

STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A SPECIAL EXCEPTION

PURSUANT TO SECTIONS 205 and 3104

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

**The Washington Ethical Society
And Rose Early Childhood
7750 16th Street, N.W.**

(SQUARE 2745F, LOT 81)

BZA Case No. 18335

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of the Washington Ethical Society and Rose Early Childhood (operated by Freckles LLC) for a special exception pursuant to Sections 205 and 3104 of the Regulations of the Zoning Commission, (11 DCMR §§205 and 3104) (hereinafter, "Regulations"). The Applicant seeks a special exception to permit the establishment of a nursery school/child development center on the premises. The Center will serve 40 children ages 1 ½ to 5 from 7:00 AM to 6:30 PM. There will be no more than 14 staff. The Applicant seeks a special exception that will run longer than the previous special exception granted (which ran for three years),

DESCRIPTION OF THE APPLICANT

The applicants are the Washington Ethical Society, owner of the property at 7750 16th Street, N.W. (the Rev. Amanda Poppei is the Senior Leader), and Rose Early Childhood, an arts-based early childhood program for children ages 18 months to 4 years old, focusing on learning through visual arts, music, dance, and movement (operated by Freckles, LLC).

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is at 7750 16th Street, N.W., Square 2745F, Lot 81. The lot is 19,092.0 square feet in the Northwest area of Washington. The child care Center will be housed primarily in 2275 square feet of the bottom floor of the northern portion of the two story building. The property slopes downward from Sixteenth Street to the rear of the property. Accordingly, the nursery school, whose entrance is adjacent to the alley, is at ground level. Up to 40 children, ages 1 ½ to 5 years old will be accommodated.

B. Area Surrounding the Property

Surrounding the property are mostly single family residential structures. However, bordering the Washington Ethical Society to the West is the campus of the Lowell School. 1 to 2 blocks to the South on Sixteenth Street are two synagogues, Congregation Tifereth Israel and Ohev Shalom Synagogue. Two blocks to the east is the Shepherd School. The structure is located in ANC 4A.

C. Zoning History and Use History

The area is zoned R-1-A which permits a church building. The Washington Ethical Society built the building in 1966 and it has been in continuous use as a facility for church functions for 42 years. From 1968 to 2000, a private high school for up to 40 students existed on the site with a valid certificate of occupancy which was renewed in 1993. When the high school moved to Georgia Avenue in July, 2000, a nursery school sought and received approval (BZA Case No. 16590) for a child development center for 40 youngsters 2 ½ to 6 years old as well as 6 staff. The center was given permission for 4 years. Subsequently, in March of 2003, another child development center received a Certificate of Occupancy for a pre-school summer camp for 40 children ages 2 ½ to 6 with 5 staff members. Apparently the special exception was allowed to lapse at the end of 4 years. Another special exception was sought and granted in March 2009 (BZA Case No. 17896) for a child development center for 40 children 1 ½ to 5 years old and 14

staff. This most recent special exception was granted for a period of three years, to expire on March 17, 2012. The Washington Ethical Society is now seeking a renewal of that special exception, with almost all details identical to the special exception of 2009.

REASONS IN SUPPORT OF THE APPLICATION FOR SPECIAL EXCEPTION

A. Compliance with D.C. Zoning Regulations

The applicant satisfies the requirements for grant of the Special Exception. A child development center is permitted in an R-1-A Zone District with approval of the Board of Zoning Adjustment. The center will be located so that it is not likely to become objectionable to nearby property because of noise, traffic, number of students, or other objectionable conditions. The Special Exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. Moreover, the Proposed use will not create dangerous or other objectionable traffic conditions or noise.

Traffic

The use of the property for a Child development center is likely to generate traffic similar to the previous uses, and in fact almost exactly identical to the use in the past three years during operation of the most recent child development center . The school hopes to draw many students from the neighborhood and, presumably, some of those children will arrive on foot. Others may be brought by their parents on public transportation. With respect to car drop-offs and pick-ups, the child development center will use a Neighborhood Agreement which has been in use for the past three years and was signed by multiple concerned parties in 2009. This Neighborhood Agreement, which was attached to the 2009 BZA decision, calls for parents to park on Kalmia Rd. and walk their children in to the child development center via the alley. The full text of the Neighborhood Agreement is included elsewhere in this submission. Morning arrivals will take place over a 1 ½ hour period, from 7:00 to 9:00 am. Similarly, pickups are expected to take place from 4:30 pm to 6:30 pm, so that the impact at any one time will be light. The school will educate all families about the traffic plan and require all families to submit their license plate numbers to the child development center so that violations can be reported and penalties imposed.

Noise

The building has been used for a child development center in the past and few, if any, noise complaints were made. These were handled promptly and satisfactorily. No noise complaints at all were made in the last three years. Of necessity, nursery school students are closely supervised by teachers and, if any objectionable conditions arise, they can be addressed quickly.

Safety

In transporting children to and from the site, all efforts will be made to ensure that no unsafe conditions will be created. During specified times, children will be walked into the building by their parents, where they will be met by teachers. At all other times the children will be fully supervised as specified by DC licensing laws.

Parking

There is sufficient parking on the site for the child care center staff and guests, as well as the church staff. There are 13 spaces at the rear of the facility. Under Zoning Regulations, one space must be provided for each 4 staff-persons of the nursery school. Accordingly, a staff of 14 will require only 4 spaces. In fact, Rose Early Childhood will be assigned 4 regular spaces and one designated handicapped space so as to make parking as easy as possible. The Church requires no parking since it was built under zoning regulations that specified no parking requirements for churches in all districts.

BENEFITS OF PROPOSED USE

There are no plans to alter the general landscape or build additional buildings. The center will have a substantial positive impact on the well-being of the community, since it will permit parents to attend their jobs knowing their pre-school age children will be well cared for.

COMMUNITY OUTREACH

In the last few years, the Washington Ethical Society has made special efforts to take part in neighborhood issues, attend neighborhood meetings, and be responsive to any complaints about its operations. The Washington Ethical Society operates a regular cell phone number used by its sexton during special events, so that neighbors can immediately reach someone if they have any concerns about the event. Senior Leader Amanda Poppei is in regular touch with immediate neighbors, some of whom have her personal cell phone number so that they can reach her with immediate concerns. Over the last three years while the most recent child development center was in operation, the Washington Ethical Society held meetings and reached out to neighbors via email to solicit concerns or comments; only compliments were brought forward. In early outreach efforts this year, signers of the neighborhood agreement have indicated that as long as the same neighborhood agreement is used they have no objection to the application for a special exception.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Use

A child development center is an appropriate use in a residential neighborhood. It is permitted under the Zoning Regulations as a compatible use, with BZA approval.

B. Historic Preservation

Historic Preservation regulations and laws do not apply to this site. The building is neither a landmark nor in a Historic District.

CONCLUSION

In conclusion, the application by the Washington Ethical Society and a child development center should be approved. The use for a child development center is consistent with the residential uses in the area. The applicant satisfies the requirements for grant of the Special Exception since it will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in

accordance with the Zoning Regulations and Zoning Maps. Finally, the use of the space for a child development center in the last three years has been met with neighborhood approval and commendation.

Respectfully submitted,

The Rev. Amanda Poppei
Senior Leader
Washington Ethical Society