



MEMORANDUM

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TO: District Board of Zoning Adjustment

FROM: Paul Goldstein, Case Manager

Joel Lawson, Associate Director Development Review

DATE: March 13, 2012

SUBJECT: BZA Case No. 18327 - Request for special exception relief under §§ 205 and 3104, and a modification to an existing order pursuant to § 3129.7, to create an ancillary child development center use at 4720 Meade Street N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the request for special exception relief pursuant to §§ 205 and 3104 to expand a residentially-zoned child development center use to include a new building devoted to administrative use and parental workshops and activities (hereinafter, the "Family Support Center") at 4720 Meade Street NE (the "Property"). The application also requests a modification to an earlier BZA Order (No. 18042) pursuant to § 3129.7.¹ OP's approval is subject to the following conditions:

- BZA Order No. 18042 should be modified to incorporate the subject Property at 4720 Meade Street NE and to limit the combined child development center use to 65 children and 26 staff;
- The Family Support Center/Property will be limited to 6 staff members.
- The Family Support Center/Property shall not be utilized as classroom or formal gathering space for students of the existing Fishing School child development center located at 4737 Meade Street NE. Students shall be permitted to visit the Family Support Center to participate in family-oriented program activity.

II. AREA AND SITE DESCRIPTION

		BOARD OF ZONING ADJUSTMENT District of Columbia
Address:	4720 Meade Street NE	CASE NO. <u>18327</u>
Legal Description:	Square 5160, Lot 87	EXHIBIT NO. <u>32</u>
Ward/ANC:	7/7C	
Lot Characteristics:	The Property is rectangular in shape and measures about 39' along Meade Street and 100' in depth. In total, the site measures 3,908 square feet in land area. The lot abuts Meade Street to the south, 48 th Street NE to the east, and a 15' wide alley to the north.	
Zoning:	R-2	
Existing Development:	There is an existing one-story building which would be demolished.	
Historic District:	N/A	
Adjacent Properties:	To the Property's north, across the alley, is a single-family detached dwelling facing Meade Street. To the east of the site, across 48 th Street, is Ron Brown Middle School. To the Property's west is a single family detached dwelling. To the south of the Property, across Meade Street, is the existing Fishing School child development center (hereinafter, "TFS Child Center") at 4737 Meade Street NE.	

¹ The Zoning Administrator was consulted concerning the appropriateness of the relief requests.



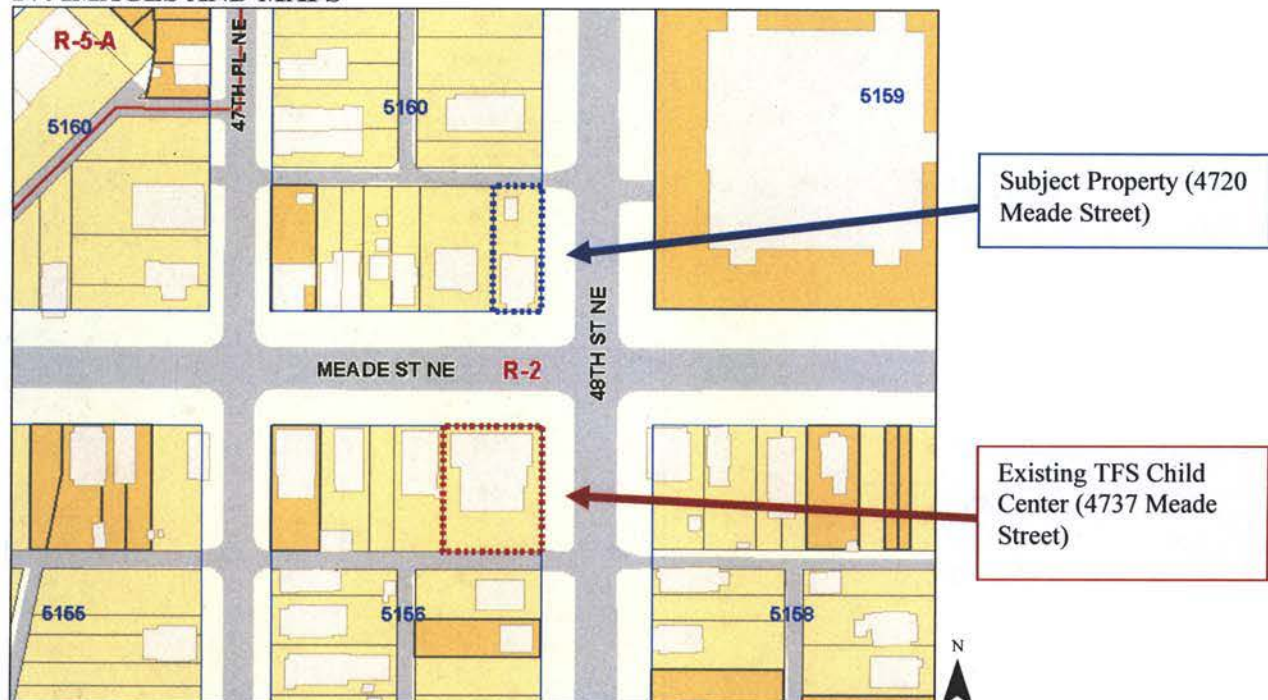
Surrounding Neighborhood Character:	The Square, which is zoned R-2, is characterized by residential uses. The neighborhood generally consists of low density residential uses and institutional uses. The Deanwood Recreation Center and the Deanwood Metro Station are approximately two blocks north of the Property.
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III. PROJECT DESCRIPTION IN BRIEF

