

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM:  Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: March 4, 2014

SUBJECT: BZA Case 18728, 3456 Pennsylvania Avenue, S.E. address.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 205, Expansion of an existing Child Development Center, to permit up to 120 children and to 27 employees.

Subject to the following conditions:

1. The number of children shall not exceed ~~80~~ **120**.
2. The number of employees shall not exceed ~~14~~ **27**.
3. The ages of the children shall be infants through five years old.
4. The hours and days of operation shall be 6:00 a.m. to 7:00 p.m., Monday through Friday.
5. The applicant shall provide 40 on-site parking spaces.
6. Outdoor playtime shall be staggered so that all children shall not be on the play area at one time. Diligent efforts shall be taken by the applicant to reduce noise in the play area and when the children are escorted through the neighborhood.
7. Drop-off and pick-up of children shall occur at the entrance into the building from the parking lot. Access to the site shall be via a one-way driveway accessed by the ramp from Pennsylvania Avenue and exiting onto 38th Street.
8. ~~The applicant shall mitigate soil erosion on the 38th Street frontage of the property by planting the appropriate materials.~~ All landscaping on-site shall be maintained in a neat and healthy condition.
9. The property shall be kept free of refuse and debris at all times. Any outdoor trash storage containers shall be screened from view by fencing or landscaping.

The above conditions are similar to the conditions of the previous approval, BZA Application No. 18199. Deletions are shown in ~~strike through~~, additions in **bold**. OP also recommends the deletion of the requirement that the applicant mitigate soil erosion, as this has already been accomplished.

II. LOCATION AND SITE DESCRIPTION

Address	3456 Pennsylvania Avenue, S.E.
Legal Description	Square 5528, Lot 30
Ward	7
Lot Characteristics	Rectangular corner lot with no alley access
Zoning	R-1-B – High-density one-family detached dwellings.
Existing Development	Church with classroom wing, playground and off-street parking
Adjacent Properties	North and West: One-family detached dwellings South and East: Stanton Park
Surrounding Neighborhood Character	Predominantly one-family detached dwellings.

III. APPLICATION IN BRIEF

Proposal	Increase the number of children from 80 to 120 and the number of employees from 14 to 27 for an existing child development center.
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IV. OFFICE OF PLANNING ANALYSIS

i. Special Exception Relief pursuant to § 205, Child/Elderly Development Centers

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

The center is licensed by the Child Care Licensing Unit of Office of the State Superintendent of Education (OSSE) and in possession of a Certificate of Occupancy from DCRA.

205.3 *The center or 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.*

Pick-up and drop-off would continue to occur within the parking lot, as approved under previous BZA applications. Ingress would be from Pennsylvania Avenue and egress onto 38th Street. DDOT had no comments on the subject application. Therefore, the center should not create any objectionable traffic conditions or unsafe conditions for picking-up or dropping-off children.

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

Forty on-site parking spaces would continue to be available to the center within the church's parking lot during the center's hours of operation. DDOT had no comments on the application.

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

The applicant proposes to continue to utilize the existing outdoor play area that was approved under previous zoning applications. It is located on the east side of the building, across from the existing church driveway to 38th Street. It is enclosed by a chain link fence and surrounded by ten white pine trees, buffering it from neighboring residences to the north. Use of the playground would continue to be staggered throughout the day so that all children would not have access to it at one time. Hours of operation would continue to be 6:00 a.m. to 7:00 p.m., Monday through Friday, with children up to age five. Therefore, there should continue to be no objectionable impacts on adjacent or nearby properties as a result of the increased number of children.

- 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 deems necessary to protect adjacent and nearby properties.*

The Office of Planning makes no recommendations for special treatment.

- 205.7 *Any off-site play area shall be located so as not to result in endangerment to the individuals in attendance at center or facility in traveling between the play area and the center or facility itself.*

No off-site play areas are proposed.

- 205.8 *The Board may approve 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 only when the Board 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.*

The Office of Planning is unaware of any other child development center within the square or within 1,000 feet.

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

205.10 The referral to the D.C. Department of Human Services shall request advice as to whether the proposed center or facility can meet all licensing requirements set forth in the applicable laws of the District of Columbia.

DDOT informed the Office of Planning by email that it had no comments on the application. OSSE recommended approval of the application.

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal would permit the expansion of an existing neighborhood service and allow the existing center to continue serving the needs of the surrounding residential community, as permitted by § 205 of the Zoning Regulations.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The increase in the number of children from eighty to 120 and the number of staff from fourteen to 27 should not affect adversely the use of neighboring property, as the application would continue to be in conformance with the specific criteria contained under § 205 of the Zoning Regulations.

V. COMMENTS OF OTHER DISTRICT AGENCIES

OSSE, in a memorandum dated January 27, 2014, recommend approval of the application.

DDOT, in an email to the Office of Planning dated February 20, 2014, indicated that it had no comments.

VI. COMMUNITY COMMENTS

The subject application was reviewed by ANC 7B at its regularly scheduled meeting of February 20, 2014.

Nine letters were submitted in support of the application.

Attachment: Location Map

