GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING
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Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: January 13, 2004

SUBJECT: BZA Application 17105
3150 Chesapeake Street, N.W.

APPLICATION
The Jenny Waelder Hall Center and the Capitol Memorial Church of Seventh Day Adventists are requesting a special exception to allow a child development center use in an existing church building on property located at 3150 Chesapeake Street, N.W. (Square 2263 Lot 836) pursuant to Sections 205 and 3104 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

SUMMARY RECOMMENDATION
The Office of Planning **recommends approval** of the special exception to allow a child development center with a maximum of twenty children and six teachers in the existing building.

SITE AND AREA DESCRIPTION
This subject property is a located between Chesapeake and Brandywine Streets one block east of Connecticut Avenue N.W. The lot is approximately 54,000 square feet in size. The church is accessed via Chesapeake Street by a one-way drive containing 56 parking spaces. Entrances to the building are on the east and west sides of the building.

The Church property and the surrounding neighborhood are zoned R-1-A. Along Connecticut Avenue to the west there are several high density residential uses zoned R-5-C and R-5-D. The neighborhood to the north, east, and south of the property consists exclusively of single-family homes. Section 205 of the Zoning Regulations allows Child/ Elderly Development Center uses in the R-1-A zoning district with BZA approval of a special exception.

This review indicates that the proposed uses would meet the bulk and height provisions of the Zoning Regulations, however a special exception is required for the proposed use.

BZA
Case No. 17105
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
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Figure 1: Aerial View

ANALYSIS

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."

The referenced Special Exception is subject to provisions under Section 205 for a Child Development Center use in R-4. Below is an analysis of the requirements of Section 205 based on the applicant's submissions and an OP site visit.

Compliance with Section 205

The requirements under this section include:

205.1 Use as a child/elderly development center shall be permitted in an R-I District if approved by the Board of Zoning Adjustment in accordance with the conditions specified in § 3104 of chapter 31 of this title, subject to the provisions of this section.

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

The application states that all applicable code and licensing requirements will be met.

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.

The loading and unloading for the church building are already located on the church drive and off of public right-of-way. There is ample space for stacking of cars waiting to load or unload. The limited enrollment of this program and the small number of teachers should not significantly affect neighborhood traffic flow.

No traffic study was submitted with the application and no report has been received from DDOT.

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

The requirement of the zoning ordinance for the proposed use is two spaces. The church currently has 56 parking spaces which are almost entirely unused during the week. This situation should comfortably accommodate all conceivable parking needs.

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.

There is sufficient space and/or screening between the church and the surrounding homes such that the use of the property will not be a problem. There is an existing adjacent playground that will be used by the center. OP has received no indication that the use of the existing playground has been of any concern to the neighborhood.

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 applicant has stated a willingness to work with the Board should any additional screening be necessary, however due to existing mature trees and the distance between the church and nearby homes OP does not recommend any additional screening.

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 Forest Hills Playground is located adjacent to the church and will pose no danger for students or teachers.

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 effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

Staff has not found approvals of or evidence of any other child development centers within 1000 feet.

Based on these findings, OP concludes that this application meets the requirements of §205.

COMMUNITY COMMENTS

The applicant has met with ANC 3F and informs OP that the ANC passed a resolution of "no objection" to the proposed use. As a result of this meeting and others the Applicant has agreed to the following conditions of approval:

1. The nursery school will operate Monday to Friday mornings from approximately 8:00 a.m. to 12:30 p.m., with a maximum enrollment of 16 children, 6 teachers, and 2 staff.

2. The parent-toddler groups will occur on Monday to Thursday afternoons and will have a maximum of 8 toddlers, 8 parents or caregivers, and 3 teachers. These groups will last for 90 minutes each and will occur between 1:00 p.m. and 4:00 p.m. There will be only one parent-toddler group per afternoon.

3. The Center will give admissions priority to children residing in the Forest Hills neighborhood, assuming such children meet all other criteria for admission. For this purpose, the neighborhood is defined as being the boundaries of Advisory Neighborhood Commission 3F.

4. A summer session of the nursery school, if offered, will be limited to an eight-week duration and will enroll no more than 12 children.

5. The Center will take no more than 12 children to the playground at any one time. Use of the playground will occur mid-morning, always under close supervision of staff. If any child demonstrates behavior on the playground that is deemed inappropriate by teachers, that child will be removed from the playground.

6. No more than four special events will take place in any year. Such events will only occur in the evening or on Sunday and will be scheduled to avoid coinciding with other events at the Church that are expected to attract significant numbers of visitors. Notice of

special events will ask attendees to park in the Church parking lot and will be forwarded to ANC 3F.

7. The Center will provide written traffic and parking instructions to parents, teachers, and staff, including instructions to enter the Church parking lot via the easternmost driveway from Chesapeake Street, to use the western entrance for drop-off and pick-up of children, and to park only in the Church parking lot. It will also encourage parents to avoid driving on the portion of Gates Road, N.W., between 30th and 31st Streets, N.W.

8. The Center will designate a neighborhood liaison for neighbors to contact to discuss any concerns about the Center's operations.

9. After six months of operation, the Center will offer to meet with ANC 3F or its designees and will offer to meet with this group every six months or as necessary, as determined by the participants. The Center will send an annual written statement of compliance with these conditions to ANC 3F, including information about the total number of enrollees, teachers and staff.

AGENCY COMMENTS

The DC Department of Health submitted a memo on November 14, 2003 recommending approval of the special exception for this application.

RECOMMENDATION

Based on the standards of Section 205, the Office of Planning is of the opinion that the proposed child development center will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map, and will not adversely affect the use of the neighboring properties. OP **recommends approval** of the special exception.

AA/tp