

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review

DATE: July 1, 2014

SUBJECT: BZA Case 18791 - request for special exception relief under § 218 to expand an existing community residence facility from 6 to 8 persons at 5422 Blair Road, NE.

I. OFFICE OF PLANNING RECOMMENDATION

In its original application, Community Connections (Applicant) proposed the expansion of the existing community residence facility from 6 to 10 persons. Following consultations with ANC-4B, the Applicant revised the application to increase the number of persons from 6 to 8. The Office of Planning (OP) recommends **approval** of the special exception review pursuant to § 218 subject to the following conditions:

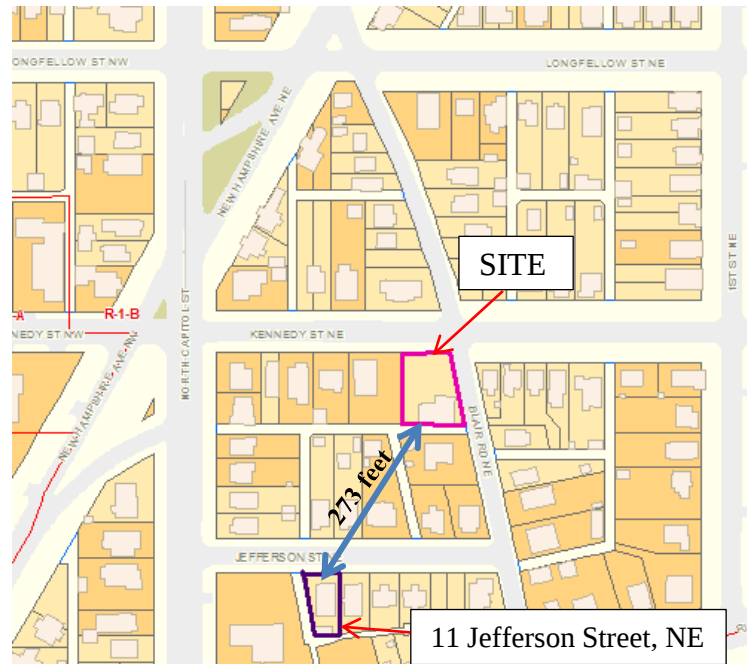
1. The maximum number of residents shall be limited to 8.
2. A parking area for two vehicles shall be maintained in the rear yard for the use of staff.

OP would also be supportive of any changes recommended by District Department of Transportation (DDOT) regarding the curb-cut on Kennedy Street.

II. LOCATION AND SITE DESCRIPTION:

Address:	5422 Blair Road, NE
Legal Description:	Square 3703, Lot 95
Ward/ANC:	4/4B
Lot Characteristics:	The lot is an irregularly shaped property with an area of 8,482 square feet (0.19 acre). The lot abuts Kennedy Street and Blair Road, NE. and a 15-foot wide alley.
Zoning:	R-1-B - detached dwelling22222s are allowed in this district and child development centers are allowed with special exception approval.
Existing Development:	The property is developed with a 2-story house with a basement with pedestrian access form Blair Road and vehicular access from the alley.
Historic District:	None
Adjacent Properties:	The property is surrounded by two-story, detached one-family dwellings.





Location Map



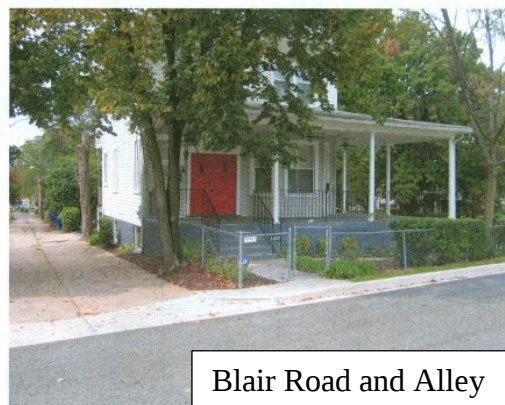
Rear



Blair Road



Kennedy Street



Blair Road and Alley

Subject Property

III. PROPOSAL

The Applicant currently operates a community residence facility housing 6 mentally handicapped persons. The Applicant proposes to expand the facility with a 2-story plus basement addition on the northern portion of the building. With the addition, the number of person would be increased to 8. The facility is currently served by 3 staff members who operate on rotating shifts. There would be no increase in staff with the increase in residents. The staff persons would not live on-site.

