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D.C. OFFICE OF ZONING

**STATEMENT SUPPORTING APPEAL OF THE
APPROVAL OF CONSTRUCTION PERMITS, AND RELATED RULINGS,
AT 3417 MASSACHUSETTS AVE., NW, SQUARE 1939, LOT # 42**

This Statement is submitted on behalf of Appellants, the Friends of the Babcock-Macomb House whose members who are owners of properties near the subject property. This appeal is filed within 60 days of the date when Appellants learned of the pertinent administrative decisions and actions, and is therefore timely commenced pursuant to section 3112.2 of the zoning regulations.

The Property: The subject property is located at 3417 Massachusetts Ave., NW, Square 1939, Lot 42, ("the Property"), in the Massachusetts Avenue Heights neighborhood and in an area zoned R-1-B. Until 2004 it was not a separate property but rather the side yard of the Babcock Macomb House, 3415 Massachusetts Ave., NW, Square 1939, Lot 40, which served (and still serves) as the Embassy of Cape Verde. On February 5, 2004, the Mayor's Agent for historic preservation approved a subdivision of the Babcock-Macomb property, and the Embassy of Cape Verde promptly sold the now-separated Property to a lay Buddhist organization known as Soka Gakkai International-USA (the "Owner"). The Owner subsequently applied for a permit to construct a community center on the Property, misleadingly labeling the proposed building as a "church" which could be constructed there as a matter of right under 11 DCMR 201.1(b). On March 2, 2007, the Zoning Administrator issued a determination accepting the Owner's characterization of the proposed building as a "church or other place of worship," constructable as a matter of right, and the Department of Consumer and Regulatory Affairs ("DCRA") approved a construction permit on April 10, 2007. Excavation on the site appears, as of this filing, to be nearly complete.

Challenged Administrative Decisions: By this application, Appellants challenge the following decisions and actions:

1. Ruling (March 2, 2007) by the Zoning Administrator that the proposed building qualifies as a "church or other place of worship" that can be constructed as a matter of right on a site zoned R-1-B. (**Exhibit 1.**)
2. Approval by DCRA of application #5263-A-6, concluded on April 10, 2007, permitting construction. (**Exhibit 2.**)
3. Issuance by DCRA of Permit No. 98193 (November 30, 2006) allowing excavation/sheeting/shoring on the site and Permit No. 100009 (December 11, 2006) allowing construction of a covered pedestrian walkway and construction fence. (**Exhibit 3.**)

Errors in the Administrative Decisions: The decisions appealed from were erroneous for the following reasons:

1. *Matter-of-right ruling.* Matter-of-right status under 11 DCMR 201.1(b) applies only to a "church or other place of worship." The proposed building here is neither.

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BOARD OF ZONING ADJUSTMENT
District of Columbia

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First, the Owner, as a matter of policy, does not operate “churches.” It is an organization comprised exclusively of lay Buddhist practitioners, and its roughly 80 facilities across the United States are all designated as “community centers” or “culture centers.” Until the present effort to build in a residential neighborhood, SGI has never before called one of its U.S. facilities a “church.” As summarized by one senior SGI leader, “We don’t have either temples or priests. We’re a *lay* Buddhist group.” Invoking the label “church” for the proposed facility here is a transparent attempt to evade zoning regulations preventing construction of a community center in an R-1 District. (**Exhibit 4.**)

Second, the building’s primary use will not be as a place of worship. There is evidence that SGI’s leadership seldom refers to, and has at times admonished against applying, the concept of “worship” in the context of the practice followed by SGI’s adherents, such that there arguably would be no worship use of the building at all. Nonetheless, if one assumes that ritual chanting in front of scrolls -- the only potential “worship” activity identified by the Owner -- constitutes worship for the purpose of the governing DC law, information submitted by the Owner to the Zoning Administrator shows that the two sanctuary rooms set aside for this use account for roughly 6% of the building. (**Exhibit 5.**) Furthermore, the Owner’s representatives have publicly stated that these would be the building’s “least used” rooms. The balance of the proposed building consists of conference rooms, office suites, a bookstore, and other similar spaces, with planned/announced uses including administrative functions, government affairs, educational programming, conferences, peace rallies, book sales, and the like. (**Exhibit 6.**) While all of these functions might be legitimate ancillary functions in a place of worship, they do not qualify as worship for purposes of determining the principal use of the building. Thus, assuming that the two sanctuary rooms are to be used principally for worship, the building’s primary use would still be as a conference facility and community center. Worship would not be the primary but an ancillary use of the building.

The Zoning Administrator’s contrary determination is based on an impermissible interpretation and application of the statutory terms, “church or other place of worship.” It is also without factual support, and is contradicted by the voluminous factual evidence made available to him.

2. *Construction Permits.* Because the proposed building does not qualify as a “church or other place of worship” under 11 DCMR 201.1(b), and otherwise does not conform with the residential (R-1-B) zoning of the neighborhood, it cannot be constructed on the Property in the absence of special zoning relief granted by the BZA. Accordingly, DCRA’s approval of a construction permit constituted legal error and must be reversed by the BZA.

3. *Excavation/Sheeting/Shoring and Covered Walkway/Fencing Permits.* These permits were issued in advance of any ruling on the critical zoning issues which make it quite unlikely that the Owner will *ever* be able to construct and utilize a facility of the type it proposes to place on the Property. As a result, the neighborhood sustained immense harm for 4 months during which -- given the absence of an appealable administrative determination -- there was no ability to invoke the jurisdiction of the BZA. The permits were also issued in breach of a promise expressly and repeatedly made by

DCRA to the Appellants, and to the ANC 3C, that no permits of any kind would be issued to the Owner in advance of a formal/appealable decision on the "matter of right" issue. This promise, and the fact of its breach, is acknowledged in email communications sent by the Zoning Administrator. (**Exhibit 7.**)

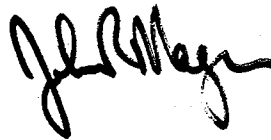
Appellants will prove these points relying on: (1) the plain language of the zoning regulations; (2) pertinent legal precedents; (3) testimony of factual and expert witnesses; (4) documents itemized in the Exhibit List below; and (5) such additional evidence, including testimony, as is deemed necessary.

* * *

For the reasons stated herein and for those to be provided in future pleadings and at the hearing, Appellants respectfully submit that the construction and other permits should be revoked, the matter-of-right ruling reversed, and the Owner compelled to seek appropriate zoning relief from the BZA or else restore the Property to the condition it was in prior to excavation.

Respectfully submitted,

FRIENDS OF THE BABCOCK-MACOMB HOUSE



By:

John R. Magnus, President

EXHIBIT LIST

1. Zoning Administrator's Decision Memorandum
2. DCRA website printout showing approvals for building permit, application #5263-A-6
3. Permit Nos. 98193 (dated 11/30/06) and 100009 (dated 12/11/06)
4. Materials relevant to SGI-USA's community centers and its lack of churches
5. Square footage calculations
6. Materials on planned uses of proposed community center
7. Email from Zoning Administrator Bill Crews on improper grant of excavation permits

CERTIFICATE OF SERVICE

I certify that I have served a copy of this submission by US Mail on the following parties:

On Behalf of Owner

Bill Aiken
Public Affairs Director
Soka Gakkai International-USA
2233 Wisconsin Ave., NW
Washington, DC 20007

On Behalf of Advisory Neighborhood Commission 3-C

Catherine May
Commissioner, Single Member District 3C-08
2800 36th Street, NW
Washington, DC 20007



John R. Magnus

EXHIBIT 1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



March 2, 2007

Mr. Bill Aiken, Associate Director
Office of Public Affairs
Soka Gakkai International – USA
2233 Wisconsin Avenue, NW Suite 306
Washington, DC 20007

Ms. Allison Prince
Pillsbury Winthrop Shaw Pittman
2300 N St. NW
Washington, DC 20037.1122

Re: 3417 Massachusetts Ave. NW (Square 1939 Lot 42)
Building Permit Applications #4877-A-6 & #5263-A-6

Dear Mr. Aiken and Ms. Prince:

Soka Gakkai International – USA (SGI) has proposed a new building at 3417 Massachusetts Ave. NW, for use as a 'place of worship.' This property is within an R-1-B (Residential) District and the D (Mixed Use Diplomatic Overlay District) and the NO (Naval Observatory Precinct Overlay District).

Use as a 'place of worship' is a matter of right use within the R-1-B District and is not prohibited by either Overlay District.

It is the responsibility of the Zoning Administrator to determine whether all uses of property, structures, or buildings comply with the Zoning Regulations of the District of Columbia, Title 11 of the DC Municipal Regulations. Without an objective, fact-based consideration of every use, the residents of the District of Columbia could be subject to spurious claims contrary to the purpose and intent of the Zoning Regulations.

In order to confirm SGI's claims that the building will be used predominately as a 'place of worship' this office requested, and you have submitted, additional information with respect to the intended use of the building. After careful consideration and reliance upon the attached information provided by SGI, it is clear to me that the principal use of the proposed building will

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Re: 3417 Massachusetts Ave. NW (Square 1939 Lot 42)
Building Permit Applications #4877-A-6 & #5263-A-6
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be as a place of worship. You have explained how the space is used for the practice of your faith. The layout of the building with a large main room and smaller room for worship activities as well as classrooms, fellowship hall and a small amount of office space is very typical of churches and other places of worship. You have provided a typical schedule of activities which again mirrors other faiths' regular activities taking place in their churches or places of worship.

The issuance of a certificate of occupancy for use as a 'place of worship' requires maintaining worship as the principal use of the building.

Having determined the use as a matter of right, I have directed my staff to complete the zoning review of the submitted plans and provide approval or comments to you by close of business Monday, March 5, 2007.

I appreciate your willingness to detail the uses of the building in assisting my determination of the applicability of the zoning regulations.

Best regards,

A handwritten signature in black ink, appearing to read "Bill Crews", with a stylized, flowing script.

Bill Crews
Zoning Administrator for the District of Columbia



Pillsbury
Winthrop
Shaw
Pittman LLP

2300 N Street NW
Washington, DC 20037-1122

Tel 202.663.8000
Fax 202.663.8007
www.pillsburylaw.com

February 12, 2007

Allison C. Prince
Phone: 202.663.8888
allison.prince@pillsburylaw.com

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FEB 12 2007
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Mr. Bill Crews
Zoning Administrator
District of Columbia Consumer & Regulatory Affairs
941 North Capitol Street, NE
Washington, DC 20002

Re: Soka Gakkai International - USA (SGI-USA) Building Permit for 3417
Massachusetts Avenue, NW
Response to February 8, 2007 Inquiries

Dear Bill:

In order to facilitate the timely granting of the building permit application No. 5263A-6, attached within are the responses of Soka Gakkai International - USA ("SGI") to your February 8, 2007 inquiries ("inquiries").

