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November 2, 2004

VIA HAND-DELIVERY

District of Columbia Board of Zoning Adjustment
441 4th Street, N.W., Suite 210
Washington, D.C. 20001

Re: BZA Application No. 17215

Dear Honorable Members of the Board:

Enclosed kindly find twenty-one copies of a Pre-Hearing Statement in support of the above referenced application. This statement is submitted on behalf of the Roman Catholic Archbishop of Washington and its affiliate Victory Youth Centers, Inc. (collectively, the "Applicant"). Please note that the Applicant is requesting additional relief under 11 DCMR § 2516.

Additionally, please find enclosed twenty-one copies of a revised Landscape Plan (dated 11/01/04). As you will see, the Applicant has added significant screening between the parking lot and the street. The Applicant is hopeful that this modified Landscape Plan will satisfy the requirements of §§ 2117.11 and 2117.12.

Please do not hesitate to contact us if you would like any additional information.

Sincerely,

Megan M. Wallace

Enclosures

MMW/jrh

cc: David McGettigan, Development Review Specialist-Office of Planning
Matt Whalen, Whalen Construction Company

FDADB/47042/1/5032/1 11/1/2004 7:05 PM

BZA
Case No. 17215
Exhibit No. 35

Board of Zoning Adjustment
District of Columbia
CASE NO. 17215
EXHIBIT NO. 35

Before the Board of Zoning Adjustment
District of Columbia

In the matter of	:	
The Roman Catholic Archbishop	:	
of Washington	:	
Applicant	:	**Application No. 17215**
	:	
	:	

SPECIAL EXCEPTION APPLICATION
PRE-HEARING STATEMENT OF APPLICANT

The Roman Catholic Archbishop of Washington ("Archdiocese"), in conjunction with Victory Youth Centers, Inc. ("VYC") (collectively, the "Applicant"), makes this application for a special exception to request relief to construct a community service center on the campus of an existing church and private elementary and middle school in the R-5-A District. The Roman Catholic Archbishop of Washington, a corporation sole, was established by Act of the United States Congress, Private Law 319 (80th Congress) on May 29, 1948. VYC was formed in 1998 as a non-stock corporation, organized under the auspices of the Archdiocese of Washington, to build and manage multi-use recreational facilities in the greater Washington, D.C. metropolitan area.

The center would be located on the campus of St. Thomas More Catholic Church and School located at 4265-4275 4th Street SE. Pursuant to 11 DCMR § 350.4, any use permitted in the R-4 District is permitted as a matter of right in an R-5 District subject to the requirements of §§ 353 and 410 which sections are inapplicable in this case. Ultimately, the Zoning Regulations refer the Applicant back to the uses permitted in the R-1 District. 11 DCMR § 201.1(b) permits a church or other place of worship in the R-1 District. 11 DCMR § 206 permits private schools or staff residences as special exceptions in the R-1 District. Finally, 11 DCMR § 334 permits community service centers as special exceptions in the R-4 District. The application fully satisfies the standards for special exception relief for a private school and a community service center in the R-5-A District, pursuant to 11 DCMR §§ 3104 (special exception), 206 (private school) and 334 (community service center). Please see the "Satisfaction of the Special Exception Standards of 11 DCMR §§ 3104, 206 and 334," submitted as part of the application, for a discussion of the standards for a special exception for a private school and community service center.

SECTION I: ADDITIONAL RELIEF

At this time, the Applicant would like to request additional special exception relief under 11 DCMR § 2516, Exceptions to Building Lot Control (Residence Districts). Relief under this section would allow the construction of the community service center as a separate principal building on the grounds of the existing church and school. The applicable portions of Section 2516 are as follows:

2516.1 If approved by the Board of Zoning Adjustment as a special exception under § 3104, two (2) or more principal buildings or structures may be erected on a single subdivided lot, subject to the provisions of this section.

2516.2 This section applies to construction on a lot that is located in, or within twenty-five feet (25 ft.) of, a Residence District.

