



MEMORANDUM

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TO: District of Columbia Board of Zoning Adjustment

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

DATE: January 10, 2012

SUBJECT: BZA No. 18295 - Edward C. Mazique Parent Child Center, Inc., 1719-21 13th Street, NW

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends **APPROVAL** of the **special exception requested by** Edward C. Mazique Parent Child Center, Inc., **pursuant to § 205 of Title 11 DCMR**, to permit a child development center within the R-4 district with the following recommendations:

1. The number of students shall not exceed 205 and the number of staff shall not exceed 85.
2. The ages of the children shall be six (6) weeks through five (5) years old.
3. The hours of operation shall not exceed from 7:00 a.m. to 6:00 p.m., Monday through Friday.
4. The applicant shall provide thirty-three (33) on-site parking spaces.

II. AREA AND SITE DESCRIPTION

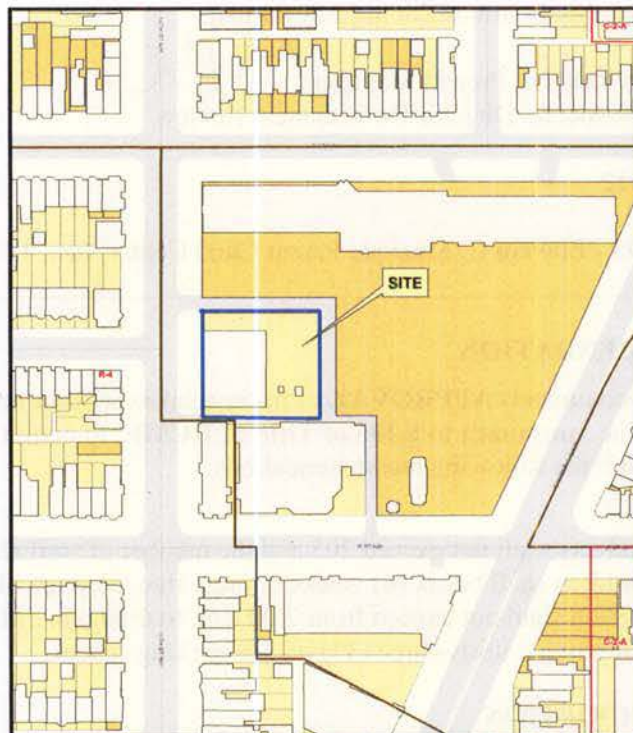
Address	1719-21 13 th Street, NW
Legal Description:	Square 5528, Lot 30
Ward/ANC:	2/ANC-2C
Lot Characteristics:	The 22,400 square feet lot is bounded by a 21-foot wide alley to the north; 20.25 feet alley to the east; and a 10 feet wide alley to the south.
Existing Development:	The property is developed with a 3-story building, parking and a playground.
Zoning:	R-4 – designed for row dwellings and conversions to dwellings with 2 or more families. A child development center is permitted by special exception in this zone.
Adjacent Properties:	North and East: Garrison Elementary School South and West: 3-story row houses and the Unity of DC Church.
Surrounding Neighborhood Character:	Predominantly 3-story row dwellings, 3-story multifamily buildings, and institutional uses such as schools and churches.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18295

EXHIBIT NO. 28





Vicinity Map and Building Elevation

III. APPLICATION

The applicant, Edward C. Mazique Parent Child Center, Inc., requests approval for the continuation of a child development center with an increase in the number of children to 205 children up to age 6 weeks to 5 years of age and 85 staff members. The center was reviewed and approved by the Board in 1989 (BZA Case No 15117). The application was granted subject to the following conditions:

1. The number of students shall not exceed 160. The number of staff shall not exceed 85.
2. The hours of operation shall not exceed from 7:00 a.m. to 6:00 p.m., Monday through Friday.
3. The applicant shall provide 33 on-site parking spaces
4. Construction shall be in accordance with the plans marked as Exhibit No. 9 as modified by Exhibit No. 29 of the record.
5. The applicant shall have flexibility to modify design features of the project in cooperation with the community's Mazaque Architectural Design Committee regarding the issues outlined in Exhibit 2 of the record.

The applicant proposes to continue the operation of the center in much the same way as was approved in 1989 with the exception of the requested increase in the number of children from 160 to 205.

