GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

Office of the Director

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: April 4, 2002

SUBJECT: BZA Application 16859

BZA
Case No. 16859
Exhibit No. 26

RECEIVED
D.C. OFFICE OF ZONING
2002 APR -9 PM 3:10

APPLICATION

The D.C. Housing Authority Development & Modernization Administration (DCHA), is requesting approval of variances from Section 403.2 (lot occupancy) and Sections 330.5 (users permitted by right in an R-4 district), and a Special Exception under 334.1 (a community service center), pursuant to Sections 3103.2 and 3104.1, respectively, under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning,

SUMMARY RECOMMENDATION

The Office of Planning recommends:

- approval of a Special Exception under Section 334.1 to allow the establishment of a community service center with approximately 5,000 square feet, subject to the condition that 10 on-site parking spaces along the Mt. Olivet Road, S.E. frontage (counting southwest from the driveway) be reserved for use by center patrons during its hours of operation;
- approval of a Special Exception under Section 335.1 to allow the establishment of a youth rehabilitation home, subject to the condition that the community service center use, the 5,000 square feet dedicated to that use, and the associated access to the on-site gymnasium, be maintained for the duration of this Special Exception; and
- approval of a variance to Section 335.1 to increase the maximum occupancy of the youth rehabilitation home from 15 to 80 youth.

Staff also recommends approval of the parking and loading facilities as proposed.

SITE AND AREA DESCRIPTION

The subject 3.006-acre (130,941 square feet) is an interior lot located immediately northeast of Mt. Olivet Road, N.E., between Brentwood Road and Corcoran Street, N.E. (please refer to Exhibit 1). The property is vacant and surrounded by a metal chain link fence 10-12 feet tall. Lot 141/71 is a roughly triangularly shaped with approximately 511 feet of frontage, and one curb-cut along Mt. Olivet Road, N.E. There is also frontage along Fairview Avenue/ Gallaudet Street, N.E., however there is no access along the frontage because of a significant difference in elevation between the property edge and the street (enough to require a retaining wall). The property was formerly developed with the 228-bed

Board of Zoning Adjustment
District of Columbia
CASE NO.16859
EXHIBIT NO.26

Receiving Home for Children operated by the District.

Surrounding development consists of: a mixture of commercial, church and parking uses to the north along both sides of Fairview Avenue, N.E.; row dwellings and the Gallaudet University campus across Mt. Olivet Road, N.E. to the south and southwest; the Ivy City Apartments to the east; and row dwellings in fair-to-poor condition to the northwest.

The subject property, and properties across Mt. Olivet Road, N.E., to the south and southwest are zoned R-4. The Ivy City Apartments to the east are zoned R-5-A, and properties to the north and west are zoned C-M-1.

APPLICANT'S PROPOSAL
The applicant's proposes to construct a one-to-three story building with 104,807 square foot occupied by the following uses:

- An 80-bed secure juvenile detention facility with related program and support facilities;
- A Police Processing Center for intake of youth referred to this facility; and
- A Community Services diagnostic/day-treatment center.

There will also be 5,000 square feet dedicated to a community services center that will share access to the detention center gymnasium. A total of 65 parking spaces will be provided on-site, including four handicapped-accessible spaces. The applicant proposes that 51 parking spaces be reserved for Center staff and personnel with 14 parking spaces available for visitors, staff/personnel, and persons with disabilities in the southeast corner of the site. The single vehicular and pedestrian access into the property would be through a gated driveway along Mt. Olivet Road, N.E.

Land Use Components
The juvenile detention center will provide "a safe and secure environment" for youth detained by the .C. Metropolitan Police Department (MPD) while they await other referral and disposition by the Superior Court. A total of 80 rotating administrative and correctional personnel will serve this facility but no more that 38-40 persons during an 8-hour shift. Detainees ranging in age from 11 to 21 years will have a pre-trail status, and/or have been committed to this facility by the Family Court Division. The facility will not house youth charged with a felony offense by the U.S. Attorney, and each youth is not expected to stay more that 21 days. Educational, counseling, library, counseling, recreation, medical, dining and foodservice, would be provided. There would also be visitation facilities.