2516.3 In addition to other filing requirements, the applicant shall submit to the Board, with the new application, four (4) site plans for all new rights-of-way and easements, and existing and preliminary landscaping and grading plans with approximate building footprints; provided:

(a) The applicant shall also submit, either with the original application or at a later time, final landscaping and grading plans and two (2) sets of typical floor plans and elevations; and

(b) If the applicant elects to submit the plans referenced in § 2516.3(a) at a later date, the Board's original approval shall be conditional, subject to a later public hearing and final decision on the project as a whole.

2516.4 The number of principal buildings permitted by this section shall not be limited; provided, that the applicant for a permit to build submits satisfactory evidence that all the requirements of this chapter (such as use, height, bulk, open spaces around each building, and limitations on structures on alley lots pursuant to § 2507), and §§ 3202.2 and 3202.3 are met.

...

2561.9 The proposed development shall comply with the substantive provisions of this title and shall not likely have an adverse effect on the present character and future development of the neighborhood.

The Applicant requests relief under Section 2516 as the property is located in a residential district (R-5-A) and the Applicant is proposing to have two principal buildings on the same lot. The campus is located in the Highland South community of the Congress Heights neighborhood in Ward 8. No new rights-of-way or easements are necessary for these two principal buildings to co-exist on the campus. The Applicant has submitted landscaping and grading plans as well as the floor plans and elevations. The Applicant will fully comply with the requirements under Sections 3202.2 and 3202.3 during the permitting process. Finally, the Applicant submits that allowing two principal buildings on this large, six-and-a-half acre lot shall not have an adverse effect on the present character nor the future development of the neighborhood. In fact, the youth center will not affect adversely the neighborhood, but rather will provide a stable venue to enhance the recreational, educational and social experiences of the area's at-risk youth. As this project has received broad-based public and private support, the Applicant submits that the placement of the center in this underserved community will greatly enhance the surrounding neighborhood.

The Applicant respectfully requests that the church and school be exempt from this special exception application. The church and school have existed peacefully and successfully with its neighbors for more than fifty years. No structural or operational changes are proposed to

either the church or school. The school does not seek to increase its enrollment or intensify its use of the grounds by way of this application. The Applicant contends that the youth center is a structure separate and apart from the church and school building. In fact, a ground lease will be entered into between the Archdiocese and VYC for the applicable portion of the campus. Thus, the center is not accessory to the school, but is a separate principal use of the lot.

SECTION II: SUPPORT FOR THE APPLICATION

The Applicant submits the following information in support of its petition for a special exception as a community service center dedicated to the improvement of the community by its offering of facilities for recreational use by youth in the District of Columbia.

A. The Applicant

VYC is recognized as tax-exempt under section 501(c)(3) of the Internal Revenue Code and is included within the Official Catholic Directory of non-profit organizations recognized as tax-exempt. VYC's charter provides:

> *The purposes for which the Corporation are formed, and the business and objects to be carried on and promoted by it, are as follows:*
>
> *A. To build, maintain, and operate one or more youth centers.*
>
> *B. To perform activities as are consistent with the Corporation's primary purposes as a youth center.*

VYC's Mission Statement reads: *"To build and manage quality multipurpose recreation facilities for the underserved youth of the Washington DC metropolitan region through a partnership of public and private resources."* To date, VYC has received financial support for a portion of the construction cost in the form of a Two Million Dollar grant from the District of Columbia Department of Housing and Community Development. The Christ Child Society (Washington, D.C. Chapter) has generously donated One Million Dollars in exchange for naming rights for the facility. In honor of the founder of the Christ Child Society, the center will be known as the *Mary Virginia Merrick Center* ("Merrick Center" or "Center"). Another One Million Dollars was raised to cover the cost of construction. In addition, VYC and others in the community are raising funds to build an endowment for the Merrick Center. The endowment will be used to offset usage fees for the Center.

The most important element of VYC's mission is to satisfy the desperate need for quality multipurpose recreation centers and meeting spaces in which to hold youth activities. The Merrick Center will be made available to the St. Thomas More Church and School and to other community groups such as the Scouts and Boys & Girls Clubs. These users will pay a fee to defray the operating costs of the facility. All users of the VYC facility must fall within VYC's mission "to provide opportunities for the youth of our community to enhance their recreational and social experiences in a supportive and supervised environment."

