

5E. A detailed statement explaining how this application meets the specific tests identified in the Zoning Regulations for variance (area and/or use), special exception or other specific relief being sought (See the Form 120 Addendum – Applicant’s Burden of Proof for Variance and Special Exception Applications)

CHILD/ELDERLY DEVELOPMENT CENTERS AND ADULT DAY TREATMENT FACILITIES (R-1)

- 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.**

Ms Maria B Medrano is applying for a special exception for the expansion of the child development home located at 4910 Kansas Avenue Northwest, Washington, DC 20011, which is located in Zone District R-3, to a child development center. The child development center is pre-deemed compatible in Zone District R-3 upon demonstration of compliance with the criteria outlined in 11 DCMR Section 205

Ms Medrano submits the present detailed statement as proof that her application will pass the specific tests identified in the Zoning Regulations for the special exception being sought. Specifically, that expanding the child development home for six (6) individuals fifteen (15) years of age or less (“children”) in to a child development center for no more than twelve (12) children will satisfy each component of 11 DCMR § 205

As demonstrated below, Ms Medrano’s application comports with § 205 in all respects

- 205. 2 The center or facility shall be capable of meeting all applicable code and licensing requirements.**

The facility is currently operated in accordance with all laws pertaining to the use of a residential home for child development. The child development home is licensed to operate and provide child care for up to six (6) children. The property is constructed in such fashion that increasing capacity to up to twelve (12) children will not adversely affect the childcare operations and will continue to satisfy all code and 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.**

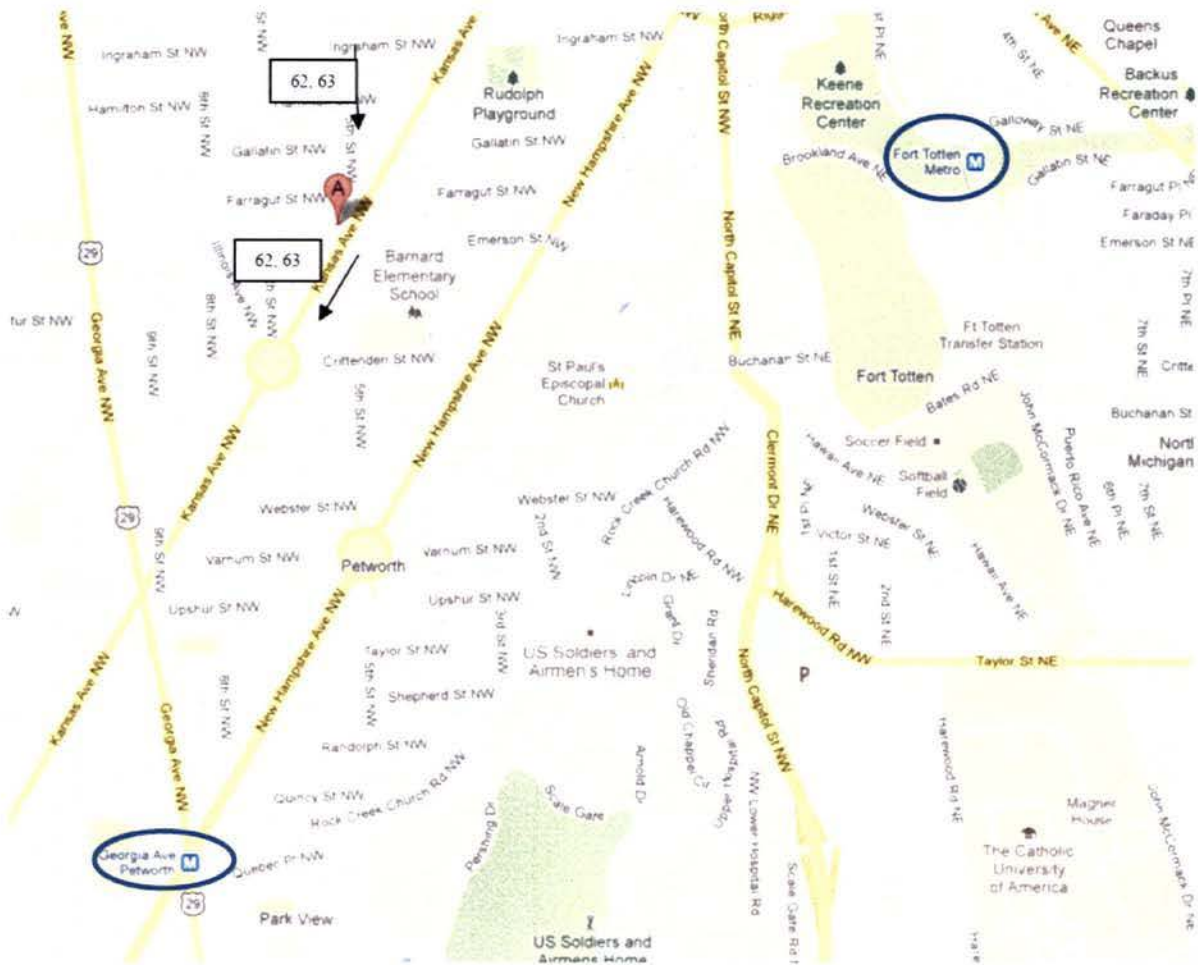
Ms Medrano’s property is located and designed in a manner such that no objectionable traffic conditions or unsafe conditions for picking up and dropping off persons in attendance will be created. The design of the property does not present any unsafe conditions. There is a sidewalk leading directly in front of the house, from the

