The Applicant.

The Southeast D.C. Partners (the "Applicant") is a not-for-profit organization that was established in 1999 by three faith-based organizations: the Southeast White House, Southeast Christian Fellowship and The Falls Church Episcopal Church. These three organizations combined their resources to create the Southeast D.C. Partners so that they could achieve their mission of assisting the Randle Highlands neighborhood by providing community adult and youth social services, including food and nutrition classes, job and computer training courses, finance and budgeting classes, tutoring, arts and crafts, dance instruction, and basketball games.

The Applicant requests the Board of Zoning Adjustment's (BZA's) approval of a special exception to permit a Community Service Center in an R-5-A zone.

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The Property.

The property is located at 2826 Q Street, S.E., Washington, DC, in Square 5583, Lot 0804 (the "Property"). The Property is located in Ward 7b and is zoned R-5-A. The dimensions of the Property are 103.32 feet from east to west and 50 feet from north to south, which encompasses 5,166 square feet of land area. Topography of the site gradually slopes down ten (10) feet from the northeast corner of the site to the southwest corner of the site.

The current improvements on the Property consist of a four-story brick building (the "Building") that was formally a multi-family residential facility. The Building is currently vacant. Of the four stories, one story is below grade and three stories are above grade. A walkway and a brick wall surround the Building on the north and east sides, and there is a parking lot on site that allows for five (5) parking spaces along the far east side of the Property.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17305
EXHIBIT NO. 11

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The Surrounding Area

As stated earlier, the Property is located in the Randle Highlands neighborhood of Ward 7 in the Southeast quadrant of the District of Columbia. The Property is bordered by 28th Place to the west, Q Street to the south, and a public alley to the east. The Property is surrounded by residential buildings; multi-family residential buildings to the north, east and south and single family duplexes to the west. The surrounding neighborhood consists of multi-family residential buildings, single-family residential houses, duplexes and townhouses. Additionally, the Southeast White House is located north of the Property on Pennsylvania Avenue.

The Randle Highlands neighborhood lacks many of the desired social services that enhance youth development and adult job, nutrition and computer training courses. The founding partners of Southeast D.C. Partners each have a history of providing services to this neighborhood with the mission of improving and empowering its residents. The Southeast Christian Fellowship and The Falls Church Episcopal Church contribute financing and volunteers to support neighborhood-based social services, and The Southeast White House provides those services to the neighborhood. Such services include a program for neighborhood single mothers, an after-school basketball program for boys, modern dance classes for pre-teen and teenage girls, and several other programs for children and adults. The programs hosted by the Southeast White House involve transporting neighborhood children and adults to facilities that accommodate the size of the group and activities planned. The Applicant seeks to expand its currently offered programs to include computer training, job training, and recreation.

Southeast D.C. Partners began its services to the community by offering one after-school program. It now services over 120 children in grades 1 through 10 and their families year round.

It has established itself as a positive institution in the Randle Highlands neighborhood and plans to continue and expand its capacity to serve the local community.

Existing Use.

The building was formerly a multi-family residential building, but it has been vacant for several years.

Intended Use.

The Applicant intends to convert the Building into a community service center, which will serve the immediate and surrounding neighborhoods. The Applicant will keep the existing exterior of the Building and reconstruct the interior of the Building in accordance with the architectural plans in Exhibit A attached hereto. The Building will fulfill the mission of the Applicant by providing activities for children, classes for adults and programs for the community.

The building will be equipped with the following facilities that will allow for these uses:

- **Classrooms, meeting rooms and multipurpose rooms.** These rooms are intended to be used for adult education classes, focusing on job skills and resume building for adults and tutoring programs and craft classes for children. These rooms will also be used as music rooms for Kids Club, a program established by the Applicant where children sing songs, play games and hear talks that are relevant to their lives.