As a preliminary matter, SGI objects to the scope of the inquiries. The inquiries infringe on SGI's Constitutional and statutory rights because they inquire into how SGI's exercise of its religion affects the design of the Project. DCRA is not legally permitted to make such assessments. Western Presbyterian Church v. Board of Zoning Adjustment, 862 F. Supp. 538, 547 (D.D.C. 1994)(finding that the Zoning Administrator's refusal to grant a church its building permit to construct a soup kitchen violated the First Amendment and the Religious Freedom Restoration Act because it substantially burdened the church's right to the free exercise of its religion and concluding that "Zoning boards have no role to play in telling a religious organization how it may practice its religion"); Martin v. Corp. of Presiding Bishop of the Church of Jesus Christ Latter-Day Saints, 747 N.E.2d 131 (Mass. 2001)(finding that it was not permissible for an adjudicator "to determine whether the inclusion of a particular architectural feature is 'necessary' for a particular religion"). Indeed, it is well settled that DCRA should defer to SGI's assertions that the Project is a "church", rather than capitulate to the opposition's prejudice-based claims. See Congregation Kol Ami v. Abington Twp., 2004 U.S. Dist. LEXIS 16397 (E.D. Pa. Aug. 17, 2004)(finding that when determining whether a specific religious exercise is central to a plaintiff's belief system and requires a certain place of worship, the adjudicator "must be careful not to question what is asserted by the plaintiff"); Marks v. Chesapeake, 883 F.2d 308 (4th Cir. 1989)(granting the applicant's

Mr. Bill Crews
February 12, 2007
Page 2

special use permit despite strong neighborhood opposition and finding that "Government officials simply cannot act solely in 'reliance on public distaste for certain activities, instead of on legislative determinations concerning public health and safety [or otherwise] dealing with zoning'").

Therefore, despite the fact that the inquires infringe on its basic Constitutional and statutory rights, SGI hereby responds to the inquiries without prejudice to, or waiver of, any claims pertaining to this Project that it currently has or may have against DCRA in the future.

We must emphasize again that SGI will face damages claims from its contractor if the building permit is not issued by February 20, 2007. Thank you for your prompt consideration of this urgent matter.

Sincerely yours,



Allison C. Prince

cc: Ms. Lisa Marie Morgan, Interim Director, DCRA
Mary Cheh, Councilmember Ward 3
Harriet Tregoning, Director, Office of Planning
Hon. Adrian Fenty, Mayor of the District of Columbia
Dan Tangherlini, City Administrator

Proposed Soka Gakkai Buddhist Culture Center Usage

"Exert yourself in the two ways of practice and study. Without practice and study, there can be no Buddhism. You must not only persevere yourself; you must also teach others. Both practice and study arise from faith. Teach others to the best of your ability, even if it is only a single sentence or phrase." Writings of Nichiren Daishonin Vol. I, p.386

Most uses fall into one of the following categories. They all derive from and are centered on the observance and transmission of Buddhist faith, practice and study as exemplified by the above passage from the 13th Century writings of Nichiren.

Chanting sessions

This includes the recitation of the Liturgy of Nichiren Daishonin (conducted each morning and evening) and the chanting of *Daimoku* (great invocation). While this is often conducted in members' homes, some members come to the center in the AM to recite the liturgy as a group. In addition one room ("Chanting Room") will be available whenever the center is open for members (and guests) to chant the *Daimoku*. These devotional recitations constitute one of the fundamental practices of Nichiren Buddhism. Nearly every scheduled activity begins with the recitation of the Liturgy.

Study Sessions

Buddhist study is another essential part of Buddhist practice and is conducted in many different formats according to language, age group, interests (men's women's groups), etc.

Discussion and Dialogue

Discussion and dialogue sessions whether in groups or one-on-one, enables practitioners to share their experiences in applying Buddhist practice to their daily lives, ask questions of senior leaders, or seek personal spiritual counseling. The dialogic method dates back to the days of Gautama Buddha (all of the Buddhist sutras are in the form of question and answer) and remain an essential element in all traditions.

Planning Meetings

Conducting effective worship and study events requires planning and preparation for those events.

Performance Groups

Our congregational services (like World Peace Prayer) and general meetings will often feature musical performances either from our Washington DC Chorus, or from our youth band. As with other traditions, music plays the role of uplifting peoples' hearts; and it also has a devotional characteristic rooted in Buddhist tradition.

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Office Staff

The Culture Center will operate with three full-time and one part-time staff person. The full-time staff includes the director, the assistant director, the office manager; the part-time staff member assists the office manager.

Both the director and assistant director are senior level leaders and teachers in the Nichiren Buddhist tradition. Both are post-graduate level in the Soka Gakkai study Department; they are commissioned by the SGI-USA as Ministers of Ceremonies, and hold organizational responsibilities positions that center on providing both spiritual and organizational direction in the Soka Gakkai community, as well as conducting such pastoral duties as visiting the sick and aged, providing spiritual counseling, and conducting study lectures.

The office manager is primarily responsible for maintaining the membership rolls, managing the finances, the bookstore, any shipping and receiving of supplies and (together with the director and assistant director) the physical care and maintenance of the center.

In addition a volunteer receptionist comes for 4-6 hours per day to answer the phone and greet visitors.

Who can attend?

Most of the religious activities held at our center are open to our members and any interested guests. There are some activities (planning meetings, personnel meetings, etc.) which are only open to designated leaders of the Soka Gakkai community.

No fees are ever charged to attend our services. We do not rent our facilities out to the public, but may consider making the center available for certain civic functions like voting etc.

Which SGI members will use it?

We currently have (and will continue to operate) Buddhist centers in Hyattsville, MD, Baltimore MD and Springfield VA to accommodate the regular worship and study needs of members in the suburban areas. In addition we are actively pursuing a new location in Montgomery County near Gaithersburg, MD

Therefore, the principal users of this center will be the 400 members that make up the "Washington Area" organization made up mostly of members who live within DC. This will be their center for day-to-day worship and activity use. The center will also host *occasional* events open to the membership in the wider Washington DC Region which includes the surrounding Maryland counties.

Large general meetings and lectures as well as any regional conferences are held in rented halls/ballrooms or on high school or university campuses or in our Florida Nature

and Culture Center located on 125 acres in Weston Florida. These kinds of events often involve more than 1,000 participants and clearly will NOT be held in this modest facility.

Pantry
(158 sf)

Containing a sink, refrigerator, microwave, coffeemaker and small table, this will be the place for staff to eat their lunch or members to eat before-meeting snacks. No meal preparation here.

Fellowship Lounge
(434 sf)

This space will be used as a setting for informal dialogue essential to Buddhist practice, and may also be a place to enjoy some refreshments after a meeting

Chanting Room
(286 sf)

This room is set aside for members to come at any time during open hours to recite the Daimoku. There may be anywhere from 2-20 people in here at a time.

Classroom
(375 sf)

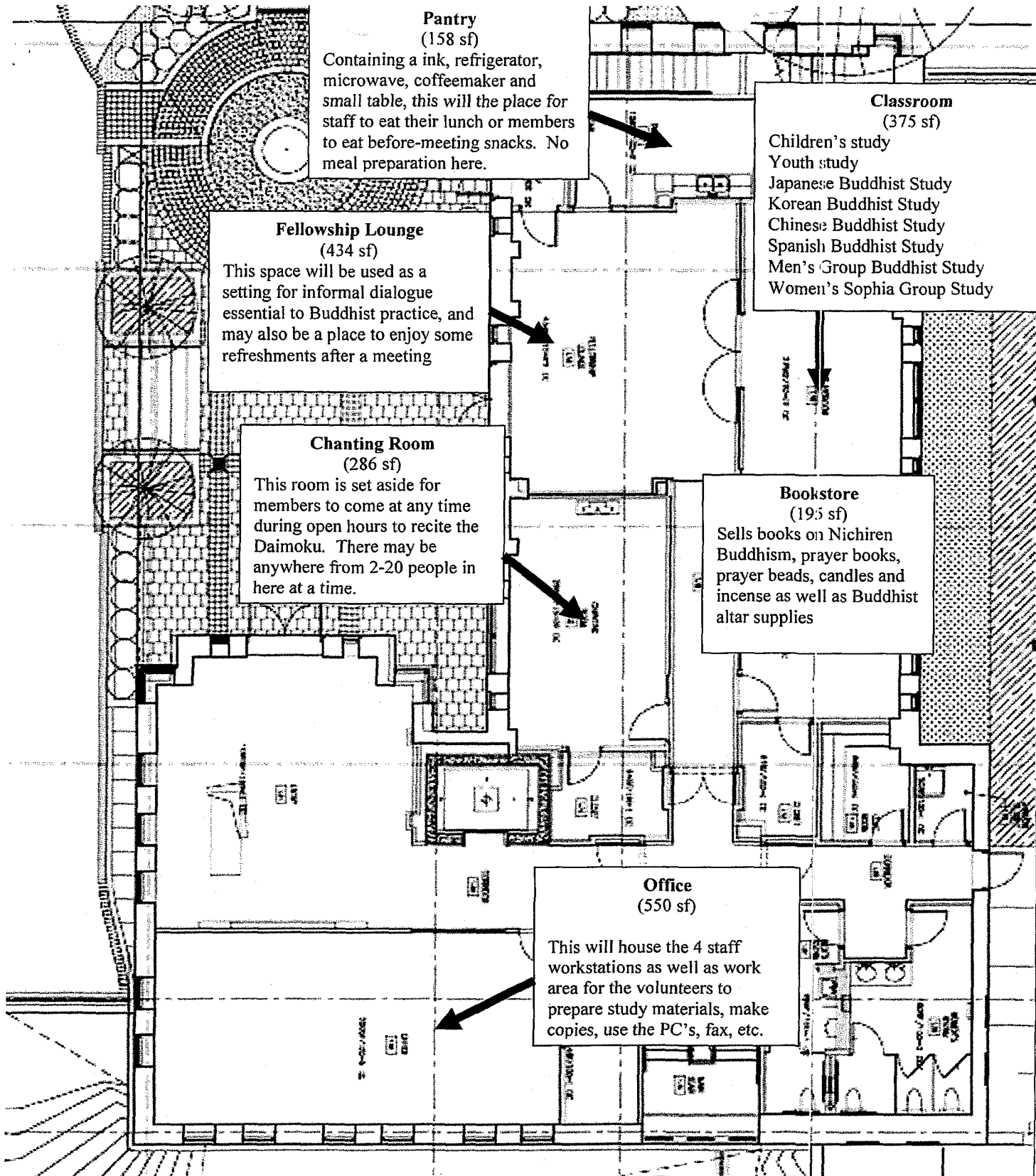
Children's study
Youth study
Japanese Buddhist Study
Korean Buddhist Study
Chinese Buddhist Study
Spanish Buddhist Study
Men's Group Buddhist Study
Women's Sophia Group Study

