

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: May 10, 2016

SUBJECT: BZA #19261 – 3200 S Street, SE – Special Exception to Allow the Expansion of and Existing Childcare Center

I. RECOMMENDATION

With regard to this proposal to expand an existing childcare center, the Office of Planning (OP) recommends **approval** of the following special exception relief:

- § 205 Childcare Center

The recommendation of approval is subject to the following conditions. The applicant has not indicated any objections to the conditions.

1. Student enrollment shall not exceed 75.
2. Student ages can be between 3 months and up to and including 12 years old.
3. The number of staff shall not exceed 18.
4. The hours of operation shall be between 7:00 AM and 6:00 PM, Monday through Friday.
5. Vehicular drop-off of students shall only be from S Street.

While the applicant received a referral from the Department of Consumer and Regulatory Affairs stating that the applicant proposed an expansion of a non-conforming use, a childcare center is a permissible use in the R-1-B zone, and its establishment or expansion would require Board approval pursuant to § 205. This report analyzes the request against the criteria of that section.

II. LOCATION AND SITE DESCRIPTION

Address	3200 S Street, SE
Legal Description	Square 5665N, Parcel 207 / Lot 80
Zoning	R-1-B
Ward and ANC	7, 7B
Historic District	None

Lot Characteristics and Existing Development	Triangular lot – 255 feet of frontage on S Street, 185 feet of frontage on Branch Avenue; Lot slopes down from south to north; Existing church building on the western side of the lot and church hall to the east; Main entrances to both buildings face S Street; Parking lot to the north of the church with entrance from Branch Avenue.
Adjacent Properties and Neighborhood Character	Single family detached homes to the south, gas station and other low-scale commercial buildings to the north; Park land to the west; Other commercial along Pennsylvania Avenue; Significant amount of park land in the vicinity.



III. PROJECT DESCRIPTION IN BRIEF

The applicant proposes to expand an existing childcare center from 51 to 81 children and from 8 to 18 staff, as well as increase the age range from 3 years to 10 years to 3 months to 12 years. The center is located in the basement of the main church building, and according to the applicant the space in the building used for the center would not be expanding. Also according to the applicant, drop off and pick up occur on S Street in front of the main door of the church. The applicant estimates that approximately 50% of the students arrive at the center by automobile.

IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The subject site is zoned R-1-B. In order to establish or expand a childcare center, special exception relief pursuant to the guidelines of § 205 is required.

V. ANALYSIS

205.1 *Use as a child/elderly development center or adult day treatment facility 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.*

The existing use has a certificate of occupancy. OP was not able to find a record of a previous BZA approval, but the applicant is following proper procedure by seeking Board approval for the increase in size of the facility. The current owner purchased the business in 2014.

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

The Office of the State Superintendent of Education will examine the facility for compliance with applicable licensing requirements.

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.*

OP is not aware of any traffic issues regarding the existing center. It is anticipated that DDOT will submit a report to the record examining drop off and pick up conditions, parking, and trash removal. OP recommends a condition that drop off and pick up occur only on S Street.

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

The seven-space parking lot for the facility would exceed the parking requirement of five spaces.

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 proposed expansion of the existing use should have no objectionable impacts on nearby properties. The use is located in the basement of the church, so there should be no impact from indoor activities. Trash would be collected in the dumpster at the north side of the property in the parking lot. The play area to be constructed at the east end of the property would likely have some noise associated with it. OP has asked the applicant to clarify when children would be in the play area and the maximum number of children using the play area at any one time.

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 recommends no special design treatments.

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.*

The childcare center will utilize a new play area to be constructed on-site, east of the church buildings.

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 District's GIS data indicates no other childcare centers within 1,000 feet of the subject property.

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.*

OP anticipates that DDOT will submit a report under separate cover. As of this writing, OP is not aware of comments from other District agencies.

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.*

OSSE will review the application against all applicable licensing requirements.

VI. COMMUNITY COMMENTS

As of this writing OP has received no comments from the community.