue to confer with the ANC and the community to address its concerns about parking and any other issues which may arise related to La Clinica's operation.

If in the future La Clinica concludes that the number of off-site parking spaces for its staff and volunteers can and should be reduced, it will so notify the ANC. La Clinica and the ANC agree to confer and consult in good faith for a period of at least ninety (90) days with respect to La Clinica's proposal, and La Clinica will not change the number of off-site parking spaces provided without the approval of the ANC. In determining whether to approve such a reduction, the ANC shall consider the following factors:

a. The number of La Clinica staff, volunteers, and patients who drive to La Clinica;
b. The cost of off-site parking;
c. Changes in the demand for parking in the neighborhood;
d. Changes in parking laws and regulations affecting the neighborhood;
e. The occupancy rate of the thirty off-site parking spaces;
f. The expressed support or opposition of community residents living in the impacted area;
g. The contribution of La Clinica to the community; and
h. Any other factors that La Clinica and the ANC consider relevant.

If, within the 90-day period, the ANC does not approve La Clinica's proposal to reduce the number of off-site parking spaces, the parties agree to submit the proposal to binding arbitration by a disinterested person selected jointly by the ANC and La Clinica. If the ANC and La Clinica are unable to agree on an arbitrator within thirty (30) days after the end of the 90-day period, then either party may request that the American Arbitration Association (or any other recognized alternative dispute resolution organization) select the arbitrator. La Clinica will pay the arbitrator's fee, if any. The arbitrator's

decision with respect to La Clinica's proposal shall be final and binding on the parties.

La Clinica hopes that these commitments will satisfy the ANC's expressed concerns about the possible impact of the relocation of La Clinica on parking in the neighborhood. If so, please advise the Board of Zoning Adjustment that the ANC supports La Clinica's application for a variance in Case No. 16500, and also sign and return the enclosed copy of this letter. Thank you for your assistance in this matter.

Sincerely yours,

Peter G. Shields, MD
President
Board of Directors

(Signature)
GARY IMHOFF
(Name)
SECRETARY
(Title)
On Behalf of Advisory Neighborhood Commission 1B

cc: Calvin Woodland, Office of D.C. Council Member Jim Graham
Eric Von Salzen, Christopher K. Murphy, Hogan & Hartson LLP