COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004-2401
TEL 202.662.6000
FAX 202.662.6291
WWW.COV.COM

WASHINGTON, DC
NEW YORK
LONDON
BRUSSELS
SAN FRANCISCO

KAREN W. KRAMER
TEL 202.662.5167
FAX 202.778.5167
KKRAMER@COV.COM

February 28, 2001

HAND DELIVERY

Ms. Sheila Cross Reid
Board of Zoning Adjustment
441 Fourth Street, N.W.
Second Floor
Washington, D.C. 20001

D.C. RECEIVED OFFICE OF ZONING
2001 FEB 28 PM 3:24

Re: BZA Application No. 16668
Latin American Youth Center
3035 15th Street, N.W.
Lot 0872, Square 2672

Dear Chairperson Reid:

Enclosed herewith for filing is a revised Statement of Existing and Intended Use in connection with the above-referenced Application. This Statement is intended to replace the Statement of Existing and Intended Use originally filed with the Application on November 7, 2000.

Thank you for your consideration. I can be reached at the above number should there be any questions.

Sincerely,

COVINGTON & BURLING

Karen W. Kramer

Enclosures
cc: Ms. Lori M. Kaplan, Latin American Youth Center
Ms. Jerrily R. Kress, FAIA

BZA
Case No. 16668
Exhibit No. 30

Board of Zoning Adjustment
District of Columbia
CASE NO.16668
EXHIBIT NO.30

RE[redacted]SED EXHIBIT B

DETAILED STATEMENT OF EXISTING AND INTENDED USE

This Detailed Statement of Existing and Intended Use (the "Statement") describes the work of the Latin American Youth Center ("LAYC") and its plan to use 3035 15th Street, N.W. as a neighborhood center with an emphasis on arts education ("3035" or the "Arts Center"). The first section of this Statement provides general information on the LAYC, including its philosophy and mission, organizational structure, diversity of programming, ongoing partnerships with area institutions, and some of the accolades it has received for its work. The balance of this Statement describes the LAYC's planned use of 3035 15th Street and the relevant factors supporting its request for a special exception for use of the building as a Community Service Center and a variance from the applicable parking and side yard setback requirements.

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D.C. OFFICE OF ZONING
2008 FEB 28 PM 3:24

I. ORGANIZATIONAL INFORMATION

A. Background

Founded in 1974, the LAYC is a nonprofit community-based organization providing a wide variety of educational, training, health, recreational, and social service programs to Latino and other multicultural residents in the nation's capital. It spends approximately $4.5 million per year on programming (not including administrative expenses) serving over 5,000 infants, children, teens and adults from the city's Latino, Vietnamese, Caribbean, African-American, and African communities. Based in the District of Columbia's Columbia Heights neighborhood, the LAYC serves the surrounding communities of Mount Pleasant, Adams Morgan, and Upper Cardozo, but also attracts individuals citywide with its unique offerings. It estimates that 65 percent of the individuals that use its services reside in the surrounding communities.

LAYC strives to be an important and positive force in a city of diverse residents. In its multi-cultural and multi-lingual environment, LAYC's programs are an outgrowth of its core mission and values: supporting youth and families determination to live, work and study with dignity, hope and joy. On a practical level, LAYC's programs aim to counteract the divisive effects of poverty and racism by providing youth and families with education and support and helping youth develop critical thinking and leadership skills. LAYC aims to work in collaboration with the community and other health, educational, and social service organizations.

The LAYC in 1998 finished renovating a state-of the art facility at 1419 Columbia Road, N.W. (the "Columbia Road Center" or "Columbia Road Facility"). The LAYC estimates that the Columbia Road Center has permitted the LAYC -- originally conducting programming out of four different sites -- to institute more than eight new programs and serve more individuals, expanding ongoing community oriented programs and adding new initiatives, including a youth media center, and a technology center. Despite the success of the Columbia Road Facility the demand for LAYC services and programs is greater than ever before. The LAYC is in need of more space to enhance its current programming and add new initiatives, particularly in the arts area.

B. Organizational Structure

The LAYC is a nonprofit organization governed by an 18 member Board of Directors. The Board of Directors is comprised of individuals active in the local nonprofit, private sector, and government spheres. The LAYC currently has a paid staff of 75 full and part-time employees working under an Executive Director. Programs are supervised by a Division Director and Program Coordinators. LAYC staff are ably assisted by a bevy of

volunteers, currently numbering more than 50. LAYC volunteers are both members of the immediately surrounding communities and active and concerned citizens of the greater Washington, D.C. area.

