

2012 APR 10 PM 1:00

MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Paul Goldstein, Case Manager
Joel Lawson, Associate Director Development Review

DATE: April 10, 2012

SUBJECT: BZA Case No. 18338 - Request for special exception relief under §§ 2108.1 and 3104 to reduce the amount of parking spaces at 2940 12th Street NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the request for special exception relief pursuant to §§ 2108.1 and 3104 to not provide one required off-street parking space for a child development center in an existing building at 2940 12th Street NE.

II. AREA AND SITE DESCRIPTION

Address:	2940 12 th Street NE
Legal Description:	Square 3875, Lot 90 (hereinafter, the "Property")
Ward/ANC:	5/5B
Lot Characteristics:	The Property is rectangular in shape and measures 30' in width along 12 th Street and 77.8' along Hamlin Street NE. The site is 2,334 square feet in land area. The Property has no alley access.
Zoning:	C-1 – A child development center use is a matter of right use in a C-1 zone.
Existing Development:	There is an existing two-story building. The site has no on-site parking.
Historic District:	N/A
Adjacent Properties:	To the Property's west is a two-story multi-unit residential building, and to the south is an abutting two-story commercial building. Across Hamlin Street to the north of the Property is a two-story commercial building. To the east of the Property, across 12 th Street, is a church.
Surrounding Neighborhood Character:	The Square's east side, as well as 12 th Street in this area more generally, is zoned for commercial use (C-1) and is mostly characterized by low density commercial and residential uses. The remainder of the Square and the adjacent neighborhood is comprised of low density residential use and is zoned R-2. The Property is approximately .7 miles, or about a 14 minute walk, northeast of the Rhode Island Avenue Metro Station. ¹

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Petit Scholars Early Learning Center (hereinafter, the "Center")
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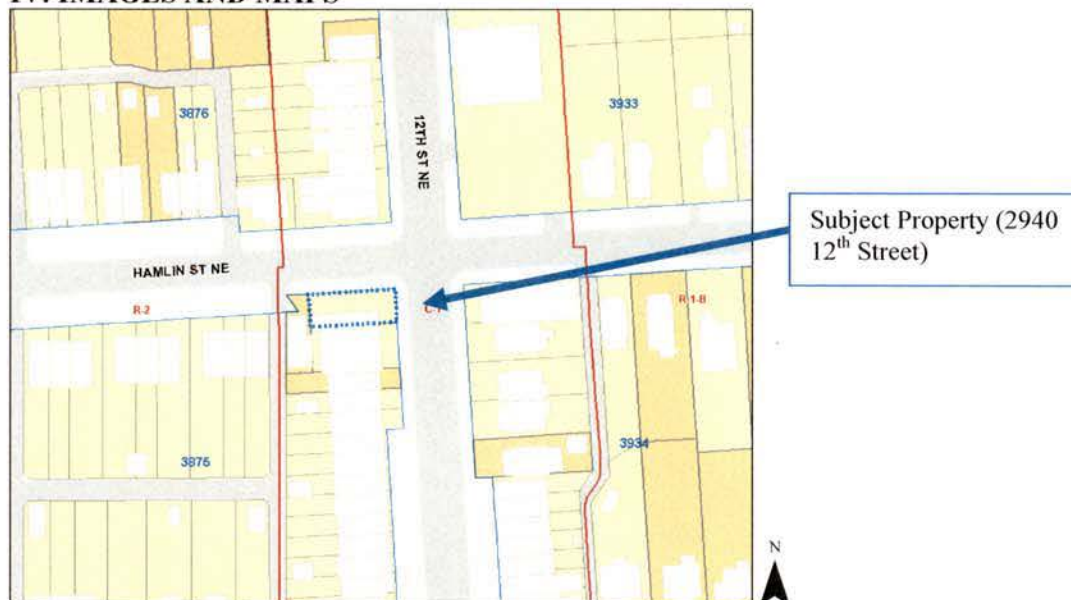
BOARD OF ZONING ADJUSTMENT
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¹ Distance and time estimates calculated using google maps.



Proposal:	The Applicant proposes to operate a child development center with 35 children (aged 18 months to 3 years) and 7 staff in an existing two-story building. The building was previously used as a beauty salon. The proposed use would have no on-site parking. The DCRA referral letter, dated November 22, 2011, provides that special exception relief for one required off-street parking space is needed. A certificate of occupancy was issued to the Applicant on February 24, 2012 for a child development center use for 28 children and 5 staff. DCRA determined that the Center received a so-called “parking credit” or grandfathering of one off-street parking space based on the property’s previous use.² As such, the proposal for two additional staff triggers a requirement for an additional parking space and the need for BZA relief.
Relief sought:	Special exception pursuant to §§ 2108.1 and 3104.

IV. IMAGES AND MAPS



Aerial view of the subject site (outlined)



View of the site looking south across Hamlin Street. Subject site is identified.
Source: Bing Maps.

² The parking interpretation was confirmed via communications with the Zoning Administrator. It is OP's understanding that the Center is not yet operating.

V. ZONING REQUIREMENTS AND ANALYSIS

The application requests special exception relief pursuant to §§ 2108.1 and 3104 to not provide one required off-street parking space (under § 2101.1) for a child development center use, as the proposal for an additional 7 children and 2 staff necessitates one additional required parking space and the referenced zoning relief.

The Board is instructed to “give consideration” to the following § 2108.3 provisions when reviewing a special exception to reduce the amount of parking spaces:

(a) Nature and location of the structure;

The proposed use would occupy 2,260 square feet of space in an existing two-story building in a commercial zone.

(b) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;

The application proposes a child development center use of 35 children and 7 staff, an increase of 7 children and 2 staff beyond the population permitted under an existing certificate of occupancy for the site.

(c) Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood;

The District Department of Transportation’s (DDOT) March 29, 2012 memorandum to the Board indicated that the Applicant’s special exception request would have “negligible effect on the roadway network.” DDOT further determined that “[a]mple 2-hr and unrestricted parking exists adjacent to the site to allow for student drop-off/pickup.”

(d) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the building or structure is in use; and

The Applicant indicated that there are two unrestricted parking spaces proximate to the site and abundant unrestricted curb side parking in the area. The Applicant further provided that, should it be necessary, a nearby business has offered to lease parking spaces to the Center as an alternative to street parking. Nevertheless, DDOT’s memorandum stated that there is “ample unrestricted parking for staff available nearby.”

(e) Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area or a ride-sharing program approved by the D.C. Department of Transportation.

The Brookland-CUA metro station is located about 7 blocks from the Property, and metrobus has a stop adjacent to the site.

VI. OTHER DISTRICT AGENCIES

DDOT submitted a memorandum, dated March 29, 2012, to the Office of Zoning. The memorandum stated that DDOT has “no objection to the special exception request” and that DDOT “sees no potential adverse impacts on the transportation network as a result of this special exception.”

VII. COMMUNITY COMMENTS/ANC

The Applicant has indicated that she has contacted the ANC but that no hearing has been scheduled. The Applicant provided OP with a supportive petition signed by approximately two dozen neighbors.

JS/pg

Paul Goldstein, case manager