

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review

DATE: June 10, 2014

SUBJECT: BZA Case No. 18781, 6524 8th Street, N.W. (Manna Bilingual Child Development)
Square 2973, Lot 81

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception use:

- § 205, Child Development Centers

Subject to the following conditions:

1. Maximum number of children shall be 36 and the maximum number of teachers and other employees shall be nine.
2. Hours of operation shall be 7:00 am to 6:00 pm, Monday through Friday.
3. The on-site outdoor play area shall be used between the hours of 4 pm and 6 pm only, for up to four children at a time between the ages of two and four.
4. The applicant shall maintain the use of two off-site off-street parking spaces.

II. LOCATION AND SITE DESCRIPTION

Address	6524 8 th Street, N.W.
Legal Description	Square 2973, Lot 81
Ward	4
Lot Characteristics	Rectangular corner lot with vehicular access from 8 th Street and alley access from the south
Zoning	R-1-B– high density one-family detached dwelling residence district
Existing Development	Two-story one-family detached dwelling with one-car attached garage
Adjacent Properties	One-family detached dwellings

Surrounding Neighborhood Character	Low density residential
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III. APPLICATION IN BRIEF

Proposal	Expansion of a child development center serving up to 12 children and 4 staff to 36 children and nine employees. No new construction is proposed. The applicant would move out of the dwelling and convert the entire structure into a child development center, but would continue the off-site parking arrangements. Hours of operation would be Monday through Friday, 7:00 am to 6:00 pm. Children driven to the site would continue to be dropped off on 8 th Street, and the center would continue to utilize the Takoma Recreation Center for off-site outdoor play. The existing rear yard would continue to be used as an outdoor play area, but only between the hours of 4 pm and 6 pm, with no more than four children at a time between the ages of two and four, weather and daylight permitting.
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IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1-B Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot max.	<40 feet	<40 feet	None required
Lot Width § 401	50-foot min.	40-feet	40-feet	None required
Lot Area § 401	5,000 SF min.	4,400 SF	4,400 SF	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Rear Yard § 404	25-foot min.	20 feet	20 feet	None required

V. HISTORY

On March 9, 2010 the Board granted BZA Application No. 17975 to permit a child development center at the subject property for up to twelve children and four teachers, subject to the following conditions:

1. The application is approved for FIVE (5) YEARS from the effective date of this order.
2. One off-site parking space shall be provided at 6520 8th Street, N.W. and, should that off-site location not be available, alternatively at 6512 8th Street, N.W.

The order is still in effect and the applicant secured off-street parking at 6520 8th Street, N.W. and at 6512 8th Street, N.W., as required by the Board.

The subject property was constructed in 1926, prior to the adoption of the Zoning Regulations.

VI. OFFICE OF PLANNING ANALYSIS

a. **Special Exception Relief pursuant to § 205 – Child/Elderly Development Centers**

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

The existing child development center has a current home occupation permit and OSSE (Office of the State Superintendent of Education), the agency responsible for licensing child development centers, recommends that the subject 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.*

The center would continue to be located at the intersection of 8th Street and Van Buren Street, two roads classified as local streets by the District Department of Transportation (DDOT). Most children are expected to be walked to the site. On-street parking would continue be available for parents picking-up or dropping-off children by car on either 8th Street or Van Buren Street, adjacent to the subject property. No comments were received from DDOT.

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

On-street parking would be available on Van Buren Street, on the north side of the property, and on 8th Street, on the east side of the property, for the short-term parking needs of parents picking-up and dropping-off children by car. Sec. 2101.1 requires one off-street parking space for every four teachers or other employees, or two parking spaces for the proposed use. In conformance with the previous order issued by the Board, the applicant secured two off-street parking spaces for the use; one at 6512 8th Street, N.W. and the other at 6520 8th Street, N.W.

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 would occupy the entire one-family detached dwelling. The children would be walked to the Takoma Recreation Center at 300 Van Buren Street, N.W. for outdoor play. Outdoor play space would be provided at the center, but used only between the hours of 4 pm and 6 pm for no more than four children between the ages of two and four, weather permitting. The limited number of children and hours of the outdoor play area should not

result in objectionable conditions to nearby properties. Eight residents submitted letters to the file in support of the application, including three from within the same square, two of whom are the neighbors to the south and 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.

The Office of Planning does not recommend any special treatments.

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.

The applicant proposes to continue to utilize the Takoma Recreation Center at 300 Van Buren Street, N.W., as an off-site play area, for outdoor recreation for the children. The playground at this recreation center is fenced-in with a gate to control access and protect the children.

Staff members of the child development center would walk the children to the recreation center along Van Buren Street. A public sidewalk is available for the entire distance and cross walks are provided at all intervening intersections, and 5th and Van Buren is signalized, increasing the safety for pedestrians crossing at this intersection. Infants would be transported by carriage and older child would walk single-file holding onto a rope.

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.

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.

OSSE recommended approval of the application and indicated that the center would only be licensed pursuant to the requirements of Title 29 DCMR, Chapter 3, Child Development Facility Regulations.

No comments were received from (DDOT).

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposed expansion of the child development center would permit a neighborhood serving use to expand to better meet the demands of the community, in conformance with Sec. 205 of the Zoning Regulations and the zoning of the subject property.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposal would allow for the expansion of an existing child development center to serve more of the needs of surrounding community. Use of the outdoor play area would be limited and off-street parking would be made available. Neighborhood residents submitted letters to the file in support of the application, including the neighbor to the south on 8th Street.

VII. COMMUNITY COMMENTS

ANC 4B, at a special meeting on April 17, 2014, voted in support of the application.

Eight community residents submitted letters to the file in support of the application.

One community resident submitted a letter in opposition to the application.

VIII. COMMENTS OF OTHER DISTRICT AGENCIES

OSSE, in a memorandum dated April 30, 2014, recommended approved of the application.

No comments were received from other District agencies.

Attachment: Location Map

