GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: July 16, 2002

SUBJECT: BZA Application #16902 (Daycare Center at Douglas Knolls)
2017 Savannah Terrace, S.E.

BZA
Case No. 16902
Exhibit No. 24

APPLICATION

The application by the Douglas Knoll Cooperative, L.P. requests approval of a special exception to allow the construction of the Daycare Center at Douglas Knolls at 2017 Savannah Terrace, S.E. (Square 5894, Lot 40), pursuant to 11 DCMR §3104.1 and subject to the standards outlined in 11 DCMR §205. The applicant also requests approval of a variance, pursuant to 11 DCMR §3103.2, from the required number of parking spaces required under 11 DCMR §2101.1.

PROPOSAL

The applicant proposes to construct a new building and use it and the basement of an existing building to operate a child development center for eighty-nine children from infants to school age. The applicant is also seeking a variance from the off street parking requirement for employees of the center.

SUMMARY RECOMMENDATION

The Office of Planning (OP) has insufficient information to recommend any action at this time. The proposed special exception for the childcare center will be an asset to the community, as it will provide a needed service to parents in the community. However, OP has some outstanding concerns regarding access to the facility by; 1) parents who will drop-off and pick-up their children without causing objectionable impacts on the community; 2) visitors; 3) deliveries; and 4) emergency vehicles. Therefore, OP cannot make a recommendation at this time without comments from the District Division of Transportation (DDOT).

The proposed special exception meets the provisions of Section 3103.2 of the Zoning Ordinance for granting a variance. The "exceptional situation" of the site is demonstrated through the fact that the steep slope of the site presents a practical difficulty to meet the parking requirement. OP would prefer to withhold its recommendation until it receives the additional information needed to make full assessment of the proposed daycare center and comments from DDOT.

Board of Zoning Adjustment
District of Columbia
CASE NO.16902
EXHIBIT NO.24

SITE AND AREA DESCRIPTION

The subject property is located in a predominantly residential community near the intersection of 22nd Street, S.E. and Savannah Terrace, S.E. Immediately to the west is Suitland Parkway; Alabama Avenue, S.E. is two blocks north with a small commercial strip on the corner of Alabama Avenue and 22nd Street; and generally, to the east and south are apartment complexes and semi-detached houses.

The configuration of the area is similar to that of a valley with Savannah Terrace running along the center of the valley. From Savannah Terrace, it slopes steeply upwards on both sides. The subject site fronts on Savannah Terrace and is currently developed with an apartment building and a 19 space parking lot. The proposed location of the daycare center is proposed to be situated to the rear of an existing apartment building and a 19 space parking lot.

The applicant proposes to construct an approximately 7,000 square foot two-story building for the daycare center. It appears that the daycare center will occupy 834 square feet of the basement in the existing and adjacent three story brick apartment building on the same lot for the after school program. As proposed, the subject lot will contain the three-story apartment building, a 19 space parking lot for residents, and the 7,000 square feet, two-story child development center.

ZONING REQUIREMENTS

The subject site is zoned R-5-A and a child development center is allowed by special exception. The parking requirement is one space for every four employees as per §2101.1. The R-5-A zone permits matter-of-right development of single-family residential uses, churches and public schools. The R-5-A development standards require a minimum lot area of 1,800 square feet, a minimum lot width of 18 feet, maximum lot occupancy of 40%, and a minimum height of 3 stories/40 feet. The proposed center and existing building on the subject lot will comply with all applicable zoning requirements with the exception of parking as shown on Table 1.

Table 1

	Required	Existing	Proposed
Lot Area	**1,800 sq. ft. minimum**	**45,481 sq. ft.**	**45,481 sq. ft.**
Lot Width	**18 ft.**	**210 ft.**	**210 ft.**
Lot Occupancy	**18,192 sq. ft. or 40%**	**4,940 sq. ft. or 10.9%**	**8,391 sq. ft. or 19%**
Floor Area Ratio	**0.9**	**0.4**	**0.51**
Height	**40 ft.**	**34 ft.**	**34 ft.**
Side Yard	**3'' per ft of ht but no less than 8 ft**	**22 ft.**	**22 ft.**
Rear Yard	**20 ft.**	**34 ft.**	**34 ft.**
Parking	**5**	**0**	**0**

ANALYSIS

The application results from a proposal to build a child development center on site for use mainly by residents of the property and the nearby community. The development team is seeking not only to design affordable housing but also to create a family-oriented, well-designed integrated community. A key component of the family-oriented atmosphere is the addition of support facilities such as a child development center. The proposed center will be built on one of eleven lots developed in the late 1940s and 1950s as a garden complex containing approximately 200 one-and two-bedroom units. The property deteriorated over time and has been vacant for the last ten years. The applicant purchased the property three years ago and has recently completed renovation and modernization of the entire complex.

