

## SUPPLEMENTAL REPORT

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Maxine Brown-Roberts, Project Manager  
Joel Lawson, Associate Director Development Review

**DATE:** October 21, 2019

**SUBJECT:** Supplemental Report for BZA Case 20104 – Special Exception to permit a community service center use at 1461 S Street, N.W. by Zeta Phi Beta Sorority, Incorporated.

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### **I. BACKGROUND**

The original filing for this case was for relief to allow the use of a residential building at 1461 S Street, N.W by a non-profit use pursuant to Subtitle U § 203.1(n), within a building which did not meet the criteria for this provision in that it is well under 10,000 sq.ft. in area. OP recommended denial of this special exception and variance relief in a report dated September 30, 2019 (Exhibit 42). Subsequent to the BZA public hearing of October 2, 2019, the applicant worked with the Zoning Administrator's office, which determined that this use could be considered a community service center use, which is permitted by special exception in Subtitle U § 320.1(b). This report provides updated OP analysis and recommendation accordingly.

### **II. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Use of existing residential building by a nonprofit organization as a community service center, Subtitle U § 320.1(b) pursuant to Subtitle X § 900.
- The OP recommendation is subject to the following conditions.
  1. Hours of operation would be Monday through Friday, 9:00 AM to 5:00 PM.
  2. There would be a maximum of six staff members.
  3. There would be no events on the property.
  4. The property would not be rented for any third-party purposes.

These conditions, consistent with the applicant's filings, would help to ensure that the proposed use meets the special exception criteria by lessening any potential impacts on the surrounding neighborhood, including noise and traffic impacts which could come from a facility with more employees, longer hours, and events either by the applicant or others.

### **III. APPLICATION IN BRIEF**

The applicant, Zeta Phi Beta Sorority, Incorporated (Sorority), proposes to use a portion of their building at 1461 S Street, as a community service center; the remainder of the building would remain residential. The Sorority is a national organization with headquarters at 1734 New Hampshire Avenue, NW but also provides many local services to District residents. Specifically,

this location will be limited to administering their fundraising, charity and service programs which serve residents of the District of Columbia and has specific staff which administers these programs. The applicant has provided that:

1. Office hours would be Monday through Friday, 9:00 AM to 5:00 PM.
2. The office use would accommodate six staff members.
3. There would be no events on the property.
4. The property would not be rented for any third-party purposes.
5. Two parking spaces are provided and accessed from the alley. Staff would also use public transportation and ride sharing services.

#### **IV. OFFICE OF PLANNING ANALYSIS**

A Community Service Use is defined as “A *not-for-profit use established primarily to benefit and serve the population of the community in which it is located.*” A community service center is permitted in the RF-2 district subject to Subtitle U § 320.1(b):

- (b) *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 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, subject to the following conditions:*

Zeta Phi Beta Sorority is a national organization with its DC Chapter affiliated with Howard University and operates national as well as local programs. The organization partners with many local organizations such as the Washington Mystics, CareFirst, March of Dimes, Unity Health Care Services for DC, DC Mayor’s Women’s Initiative Program, local churches/ businesses/ schools/ agencies and D.C. residents to sponsor and provide services to residents such as to low-income, pregnant women who may need additional encouragement to obtain prenatal care. The community service center operations of the Sorority at this location would be limited to community service programs that exclusively benefit neighborhood and District residents.

- (1) *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 use of a portion of the building by a nonprofit organization, as provided by the applicant, should not adversely affect the use of neighboring properties. The applicant has proposed that up to six employees would be at the site at any one time and that there would be no visitors to the site. All meeting with clients or community partners would be held at the main office and therefore there would be no pedestrian or vehicular traffic coming or going from the property to affect traffic movements in the area. In addition, there would be no events and the office hours would be limited to Monday to Friday between 9:00 am and 5:00 pm. The applicant states that most of the employees would take public transportation or ride-share services to and from the property. With the limited work hours, the lack of events and having no visitors the use should not adversely affect the use of neighboring properties.

- (2) *The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located; and*

The Sorority offers various local programs specifically for DC residents, including neighborhood residents. One program offered for over 33 years serves low-income, pregnant women who may need additional encouragement and assistance to obtain prenatal care. The Sorority partners with the Unity Health Care facility at 1320 14<sup>th</sup> Street, N.W where women from the community go to receive health care services. This facility is 0.44 miles from the subject property. A second program offers graduating high school young women, including those who attend neighborhood high schools, scholarships to university. These programs are necessary as the scholarships offers opportunities for higher education to female students who would otherwise not be able to afford college.

- (3) *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;*

Zeta Phi Beta Sorority, Incorporated is recognized by the Internal Revenue Service as a 501(c)7 nonprofit organization and does not have shareholders. None of its income raised through donation, gifts or fundraising accrue to any single individual.