The police processing center operation would relocate to this site from the basement of the Central Processing Facility located at 501 New York Avenue, N.W., to perform intake screening, assessment and evaluation of youth taken into custody by MPD.

The Community Service component would provide youth residing outside the detention center, in private homes, foster care and in group/shelter homes, with educational instruction in a small group setting, individualized tutoring, group and individual counseling, and active and passive recreation. Program offering would be separated from those in the facility provided to juveniles held in detention,

with no mixing of the client populations.

The Community Service Center will be operated by the Youth Services Administration (YSL) and made available for community uses such as meetings, indoor recreation, and other activities, between 10:00 A.M. and 8:00 P.M. daily. YSL will develop the operational guidelines for the facility in conjunction with the ANC. Thereafter, community groups and organizations wishing to use the facility would apply through the ANC. Although in the same structure, the community service center will be separated from the detention functions by security grade walls and "sally ports" (pedestrian passages though the walls).

"Jerry M" Consent Decree

The facility has been designed to comply with the requirements of a consent decree signed by the District in the 1980s promising to provide additional improved facilities for District youth. The District's only juvenile detention facility is the Oak Hill Youth Center located in Laurel, Maryland. The only such facility in the District (The Cedar Knoll Center) was closed under the referenced decree. Thus, Oak Hill Youth Center continues to violate the decree and the Federal rights of youth being detained because it is without provisions to separate detainees waiting disposition by the Superior Court from committed youth.

A part of this decree, a group of stakeholders were brought together and assigned the responsibility of developing facility standards for youth detention facilities to be implemented by the YSA (a list of these stakeholders is provided in Exhibit 2). YSA then developed a state-of-the-art building design program and a schematic building plan based on these standards. Note that, as a result of these standards, the program capacity the new facility is 80 persons (a 64% reduction from the previous 228-bed Receiving Home for Children). Only three parcels under District control were identified as potential sites: #4 D.C. Village Lane in D.C. Village (½ mile from the Blue Plains water treatment facility); Independence and 19th Street, S.E. (one block from the D.C. Armory); and the subject property. A selection team representing the YSA, D.C. Housing Authority, U.S. Department of Interior, Maryland-National Park and Planning Commission, and other agencies, evaluated each parcel in terms of its accessibility to District courts, topography, land use, and other factors. After this review, it was determined that the subject property was the most appropriate site for the proposed use.

An environmental assessment of this site prepared by Voglezon Consulting for the D.C. Department of Human Services concluded that, overall, this project "would not have a significant impact on the quality of the human environment." However, the study did find that "less than significant" impacts would occur to historic and archeological resources, natural resources, water quality (during construction), air quality (during construction), utility service, noise (during construction) and land use (increase in intensity).

In July 2001, a request for proposals (RFP) was issued for detailed development proposals for the subject property based on the referenced building program. When the selected design-building partnership, headed by Hensel Phelps Construction Co., submitted plans for Building Permits in December 2001, the Zoning Administrator indicated that this proposal required zoning relief. Prior to this determination, the applicant believed the proposed use would be allowed to replace the previous Receiving Home for Children. As a result, the subject application was submitted.

This fiscal year, the District received a direct Federal appropriation of approximately $11.0 million to pay for project construction. However, this funding will no longer be available after the fiscal year ends on September 31, 2002.

Design concept drawing, photographs, site plans, plats, a half-scale plan set and the "Receiving Home for Children Washington, D.C. Environmental Assessment and Finding of No Significant Impact" report dated March 12, 2001, were submitted along with this application.

EXISTING ZONING AND RELIEF REQUESTED

The developed property is zoned R-4. Based a Zoning Computation Sheet dated December 21, 2001, the proposed building will have a total floor area of 104,807 square feet. The applicant is requesting: approval of a Special Exception under Section 3104.1 for the community service center; and approval of variances from the percentage of lot occupancy requirement under Section 403.2, and the provisions of Section 330.5.

However, provisions under Section 330.5 (i) related to community-based residential facilities (CBRFs) appear more applicable to handicapped/dependency treatment facilities. Based on above use description, staff thinks the subject temporary youth detention center to be more similar to a "youth rehabilitation home", a specific type of CBRF defined under Section 199 as:

> "**Youth rehabilitation home** - a facility providing residential care for one (1) or more individuals less than twenty-one (21) years of age who have been detained or committed by a court pursuant to their involvement in the commission of an act designated as an offense under the law of the District of Columbia, or of a state if the act occurred in a state, or under federal law. The facility shall not house persons sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense; ..."