There are 18 buildings on the site consisting of 182 two-and three-bedroom units. The lot on which the daycare center will be located is also occupied by one three-story, two-module apartment building. The 45,481 square foot lot is currently developed with the 4,940 square foot, three-story brick apartment building and a 19 space parking lot.

It should be noted that the application only identified construction of a new building for use as the daycare center. There was no request to use the basement in the existing building for additional class rooms in the application.

Topography of the Site

Currently, the site of the proposed daycare center is a hilly wooded area occupied by numerous trees. The site gets steeper toward the edge of the property. The site should be graded in a manner that will minimize the reduction in the number of trees that now serve as a natural buffer for the center. Due to the topography of the site, the applicant needs to address issues of run off and storm water management. The applicant plans to build a retaining wall around the perimeter of the daycare center that should resolve issues related to soil erosion.

Section 205

The subject site is zoned R-5-A and Section 205 of the Zoning Regulations allows child development centers in the R-5-A district if approved by the Board of Zoning Adjustment and subject to the following standards and requirements:

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

This application is to construct a new building to be occupied as a daycare center. Licenses are governed by Title 29: Child Development Facilities, Chapter 3 and administered by the Department of Health. The applicant has an agreement with the National Child Day Care Association (Association) to operate the facility. The Association is a non-profit organization whose sole function is to establish and operate child development centers. With 23 centers and a staff of 270, the Association is the largest non-profit direct child care service provider in the District of Columbia. Pursuant to the agreement, the Association is responsible for securing all necessary licenses. All requirements must be met before a license can be obtained. See Association Agreement attached.

The center will serve children from 6 weeks to 12 years of age and will have a staff of 20. The center will serve 89 children with a break-down of age groups as follows: 16 infants; 16 toddlers; 32 pre-schoolers; and 25 school-age children. The center will serve children of working parents who qualify for the DC child care subsidy as well as families able to pay full tuition. Slots may also be purchased by area employers.

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

The proposed site of the daycare center is situated away from the street on the eastern edge of the apartment complex. The applicant anticipates that the majority of the children attending the center will come from within the complex or the surrounding community and most likely will walk to the center. However, no break-down of the numbers of anticipated walking clients has been provided.

The applicant proposes widening the entrance of the adjacent parking lot to 56 feet to allow for a supervised automobile drop off area. This entrance will also be used to access the center by emergency vehicles and for deliveries to the center.

OP has concerns that widening the driveway will cause traffic conflicts between residents trying to leave the parking lot and parents attempting to turn in the driveway. Also, Savannah Terrace is a narrow street with on-street parking permitted on both sides that may not permit cars coming from the opposite direction to turn into the driveway without blocking traffic. Also, OP is concerned about access to the center by emergency vehicles, deliveries, and visitors, and the applicant has not provided a traffic management plan.

The applicant proposes to build appropriate walks and ramps to connect the center to the existing system of sidewalks within the property. The applicant plans to construct two sidewalks that will begin at Savannah Terrace and run between the parking lot and apartment building leading directly to the center. The upper sidewalk will be 131 feet long and lead to the first floor. The lower sidewalk will be 79 feet long and lead directly to the second floor. Again, unless parents are walking to the center, parents would have to find parking on Savannah Terrace and either walk their children along this walkway or possible block the entrance of the parking lot to drop their children off.

The center will operate Monday through Fridays from 6:30 a.m. to 7:00 p.m. year round. It appears that the rush hour and the drop off times would overlap and could cause traffic problems if a sufficient number of parents bring their children to the center by car. OP has encouraged the applicant to work with DDOT to address traffic issues.

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

As per §2101 of the Zoning Regulations, the applicant is required to provide one parking space for every four teachers and other employees. The childcare center will have a total staff of 20 persons and must provide five parking spaces. The applicant is seeking a variance from this requirement and, if granted, will provide no off-street parking for its employees.