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street up to the front entrance of the residence. There is sufficient pedestrian and vehicle approaches to the property, as well as ample space around the access routes to facilitate safe entry and exit for drivers and passengers without creating adverse traffic conditions.

While the property has inherent appropriate location and design, Ms. Medrano would give preferential enrollment to clients who can walk as her intention is to provide services to her neighboring community. She would give preferential enrollment consideration to those clients who can take public transportation. Ms. Medrano's property is located approximately 1 mile from both the Fort Totten and Georgia Avenue-Petworth Metro Stations, which service the Red/Green/Yellow and Green/Yellow lines, respectively. In addition, the property is serviced by DC Metrobus (62, 63), the Takoma-Petworth line.

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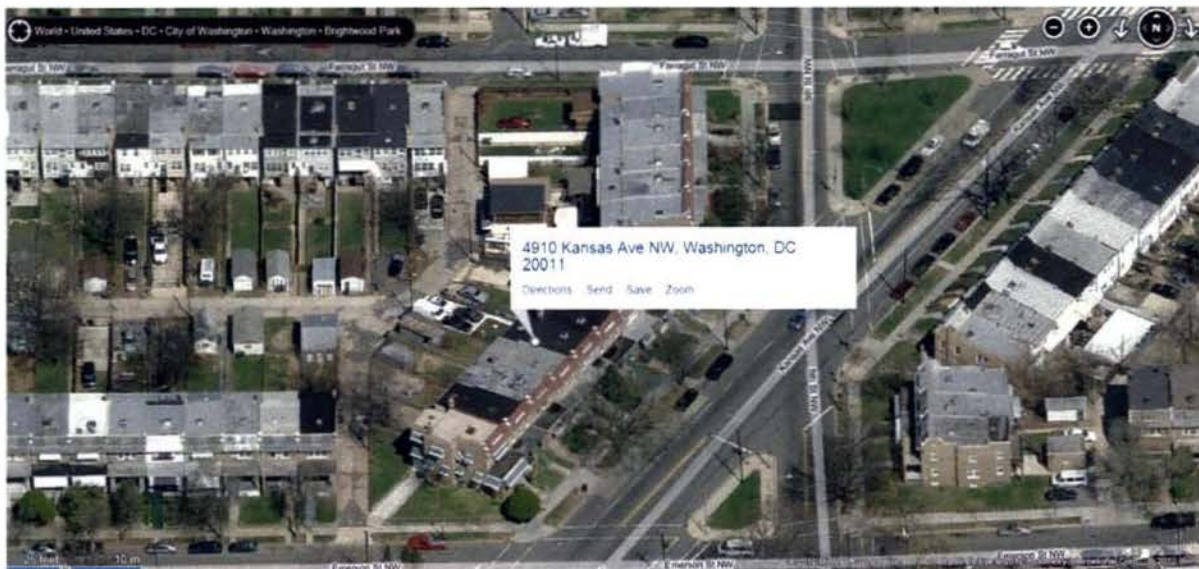


Ms. Medrano would also give preferential enrollment to clients who will enroll more than one child. When allocating space within the proposed facility, she will also consider the anticipated arrival and departure times of potential clients when making enrollment decisions to ensure that clients don't all arrive at the same time or during