However, Youth Rehabilitation Homes in R-4 zoning are limited to 15 persons under Section 335.1. The proposed use would serve up to 80 youth, more than allowed under this provision. The site is also subject to the following requirements under the Zoning Regulations:

Standard	R-4 Requirement	Existing	Proposed	Required Relief
Lot Area	1,800	130,941 s.f.[1]	Same	N/A
Lot Width	18	510.5 feet	Same	N/A
Floor Area	--	--	104,807 s.f.[2]	N/A
Floor Area Ratio	--	--	1.25	N/A
Height	40 ft./3 stories	--	39 ft./3 stories[1]	N/A
Lot Occupancy (max.)	60 %	--	33.5 %[3]	N/A

[1] From site tabulation on Site Plan C1, entitled "Youth Services Center District of Columbia, dated December 14, 2001
[2] From Zoning Computation Sheet – Commercial Use, 1000 Mt. Olivet Road, N.E., dated December 21, 2001
[3] Based on the 43,845 square feet of lot occupancy listed on the Notes and Computations sheet attached to the Zoning Administrator's Memorandum to the Board of Zoning Adjustment dated January 22, 2002

Standard	R-4 Requirement	Existing	Proposed	Required Relief
Rear Yard	20 feet	--	20 feet	N/A
Side Yard	N/A	--	N/A	N/A
Parking (on-site)	Determined by BZA	--	65 space	N/A
Loading Berths	Determined by BZA	--	1	N/A

Based on this information, no variance is required from the area and bulk provisions of the Zoning Regulations. However, the following zoning relief is required:

- Special Exceptions for the community service center and youth rehabilitation uses (temporary youth detention center); and
- A variance to increase the allowable occupancy of the youth rehabilitation home to 80 youths.

The applicant's Statement of Justification provided the following information:

- The District needs this facility to meet the requirements of the "Jerry M" case, comply with industry standards, and obtain accreditation from the American Correctional Association.
- With regard to the Special Exception for the community service center and the associated standards:
  - Under Section 334.2:
    - The facility will be self-contained and is unlikely to have a negative impact on the community.
    - There is unlikely to be significant traffic generation "because of its close proximity to the intended users."
    - There are no outdoor facilities, so there should be not be any exterior noise.
    - There would be sufficient staff parking available leaving 20-25 spaces for visitors "that should exceed the demand."
  - Under Section 334.3: The facility has been designed specifically for this purpose.
  - Under Section 334.4: Facility amenities has been designed based on community input for the convenience of the community.
  - Under Section 334.5: No profit will be sought or achieved through facility operations.
- With regard to the required use variance under 3103.2:
  - Unique circumstances:
    - Site was used for a youth detention facility for almost 50 years;
    - The 3-acre site is zoned R-4 and "not well-suited for almost any other non-institutional use"; and
    - This is the most suitable site available for the proposed detention center.
  - Undue hardship:
    - If strictly enforced, the R-4 zoning would prevent all reasonable and historic uses of the property.
    - Because it is owned by YSA, the property is likely to remain vacant if this proposal is not approved.

- The Statement also concludes that the proposed development will benefit the community, achieve "critical city-wide legal requirements for providing facilities and services to City youth", and would not undermine the integrity or purpose of the existing Zoning Regulations and Map.

Special Exception Standards
Section 3104.1 grants the Board of Zoning Appeals (BZA) the authority "to grant special exceptions where in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps."

Community Service Centers and Youth Rehabilitation Homes are also subject to the provisions of Sections 334 and 335, respectively.

Compliance with Section 334:
Planning staff concurs with the applicant's analysis in the Statement of Justification that the proposed community service center meets the standards under this provision. If this request is approved, staff recommends a condition reserving 10 parking spaces along Mt. Olivet Road, S.E. (counting southwest from the driveway) for use by service center patrons during its hours of operation.

