GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

**MEMORANDUM**

**TO:** Board of Zoning Adjustment

**FROM:** JLS for Andrew Altman

**DATE:** March 2, 2004

**SUBJECT:** BZA Case No. 17117

**APPLICATION-IN-BRIEF**

The application by the Carver Terrace Residential Association pursuant to 11 DCMR Section 3104.1, for a special exception for a Child Development Center (R-5) not meeting the community development requirements (Section 334) nor the requirements for a convenience store in an apartment house (R-5), Section 354 of the Zoning Regulations. The facility is located at 2026 Maryland Avenue, N.E., Square 4469, and Lot 95 and is in the R-5-B District.

**OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF**

The Office of Planning recommends the subject application be approved

**SITE AND AREA DESCRIPTION**

The subject premises (The Carver Terrace Apartments) are in the Carver Langston Neighborhood of Ward 5. M Street generally bounds the site to the north, Maryland Avenue to the south, 21st Street to the east and 19th Street to the west. The subject property is a four-story with basement multi-family building, located at the northwest intersection of 21st Street & Maryland Avenue, N.E. The Carver Terrace Apartment Complex covers the majority of Square 4469, with the exception of some single-family row dwellings on Summit Street, which is in the northwestern portion of the Square, between 19th & M Streets. There are also some small walk up apartment buildings on M Street, between 19th & Summit Streets.

BZA
Case No. 17117
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 17117
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## BACKGROUND

The Carver Terrace Apartments were developed between 1943 and 1945, for multi-family rental housing purposes. The complex consists of 33 four-story buildings, each containing 12 apartment units. During the late 1970's and 1980's the complex experienced serious decline as a result of drug activities on the property and gang violence that plagued the complex. In 1984, the remaining residents formed the Carver Terrace Tenant and Civic Association, with the intentions of taking back and improving their community.

Energized by a desire for a healthier community the residents association, with the assistances of outside partners, led a community wide effort to revitalize the neighborhood. The Carver Terrace residents and their partner (Telesis Corporation) have acquired the property and have been able to reverse the recent negative phase the complex had experienced.

The Carver Terrace, L.P., (the Partnership) has completed the renovation of 32 of the buildings on the property, and offers the units as rental housing opportunities. The D.C. Housing Finance Agency (DCHFA) and the D.C. Department of Housing and Community Development (DHCD) provided financial assistance for the renovation project. The Partnership is now in the process of securing additional financing from DCFHA and DHCD, as well as private investors, to undertake the renovation of the subject building as a multi-purpose facility with a community center consuming most of the space, and a convenience store on a portion of the first floor.

## APPLICANT'S PROPOSAL

The applicant proposes to completely renovate the subject building into a multi-purpose community service center. The majority of the three-story with basement structure will be used for community service center purposes. The center will offer the resident association a permanent location for it's many social programs, as well as provide space for other diverse programs, including welfare to work grants, computer-learning center, and after school and summer camp programs. There would also be classrooms for community programs, a Fifth District police mini-station, hypothermia center and office space for the resident association.

For over ten years there was a small convenience store on the property in the building at 2007 Maryland Avenue, which is at the southeast corner of 21st Street and Maryland Avenue, directly across from the subject building. The residents have requested the Partnership permit the store to relocate to the multi-purpose building. Although Hechinger Mall is a major retail center, it is more than three blocks from the Carver complex.

The applicant plans to completely modernize the building. The interior of all three floors and basement will be completely demolished and replaced with new components, as was the case during the renovation of the other 32 buildings on the property. The applicant is demolishing the interior of the structure because of concerns regarding the structural integrity including aged infrastructure, the long period the building had been vacant and vandalized, and a fire, which damaged much of the interior. There will be no residential units in the building when the renovations are completed. The following components will be included in the renovation:

- New partitions and other building components, such as mechanical and electrical components.
- A second interior steel stairwell, to provide another means of egress.
- A new domestic water system for toilets will be built, and a separate water distribution for the sprinkler system.
- A new underground electrical service.
- Air conditioning for the building with individual air handlers per floor and separate condensers located on the roof.
- An elevator to make all floors handicap accessible.