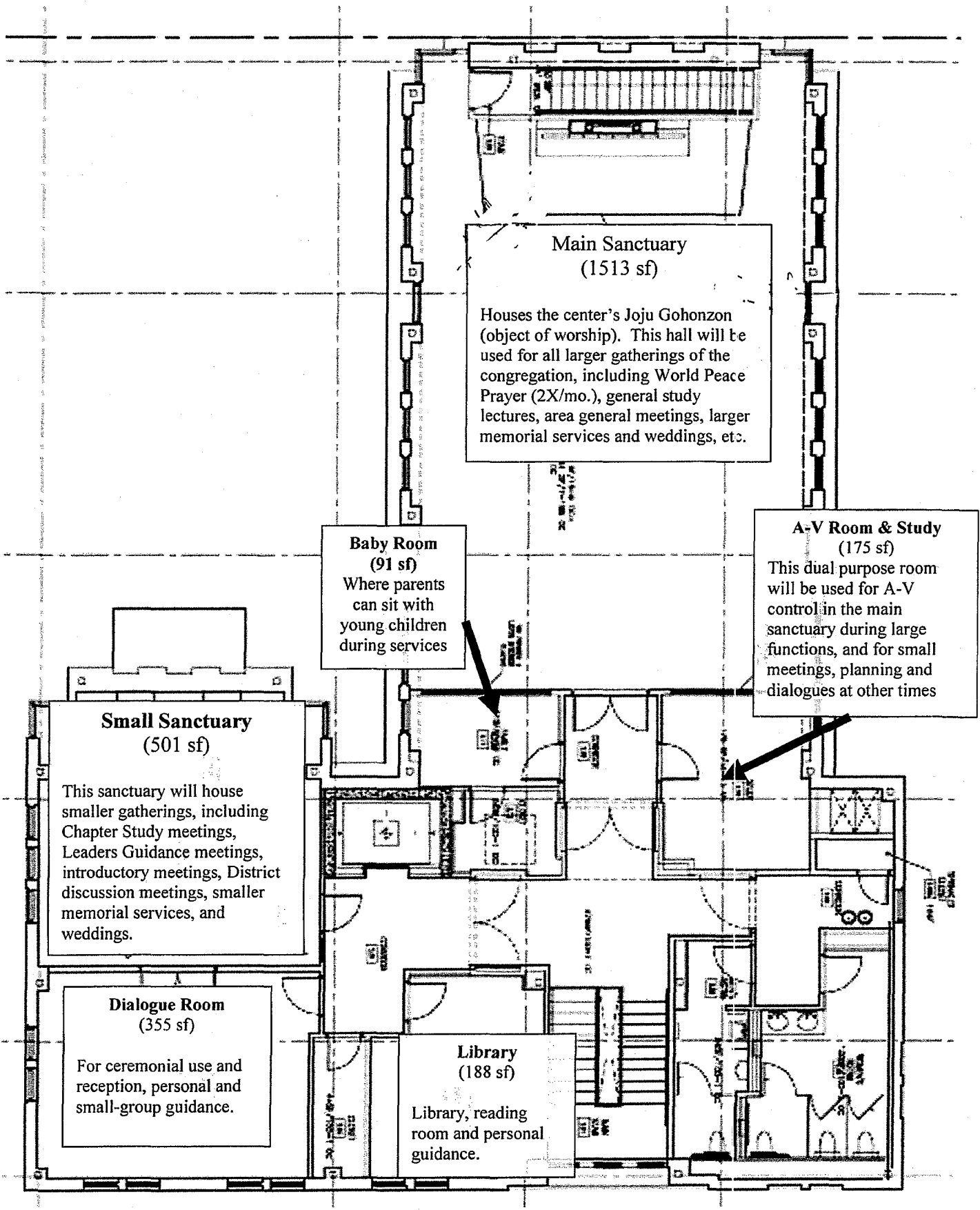
Bookstore
(195 sf)

Sells books on Nichiren Buddhism, prayer books, prayer beads, candles and incense as well as Buddhist altar supplies

Office
(550 sf)

This will house the 4 staff workstations as well as work area for the volunteers to prepare study materials, make copies, use the PC's, fax, etc.





**Main Sanctuary
(1513 sf)**

Houses the center's Joju Gohonzon (object of worship). This hall will be used for all larger gatherings of the congregation, including World Peace Prayer (2X/mo.), general study lectures, area general meetings, larger memorial services and weddings, etc.

**Baby Room
(91 sf)**

Where parents can sit with young children during services

**A-V Room & Study
(175 sf)**

This dual purpose room will be used for A-V control in the main sanctuary during large functions, and for small meetings, planning and dialogues at other times

**Small Sanctuary
(501 sf)**

This sanctuary will house smaller gatherings, including Chapter Study meetings, Leaders Guidance meetings, introductory meetings, District discussion meetings, smaller memorial services, and weddings.

**Dialogue Room
(355 sf)**

For ceremonial use and reception, personal and small-group guidance.

**Library
(188 sf)**

Library, reading room and personal guidance.

**Soka Gakkai Buddhist Culture Center
3417 Massachusetts Avenue, NW**

	total sf	% total room space
Main Sanctuary	1513	31%
Small Sanctuary	501	10%
A-V Room/Study	175	4%
Family Room	91	2%
Dialogue Room	355	7%
Library	188	4%
Chanting Room	286	6%
Classroom	375	8%
Fellowship Lounge	434	9%
Bookstore	195	4%
Office	550	11%
Pantry	158	3%
TOTAL ACTIVITY ROOM SPACE	4821	100%

Soka Gakkai Buddhist Culture Center
3417 Massachusetts Avenue, NW

Available Activity Rooms and Sample Schedule

Room	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Center Hours:	9 AM - 3 PM	9 AM - 5 PM	9 AM - 5 PM / 7-9 PM	9 AM - 5 PM / 7-9 PM	9 AM - 5 PM / 7-9 PM	9 AM - 5 PM / 7-9 PM	9 AM - 3 PM
Main Sanctuary 1513 sf	10AM - World Peace Prayer Svc (150 PAX)			7PM Memorial Service (60 pax)		7PM Study Session (English) (40 pax)	9AM Chorus Rehearsal (50 PAX) 2PM Wedding (80 PAX)
Small Sanctuary 501 sf	9AM Byakuren Grp Prayer (5 pax) 1PM Healing Arts Group (15 pax)	7AM Morning Liturgy (5-20 pax)	7AM Morning Liturgy (5-20 pax) 7PM Mens Prayer Mtg	7AM Morning Liturgy (5-20 pax)	7AM Morning Liturgy (5-20 pax) 7PM District Discussion Mtg	7AM Morning Liturgy (5-20 pax)	11AM Introductory Mtg (10-15 pax)
AV Rm/Study 175 sf	1PM - Young Mens Planning (10-15 pax)				7PM Chapter Planning Meeting (15 pax)		
Dialogue Room 355 sf	Personal Guidance	Personal Guidance	Personal Guidance	Personal Guidance			
			average 3-5 pax per day				
Library 188 sf	1PM Study Session (French) (5-7 pax)			7PM Study session (Spanish) (10-15 pax)			9AM Study preparation (12 pax)
Chanting Room 288 sf	Chanting (day only)	Chanting (day only)	Chanting (day & eve)	Chanting (day & eve)	Chanting (day & eve)	Chanting (day & eve)	Chanting (day only)
			Available whenever the center is open and usually occupied by 5-10 pax				
Classroom 375 sf	10AM Childrens Grp (15-20 pax) 1PM Study Session (Japanese) (20-25 pax)		7PM Study Session (Womens) (35 pax)	7PM Area Planning Meeting (25 pax)			9AM Study Session (Korean) (35 pax)
Fellowship Lounge 434 sf	12PM Post-meeting fellowship (40-60 pax flowing through)						10AM Youth Band Rehearsal (15 pax)
Bookstore Hours	10AM - 1PM			7 - 8:30 PM			

The above is a sample schedule and reflects typical usage based on the existing DC Community Center schedule.

EXHIBIT 2

DC HOME

DC GUIDE

RESIDENTS

BUSINESS

VISITORS

DC GOVERNMENT

Kids



Consumer & Regulatory Affairs

DCRA HOME

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INFORMATION

ONLINE SERVICE REQUESTS

Building Plan Review Status

Project Information

- Tracking number: 5263 A 6
- Date filed: 8/10/2006
- Address: 3417 MASSACHUSETTS AVE NW
- Agent: DAVID FONTANA (703) 691-100

Project Status

Approved. This application has been approved by all reviewers within DCRA. Please contact DCRA at the number below to check the status of other agencies' approvals (where required) and to inquire about retrieving your application.

To view comments from the plan review team, select from the links in the left column below. On the page that follows, enter your DC.Gov username and password. If you don't have a username and password, please register.

Discipline	Review Status	Status date
Department of Environment	Approved. We approved this discipline of your application.	4/10/2007
Electrical	Approved. We approved this discipline of your application.	1/23/2007
Elevator	Approved. We approved this discipline of your application.	4/10/2007
Fire	Approved. We approved this discipline of your application.	1/22/2007
Mechanical/Plumbing	Approved. We approved this discipline of your application.	1/30/2007
Structural	Approved. We approved this discipline of your application.	4/9/2007
Zoning	Approved. We approved this discipline of your application.	3/28/2007
District Department of Transportation	Approved. We approved this discipline of your application.	4/10/2007

Building permit application status data current as of: 5/1/2007, 2:01:17 PM

If you have questions about a particular building application, please contact the Permits Division at: (202) 442-4589.

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John A. Wilson Building
1350 Pennsylvania Avenue
NW
Washington, DC 20004

EXHIBIT 3

Department of Consumer and Regulatory Affairs

Building and Land Regulation Administration

941 North Capitol Street N.E. Room 2100

Washington D.C. 20002

Tel:(202) 442-4470

Fax:(202) 442-4862

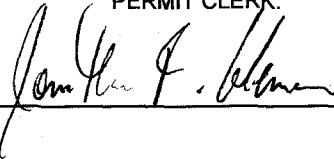
B

Building Permit

THIS PERMIT IS VALID ONLY FOR THE PREMISES:
OF THE PROJECT ADDRESS

PERMIT NO. 98193

DATE: 11/30/2006

ADDRESS OF PROJECT: 3417 MASSACHUSETTS AVE NW		S S L:	SQ: 1939	SX:	LOT: 42
			WARD:	2	ZONE: D/NOPD/
DESCRIPTION OF WORK: EXCAVATION , SHEETING & SHORING FOR FOUNDATION OF NEW BLDG PER PLANS					
PERMIT TYPE: SHEETING AND SHORING	PLANS (Y/N): Y	EXISTING USE: ASSEMBLY USES, OTHERS		PROPOSED USE: Assembly Uses, Other	
PERMISSION IS HEREBY GRANTED TO OWNER: SGI - USA			PERMIT FEE: \$650.00		
AGENT NAME: DAVID FONTANA 703-691-1100					
CONDITIONS / RESTRICTIONS: ALL CONSTRUCTION DONE ACCORDING TO THE CURRENT BUILDING CODES ; ALL CONSTRUCTION DONE ACCORDING TO THE CURRENT ZONING REGULATIONS ; TO REPORT WASTE, FRAUD OR ABUSE BY ANY D.C. GOVERNMENT OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639 ; TO REPORT WASTE, FRAUD OR ABUSE BY ANY D.C. GOVERNMENT OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639:					
Interim DIRECTOR:  Lisa M. Morgan		PERMIT CLERK: 		EXPIRATION DATE: 11/30/2007	

COPY

CONDITIONS: As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all the work authorized by this permit and to require any change in construction which may be necessary to insure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under the Permit must start within one (1) year of the date appearing on this permit or this permit is automatically void. If work is not started, any application for partial refund must be made within six months of the date appearing on this permit.

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT ADDRESS OF WORK UNTIL WORK IS COMPLETED.

NOTIFY THE BUILDING INSPECTOR THE DAY THE WORK STARTS. PHONE: (202)442-4641 941 NORTH CAPITOL ST NE WASHINGTON DC 20002.

A separate permit is required for all Plumbing, Refrigeration, Gas Fitting, and Electrical Work.

Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration

941 North Capitol Street N.E. Room 2100

Washington D.C. 20002

Tel:(202) 442-4470

Fax:(202) 442-4862

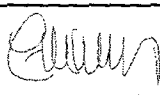
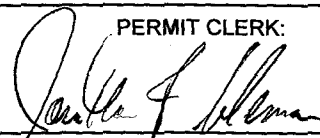
B

Building Permit

THIS PERMIT IS VALID ONLY FOR THE PREMISES
OF THE PROJECT ADDRESS

PERMIT NO. 100009

DATE: 12/11/2006

ADDRESS OF PROJECT: 3417 MASSACHUSETTS AVE NW		SSL: SQ: 1939 WARD: 3	SX: LOT: 42 ZONE: GOV
DESCRIPTION OF WORK: COVERED PEDESTRIAN WALKWAY & TEMP CONSTRUCTION FENCE.			
PERMIT TYPE: ALTERATION AND REPAIR	PLANS (Y/N): Y	EXISTING USE: ASSEMBLY USES, OTHERS	PROPOSED USE: Assembly Uses, Other
PERMISSION IS HEREBY GRANTED TO OWNER: SGI - USA		PERMIT FEE: \$99.00	
AGENT NAME: DAVID FONTANA 703-691-1100			
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Fundamental Purpose

The fundamental purpose of the SGI-USA is the happiness of people. Its goals are to contribute to peace, culture and education based on the philosophy and ideals of the Buddhism of Nichiren Daishonin.

Members of the SGI-USA practice the Buddhism of Nichiren Daishonin for personal happiness, and for development of a peaceful society. One central aim of SGI-USA activities is to promote humanistic dialogue based on Buddhist principles.

The SGI organization in the United States was officially established in 1960. In less than 40 years the U.S. organization grew to a multi-ethnic membership of 330,000, with members in every state and with more than 71 community centers around the country. The Soka Gakkai International (SGI) was founded in 1975 to unite the efforts of members worldwide. All of the SGI's activities are devoted to the promotion of peace, culture and education, based on the Buddhism of Nichiren Daishonin.

The Preamble to the Charter of the Soka Gakkai International states:

"We believe that Nichiren Daishonin's Buddhism, a humanistic philosophy of infinite respect for the sanctity of life and all-encompassing compassion, enables individuals to cultivate and bring forth their inherent wisdom and, nurturing the creativity of the human spirit, to surmount the difficulties and crises facing humankind and realize a society of peaceful and prosperous coexistence."

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What is the Soka Gakkai International?

The Soka Gakkai International (SGI) is an international association of more than 12 million members in Soka Gakkai constituent organizations in more than 180 countries and territories around the world.

The SGI is administered by a board of directors and a committee of standing directors, and it commissions the Soka Gakkai of Japan to carry out its secretarial functions. The organization was founded in 1975. Daisaku Ikeda is the current SGI president. The first Soka Gakkai president was Tsunetsaburo Makiguchi and the second Soka Gakkai president was Josei Toda.

The SGI aims to realize the absolute happiness (enlightenment) of individuals and the prosperity of each country by spreading understanding of the Buddhism of Nichiren Daishonin (1222-1282). Toward that end, the SGI engages in various activities to promote peace, culture and education based on Buddhism.

Nichiren Buddhism, on which the activities of the SGI are based, places special emphasis on the sanctity of human life and, as a natural outgrowth of this, on peace. Lasting peace can only be realized by challenging and overcoming the inner impulse toward hatred and violence that exists within all people. Buddhism terms this inner impulse the "fundamental darkness of life." It is the dynamic process of self-reformation through the practice of Buddhism, that results in the rejuvenation of the individual and society, and forms the core of SGI's vision for a peaceful world.

The basic guidelines of the SGI's activities are:

- To work for the prosperity of society by being good citizens who respect the culture, customs and laws of each country;
- To promote humanistic culture and education based on the fundamental, humane principles of Buddhism; and
- To join efforts for world peace, for instance, with those of the United Nations by supporting the spirit of its charter thereby helping achieve the organization's ultimate goal of the abolition of nuclear arms and universal renouncement of war.

With these guidelines, each organization has been established in accordance with the laws of incorporation applicable in each respective country.

Our world, as we approach the end of the century, is in a period of transition of enormous proportion. The challenges facing humanity in such fields as disarmament, environmental protection and human development are without precedent. So, at the same time, are the possibilities. Members of the SGI are dedicated to the task of working for a new era based on universal values of human equality and dignity.

Charter of the Soka Gakkai International

In 1995 an SGI Charter was adopted which sets forth the purposes and principles with which the SGI directs its movement for peace, culture and education.

SGI General Meetings and Culture Festivals
Community Centers Throughout the World
History and Development of the Soka Gakkai International
Soka University of Japan
Humanistic Education
SGI's support of the United Nations

SGI General Meetings and Culture Festivals

The SGI holds international conferences and general meetings on a regular basis, providing a vital forum for the exchange of opinions and information. Culture festivals and events organized by younger members in each country have been widely acclaimed. In addition, SGI-affiliated organizations publish magazines and newspapers

designed to promote Buddhist study as well as demonstrate the congruency between Buddhist theories and secular affairs.

SGI General Meetings

Attended by representative members from around the world, SGI general meetings provide a venue to discuss and reconfirm the direction and vision of the SGI's activities. The human solidarity fostered in these meetings contributes to a firm foundation for peace.

SGI Conferences

SGI conferences bring together members of the organization who are active in professional and specialist fields. Participants from all continents share their experiences and concerns, bringing the humanist perspectives of Buddhism to bear on the challenges of their respective professions. The SGI World Educators' Conference has been held annually since 1985. Other conferences include: the SGI World Physicians' Conference, the SGI World Lawyers' Conference, the SGI World Scientists' Conference and the SGI World Artists' Conference.

World Youth Peace Culture Festivals

The First World Peace Culture Festival was held in June 1981 in Chicago. In 1985 the event was renamed the "World Youth Peace Culture Festival" commemorating the United Nations' "International Year of Youth." That year, the festival was held in Honolulu, Hawaii, USA. Eleven such culture festivals have since been held in various countries such as Brazil, Argentina, Hong Kong and Japan. These festivals celebrate the common humanity and rich cultural diversity of the world.

Community Centers Throughout the World

Community centers, where members can study about Buddhism and pursue their movement for peace, culture and education, have been built in many countries and regions. In some countries, such as the United States, the United Kingdom, France and Italy, historically significant structures have been restored for use as community centers. Conference and retreat centers with a wide range of uses have been established in the United States, France, Brazil and other countries.

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<http://www.sgide.com/2003study/CompBuddh.html>

The Soka Gakkai International (SGI) is a worldwide movement dedicated to peace, education and culture based on the Buddhism of Nichiren Daishonin. Soka means value-creation and Gakkai means society. The international society was formed in 1975 in response to an increasing worldwide membership. This had grown from the original Soka Kyoiki Gakkai founded in 1930 in Japan by educator Tsunesaburo Makiguchi. Josei Toda, who regarded Makiguchi as his mentor, introduced the idea that lay believers should practice Buddhism as Nichiren taught and expanded the membership to more than 750,000 by the time of his death in 1958. In 1991 Nikken, high priest of Nichiren Shoshu, excommunicated the entire SGI membership in an attempt to destroy the movement. SGI has been able to flourish even more in its secular role contributing to peace, education and culture in concert with like-minded people.

Soka Gakkai International [FINAL Edition]

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Soka Gakkai International, the Buddhist sect to which Mariane Pearl belongs, was founded in Japan in 1930 as a branch of the ancient Nichiren Buddhist tradition. It has 12 million members in 165 countries.

As a lay organization, Soka Gakkai has no priests, lamas or other holy figures. Practitioners consider themselves more humanistic than ritualistic, emphasizing the overall goodness of humanity and the responsibility of the individual to act morally and ethically. Monthly meetings are held in community centers rather than temples and consist of lectures and discussions, not worship.

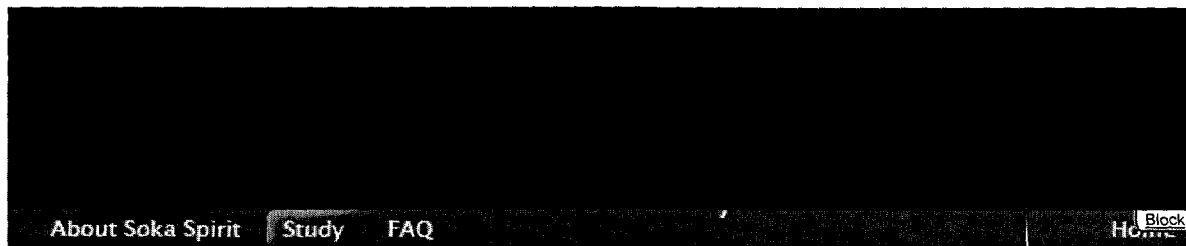
Daily devotionals, practiced at home every morning and evening before an altar holding a scroll depicting the life of the Buddha, consist of recitations from the Lotus Sutra and continuous chanting of Nam-myoho-renge-kyo. Literally translated, the words mean "devote oneself," "mystical law," "lotus flower" and "sutra," the voice or teaching of the Buddha.

Practitioners believe that chanting, rather than the meditation central to Tibetan and Zen Buddhism, will help them comprehend and act on such universal Buddhist teachings as the interconnectedness of all things and the need for selflessness and compassion.

Chanting also helps overcome forces of evil, they believe. When something bad happens to a member of their organization, an immediate call for a daimoku, a chant, for that person shoots across the globe via Internet and telephone. Chants for Daniel and Mariane Pearl began immediately after his capture and continue today.

In 1986, a chanting chain was formed for "Dallas" actor and Soka Gakkai member Patrick Duffy whose parents were murdered while closing their bar in Boulder, Mont.

-- Bill Broadway



Welcome

October 01, 1999

Do We Need Priests? Buddhist Order

By Shin Yatomi
SGI-USA Vice Study Department Leader

I. Introduction

Someone interested in Buddhism recently asked me the following question: "So where's your temple?" "We don't have either temples or priests. We're a lay Buddhist group," was my reply.

"Oh really? . . ."

Sensing this person's befuddlement, I explained the circumstance surrounding the 1991 excommunication of the SGI by the Nichiren Shoshu priesthood. This conversation reminded me that when people hear about Buddhism, their mental associations typically go from the Buddha (imagined as a grinning man with a big belly and long earlobes) to temples and tonsured men in robes attending to rituals or absorbed in quiet contemplation.

Though the SGI members are doing better than ever since our split with the priesthood, many still ponder the question: "Do we need priests? Are we missing something because we lack a formal priesthood?" Through my experiences over the past nine years, I do not feel that I am missing anything. When I attend SGI discussion meetings and other activities, I feel encouraged and nourished-inspired to further develop my personal practice.

But we should not depend solely on subjective experiences and feelings to reach this conclusion. For this reason, it might be helpful for us to reexamine the relationship between the priesthood and laity and investigate the historical development of the Buddhist priesthood.

II. The Tension and Anxiety Between Priesthood and Laity

It is not unusual to associate the concept of religion with the hierarchy of 1) a supreme power or deity, 2) priests and 3) the masses. This triad in which the saving force and the saved are connected by religious intermediaries has been a familiar concept in human history. For example, the word hierarchy¹ derives from the Latin *hierarchia*, which means the power or rule of episcopate. Throughout the Middle Ages and the Renaissance, the word primarily meant each of the three divisions of angels who were considered a link between God and people. In the history of religion, tension and anxiety, rather than accord and unity, have more often permeated this triad. The priestly class wants to retain its role as intermediaries between the saving power or deity and the people. However, the priest class is keenly aware that its status completely depends upon the laity's acknowledgement of its supposed authority in this role. In a political or behavioral sense, the power of priesthood derives not from God or the Buddha, but from the very lay believers who deem the priests to be their spiritual superiors. This inherent paradox in the nature of the clergy's authority is a fundamental cause of their anxiety. Lay believers also have cause for their own tension in the triad. They are often caught between

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their desire to establish direct and unrestricted communion with the sacred on one hand, and the sense of security that comes from assigning responsibility for spiritual matters to the clergy on the other. Since both priesthood and laity have reasons for tension and anxiety in this triad, it is ultimately an unstable and dynamic relationship in which the status of each element is constantly evolving.