VYC is devoted exclusively to the betterment of the community. To satisfy the growing need for facilities to hold youth activities, VYC was established to open facilities to host athletic, educational, and social events for children and young adults in our community, on a non-

sectarian basis. VYC expects to host many different types of events for the community. The anticipated activities may include, but not be limited to:

- Basketball leagues, tournaments and camps
- Indoor soccer leagues, tournaments and camps
- Indoor tennis leagues, tournaments, exhibitions and camps
- Indoor volleyball leagues and tournaments
- Cheerleading practice and competitions
- Wrestling camp and competitions
- Recreational centers during summer and after school hours
- Meeting space for Boy and Girl Scout units
- Science fairs and other educational competitions
- Seminars on youth-oriented topics
- Supervised youth dances
- Plays sponsored by local organizations
- Speech and debate competitions
- Musical and theatrical activities
- Theater, choral and musical productions
- Community events

VYC will make the facility available for use and for rent to all youth-oriented organizations, as mentioned above. Usage allocation will be on a non-sectarian basis intended to benefit the public at large.

B. The Site

The Merrick Center will be located on approximately 1.70 acres of a six-and-a-half acre campus (the "Campus") located at 4265-4275 4th Street SE (Square 6242 Lot 834) in the Highland South community of the Congress Heights neighborhood of Ward 8. Now located on the site are a church, a private elementary and middle school, a rectory, a former rectory, a garage, and a storage facility all in use by the Archdiocese. St. Thomas More Catholic School serves pupils in grades pre-K-8 and has a current enrollment of approximately 200 students, with a Certificate of Occupancy for 500 people. St. Thomas More Catholic Church has a Certificate of Occupancy for 500 people.

The portion of the property to be used by the Merrick Center is bounded on the north by apartment buildings; on the east by the church's rectory; on the south by 6th Street SE; and on the west by row houses. The topography of the site is on a hillside adjacent to the parish rectory. The subject property is developed land with sidewalks, an asphalt playground area and a former parking lot.

C. The Facility

The Merrick Center will consist of approximately 23,041 square feet of space, comprising an all-purpose court for basketball, volleyball, and gym hockey games, among others, with bleacher seating of up to 500 seats. The Merrick Center will contain a large multi-purpose floor area, sufficient to hold: (1) multiple events simultaneously; (2) a stage and adjacent storage area to support theater and musical events; (3) four meeting rooms to support

smaller social and recreational meetings; (4) an office; (5) toilet facilities (no showers); and (5) a small concession area. A warming pantry with a refrigerator, microwave, ice machine, hot dog machine and popcorn maker will be the only food service provided.

The architectural renderings of the building elevations as well as the floor plan were previously submitted.

D. Operations

The gymnasium building will be open for use from 9:00 a.m. to 11:00 p.m. weekdays; and 8:00 a.m. to 11:00 p.m. on weekends. The surrounding schools will have primary use of the building during school hours. They may use the facility for recreational or other youth activities such as science fairs or special programs suitable to its size. The activities proposed for the new youth center will be conducted inside the new building and, thus, will not create any additional noise or other objectionable conditions.

During approved youth activities, area high school-aged youth may be employed, on a part-time basis, to monitor the Center and to sell concessions during league and tournament events. They will be supervised by an adult director employed by Victory Youth Centers. In addition, a security officer will be stationed at the center during all hours of operation. The Applicant will hire additional part-time employees as needed and does not anticipate there will be more than 5 full-time employees for the Center.

Parking will be adjacent to the facility. The youth center requires 1 parking space per 2,000 square feet. See 11 DCMR § 2101.1. The proposed building is 23,041 square feet, thus 12 parking spaces are needed. As part of the proposed building, the Applicant will add 67 off-street parking spaces. In addition, after school, the school's parking lot of 80 spaces will be available to serve the facility. Thus, the Applicant will provide ample off-street parking.

Outdoor lighting will be the minimum required for security purposes at the building and the parking lot. This lighting will be contained within the confines of the Campus. Additionally, landscaping will be installed. A landscape plan for the center has been submitted.