The applicant is unable to either construct a new parking lot or extend the existing 19 space parking lot because of the unusual hilly topography at the site. According to the applicant, the availability of on-street parking, the use of public transportation, and hiring staff from the community will minimize the effects on the neighborhood and be sufficient to meet their parking needs. The nearest bus stop is two blocks east on Alabama Avenue. Although there is some on street parking, it seems unlikely that visitors will use public transportation to come to the center.

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. 205.5.

The center is located on the eastern edge of a 182 unit apartment complex. The majority of the proposed center will face the parking lot which will serve as a buffer between the center and the rental office and computer lab. The wooded slope to the rear of the daycare center will serve as a natural buffer between the center and the apartments on the other side of the trees. The applicant will build retaining walls along the perimeter of the daycare center. The existing apartment building will be connected to the center by a 35 foot covered breezeway. There could be some minimal impact to residents living in the existing apartment building on the site but depending on the hours of operation, the impact could be minimal. Although it appears that the center will use 834 square feet of the basement of this building for its after school program, it still appears that the impact will be minimal depending on the hours of operation.

There will be two outdoor play areas adjacent to the site, which will be directly accessible from the center. The upper playground will be 2,245 square feet. The lower playground will be 745 square feet. The play areas are located at the rear of the center and away from other apartment buildings, thereby reducing any impact due to noise, activity or any other objectionable conditions. The play areas will be completely fenced in and surrounded by a retaining wall to the north and west with hilly wooded terrain to the south.

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. 205.6.

It appears that the daycare center will have minimal impact on adjacent properties, and therefore OP doesn't believe additional special screening is needed.

Any off-site play area shall be located so as to not result in endangerment to the individuals in attendance at the center in traveling between play area and the center itself. 205.7.

There are no off-site play areas. The center will have after school programs in the building adjacent to the center. Since the building is approximately 35 feet to the center and will be connected by a covered breezeway, there is no danger to children traveling back and forth between the two buildings. The only note of caution is the proximity of the site to the parking lot.

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/elderly 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. 205.8.

There are no other child development centers located within 1,000 feet or within this square.

Section 3104.1

The standard by which the BZA should approve a special exception is set forth in Section 3104.1 of the Zoning Regulations. The following demonstrates how the proposed child development center has met these standards:

> ***. . . special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.***
>
> The R-5 districts are designed to permit a flexibility of design by permitting in a single district,...all types of urban residential if they conform to height, density, and area requirements established for these districts... The R-5 districts shall also permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and which are excluded from the more restrictive residential districts." §350.1

Improving the availability of child care provided by child care facilities is cited in the Comprehensive Plan as a recommended action in support of the human services goals in Ward 8. §1927.1(b). The R-5 district seeks to promote residential development and does permit compatible institutional uses. The proposed childcare center will not detract from the residential area and is entirely compatible with the residential uses because it will be located within the existing apartment complex and will be designed to serve the needs of the residents. However, the absence a separate drop-off and pick-up location for the daycare and the request for no parking for the employees could result in a conflict in the patterns of the residential and daycare properties.

Section 3103

The applicant has also requested a variance from the parking space requirement. Section 2101.1 requires one space for every four teachers and staff. Since it is anticipated that the center will have a staff of twenty, five parking spaces are required.

	Required	Provided
Number of parking spaces	Staff of 20 5 spaces	0

The standard by which the BZA should approve a variance is set forth in Section 3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

> **The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;**

The topography of the site presents a unique circumstance to creating new parking space to meet the parking requirement. The site is currently occupied by a three story apartment building and 19 space parking lot located near Savannah Terrace. Since the street is at the low point on the site, the slope becomes more pronounced and hilly as one moves away from the street. The current parking lot on the site cannot be extended towards the rear of the site because the slopes get steeper towards the rear of the site. Moreover, the choice of the site for the center also precludes expansion of the existing parking lot. The site for the center was selected because it is the only site in a central location with a large enough area for the center. This presents an exceptional situation to the applicant, as the parking requirement cannot be met at this site.

> **By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.**

The requirement to provide five parking spaces on the subject property is physically impossible due to the steep topography of the site. This presents an exceptional practical difficulty to the applicant to meet the off-street parking requirement.

> **The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.**

The applicant intends to hire staff from within the complex and surrounding community. In addition, access to public transportation and on street parking should be sufficient to meet the needs of the center. However, without a traffic management plan reviewed and recommended by DDOT, OP cannot conclude that the variance will not cause "substantial detriment to the public good." Therefore, OP requires a review by DDOT before it can draw a conclusion regarding this variance test.

