GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: District of Columbia
Board of Zoning Adjustment

FROM: JLS for
Ellen McCarthy, Director

DATE: October 25, 2005

SUBJECT: **BZA Application No. 17373**
2017 Savannah Terrace, S.E.

APPLICATION

This application filed by Douglas Knoll Cooperative LP, pursuant to 11DCMR 3104, requests a special exception to allow a child development center (90 children and 20 staff) under § 205, and pursuant to 11 DCMR § 3103.2, for a variance from the off-street parking requirements under § 2101, in the R-5-A District.

RECOMMENDATION IN BRIEF

The Office of Planning (OP) recommends approval of the requested special exception to operate a child development center for 90 children and 20 staff, and a variance request for relief from the on-site parking requirements. Approval shall be subject to the conditions identified in the Proposal Section of this Report.

SITE AND AREA DESCRIPTION

The Child Development Center at Douglas Knolls will be located at 2017 Savannah Terrace, S.E., Square 5894, Lot 40. The site is near the intersection of 22nd Street and Savannah Terrace. Alabama Avenue is two blocks to the north, Southern Avenue is two blocks to the south, Suitland Parkway is within two blocks to the east and 21st Street is to the west. There are multi-family apartment building and semi-detached dwellings to the east and south, and small retail shopping centers at the corners of 22nd Street and Alabama Avenue at 23rd Street and Shipley Terrace.

The area around the subject property slopes sharply to the southeast downward from Alabama Avenue. The subject area can be characterized as containing a number of hills

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and valleys. Savannah Terrace runs east-west along one of the valleys and slopes in a southeast direction. The subject site fronts on Savannah Terrace and is developed with a series of eleven multi-family buildings.

ZONING HISTORY

The Board previously approved an application (BZA 16540) in September 2002. The previous approval expired when the applicant did not start the building within two years of Board approval. The applicant agreed to the following conditions in the previous application. OP recommends the conditions be reinstated. The conditions are:

- Approval shall be for a period of **Seven** (7) years.
- The number of staff shall not exceed 20.
- The age of the children shall be 6 weeks to 12 years.
- There shall be no more than 90 children enrolled in the center.
- The play area shall be located immediately adjacent to the center.
- The center shall operate Monday through Friday, from 7:00 AM and 6:00 PM.
- Trash removal shall take place at least two times a week.
- The center shall schedule delivery of materials and other goods during non peak hours.
- Three (3) parking spaces shall be dedicated on the 22nd Street cul-de-sac nearest to the center for drop-off and pick-up between 7:00 AM and 9:00 AM and 4:30 PM and 6:00.
- The facility shall mitigate area parking problems by hiring local personnel and by encouraging the use of public transportation by staff.
- The center shall contact DDOT's Curb Side management Division for guidance on traffic signage before opening the center.
- The operator of the center shall institute a procedure whereby an adult shall escort children between the drop-off point and the building.
- The center shall provide appropriate night lighting for pedestrians.

PROPOSAL

The applicant proposes to construct a child development center on the subject site. The proposed child development center will be in a new building that will be attached to one of the existing apartment buildings on the property. The center will serve 90 children with a break-down of age groups as follows: 17 infants; 16 toddlers; 32 preschoolers; and 25 school-age children. The center will serve working parents who qualify for DC child care subsidy as well as families able to pay full tuition. Slots may also be purchased be employers.

ZONING REQUIREMENTS

The subject site is in the R-5-A District and a child development center is allowed by special exception under §205.

ANALYSIS

The applicant proposes to build a child development center on the subject site mainly for the residents of the property and the nearby communities. The 1950's, 18-building apartment complex which contained 200 one and two bedrooms units, has been redeveloped with 11 three story buildings with two and three bedroom units. A key component of the redevelopment initiative was to be a child development center attached to one of the apartment building. With the exception of the proposed child development center, the project has been completed.

The proposed new building will be dedicated exclusively for the child development center. The applicant also plans to use the basement in an adjacent building for after school programs.

Topography of the site

The area around the site of the proposed child development center consists of steep hills and valleys, and there are mature trees at the edge of the property, as well as on the rear slope. Some of the trees will serve as natural buffers for the child development. When the center is constructed, the site should be graded in a manner that will preserve as many of the trees as possible. Because the site is sharply sloped there are issues of run off and storm water management that the applicant must address. The applicant proposes to construct a retaining wall around the perimeter of the center.

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.***

The subject site is in the R-5-A District. Section 205 of the Zoning Regulations which allows a child development center, if approved by the Board of Zoning Adjustment and subject to the following standards and requirements:

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

Licenses for such uses 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 Daycare Association (Association) to operate the facility. The Association

is a non-profit organization whose sole function is to establish and operate child development centers. The Association is among the largest non-profit direct child care service providers in the District of Columbia. The Association is responsible for securing all necessary licenses and permits. All requirements must be met before a license can be obtained.