Compliance with Section 335:
Youth Rehabilitation Home must meet the following standards:

335.2 **There shall be no other property containing a community-based residential facility for seven (7) or more persons in the same square.** There are no licensed CBRFs on the same square.

335.3 **There shall be no other property containing a community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property.** There are no CBRFs within a 500-foot radius.

335.4 **There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.** The parking on-site appears adequate to serve the employees of the component uses, and visitors. The single loading dock also appears adequate.

335.5 **The proposed facility shall meet all applicable code and licensing requirements.** This new development requires approval by the Department of Consumer & Regulatory Affairs and other review agencies. The applicant has also indicated that completion of this project will allow the correctional system to receive national accreditation.

335.6 **The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.** This self-contained facility would not have an adverse impact on the neighborhood based on the referenced environmental assessment.

335.7 **The Board may approve more than one (1) community-based residential facility in a square or within five hundred feet (500 ft.) only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations. ...** Not necessary in this case.

Variance Standard
Section 3103.2 grants the Board of Zoning Adjustment (BZA) the power to grant variances from regulations set forth under the Zoning Act "[w]here by reason of exceptional narrowness, shallowness or shape of a piece of property at the time of the original adoption of the regulations, or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Code Ann. §§5-413 to 5-432 (1981) would result in peculiar and extraordinary practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; Provided the relief can be granted without substantially impairing the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map."

Increasing the allowable occupancy is a "use" variance, requiring that the circumstances surrounding this request are "unique", and that the usual application of the regulations would result in an "undue hardship."

Compliance with Section 3103.2:
Based on the referenced information, staff determined the following:

- **Unique conditions:** The subject property has a very irregular shape that experiences a significant drop in elevation from the northwest corner to the eastern frontage. It was formerly developed with a very similar use for nearly 50 years, and it's the only site under District control that fulfills program needs mandated by an outstanding Consent Decree. These conditions establish the uniqueness of this application.

- **Undue Hardship:** The referenced project and site meets the program needs of up to 80 detained youth, however the Zoning Regulations limits the site occupancy to 15 youth (not including adult supervision). The District is under an outstanding consent decree to address the problem of detained youth being housed with committed youth, in violation of their Federal rights. A building design for a state-of-the-art facility was created, based ultimately on standards prepared by the referenced stakeholders, to be adequate to service 80 youth. This represents a significant reduction from the capacity of the previous facility. The selection team found the subject parcel to the only site under District control that meets program requirements, and an independent environmental assessment found that this proposal would have "no significant impact" on the surrounding neighborhood. In addition, the Zoning Regulations requires that this detention center proposal be treated as a new use, instead of simply replacing the previous larger facility.

  Based on this information, the current Zoning Regulation creates an "undue hardship" on the applicant by limiting the site occupancy to 15 persons, although the site has been determined as

adequate for the proposed program and self-contained facility designed to support up to 80 youth.

In light of these findings, a variance increasing the lot occupancy to 80 youth for the proposed temporary youth detention center can be granted without impairing the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map.

COMPREHENSIVE PLAN
The Generalized Land Use Map designates the subject property as a Local Public Facility, characterized as "land and facilities occupied by colleges, universities, hospitals, religious institutions, and similar facilities" (including the previous Receiving Home for Children), as predominant uses.

Major Themes of the Comprehensive Plan under Section 101.1 include:

"(i) promoting public safety; ..."

The Human Services element of the Comprehensive Plan also provides:

"1000.1 The availability of health and social services in critical to the District community. A whole range of services that are indispensable must be delivered not only to the most desperate and destitute, but to anyone in need of human services. These services include the following: ...

(e) Provision of financial and social services; ..."

Ward 5 Objectives for Human Services under Section 1626.1 also include:

"(a) Offer a comprehensive range of community-based social services for those in need and to provide rehabilitative services in appropriate settings for neglected and delinquent youth. ..."

COMMUNITY COMMENTS
This proposal has apparently been under discussion with the community since 1997. The Advisory Neighborhood Commission (ANC) 5B discussed the plans in November 2001 and will consider the project again at its regular meeting on April 11, 2002. Both the ANC Chair and the single-member representative for 5B05 were called about this application. The Office of Planning may submit a supplemental report if community comments are received.