COMMUNITY COMMENTS

The subject property is within ANC-8B. The applicant will present to the ANC at its next scheduled meeting on July 16th.

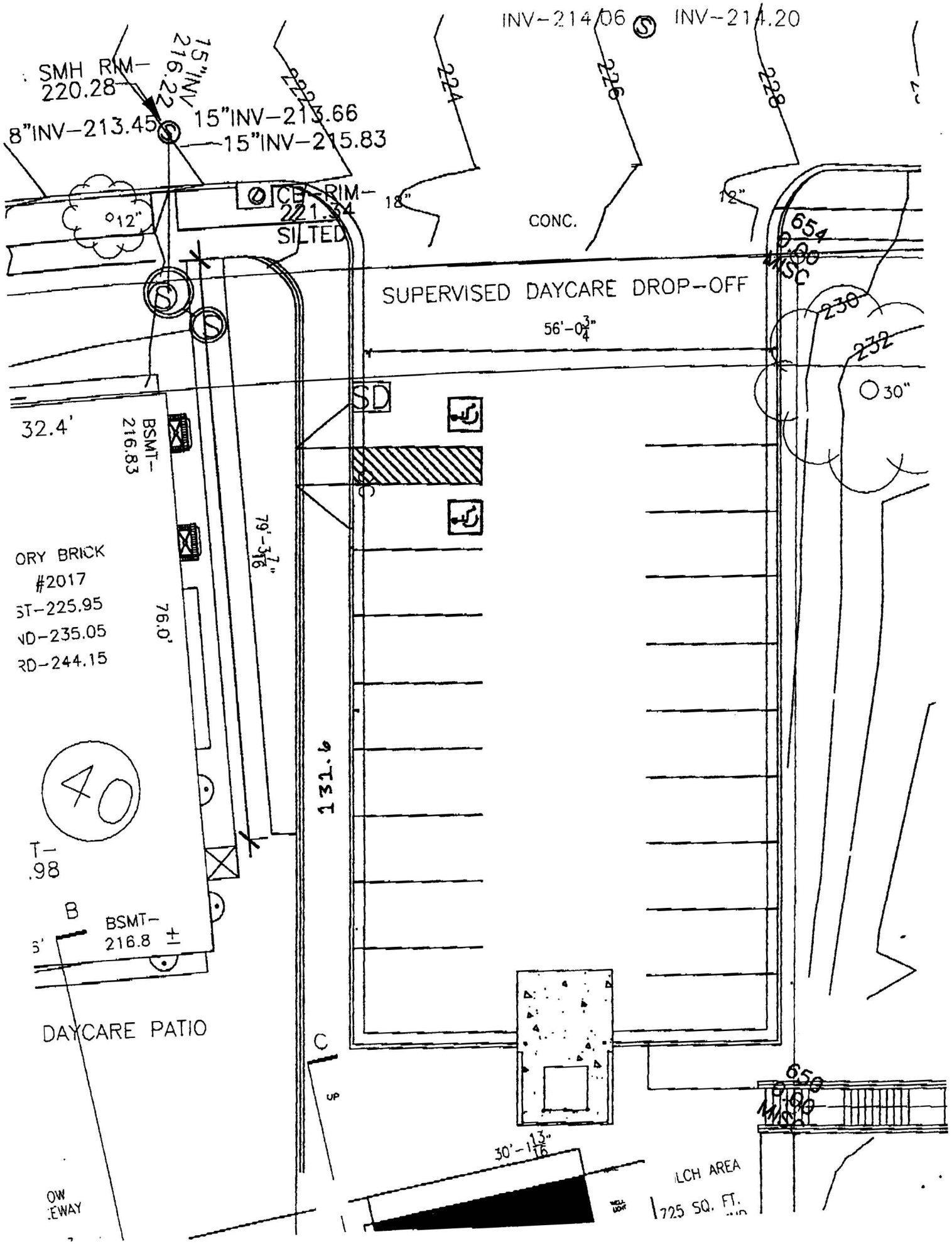