SECTION III: CONCLUSION

As stated above, the site is located in the Highland South community of the Congress Heights neighborhood in Ward 8. It is surrounded by apartment buildings, single family homes and row houses, including public housing facilities. This Center will be reasonably necessary and convenient to the neighborhood, as it will provide a stable venue to enhance the recreational, educational and social experiences of the area's at-risk youth. The Merrick Center will provide an essential venue for the surrounding community by providing a safe and supportive environment in which to nurture healthy socialization skills through sports, arts, music and other organized youth programs. This project has received strong support from the immediately surrounding neighborhood as well as the Advisory Neighborhood Commission. The Applicant is hopeful that the placement of the Center in this underserved community will greatly enhance the surrounding neighborhood.

SECTION IV: WITNESSES AND SUMMARY OF TESTIMONY

The applicant intends to call the following expert witnesses at the public hearing:

Gregory Dyer, C.P.A., President, Victory Youth Centers, Inc. Mr. Dyer will testify as to the purposes of VYC, its mission, and the proposed operation of the Merrick Center. He will also describe the community outreach efforts.

Matthew Locraft, A.I.A., Collins & Kronstadt. Mr. Locraft as an expert architect will testify as to the elevations, floor plan and architectural elements of the proposed Merrick Center.

Father Charles Pope, Pastor, St. Thomas More Catholic Church. Father Pope will testify regarding the community's need for a youth center and the community outreach efforts.

Matthew Whalen, Project Manager, Whalen Construction Co., Inc. Mr. Matthew Whalen will be available to testify as needed as to operational and construction matters.

Robert Mereness, Cad-Con Consulting Incorporated, Structural, Mechanical, Electrical, Civil Engineers. Mr. Mereness will be available to testify as an expert on the land planning and civil engineering issues presented by this application, if necessary.

Wilford Graham, Principal, St. Thomas More Catholic School. Mr. Graham will be available to testify regarding the operation of the school.

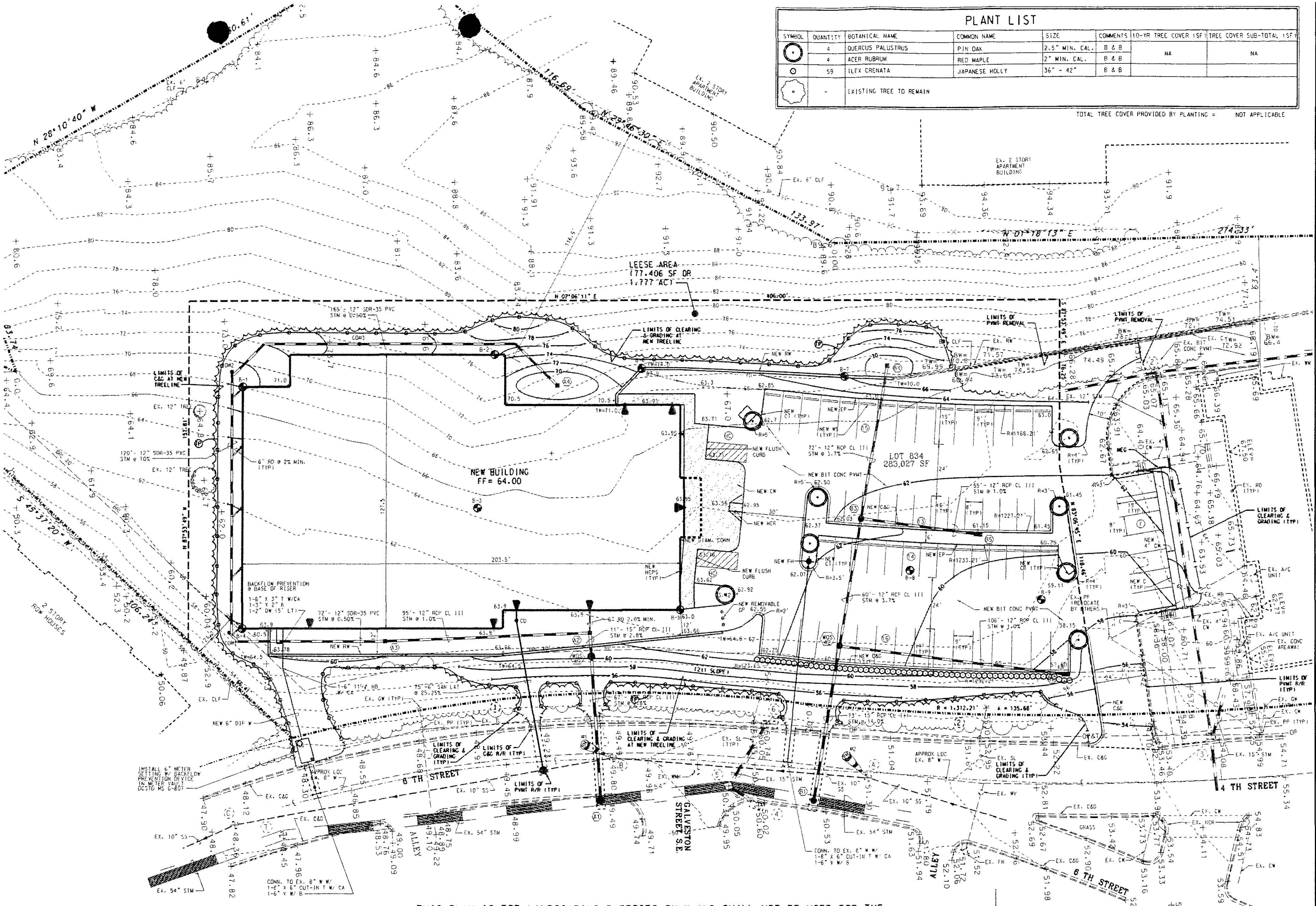
The Applicant reserves the right to call other witnesses as necessary to respond to questions or areas of concern which may arise. It is anticipated the Applicant's case may require one hour to present.