No religion is immune to the tensions and conflicts arising from this triad. (Even a religion that has rejected the role of priesthood still has to deal with the absence of priesthood.) The Protestant Reformation and the counter-Reformation of Catholicism may be one of the most well-known examples. Against the doctrines expounded by the Church, Martin Luther (1483-1546) advocated the priesthood of all believers. He wrote: "We are all consecrated priests through baptism... A priest in Christendom is nothing else but an officeholder... If we are all priests... and all have one faith, one gospel, one sacrament, why should we not also have the power to test and judge what is right or wrong in matters of faith?"² He also expounded on the sufficiency of the Bible: "Unless I am convicted by the testimony of Scripture or plain reason (for I believe neither in Pope nor councils alone, since it is agreed that they have often erred and contradicted themselves), I am bound by the Scriptures I have quoted, and my conscience is captive to the Word of God."³ In response to Protestantism, the Church at the Council of Trent in 1563 defended its basic position that the priesthood "consists in the power of consecrating and offering the Body and Blood of the Lord, and of remitting and of retaining sins."⁴ The Church reaffirmed that the priestly orders "do not depend on the call or consent of the people, nor the secular power."⁵ According to the Church, the powers of priests to interpret and preach the teaching of Christ as well as to forgive sins derive from Christ himself.⁶

The rift between the Nichiren Shoshu priesthood and the SGI similarly presents the tension and anxiety inherent in the triad of the saving influence (the Gohonzon, or Nichiren Daishonin's enlightenment), the priesthood and lay believers. Ultimately, the priesthood under the leadership of Nikken, the current high priest, was unable to withstand that tension. The solution it sought was to sever ties with one corner of the triad-the members of the SGI-and replace it with something less a source of tension. That was a laity largely of disaffected members of the SGI who were fewer in number and less apt to question the priesthood's exercise of authority over them.

Shortly after the SGI's announcement in 1993 that it would be conferring Gohonzon to its members, the Nichiren Shoshu Bureau of Religious Affairs stated: "The Soka Gakkai is a group that has been excommunicated by Nichiren Shoshu, and has absolutely no relationship with Nichiren Shoshu. Therefore, no matter what actions the Soka Gakkai may take, Nichiren Shoshu has no connection with those actions whatsoever."⁷ But with this resolute denial of any ties with their former lay believers came the rather emotional plea: "Nichiren Shoshu believers who are still members of the Soka Gakkai! At least one last time, reconsider the path you are taking! Once you have crossed the line and accepted the ultimate heresy-the counterfeit object of worship-you will have crossed over to the wrong side of the river that separates enlightenment from extremely long imprisonment in the evil paths."⁸

In fact, the priesthood's "one last time" was not really the last; it has continued to attempt to win back its excommunicated lay believers even until today. The priesthood's obsession with its former lay believers most eloquently illustrates its anxiety stemming from the paradox of its source of authority mentioned above. To assert its supposed spiritual superiority, the priesthood had to strike at the basis of its own priestly authority by excommunicating the majority of its lay believers.

The priests of Nichiren Shoshu are not the only ones who have experienced tension and anxiety due to the triad of spiritual interdependency. The SGI, in one sense, traded its problems with the priesthood for another challenge. Having been

excommunicated, the SGI can no longer rely on the priesthood as support for a sense of orthodoxy. Today the Nichiren Shoshu priesthood stresses believers' obedience to the high priest as an absolute necessity for their enlightenment: "If one has correct faith following the guidance of the High Priest, then benefit will result. However, even if one possesses a traditional Gohonzon, if the person worshipping it slanders the High Priest of the conferral of the lifeblood of the Law, . . . there will be no benefit."⁹ According to the priesthood's doctrine as indicated here, what is more important than believing in the Gohonzon is to follow the high priest. According to the priesthood, only the high priest, by the virtue of his assumed mystical lineage from Nichiren Daishonin, can correctly interpret the founder's teaching and guide lay believers toward salvation. The priesthood claims: "The Nichiren Shoshu faith consists of following the lifeblood received by only a single person [i.e., the high priest]."¹⁰

The priesthood's idea of Buddhist practice provides a sense of comfort and security to some people in that they need not struggle to find and establish a direct and intimate connection with the ultimate reality—their own Buddha nature. Their faith is validated by a third party. Simply put, their only responsibility is to defer to their local priest, through whom they commune with the high priest, who communes with the Mystic Law on their behalf. Those of us who have chosen to practice the Daishonin's Buddhism without the priesthood, however, must accept the struggle to perceive and manifest our inherent Buddhahood as the Daishonin urges us: "Therefore, when you chant the Mystic Law and recite the Lotus Sutra, you must summon up deep conviction that Myoho-enge-kyo is your life itself."¹¹ In this case, it is a practitioner's responsibility to define and establish his or her relationship with the Buddha nature.

This internal challenge of ours, furthermore, is often made more difficult by the popular notion that Buddhism is the domain of monks or priests. Even in modern times, the image of an Asian man in robes, sans hair, is the image of Buddhism to many. The idea that ordinary lay people can develop a mastery of Buddhist thought and practice seems out of synch with people's impression of traditional Buddhism.

The history surrounding the development and evolution of the Buddhist order, however, tells us that a institutionalized priesthood is not an absolute element in Buddhist tradition. History enables us to view the role of the Buddhist priesthood as something constantly evolving and dynamic in its forms. In the following, I would like to briefly trace the history of the Buddhist priesthood and their relationship to the laity.

III. The Early Buddhist Order

Why Did Shakyamuni Become Homeless?

To better understand the nature of the early Buddhist Order, it is important to know why Shakyamuni left the secular world to pursue a religious life. Being a monk or priest at that time in India meant to be homeless and lead the life of a wandering mendicant. It was a role fundamentally different from that of Buddhist priests in Japan today, the majority of whom are married, have families, and thus are virtually indistinguishable from the laity except for ceremonial robes and shaved heads. In Shakyamuni's India, it was customary for those aspiring to a religious life to leave their families. Professor Hajime Nakamura describes the nature of Shakyamuni's decision to leave home as follows: "In a modern sense it corresponds to leaving the family and going to the city or abroad for study or to obtain certain skills."¹² The option to become a monk, however, was limited to the affluent because the initiates had to leave enough resources behind to provide for their families.¹³ Indeed, Shakyamuni himself came from an affluent royal family.

There were two types of religious practitioners during Shakyamuni's time: the brahmanas and the sramanas. The brahmanas were the priests of Brahmanism (the ancient form of Hinduism), considered the highest caste of Indian society, even

above those of the ruling ksatriya class. 14 In his youth, a brahmana left home to study the Vedas under a teacher. After completing his study, he returned to his family to marry and raise a family. He would then officiate at various sacrificial rituals for the Hindu gods. When his sons returned from their initial studies and became old enough to assume responsibility for the household, the brahmana would leave home again to embark on a life of wandering.

The sramanas were a newer type of religious practitioner. They would enter a life of wandering and begging while young, and engage in various ascetic practices in their quest for the absolute.¹⁵ But they never again returned to secular life. For both types of religious practitioner, however, a life of wandering and begging was considered the norm in their religious discipline. When Shakyamuni set out to seek a solution for people's suffering, he chose the life style of a wandering monk, according to the social customs of his day. If he were alive today in America, we can easily assume that the form of his initial religious role would have been different. Even an enlightened person intent on spiritual reform would be unlikely to begin as a wandering monk today. Shakyamuni's choice to become a monk or priest in no way implies the absolute value of the priestly class in Buddhism; it simply indicates his adoption of the social customs of his day in achieving his aims.

Against Class Discrimination

After Shakyamuni attained enlightenment, he began to preach his teaching (the Dharma) to all people, regardless of their caste, race, sex or economic status. He first converted the five monks with whom he had initially practiced austerities.¹⁶ He then converted Yasas, the son of a wealthy elder of Benares, and Yasas' parents and wife became Buddhist laymen (upasaka) and laywomen (upasika).¹⁷ Through Shakyamuni's preaching, his order grew to include people from all walks of life—for example, rulers such as King Bimbisara of Magadha;¹⁸ non-Aryan slave women such as Punika;¹⁹ artisans such as the blacksmith Cunda²⁰; wealthy merchants such as Sudatta,²¹ the sick, such as Suppabuddha, who was a leper described as "a poor, miserable, wretched creature"²²; and even criminals such as Angulimala,²³ who was a vicious bandit; and the list goes on.

Regarding Shakyamuni's preaching career, Professor Hajime Nakamura comments:

It was unheard of in Gotama's contemporary India to preach one's teaching to all the people. This is obvious when we compare his situation with the various philosophers of the Upanisads, who limited their audiences and often confined themselves to preaching to their own children, or distinguished individuals whom they deemed were qualified to receive instruction. Gotama Buddha broke this traditional restriction and doing so must have required considerable determination and courage. 24

Judging from Shakyamuni's disregard of social or economic distinctions in choosing his audience, the early Buddhist order must have been a dynamic movement open to all people. The Buddhist movement at its beginning was opposed to any form of class discrimination. 25

The Origin of the Samgha

The Buddhist order was called samgha (also spelled as sangha). During Shakyamuni's time, the same term described a number of political groups and trade guilds; it was also applied to religious groups.²⁶ The general notion of the samgha included the four groups of Buddhists: monks (bhiksu), nuns (bhiksuni), laymen (upasaka) and laywomen (upasika). 27 When it is used in early Buddhist texts, however, the term usually refers to the two orders of priesthood: the order of monks (bhiksu-sangha) and the order of nuns (bhiksunisangha).²⁸ The Buddhist Order was often called samagra-sangha or "harmonious order." It was thought that members of the samgha should practice in harmony since they

share the same goal of attaining enlightenment.²⁹

A distinction was made between the two types of Buddhist order. The first type was called sammukhibhuta-sangha or the "present order," meaning a Buddhist order that existed at a certain time and place.³⁰ During Shakyamuni's time, many orders were formed in various locations. Those orders were governed by rules called vinaya. But a Buddhist scripture on monastic discipline records that Shakyamuni did not initially set forth priestly rules: "For the five years immediately following Shakyamuni's Enlightenment, the sangha of bhikkhu was completely pure but after that they gradually committed errors. As a result, the Buddha established regulations as the need arose . . ."³¹ The second type of sangha was more of a conceptual expression of the Buddhist order called caturdisa-sangha (the "universal order" or "the order of the four quarters"), which included all the Buddha's disciples of the past, present and future and was expressed as monastic rules applicable to all the present orders.³² No present order could claim the possession of monasteries and other buildings; all the properties were considered to belong to the universal order.³³

All the Buddhist priests during Shakyamuni's time led a life of wandering and begging except for three or four months of the rainy season when they took shelter in one place and engaged in intensive study and meditation.³⁴ According to the early Buddhist texts, priests were allowed to possess six items: three robes, a begging bowl, a cloth to sit upon, and a water strainer.³⁵ Their lives were austere and entirely devoted to their religious practice. It is interesting to note that soon after Shakyamuni's death, which various scholars estimate to have been around the end of the fifth or fourth century BCE,³⁶ Buddhist priests renounced the life of wandering and started to settle down.³⁷ This transition from wandering to settlement marked the beginning of the Buddhist priests' lives at temples and monasteries.³⁸ In this regard, it must be pointed out that Shakyamuni never had a temple or monastery if it refers to a priest's permanent residence or home. He remained homeless to the end; his entire life as a religious practitioner was spent in travelling and preaching his Dharma to all people.

