

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor, Case Manager
Joel Lawson, Associate Director Development Review
DATE: October 23, 2012

SUBJECT: BZA Case 18425, 1334 29th Street NW, special exception for an existing child development center

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** pursuant to § 205 of the request to continue and expand the existing child care center at the Mt. Zion United Methodist Church (known as the Intown Playgroup), subject to the following conditions:

- The child development center shall have not more than 35 children aged one through three years;
- The number of paid staff shall not exceed seven not including parents and baby-sitters; and
- The hours of operation shall be not before 7:30 a.m. and after 6:00 p.m., Monday through Friday.

II. BACKGROUND

BZA Order No. 16008 granted a special exception to the CDC on December 14, 1994 for a period of fifteen years. In light of the CDC's long-standing presence in the community, OP would support the Board granting the CDC an indefinite period of approval. The CDC currently serves 35 children, which exceeds the maximum 30 children permitted per BZA Order No. 16008. Although the Zoning Administrator notes in his letter dated April 17, 2012 that relief is sought for a CDC for children ages infant to five years old, the Intown Playgroup only seeks to provide services to children ages one to three, which is consistent with BZA Order No. 16008.

III. LOCATION AND SITE DESCRIPTION

Address	1334 29 th Street NW
Legal Description	Square 1241, Lot 135
Ward	2

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18425

EXHIBIT NO. 37

Lot Characteristics	The subject lot is located on the west side of the street between O Street NW and Dumbarton Avenue NW. The irregularly shaped lot comprises approximately 6,850 ft. of land area, and includes a 27-foot frontage on O Street and a 60-foot frontage on 29 th Street. The property does not abut a private alley. The rear of the lot includes a playground and a small building used for storage. The space devoted to the center's use is approximately 2,068 sf. of floor area.
Zoning	R-3
Existing Development	House of Worship, permitted in this zone. Child Development Center (special exception required).
Historic District	Georgetown Historic District Mount Zion United Methodist Church
Adjacent Properties	Surrounding properties include row dwellings.
Surrounding Neighborhood Character	The area immediately surrounding the site is comprised primarily of row dwellings, single-family detached and semi-detached dwellings, and low-rise apartment houses.

IV. APPLICATION IN BRIEF

The Mt. Zion United Methodist Church is applying for a special exception to allow a child development center. The first floor is currently used for a Child Development Center pursuant to a previously approved special exception (BZA #16008). The child development center is known as the Intown Playgroup and was first established on the property in 1973. In 1994, the Church requested and was approved a special exception under § 205 to obtain a valid Certificate of Occupancy (CO), which is required to operate a child center at the premises. The term of the CO was fifteen years, beginning in 1995 and expiring in 2010. The BZA stipulated in Order 16008 that the center shall have no more than 30 children ages one through three years. The applicant requests renewal of the special exception for no less than ten years. The center currently includes 35 children, ages one to three, on the first floor. The hours of operation are 9am to 12 noon, Monday through Friday.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

R-3 Zone	Regulation	Existing	Proposed	Relief
Child Development Center § 205	NA	35 children	35 children	Relief required



