RECEIVED
D.C. OFFICE OF ZONING
2005 OCT 11 PM 3:47

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

MEMORANDUM

TO: District of Columbia
Board of Zoning Adjustment

FROM: Ellen McCarthy, Director

DATE: October 18, 2005

SUBJECT: **BZA Application No. 17368**
4300 16th Street, N.W.

APPLICATION

This application filed by the Grace Lutheran Church/ Amazing Life Games Preschool, pursuant to 11DCMR 3104, requests a special exception to establish a child development center for 30 preschoolers and 4 staff members under § 205, in the R-1-B District.

RECOMMENDATION IN BRIEF

The Office of Planning recommends **approval** of the special exception application subject to the following conditions:

- Approval shall be for **Seven (7) Years**.
- Enrollment shall not exceed thirty children ages 2 ½ to 5 years.
- The center shall have a maximum of four (4) staff.
- The days and hours of operation shall be Monday through Friday, 800 A.M to
- 6:00 P.M.

SITE AND AREA DESCRIPTION

The Amazing Life Games Preschool is in the Grace Lutheran Church, located at 4300 16th Street, N.W., Square 2646, Lot 807. The subject site is on the west side of 16th Street, between Varnum Street, N. W, and. Webster Street. The site is in the Crestwood Neighborhood of Ward 4.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17368
EXHIBIT NO. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17368
EXHIBIT NO. 24

The host church has a 10-space parking lot located on the west side of the structure, adjacent to a 20-foot north south public alley. The lot is accessible from either Webster or Varnum Streets. The child development center has been granted full use of the parking lot, during its days and hours of operations. The nearest commercial uses are three blocks to the east at 14th Street and Allison Street. The west side of the subject Square is developed with semi-detached and row dwellings.

PROPOSAL

The applicant proposes to operate a child development center for thirty preschoolers ages 2 ½ to 5 years with 4 staff. The center is located in the first floor Fellowship Hall of the Grace Lutheran Church located at 4300 16th Street, N.W.

Children arrive at the center between 8:45 A.M and 9:00 A.M. From 9: A.M and participate in morning activities. The children accompanied by a minimum of three staff members walk three blocks to the Upshur Street Recreation Center for playtime. The group leaves the recreation center by 11:30 A.M., and returns to the center for lunch. The early pick up time is between 12:45 and 1:15 P.M. At 3: P.M., all but one of children are picked up. The remaining one child (accompanied by a staff member) stays until 6: P.M.

BACKGROUND

The applicant has operated a pre-school program in the District since 1972, formerly leasing space in a church at 16th and Taylor Streets, N.W. The center later moved to 1844 Mintwood Place, N. W. In January 2004, the applicant purchased a detached dwelling at 1309 Farragut Street, N.W., with the intention of relocating the child development center. The applicant applied to the Board of Zoning Adjustment (Application N0. 17163) to be allowed to operate the childcare center from the Farragut Street location. In June of 2004, the Board denied the application due to traffic, parking and neighborhood impact issues. The center now has a temporary agreement with the Grace Lutheran Church to operate the center out of the first floor Fellowship Hall, pending approval by the BZA.

ANALYSIS

The R-1 District permits a church as a matter-of-right. A child development center in a church is permitted by special exception in the R-1-B, per Section 205 if approved by the BZA. The on-site parking requirements are one space for each four employees as per § 2101.1.

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 Amazing Life Games Preschool has been licensed to operate a child development center in the District since 1972. The new center must be capable of meeting all licensing requirements of the Department of Consumer and regulatory Affairs (DCRA) and the Department of Health, (DOH) Child and Residential Care Facilities

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 drop off and pick up location for the subject center is a 10-space parking lot on the west side of the church, accessible from Webster or Varnum Streets, by way of a 20-foot north south alley. The child development center will have full use of the parking lot during its hours of operations. Therefore, center vehicular traffic will not have to use 16th Street (a major traffic arterial) or Varnum Streets for drop off and pick up, which would create unsafe and objectionable traffic conditions for picking up or dropping off children.

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

Section 2101.1 of the Zoning Regulations requires a child development center to provide one off-street parking space for each four teachers and other employees. The subject center will have four (4) staff persons. Therefore, the center is required to provide one off-street parking space. The applicant has been granted full use of the adjoining 10-space parking lot during its hours of operations.

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 first floor of the Grace Lutheran Church is the primary location of activities for the child development center. With the exception of a small internal court yard, no outdoor play area is provided on-site. The nearest neighboring property to the center is a single-family dwelling at 1603 Varnum across a 20-foot public alley. It is not likely there will be objectionable impact on the adjacent dwelling, as a result of noise or other activities at the center, because the sound generated by the center will be contained within the structure.

Children (under the supervision of at least three staff members and one parent volunteer) walk approximately three blocks to the Upshur Street Recreation Center at 14th Street and Arkansas Avenue for outside play activities. The recreation center is on Square 2820, which is fenced in and developed entirely with public facilities.

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 Grace Lutheran Church is a well-established religious institution with stone architecture of the early 20th century. The grounds are well landscaped and maintained with a sign on the 16th Street side of the structure. The applicant requests permission from the church to place an additional sign on the door of the Amazing Life Games Preschool. The new sign will be 2 feet by 4 feet.