The Three Treasures

The three treasures, which is also translated as the three refuges or the three gems, are the Buddha, the Dharma (i.e., his Law or teaching), and the sangha (the Buddhist order or community). It is an old Buddhist tradition that practitioners pay respect to those three fundamental elements of Buddhism. Sutta-Nipata, one of the early Buddhist scriptures, explains that the Buddha is worthy of respect because he expounded the truth that benefits all people; ³⁹ Shakyamuni's Dharma is worthy of respect because it enables all people to attain peace and overcome death.⁴⁰ Lastly, the sangha is worthy of respect because it consists of the Buddha's "faithful followers" who have "steadfast hearts."⁴¹

The Buddha and his teaching are obviously important because without them there could be no Buddhism. In fact, during the earliest period of Buddhism, homage was paid only to the Buddha and the Dharma. Paying homage to all the three treasures is considered to be a later tradition.⁴² Professor Hermann Oldenberg suggests that the idea of the three treasures began in a period after Shakyamuni's death when the Buddhist order "stood as the sole visible exponent of the idea hitherto embodied in Buddha, as the sole possessor of delivering truth."⁴³ In other words, it is the significance of the sangha that the Buddha's faithful disciples spread his teaching, especially after his passing. Put simply, the essential role of the sangha lies in propagation activities. This is consistent with Shakyamuni's emphasis to widely spread the Dharma. In one of the early texts, Shakyamuni tells his priestly disciples:

Go out and preach, monks, out of compassion for sentient beings, and out of concern for the world. Bring benefits, happiness, and caring to gods and men. No two of you should go to the same place. Preach the Dharma with reason and eloquence so that it will be good at the beginning, middle, and end. ⁴⁴

The samgha becomes worthy of respect only when its members are correctly spreading the Buddha's teaching. Put another way, the true samgha is nothing other than a group of Buddhist practitioners dedicated to the propagation of Buddhism.

Spiritual Equality and Self-reliance

Other notable characteristics of the samgha include its spiritual equality. It was thought that Shakyamuni's disciples were fully capable of attaining the same enlightened state as their teacher. This idea is reflected in one of the eight analogies of the samgha comparing it to the ocean. In one of the early texts called *Udana*, Shakyamuni states: "Just as, monks, the mighty ocean is of one flavour, the flavour of salt, even so, monks, this dhamma is of one flavour, the flavour of release."⁴⁵ Through the Buddha's teaching, all people can savor exactly the same state of enlightenment as the Buddha. Just like water in the great ocean has the same salty taste everywhere, there is no distinction in the spiritual state people may attain through the Buddha's teaching.

This spiritual equality of early Buddhism is documented elsewhere as well. For example, the spiritual state attained by the five monks who were the first Buddhist converts is depicted as being exactly identical as Shakyamuni's enlightenment. In this regard, Professor Hajime Nakamura states: "The notion that the Buddha's disciples could never reach the same goal that he attained since he was super-human, is a product of later imagination promulgated by the pompous theologians of subsequent eras, and a distortion of historical fact."⁴⁶ Any Buddhist who declares that he has obtained a spiritual status that cannot be attained by other practitioners is making a claim that even Shakyamuni did not make and thereby promoting a non-Buddhist perspective.

Spiritual equality acknowledged in the samgha had some implications in terms of its organizational characteristics. Although priests' seniority in length of practice was respected, there was no hierarchical character in the early samgha. Some priests had some administrative duties such as caretaker of sleeping quarters and council chambers or as distributors of food and other necessities.⁴⁷ But they had no greater political influence than others within the order. Professor Hermann Oldenberg points out: "Unanimity was necessary as a general rule in most of the resolutions of the Order."⁴⁸ The early samgha was democratic in its nature and structure.

Furthermore, the samgha did not have a specific person or high priest who would interpret the Buddha's teaching for the rest of the Buddhist community. In fact, the samgha did not claim to have any authority to institute new rules or interpret the Buddha's teaching. Although new rules were introduced into the samgha after Shakyamuni's death in response to changing circumstances, the monks made sure to attribute those changes to the Buddha himself.⁴⁹ This attitude of the early samgha indicates that in addition to the spread of Buddhism, the preservation of the Buddha's teaching was considered an important function of the Buddhist order.

In other words, faithfulness to the founder was an essential prerequisite for the Buddhist order. No arbitrary legislation or interpretation contradicting Shakyamuni's teaching was tolerated within the Buddhist order. Consequently the samgha did not choose to have a leader who would legislate rules and interpret doctrines. The faithful observance of the Buddha's teaching was viewed as paramount.

Although every Buddhist was thought capable of attaining the same enlightenment as Shakyamuni, the samgha refused to acknowledge any specific person to succeed their teacher immediately after the founder's death. One of the early Pali texts called *Majjhima Nikaya* records the discourse between Ananda (one of Shakyamuni's ten major disciples) and a certain Brahmin, which took place soon after Shakyamuni's death. Parts of this dialogue reveal an important aspect of the samgha:

Brahmin: "Is there a single Almsman who in every respect and in every particular possesses all the qualities that were possessed by the reverend Gotama, the Arahant all enlightened [the Buddha]?"

Ananda: "No, Brahmin. For the Lord made a Path where path there was none, traced out a Path where path there was none, and revealed a Path till then unrevealed... Today his disciples follow him in the Path which has come to them from him. ..."

Brahmin: "Is there any particular Almsman, Ananda, who was designated by the reverend Gotama to be at his decease your alternative refuge, and to whom, in his place, you might have recourse today?"

Ananda: "No."

Brahmin: "Is there any such Almsman chosen for this purpose by the Confraternity and designated as such by Elders and Almsmen?"

Ananda: "No."

Brahmin: "Having no such alternative refuge, how come you to be in such unison?"

Ananda: "We lack not an alternative refuge, Brahmin; we have one in the Doctrine. . . ."

Brahmin: "Is there any one particular Almsman who today you respect and revere, to whom you show honour and worship and to whom you look up with respect and reverence?"

Ananda: "Yes."

Brahmin: "In answer to my previous questions, you have already told me that Gotama designated no Almsman as an alternative to himself as your refuge at his death, and that the Confraternity has designated no one since; but now you tell me there is an Almsman whom you revere and in dependence on whom you live in respect and reverence. What can your words mean?"⁵⁰

At this point, Ananda starts to explain ten various qualities that would make a person worthy of respect.⁵¹ In other words, anyone who develops virtuous character and abilities should be respected. As we can see in Ananda's discourse, the samgha did not place anyone in a position of spiritual superiority above the rest; at the same time it encouraged honor and respect for anyone virtuous as a result of practice based on Shakyamuni's Dharma.

Originally neither the Dharma nor the samgha allowed for any intermediary to stand between a practitioner and his or her enlightenment. Individual practitioners are responsible for their salvation through their own efforts to practice the Buddha's teaching. After all, self-reliance is a cornerstone of Buddhism. Shakyamuni instructed Ananda on his deathbed: "Therefore, Ananda, in this world be an island to yourself, be a refuge to yourself and take refuge in no other. Make the Dharma your island, the Dharma your refuge and no other."⁵²

No Excommunication of Lay Believers

The Order of early Buddhism did not reject a priest unless he committed a serious violation of the rules of monastic conduct, such as a transgression of the four great prohibitions: sexual intercourse, stealing, killing and lying.⁵³ At the same time, if priests wanted to return to their secular lives and continue to practice as lay believers, they were always free to do so. It was generally thought that no one should be bound to the priestly order or the Buddhist community as a whole by external powers.

Consequently there was no notion of excommunication of laity in early Buddhism. In this regard, Professor Hermann Oldenberg comments: "A formal excommunication of unbelieving, unworthy, or scandalously-living lay-brothers there was not, and, as a result of

circumstances, there could not be."⁵⁴ If there were a lay believer disruptive to the Buddhist community, the members of the priestly order would simply refrain from receiving alms from such a person.⁵⁵ This was as far as the priestly order went in applying sanctions to lay believers for transgressions.

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EXHIBIT 5

SGI Community Center Calculations

Programming Space:*

Above ground: 11,000 sq. ft.
Below ground: 7,000 sq. ft.
Subtotal: 18,000 sq. ft.

Parking: *

P1: 7,000 sq. ft.
P2: 7,000 sq. ft.
Subtotal: 14,000 sq. ft.

Total Bldg: $18,000 + 14,000 = 32,000$ sq.ft.

Large Sanct: 1513 sq. ft. **
Small Sanct: 501 sq. ft. **
Total Sanct: 2014 sq.ft. **

Sanct/Total Bldg: $2014 / 32,000 = 6.2\%$

Sanct/Programming Space: $2014 / 18,528 = 10.8\%$

Sources

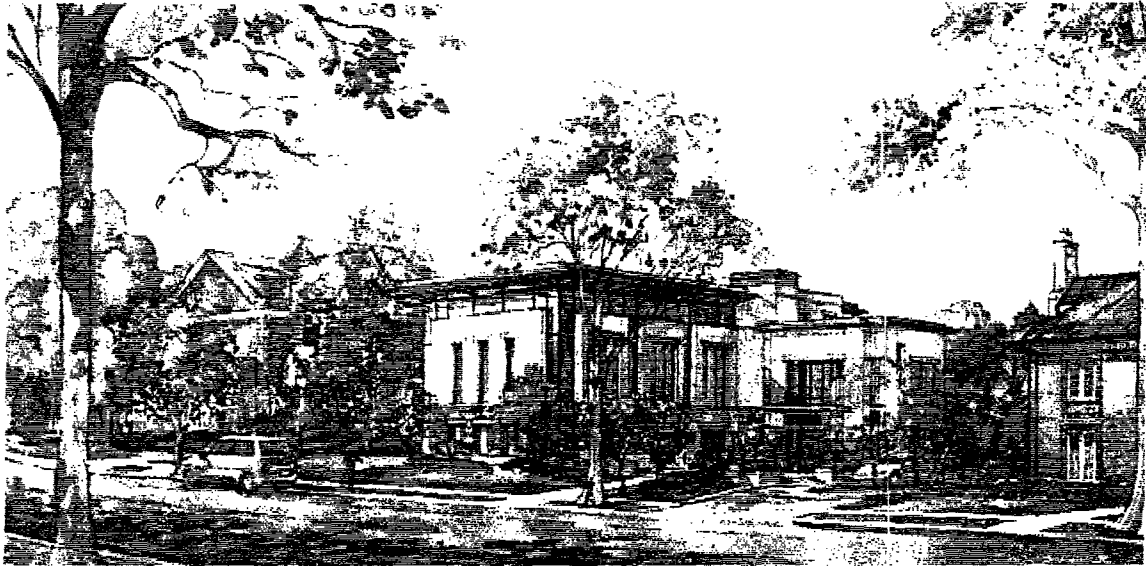
* Memorandum dated Feb. 12, 2007 from Allison Prince to Lisa Marie Morgan at p. 2, *appended to Zoning Administrator's March 2, 2007 Decision Memo*

** Information attached to SGI Feb. 7, 2007 briefing paper, *appended to Zoning Administrator's March 2, 2007 Decision Memo*

EXHIBIT 6

Subject: Soka Gakkai International –USA Buddhist Culture Center at 3415
Massachusetts Avenue, NW

Contact: William Aiken, Associate Director, Soka Gakkai International - USA
Office of Public Affairs
2233 Wisconsin Avenue, NW, Suite 306
Washington, DC 20007
Tel. 202-338-1750, Fax. 202-338-1752, email: waiken@sgi-usa.org



Artists rendering

Background

The Washington Region of Soka Gakkai International (SGI) – USA is the second oldest Buddhist community in the Washington DC metropolitan area. Since 1968, we have been located on the edge of the District at 4603 Eastern Avenue in Mount Rainier, MD. Our membership has grown over the years, and the center now houses four congregations (called ‘areas’). This includes the Washington DC Area with a membership of approximately 369. This membership comes from throughout the District from Anacostia to Georgetown and reflects the diversity of the District of Columbia.

