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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: February 26, 2013
SUBJECT: BZA Case 18507, 2735 Knox Terrace, S.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- § 205 – Special exception for the expansion of an existing child development center:
 - Increase maximum enrollment from six to 20 children;
 - Increase maximum number of staff from two to five.

Approval is recommended subject to the following conditions:

1. Approval shall be for a period of five years.
2. The hours of operation shall be from 7:00 AM to 6:00 PM.
3. The number of enrolled children shall not exceed 20.
4. The number of staff shall not exceed five.
5. Outdoor activities shall be supervised and conclude by 6:00 PM.
6. Staff shall monitor the dropping off and picking up of the children
7. One off-site parking space shall be provided on the property.

II. LOCATION AND SITE DESCRIPTION

Address	2739 Knox Terrace, S.E.
Legal Description	Square 5728, Lot 0037
Ward	8, 8B
Lot Characteristics	The subject property is a rectangular 3,000 square foot lot with 40 feet of frontage along Knox Terrace. It is surrounded on all three sides by properties of approximately the same area.
Zoning	R-3 – semi detached single family dwellings

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18507

EXHIBIT NO. 27

Board of Zoning Adjustment
District of Columbia



Existing Development	Three story residential semi-detached structure with access from Knox Terrace. The existing building houses a child development center for six children, operated by the applicant since September 2010. A child development center is permitted by special exception in this zone.
Adjacent Properties	Adjacent properties are all single-family semi-detached homes.
Surrounding Neighborhood Character	Mostly single-family semi-detached homes in the R-3 District.

III. APPLICATION IN BRIEF

The applicant, Ms. McMickens, requests a special exception under § 205 to allow a child development center for up to 20 children and five staff persons in the R-3 District in the Knox Hill/Buena Vista area. No new construction is proposed.

IV. 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-3 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

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, Division of Early Childhood Education, Compliance and Integrity Division, Child Care Licensing Unit (OSSE/ECE/CID/CCLU) recommends that the applicant be granted as stated in its January 22, 2013 memorandum, which has been submitted to the record.

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.

No objectionable traffic or unsafe drop-off conditions would result from the proposed increase of the child development center from six to 20 children. According to the applicant, children are dropped off between 7:00 AM and 9:00 AM and picked up between 4:00 PM and 6:00 PM, with an average of three trips per hour. It is anticipated that additional students would result in an average of eight trips per hour during pick-up and drop-off periods. OP does not believe that it would be necessary to implement TDM measures to mitigate potential traffic or parking issues given the increase in clients.

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

In addition to the parking space provided on the property, street parking is available without the need for a parking permit. According to the applicant, employees generally travel by carpool, public transit, or are dropped-off. When a parking space is needed by an employee or visitor, it will be provided in the driveway of the property or on the street.

- 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 facility has been operating in this location since 2010 without disturbance to the community. However, with the proposed increase in the number of children, there is potential for additional noise. The applicant has indicated that outdoor time will be taken in shifts, with each group comprising approximately six children with supervision. Each group will have two outdoor sessions per day for a 45 minute time period each. In addition, OP recommends that all outdoor activities be monitored and conclude by 6:00 PM.

- 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.**

OP does not recommend any special treatment of the design. The application does not propose new signs, screening, plantings or parking areas.

- 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.**

No off-site play area is used now or proposed in the future.

- 205.8 The Board may approve more than (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.**

According to GIS records, there is one other child development center in the immediate neighborhood, located approximately 800 feet northeast of the subject site on Naylor Road. This center has been operating in a commercially-zoned development since 2008. This center's orientation towards Naylor Road along a commercial corridor suggests that it serves a different neighborhood than the subject center, which in contrast, is centrally located in a residential neighborhood. The two centers are separated by a heavily landscaped area and there is no direct route between the two locations. Further, the subject child development center serves children between the ages of six weeks to 12 years in age, while the center on Naylor primarily serves infants. Given these conditions, OP does not have any concerns regarding the proximity of these centers or cumulative impacts.

- 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.**

The application was submitted to the appropriate agencies. OP has no received comments to date.

- 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.**

The Office of the State Superintendent of Education, Division of Early Childhood Education, Compliance and Integrity Division, Child Care Licensing Unit (OSSE/ECE/CID/CCLU) recommends that the applicant be granted. Their January 22, 2013 memorandum has been submitted to the record.