The partitions and building components (mechanical and electrical) in the entire building are being demolished. Most of the cleared out space on the first and second floors will contain the community service center. The loft area or top floor will be built-out to accommodate offices for the property management and community service providers.

**ZONING ANALYSIS**

Pursuant to 11 DCMR §3104.1 the applicant is requesting special exceptions, under Sections 334 to allow the continuation of a community service center in the R-5-B District and to permit a convenience store in an apartment house in the R-5 B District.

**352.1 Any use or structure permitted as a special exception in R-4 Districts under § 334 shall be permitted as a special exception in an R-5 District if approved by the Board of Zoning Adjustment under §3104.**

**334.1 A community service center to 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 that 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, shall be permitted as a special exception in an R-4 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.**

**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 proposed community service center will be in the only building in a complex of 33 buildings that is not attached to another building and that will not serve for residence use. There is adequate space between the community center building and the nearest set of residence structures on the southwest, as well as the set of buildings to the north. Activities at the center will be mostly inside and not likely to be objectionable to residents in other buildings on the property.

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

The applicant proposes to concentrate a variety of support services in the proposed community service center building to provide convenience support services to residents of the complex. Because of previous long-term neglect, there is concern about the structural integrity of the forth floor of the building, so the partitions and building components (mechanical and electrical) on the entire floor is being removed to create a loft space and bring the building into compliance with building and fire codes.

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

The proposed center will be reasonably necessary and convenient to residents of the Carver Terrace complex, as well as other residents in the nearby Carver Langston Neighborhood. The center will provide a number of vital community services for an emerging revitalizing community, such as a permanent location for resident association's social programs, space for other programs, including welfare to work grants, computer-learning center, and after school and summer camp programs. There would also be classrooms for community programs, a Fifth District police mini-station, hypothermia center and office space for the resident association.

**334.5 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 Carver Terrace, L.P., is a registered non-profit 501 (C) (3) organization in the District of Columbia.

**354 Convenience Store In Apartment Houses (R-5)**

The applicant proposes that the renovated building also accommodate a convenience store to serve the residents of the complex, which will replace the store on the property directly across from the subject building, at 2007 Maryland Avenue that was displaced by the modernization of the complex.

The Office of Planning does not agree that the convenience store proposed for the subject building should be considered as a Special Exception under Section 354 (Convenience

Store In Apartment Houses (R-5) of the Zoning Regulations because there are no apartments in this building.

OP believes the proposed convenience store should be considered as a variance, under Section 3103 of the Zoning Regulations.

**DOES THE APPLICATION MEET THE VARIANCE TEST?**

**Is the property unique due to of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation?**

**Yes.** The subject property is unique due to of its exceptional situation. The property is unique due to the configuration of its existing development. The large complex pre-dates the adoption of the 1958 Zoning Regulations. The apartment complex consists of 33 garden style buildings as opposed to a more conventional high-rise type of development.

The building proposed to house the convenience store is uniquely located as a single building, at the corner of Maryland Avenue & 21st Street, N.E.

**Does the uniqueness; in combination with the Zoning Regulations result exceptional and practical difficulty upon the owner of the property?**

**Yes.** The uniqueness of the apartment complex and the particular building, in combination with the Zoning Regulations will result in practical difficulty upon the owners of the property. The subject building is one of the only two buildings on the Carver property that are not attached to other building. The isolation of non-residential uses in a freestanding building will minimize conflicts with residential uses.

There has historically been a number of social service providers scattered across the Carver Terrace Property. The conversion of the subject building to house these uses provided the owners the opportunity to concentrate resident support services in a single building. The subject building will offer the opportunity to consolidate the three mentioned functions in a location on the property, which is convenience to all residents.