Respectfully submitted,

FUREY, DOOLAN & ABELL, LLP

By: Megan Wallace

Megan M. Wallace, Esquire
8401 Connecticut Avenue, #1100
Chevy Chase, Maryland 20815
(301) 652-6880
Attorney for Applicant



PLANT LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS	10-YR TREE COVER (SF)	TREE COVER SUB-TOTAL (SF)
	4	QUERCUS PALUSTRUS	PIN OAK	2.5" MIN. CAL.	B & B	NA	NA
	4	ACER RUBRUM	RED MAPLE	2" MIN. CAL.	B & B		
	59	ILEX CRENATA	JAPANESE HOLLY	36" - 42"	B & B		
	-	EXISTING TREE TO REMAIN					

TOTAL TREE COVER PROVIDED BY PLANTING = NOT APPLICABLE

THIS PLAN IS FOR LANDSCAPING PURPOSES ONLY AND SHALL NOT BE USED FOR THE CONSTRUCTION OF OTHER PERMANENT SITE IMPROVEMENTS!

CURVE DATA TABLE

NO.	RADIUS	DELTA	TANGENT	ARC	CHORD	C. BEARING
1	603.65'	23°03'40"	123.14'	242.96'	241.30	S01°33'38"E
2	1312.21'	° ' "				° ' "

CAD-CON CONSULTING INCORPORATED
STRUCTURAL, MECHANICAL, ELECTRICAL, CIVIL ENGINEERS
10706 VANDOR LANE
MANASSAS, VIRGINIA 20109
703-392-5141

Client

MARY VIRGINIA MERRICK RECREATION CENTER
WHALEN CONSTRUCTION COMPANY, INC.

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ROCKVILLE, MD 20852

Issues/Revisions

No.	Date	Remarks
	11-01-04	ADD EVERGREEN HEDGE
	02-25-04	FOR PRICING

Drawn: PY
Checked: RCM
Approved: RCM
Date: 03-13-03
Job No.: 393.0010

DISTRICT OF COLUMBIA
FREDERICK D. NEAL
REGISTERED PROFESSIONAL ENGINEER

Project

MARY VIRGINIA MERRICK RECREATION CENTER
SQUARE 6242 LOT 834

4275 4TH ST. SE
WASHINGTON, DC. 20032

Sheet Title

LANDSCAPE PLAN

Sheet Number: L-1