

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM:  Jenifer Steingasser, Deputy Director
Historic Preservation and Development Review

DATE: June 17, 2008

SUBJECT: BZA Application No. 17772
4605 Kane Place, N.E.
(Square 5154 and Lot 901)

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APPLICATION

This application filed by Bishop George F. Haskins, Jr. requests special exception relief pursuant to 11 DCMR 3104.1, Sections 302.1 and 205 of the Zoning Regulations, to establish a child development center for 15 children and 3 staff at 4605 Kane Place, N.E. The site is in the R-2 District.

RECOMMENDATION IN BRIEF

The application meets the standards of §§302.1 and 205. Therefore, OP recommends approval, on condition of the following:

1. Approval shall be for a period of **five** (5) years.
2. The hours of operations shall be weekdays from 6am to 6pm.
3. The student enrollment shall not exceed **fifteen** (15), ranging in age from 6 months to 12 years.
4. The center shall be operated by **three** (3) full time staff.
5. Drop off of students shall take place at the front of the center, from 6am to 9am, and pick up from 3pm to 6pm.

SITE AND AREA DESCRIPTION

The subject property is in the Deanwood Neighborhood of Ward 7. The site fronts on the south side of the block near the intersection with 46th Street, N. E. Sheriff Road (a principal transportation arterial) is one block to the south.

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EXHIBIT NO. 28

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EXHIBIT NO.28

The property is a 9,912 square foot lot, which is improved with a two-story detached residential structure with basement. The rear yard is enclosed with a six-foot high wooden fence, which provides a sizable secluded outdoor recreation area for the children that attend the center. There are vacant lots on both sides of the subject site. There is an unimproved alley at the rear of the subject property. (See Exhibit – South View – 4605 Kane Place, NE)

PROPOSAL

The applicant proposes to establish a child development center for 15 children and 3 staff at the subject site. The center would serve children between the ages 6 months to 12 years.

COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map depicts the subject area in the Low Density Residential Land Use Category. Single-family attached and detached housing is the predominant use. The Comprehensive Plan Policies in support of Public Action Objective in Section 209.2 (k) recommends:

CSF-2.2 Child Care and Early Childhood Development Centers 1107

“Waiting lists for child care in the District reflect a growing demand for services that support parent employment and job productivity, and provide safe learning environments for children.”

Policy CSF-2.2.1: Adequate Child Care Facilities

Allow new and expanded child care facilities in all residential, commercial, and mixed use areas and in community facilities in an effort to provide adequate affordable childcare facilities throughout the District. Locations should be accessible to public transit.”

ANALYSIS

ZONING REQUIREMENTS

In the R-2 District, a child development center is permitted as a special exception. Special exception uses are uses 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, and are subject to the following provisions as outlined below.

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

The subject child development center would be capable of meeting all applicable District of Columbia code and licensing requirements. The applicant currently operates another licensed child development center in the District, and is experienced with respect to code and license 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 drop-off area would be on Kane Place, which is a minor traffic route that is mostly used by local residents. The general traffic flow in the community would not be affected by traffic directed to the center, because a majority of the children that would attend live within walking distance and would not need to be transported by car. Children would also access the center via Metro Bus, or the Deanwood Metro Rail Station. Because of light traffic flow on the subject block, children can be safely dropped off and picked up in front of the subject site.

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 1 parking space for each 4 teachers and other employees. The subject school has 3 employees and therefore, should provide one off-street parking. However, the applicant would provide 2 on-site parking spaces on the west side of the lot. The parking area would be constructed at the rear of the property. Access to the parking spaces would be via a 14 foot drive aisle from Kane Place on the west side of the lot. The parking area would be constructed according to DDOT standards.

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

There are adequate buffers between the location of the proposed play area and the nearest neighboring property to minimize objectionable impact due to noise or activity, or other objectionable conditions. The applicant proposes to provide a 30' x 35' play area on the east side of the rear yard. There is a 6-foot high wooden fence along the rear of the property and on the east property line. The fence would buffer some of the sound generated by children at play. The subject lot is 60 feet wide at the front and almost 83 feet in width at the rear, where it intersects with an unimproved public alley. Both of the adjoining lots are vacant and at least 40 feet in width. The vacant lots provide an adequate distance between the proposed play area and single-family detached dwellings that are beyond the vacant properties.

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.

OP does not recommend any additional special treatment in the way of design, screening of buildings planting and parking areas. The proposed child development center would be designed and screened in a manner that minimizes negative impact on adjacent nearby properties, while providing a safe environment for children.

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 outside play for the subject child development center will be on-site in the rear yard.

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 adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

There is no other child development center on the same square or within 1,000 feet of the subject property.

Pursuant to authority contained in the Zoning Act, the Board is authorized to grant special exceptions, as provided in this title, 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.

If the Board were to grant the requested special exception, it would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. Child development centers are a permitted by special exception in the R-2 District, if approved by the Board. The subject center would be consistent with the intent of the Zoning Regulations and Zoning Map, and a child development center is a compatible use for a low density single-family neighborhoods.

COMMUNITY COMMENTS

The project was presented to ANC 7C on November 7, 2007. The ANC voted unanimously to support the special exception application.

OP SUMMARY RECOMMENDATIONS

After reviewing the submitted application, the Office of Planning finds that the applicant has satisfactorily met all the tests specified in Section 3104.1, for special exception s under 302.1 and 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. The application is also consistent with key elements of the Comprehensive Plan.

OP therefore recommends approval of the proposal, subject to the following:

1. Approval shall be for a period of **five** (5) years.
2. The hours of operations shall be weekdays from 6am to 6pm.
3. The student enrollment shall not exceed **fifteen** (15), ranging in age from 6 months to 12 years.
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