Figure 1: Subject Property

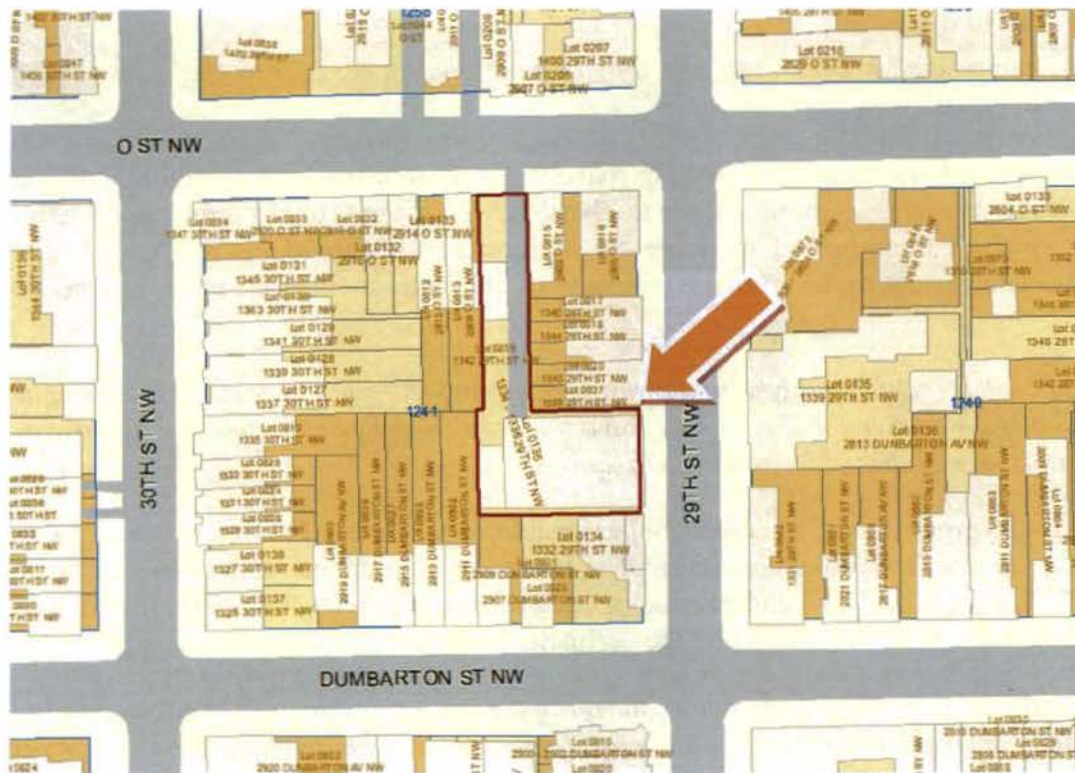


Figure 2: Subject Property

VI. OFFICE OF PLANNING ANALYSIS

b. Special Exception Relief pursuant to § 205.

Requirements under this section include:

205.2 The center shall be capable of meeting all applicable code and licensing requirements:

The Intown Playgroup has been operating at the current site at the Mount Zion United Methodist Church since 1972. OP assumes the center is meeting all applicable code and licensing requirements.

205.3 The center shall be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off children.

According to the applicant, two of the teachers commute by public transit, while a third either parks on the street or in a driveway belonging to an Intown Playgroup parent. According to the applicant, most of the children and staff live in the immediate vicinity of Mount Zion United Methodist Church. Many of the parents use mass-transit to travel to and from the CDC. Parents typically park their vehicles along one of the streets close to the center and walk their children to school.

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

The zoning regulations require one parking space for every four teachers; therefore, one space is required for the Intown Playgroup's three teachers; however, the Mount Zion United Methodist Church is a historic building and, therefore, no additional spaces are required. There are multiple on-street parking spaces in the immediate vicinity of the center to meet the needs of teachers and visitors.

205.5 The center, 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 or activity, or visual or other objectionable conditions.

The Intown Playgroup should not create objectionable impacts on adjacent and nearby properties due to noise, activities, or other conditions. The Intown Playgroup has operated on the current site since 1973. The lot is 6,850 sf. and provides a buffer from neighbors. The outdoor play area is screened by landscaping placed around the perimeter of the property.

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 shall deem necessary to protect adjacent and nearby properties.

No special treatment is recommended.

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 itself.

The existing on-site play area is sufficient for the CDC's operations and no off-site play area is proposed in this application.

205.8 The Board may approve more than one (1) child/elderly development center in a square or within one thousand feet (1,000 ft.) of another child ... development center 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.

According to the applicant, there are no other child/elderly development centers within 1,000 feet of the Intown Playgroup.

VII. COMMUNITY COMMENTS

To date, OP has not received comments from the neighbors or ANC.