Two parking spaces are currently on-site and would remain with no additional spaces proposed. The Applicant is proposing to extend the drive way from the alley to Kennedy Street with a new curb cut off Kennedy Street. This will be reviewed by the District Department of Transportation (DDOT) and in particular by the Public Space Committee.

IV. OP ANALYSIS

A community residence facility of 8 persons is permitted as a matter of right, with spacing conditions, under Section 201.1(v), as follows:

201.1(v) *Youth residential care home, community residence facility, or healthcare facility for seven (7) to eight (8) persons, not including resident supervisors or staff and their families; provided, that there shall be no property containing an existing community-based residential facility for seven (7) or more persons either in the same square, or within a radius of one thousand feet (1,000 ft.) from, any portion of the subject property;*

Although the facility would accommodate 8 persons, there is a second community-based residential facility (CBRF) at 11 Jefferson Street which is within the 1,000 foot radius. Therefore, a Special Exception under Section 218 is required.

§ 218 – Special exception review for the proposed youth residential care home

218.1 *Use as a youth residential care home or community residence facility for nine (9) to fifteen (15) persons, not including resident supervisors or staff and their families, 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.*

218.2 *There shall be no other property containing a community-based residential facility for seven (7) or more persons either in the same square as, or within a radius of one thousand feet (1,000 ft.) from, any portion of the subject property.*

As seen on the Location Map above, there is another CBRF at 11 Jefferson Street, NE. This facility is approximately 273 feet to the southwest of the subject site and it has been confirmed with the Department of Behavioral Health that this facility houses 8 persons.

218.3 *There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.*

Under § 2101.1, onsite parking required for this proposal is one space per 1 to 8 persons housed. Therefore, one parking space is required. However, the Applicant proposes to provide 2 parking spaces accessed from the adjacent alley and Kennedy Street.

The plans submitted by the Applicant show a parking area but is not dimensioned to demonstrate that the two spaces meet the requirements of § 2115. Both OP and DDOT have concerns with the proposed curb-cut off Kennedy Street. The proposal would be reviewed by DDOT and the Public Space Committee.

218.4 *The proposed facility shall meet all applicable code and licensing requirements.*

In conversation with staff from the Department of Behavioral Health, it was stated that the facility is currently in good standing and that the expansion of the facility to accommodate 2 additional persons should meet all licensing requirements. If the approval is granted by the BZA, then the facility would be further evaluated prior to the granting of a license. The Department of Behavioral Health will submit a report under separate cover. The curb cut would also be reviewed by the Public Space Committee.

218.5 *The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.*

The Applicant states that the facility has operated on the subject property for over 13 years and does not produce any excessive noise that would be disruptive to the adjacent neighbors or the wider neighborhood. The residents do not drive and the staff parking is accommodated on the site. The 2 additional residents would not cause any significant changes.

218.6 *The Board may approve more than one (1) community-based residential facility in a square or within one thousand feet (1,000 ft.) only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations.*

The proposed facility together with the existing CBRF facility at 11 Jefferson Street would continue to operate without negatively impacting the neighborhood.

218.7 *In the case of a community residence facility, the Board may approve a facility for more than fifteen (15) persons, not including resident supervisors or staff and their families, only if the Board finds that the program goals and objectives of the District of Columbia cannot be achieved by a facility of a smaller size at the subject location, and if there is no other reasonable alternative to meet the program needs of that area of the District.*

N/A

218.8 *The Board shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment, along with reports in writing of all relevant District departments and agencies, including but not limited to the Departments of Transportation, Human Services, and Corrections and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.*

The Department of Behavioral Health and DDOT comments are noted above. No other agency comments have been received

V. COMMUNITY COMMENTS

The property is within ANC 4B. On June 23, 2013 at its regularly scheduled meeting the ANC voted 6-2 to approve the application.

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