JIM GRAHAM

COUNCILMEMBER, WARD ONE
COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001

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THE AMERICAN EXPERIENCE

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Chair,
Human Rights, Latino Affairs &
Property Management Subcommittee

2nd Vice Chair,
Board of Directors, WMATA/Metro

April 3, 2001

RECEIVED
D.C. BOARD OF ZONING
Apr 3 11 11: 46

Dear Board of Zoning Members:

This letter is regarding application #16650 for a special exception for 1305-07 Irving Street, N.W. requested by Southwest Church of Christ in partnership with Parents Striving for Joy, Inc. The request proposes a community service center for youth in the Columbia Heights neighborhood.

The case for the facility has a strong appeal. Parents Striving for Joy, Inc. is a superb non-profit based organization with members and officers that are both residents and parents in the neighborhood, who know the problems in our community. The purpose is much needed, in that the youth of this neighborhood need the services proposed to be housed in this location. Further, the faith-based services provided by Southwest Church of Christ is a complementary element. I also am aware of the action of ANC 1A supporting the application, an action that is entitled to "great weight" under the law.

However, I have received a petition with many signatures from neighboring concerned residents who oppose the proposed site due to numerous existing group homes within 200 feet in the same block. Additionally, concerns with parking, noise, lack of clarity in programming, and the need for more community input have been raised by residents. Although, I believe in community services for our youth, the concerns raised by neighbors cannot be ignored. Just recently, in Mt. Pleasant, I opposed two Bureau of Prisons halfway houses in a area, which had been saturated by such facilities. We were successful there. A similar situation exists here, where the 1400 block of Irving is home to more than its share of group homes and other institutions.

On that basis, I hope the Board will not approve this application.

Sincerely,

Jim Graham

Enclosure

BZA
Case No. 16650
Exhibit No. 43

Board of Zoning Adjustment
District of Columbia
CASE NO.16650
EXHIBIT NO.43

3/29/01

TO: Vince Valdez,

I am sending a copy of our petition to you at this point, 55 signatures of residents of Columbia Heights that are opposed to proposal 16650.

Also enclosed is a letter from Andrew Altman and a letter from the Department of Consumer and Regulatory Affairs. Both these documents raise issues of the residents not being informed of the proposed community center or being given any input into the development of a program for 700 participants that would have a direct impact on their immediate community. Our ANC was notified, never responded and the community was never notified.

The community was only notified by a posting in front of the properties 1305 -1307 Irving Street NW announcing the review of an application for an exception before the Board of Zoning. While the Southwest Church of Christ claims community involvement, I hardly call this adequate communication with residents or ample opportunity for proper planning in a neighborhood already densely populated by social service facilities. In short, if our ANC representative had not asked for clarification on the proposal 16650 at the first meeting of the Board of Zoning Adjustment of the program proposed by the Southwest Church of Christ, residents would have never been notified!

It is of further interest that on page 2-3 the community service center proposed is a temporary step towards the creation of a permanent facility because the church expects to sell the property within the next three years. Is this statement saying the community service center is temporary or that the service center will be sold in three years and become permanent to a custodian other that the Southwest Church of Christ?? Again, is this community planning or a private agenda that has direct impact on the community?

It is obvious from much of this correspondence that the Southwest Church of Christ has been planning a community service center in Columbia Heights for a good period of time and has not sought input or involvement from the immediate community. A response echoed by residents overwhelmingly is that communications have been poor and they have been denied involvement in decisions that will effect their immediate community and everyday lives.

Please pass this on.

Thank You

Andrew Krieger

We the undersigned residents of Columbia Heights, living in and around Irving Street North West, Kenyon Street North West and Columbia Road North West, Washington, D. C., are opposed to granting the Southwest Church of Christ Inc. a special exception under Subsection 334.1 to establish a Community Service Center to support individuals and their families in an R-4 district at 1305-1307 Irving Street North West, (Square 2848, Lot 69).

We continue to support the numerous existing CBRF social service facilities in our area but strongly feel that the application before the board should not be approved, is not in the best interest of the community of Columbia Heights and is a violation of a cohesive neighborhood plan for the benefit all its residents.