The applicant agreed to the following special treatments:

1) Three parking spaces on the parking lot shall be reserved for exclusive use by the staff and visitors of the Amazing Grace Preschool during the hour's operations. The spaces shall be clearly marked.

2) The trash dumpster at the south end of the parking lot shall be reoriented to a 45 degree angle off the alley for easy pick up by the hauler. Further, the dumpster area shall be clearly demarcated to differentiate it from parking spaces.

3) Divots and cracks in the parking lot surface shall be repaired.

4) The Parking lot shall be re- striped.

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 site of the play area is the Upshur Street Recreation Center, located at the corner of 14th and Arkansas Avenue. Recreation period is mid-morning from 10: A.M. to 11:30 A.M, when traffic volumes are the lowest. The children accompanied by at least three staff members walk approximately three blocks to the playground. There are traffic control signal and marked crosswalks at 16th Street and Upshur Street and 14th Street and Upshur Street, the two major intersections the group must cross to access the play ground. The trip can be made without endangerment to children or staff attendance in traveling between the play area and the center itself.

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

According to the Department of Health (DOH) Child and Residential Care Facilities Division, there are no other child development centers on Square 2646, or within 1,000 feet of the subject center. DOH believes there is a demand for more childcare services in the Crestwood community.

205.9 Before taking final action on an application for use as a child/elderly development center, the Board shall submit the application to the Department of Transportation and Human Services, the D.C. Office on Aging and the D.C. Office of Planning for review and written reports.

The Office of Planning referred the application to the District Department of Transportation for comments.

205.10 Referral to the D.C, Department of Human Services shall request advice as to whether the proposed center can meet all the licenses requirements set forth in the applicable lams of the District t of Columbia.

The Department of Health (DOH) Child and Residential Care Facilities Division has filed a report with the Board of Zoning Adjustment in support of the application.

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 Map?

Special exception uses are uses deemed compatible with the underlining uses in a particular zone district, but which the Board must review for impact on neighboring properties. Child development centers are permitted by special exception in the R-1-B District, if they can meet the requirements in Section 205 of the Zoning Regulations. It has been demonstrated above the subject child development center is in harmony with the purpose and intent of the Zoning Regulations and Map.

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

The requested special exception is a necessary component to improving the quality of life in the Crestwood community. According to DOH, Child and Residential Care Facilities Division, there is a demand in the subject community for childcare services. The subject child development center already exists in the host church and it has the support of residents and ANC 4A. As demonstrated above, the center will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map.

COMMUNITY/AGENCY COMMENTS

At its regular scheduled meeting held on August 16, 2005, Advisory Neighborhood Commission 4A passed a motion in support of the subject application.

District Department of Transportation (DDOT) will provide comments to OP by 10/4/05.

DDOT will provide comments to OP.

RECOMMENDATIONS

After reviewing the application submitted by the Amazing Life Games Preschool, requesting a special exception for a child development center with 30 preschools and four staff in the R-1-B District, the Office of Planning recommends that the Board **approve** the application. OP further recommends approval of the application includes the following conditions and special exceptions:

Conditions

- Approval shall be for **Seven (5) Years**.
- Enrollment shall not exceed thirty children ages 2 ½ to 5 years.
- The center shall have a maximum of four (4) staff.
  The days and hours of operation shall be Monday through Friday, 8:00 A.M., to 6:00 P.M.

Special Treatments

- Three parking spaces on the parking lot shall be reserved for exclusive use by the staff and visitors of the Amazing Grace Preschool during the hour's operations. (Monday through Friday, 6:00 A.M., to 6:00 P.M.) The spaces shall be clearly marked.
- The trash dumpster at the south end of the parking lot shall be reoriented to a 45 degree angle off the alley for easy pick up by the hauler. Further, the dumpster area shall be clearly demarcated to differentiate it from parking spaces.
- Divots and cracks in the parking lot surface shall be repaired.
- Parking lot shall be re- striped.
- Abandon vehicles left on the parking lot shall be expeditiously removed.



Aerial Oblique Photos
BZA Application # 17368

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

Office of Planning ~ September 21, 2005

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate. Oblique imagery ©2003 Pictometry International



Zoning and Land Use Map
BZA 17368
4300 16th ST, NW

Feet
0 100 200 300

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

Office of Planning ~ September 22, 2005

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.
Oblique imagery ©2003 Pictometry International

Land Use Legend

- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Resid. Mixed Use
- Multi-family
- Multi-Resid. Garage
- Hotel - Small
- Hotel - Large
- Club
- Resid. Transient
- Store
- Restaurant
- Office
- Vehicle Service Station
- Parking - Special Purpose
- Warehouse
- Religious
- Educational
- Embassy or Chancery
- Museum, Library, Gallery
- Recreational
- Health Care Facility
- Memorial
- Special Purpose
- Vacant
- Property Squares
- Property Squares
- Major Roads
- Zoning Districts
- Buildings w/out Firewalls
- Zoning Districts

Attachment 1



Aerial Oblique Photos
BZA Application # 17368
Proximity of Child Development Center to Recreation Center

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

Office of Planning ~ September 30, 2005

This map was created for planning
Purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.
Oblique imagery ©2003 Micrometry International