GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

D.C. OFFICE OF PLANNING
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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman

DATE: June 3, 2003

SUBJECT: BZA Case No. 17015
Evangel Missionary Baptist Church – Special Exception Request

APPLICATION

The application by the Evangel Missionary Baptist Church requests, pursuant to 11DCMR 3103.2, the following special exception:

- § Schedule of Requirements for Parking Spaces

The premise that is subject to this application is at 2122 Jackson Street, N.E., Square 4220, Lot 802, and in the R-1-B District.

SUMMARY RECOMMENDATION

The Office of Planning **recommends approval** of the **exception relief** from the required:

- Lot Occupancy (§404.1),
- Parking requirement allowing 35 off-site spaces (§2116.3) and
- Request to allow more than 50% of the church's parking spaces to be located off-site at the Learning Center, 2027 Rhode Island Avenue, and at the A & A Ladder Company at 2305 Rhode Island Avenue, N.E. Both parking lots are located within 400 feet from the subject church.

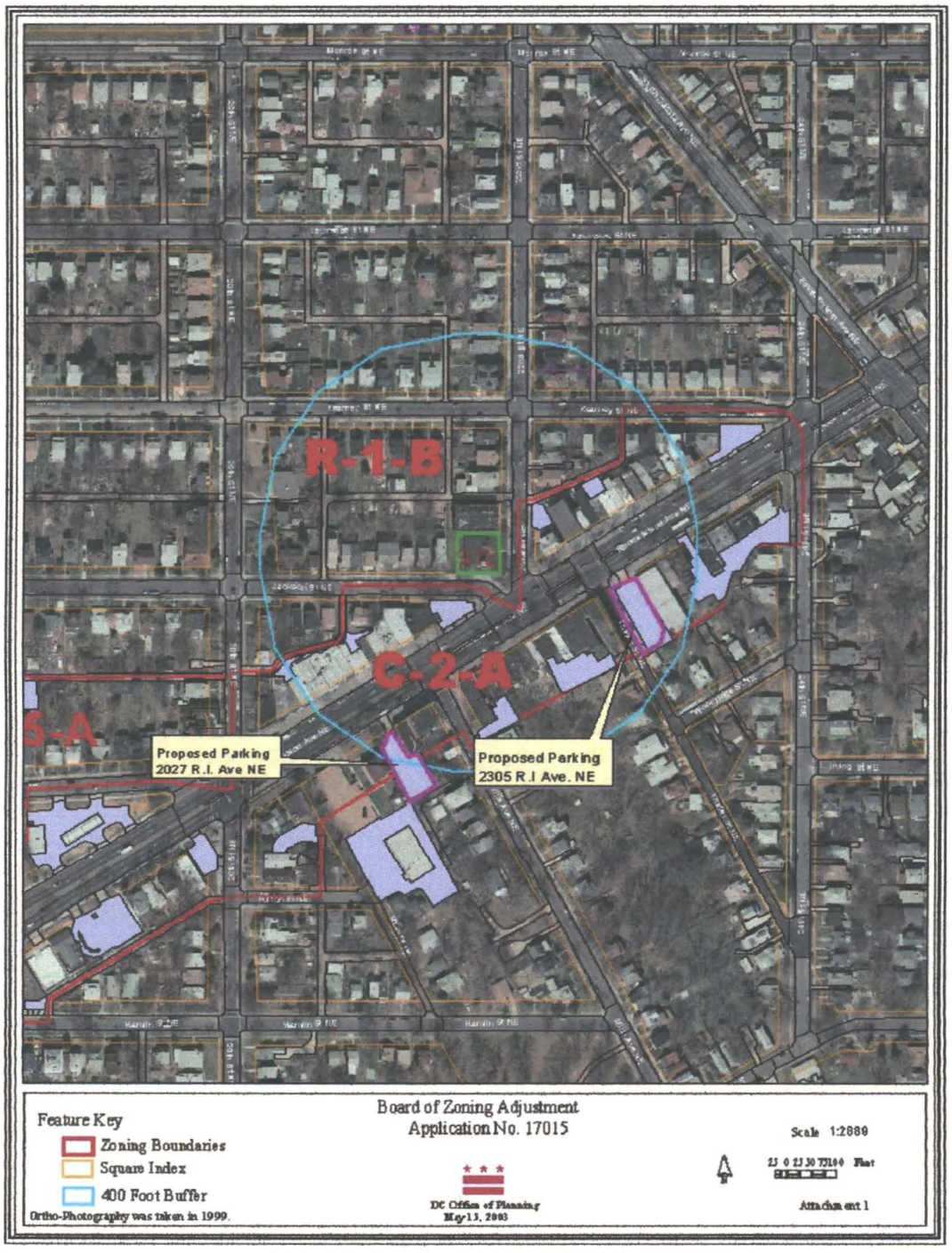
BZA
Case No. 17015
Exhibit No. 29

SITE AND AREA DESCRIPTION

The subject property is located in the Brookland community of Ward 5, at 2122 Jackson Street, N.E. It is comprised of Lot 802 in Square 4220. The site is on the northeast corner of 22nd & Jackson Streets, N.E., and is bounded by Kearney Street to the north, Jackson Street to the south, 22nd Street to the east and 20th Street to the south. Rhode Island