- **A computer lab/library/media center.** The Applicant will use these rooms to teach computer classes to children and adults and to provide library services to the community.
- **A gathering area/basketball court with storage space to hold sports equipment.** This is a large room that encompasses two stories and would be used as a basketball court, a general sports and recreation room and a dance studio. There is adequate storage adjacent to this room for the storage of equipment for the sports programs.
- **Kitchen.** This room will not only be used for cooking for programs such as Moms' Night Out (a monthly dinner for neighborhood mothers that includes a three course meal and features speakers who talk about topics like nutrition and budgeting), but also for classes to teach children about cooking and nutrition.
- **Consultation rooms.** These rooms will be used for one-on-one tutoring and for quiet study spaces for children and adults doing homework.
- **Administrative staff offices for the Applicant.** The Applicant will use this office space to handle its administrative tasks.
- **Dormitories, bathrooms and laundry facilities for visiting volunteers.**

  Volunteers, from across the country, will run many of the programs offered by the Applicant. The Applicant expects that groups of volunteers, who stay in the area for one-week periods, will stay in the dorm rooms to be located on the third floor of the Building. There are four dorm rooms that have triple bunk beds: two rooms with six beds, one room with nine beds, and one room

with fifteen beds—a total of thirty-six beds. There are also bathroom and laundry facilities and a common area for the volunteers to use. The Applicant expects that the dormitories will be utilized approximately forty-five percent (45%) of the year by the volunteers. The dormitory rooms will not otherwise be utilized.

"Dormitory" is defined in Webster's unabridged dictionary as "a room for sleeping; especially: a large room containing numerous beds" and "a residence hall providing rooms for individuals or for groups usually without private baths." There is no definition of "dormitory" in the Zoning Regulations. The use of the dormitory rooms is part of the use of the building as a community service center, and thus the dormitory rooms should be viewed as a part of the special exception approval request.

- **Living quarters for the manager of the building.** In addition to the dormitories on the third floor of the Building, the Applicant proposes to house the manager of the Building and the manager's family. This will be a full-time residence, complete with two bedrooms, a full bathroom, a kitchen and a living room. This kind of residence is within the matter-of-right residential uses allowed in an R-5-A zone district under § 352.1 of the Zoning Regulations of the District of Columbia, and it conforms to the residential density contemplated in § 350.2 of the Zoning Regulations.

Nonconforming Features of the Existing Building.

The existing building, for which Applicant intends to remain on the site, has several physical features that do not conform to the requirements of the R-5-A zone district under Chapter 4 of the Zoning Regulations of the District of Columbia. Below is a chart that compares the existing features of the building compared to the requirements of the Zoning Regulations:

Physical Feature	**R-5-A Requirement**	**Existing Condition**	**In conformance?**
Building Height	40' / 3 stories	29' 9"/ 3 stories	Yes
Minimum Lot Area	N/A	5,166 square feet	N/A
FAR	.9	1.7	No
Lot Occupancy	40%	54%	No
Rear Yard	20'	12'5"	No
Side Yard	8'	27'9"	Yes

The existing building was built in 1942 – 16 years prior to the effective date of the Zoning Regulations. Section 199 of the Zoning Regulations defines a "nonconforming use" as "any use of land or of a structure, or of a structure and land in combination, lawfully in existence at the time of this title or any amendment to this title became effective, that does not conform to the use provisions for the district in which the use is located." The definition further

explains that "[a] use lawfully in existence at the time of adoption or amendment of this title tat would thereafter require special exception approval from the Board of Zoning Adjustment shall not be deemed a nonconforming use. That nonconforming use shall be considered a conforming use, subject to the further provisions of §§ 3104.2 and 3104.3." §§ 3104.2 and 3104.3 of the Zoning Regulations address any extension or enlargement that would require a special exception, and because applicant does not intend to expand or enlarge the existing building, these provisions do not apply. Thus, according to the Zoning Regulations, the existing building should not be deemed a nonconforming use, and the nonconforming physical features of the property should be allowable under the Zoning Regulations.

Likewise, the number of parking spaces currently existing on the property will not change. The Applicant expects that the five (5) existing parking spaces will be more than adequate for the needs of the building. The Applicant expects that the parking spaces will be used about 45% of the time. There will be no need for additional parking spaces.

Special Exception.

The Applicant's intended uses described above meet the definition of a "Community Service Center". Section 334 of the District of Columbia Zoning Regulations define a Community Service Center and establish the requirement of a Special Exception for a Community Service Center in an R-4 zone district:

> A community service center to accommodate organizations created for the purpose of improving the social and 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, 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.