On April 1, 2005, SGI-USA finalized its purchase from the Embassy of Cape Verde of a vacant lot adjacent to the embassy at 3415 Massachusetts Avenue, NW. This lot was created pursuant to approval by the Mayor’s Agent for Historic Preservation and other relevant authorities. The land will be used by SGI-USA to construct a church, which it refers to as a “culture center,” whose primary purpose is to serve the religious needs of the members of its Washington DC Area.

A Center for Prayer, Practice, Study and Community

As designed, the building will contain 8,000 square feet of program space. In addition, there will be one level of below-ground parking (approx 10,000 sq. ft.).

The church will be dedicated to the religious practices of its faith community and to functions related to the spiritual support of that community. An overview of its facilities is as follows:

- A 200-seat main sanctuary with adjacent baby room;
- A 50-seat sanctuary;
- Two combination prayer and study spaces to accommodate 20-30 people, each with a Buddhist altar;
- Two rooms for counseling, study, library and other small-group uses;
- Multi-purpose fellowship lounge;
- Administrative office space for four paid staff;
- Bookstore for the convenience of the members;
- Guest reception room; and
- Small pantry.

SGI-USA Buddhist Association and how it uses its Centers

SGI-USA is a 501(c) (3) nonprofit religious corporation incorporated in the State of California in 1963 and registered in the District of Columbia. Its mission is the study and practice of the teachings of the Nichiren School of Mahayana Buddhism. The roots of this school go back to 13th century Japan. SGI-USA members seek to apply Buddhist principles such as wisdom, responsibility and compassion to the complex realities of modern living. Toward this end its corporate worship and communal practice take place in a combination of small and large gatherings.

- Our regular gathering of the full community - called 'World Peace Prayer' - takes place on the first Sunday of each month. The Washington DC Area anticipates a regular attendance of up to 200 people.
- We meet in smaller groups at other times to study and discuss Buddhist teachings in various groups divided by level of practice, age, gender, language, and other special interests. These groups usually range in size from 10 to 40 people.
- Nearly all meetings begin with a liturgy that includes a recitation of the Lotus Sutra and other prayers. This service is performed before a Buddhist altar that will be located in each of our classroom/worship spaces.
- Groups may also gather either during the week or on weekends for communal prayer recitation, especially if there are special needs for prayer.
- The center houses a small bookstore where practitioners can purchase books on Buddhist teachings as well as other religious supplies like candles, incense, and prayer beads. This store will neither advertise nor have any public commercial presence.

Historic Preservation

The Embassy of Cape Verde owns, and is housed in the Babcock-Macomb house, a landmark listed in the District of Columbia Inventory of Historic Sites. Accordingly, the design of any new building on the Church lot must be reviewed by the Historic Preservation Review Board (HPRB) and approved pursuant to the city's historic preservation legislation.

To meet the design challenges of this location, SGI-USA retained the services of the architectural firm Hellmuth Obata and Kassabaum (HOK) here in Washington. The principal designer on this project is Bill Hellmuth whose renowned designs include the Japanese-American Museum in Los Angeles, CA, the US Embassy in Moscow, and the Udvar-Hazy Center of the Smithsonian National Air and Space Museum in Chantilly, VA.

Following public meetings in November 2004 and January 2005, the HPRB found the proposed building to be compatible with the existing landmark and voted 8-1 to grant conceptual approval for the design, subject only to staff review during the design development and final permit processing.

Zoning Issues

The property in question is Lot 43, Square 1939. This area is zoned D/NOPD/R-1-B, meaning that it is zoned for residential and diplomatic use and that there is a Naval Observatory Security overlay.

SGI-USA is an exclusively religious organization, and this facility will be used as a church, which is a matter-of-right use in residential zones. Current design plans conform to all zoning requirements and require no zoning variances. Although zoning regulations for this site permit churches lot coverage of 60%, SGI-USA will build on only 42% of the surface and will share the existing driveway (and curb cut) with the Embassy.

Advisory Neighborhood Commission (ANC) and Neighbor Issues

The site is located in the Massachusetts Avenue Heights neighborhood in ANC-3C. In the course of the HPRB approval process, SGI-USA and its consultants met four times with the ANC or its representatives (Nov 8 & 15, 2004 and Jan 10 & 24, 2005). On Dec 16, 2004, SGI-USA co-hosted a meeting at the Cape Verde Embassy to present its plans to the local residents, answer their questions and listen carefully to their concerns.

Neighborhood opposition has centered on the perceived intensity of SGI-USA's use and related traffic and parking issues. Opponents argue that this is not an appropriate use for what they perceive to be a quiet residential neighborhood. It is our position that the location in question (Massachusetts Avenue) is already a busy thoroughfare, and the majority of buildings along the avenue (including the two adjacent buildings) are used for institutional - not residential - purposes.

In response to neighborhood concerns, SGI-USA has made numerous modifications to its plans. These changes include re-routing the ingress/egress from the rear alley to Massachusetts Avenue; reducing the height of part of the church from three floors to two floors; providing a more articulated design for the rear of the building and providing more green landscaping along the rear alley.

The above changes are in addition to such good neighbor gestures as: hiding and silencing the HVAC system by placing it in a well on the roof; voluntarily reducing our lot coverage from 60% to 42% and agreeing to provide the Cape Verde Embassy with daily parking for their 6-8

staff and special events, thus eliminating what would otherwise be significant daily demands for parking on 34th Place.

Opponents to the project have questioned whether this building will actually be used as a church or rather as a commercial office and conference center, stating that since our main sanctuary constitutes a limited portion of the building, religious use must be ancillary to other (unspecified) uses. In fact, the center's primary use will be for Buddhist study, prayer and practice in the Nichiren tradition.

We are committed to engaging in good-faith dialogue with the residents of Massachusetts Heights regarding our plans for both building and using this facility.

Conclusion

We recognize that the presence of a church in a neighborhood invariably brings with it some inconveniences, especially related to parking and traffic. We also recognize that any construction project produces some additional noise and traffic. We have made considerable efforts as described above to ameliorate these potential nuisances, to create a building in harmony with its setting and to respond to the concerns of our neighbors. We will continue to engage in good-faith dialogue to hear and respond where possible to neighbors' concerns.

Proposed Soka Gakkai Buddhist Culture Center Usage

"Exert yourself in the two ways of practice and study. Without practice and study, there can be no Buddhism. You must not only persevere yourself; you must also teach others. Both practice and study arise from faith. Teach others to the best of your ability, even if it is only a single sentence or phrase." Writings of Nichiren Daishonin Vol. I, p.386

Most uses fall into one of the following categories. They all derive from and are centered on the observance and transmission of Buddhist faith, practice and study as exemplified by the above passage from the 13th Century writings of Nichiren.

Chanting sessions

This includes the recitation of the Liturgy of Nichiren Daishonin (conducted each morning and evening) and the chanting of *Daimoku* (great invocation). While this is often conducted in members' homes, some members come to the center in the AM to recite the liturgy as a group. In addition one room ("Chanting Room") will be available whenever the center is open for members (and guests) to chant the *Daimoku*. These devotional recitations constitute one of the fundamental practices of Nichiren Buddhism. Nearly every scheduled activity begins with the recitation of the Liturgy.

Study Sessions

Buddhist study is another essential part of Buddhist practice and is conducted in many different formats according to language, age group, interests (men's women's groups), etc.

Discussion and Dialogue

Discussion and dialogue sessions whether in groups or one-on-one, enables practitioners to share their experiences in applying Buddhist practice to their daily lives, ask questions of senior leaders, or seek personal spiritual counseling. The dialogic method dates back to the days of Gautama Buddha (all of the Buddhist sutras are in the form of question and answer) and remain an essential element in all traditions.

Planning Meetings

Conducting effective worship and study events requires planning and preparation for those events.

Performance Groups

Our congregational services (like World Peace Prayer) and general meetings will often feature musical performances either from our Washington DC Chorus, or from our youth band. As with other traditions, music plays the role of uplifting peoples' hearts; and it also has a devotional characteristic rooted in Buddhist tradition.

Office Staff

The Culture Center will operate with three full-time and one part-time staff person. The full-time staff includes the director, the assistant director, the office manager; the part-time staff member assists the office manager.

Both the director and assistant director are senior level leaders and teachers in the Nichiren Buddhist tradition. Both are post-graduate level in the Soka Gakkai study Department; they are commissioned by the SGI-USA as Ministers of Ceremonies, and hold organizational responsibilities positions that center on providing both spiritual and organizational direction in the Soka Gakkai community, as well as conducting such pastoral duties as visiting the sick and aged, providing spiritual counseling, and conducting study lectures.

The office manager is primarily responsible for maintaining the membership rolls, managing the finances, the bookstore, any shipping and receiving of supplies and (together with the director and assistant director) the physical care and maintenance of the center.

In addition a volunteer receptionist comes for 4-6 hours per day to answer the phone and greet visitors.

Who can attend?

Most of the religious activities held at our center are open to our members and any interested guests. There are some activities (planning meetings, personnel meetings, etc.) which are only open to designated leaders of the Soka Gakkai community.

No fees are ever charged to attend our services. We do not rent our facilities out to the public, but may consider making the center available for certain civic functions like voting etc.