SUMMARY AND RECOMMENDATION

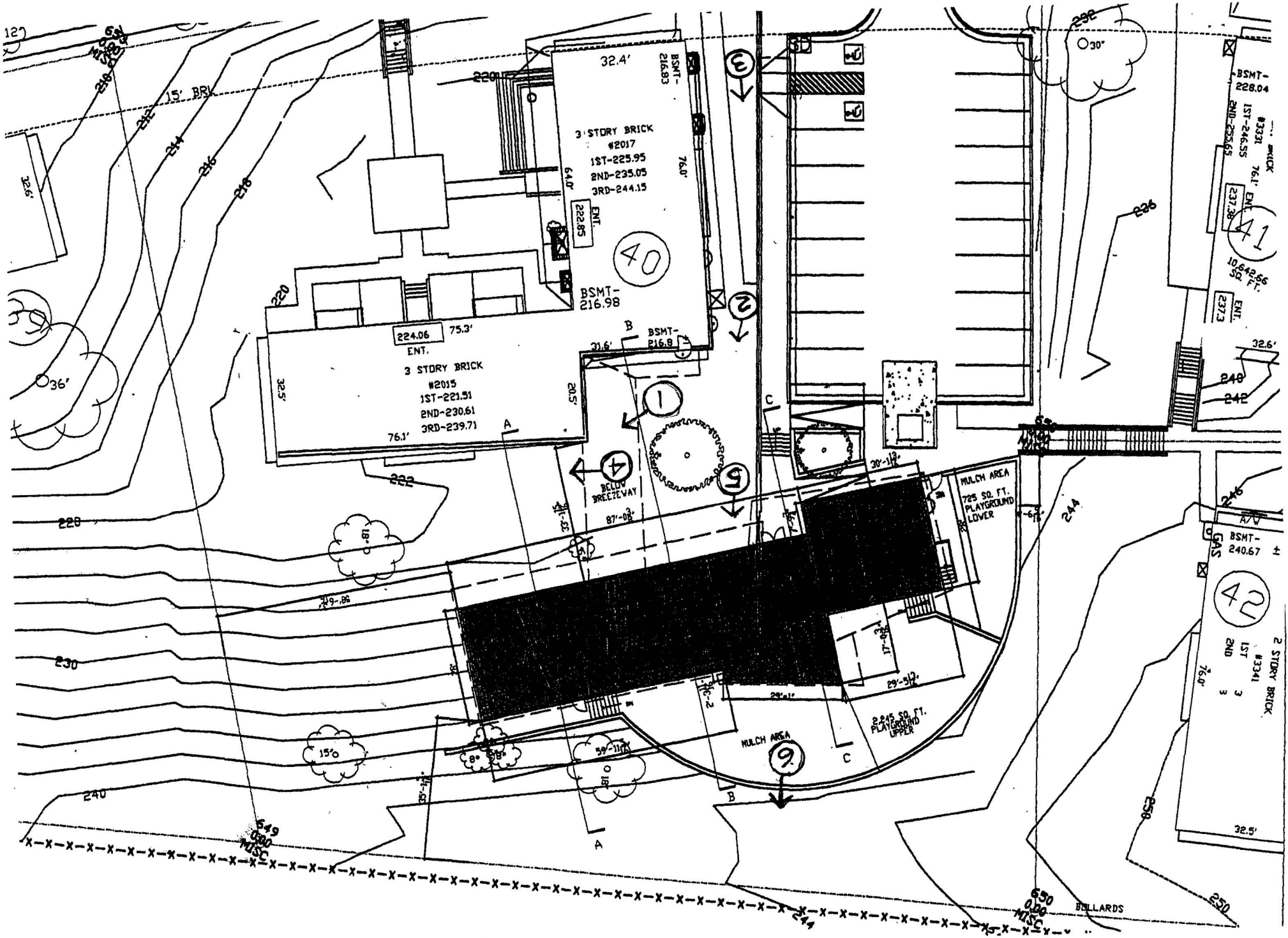
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Attachments
Aerial Photo
Photographs
Daycare Provider Use Agreement

