

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: November 3, 2015
SUBJECT: MODIFICATION REQUEST - BZA Case No.18309A – Jubilee Housing

I. RECOMMENDATION

The Office of Planning recommends that the Board approve the modifications requested by the applicant, as follows:

1. A reduction in the area of the approved child development center (CDC) from 6,888 sf to 5,316 sf, a reduction in the number of children from 70 children to 48 children (Healthy Start), and a reduction in the number of employees from 25 employees to 16 employees;
2. Repurposing of the reduced area (1,572 sf) of the CDC to an additional community service center use, including a 1,470 square foot kitchen to prepare meals to be served off-site with a maximum of fourteen (14) volunteers (McKenna's Wagon); and
3. A 102, square-foot program-based market pantry with a maximum of one (1) volunteer as accessory to the meal preparation area.

subject to the amended conditions at the end of this report.

OP also supports the requested waiver of the requirement under § 3129.3 that a minor modification be filed within two years after the date of an issued BZA Order approving the application.

II. BACKGROUND

Jubilee Housing received the Board's approval on February 14, 2012 (Order 18309) to renovate the existing 66-unit apartment building known as the Maycroft Apartments, with 64 apartment units, and ground floor uses including:

- A child development center (Jubilee –Jump Start for 70 infants and children and 25 staff) under Section 205;
- A community service center (Teen Renaissance Center) serving 30 high school-aged children with four (4) full-time staff and 10 volunteers at a time with hours of operation between the hours of 3:00 pm to 6:00 pm; and another
- A community service center (The Family Resource Center) that will offer workshops and classes for up to eight persons at a time, to be staffed by two (2) employees with hours of operation between 9:00 am and 6:00 pm.

The Summary Order included the following conditions:

1. Approval shall be for a period of seven (7) years commencing on the issuance of the first certificate of occupancy for the child development center or community service center uses at the property.
2. There shall be a maximum of 70 children and 25 staff at the Jump Start space at any one time during its core hours of 7:00AM to 6:00PM. There shall be a maximum of 30 children and 10 staff at the JumpStart space at any one time from 6:00PM to 7:00AM, provided that there shall be no use of the outdoor play area after dark.

3. There shall be a maximum of 30 students and four (4) staff at the Teen Renaissance Center space at any one time from 3:00 PM to 10:00 PM.
4. The Family Resource Center shall be used from 9:00AM to 6:00PM, and shall also be permitted to operate until 9:00PM a maximum of three (3) times per week.
5. The Applicant will implement the Traffic Management Plan described on pages 14 and 15 of Tab B2 of its January 31, 2012 pre-hearing submission (Exhibit 29) and pages 1 through 3 of the Applicant's February 10, 2012 submission to DDOT (Exhibit 34), provided that Applicant will amend the pick-up and drop-off peak hour monitoring described on page 1 of the February 10, 2012 submission to DDOT to include two (2) staff or volunteers for such monitoring during the 8:00 AM and 9:00 AM peak hour and 3:00 PM to 4:00 PM peak hour and building staff will have a duty to enforce proper usage of the reserved drop-off/pick-up parking spaces along 15th Street during their reserved times; and
6. The Applicant will make best efforts to work with DDOT to locate a bike rack adjacent to the property on 15th Street, if permitted through the historic review process.

The Family Resource Center (FRC) is an existing Jubilee Housing program, which assists families or individuals with the public benefits process. Employees would walk to 1474 Columbia Road and the Center would be utilized by residents of 1474 Columbia and other residents of the nearby neighborhood. The space would also be utilized for occasional building resident functions when the Family Resource Center is not in use. Five parallel parking spaces are proposed along the alley, which abuts the south of the building. A TDM plan also supported this application.

The applicant intends to begin construction within the first half of 2016, pending approval of this request.

PROPOSED MODIFICATIONS

The applicant has proposed the following modification:

1. A reduction in the area of the approved child development center (CDC) from 6,888 sf to 5,316 sf, a reduction in the number of children from 70 children to 48 children (Healthy Start), and a reduction in the number of employees from 25 employees to 16 employees;
2. Repurposing of the reduced area (1,572 sf) of the CDC to an additional community service center use, including a 1,470 square foot kitchen to prepare meals to be served off-site with a maximum of fourteen (14) volunteers (McKenna's Wagon); and
3. A 102, square-foot program-based market pantry with a maximum of one (1) volunteer as accessory to the meal preparation area.

III. ZONING and ANALYSIS OF MODIFICATIONS

A review pursuant to Section 334 would be required to establish the new community service center use at this location:

334 COMMUNITY SERVICE CENTER

334.2 A community service center shall be located so that it is not likely to become objectionable to neighboring properties because of noise or other objectionable conditions.

Kitchen Pantry Operations – McKenna’s Wagon and Market Pantry:

Hours of Operation and Parking

McKenna’s Wagon and the Market Pantry are currently operated at the Martha’s Table location at 2114 14th Street, NW, within walking distance of the subject property.