[illegible]	1309 Irving ST NW
[illegible]	1332 IRVING ST NW
[illegible]	1330 Irving St. NW 20010
[illegible]	1242 IRVING St NW 20010
Howard University	1313 IRVING ST NW 20010
[illegible]	1317 Irving St NW 20001
[illegible]	1321 IRVING ST NW 20010
[illegible]	1322 IRVING ST NW 20010
[illegible]	1322 Irving St. NW 20010
[illegible]	1344 KENYON NW 20010
[illegible]	1304 Kenyon St. N.W.
[illegible]	1304 KENYON ST NW
[illegible]	1304 KENYON ST. N.W.

We the undersigned residents of Columbia Heights, living in and around Irving Street North West, Kenyon Street North West and Columbia Road North West, Washington, D. C., are opposed to granting the Southwest Church of Christ Inc. a special exception under Subsection 334.1 to establish a Community Service Center to support individuals and their families in an R-4 district at 1305-1307 Irving Street North West, (Square 2848, Lot 69).

We continue to support the numerous existing CBRF social service facilities in our area but strongly feel that the application before the board should not be approved, is not in the best interest of the community of Columbia Heights and is a violation of a cohesive neighborhood plan for the benefit all its residents.

Eugene Lorenz 1202 Irving St NW
[illegible] 1202 Irving St. NW
Charles A. Hooper 1206 Irving St, NW
Laura J. Hooper 1208 Irving St, NW.
Cynthia A. Mill 1104 Irving St. NW
Paul Comette 1104 Irving St, NW.
[illegible] 1329 Irving St. NW.
Christopher Thomas 1311 Irving St NW
[illegible] 1302 Irving ST, N.W #102
Sonja Bluemayo 1302 Irving St NW, #100
[illegible] 1329 Irving St N.W.
James Haber 3002 13th St NW
Dewey J Schumaker 3002 13th St NW
André Harris 1311 IRVING ST NW

1314 Kenyon ST. N.W.

1316 Kenyon St NW

1317 Irving St NW

1313 Irving ST NW.

1323 Irving St. N.W.

1323 Irving Street N.W.

1329 Irving ST NW

Charles Bond 1349 Irving St NW DC 20010

Bryan Baugh 1327 Irving ST NW DC 20010

1340 Irving St. NW., DC. 20010

1340 Irving St. NW. DC 20010

1347 Irving St NW DC 20010

1340 Irving ST NW 20010

1340 Kenyon St NW, DC 20010

1321 Kenyon St. N.W. DC 20010

1325 Kenyon Street, NW, DC 2001

1328 Irving St NW. DC 20010.

1330 Irving Street N.W. WDC 20010

12/20/2000

We the undersigned residents of Columbia Heights, living in and around Irving Street North West, Kenyon Street North West and Columbia Road North West, Washington, D.C., are opposed to granting the Southeast Church of Christ, Inc. a special exception under Subsection 334.1 to establish a Community Service Center for a communminity residential facility center to support individuals and their families at 1305-1307 Irving Street North West, (Square 2848, Lot 69).

We continue to support the numerous existing CBRF social service facilities in our area but strongly feel that the application before the board should not be approved and is in violation of existing zoning regulations.

Name	Address
[illegible]	1322 Kenyon St NW 20010
[illegible]	[illegible]
~~[illegible]~~	~~[illegible]~~
Sarah Cavagnaro	1322 Kenyon St N.W. WDC 20010
Stephanie Kuzia	1309 Kenyon St NW 20010
Penny A Young	1309 Kenyon St NW 20010
Daryl Schmidt	3002 13th St. NW 20009
Shannon Kane	3002 13th St. NW 20009
Andrew Ellis	1217 Girard St NW 20009
Jean Pierre Smith-Jennett	1217 Girard St NW 20009
Craig Gordon Heard	1322 Kenyon St NW 20010

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: December 27, 2000

BZA
Case No. 16650
Exhibit No. 24

SUBJECT: BZA Application 16650

APPLICATION
This application was submitted by the Southwest Church of Christ requesting a temporary special exception for a community service center under Section 334.1 and pursuant to Section 3103.2 of Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

SUMMARY RECOMMENDATION
The Office of Planning recommends conditional approval of the requested special exception for a period of three years, subject to renewal by the Board of Zoning Adjustment (BZA).

