

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

**STATEMENT OF REASONS IN SUPPORT OF A SPECIAL EXCEPTION
PURSUANT TO SECTIONS 3104.1, 352.1 AND 334 OF THE ZONING REGULATIONS
TO CONTINUE THE USE OF A COMMUNITY SERVICE CENTER AT
3309 16TH STREET, N.W.; SQUARE 2676, LOT 469**

This Statement of Reasons is submitted on behalf of the Applicant, The Family Place, the owner of the subject property (the "Property").

THE PROPERTY & SURROUNDING NEIGHBORHOOD

Property Description. The Property is located on the east side of 16th Street, N.W., between Park Road and Monroe Street, N.W. The Property contains approximately 2,000 square feet of land area and is improved with a three-story row dwelling. The Property is located within the R-5-B zone district.

Current Property Use. The Property is currently improved with a three-story row dwelling containing approximately 4,608 square feet which is used as a Community Service Center pursuant to BZA Order No. 17728, dated April 7, 2008.¹

The Surrounding Neighborhood. The surrounding neighborhood is characterized by a mix of mid-rise apartment buildings, single-family row dwellings, and a number of public and private institutions which are dispersed throughout the community. Commercial uses in the surrounding neighborhood are concentrated along Mount Pleasant Street between Lamont and Irving Streets, and along 14th Street between Columbia Road and Spring Road.

¹ Order No. 17728 approved the continued use of the Property as a Community Service Center approved in BZA Order 16910 dated September 9, 2002. BZA Order 16910 was approved in BZA Order 15530 dated August 1, 1999, which approved the continued use of the Property as a Community Service Center for a period of ten (10) years, the use having been originally approved as part of BZA Case No. 14327 dated January 17, 1986.

**BOARD OF ZONING ADJUSTMENT
District of Columbia**

CASE NO. 18606
EXHIBIT NO. 4

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Zoning. The Property is classified in the R-5-B zone district. The R-5 district permits all types of urban residential development if they conform to the height, density, and area requirements for the zone established within the Zoning Regulations. 11 DCMR §350.1 The R-5 zone also permits institutional and semi-public buildings that would be compatible with adjoining residential uses. 11DCMR §350.2. Matter of right uses in the R-5-B zone district include, *inter alia*, multiple dwellings, residences for teachers and staff of private schools, and youth residential care homes or community residence facilities. 11 DCMR §350.3. Community Service Centers are permitted by special exception in the R-5 zone district. 11 DCMR §§352,334.

PROPOSED USE OF THE PROPERTY

The Applicant proposed to continue the use of the Property as a Community Service Center pursuant to the previous approvals by this Board. The Applicant operates a private, non-profit, social welfare organization known as “The Family Place.” The Applicant provides education and social services to low-income families who are expecting or have young children. Client families are primarily located in the Adams Morgan/Columbia Heights/Mt. Pleasant communities but also throughout all Wards in the District. . Services include: parenting classes, computer training, pre-natal education, domestic violence support, English-as-a-Second Language and Spanish literacy classes; as well as brief emergency services such as, case management, diapers, food, clothing, hot lunch, and child care for parents attending classes. The Family Place has been providing these services from the Property since 1985.

The Board’s Order in Case No. 17728 was subject to the following conditions:

The Applicant has met all of the above conditions, and proposes no changes to the improvements on the Property. No material change in services offered or clientele served has been made since the last approval of the special exception use by this Board in Case No. 17728.

SPECIAL EXCEPTION CRITERIA

The Board is empowered to grant a special exception where it finds:

- (1) The proposed use is in harmony with the general purpose and intent of the Zoning Regulations and Zone Maps; and,
- (2) The proposed use is not likely to adversely affect the use of neighboring property, subject to the specific conditions specified in the Zoning Regulations for that particular special exception use. 11 DCMR §3104.1. The BZA's discretion in reviewing an application for a special exception is limited to a determination of whether the applicant has complied with requirements enumerated in the specific section of the Zoning Regulations pursuant to which the applicant is seeking the special exception. If the applicant meets this burden, the Board ordinarily must grant the application. *First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment*, 432 A.2d 695, 698 (D.C. 1981); *Stewart v. District of Columbia Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973).

The Proposed Use is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zone Maps. The Family Place is a social service agency dedicated to serving low-income families that are expecting or have young children in the Columbia Heights and Mount Pleasant neighborhoods. It has operated at its current location in accordance with this Board's Orders for nearly thirty (30) years. The Family Place provides vital parenting, literacy,

language, employment training, and early childhood education in a multi-cultural setting. The Applicant's programs help meet emergency needs, provide information and education, enhance long-term family stability, and promote the growth of a community of support among parents. The Family Place focuses on expectant parents and families with children through age five because of the critical importance to development in the early years of a child's life. The Family Place collaborates and partners with other community agencies in helping to provide a network of services for low-income, underserved families. The Family Place currently serves approximately 800 families each year, and its service are free for participating families.