Core hours for the McKenna’s Wagon kitchen service program are from 10:00 am until 6:45 pm. Volunteers would work in the kitchen and assemble food for delivery between the hours of 10:00 am and 4:30 pm. Vans will be utilized to take the food off-site for delivery. A maximum of fourteen (14) volunteers would be at the site per day for McKenna’s Wagon and one (1) volunteer per day for the Market Pantry.

The Market Pantry is a service program operated by Martha’s Table and it allows individuals who are part of the Martha’s Table program to receive food and provisions at the Market Pantry once a month. The Market Pantry is proposed to occupy approximately 102 square feet on the ground floor. This use currently exists at the Martha’s Table location on 14th Street. There, the Market Pantry provides free, fresh produce and other non-perishable groceries to individuals in need. Regular operating hours would be from 9:00 am to 4:00 pm every day, and as previously mentioned, the Pantry will be staffed by one volunteer. An average of 20 visitors would come to the Market Pantry per day. Currently, volunteers arrive via public transit or buses/vans and are anticipated to use the same modes to this location.

Meals would be loaded into two vans at the site each day around 4:45 pm each day and return at 6:45 pm. When the vans are not being utilized for delivery service, they would either be parked in two (2) reserved alley parking spots at the rear of the property or elsewhere in off-site, off-street parking, depending on the operational needs of the program on that day, and thus will not create objectionable traffic conditions. Other vehicles may use the two reserved van spaces along the alley when the vans are in service. Vans would be parked in their assigned spaces during loading.

The applicant informed OP that information relating to projected site visits (based largely on current visits to the current Martha’s Table location) was provided to DDOT and DDOT determined that a new Traffic Impact Study would not be necessary. All components of the approved TDM plan would remain in place and cover the McKenna’s Wagon and Market Pantry spaces. Specifically employees would be provided a SmarTrip card, parents would be provided information related to driving to and accessing the center, and the specified drop-off and pick-up area. The TDM Plan, as updated is attached to this report.

334.3 No structural changes shall be made except those required by other municipal laws or regulations.
No structural changes including additions to the building are proposed in order to accommodate the kitchen and pantry. Originally approved space, which would now be in excess due to the reduced size of the child development center, would accommodate the use.

334.4 The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located.

The proposed programs for McKenna’s Wagon and Pantry, the Family Resource Center and the Teen Center are intended to serve the immediate neighborhood and residents of the building, as it now provides at its existing locations in the immediate neighborhood.

334.5 A community service center shall not be organized for profit, and no part of its net income shall inure to the benefit of any private shareholder or individual.

The community service center programs including the Family Resource Center and the Teen Center would be operated by Jubilee Housing and Martha’s Table, which are recognized non-profits within the community and the District.

Special Exception

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

The proposal is in harmony with the general purpose and intent of the Zoning Regulations and Map as it satisfies the criteria set forth in Sections 205 and 334.

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

The proposal should not adversely affect the use of neighboring property as it would relocate existing neighborhood programs to better serve the community and would overall reduce potential traffic and parking impacts on the neighborhood. The additional vehicle trips due to the child development center would be negligible, as the facility is intended to serve families within the immediate neighborhoods and within walking distance of the program. The applicant has initiated TMPs for the proposed uses on the site and OP continues to support the initiative to encourage alternative transportation modes by the employees of the child development center and the community service center uses.

3129 Modification of Approved Plans

3129.2 The Board shall consider requests to approve minor modifications to plans approved by the Board, as set forth in §§ 3125.7 and 3125.8. The request shall be in writing, shall state specifically the modifications requested and the reasons therefore and include a copy of the plans for which approval is now requested.

The applicant submitted the above requirements, noted as Exhibits 1, 1A, and 1B.

3129.3 A request for minor modification of plans shall be filed with the Board not later than two (2) years after the date of the final order approving the application.

The applicant has requested a waiver from this requirement, which OP supports.

3129.4 All requests for minor modifications of plans shall be served on all other parties to the original application at the same time as the request is filed with the Board. A party shall have ten (10) days within which to submit written comments that such party may have concerning the requested modification.

The minor modification request was received by the Office of Planning and was also reviewed by the ANC 1A.

3129.5 A decision on a request for minor modification of plans shall be made by the Board on the basis of the written request, the plans submitted therewith, and any responses thereto from other parties to the original application.

As stated previously, the requirements are duly noted and provided as Exhibits 1, 1A, 1B and the ANC's report as Exhibit # 3.

3129.6 Approval of requests for modification of approved plans shall be limited to minor modifications that do not change the material facts upon which the Board based its original approval of the application.

At the Board's original hearing on the matter, the Board concluded that the applicant satisfied the burden of proof pursuant to §§ 205 and 334.1 and that the requested relief was in harmony with the intent and purposes of the Zoning Regulations and Map, and it would not adversely affect the use of neighboring property. Likewise, OP's review of the proposed new center discussed prior under § 334 does not anticipate changes to the material facts of the original approval.