AGENCY COMMENTS
This application was referred to the District of Columbia Fire Department, MPD and Department of Public Works.

MPD expressed no objections to this proposal (refer to Exhibit 3). To date no comments have been received from other agencies.

RECOMMENDATION
The Office of Planning recommends:

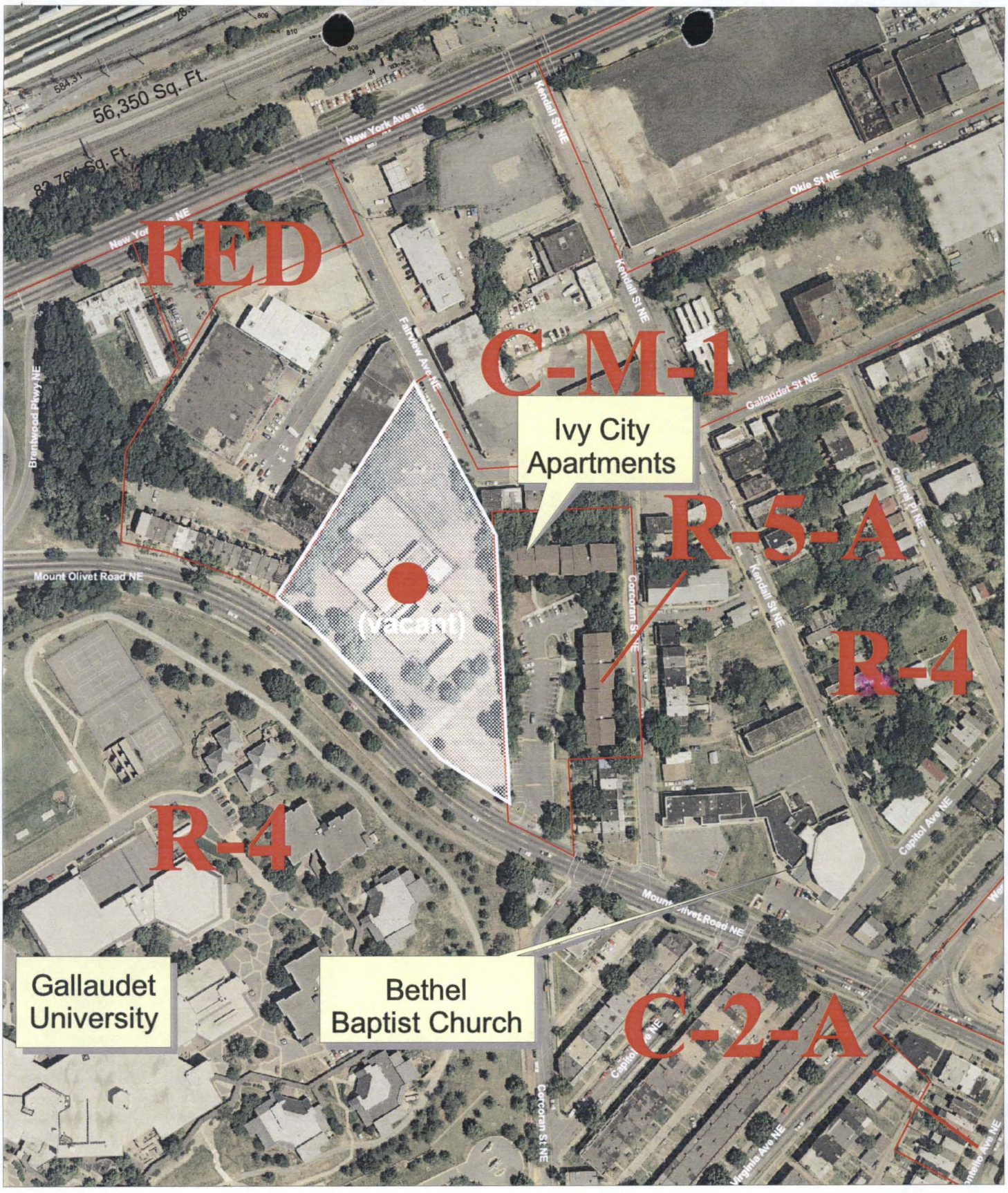
- approval of a Special Exception to allow the establishment of a community service center with approximately 5,000 square feet, subject to the condition that 10 parking spaces be reserved for use by patrons during its hours of operation;
- approval of a Special Exception to allow the establishment of a youth rehabilitation home, subject to the condition that the community service center use and the associated access to the on-site gymnasium, be maintained for the duration of this Special Exception; and
- approval of a variance to increase the maximum occupancy of the youth rehabilitation home from 15 to 80 youth.