Subsection C provides an overview of LAYC's programs and community involvement. For additional information on the LAYC, please see the LAYC brochure attached as Attachment 1, and the LAYC's Spring, 2000 newsletter, attached as Attachment 2.

C. Programming, Partnerships and Honors

1. Education & Employment Training

Educational programs at LAYC, an important facet of the LAYC's community offerings since 1974, now include a number of programs dedicated to enhancing the self-esteem and confidence of youth through building concrete, marketable skills. The following are some of the highlights:

- The LAYC Tutoring Program: This structured program works with neighborhood youth to develop study habits and a better understanding of the importance of homework for students at all academic levels. The LAYC also offers special tutoring programs geared toward college-bound students. Volunteer mentors trained by staff members work closely with individual students.

- MANY AmeriCorps: This community-service initiative is comprised of fewer than 20 young people who develop educational programs for elementary and peer leadership and training programs for other youth. The program sponsors family nights and community service fairs.

- Drop-in Center: Serving 60-70 young people a day, the Drop-in Center provides an informal recreational and social option for neighborhood youth. Young people have access to games, billiards, weight lifting and other outlets in a drug free environment.

- Summer Jobs: The LAYC helps place youths 14 to 21 years old in summer jobs.

- Multidisciplinary Arts: This program exposes young people to mural painting, music, puppetry, theater, and creative writing.

2. Next Step/El Próximo Pase Public Charter School: Based at the Columbia Road center, this charter school provides intensive GED and ESL classes, as well as job training, aiming to be a holistic program for teen parents and those who have dropped out of public school.

3. Health Education

The LAYC's Health Education program seeks to promote, improve and maintain healthy lifestyles among youth and their families. This program area emphasizes preventative medical services, health assessment, and primary health care. Some of the services offered include the following:

- Teen Clinics: The LAYC helps to offer free Saturday teen clinics at Mary's Center for Maternal and Child Health.

- Health Career Opportunity Program: The LAYC collaborates with the George Washington University Medical Center to educate local youth about health careers.

- Teen Health Promoters (THP): A group of local high school juniors and seniors act as role models, service-providers and educators for other teens on issues from nutrition to mental health to sexual and reproduction concerns.

- HIV/AIDS Education: Youths and young adults ages 12-24 act as teen messengers educating peers on the important issue of HIV/AIDS Education. This program seeks to prevent the spread of HIV/AIDS by taking a culturally sensitive approach to the topic.

- TEENSTARS (Teens Trained Around Responsible Sexuality): This abstinence as first choice program employs effective means of preventing pregnancy and delivering educational services to students at Lincoln Multicultural Middle School.

4. Social Services

The Social Services programming at the LAYC was established in 1985 to help meet the increasingly diverse needs of youth in the local Latino community The

guiding principle of the LAYC's social services programs is to support, protect, and strengthen the family unit as the primary foundation for the development and advancement of youth. The Social Services division, known as Family Connections, is staffed by bilingual case managers, counselors, and other clinical staff, serving approximately 200-250 youth each month from a variety of ethnic and cultural backgrounds. Programs include the following:

- Diversion Program: This program uses personal growth activities to support and strengthen youth and families so that youth may achieve personal, career and educational aspirations while maintaining healthy lifestyles.

- Host Homes: This program provides temporary shelter for up to two weeks for homeless and runaway female youth in culturally sensitive community-based settings.

- Foster Care: Providing foster care services for children from newborns to 18 years of age who have been temporarily removed from their biological homes as a result of abuse or neglect.

- Street Outreach Program: Providing emergency shelter, education and prevention services to reduce the incidence of runaway, homeless youth.

- Substance Abuse Prevention: This program targets youth at risk for addiction, exposing youth to prevention strategies to reduce the risk of substance abuse.

- Transitional Living Program: Provides stable, safe living accommodations for male youths ages 17 to 21 in a supervised independent residential facility for up to 18 months to promote transition to self-sufficient living and to prevent long-term dependency on social services.

