GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

2003 OCT 21 PM 3:09
D.C. ZONING COMMISSION

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman

DATE: October 28, 2003

SUBJECT: BZA Case 17065 - Special Exception Request

APPLICATION-IN-BRIEF

The application by GAP, Inc., requests, pursuant to 11 DCMR Section 3104.1, a special exception to continue a Child Development Center (R-1) as outlined in Section 205 of the Zoning Regulations.

The facility known as GAP Community Care Center is located at 3636 16th Street, N.W. The subject site is on Square 2624, Lot 831 and it is in the R-5-D District.

OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning recommends the subject application be approved

SITE AND AREA DESCRIPTION

The subject premises (The Woodner Apartments) are in the Mount Pleasant Neighborhood of Ward 1. Spring Place generally bounds the site to the north, Newton Street is to the south, 16th Street is to the east and 17th Street is to the west. The subject property slopes sharply on the west side towards Rock Creek Park. The Woodner is a high-rise, multi-family, residential apartment complex, which was constructed in 1951. There are 1,089 one-bedroom and efficiency apartment units in the building. There are also



Front view, looking west at the Woodner Apartment building.

BZA
Case No. 17065
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO. 17065
EXHIBIT NO. 37

other office uses in the building and a mini-mall on the ground floor, which includes a grocery store, a restaurant, a video rental store, and other retail uses. The GAP Community Child Care Center occupies approximately 6,000 square feet on the ground floor of the subject building. There is an underground parking garage for tenants of the building.

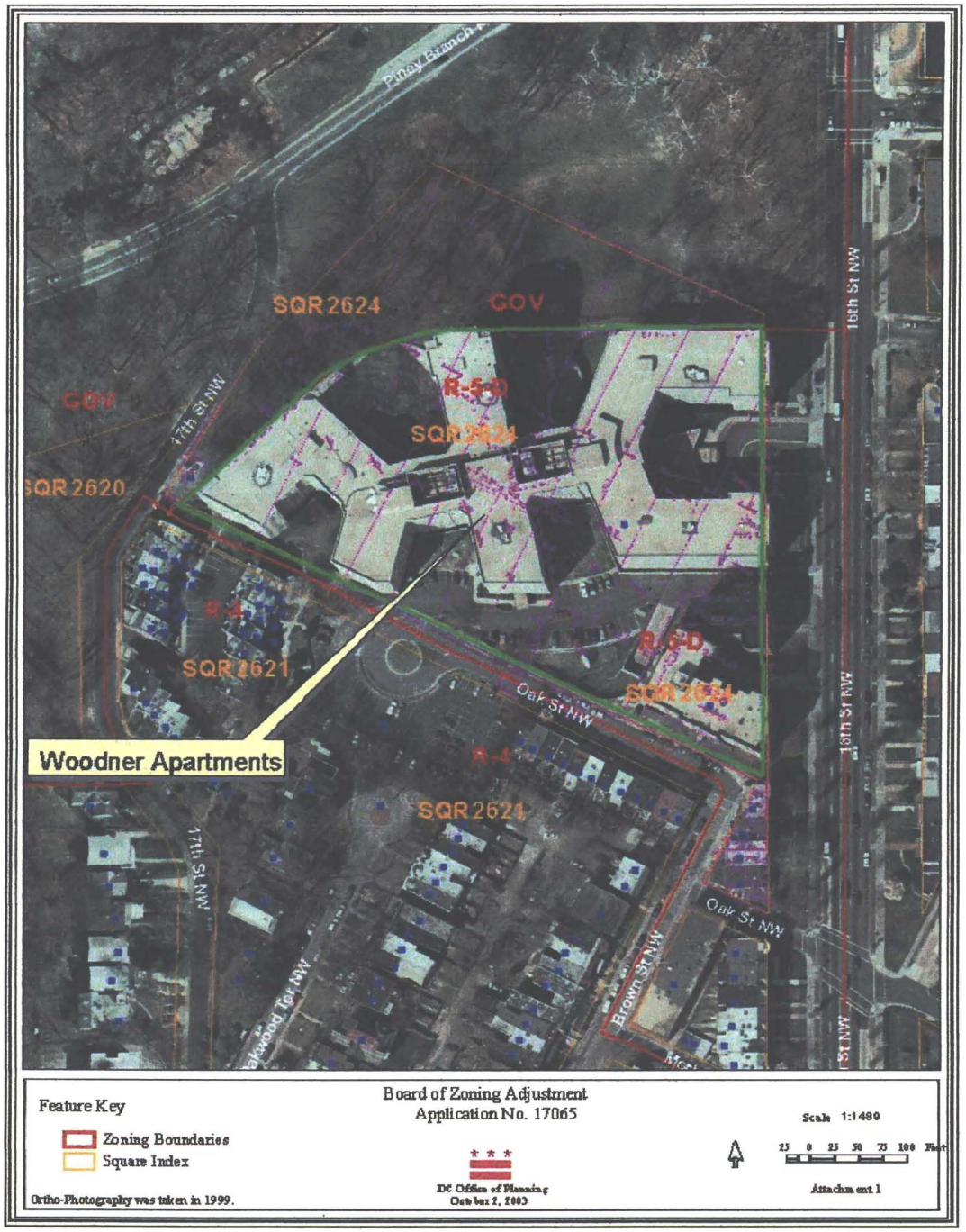
The Mount Pleasant neighborhood is a dense community of mixed uses. High and mid-rise multi-family buildings are generally located along the 16th Street Corridor, with predominantly single-family dwellings on both sides of the corridor. There are also a number of mid-rise apartment houses throughout the neighborhood. Commercial establishments in the neighborhood are mostly two blocks to the east of the subject site, along the 14th Street Corridor, and two blocks to the south, along Mount Pleasant Street. There are also recreation/open space areas, and institutional facilities location in the neighborhood.