Staff also recommends approval of the parking and loading facilities as proposed.

Attachments:

Exhibit 1 Property Aerial with Zoning
Exhibit 2 List of "Johnny M" Consent Decree Stakeholders
Exhibit 3 Pertinent Excerpts from the Zoning Regulations
Exhibit 4 Letter to the Chief of Staff, Organizational Development from Jennifer Greene, Commander, Metropolitan Police Department, First District

AA/afj



Feature Key

- Zoning Boundaries
- Zoning Leader Lines
- Street Centerlines

Board of Zoning Adjustment

Application No. #16859

DC Office of Planning

March 27, 2002

Scale 1:2600

30 0 30 60 90 120 150 Feet

Attachment #1

Exhibit 2

New Youth Services Center
Stakeholders

Member	*Title/Agency*	*Address*	*Phone*	*Fax*
Alexander, Elizabeth	Plaintiff's Attorney	633 Indiana Ave, NW		
Allen, Sandy	Chairman, Committee on Human Services	Wilson Bldg, Ste. 408	202 724-8045	202 724-8055
Ambrose, Sharon	DC Councilmember, Ward 6	Wilson Bldg, Ste. 102	202 724-8072	202 724-8054
Battle, Michael	Councilmember's Allen's Officer		202 724-8064	202 724-8055
Boykin, Valerie	Youth Services Admin	450 H Street, NW 9th Floor	202 724-5071	202 727-1067
Brown, Erika	Youth Services Admin	Central Admin Bldg	240-456-5000	301 497-8510
Colvin, Carolyn	Director, DHS	801 East Bldg, St. E's Campus	202 279-6002	202 279-6014
Cropp, Linda	Council Chair	Wilson Bldg, Ste. 504	202 724-8032	202 724-8085
Douglas, Compton	JGA	Wilson Bldg, Ste. 327	202 727-6552	202 727-1617
Escarcega, Alex	Juvenile Services Admin	320 First St., NW Bldg 400, 2nd Fl., WDC 20534	202 305-8909	202 307-2376
Evans, Jack	Chair Pro Tempore	Wilson Bldg, Ste. 106	202 724-8058	202 727-9878
Ferren, John	Corporation Counsel	441 4th St,	202 727-6248	202 727-9656
Gandhi, Natwar M.	Chief Financial Officer	Wilson Bldg, Ste. 209	202 727-2476	202 727-1643
Gentle, Trisha	JGA	Wilson Bldg, Ste. 327	202 724-7216	202 727-1617
Golden, Olivia	Director		202 442-6001	
Graham, Carolyn	Dpty Mayor for Children, Youth & Families	Wilson Bldg, Ste. 307	202 727-8001	202 727-0246
Gray, Pam	Plaintiff's Attorney	633 Indiana Ave, NW	202 628-1200	202 626-0784
Green, Virgil L.	OPM/CCSA/PM		202 671-2804	202 671-0648
Hamilton, Eugene	DC Superior Court BUDGET COMM.	500 Indiana Ave, NW #5520	202 879-1600	202 879-7830
Harris, Emerson	Consortium for Youth Svc	300 I St., NE, Ste. 106 WDC 20002	202 548-0553	202 547-1857
Holland, Ira	Correctional Inst. Admin.	Central Admin Bldg	240 456-5000	301 497-8510
Kellums, Margaret	Dpty Mayor for Public Safety & Justice	Wilson Bldg, Ste. 327	202 727-4036	
Knisley, Martha	Director, DMH	77 P Street, NW 4th Floor	202 673-2200	202 673-3433
Koskinen, John	Chief Management Officer	Wilson Bldg, Ste. 310	202 727-3432	202 727-9878
Lewis, Michael	Jerry M. Monitor	1666 Conn. Ave. Ste. 500	202 328-1666	202 328-9162
Love, Rick	Corporation Counsel	441 4th St,	202 724-6635	202 727-0431
McAllister, Moses	DC Superior Court	409 E Street, NW Bldg. B Rm 205	202 508-1800	202 508-1603
Mitchell-Rankin, Zinora	DC Superior Court	500 Indiana Ave, NW #2420	202 879-7846	202 879-0136
O'Connor, Edna	Oak Hill Academy	Oak Hill Youth Center	240 456-5089	301 725-3132
Orange, Vincent	Council Ward 5	Wilson Bldg, Ste. 108	202 724-8028	202 724-8076
Overton, Lillian	Chief, MPD Youth Div	1700 R I Ave., NE 20018	202 576-6768	202 576-6561
Patterson, Kathleen	Council Ward 3	Wilson Bldg, Ste. 107	202 724-8062	202 724-8118
Perkins, George	Deputy Administrator	Oak Hill Youth Center	240 456-5255	301 497-8324
Rodgers, Stacy	Deputy Director, DHS	801 East Bldg, St. E's Campus	202 279-6002	202 279-6014
Scott, Paula	Plaintiff's Attorney	633 Indiana Ave, NW		
Stennet, Chris	Dev. & Mod Admin	1133 N. Capitol St. NE #242	202 535-2729	202 535-1102
Turner, Gayle	Administrator, YSA	Central Admin Bldg	240 456-5000	301 497-8510
Vance, Paul	Superintendent, DCPS	825 North Capitol Street, NW, 9th Floor WDC 20002	202 724-4222	202 724-8855