SITE AND AREA DESCRIPTION
The subject property at 1305-1307 Irving Street, N.W., is developed with two three-story masonry row house buildings with no on-site parking. Both buildings share interior doorways and are located on one record lot. To the north are the back yards of row houses fronting 13th Street, N.W. Immediately east is a record lot developed with a three-story masonry row house (1303 Irving Street, N.W.) and the Southwest Baptist Church at the corner of Irving Street, N.W., and 13th Street, N.W. West of the subject property is an improved alley sixteen feet wide and the masonry row houses beyond.

The Southwest Church of Christ owns both lots between the alley and 13th Street, N.W. These properties are zoned R-4 and located within in the Columbia Heights neighborhood.

The church site is developed with a sanctuary and no parking. The adjacent row house is being used for church offices. Properties are 1305-1307 Irving Street, N.W., currently do not have a principal use. They were previously approved for different uses:

- On September 29, 1969, the Board of Zoning Adjustment (BZA) issued a Final Order for conditional approval of BZA Application #10168 and a church request to establish a community center use with a caretaker's apartment at 1307 Irving Street, N.W. The Findings of Fact indicated the building was previously used as apartments. The only condition was that the permit would expire after a period of one year, subject to BZA renewal.
- On August 18, 1970, BZA application #10489 was granted to continue the community center use for five years subject to renewal by the BZA. However, a Certificate of Occupancy was not secured before this Final Order was voided.
- Consequently, BZA application #11005 was granted on December 14, 1971, to continue community center use for three years subject to renewal by the BZA (this Order also reinstated BZA Order #10489).
- On April 16, 1975, BZA application #11884 was approved to allow the continuation of the community center use for three more years subject to renewal by the BZA.
- On August 14, 1977, a community center Certificate of Occupancy was issued for 1307 Irving Street, N.W., with an expiration date of June 9, 1978.

Based on this information, 1307 Irving Street, N.W., was authorized for a community center use and apartment for nearly nine years, from September 29, 1969 to June 9, 1978. Later, a Certificate of Occupancy was issued for a community residence facility for 36 persons at 1305-1307 Irving Street, N.W., in 1981. It is unclear when this use ceased operation.

APPLICANT'S PROPOSAL

The applicant proposes to use the existing buildings for a community service center, defined the Zoning Regulations as follows:

> "A community service center ... accommodates 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 job training, family counseling, consumer cooperatives, and such other facilities as are similar in nature and purpose..."

As explained in "A Proposal & Plan To Open a Temporary Community Service Center, 1305 & 1307 Irving Street, N.W. ..." dated August 22, 2000, a few members of the church formed the Thirteenth-Irving Development Group with "specific plans for developing and implementing a wholistic approach for bringing about improvements in the Columbia Heights community or areas within four blocks of the (church) ...", and beyond.

In part, the impetus for these efforts came from Parents Striving for Joy, Inc., an organization created by residents of the Columbia Heights Village Apartments located one block south. According to organization documentation, their goal is to provide social, education and recreation services principally for the 700 children that live in the apartments. They would like to establish a full-service non-profit community center with a learning center in the neighborhood and approached the church for support. The proposed temporary community service center use would be the next step toward establishing a permanent facility. This location

is considered temporary because the church expects to sell the subject property within the next three years.

Earlier this year, the applicants applied for a Certificate of Occupancy to establish this use on the subject property. However, in July 2000, the Zoning Administrator informed the applicant that the proposed use requires BZA approval of a special exception (Exhibit 1). The applicant submitted the subject application as a result.

EXISTING ZONING AND RELIEF REQUESTED

The subject property is zoned R-4. Under Section 334 of the Zoning Regulations, a community service center use is permitted in this zoning district with BZA approval of a special exception.

Section 3104.1 grants the Board of Zoning Appeals (BZA) the authority "to grant special exceptions where in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps."

The requested special exception must also meet these standards listed under Section 334:

"334.2 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.

334.3 No structural changes shall be made except those required by other municipal laws or regulations.

334.4 The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located.

334.5 A community service center shall not be organized for profit, and no part of its net income inures to the benefit of any private shareholder or individual."

