GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

2003 NOV 10 AM 9:06
D.C. BOARD OF ZONING

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman for
Director

DATE: November 13, 2003

SUBJECT: BZA Application 17080 – Asian American LEAD

APPLICATION
This application was submitted by Asian American LEAD requesting a special exception under Sections 209 and 332.1 pursuant to 11 DCMR 3104.1, to operate a community center at the property located at 1323 Girard Street, N.W. (Square 2855, Lot 828) in an R-4 Zone District.

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

SITE AND AREA DESCRIPTION
The subject property in Square 2855 at 1323 Girard Street, N.W., is developed with a three-story brick detached building built in 1895. The Square is bound by 13th Street to the east, 14th Street to the west, Harvard Street to the north and Girard Street to the south. To the north are the back yards of row houses fronting Harvard Street, N.W. The parking lot for the Easter Seal Foundation abuts the subject property to the east. Properties within and surrounding the square are zoned R-4, R-5-D and C-2-B and are located in the Columbia Heights neighborhood (Attachment 1).

According to available certificate of occupancies, the structure was owned and operated by a church since 1984. The latest certificate of occupancy issued on 11/15/02 also authorizes the current owners to occupy the structure for church purposes (Attachment 2).

APPLICANT'S PROPOSAL
The applicant proposes to modify the use of the existing building operating as a church to a community center, which would require special exception relief under §209 and §332.1 of the Zoning Regulations to operate only as a community center.

ANALYSIS
The subject property is zoned R-4. Section 209.1 of the Zoning Regulations, permits a community service center in this zoning district with BZA approval of a special exception:

BZA
Case No. 17080
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO. 17080
EXHIBIT NO. 23

Use as a community center building, park, playground, swimming pool, or athletic field operated by a local community organization or association shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under §3104, subject to the provisions of this section.

Applicable provisions are as follows:

209.2 A community center shall not be organized for profit, but shall be organized exclusively for the promotion of the social welfare of the neighborhood in which it is proposed to be located.

Asian American LEAD is registered as a non-profit entity within the meaning of Section 501 (c) (3) of the Internal Revenue (IRS) Code (1986). The stated purpose of the organization is to develop leadership in the Asian American youth and families and strengthen community building for those families in the Columbia Heights and Mount Pleasant neighborhoods. Programming at the proposed center will include: after-school academic tutoring for students aged six to nineteen; family strengthening and mentoring programs. OP is satisfied that the required programming criteria would be met, since this agency already operates at 3045 15th Street. Its relocation would allow easier access of its programs to the community it is intended to serve and OP finds the justification of need provided by the applicant to be sufficient.

209.3 A community center shall offer no articles of commerce for sale in the center.

The applicant claims that no commercial activity will take place on the property.

209.4 A community center shall not likely become objectionable in a Residence District because of noise or traffic.

The subject property abuts an educational center located to the east and a single family dwelling on the west. It is separated from the majority of homes in the square on the north by an existing alley. The rear yards of these dwellings face the rear yard of the community center. The majority of activities and services would be provided inside the buildings and there is no rear patio for outdoor seating.

The community center will operate between the hours of 10:00 am to 7:00 pm, Monday through Friday. The center employs eleven (11) staff persons. Current programs at the center cater to approximately 160 residents, and at any given time, there are 50-60 persons on site. The applicant indicated that events would also be held at the center, including receptions, performances, exhibits and other similar events. While similar programs exist in the immediate neighborhood, including the Easter Seals Foundation, OP does not believe the center's activities will become objectionable in the residence district in which it is located, since its programs would cater to a small and underserved population, which resides in the immediate neighborhood. In addition, it would be located on a well-served bus route and within walking distance of Metro's Green Line. OP consulted the Department of Transportation's (DDOT) opinion on the applicant' s proposal and no objection to the proposed use was expressed. Since the operations are

localized and designed to serve the immediate community no adverse impact based on increased through traffic in the neighborhood is predicted.
OP also notes that the prior use of the building as a church, also provided similar activities as proposed by the new community center and there is no recorded opposition from the neighborhood to those activities.

Based on this information, OP does not think the proposed use is likely to become objectionable to neighboring properties.