334 COMMUNITY SERVICE CENTERS (R-4)

334.1 A community service center to accommodate organizations created for the purpose of improving the social or economic well being of the residents of the neighborhood in which the center is proposed to be located which may include but not be limited to centers for job training, family counseling, consumer cooperatives, and such other facilities as are similar in nature and purpose, shall be permitted in an R-4 District if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.

334.2 A community service center shall be located so that it is not likely to become objectionable to neighboring properties because of noise or other objectionable conditions.

334.3 No structural changes shall be made except those required by other municipal laws or regulations.

334.4 The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located.

334.5 A community service center shall not be organized for profit, and no part of its net income inures to the benefit of any private shareholder or individual.

335 REHABILITATION AND SUBSTANCE ABUSERS' HOME (R-4)

335.1 Youth rehabilitation homes, adult rehabilitation homes, or substance abusers' homes for one (1) to fifteen (15) persons, not including resident supervisors or staff and their families, shall be permitted in an R-4 district if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this titles, subject to the provisions of this section.

335.8 There shall be no other property containing a community-based residential facility for seven (7) or more persons in the same square.

335.9 There shall be no other property containing a community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property.

335.10 There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.

335.11 The proposed facility shall meet all applicable code and licensing requirements.

335.12 The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

335.13 The Board may approve more than one (1) community-based residential facility in a square or within five hundred feet (500 ft.) only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations. ...

Exhibit 4

METROPOLITAN POLICE DEPARTMENT
Regional Operations Command-Central
Fifth District

March 26, 2002

MEMORANDUM:

TO: Chief of Staff
Office of Organizational Development

THRU: Assistant Chief 3/27/02
Central Regions Operations Command

SUBJECT: Proposed Construction of a New Temporary Youth Detention Center/Community Service Center to be Located at 1000 Mount Olivet Road, N.E.

The attached BZA application for the proposed new construction of the temporary youth detention center/community service center at 1000 Mount Olivet Road, N.E. was reviewed by Lieutenant Pamela C. Burkett-Jones of this command. Lieutenant Burkett-Jones has monitored the area for a period of four (4) business days starting Monday, March 18, 2002. Based on her observations, the lieutenant has no reason to believe that the new site will impose a problem on any traffic patterns or cause any major traffic delays. After reading the attachments, the proposal appears to supply adequate staffing to handle the facilities' internal affairs with little or no police involvement.

Based on the lieutenant's review of the application and site plans, I have no objections to the proposal and building of this facility.

Jennifer Greene
Commander

Attachment

MAR 28 AM 8:00