

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Jonathan Kirschenbaum, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: August 31, 2018

SUBJECT: BZA Case 19816 – 2416 Wisconsin Avenue, NW to permit a child care use (“KinderCare”) in an existing commercial building.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Use of an existing commercial building for a daytime care use, Subtitle U § 203.1(g), pursuant to Subtitle X § 900 (commercial office use existing; child care use proposed).

This approval is based on compliance with the District Department of Transportation’s (DDOT) conditions listed in Exhibit 38 for a facility serving up to 128 students ages one to five with 26 staff members, subject to Office of the State Superintendent of Education (OSSE) review and approval.

II. LOCATION AND SITE DESCRIPTION

Address	2461 Wisconsin Avenue, NW
Applicant	InSite Real Estate Investment Properties L.L.C.
Legal Description	Square 1299, Lot 959
Ward, ANC	3/3B
Zone	R-12 – Naval Observatory Residential House Zone
Lot Characteristics	Triangularly-shaped corner lot measuring 72 feet in width, and between 203 feet and 223 feet in depth. The lot is bounded by Wisconsin Avenue, NW to the west, Calvert Street, NW to the north, and Guy Mason Recreation Center to the south.
Existing Development	Commercial office building.
Adjacent Properties	Public park land.
Surrounding Neighborhood Character	The surrounding neighborhood character is medium-density apartment buildings, moderate density commercial and retail uses, and park land.
Proposed Development	The applicant proposes to repurpose an existing two-story (plus cellar) commercial office building for a proposed child care use. The subject property was formerly used as the headquarters of the International Union of Operating Engineers. The existing building has a height of 22 feet, and approximately 12,000 of gross floor

	<p>area (GFA). A surface parking lot exists in the rear of the building, with six zoning compliant parking stalls, and one non-zoning compliant parking stall. The applicant proposes to renovate the interior of the building but does not propose any changes to the building's existing envelope. The operator of the child care center would be KinderCare and would be licensed through the Office of the State Superintendent of Education. The facility would serve up to 128 students ages one to five, and would include 26 staff members. The hours of operation would be 7:00 AM to 6:00 PM Monday through Friday.</p>
--	---

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-12 Zone	Regulation	Existing¹	Proposed	Relief
Height (ft.) D § 703	40 ft. max./3 stories	22 ft.	No change	None required
Lot Width (ft.) D § 702	50 ft. min.	40 ft.		
Lot Area (sq. ft.) D § 702	5,000 sq. ft. min.	7,237 sq. ft.		
Lot Occupancy D § 704	40% max.	Not provided by applicant		
Rear Yard (ft.) D § 306	25 ft. min.	133 ft.		
Front Setback (ft.) D § 705	Setback must be in range of existing front setbacks	Not provided by applicant		
Side Yard (ft.) D § 707	8 ft. min.	Not provided by applicant		
Parking C § 701	0.5 parking space per 1,000 sq. ft.	6 parking spaces		
Use C § 203	Daytime care use permitted by special exception	n/a	Daytime care facility	Special exception requested

IV. OFFICE OF PLANNING ANALYSIS

Special Exception Relief from Subtitle U § 203.1(g), Daytime Care Uses:

(g) Daytime care uses subject to the following conditions:

- 1) *The facility shall be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons in attendance;*

The proposal would comply with the parking requirement for daytime care uses by providing six zoning compliant parking stalls in an on-site accessory parking lot. The applicant states that these parking spaces would be used for short-term drop-off and pick-up spaces for students. The one additional non-zoning compliant parking space would be used by the Director prior to the start of the school day. The applicant states

¹ Information provided by the Applicant. See Exhibit 6.

that 51 percent of the students are expected to be driven, and the remainder are expected to be walked or biked or will take public transportation. Teachers would be given transportation subsidies to encourage travel to and from the school by public transportation.

In addition to utilizing the on-site accessory parking lot, the applicant is working with District Department of Transportation (DDOT) to allocate three on-street parking spaces on Calvert Street as short-term parking for drop-offs and pick-ups. The applicant stated that they have a verbal agreement with the Department of Parks and Recreation (DPR) to use two off-street parking spaces at the Guy Mason Recreation Center parking lot for drop-offs and pick-ups. A written agreement is forthcoming. The Comprehensive Transportation Review (CTR) under Exhibit 33A states that drop-offs would occur between the hours of 7:00 am and 9:00 am, and pick-ups would occur between the hours of 4:00 pm and 6:00 pm.

There are two Metrobus stops served by several bus lines on the east and west sides of Wisconsin Avenue, NW directly in front of the subject property. The intersection closest to the subject property at Wisconsin Avenue, NW and Calvert Street, NW has striped crosswalks and pedestrian crossing signals. According to the applicant's CTR, the crosswalks in this intersection are highly visible. There are existing sidewalks on both sides of the streets in the surrounding area.

Given the existing public transportation lines, pedestrian infrastructure, and compliance with DDOT's conditions (Exhibit 38) to mitigate potential transportation impacts, the proposed daytime care use should not create objectionable or unsafe traffic conditions.

- 2) *Any off-site play area shall be located so as not to endanger individuals traveling between the play area and the center or facility;*

The applicant proposes to use the playground located at the Guy Mason Recreation Center, which is located directly to the south of the subject property. The children would not have to cross any streets to access this play area.

- 3) *The Board of Zoning Adjustment may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements as it deems necessary to protect adjacent and nearby properties; and*

The subject property is located on a corner lot abutting public park land, and the Guy Mason Recreation Center. It does not abut any other properties. Large trees providing significant screening from the public park space exists along the side lot line. Given the screening that already exists, OP does not recommend any additional special treatment for the subject property.

- 4) *More than one (1) child/elderly development center or adult day treatment facility in a square or within one thousand feet (1,000 ft.) of another child/elderly development center or adult day treatment facility may be approved only when the Board of Zoning Adjustment 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;*

According to the DC Office of the State Superintendent of Education's (OSSE) "My Child Care DC" database there are no other child development centers within 1,000 feet of the subject child care development center.

V. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT comments and conditions were filed to the record (Exhibit 38).

VI. COMMUNITY COMMENTS

ANC 3B filed to the record (Exhibit 13) a resolution stating their approval of the proposed daytime care use.

SMD Commissioner for ANC 3C08 filed to the record (Exhibit 31) a letter of support for the proposed daytime care use.

The Georgetown Heights Condominium Association filed to the record (Exhibit 32) a letter of support for the proposed daytime care use.

Attachment 1: Location Map 2461 Wisconsin Avenue, NW