The proposed use falls squarely within the requirements for Community Service Centers operating in the R-5 zone district. Community Service Centers are permitted by special exception in the R-5 zone district pursuant to 11 DCMR §352.1, which references 11 DCMR §334 (Community Service Centers {R-4}). The use is compatible with the adjoining residential uses, and occupies a building which meets the requirements of the R-5-B zone district for low height and density.

The use also meets the Comprehensive Plan's recommendation that "land use policies be enacted that ensure all neighborhoods have adequate access to commercial services, parks, *educational and cultural facilities*, and sufficient housing opportunities while protecting their rich historic and cultural legacies." *Comprehensive Plan for the National Capital: District Elements, April 8, 2011*,² §309.1 (emphasis added). Moreover, the Comprehensive Plan, in its land use recommendations for compatibility with residential uses, urges District officials to "recognize the importance of institutional uses, such as private schools, child care facilities, and

² Hereinafter, "Comprehensive Plan."

similar uses, to the economy, character, history, and future of the District of Columbia. Ensure that when such uses are permitted in residential neighborhoods, they are designed and operated in a manner that is sensitive to neighborhood issues and that maintains quality of life.” *Comprehensive Plan*, §311.7. Finally, the Comprehensive Plan notes that there is a growing demand for services that support parent employment and job productivity. The Plan recommends new and expanded child care facilities in all residential, commercial, and mixed-use areas and in community facilities, “in an effort to provide adequate affordable childcare facilities throughout the District.” §1107.2. Moreover, the Plan notes that the importance of early childhood education should be recognized and supported, including *through the review and assessment of the zoning regulations* to identify barriers to the development of centers to provide these services. §§1107.4, 1107.5.

The proposed use is not likely to adversely affect the use of neighboring property.

The Family Place’s facility is entirely self-contained and poses no adverse impacts to the use of surrounding property. Following approval of the continued use of the Property in Case No. 16910, the Family Place installed upgraded security lighting and barriers to prevent trespass by vagrants and loiterers on the Property outside the normal hours of operation, which were identified as problems in that proceeding. The Family Place has also addressed facilities issues brought to our attention by neighbors including updating gutters, roofing, paint, etc. The facility will continue to operate during the hours previously approved by the Board, and will maintain the same levels of on-site staffing and clients served at any one time. The majority of the facility’s clients travel to the site by walking or by public transportation, so there will be no adverse impact on pedestrian or vehicular traffic created by the continued use.

The proposed use meets the specific criteria set forth in Section 334 of the Zoning Regulations for a special exception for Community Service Center in the R-5-B zone district. Section 352 of the Zoning Regulations allows any use permitted as a special exception in R-5 districts as a special exception in an R-5 District if approved by the Board of Zoning Adjustment. 11 DCMR §334 permits Community Service Centers as a special exception in the R-4 zone district under the following conditions:

1. The Center must accommodate organizations created for the purpose of improving the social or economic well-being of the residents of the neighborhood in which the center is proposed to be located which may include but not be limited to centers for job training, family counseling, consumer cooperatives, and such other facilities as are similar in nature and purpose;
2. A Community Service Center shall be located so that it is not likely to become objectionable to neighboring properties because of noise or other objectionable conditions;
3. No structural changes shall be made except those required by other municipal laws or regulations;
4. The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located; and
5. A Community Service Center shall not be organized for profit, and no part of its net income shall inure to the benefit of any private shareholder or individual.

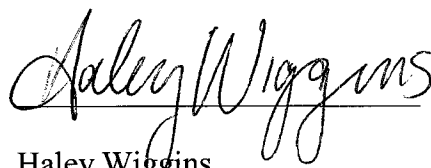
The Family Place serves its surrounding neighborhood with the goal of maintaining healthy families; lowering the infant mortality rate; and, providing job skills and language training for its clients, which will improve their social and economic well-being. Its services comply with all applicable zoning requirements and are aimed at the members of the community in which it is located.

The Family Place is self-contained and located so as not to create objectionable impacts on neighboring properties due to noise or other conditions. The Family Place operates only during regular business hours, with occasional evening or weekend meetings, and otherwise is compatible with the surrounding residential development. No structural changes are contemplated, and in fact no additional improvements are proposed for the building at this time. Finally, the Family Place is a not-for-profit organization incorporated in the District of Columbia and qualified under Section 501(c)(3) of the Internal Revenue Code.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that, upon receipt of all of the Applicant's proof and all other support of record for the special exceptions requested, such relief be granted.

Respectfully submitted,

A handwritten signature in cursive script, reading "Haley Wiggins", written in dark ink. The signature is fluid and stylized, with a horizontal line drawn across the middle of the letters.

Haley Wiggins
Executive Director
The Family Place