GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Director OP

DATE: July 19, 2005

SUBJECT: **BZA Application No. 17351**
2214 Naylor Road, S.E.

APPLICATION

This application filed by Little Angels Child Care Center, pursuant to 11DCMR 3104, requests a special exception to renew the recently expired approval for a child care center at this site for 75 children and 15 staff under § 205, in the R-2 District.

RECOMMENDATION IN BRIEF

The Office of Planning recommends **Approval** of the special exception application to renew the number of students and staff. OP further recommends the approval period be increased from five (5) years to seven (7) years.

SITE AND AREA DESCRIPTION

The Little Angels Child Care Center, Inc., is in the Little Rock Church of Deliverance, which is at 2214 Naylor Road, S.E., Square 5576, Lot 39. The site is in the Fairlawn Neighborhood of Ward 8. The subject property is on a triangular square bounded by Minnesota Avenue, 23rd Street, and Naylor Road. The property slopes from front to back.

The main church structure includes a sanctuary with a basement. It was constructed in 1941 of stone material. A three-story brick annex (including an extension of the basement) has been added to the rear of the church. The subject child development center is in the annex. There is adequate space within the church structure to accommodate the increased number of children and staff.

BZA
Case No. 17351
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO. 17351
EXHIBIT NO. 28

The Fairlawn Neighborhood is predominantly developed with residential use and in particular, row houses and garden apartments. There are also some low density semi-detached and detached housing in the neighborhood.

ZONING HISTORY

In 2000, the Little Angels Childcare Center was approved by the Board for a special exception under §205 to establish a child development center for a total of 75 children and 15 staff persons in an R-2 District at 2214 Naylor Road, S.E. (Application No. 16540, March 2000). There are six (6) conditions attached to the previously approved application.

1. Approval shall be for **Five (5) Years**.
2. The number of children shall not exceed **Seventy-Five (75),** ages 2 to12 years old.
3. The number of employees shall not exceed **Fifteen (15).**
4. The days and hours of operation shall be Monday through Friday, 6:00 a.m. to 6:00 p.m.
5. Thrash shall be moved, as appropriate.
6. Drop off and pick up shall be between the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., respectively.

Certificate of Occupancy records, however, indicate that despite this approval, the center has continued to operate below approved capacity with 30 children.

PROPOSAL

As the previous approval has now expired, the applicant is requesting renewal with all of the conditions remaining in effect, except condition 1 for which the applicant has requested in increase in the approval period from 5 to 7 years. The applicant proposes to operate the subject center with a maximum of seventy-five children and fifteen staff, as was previous approved.

The previously Board approval was for five (5) years and expired in March of 2005. Therefore, the applicant is seeking Board approval to continue operating the center at the same levels that were previously approved.

ZONING REQUIREMENTS

Any use or structure permitted in R-1 Districts under §§ 205 through 209, 211 through 221, and 223 shall be permitted as a special exception in the R-2 District if approved by the Board of Zoning Adjustment under § 3104.

ANALYSIS

Child development centers are permitted by special exception in the R-2 District, if they can meet the requirements in § 205 of the Zoning Regulations. Special Exception uses are considered compatible with the underlining uses in a particular zone district, but which must be reviewed by the Board of Zoning Adjustment to ensure that negative impacts do not occur.

205 Child/Elderly Development Centers

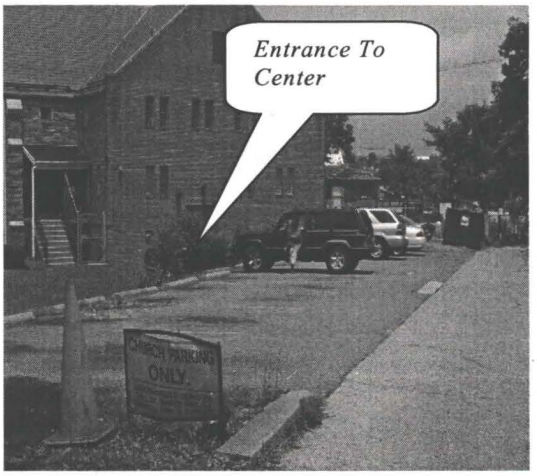
205.1 Use as a child/elderly development center shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

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

The Little Angels Child Care Center has operated with approval by the Department of Consumer and regulatory Affairs (DCRA) and the Department of Health, (DOH) Child and Residential Care Facilities Division, since the center opened in 2000.

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 or elderly persons.

The Naylor Road front of the subject property is a minor traffic arterial and would be unsafe for parents to drop off or pick up children. The applicant uses the on-site parking area and the adjacent alley on the east side of the facility for drop off/pick up activities, in order to ensure the safety of children. Parents can drop off children to staff or park and escort children into the center. OP referred the application to the District Division of Transportation for analysis.



Drop off/pick up Area

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

The applicant exceeds the number of required on-site parking spaces . § 2101.1 of the Zoning Regulations requires a child development center to provide one parking space for each four teachers and other employees. The center will have fifteen (15) staff persons. Accordingly, the applicant is responsible for providing four on-site parking spaces. There is a twelve-space parking lot on the east side of the property adjacent to the alley. Approximately six of the parking spaces are reserved for church officials. The remaining six spaces are available for use by center staff, parents and visitors. Most of the six church reserved parking spaces are generally unused during the hours the center is open.

The Bishop has granted the center permission to use the church reserved parking spaces, if needed. ***(See Above Photo of parking Lot)***

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

The play area is at the rear of the church, separated from Minnesota Avenue and 23rd Street by 15-foot alleys, but properties along those streets are not significantly impacted by sound generated when children are at play. The outside play area is approximately fifty –feet from the rear of structures to the north, and about seventy-five from structures to the east. The play area is fenced, and staff supervises the children while they are at play.