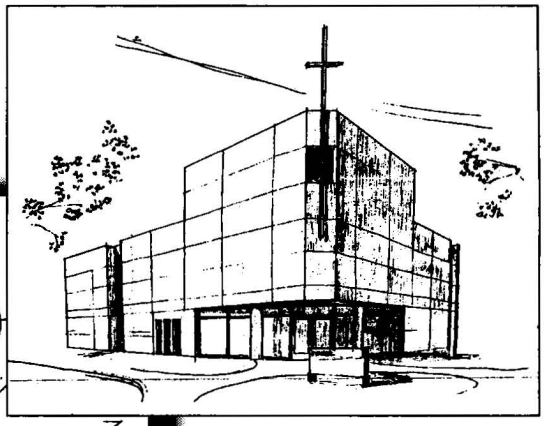
Board of Zoning Adjustment
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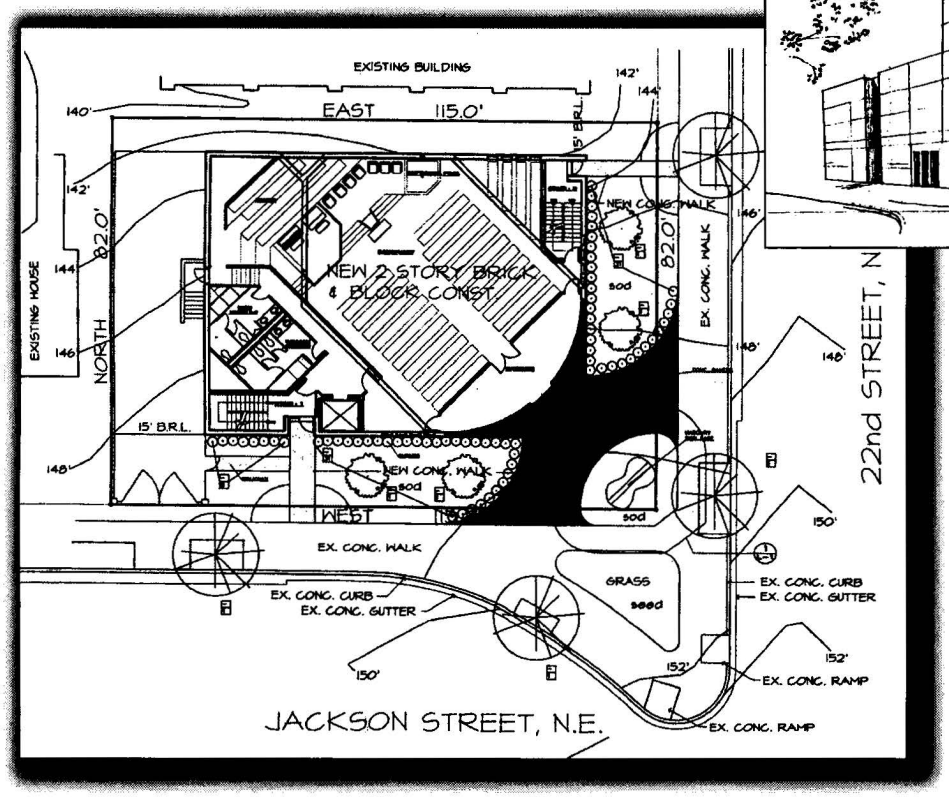
Avenue, (which has commercial services on both sides) is less than one block east of the subject site. Low-density single-family detached and semi-detached homes are the predominant land in the area of the subject site. The referenced property is currently vacant, as a result of a fire on February 28, 2002. The fire destroyed the entire church edifice, rendering the structure a total loss. The destroyed church was built in the 1800's. It is the desire of church officials and the congregation that a new church be constructed on the same site.

