

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Zoning and Special Project Planner
JL Joel Lawson, Associate Director for Development Review
DATE: June 21, 2019

SUBJECT: OP Report - BZA Case 20056 – Special Exception for a Child Development Center Daytime Care Use at 5216 Astor Place, SE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval of special exception relief** to permit the conversion of a single-family dwelling and accessory structure into a child development center in accordance with Subtitle U § 203.1 (g) and Subtitle X § 901.2, and subject to the following conditions that have been proffered by the applicant:

- The facility shall serve no more than 40 children;
- The ages of the served children shall be no greater than 6 years old;
- There shall be no more than 12 staff persons on-site at any one time.

II. LOCATION AND SITE DESCRIPTION

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| Address: | 5216 - 5218 Astor Place, SE |
| Legal Description: | Square 5308, Lots 27 and 28 |
| Ward/ANC: | 7 / 7E |
| Applicant | Children in Safe Hands, LLC |
| Zoning: | R-2 – areas predominantly developed with semi-detached houses on moderately sized lots. Daytime care uses such as a child development centers are allowed by special exception. The R-3 zone boundary is nearby (see attached map, page 4). |
| Lot Characteristics: | The rectangular lot is relatively flat and has an area of 4,000 square feet. |
| Existing Development: | The lot is developed with 2-story detached house and an accessory garage. Both are currently unoccupied. |
| Historic District: | Not within a historic district. |
| Adjacent Properties: | To the north is a single-family detached house and the Apostolic Faith Church. To the west is a semi-detached, two-story, single family residence in the R-2 zone. To the south is a two-story apartment building and to the west is a three-story apartment building in the R-3 zone. |

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| Surrounding Area: | The Marshall Heights area is generally developed with a mixture of single family detached and semi-detached houses and garden apartments interspersed with a few institutional uses. It is three blocks south of the intersection of East Capitol Street and Central Avenue, NE. |
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III. PROJECT DESCRIPTION IN BRIEF

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| Applicant | Children in Safe Hands, LLC |
| Proposal: | Convert a 2365 square foot two-story plus basement detached single family house, plus an 840 square foot accessory structure into a child development center for up to 40 children, ages 6 weeks to 5 years old, served by a 12-person staff, and with operations from 7 a.m. to 7 p.m. Play areas and parking would be provided on-site. The structures would be renovated, but no additions are proposed. |
| Relief Sought: | U §203.1 (g) – special exception relief for a child development center as a daytime care center use in the R-2- zone. |

III. OP ANALYSIS

U § 203.1 (g) Daytime Care Uses ... (R-2)

- 1) *The 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;*

The applicant anticipates that most of the children to be served would come from the nearby neighborhood, with many children being walked to the site by their caregivers. For those arriving by car or other vehicles, the applicant has demonstrated that there is adequate street parking to accommodate drop-off and pick-up (Exhibit 35). The applicant has also told OP that, if necessary, drop-off and pick-up of children could be accommodated within the property’s boundaries with head-in / back out movement.

The applicant has stated it has every intention of hiring as many qualified staff persons from the neighborhood as possible. For those not walking to the site, there are 5 bus stops for the U6, U8, 96 and 97 bus lines within one to two blocks of the site. The East Capitol Street / Benning Road Metro station is 2/3 of a mile away and the Southern Avenue Metro station is one mile away.

The zoning regulations require one parking space for every 2,000 square feet of gross floor area. With 3205 square feet of developed space, the proposed facility would require 2 parking spaces. The applicant will be providing at least two parking spaces (Exhibit 2) and may provide a third space if on-site pick-up and drop-off is not needed.

- (2) *Any off-site play area shall be located so as not to endanger individuals traveling between the play area and the center or facility;*

A fenced play area with play equipment would be provided in the rear yard. Given the young ages of the children, the applicant indicates that most play would occur inside, and the onsite play area would sufficient.

- (3) *The Board of Zoning Adjustment 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; and.*

OP does not recommend special treatment to protect adjacent and nearby properties.

- (4) *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 may be approved only when the Board of Zoning Adjustment 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;*

There does not appear to be a child or elderly development center or adult day treatment facility in the Square or within 1000 feet of the applicant's site¹.

IV. OTHER DISTRICT AGENCY COMMENTS

If the special exception request is approved, the licensing application will be reviewed by the Office of the State Superintendent (OSSE).

V. COMMUNITY COMMENTS

ANC 7E has submitted a memorandum of support for the application (Exhibit 37).

The case file contains 51 letters or petition signatures in support of the project (Exhibits 33-35).

¹ Source: DC GIS data and applicant for subject case. There is an adjacent residential health care facility.

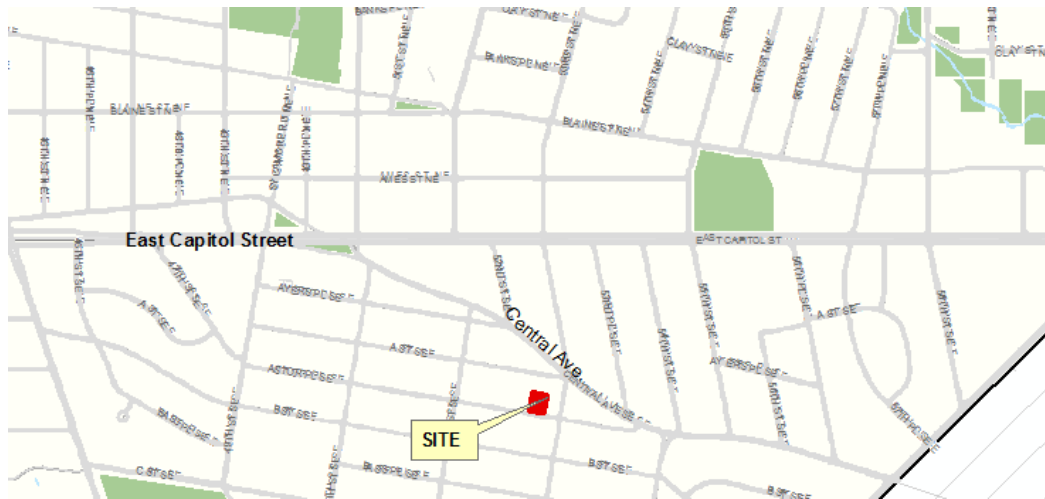


Figure 1. Vicinity Map



Figure 2. Site Location