209.5 The use of a community center shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located.

For the reasons expressed by the applicant and OP's findings as discussed in Sections 209.2 and 209.4, OP finds the justification of need for the community center acceptable for its targeted community's needs and reasonably convenient to their neighborhood. The agency will relocate from a distance, which is further from its target community and only accessible by Metrobus or car. Convenience of use for the neighborhood at its proposed location would be enhanced by various modes of transportation, including Metrobus, Metrorail and walking.

Parking

Compliance with Section 2101.1:

OP believes that there should be some discussion of the parking requirements for the proposed community center per Section 2101.1 of the Zoning Regulations.

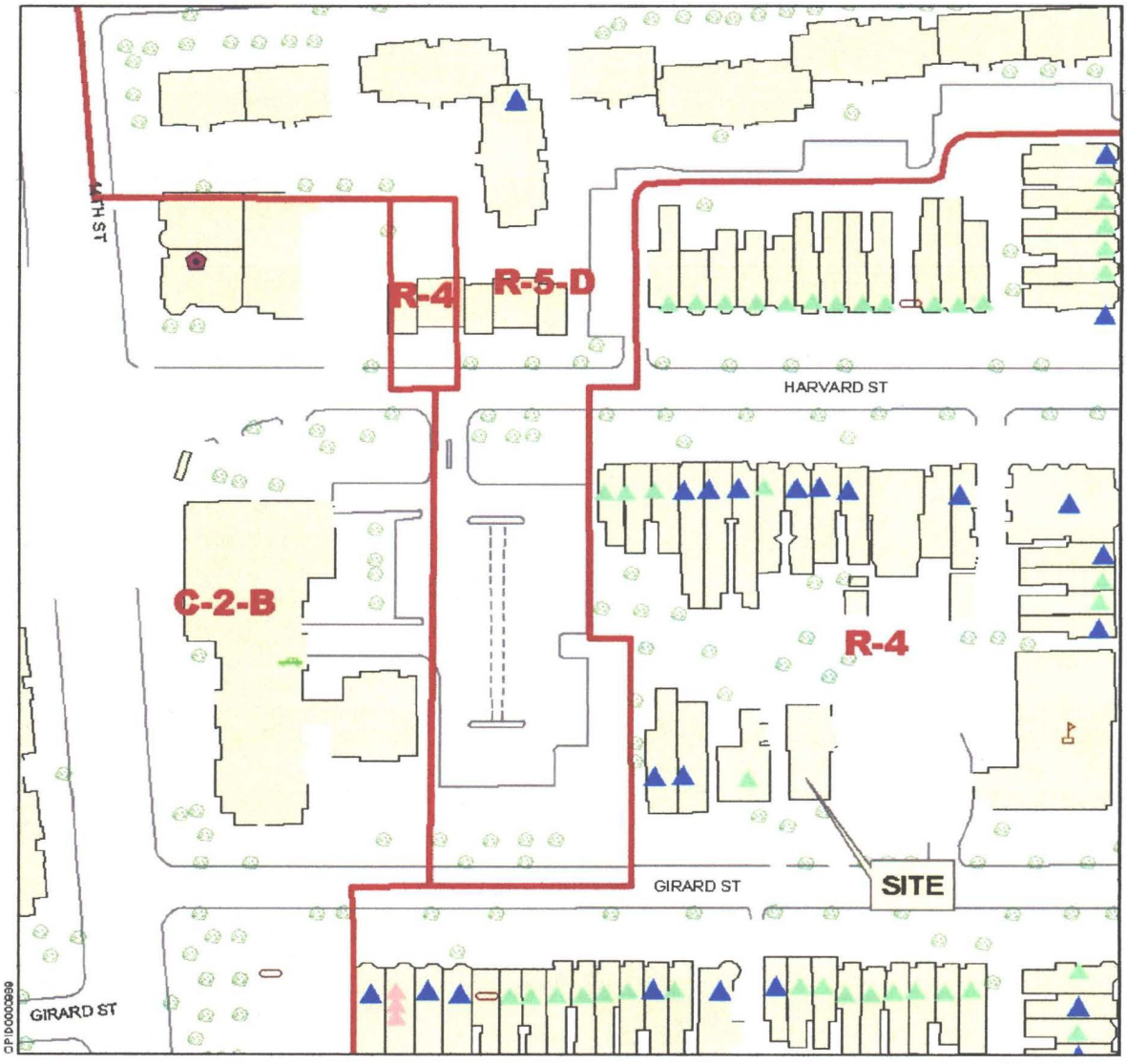
Section 2101.1 requires one parking space for every 600 square feet of gross floor area and cellar floor area. The building is approximately 6,324 square feet in gross floor area, requiring approximately 10 parking spaces. The applicant has submitted that the property can accommodate up to five parking spaces, which extends to the rear of the property for its employees. Of the 11 employees of the center, only four (4) drive to work. However, since the proposed use is designed to serve localized needs, OP feels that such a relief could be granted with no detriment to the community.