V. COMMENTS OF OTHER DISTRICT AGENCIES

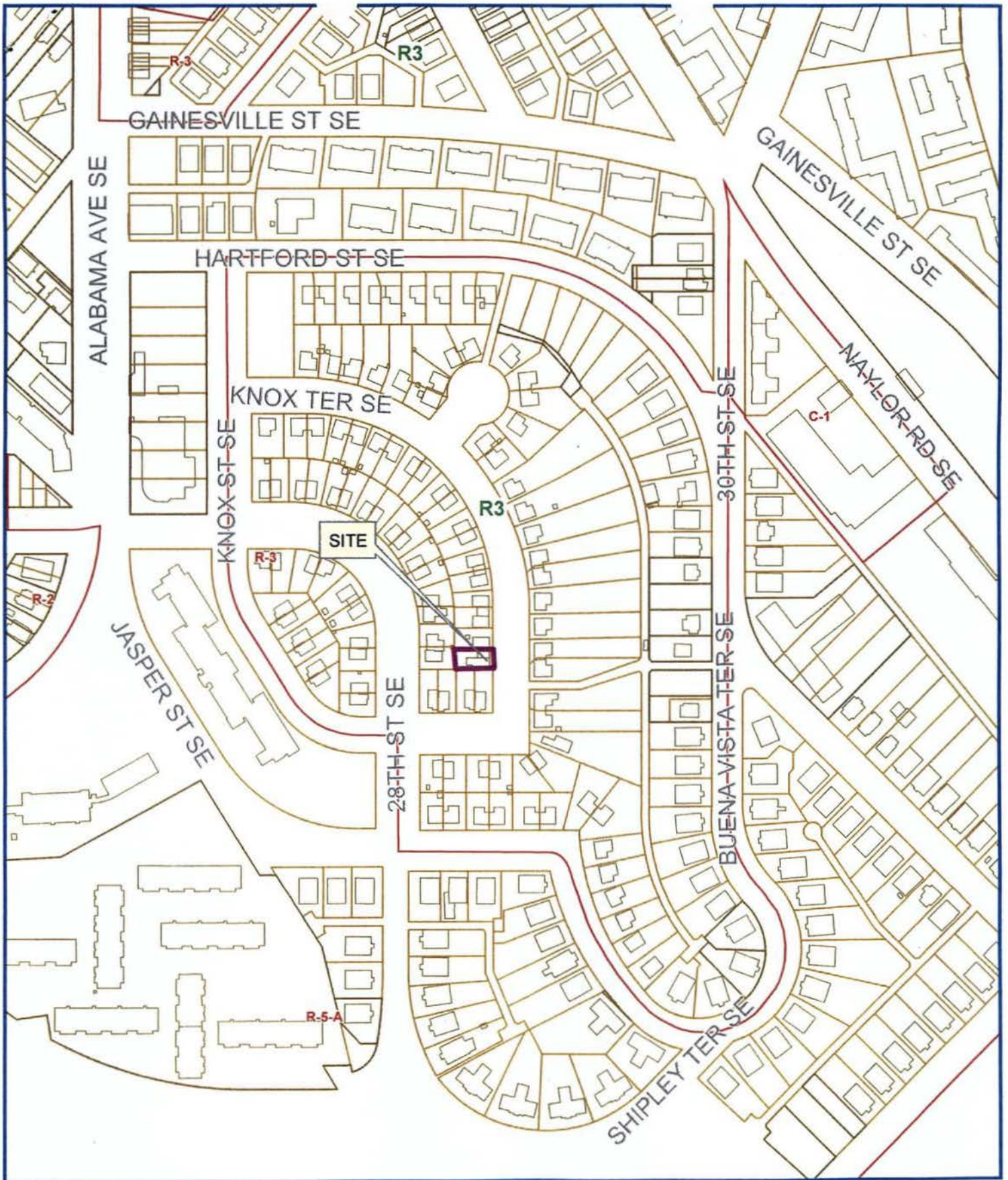
OP understands that the District Department of Transportation will submit comments under separate cover. As noted above, OSSE has already supplied comments recommending approval of the application.

VI. COMMUNITY COMMENTS

The applicant has provided a petition in support of the expansion of the child development center containing the signatures of 36 neighbors. At the date of this writing, the request has not been heard by the ANC for comment

VII. ATTACHMENT

1. Vicinity Map



BZA Case 18507 - 2739 Knox Terrace, S.E.

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.



DC Office of Planning