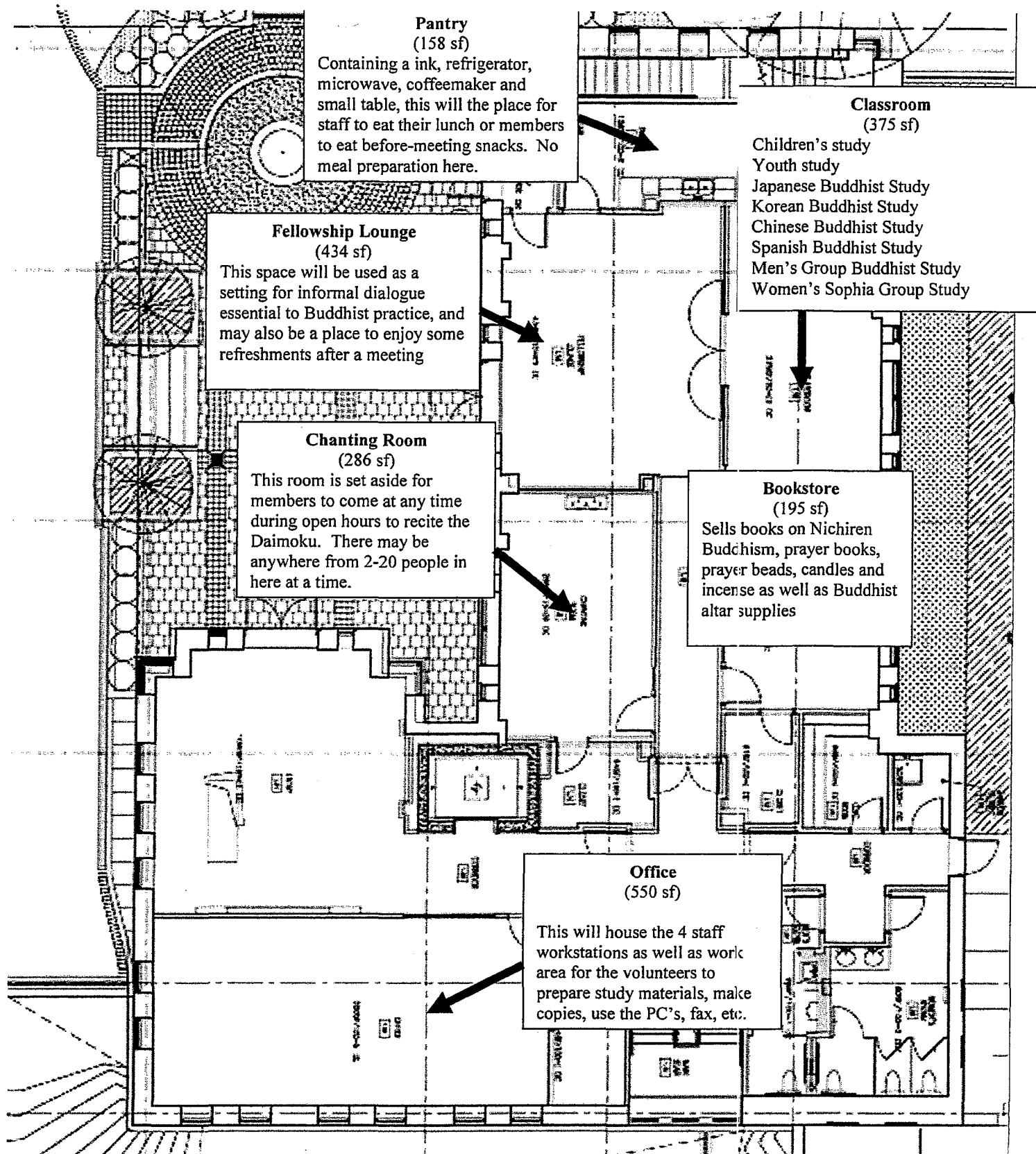
Which SGI members will use it?

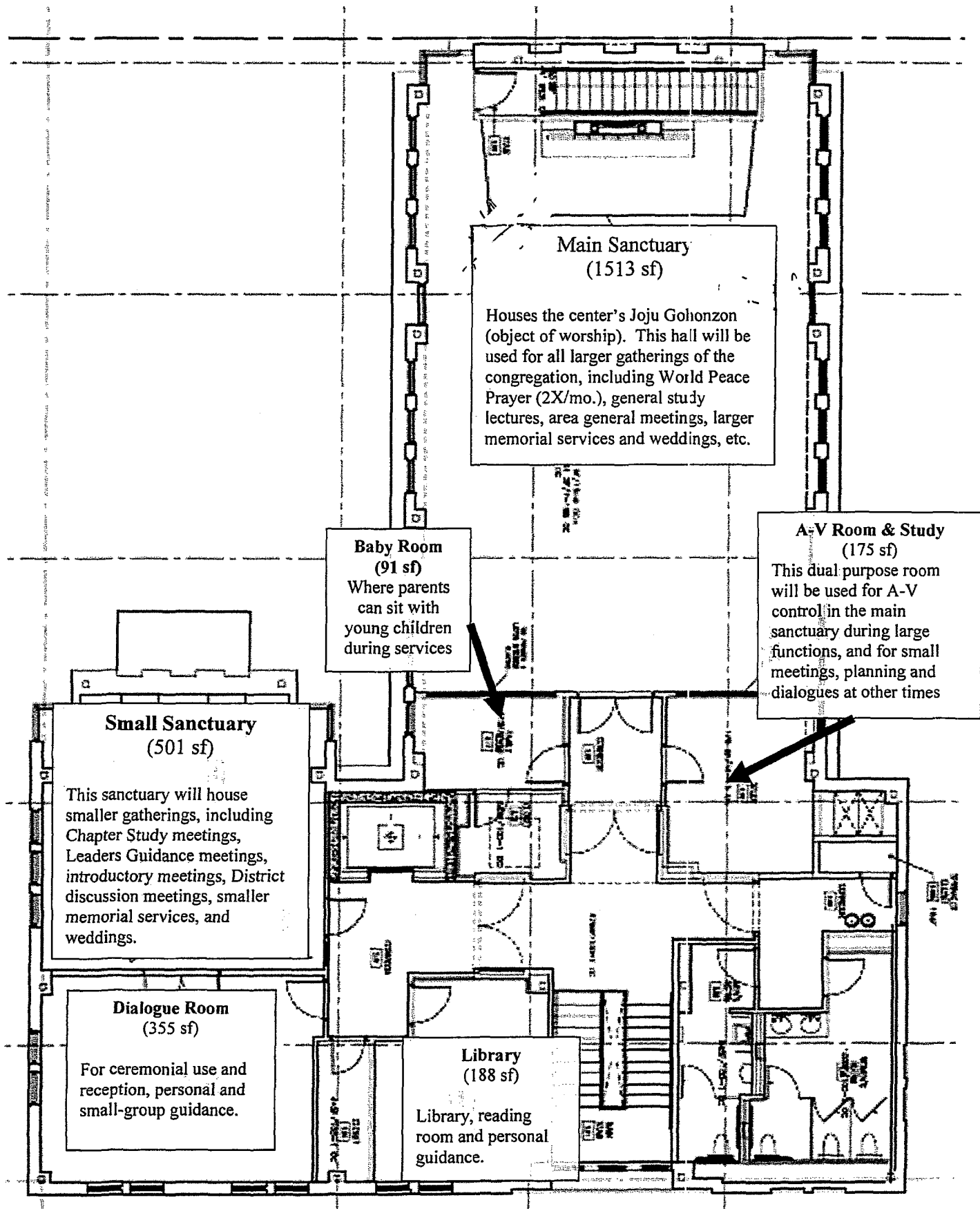
We currently have (and will continue to operate) Buddhist centers in Hyattsville, MD, Baltimore MD and Springfield VA to accommodate the regular worship and study needs of members in the suburban areas. In addition we are actively pursuing a new location in Montgomery County near Gaithersburg, MD

Therefore, the principal users of this center will be the 400 members that make up the "Washington Area" organization made up mostly of members who live within DC. This will be their center for day-to-day worship and activity use. The center will also host *occasional* events open to the membership in the wider Washington DC Region which includes the surrounding Maryland counties.

Large general meetings and lectures as well as any regional conferences are held in rented halls/ballrooms or on high school or university campuses or in our Florida Nature

and Culture Center located on 125 acres in Weston Florida. These kinds of events often involve more than 1,000 participants and clearly will NOT be held in this modest facility.





**Soka Gakkai Buddhist Culture Center
3417 Massachusetts Avenue, NW**

	total sf	% total room space
Main Sanctuary	1513	31%
Small Sanctuary	501	10%
A-V Room/Study	175	4%
Family Room	91	2%
Dialogue Room	355	7%
Library	188	4%
Chanting Room	286	6%
Classroom	375	8%
Fellowship Lounge	434	9%
Bookstore	195	4%
Office	550	11%
Pantry	158	3%
TOTAL ACTIVITY ROOM SPACE	4821	100%

Soka Gakkai Buddhist Culture Center
3417 Massachusetts Avenue, NW

Available Activity Rooms and Sample Schedule

Room	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Center Hours:	9 AM - 3 PM	9 AM - 5 PM	9 AM - 5 PM / 7-9 PM	9 AM - 5 PM / 7-9 PM	9 AM - 5 PM / 7-9 PM	9 AM - 5 PM / 7-9 PM	9 AM - 3 PM
Main Sanctuary 1513 sf	10AM - World Peace Prayer Svc (150 PAX)			7PM Memorial Service (80 pax)		7PM Study Session (English) (40 pax)	9AM Chorus Rehearsal (50 PAX) 2PM Wedding (80 PAX)
Small Sanctuary 501 sf	9AM Byakuren Grp Prayer (5 pax) 1PM Healing Arts Group (15 pax)	7AM Morning Liturgy (5-20 pax)	7AM Morning Liturgy (5-20 pax) 7PM Mens Prayer Mtg	7AM Morning Liturgy (5-20 pax)	7AM Morning Liturgy (5-20 pax) 7PM District Discussion Mtg	7AM Morning Liturgy (5-20 pax)	11AM Introductory Mtg (10-15 pax)
AV Rm/Study 175 sf	1PM - Young Mens Planning (10-15 pax)				7PM Chapter Planning Meeting (15 pax)		
Dialogue Room 355 sf	Personal Guidance	Personal Guidance	Personal Guidance	Personal Guidance			
			average 3-5 pax per day				
Library 188 sf	1PM Study Session (French) (5-7 pax)			7PM Study session (Spanish) (10-15 pax)			9AM Study preparation (12 pax)
Chanting Room 288 sf	Chanting (day only)	Chanting (day only)	Chanting (day & eve)	Chanting (day & eve)	Chanting (day & eve)	Chanting (day & eve)	Chanting (day only)
	Available whenever the center is open and usually occupied by 5-10 pax						
Classroom 375 sf	10AM Childrens Grp (15-20 pax) 1PM Study Session (Japanese) (20-25 pax)		7PM Study Session (Womens) (35 pax)	7PM Area Planning Meeting (25 pax)			9AM Study Session (Korean) (35 pax)
Fellowship Lounge 434 sf	12PM Post-meeting fellowship (40-60 pax flowing through)						10AM Youth Band Rehearsal (15 pax)
Bookstore Hours	10AM - 1PM			7 - 8:30 PM			

The above is a sample schedule and reflects typical usage based on the existing DG Community Center schedule.

EXHIBIT 7

-----Original Message-----

From: Bill.Crews@dc.gov

To: pac@harkinscunningham.com; john.magnus@starpower.net

Cc: csmaymd@aol.com; mcheh@law.gwu.edu; nmacwood@aol.com;
ppagano@dccouncil.us; rbnettler@rkmc.com

Sent: Tue, 19 Dec 2006 9:20 PM

Subject: RE: Activity on the site of proposed SGI Community Center

I am trying to confirm this, but I think an excavation permit was issued in spite of my notices.

More tomorrow

Best regards,

Bill Crews

Zoning Administrator for the District of Columbia
Department of Consumer and Regulatory Affairs
941 N. Capitol St. NE Suite 2000
Washington, DC 20002
202.442.4576 Office
202.442.4871 Fax
bill.crews@dc.gov

From: Crews, Bill (DCRA) [mailto:Bill.Crews@dc.gov]
Sent: Wednesday, December 27, 2006 5:02 PM
To: Csmaymd@aol.com; pac@harkinscunningham.com; john.magnus@starpower.net; Nmacwood@aol.com; kpatterson@dccouncil.us; ppagano@dccouncil.us; mch eh@law.gwu.edu; afenty@dccouncil.us; Pelwood4@aol.com; Canavan, Patrick (DCRA); cveneroso@juno.com
Subject: RE: Soka Gakkai

Commissioner May,

I understand your concerns. Two permits were approved by my zoning technicians contrary to my specific instructions and I have admonished these staff members. The two permits are 1) for excavation, sheeting and shoring, and 2) for construction fence and covered pedestrian walkway. Neither of these permits authorizes the construction and use of the proposed building.

I am still researching the issue of the proposed use of the building and whether it is allowed in this location. I have asked the applicant to provide further information on the use of the building.

Best regards,

Bill Crews

Zoning Administrator for the District of Columbia
Department of Consumer and Regulatory Affairs
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