AA/vr

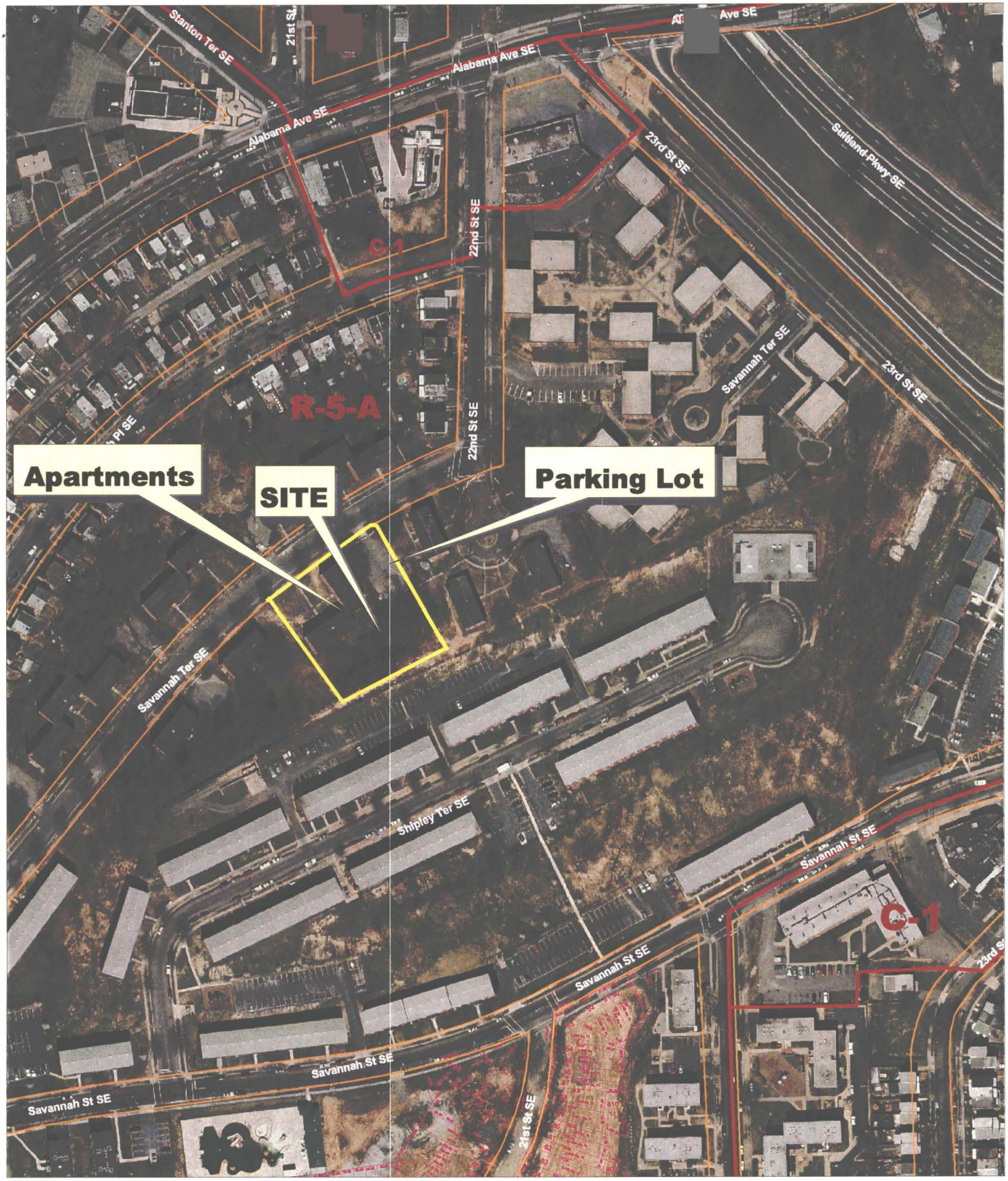

INV-214.06
INV-214.20
SMH RIM-220.28
15"INV-216.22
8"INV-213.45
15"INV-213.66
15"INV-215.83
CB-RIM-221.34
SILTED
12"
18"
CONC.
224
226
228
230
232
30"
SUPERVISED DAYCARE DROP-OFF
56'-0 3/4"
SD
32.4'
BSMT-216.83
79'-3 7/8"
76.0'
131.6
ORY BRICK
#2017
ST-225.95
ND-235.05
RD-244.15
40
T-
.98
B
BSMT-216.8 ±
DAYCARE PATIO
C
UP
30'-1 13/16"
OW
EWAY
LCH AREA
725 SQ. FT.



DAYCARE CENTER AT

ENLARGED SITE PLAN

DATE:



Feature Key

- Zoning Boundaries
- Square Index

Board of Zoning Adjustment
Application No. # 16902

DC Office of Planning
July 16, 2002

Scale 1:2438

25 0 25 50 75100 Feet

Attachment 1

SAVANNAH TR. SE