5. Partnerships and Recognition

The LAYC has received numerous awards and is widely recognized as a leader in providing services to the Latino community. The LAYC received the 1999 Public Humanities Award from the Humanities Council of the District of Columbia for

using the humanities to make important contributions to the District for its development and programming of the Latino Community Heritage Center, which documents and preserves the rich history of the Latin American community in the Mount Pleasant neighborhood. The LAYC also has provided programming to the community in collaboration with other institutions in the District community -- including the Smithsonian, the University of the District of Columbia, and The George Washington University Medical Center. It also works closely with ASPIRA, a national Hispanic organization dedicated to developing the leadership capacity of Latino youth.

II. PLANS FOR 3035 15th STREET, N.W.

A. Existing Use of 3035 15th Street, N.W.

For most of the 1990s, 3035 15th Street, N.W., a large single family home, has been an eyesore and neighborhood nuisance. As a boarded up property, it has been a blight on the city block on which it sits, attracting drug addicts and prostitutes, and serving as a convenient location for drug sales and petty crime. Although the property was briefly acquired by a new owner in the latter part of the last decade and it had appeared that the property was being renovated and might be revitalized, such changes did not materialize. The LAYC acquired the house on July 29, 1999 with the intent of renovating the property for use as a community-focused center complimenting the Columbia Road Facility.

B. LAYC's Intended Use of 3035 15th Street, N.W.

1. Programming

As noted above, the LAYC provides a multitude of programs for the surrounding community out of its Columbia Road Center. As the LAYC has reached out to the local community and interest in its programs has grown, the LAYC has found that it

needs additional space for some of its existing programs and to provide local youth with a more ambitious menu of cultural and artistic experiences, and to serve a wide array of ongoing community needs. To this end, LAYC recently has acquired four buildings in the 3000 block of 15th Street, N.W., including 3035, and has launched a $1.5 million dollar capital campaign to support initiatives in conjunction with these acquisitions.[1] The LAYC envisions 3035 as a neighborhood youth-centered entrepreneurial arts learning community, replete with an Art Gallery, small seasonal outdoor theater, and performing arts facility including space for visual and performing arts classes and related activities. Young people would have access to a wood shop, photography studio, darkroom, and painting/silk-screening studio. There is no other facility of this kind located in Columbia Heights or the surrounding neighborhoods that currently offers such a wide art and cultural curriculum accessible to minority youth.

The LAYC expects that four full-time and five part-time employees will staff the Arts Center. All but one of these employees are already employed by the LAYC and will split their time between the new Arts Center and the Columbia Road Facility. The Arts Center will not contain an auditorium or similar meeting space where large numbers of people would congregate. Instead, the outdoor theater will be used sporadically during the warmer months of the year, will not have permanent seating, and is not expected to attract

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[1] The LAYC anticipates applying for appropriate special exceptions so that two of these houses when renovated will serve respectively as a transitional living program for young women and teen mothers and as a transitional living program for homeless and unaccompanied minor boys. A third property is slated for expanded youth programming in conjunction with the Columbia Road Facility.

more than 50 people for any single event. At other times, the LAYC expects that the number of staff and community members on site at any one time would not exceed 50 people. The LAYC anticipates that approximately 40 people would use the Arts Center on weekdays and approximately 30 people would use the Arts Center on weekends.

2. Security

The LAYC will integrate a professionally monitored security system into the design of the building. The Arts Center also will have a full-time receptionist and administrative staff present at all times. The LAYC will monitor actively the need for security at the Arts Center and will respond on an as-needed basis.

C. Satisfaction of Zoning Regulations for Use

The LAYC seeks a special exception as a "Community Service Center" pursuant to 11 D.C.M.R. § 334.1. As explained above, the LAYC is a nonprofit organization focused on providing services to residents of the neighborhood in which it is located. The Arts Center will provide young people with a wealth of opportunities to view and participate in the visual and creative arts. The Arts Center will not generally offer any articles of commerce for sale, but may contain a small snack bar or similar facility for the convenience of neighborhood youth attending programs at the Arts Center. Any profits from this small ancillary use will be funneled directly back into the operation of the Arts Center.

D. Parking Considerations

The Board of Zoning Adjustment should determine that the travel patterns of the LAYC's clientele, easy accessibility of public transportation, and availability of dedicated parking in convenient private lots will permit the LAYC to provide adequate

parking without adversely impacting the surrounding community or the integrity and purpose of the Zoning Regulations and Maps. These factors should be balanced against the exceptional practical difficulty and extraordinary expense of constructing additional parking on the lot of a single family home.