To require the convenience store to be located separately from the other apartment services would result in practical difficulty of locating a single apartment in the otherwise common services building, which would not be conducive to quiet residential living. There would also be a practical difficulty resulting to the building in which the store would be located because the volume of customers would be excessive relative to the size of the building (There are approximately 380 units through out the total apartment complex.

**Does the variance substantially impair the intent purpose and integrity of the zone plan?**

**No.** The Requested variance will not substantially impair the intent, purpose and integrity of the zone plan. The nearest Commercial District to the subject property is at Hechinger

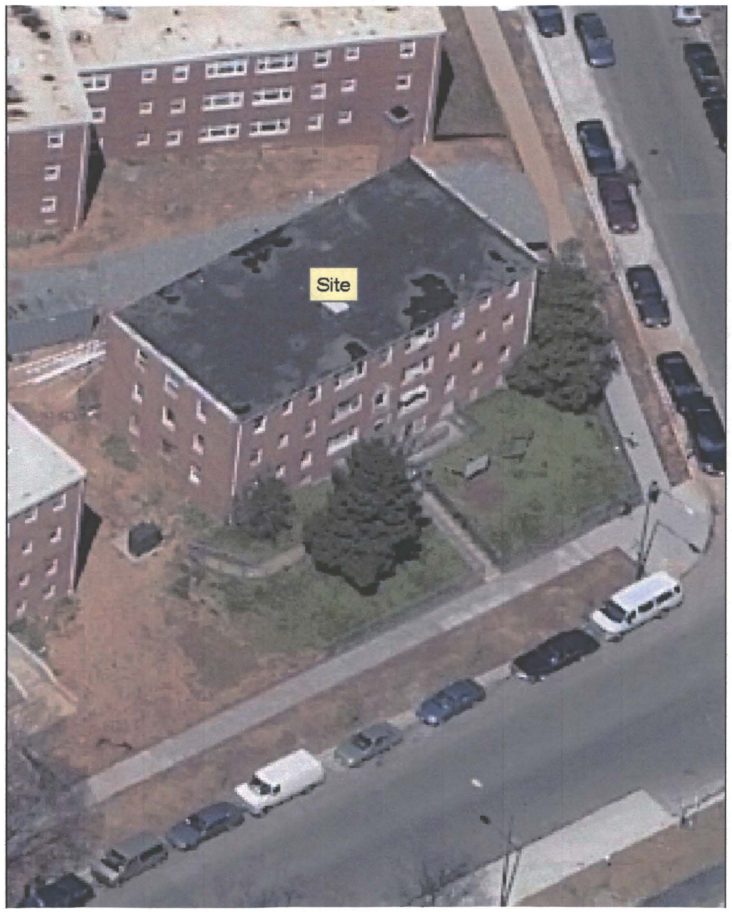
Mall, which is more than three blocks away. There has been a licensed convenience story on the Carver Terrace property for over ten years. The store has provided convenient retail services to residents. The store was in one of the buildings recently renovated for residential purposes. Residents have requested that management consider relocating the store to the proposed community service center. Section 354 anticipates that convenience stores may be appropriate to serve tenants of apartments with goods and services supplemental to commercial districts.

## COMMUNITY COMMENTS

Advisory Neighborhood Commission 5-B, at its January 22, 2004 meeting, supports the application.

## OP SUMMARY RECOMMENDATIONS

After reviewing the application submitted by the Carver Terrace Partnership, requesting a special exception to continue operating a community service center, and a convenience store in a R-5-B District, the Office of Planning recommends that the Board approve the application. OP finds that the applicant has satisfactorily met all the tests specified in Sections 3104.1, and 3103, and subsection 334 of the Zoning Regulations.







**BZA Application - 17117**
**Community Service Center**
**2026 Maryland Avenue, N.E.**

Attachment 3

This map was created for planning purposes from a variety of sources and is not a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate. Oblique Imagery ©2020 Pictometry International