The Edward C. Mazique Parent Child Center, Inc. currently operates four centers within the District of Columbia of which the subject property is their main facility and is within their ownership while the others are in leased space. One of the centers is about to lose their lease and therefore it is necessary to transfer the 16 children, ages 4 and 5, to the subject property. The current BZA Order allows up to 85 teachers and staff. However, the current staff level is at 67 and the transfer of 16 staff still allows the staffing level to remain within the maximum 85 approved.

IV. OFFICE OF PLANNING ANALYSIS

Special exception pursuant to § 205 – Child Development Centers

Use as a child development center shall be permitted as a special exception within a residential district if approved by the Board of Zoning Adjustment, subject to the following provisions.

205.5 The center or facility shall be capable of meeting all applicable code and licensing requirements.

The application indicates that the applicant is capable of meeting all applicable code and licensing requirements. The Child Care Licensing Unit of the Office of the State Superintendent of Education (OSSE) states that the center currently meets the applicable code and licensing requirements and will continue to do so with the additional children, and recommends that the application be approved.

205.3 The center or facility shall be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons in attendance.

There are three designated spaces for pick-up and drop-off along 13th Street. These spaces allow occupancy for 15 minutes, Monday through Friday, between 8:00 a.m. and 4:00 p.m. Children are then taken into the facility through the 13th Street entrance by their parent/guardian where they are signed in/out. The applicant states that this pick up and drop off system has not created any objectionable traffic conditions or unsafe conditions for picking-up or dropping-off children and is not expected to change with the additional children.

205.4 The center or facility shall provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors.

Chapter 21 of the Zoning Regulations requires one off-street parking space per four teacher and other employees or 22 spaces for the use. Currently, there are a total of 30 striped, off-street parking spaces and an additional four non-striped which would continue to be provided within the existing parking lot. Therefore, more than sufficient off-street parking would be available for teachers, other employees and visitors.

The applicant states that 34 of the 67 staff members are assigned parking spaces while the others come to the site via walking, Metro rail and/or Metro bus, carpooling and/or other arrangements.

- 205.5 *The center or facility, including any outdoor play space provided, shall be located and designed so that there will be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual, or other objectionable conditions.*

The center has its outdoor play area on the east side of the building. It is fully enclosed by a fence and is completely away from neighboring residences located to the southwest of the play area. Use of the playground would continue to be staggered throughout the day so that all children would not have access to it at one time. Therefore, there should be no objectionable impacts on adjacent or nearby properties as a result of this day care center. The hours of operation of the center would continue to be 6:00 a.m. to 7:00 p.m., Monday through Friday, with children up to age five.

- 205.6 *The Board may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements as it deems necessary to protect adjacent and nearby properties.*

OP is not recommending any additional special treatment.

- 205.7 *Any off-site play area shall be located so as not to result in endangerment to the individuals in attendance at center or facility in traveling between the play area and the center or facility itself.*

No off-site play areas are proposed.

- 205.8 *The Board may approve more than one (1) child/elderly development center or adult day treatment facility in a square or within one thousand feet (1,000 ft.) of another child/elderly development center or adult day treatment facility only when the Board finds that the cumulative effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.*

The Office of Planning is unaware of any other child development center within the square or within 1,000 feet of the subject property.

- 205.9 *Before taking final action on an application for use as a child/elderly development center or adult day treatment facility, the Board shall submit the application to the D.C. Departments of Transportation and Human Services, the D.C. Office on Aging, and the D.C. Office of Planning for review and written reports.*
- 205.10 *The referral to the D.C. Department of Human Services shall request advice as to whether the proposed center or facility can meet all licensing requirements set forth in the applicable laws of the District of Columbia.*

The Child Care Licensing Unit has recommended that the application be granted. The application was submitted to DDOT, and they have provided a report under separate cover.

V. COMMUNITY COMMENTS

The property is within ANC-2C. The applicant has been advised to contact the ANC to review the application.

VI. CONCLUSION AND RECOMMENDATION

The Office of Planning recommends **APPROVAL** of this special exception pursuant to § 205 to permit a child development center within the R-4 district, subject to the conditions outlined below. The recommendations are reflective of BZA Order 15117 with those conditions that have been met and are no longer relevant deleted.

1. The number of students shall not exceed 205 and the number of staff shall not exceed 85.
2. The ages of the children shall be infants through five (5) years old.
3. The hours of operation shall not exceed from 7:00 a.m. to 6:00 p.m., Monday through Friday.
4. The applicant shall provide 30 on-site parking spaces.

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