The applicable zoning regulation, 11 D.C.M.R. § 2101, does not contain specific parking regulations for Community Service Centers. Although there are a number of analogies that might assist in determining the appropriate number of parking spaces for a Community Service Center of this type,[2] regardless of the most appropriate analogy for on-site parking regulations, the Board of Zoning Adjustment should grant a variance from applicable parking requirements and find that the availability of accessory parking provides adequate parking for the Arts Center.

First, the 3035 15th Street building is located a block from the Columbia Heights Metro Station at 14th and Irving Streets, N.W., providing visitors and employees with a close and convenient connection to Metrorail. Second, no more than 50 students, employees and guests are expected to use the Arts Center at any one time. Moreover, as noted above, the Arts Center only will attract such a large number of people for outdoor

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[2] The Zoning Regulations do contain specific parking regulations for Community Centers. However, those parking requirements are keyed to the number of seats of occupancy capacity in an auditorium or similar room -- a measurement not relevant to a Community Service Center that will not house any permanent theater-style or assembly seating. Instead, for the purpose of determining parking requirements, the Arts Center is more appropriately analogized to an Art Gallery. The Arts Center will have a gross floor area of approximately 4,512 square feet. There is one parking space available on the premises. Treated as an Art Gallery, the Arts Center would require one parking space for each 300 square feet of floor area in excess of 3,000 square feet. Accordingly, the Arts Center would require no more than six parking spaces.

performances on sporadic days and evenings during the Spring and Summer. On a daily basis, the LAYC anticipates that approximately 40 people will use the facility. Third, the use of this new Arts Center also would not exacerbate parking problems in the Columbia Heights neighborhood for a number of reasons. The majority of the LAYC's clients live in the surrounding neighborhood. Many walk to the LAYC, and the majority do not own cars. Indeed, the majority of the Arts Center's users will be youth who travel on foot or by bike or public transportation. The Arts' Center's patrons can take advantage of ample bus transportation and the Columbia Heights Metro Station. As explained above, the staff of the new facility will be comprised almost exclusively of existing LAYC staff, who already commute to the Columbia Road site, a short walk from the Arts Center. Accordingly, the new Arts Center will have little impact on the amount of traffic congestion in the neighborhood.

Fourth, in addition to the one single parking space available on the premises, the LAYC has negotiated two parking arrangements for its Columbia Road Facility which are sufficiently flexible to be employed in the event additional parking is needed for the new building. The LAYC currently leases 20 parking spaces from the Columbia Heights Village at 1347 Harvard Street, N.W., also located a little more than one block from the new neighborhood Arts Center. As reflected in the letter attached as Attachment 3, the LAYC could elect to take as many as ten additional spaces, well in excess of the six an Art Gallery would require. Unity Health Care, Inc., whose Upper Cardozo Health Center is located around the corner from 3035 15th Street, currently provides 10 staff parking spaces which, as described in the letter attached as Attachment 4, also could be supplemented with up to 12

additional spaces at the LAYC's request. Accordingly, ample parking would be available on evenings and weekends for the LAYC's special events.

Finally, the Board should conclude that it is not practical to locate additional spaces on the Arts Center's lot. First, there is no easily accessible alley or other means of easy ingress or egress. Second, locating additional parking spaces on the same lot could undercut the LAYC's ability to develop more attractive outdoor display and meeting space when the parking needs can be met adequately by parking located in other buildings as described above.

E. Side Yard Variance

The Board should grant a variance from the side yard setback requirements of 11 D.C.M.R. § 405.9, mandating side yards eight feet (8') wide on either side of the Arts Center, because of the exceptional practical difficulties involved in meeting the requirements, including specific topographical problems with respect to the property.

The single family home currently standing at 3035 15th Street, N.W. was constructed prior to 1958. The building has side yards of approximately one and one half feet (1 1/2') on the left side of the house (facing the house from the street) and six feet (6') on the right side. There is a portion of the side yard on the right side that is wider than six feet (6') where a corner is cut out of the existing house. This corner area is approximately eight feet five inches by five feet two and one half inches (8'5"x 5 2 1/2"). The proposed addition would widen this corner portion of the house to be flush with the rest of the side wall on the right side of the house, without impinging further on the side yard, giving the LAYC more standard-shaped space for its coffeehouse, classroom, and painting/silk screening studio. An addition at the rear of the house, commensurate with the existing edge

of the house on the right side, would add a new wood deck. A new wood porch, commensurate with the width of the existing structure, would be added in the front of the house. A stair tower currently is planned for the left rear of the house to provide for central egress to all floors of the building and to enhance access to the exterior of the house, which the LAYC plans to use for outdoor performances and ceramics classes. As planned, the stair tower will have a side yard of three point two feet (3.2'), a slightly wider side yard than the existing structure. Accordingly, neither the front porch nor the back deck would encroach on the existing side yards.