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 proposed childcare center will be situated away from the Savannah Terrace on the edge of the apartment complex. The applicant anticipates that a majority of the children attending the center will come from within the complex or the surrounding community and will most likely walk to the center.

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

The applicant proposes to build appropriate walkways and ramps to connect the center to the existing system of sidewalks on the property. There will be two sidewalks that will begin at Savannah Terrace and run between the parking lot and apartment building leading directly to the center. The sidewalks are being provided to accommodate a mostly walking population. The upper sidewalk will be 131 feet long and lead to the front door. The lower sidewalk will be 79 feet and will lead to the second floor.

The center will operate Monday through Friday from 6:30 A.M. to 7:P.M., year round. It appears that the rush hour and drop-off times would overlap and could cause traffic problems if more parents than anticipated drive their children to the center. OP has referred the application to DDOT for analysis and comments.

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

Chapter 2101 of the Zoning Regulations requires the applicant to provide one off-street parking space for every four teachers and other employees. In this case, the applicant is required to provide 5 parking spaces. The applicant is unable to provide the required spaces because of the unusual hilly topography of the site. There is an existing 19 space parking lot for tenants of the complex, near the location of the proposed center, but the lot cannot be extended because of the site topography and the configuration of the new building. According to the applicant, the availability of on-street parking, the use of public transportation and hiring staff from the local community will minimize the effects on the neighborhood and be sufficient to meet their parking needs. There are some on-street parking opportunities in the area of the center, but it is not likely that parents and visitors will use public transportation to reach the center. The nearest bus stop is on Alabama Avenue, which is two blocks away.

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.

There could be some minimal impact to residents living in buildings in close proximity to the location of the center, because of noise and other activities by the children. However, the impact should not rise to a level of concern during most of the hours the center will be open. The proposed center will be located near the eastern edge of a 182 unit apartment complex. The majority of the center building will face a parking lot which will serve as a buffer between the center and the rental office. The wooded slope to the rear of the center will serve as a buffer between the center and apartment buildings on the other side of the wooded area. The applicant will build retaining walls along the perimeter of the center. The adjacent apartment building will be connected to the center by a 35 foot breezeway.

There will be two outdoor play areas adjacent to the site, which will be directly accessible from the center. The play areas will be located away from other apartment buildings, thereby reducing impact due to noise and any other objectionable conditions. The lower play area will be 745 square feet and the upper area will be 2,245 square feet. 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.

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.

It appears that the proposed child development center will have minimal impact on adjacent properties, and therefore OP does not believe the Board needs to impose additional special treatments.

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.

There are no off-site play areas that participants of the subject center will use. The center will have after school programs in the building adjacent to the center. Since that 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. OP is concerned that the site is within close proximity to a parking lot.

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, there are no other child development centers located within 1,000 feet of or within the subject square.

The Office of Planning finds that the applicant has satisfactorily met all the tests specified in § 205 and concluded the application 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.

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 purposed 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 designated 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 constructions of those institutions 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 childcare facilities is cited in the Comprehensive Plan as a recommended action in support of the human service 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 childcare needs of residents. However, the absence of a separate drop-off and pick-up location for the daycare and the request for no parking for employees could result in a conflict in the pattern of residential and daycare properties.

Section 3103

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

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 topography of the site presents a unique circumstance to creating new parking spaces to meet the parking requirement of the proposed center. The site is presently developed with a three story apartment building and a 19 space parking lot located near Savannah Terrace. Since the street is at the low point on the site, the slope on the property becomes more pronounced and hilly as one move away from the street. The current parking lot cannot be extended towards the rear of the site because the footprint of the new building will consume most of the area beyond the parking lot. The location of the center on the subject lot was selected because it is the only site in a central location on the property with a large enough area to accommodate a new building.

> **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 not possible due to the steep topography of the site. This presents an exceptional practical difficulty to the applicant to meet the off-street parking requirements.

> **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 staff.

COMMUNITY COMMENTS

The applicant proposes to present the project to ANC 8B at its October meeting. The applicant has been advised by OP to revisit the ANC at the earliest possible date.

District Division of Transportation (DDOT)

DDOT has approved the applicant's plan to have drop-off and pick-up of children attending the center in the cul-de-sac on 22nd Street. The applicant proposes to submit an application to DDOT reserve three parking on the cul-de-sac closest to the proposed center weekdays during the hours of 7:00 a.m. and 9:00 a.m. and from 4:30 p.m. to 6:00 p.m. The applicant will also provide designated handicapped parking in the parking lot adjacent to the center and will build a ramp to the entrance of the center.

OP SUMMARY RECOMMENDATIONS

The proposed special exception for the child development center will be an asset to the community, as it will provide a critical service to parents in the community with young children.

The application 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 thee steep slope of the site presents a practical difficulty to meet the parking requirements. OP recommends the application be approved.

EMcC/jm