Northwest View of Play Area

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 center is located in a long established church building. The grounds are adequately landscaped. The parking lot could benefit from some general refurbishing, including the following:

- *The area of the trash dumpster should be clearly demarcated and striped;*
- *The pedestrian walkways should be striped;*
- *The six (6) parking spaces reserved for center use should be identified with signage;*
- *Parking blocks should be realigned and painted; and*
- *Divots in the parking lot surface should be repaired.*

(See Photo Page Three)

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 applicant also uses the playground at Benjamin G. Orr Elementary School located at 2200 Minnesota Avenue for outdoor recreation, less than two blocks from the center (refer to Context Map attached). Students have to cross Minnesota Avenue, which is a moderately busy traffic arterial to access the playground, although recreation periods are typically mid-morning and mid-afternoon, when traffic volumes are low. The center

The application will be presented to ANC 8A at its monthly meeting, to be held on July 14, 2005.

District Division of Transportation (DDOT)

DDOT will provide a separate report to the Board.

OP SUMMARY RECOMMENDATIONS

After reviewing the application submitted by the Little Angels Child Development Center, requesting a special exception to renew the approved number of children at an existing child development center, in the R-2 District, the Office of Planning recommends that the Board **approve** the application. The Office of Planning further recommends that the Board grant the request to increase the approval period to 7 years.

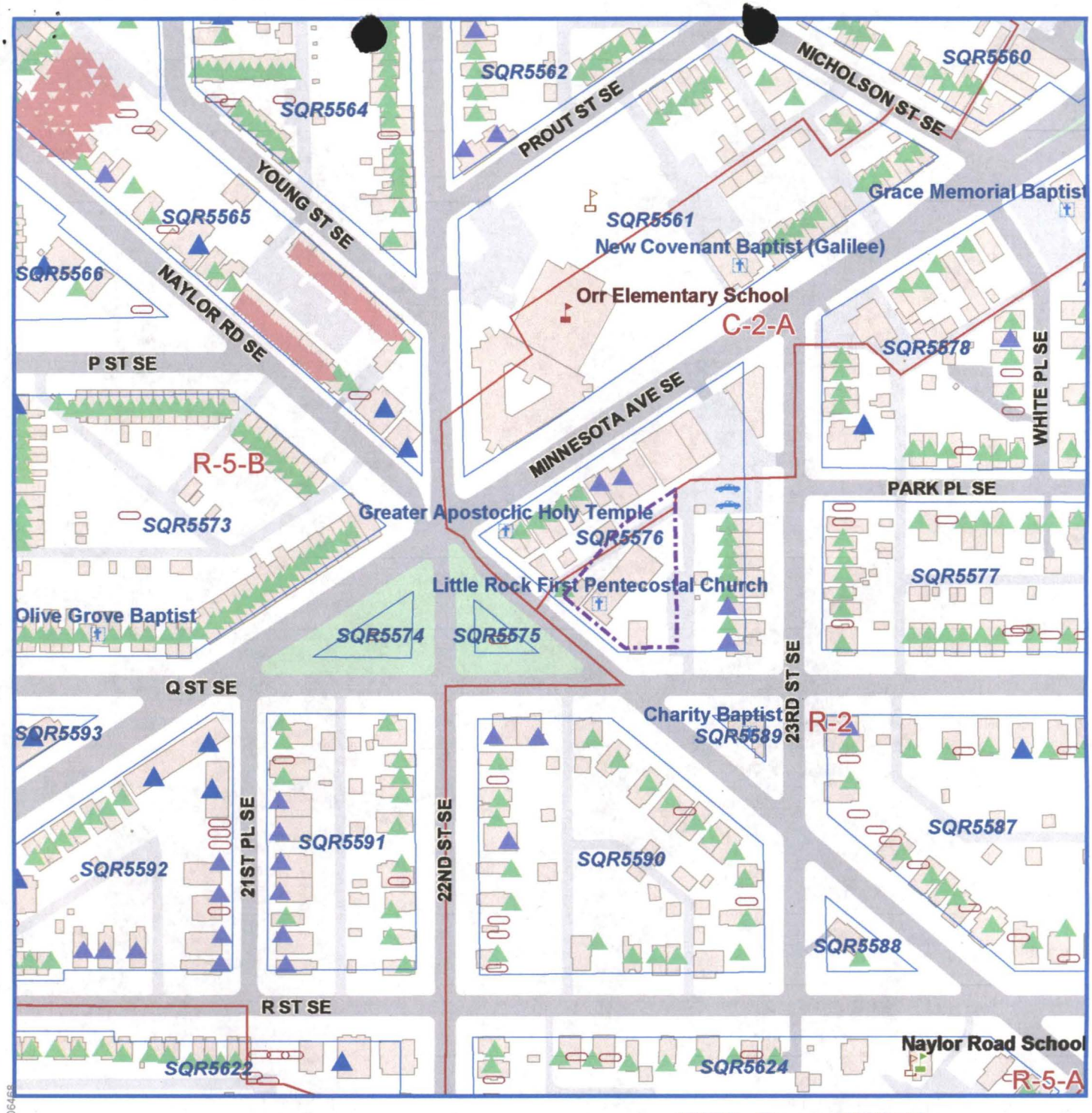


Aerial Oblique Photos
BZA Application # 17351

★ ★ ★ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ March 24, 2005

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It is neither a survey nor a legal document.
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Legend

- Zoning Districts
- Property Squares
- Places of Worship
- Public School
- SF Dwelling
- Res. Condo
- Multi-family
- Flat
- Parking Lot
- Educational
- Vacant

BZA Case 17351
Context Map

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Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ June, 2005

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