§ 352 of the Zoning Regulations states that "[a]ny use or structure permitted as a special exception under [§ 334] shall be permitted as a special exception in an R-5 District if approved by the Board of Zoning Adjustment under § 3104. Thus the Applicant is able to request a special exception for the proposed Community Service Center in the R-5-A zone district.

The Applicant requests that the BZA grant a Special Exception for the use of this Community Service Center in an R-5-A zone. Under § 3104.1 of the District of Columbia Zoning Regulations,

> [the Board of Zoning Adjustment is authorized] to grant special exceptions, as provided in this title, where in the judgment of the Board, the 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, subject in each case to the special conditions specified in this title…

§ 3104 sets out this two-pronged test that the Applicant must meet for the BZA to approve this request for a special exception:

1. The special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

The Building as proposed by the Applicant is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The uses within the Building not only promote, but enhance "the public health, safety, morals, convenience, order, prosperity, and general welfare" of the Randle Highlands neighborhood. 11 DCMR §101.1. The Applicant is a not-for-profit organization which, through its organizers and volunteers, teaches members of the Randle Heights community in areas of nutrition, finances, job skills, computer literacy and general education to further each community member's well being and success. The Applicant also fosters culture and athleticism in the community's youth by providing dance classes, basketball games, arts and crafts courses and tutoring. All of the services that the Applicant will provide in the Building equal the general purpose and intent of the Zoning Regulations and Zoning Maps.

The Applicant proposes to renovate the interior of the Building so that it can provide all of its services within the Building. The Applicant is not altering the exterior structure of the Building and thus is not affecting "the adequate light and air" of the Property. 11 DCMR § 101.1(a). By renovating an existing vacant building into a Community Service Center, the Applicant is making a productive use of the Property without creating an "undue concentration of population." 11 DCMR 101.1(b). Moreover, the proposed Community Service Center compliments the residential use of the surrounding neighborhoods by providing valuable services to the residents while simultaneously enhancing the cultural, social and civic bonds of the community.

2. The special exception will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

The proposed uses within the Building will not have an adverse impact on the use of the neighboring property. The Applicant has provided services to the Randle Highlands community for several years and has been a positive institution in the community. Moreover, because the Applicant proposes to renovate the vacant and boarded-up Building, it will improve the aesthetic quality of the Property and the neighborhood.

3. The special exception is must also comply with the special conditions specified in §§ 334.2-334.5.

§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 Building will service the growing needs of the neighboring properties and community, and it will not become objectionable because of noise or other conditions. The Building is located in a predominantly residential neighborhood that has utilized the Applicant's services and would directly benefit from increased services.

For several years, the Southeast White House, located north of the Property, has provided many services to the Randle Heights community. It is located in the R-5-A zone district and there is no current certificate of occupancy on record for the Southeast White House. Though the staff of the Southeast White House have resided at the current location for 9 years, the demand for community services has evolved the Southeast White House into a small community service center (which now needs additional space for its desired programs), where the Applicant hosts small classes and meetings. Many of the services provided by the Southeast White House are located off-site to accommodate group size for the activities and trips that the

Applicant hosts. Use of the Southeast White House has not become objectionable to neighboring properties because of noise or other objectionable conditions, and there are no complaints in the public record to indicate any negative impact of the Southeast White House. The Applicant intends to use the Property and the Building for expanded programs offered by the Applicant with the same level of neighborly respect as it has at the Southeast White House.

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

The Applicant plans to renovate the interior of the Building and does not propose altering the structure of the Building.

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

The services provided by the Applicant have had an enormous impact on the community, as shown through the increasing numbers of participants in the programs over the years. These numbers show the community's desire for such services. The Building gives the Applicant a large space to provide such services to the community. This history of the services provided by the Applicant shows that the Building's impact on the community is desired by the residents and will be positive.

§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 Applicant is a not-for-profit organization and meets this standard for the special exception.

Conclusion

For the foregoing reasons, the Applicant believes that it has satisfied the requirements of the Zoning Regulations for the approval of a Special Exception for a Community Service Center in an R-5-A zone district and respectfully requests that the Board of Zoning Adjustment grant such approval.

Respectfully submitted,

GRIFFIN, FARMER & MURPHY, LLP
1912 Sunderland Place, N.W.
Washington, DC 20036
(202) 429-9000

By: _____
Samara R. Gerson, Esq.