Lobby entrance. GAP Childcare Center one floor down to 1st Floor



Mini -mall in the Woodner Apartment building.


Piney Branch Pkwy
SQR 2624
GOV
16th St NW
GOV
17th St NW
R-5-D
SQR 2624
SQR 2620
R-4
SQR 2621
R-5-D
SQR 2624
Oak St NW
Woodner Apartments
R-4
SQR 2621
17th St NW
Oak St NW
Brown St NW
Blewood Ter NW
16th St NW
Feature Key
Zoning Boundaries
Square Index
Ortho-Photography was taken in 1999.
Board of Zoning Adjustment
Application No. 17065
DC Office of Planning
October 2, 2003
Scale 1:1480
25 0 25 50 75 100 Feet
Attachment 1

BACKGROUND

Prior to 1991 a child development center operated at the site as a matter-of-right, accommodation 25 children. In 1994, the GAP Community Child Care Center sought and was granted by the Board a special exception to increase in the number of children to 75 and 17 full time staff. In 1996, the Board approved an increase in the number of children to 140.

APPLICANT'S PROPOSAL

The applicant proposes to continue operating a Child Development Center, which was previously approved by the Board (BZA Application No. 16153) in October 1996. The prior approval was for a maximum of 140 children ages six weeks to 14 years and 28 staff members. This application requests the same number of children and staff, and is necessary because the current Certificate of Occupancy and BZA approval will expire in October 2003.

ZONING ANALYSIS

Pursuant to 11 DCMR §3104.1 the applicant is requesting a special exception, under Section 205 to allow the continuation of a child development center in the R-5-D District. The R-5 Districts permits matter-of-right medium to high density development of general residential uses, including single-family dwellings, flats, and apartment buildings. A child development center is permitted in R-5-D Districts as a matter-of-right. A special exception is required to have over 25 children.

205 CHILD DEVELOPMENT CENTER (R-1)

201.1 Use as a child/elderly development center shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this chapter.

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

The subject center has a current license issued by the DC Department of Health, and a current Certificate of Occupancy, issued by the Department of Consumer and Regulatory Affairs. The center will continue to meet all applicable District of Columbia code and licensing requirements.

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

The GAP Community Child Care Center has been located in the Woodner Apartments since 1991. It is on the first floor, at the western-end of the building. The referenced area is completely removed from any vehicular traffic ways, and therefore, does not create any objectionable traffic conditions.

The underground parking garage is where some parents pick up and drop off children, and where visitors to the center and staff park. The availability of an underground parking garage reduces probability that parents picking up or dropping off children are in an unsafe environment. There are 10 designated parking spaces in the garage for use by the center. Children can also be picked up or dropped off at the main entrance of the building, which is on 16th Street. There is a semi- circular driveway at the front of the building, which is set back approximately 50 feet from 16th Street, thereby eliminating conflicts with traffic on 16th Street. This is the preferred location by parents for drop-off and pick-up. Parking is restricted in front of the building.



View of underground parking at the Woodner Apartment building.

Many of the children who come to the center live in the Woodner complex or reside in the surrounding Mount Pleasant Neighborhood and walk to the center. Some parents use Metro bus to get to and from the center. 16th Street is a major bus route and there is a bus stop conveniently located in front of the Woodner complex.

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

According to Chapter 21 of the Zoning Regulations, community development centers are required to provide one parking space for each four teachers or other employees. The subject child development centers employs 28 teachers and other support staff, and is therefore required to provide 7 parking spaces. The District Division of Transportation (DDOT) recommended that the applicant increase by 3 spaces the number of parking spaces designated for use by center. The applicant submitted the request to the building management and now there are a total of 10 parking spaces allocated for use by the center.