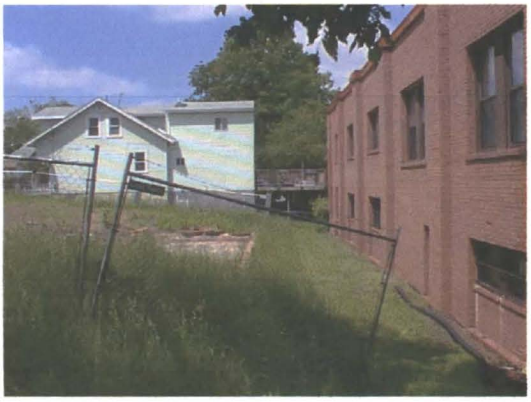


APPLICANT'S PROPOSAL

The applicant purposes to build a new church at the corner of 22nd & Jackson Streets, N.E. The new structure will be approximately 12,900 square feet, which is more than twice the size of the original structure, which was approximately 4,322 square feet. The church operation has experienced significant growth over the past ten years and the church desire to incorporate addition space in the design of the proposed facility to accommodate additional membership. The proposed seating capacity of the proposed church will be approximately 359. The original church had a seating capacity of about 181 parishioners. The structure was redesigned to eliminate 5 feet from the rear of the building, in order to meet the rear yard requirements. The redesign also provides the church enough space on the north side for three on-site parking spaces, one that will be designated for handicapped. Additional parking spaces (approximately 60) will be accommodated off-site, at two certified parking lot, on the Rhode Island commercial corridor. The Learning Center, at 2207 Rhode Island Avenue will lease the applicant 25 spaces, and A & A Ladder Company, at 2305 Rhode Island Avenue will lease the applicant 35 spaces. Both lots are within 400 feet of the church. The applicant has provided OP with copies of signed lease agreements. The agreements permit the church exclusive use of the subject parking lot on Sundays from 8:AM to 6:PM. The lease is for a period of one year.







Original church site, west view.



Original church site, north view.

ZONING ANALYSIS

The subject site is in the R-1-B District, a low-density district designed to protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes. Churches are also permitted in this zone as a matter-of-right. The applicant has requested special exception relief from §2101.1(Requirements for Parking Spaces) and §2116.3



Original church site, northeast view.

Parking Requirements

The numbers of parking spaces are calculated according to the number of seats provided by the church, according to the schedule of requirements for parking spaces outlined in §2101.1:

> ***Churches – All other Districts – 1 for each 10 seats of occupancy capacity in the main sanctuary; provided that where the seats are not fixed, each 7ft.^{2} usable for seating or each 18 in. of bench if benches are provided shall be considered 1 seat.***

In their revised submission, the applicant has provided 3 parking spaces on the lot. OP has determined that a special exception from the parking requirements on the subject lot is necessary, since the other spaces are proposed off-site. (§2116.3)

According to §2116.3, up to 50% of the number of parking spaces may be located elsewhere. The spaces shall be located within four hundred (400) feet of the church in a public or private parking lot or garage where the required numbers of spaces are made

available for the use of the church through a binding agreement with the owner of the parking facility. However, at least three (3) parking spaces shall be provided on the lot where the church is located.

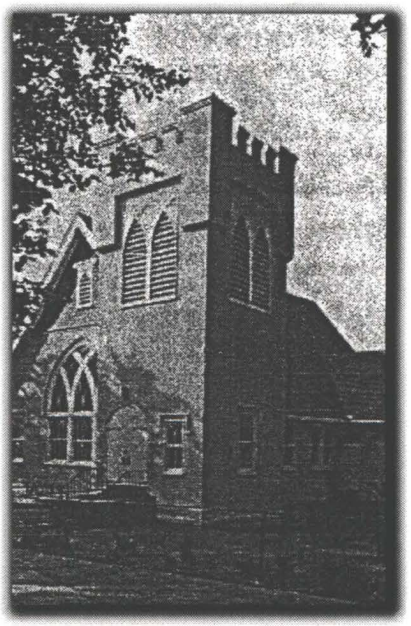
ANALYSIS

OP has determined that a special exception will be required since the applicant is not able to provide the required spaces on the principal lot. Up to 50% of the required number (18) may be located elsewhere and at least three must be provided on the church's lot. The applicant has proposed off-site parking at two nearby lots, (both within 400 feet of the subject church) in order to satisfy the requirements in §2101.1 and §2116.3. The applicant has provided OP with copies of signed lease agreements for 25 spaces at the Learning Center, located at 2027 Rhode Island Avenue, and a lease for 35 spaces at A & A Ladder Company, located at 2305 Rhode Island Avenue. However, §2116.5 provides that open parking spaces may be provided elsewhere in accordance with §2116.6 through §2116.9 as follows:

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;

When the original building was purchased by Evangel Missionary Baptist Church, the site did not have any on-site parking. Because the original building was constructed prior to the Parking Schedule of 1984, there were no parking requirements for churches. Therefore, the original church was in compliance with parking requirements. The original structure was completely destroyed by fire (through no fault of church members) in February 2000. If it were not for the fire, the congregation would not be in a posture of needing a new facility. OP believes that the size and dimensions of the lot make it impractical to locate a suitable church facility and have enough space left to accommodate the required number (36) of parking spaces. This is an improbable situation since the applicant is not able to acquire any adjacent land to accommodate on-site parking.