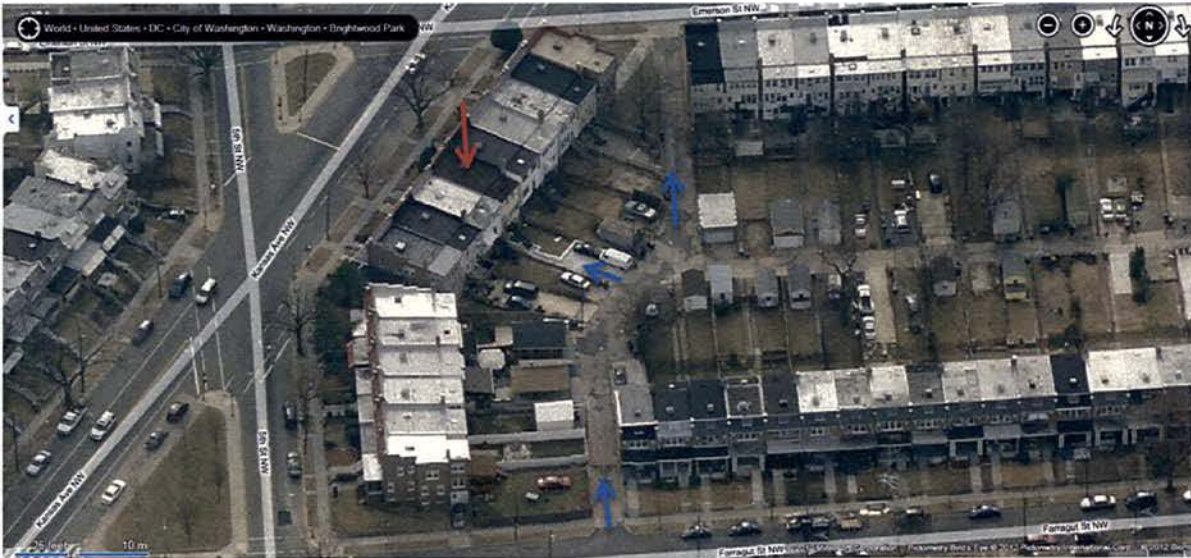
rush hour.

In addition, Ms. Medrano's property has appropriate and available pick-up and drop-off areas located in both the front and rear of the house. The property fronts to Kansas Avenue with non-residential, curb-side parking available for short-term drop-off and pick-up activities adjacent to the sidewalk. Several spaces are available in the front of the house providing sufficient street parking for the premises.

The rear of the property contains alley access with up to four parking spots on the property. Ms. Medrano would request parents and guardians who elect to drop off or pick up children in the rear to access her property from Farragut Street and leave by way of Emerson Street. Please see below a copy of the ingress and egress routes (blue arrows) associated with the property (red arrows).



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

The property provides sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors. Current rules require one (1) parking space for each home and a second (1) parking spot for every four (4) teachers/employees, all of which must be "off-street." With respect to the proposed center, a minimum of 2 parking spaces would be needed. Ms. Medrano's property provides sufficient off-street parking; the property has space for up to four (4) cars in the rear of the premises.

205. *The center or facility, including any outdoor play space provided, shall be located*

5 *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 property is located and designed in a manner such that there will be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual or other objectionable conditions

With the exception of outdoor play time, all of the child development activities take place within the interior of the residence. There is adequate space indoors to accommodate up to twelve (12) children as proposed. The residence is climate controlled, having sufficient heating and air conditioning to maintain a comfortable environment and making it possible for the children to spend time indoors even in inclement weather.

The property also has outdoor space, including a front porch and attached backyard. The backyard is fenced (wood and metal) and the structures are maintained in a manner consistent with community standards. The fences and structures would provide modest buffers between outdoor play areas and neighbors. Ms Medrano would continue to utilize these outdoor spaces in a controlled manner so as not to create objectionable impacts on adjacent or nearby properties due to noise, activity, visual or other objectionable conditions. For example, Ms Medrano would split outdoor play time according to age and developmental ability, such that smaller children (e.g., toddler and pre-school) and older children (e.g., grade school) utilize the space separately and for durations fitting their respective maturities. Obviously, all outdoor play would be overseen by Ms Medrano or another appropriate supervisor. Ms Medrano uses structured play time with planned outdoor activities and coordinated games for the children, which would limit general noise.

In addition, Ms Medrano's property is in close proximity to outdoor parks and other play space, which could be used for more expansive play times, particularly for older children. Such off-site play area would be used in accordance with 11 DCMR 205.7, as described more fully below.

205. *The Board may require special treatment in the way of design, screening of*
6 *buildings, planting and parking areas, signs, or other requirements as it deems*
necessary to protect adjacent and nearby properties.