As a change in the existing use (none), the proposed use may be subject to a parking requirement. Since this specific use is not listed under Section 2101.1 of the Zoning Regulations, the applicable requirement is one space for every 600 gross square feet of gross floor area and cellar floor area.

ANALYSIS

The applicant's proposal is subject to the following provisions of the Zoning Regulations:

Consistency with Section 334

The requested special exception must also meet the following standards:

"334.2 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."

The subject property is separated from other row houses to the west along the street frontage by the existing alley. The rear yards of these buildings face the rear yards of dwellings along 13th Street, N.W. The applicant indicated that the majority of activities and services would be provided inside the buildings, however the rear patio would be used for outdoor seating in the summer. Based on this information, OP staff does not think the proposed use is likely to become objectionable to neighboring properties.

"334.3 No structural changes shall be made except those required by other municipal laws or regulations."

The applicant indicated that no major interior or exterior changes are planned.

"334.4 The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located."

OP staff found the justification of need provided by the applicant to be sufficient.

"334.5 A community service center shall not be organized for profit, and no part of its net income inures to the benefit of any private shareholder or individual."

In a letter dated December 21, 2000, Larry Bonner indicated on behalf of the Southwest Church of Christ Trustees that the community service center would not be a for-profit use (please refer to Exhibit 2).

Compliance with Section 3104.1
The stated purposes of the organizations requesting to establish the proposed community service center support identified needs of the neighborhood, specifically those of the Columbia Heights Village Apartments. This proposal is similar to uses previously approved for this location by the BZA over a span of nine years. It also meets the requirements under Section 334 of the Zoning Regulations. Therefore OP staff determined the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property.

Compliance with Section 2101.1:
Section 2101.1 requires one parking space for every 600 square feet of gross floor area and cellar floor area. Since there is no parking either on this site or the adjacent church property, and no parking is proposed, the applicant may require relief from this requirement. However, since the proposed use is designed to serve very localized needs, OP feels that such relief could be granted with no detriment to the neighboring property owners.

COMPREHENSIVE PLAN
The Comprehensive Plan Generalized Land Use Map designates the general surrounding area for low density residential uses, with single-family detached and semi-detached dwellings as the predominant uses. The stated intent of the proposed community service center is to serve the surrounding residential uses.

COMMUNITY COMMENTS
Advisory Neighborhood Commission (ANC) 1A was notified about this application. No written comments have been received.

AGENCY COMMENTS
This proposal was sent to the Department of Public Works, Department of Consumer & Regulatory Affairs and District of Columbia Fire Department for review. No comments were received.

RECOMMENDATION
The Office of Planning recommends approval of the requested special exception. Consistent with the original request, this approval should be conditioned for a period of three years, subject to renewal by the BZA.

Attachment: Exhibit 1 - Letter from Michael D. Johnson, Zoning Administrator to Larry Bonner dated July 28, 2000
Exhibit 2 – Letter from Larry Bonner to Jerrily R. Kress, Board of Zoning Adjustment, dated December 21, 2000

AA/afj

Exhibit 1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

July 28, 2000

DIST. OF COL. SEP 22 P2:39

Larry Bonner
Southwest Church of Christ, Inc.
1303 Irving Street, N.W.
Washington, D.C. 20010

Re: Denial Letter - 1305-1307 Irving St., N.W.
Square: 2848 Lot(s): 69
(First thru Third Floors)
Zoned: R-4

Dear Mr. Bonner:

Your certificate of occupancy application #801094 filed to use the subject premises as a "Community Service Center" is disapproved due to the need for Board of Zoning Adjustment approval.

You will be required to obtain a special exception under the provisions of DCMR Title 11, Section 334.1 to establish your use in the R-4 Zone.

The Board of Zoning Adjustment has authority to grant special exception under provisions of DCMR Title 11, Section 3103.2.

This letter must be presented to the Office of the Board of Zoning Adjustment, Room 210, 441 4th Street, N.W., when filing for the hearing. If your request is granted, a new certificate of occupancy application must be filed.

BZA
Case No. 16650
Exhibit No. 4

Sincerely,

Michael D. Johnson
Zoning Administrator

MDJ/TB/ee