IV. AGENCY COMMENTS

As of the writing of this report, agency comments including DDOT's were not submitted to the records.

V. COMMUNITY COMMENTS

The Advisory Neighborhood Commission's report (ANC 1A) is submitted to the record as Exhibit #3. The ANC voted unanimously to support the changes as a minor modification of the previously approved order.

VI. CONCLUSION

OP recommends approval of the requested minor modifications subject to amended conditions as follows (changes in strikethrough and **bold**):

1. Approval shall be for a period of seven (7) years commencing on the issuance of the first certificate of occupancy for the child development center or community service center uses at the property.
2. There shall be a maximum of ~~70~~ **48** children and ~~25~~ **16** staff at the ~~Jump Start space~~ **child development center** at any one time during its core hours of 7:00AM to 6:00PM. There shall be a maximum of ~~30~~ **25** children and ~~40~~ **8** staff at the ~~Jump Start space~~ **child development center** at any one time from 6:00PM to 7:00AM, provided that there shall be no use of the outdoor play area after dark.
3. There shall be a maximum of 30 students and four (4) staff at the Teen Renaissance Center space at any one time from 3:00 PM to 10:00 PM.
4. The Family Resource Center shall be used from 9:00AM to 6:00PM, and shall also be permitted to operate until 9:00PM a maximum of three (3) times per week.
5. **The McKenna's Wagon and Market Pantry would operate between the hours of 1:00 am to 6:45pm and 9:00 to 5:00 pm respectively. There shall be a maximum of thirteen volunteers and I staff at any one time with a maximum 20 program-enrolled visitors per day to the Market Pantry.**
5. 6. The Applicant will implement the Traffic Management Plan, ~~including on pages 14 and 15 of Tab B2 of its January 31, 2012 pre-hearing submission (Exhibit 29) and pages 1 through 3 of the Applicant's February 10, 2012 submission to DDOT (Exhibit 34), provided that Applicant will amend the pick-up and drop-off peak hour monitoring described on page 1 of the February 10, 2012 submission to DDOT to include two (2) staff or volunteers for such monitoring during the 8:00 AM and 9:00 AM peak hour and 3:00 PM to 4:00 PM peak hour and building staff will have a duty to enforce proper usage of the reserved drop-off/pick-up parking spaces along 15th Street during their reserved times; as provided~~ and
6. 7. The Applicant will make best efforts to work with DDOT to locate a bike rack adjacent to the property on 15th Street, if permitted through the historic review process.

ATTACHMENT

TRANSPORTATION MANAGEMENT PLAN

Daycare

The Applicant has created a Transportation Management Plan (TMP) that promotes alternate modes of transportation for its employees and manages the day-to-day traffic operations of the facility, thereby minimizing the impact to the surrounding area. By virtue of the facility being a community based daycare, it will inherently foster non-auto modes of transportation.

The TMP includes the following:

- Employees of the daycare will be offered a \$25 SmarTrip card at the time of hire.
- All parents will be notified of pick-up/drop-off procedures, including the following:
 - Children may be dropped-off and picked-up only during the designated times,
 - If unoccupied, the designated zone on 15th Street must be used when picking-up or dropping-off children,
 - When parking for more than 15 minutes, parents must park in a legal parking space in lieu of using the designated pick-up/drop-off area, and
 - Parents are not permitted to double park on 15th Street or Columbia Road when picking-up or dropping-off children.
- Transportation policies will be included in the Parent's Handbook. Additionally, a quarterly letter or flyer will be sent to staff and parents reminding them of the transportation policies.
- The daycare user will provide a map to parents showing on-street parking options (including various restrictions) and locations of nearby off-street public parking.
- A secure, enclosed bicycle room will provide parking for approximately 11 bicycles and will be available for use by employees, residents, volunteers, and visitors.

Teen Center, Family Resource Center and Martha's Table's McKenna's Wagon and Market Pantry

Jubilee Housing currently has a culture that encourages employees to use alternate modes of transportation. Specifically, Jubilee Housing offers up to \$100 per month in SmartTrip benefits to each employee. The project will continue to do so for the above listed uses. Additionally, shower and changing facilities are provided at Jubilee Housing's main office and can be used by employees who bike, walk, or jog to work. Like the daycare, these uses will serve the immediate community, thereby limiting the number of vehicles to and from the site.

In order to further encourage alternative modes of transportation for employees and to minimize the impact of traffic on the surrounding area, the Applicant has developed a formal TMP for the above listed uses. The TMP includes the following:

- Continue offering employees of the Teen Center, Family Resource Center and Martha's Table's McKenna's Wagon and Market Pantry SmartTrip benefits.
- The shower and changing facilities at Jubilee Housing's main office will be available for use by employees of these uses. The main office is located just two blocks from the Maycroft site.
- A secure, enclosed bicycle room will provide parking for approximately 11 bicycles and will be available for use by employees, residents, volunteers, and visitors.
- The Applicant will issue a quarterly letter or flyer to staff and volunteers reminding them of the transportation policies.