The side yard on the right side of the house appears to meet the zoning requirements because, except for the small corner portion of the house that will be filled in as provided above, the six foot (6') width of the existing side yard will not be decreased and is greater than five feet (5'). 11 D.C.M.R. § 405.8. Significant revision in the architectural plans to accommodate the side yard requirements with respect to the left side of the house would necessitate dispensing with the stair tower, or moving it, an extraordinary practical difficulty, and prohibitively expensive because of the existing topography of the lot. First, adding a stair tower, which supplements an existing stairway, is not optional. Two means of egress are required by Section 1010 of the BOCA National Building Code 1996. Second, relocating the stair tower also is not feasible. To move the stair tower consistent with the current plans and to provide for an eight foot (8') side yard, the stair tower would need to be moved at least five feet (5') to the right to remain at the back of the house. A large tree, approximately fifty feet (50') in height and four feet (4') in diameter, stands in the center of the rear yard, approximately seventeen feet (17') from the house. The canopy of the tree is approximately forty feet (40'), suggesting that the root system also extends for nearly forty

feet (40'). Construction of the stair tower as relocated to comply with the side yard requirements would require excavation of approximately two thousand (2000) cubic feet of soil. Accordingly, the roots of the tree would be irreparably compromised by moving the stair tower to meet the side yard requirements, destroying this nearly one hundred (100) year old tree. Moreover, even if the tree were sacrificed, excavation of the appropriate area to permit construction of the stair tower would be prohibitively expensive for the LAYC. Third, the building currently has a hallway on each floor towards the left side of the house where the planned stairway would be located. Relocating the stair tower would, as a practical matter, mean losing a significant amount of usable programmatic space, and hamper movement of young people inside the building. Finally, although the width of the deck and wood porch could be decreased, doing so would limit significantly the LAYC's ability to use the outdoor space for arts programming.

* * *

The Arts Center would provide neighborhood youth with unique opportunities to explore the creative and performing arts in a convenient and structured environment under the leadership of an organization with a proven record of providing a successful array of services to this minority community, while at the same time transforming a rundown building into a vibrant community asset.

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SAN FRANCISCO

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January 26, 2001

HAND DELIVERY

Mr. Olutoye Bello
Zoning Reviewer
District of Columbia
Dept. of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 2000
Washington, D.C. 20002

Re: Construction Permit Application for Latin American Youth Center, 3035 15th Street, N.W.

Dear Mr. Bello:

Enclosed please find one copy of the Construction Permit Application we are filing today on behalf of the Latin American Youth Center with the Department of Consumer and Regulatory Affairs. Also enclosed is a copy of the plat and the architectural drawings filed with the Application. As you know, we filed our application originally with the Board of Zoning Adjustment ("BZA") on a "self-certification" basis on November 7, 2000. Subsequently, the BZA requested that we seek informal review of our application from you office. Accordingly, I sent you a copy of our full BZA application in late November 2000, and we have discussed the relief needed under this application. Note that the enclosed plat has been modified slightly to specify additional measurements, including the width of the side yard where the new stair tower would be constructed.

As you know, in the last week, Jerrily R. Kress, Director of the Office of Zoning, has requested that we obtain a referral letter from the Zoning Administrator. A copy of her letter to me is attached. Ms. Kress has also told me that if we can obtain a referral letter from your office by the time she returns from vacation in approximately one week, this will expedite the hearing of our application by the BZA. Accordingly, I would be grateful if you could issue your referral letter as soon as possible, and in any event, by February 1, 2001. I would be pleased to have someone pick up the letter if you can let me know when it will be available.

Thank you very much for your assistance in this matter. Please call if you have any questions.

Sincerely,

Karen W. Kramer

Enclosures
cc: Mr. Michael Johnson, Zoning Administrator *(by hand, w/enclosures)*
Lori Kaplan, Latin American Youth Center *(by facsimile, w/o enclosures)*
Ms. Jerrily R. Kress, FAIA *(by mail, w/o enclosures)*