STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

D.C. OFFICE OF ZONING
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FOR A SPECIAL EXCEPTION

PURSUANT TO SECTIONS 205 and 3104

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

The Stanton Glenn Limited Partnership

3040 Stanton Road, S.E.

(SQUARE 5879, LOT 11)

BZA
Case No. 17103
Exhibit No. 3

Board of Zoning Adjustment
District of Columbia
CASE NO. 17103
EXHIBIT NO. 3

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of the Stanton Glenn Limited Partnership for a special exception pursuant to Sections 205 and 3104 of the Regulations of the Zoning Commission, (11 DCMR §§205 and 3104) (hereinafter, "Regulations"). The Applicant seeks a special exception to permit the establishment of a day-care center on the premises. By order dated May 1, 2000, the Board granted approval for this day-care center but the owners were unable to find an operator at the time. In addition, subsequent difficulties in renovating the property necessitated use of the day care center site for other management purposes. Since the certificate of occupancy was not applied for during the two year period following the Order, a new application became necessary.

DESCRIPTION OF THE APPLICANT

The applicant/owner is the Stanton Glenn Limited Partnership, c/o Steve Rigelsky, 3040 Stanton Road, S.E., Washington, DC 20020.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is at 3040 Stanton Road, S.E., Square 5879, Lot 11. The lot is 10.76 acres in the Southeast area near the intersection of Stanton Road and Suitland Parkway. It contains 378 dwelling units in several buildings, one of which will include the site of the day-care center. The building housing the day-care center is a three-story building with basement comprising 14,288.82 square feet at 3040 Stanton Road, S.E. It will have 9 dwelling units in addition to the day-care center and the rental managers office. The day-care center will occupy approximately 4,536 square feet of gross floor area. Approximately 60 children, ages infant to 14, will be accommodated both in the day care program and in the before and after school program. The number of staff might vary depending on the age mix of the children. There are ten parking spaces which would accommodate 40 staff. However, we do not anticipate more than 20 staff at the outside.

B. Area Surrounding the Property

Surrounding the property are residential structures and open space. The development is located in ANC02 8B and in Single Member District 04.

C. Zoning History and Use History

The area is zoned R-5-A. The building is one of a group of buildings built around 1965 as multifamily structures.

REASONS IN SUPPORT OF THE APPLICATION FOR SPECIAL EXCEPTION

A. Compliance with D.C. Zoning Regulations

The applicant's property satisfies the requirements for grant of the Special Exception. It has recently been renovated for use as a multifamily building with a management office and a day-care center. The Special Exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring

property in accordance with the Zoning Regulations and Zoning Maps.

B. No Adverse Effects

The building has been in existence for nearly 35 years. The use for a child development center is unlikely to generate substantially more traffic than the previous use. The large number of multifamily apartment buildings in close proximity to the subject site make it likely that the majority of children will not need automobile transportation. Those needing transportation will arrive and leave during the morning and evening hours. Traffic patterns will be efficiently arranged so that neighbors will not be inconvenienced.

There is sufficient parking on the site for day-care staff as well as for residents of the 378 units. There are 388 spaces. In the R-5-A Zone District, there must be one space for each dwelling unit, in this case 378 spaces. In addition, one space must be provided for each 4 staff-persons of the day-care center. A staff of 20 would require 5 spaces. The parking provided, therefore, exceeds the required spaces by 5. Moreover, staff and parents would be using available parking during the day when residents who drive to work will have vacated their parking spaces.

BENEFITS OF PROPOSED USE

The Stanton Glenn Limited Partnership plans to develop a child development center to accommodate up to 60 children. There are no plans to alter the general landscape or build additional buildings. The buildings which were vacant and in disrepair have been handsomely renovated and the site has once again become a safe and pleasant residential community with facilities for daily living, including a proposed well-run day-care center. The center will have a substantial impact on the economic well-being of the development, since it will permit parents to go to jobs off-site knowing their pre-school and school age children will be well cared for.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Use

A child development center is an appropriate use in a residential neighborhood. It is permitted under Section 205 of the Zoning Regulations as a compatible use, with BZA approval.

B. Historic Preservation

Historic Preservation regulations and laws do not apply to this site. The building is neither a landmark nor in a Historic District.

PREVIOUS CONDITIONS

The order of the Board granting a special exception for the day care center carried the following conditions:

1. Limiting the effectiveness of the Order to 4 years.
2. Reporting to the ANC on the three year anniversary.
3. Limiting the population to 60 children ages 2-12 years old.

4. Limiting staff to 9.
5. Limiting hours of operation to Monday through Friday, 7:00 a.m. to 6:00 p.m.
6. Escorting younger children to and from the center as determined by staff
7. Provision of two on-site parking spaces
8. Trash pick-up as needed.

RECOMMENDED CONDITIONS

The previous application has been slightly modified. We are told that that there is a need for infant care and after school care for children up to 14. This may require more staff as well. Finally, we would ask for a longer period of effectiveness. Accordingly we would ask that the following conditions be substituted for those above, as follows:

1. Limiting the effectiveness of the Order to 6 years.
2. Reporting to the ANC on the three year anniversary.
3. Limiting the population to 60 children ages infant to 14 years.
4. Limiting staff to 20.
5. Limiting hours of operation to Monday through Friday, 7:00 a.m. to 6:00 p.m.
6. Escorting younger children to and from the center as determined by staff.
7. Trash pick-up as needed.

CONCLUSION

In conclusion, the application by the Stanton Glenn Limited Partnership should be approved. The use for a child development center is consistent with the residential uses in the area.

Respectfully submitted,

Stephen N. Gell, Esq.

Cc: Steve Rigelsky