COMMUNITY COMMENTS

According to the applicant, ANC 1B voted unanimously to approve their request to establish the community center at the site.

RECOMMENDATION

The subject property has been in continuous institutional use since being converted from a residence in 1984. OP notes that the efforts of Asian American LEAD in attempting to provide training and other services to an underserved population within the Mt. Pleasant and Columbia Heights neighborhood are essential in preserving the character, diversity and social welfare of the neighborhood. The relocation of the community center would provide easier access to necessary services and programs. Since the proposed use is designed to serve very localized needs, OP believes that such relief could be granted with no detriment to the neighboring property owners. Therefore, OP recommends approval of the requested special exception for a period of five years, subject to renewal by the BZA.



Zoning and Land Use
BZA Application #17080

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Feet

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★ ★ ★ Government of the District of Columbia
Anthony A. Williams, Mayor

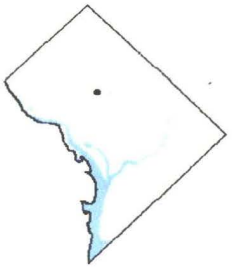
Office of Planning ~ August 25, 2003

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Note: Land Use Info based on OTR records.

Land Use Legend

- Single Family Dwelling/Flat
- Res. Condo
- Multi-family Dwelling
- Private Club
- Office
- Parking Garage/Lot
- Educational
- Foreign Mission
- Memorial
- Vacant



Attachment 1

Form LII-P-601
(Rev. 2/82)

CERTIFICATE OF OCCUPANCY

No. B138348

Washington, D.C., 4-13, 19 84

Permission is hereby granted to SOJOURNERS

to use the 1st, 2nd, 3rd floor(s) of the building located on Lot 828 Square 2855

known as premises 1323 Girard Street, N.W. for the following

purpose(s): Church.

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

ZONE R4 FEE $ 27.90

Chief, Permit Branch

By _____
Permit Clerk

DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS GOV'T. OF DIST. OF COL.

LICENSE BRANCH COPY

[redacted]
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
[redacted] North Capitol Street N.E., room 2100
[redacted] Washington D.C. 20002
[redacted] (202) 442-4470 FAX (202) 442-4362

Government of the District of Columbia
BLRA 9A

C of O

CERTIFICATE OF OCCUPANCY

PERMIT NO.
CO 44577

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

DATE : 11/15/2002

ADDRESS :	FLOOR(S):	PRCLID : 2855 (square) -0000- 0828 (lot)
1323 GIRARD ST NW	1ST, 2ND, & 3RD. FL.	WARD : 1 ZONE : R4

PERMISSION IS HEREBY GRANTED TO :
CORPORATION : ASIAN AMERICAN LEAD
ID No.: 981479

TRADING AS:
ASIAN AMERICAN LEAD

APPROVED USES :
OTHER - SEE DESCRIPTION

PREVIOUS USES :
OTHER - SEE DESCRIPTION

TYPE :	BZA NO.	OCCUPIED SQ. FOOTAGE:	OCCUP. LOAD:	EXPIRATION DATE:
CHANGE OF OWNERSHIP		4,125	30	NONE

DESCRIPTION OF USE:
CHURCH

FEE :
$57.00

Department of Consumer and Regulatory Affairs
DCRA
CHURCH

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, VALID ONLY for the premise at the above address or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

David A. Clark
DIRECTOR

PERMIT CLERK:
ADEMOLA SRITU

[redacted]