Applicant:	The Fishing School (hereinafter, "TFS")
Proposal:	The Applicant proposes to expand an existing child development center use located at 4737 Meade Street by creating, across the street at 4720 Meade Street, a new "Family Support Center." As background, the BZA approved the TFS Child Center at 4737 Meade Street in 2010 (Order No. 18042). The Order limited the use to 65 children and 20 staff. The Applicant proposes to demolish an existing one-story detached dwelling at 4720 Meade Street and to construct a new two-story plus basement facility that would resemble a dwelling in appearance. The new building would be approximately 19' in height (27.75' to the top of the roof) with 8' side yards and an approximately 39' deep rear yard. It would be composed of a reception area, multi-purpose rooms, computer stations, and offices for staff. As a supplement to existing TFS Child Center operations, the Family Support Center would host "events and activities to support-at home reading, provide homework help, conduct skill building workshops, create parent resources, create parent networks and generally engage parents in dialogue about ways to enhance their child's success."² The Applicant anticipates that 10 to 15 parents would visit the Family Support Center at various times throughout the day, and up to 20 parents for occasional workshops. No more than 6 new staff would be based at the Property and no regular programming would be conducted on-site for children attending the TFS Child Center. The Applicant does state that the facility would be used on occasion by students of the TFS Child Center. The application has not requested any increase in the number of children permitted under Order No. 18042. The hours of operation would span 8 a.m. to 6:30 p.m. Monday through Friday (matching TFS Child Center hours). Three parking spaces would be provided in the rear yard of the Property and accessible from an alley.
Relief Sought:	Special exceptions pursuant to §§ 205 and 3104, and a modification pursuant to § 3129.7

² Applicant's Pre-Hearing Statement, p. 4.

IV. IMAGES AND MAPS



Aerial view of the subject site (outlined in blue) and the existing TFS Child Center (outlined in red).



View of the site looking north across Meade Street. Subject site is identified.
Source: Bing Maps.

ZONING REQUIREMENTS AND ANALYSIS

The application requests special exception relief pursuant to § 205 (where the child development center use is first permitted) and the general requirements of § 3104. It also proposes to modify an existing BZA Order (Order No. 18042) pursuant to § 3129.7 to incorporate the new use.³ The Applicant has indicated that no

³ Uses permitted by special exception in the R-1 District are allowed in the R-2 District pursuant to § 302.1. Also, § 3129.7 provides that "A request to modify other aspects of a Board order may be made at any time, but shall require a hearing." Section 3129.8 further provides that "The scope of a hearing conducted pursuant to § 3129.7 shall be limited

zoning relief would be required to accommodate the new construction. Use as a child development center is permitted in a residential district if approved by the BZA subject to the following conditions:

Special Exception: § 205

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

OP is not aware of any impediments to the existing facility satisfying applicable code and licensing requirements. At the time of the approval of the TFS Child Center (Order No. 18042), OSSE informed OP that no licensing was needed for the proposed use. OP is not aware of any changes to the TFS Child Center use that could require licensing for one or both of the TFS properties. The subject application was forwarded to OSSE.

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.

The proposed use should not create an objectionable traffic condition. The Applicant anticipates that the Property would primarily be used by staff and parents, and that the majority of the parents are located within walking distance. The Applicant also describes existing parking conditions in the area in the Pre-Hearing Submission, Exhibit E, to illustrate that there would be no objectionable impact on street parking. Additionally, the Property is located only two blocks from the Deanwood Metro Station and near several Metrobus routes. The Applicant has indicated that if a larger event was held, which would be rare, TFS has an agreement with Rob Brown Middle School (which is across 48th Street from the subject Property) to use the school's parking lot.

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

The Property would have three off-street parking spaces accessible from the alley, which exceeds the required number of spaces (2) under the Zoning Regulations.⁴ There also is ample restricted street parking along both Meade and 48th Streets. The Property's close proximity to the Deanwood Metro Station and several Metrobus routes should also lessen any parking demand.

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 Property would be used by staff and parents for office, meetings, and presentations, among other uses, between the hours of 8 a.m. to 6:30 p.m. As such, there should not be any objectionable impact on nearby properties. The Applicant also has proposed to provide a landscaped buffer to screen the parking area from the neighbor to the west.

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 does not recommend any special treatments.

to impact of the modification on the subject of the original application, and shall not permit the Board to revisit its original decision."

⁴ A child development center use requires 1 space for each 4 teachers and other employees.

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

The application does not propose any off-site play area as part of the Family Support Center since the Property would be primarily used for parents and staff.

205.8 *The Board may approve more than (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.*

OP is not aware of any other child development centers in the Square or within 1,000 feet.

205.9 *Before taking final action on an application for use as a child/elderly development center or adult 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.*

It is OP's understanding that the appropriate agencies have been provided with the application, including DDOT and OSSE.

205.10 *The referral to the D.C. Department of Human Services shall request advice as to whether the proposed center can meet all licensing requirements set forth in the applicable laws of the District of Columbia.*

OP forwarded the application to a Program Manager with the Child Licensing Unit (OSSE).

V. COMMUNITY COMMENTS/ANC

By letter dated December 8, 2011, ANC 7C unanimously voted in support of the application.

OP notes that there is a letter of support from the Ward 7 Councilmember, as well as a neighbor's letter and a petition in support. OP also is aware that a petition was submitted in opposition to the project from a neighbor listed at 4708 Meade Street (two properties to the west of the subject site). To date, OP has not received any indication of support or opposition from abutting neighbors to the west or north.

JS/pg
Paul Goldstein, case manager