10 reserved parking spaces for the GAP Childcare Center

205.5 The center, including any outdoor play space provided, shall be located and designed so that there will be no objectionable impact on adjacent or nearby properties due to noise or activity, or other objectionable conditions.

The center is located and designed so that there will be no objectionable impact on adjacent or nearby properties, due to noise or other objectionable conditions. There is no vehicular traffic permitted in the vicinity of the center.

The GAP Community childcare center is located on the first floor near the western end of the building. The nearest neighbor is Rock Creek Park, which is west of the site and consists of undeveloped parkland, and therefore, not impacted by activities at the center. There are residential properties south of the complex, across Oak Streets, but these dwellings are far enough from the childcare center to be negatively impacted by noise or other activities at the subject center.

The play area is at the western-net of the complex, immediately adjacent to the rear of the center. The play area is secluded, enclosed by a high fence and monitored by security cameras. There is no vehicular traffic in proximity of the outside play area, and Rock Creek Park is the nearest neighboring property. The play area for the GAP Community Child Care Center is located so as to not result in the endangerment to the individuals in attendance at the center in traveling between the play area and the center itself.

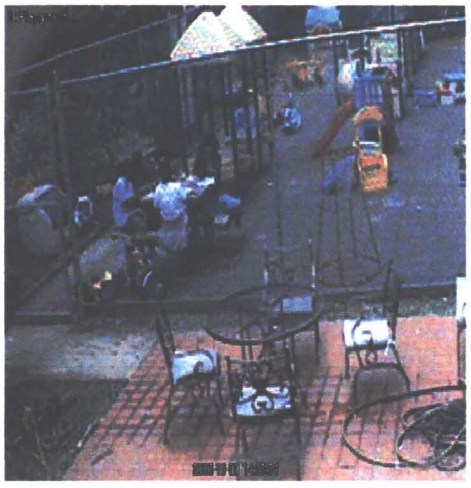
205.6 The Board may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements as it shall deem necessary to protect adjacent and nearby properties.

The Woodner Apartment complex is the only land use on Square 2624. There are adequate buffers, set backs and landscaping on the property to provide adequate protection for adjacent and nearby neighboring properties from negative impacts.

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

The children are not taken off-site to play, since playground is provided on-site.

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/elderly development center only when the Board finds that the cumulative effort of these facilities will not have adverse impact on the neighborhood due



Outside play area for students of the GAP Childcare Center

to traffic, noise, operations, or other similar factors.

The subject elderly development center is not within 1,000 feet of another child development center.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST?

Will the special exception be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

Yes. The requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The property is in the R-5-D District, in which a child development center that exceeds 25 children is permitted by special exception. As shown above, the proposal meets the requirements of Section 205.

Will the special exceptions tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps?

No. The special exception if granted by the Board, will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. The GAP Community Child Care Center is located on the first floor of the Woodner Apartment Complex, near the rear of the building. The nearest neighbor is Rock Creek Park, which is west of the site and consists of undeveloped parkland. Other residential properties in the vicinity of the subject building are far enough from the center (including the outdoors play area) not to be negatively impacted by noise or other activities at the subject center.

COMMUNITY COMMENTS

The application was presented to Advisory Neighborhood Commission (ANC) 1D, at its regular scheduled meeting, held on September 8, 2003. The ANC voted unanimously to support the application.

OP SUMMARY RECOMMENDATIONS

After reviewing the application submitted by the GAP Community Child Care Center, requesting a special exception to continue operating a child development center, in a R-5-D District, the Office of Planning recommends that the Board approve the application. OP finds that the applicant has satisfactorily met all the tests specified in Sections 3104.1, and 205.

The Office of Planning further recommends that Board approval be subject to the conditions of the previous application, with modifications to conditions 1 and 5. Condition 1) the applicant has operated at the subject location for over the past 12 years, and according to the General Manager of the Woodner Apartments there exist an excellent and solid business relationship between management and the applicant. There

have not been complaints filed against the applicant, nor are their negative impacts as a result of the childcare center being located in the building. Condition 5) The DDOT recommends that the applicant add 3 more parking to the 7 existing spaces. Woodner management has amended the parking lease agreement to reflect 10 designated parking spaces for the GAP Community Child Care Center.

1. **Approval shall be a period of ten years.**
2. The center was to serve a maximum of 140 children.
3. The number of employees should not exceed 28 persons.
4. The hours of operation should be from 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. **Ten parking spaces shall be provided in the on-site parking garage for the exclusive use of the GAP Community Child Care Center during its hours of operations.**