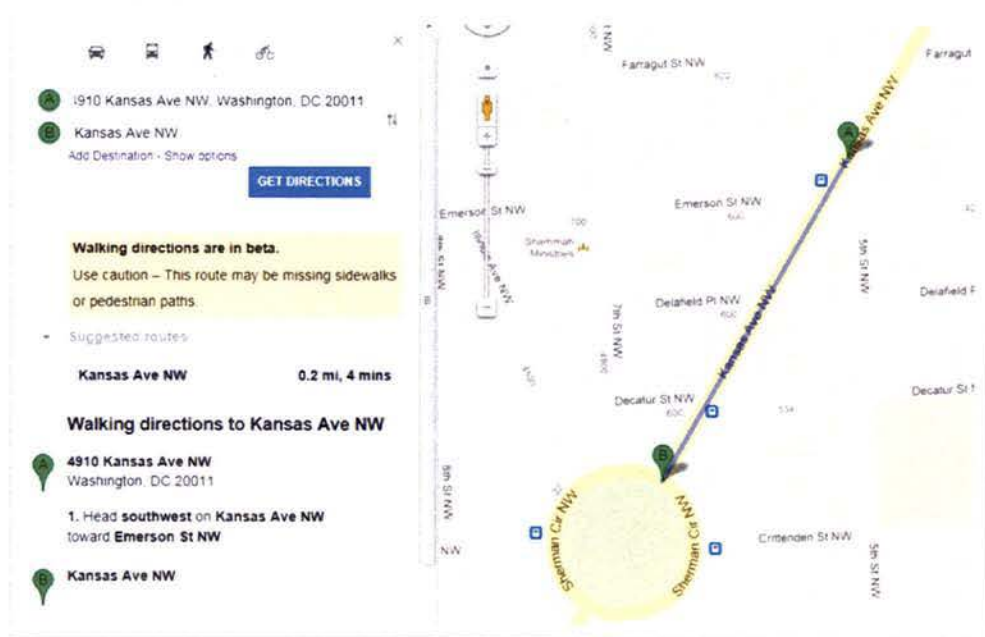
Ms Medrano does not anticipate that the design of the residence or its structures, play area, parking and other amenities will prove problematic for adjacent or nearby properties. The addition of up to six (6) children will not negatively affect the residence or its adjacent and nearby properties. The backyard is fenced (wood and metal) and the structures are maintained in a manner consistent with community standards. Nonetheless, if the Board determines any special treatment or changes necessary to obtaining the requested special exception, Ms Medrano will consider them and proceed accordingly.

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205. *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.*

Any off-site play area utilized by Ms. Medrano is located so as not to result in endangerment to the children in traveling between the play area and her property. Ms. Medrano's property is in close proximity to at least two off-site play areas that may be safely accessed and used: (1) Sherman Circle on Kansas Avenue and (2) Rudolph Playground located at 3rd and Hamilton Street.

1. Sherman Circle. The off-site play area is located roughly 0.2 miles from Ms. Medrano's property.



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2. Rudolph Playground. The off-site play area is located roughly 0.3 miles from Ms. Medrano's property.



In either case, Ms. Medrano would safely escort the children to and from the off-site play area with the assistance of adequate adult supervisors. For smaller children, she would employ the use of double strollers or larger carriages, depending on the number of younger children. For older children who would walk, in addition to the adult guidance and oversight, she would employ child partnering and childcare walking ropes.

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.

Ms. Medrano is not aware of another child development center in the neighboring area. Ms. Medrano is confident the special exception to expand the capacity of her child development home from six (6) to a child development center for up to twelve (12) children will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

- 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.*

Preliminary inquiries have raised no issues or concerns Ms Medrano does not anticipate receiving any adverse findings from the D C Departments of Transportation and Human Services, or from the D C Office of Planning

- 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.*

Preliminary inquiries have raised no issues or concerns Ms Medrano does not anticipate receiving any adverse findings from the D C Department of Human Services

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5D. A detailed statement of existing and intended use of the structure.

Ms Maria B Medrano owns her home at 4910 Kansas Avenue, Northwest, Washington, DC 20011. She currently operates a child development home for no more than six (6) individuals fifteen (15) years of age or less ("children") on the premises. The home has been and is currently operated in accordance with all laws pertaining to the use of a residential home for child development.

At this time, Ms Medrano is seeking one special exception. She is requesting a special exception under 11 DCMR § 205 to expand the capacity of her child development home from six (6) to a child development center for up to twelve (12) children. She intends to expand the capacity to help address the growing community need for child development services. Ms Medrano is confident the existing structure can safely accommodate the requested expansion.

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