Original church building.

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

There are no public alleys located at the rear, or any portion of the subject property. The lot abuts another church to the rear or north and a residential structure to the west. There is street frontage to the south and east.

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

This condition is not applicable in this instance.

(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.***

OP believes that the location of parking elsewhere off-site is a more efficient use of land, since there is size and dimension challenges to constructing an appropriate new church on the site. By concentrating needed parking spaces off-site, the applicant is allowed the opportunity to design and construct a new facility, which can accommodate a growing congregation and provide better outreach service to patrons and the immediate community. The location of the parking spaces across Rhode Island Avenue, but within 400 feet of the church, will provide safer ingress and egress patterns, including designated crosswalks on Rhode Island Avenue, on both sides of the church entrance. It will also reduce the competition for on street parking in the residential neighborhood.

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.***

The neighborhood is residential in character, although there are no alleys or parking facilities adjacent to the church site.



The Learning Center, 2027 Rhode Island. Avenue, NE, 25 parking spaces.

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 that they are designed to serve.***

The parking facilities at Learning Center and A & A Ladder Company are reasonable and convenient for Sunday church activities when it is expected to have the largest number of parishioners attending services. The learning center is located diagonally southwest of the subject church, across Rhode Island Avenue near the intersection with Mills Avenue, N.E. A&A Ladder Company is at the corner of Rhode Island Avenue and Thayer Street, N.E. Both of the referenced parking lots are within 400 feet of the subject church site, which is a convenient walking distance to and from the church. There are designated crosswalks on Rhode Island Avenue on both sides of the church entrance.



A&A Ladder Co., 2305 Rhode Island. Avenue, NE, 35 parking spaces.

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 deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.***

Both of the referenced parking lots are certified parking facilities in the District of Columbia. As such, they are required to have an impervious surface, be adequately fenced and provide lights that illuminate the immediate lot, without adverse impact on the surrounding neighborhood.

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map depicts the subject area as Low-Density Residential. Single-family detached and semi-detached housing is the predominant uses in this category. Churches are permitted in these areas.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST

Will the special exceptions be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map?

Yes. The special exceptions will in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. Churches are permitted uses in the C-2-A District. The original church was destroyed by fire, On February 28, 2002, and the site is currently vacant. The original church structure was an excepted Brookland community institution, built in the 1800's. Most of the congregation live in the surrounding community and would like to continue worshipping at the same location as the original church. The plan to construct a new church on the same site would constitute the continuation of a permitted land use in the community, therefore, when the new church is constructed, it is anticipated to continue a positive tradition in the community established by the original church, over a long period of time.

Will the granting of the special exception tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map?

No. The granting of the special exception will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. If the Board were to grant the requested special exception, to permit the subject church to provide parking at sites, other than on the principal lot, the affect would not be considered adverse. The original church was built prior to the Parking Schedule of 1984, when churches were exempt from meeting parking requirements. Church officials are not seeking to "grandfather" the parking exemption the original church had, but to provide the required number of parking spaces (36) off-site, within 400 feet of the church structure. The church has negotiated prospective leases with two D.C certified parking lot so members who drive to service on Sundays can park on lots located conveniently to the church. The parking arrangements made by the church will reduce competition for parking in the community.

COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 5C, at its regularly scheduled monthly meeting, held on Wednesday, May 7, 2003, did not support BZA Application 17015. The ANC cited the potential impact of additional traffic associated with the church, as potentially disruptive to the community, especially on Sunday mornings. The applicant committed to the ANC that they would attempt to make parking lease arrangements with nearby parking lots for use by church members. The applicant has requested that the ANC hold a special meeting to reconsider the parking issue.

OP RECOMMENDATION

After having reviewed BZA application 17015 requesting special exception from §2101.1 and §2116 of the Zoning Regulations, in the R-1-B District, the Office of Planning recommends that the **Board approve the application**. The Office of Planning finds that the applicant does qualify for relief from the requirements of §2101.1 and §2116, and has met the burden of proof under §3104.1 of the Zoning Regulations, and concludes that approval of the application would be in harmony with the general purpose and intent of

the Zoning Regulations and Map and will not tend to affect adversely, the use of neighboring properties in accordance with the Zoning Regulations and Map.