ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

April 6, 2004

By Hand Delivery

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, N.W.
Second Floor
Washington, DC 20001

Re: BZA Application No. 17147 – Application of Bloom Builders, Inc.
5608 Broad Branch Road, NW

Dear Chairman Griffis and Members of the Board:

Bloom Builders, Inc. (the "Applicant") hereby submits its pre-hearing statement for the above-mentioned application. The Applicant looks forward to the public hearing on April 20, 2004 in this case.

Respectfully,

Paul Tummonds

cc: Jerry Levine, ANC 3/4 G
Travis Parker, OP

Document #: 1391844 v.1

BZA
Case No. 17147
Exhibit No. 31

Board of Zoning Adjustment
District of Columbia
CASE NO. 17147
EXHIBIT NO. 31

BLOOM BUILDERS, INC.

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BZA APPLICATION NO. 17147

FOR

SPECIAL EXCEPTION AND VARIANCE RELIEF

BZA PUBLIC HEARING

April 20, 2004

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

Application of Bloom Builders, Inc. for Special Exception and Variance Relief	BZA Application No. 17147 Public Hearing: April 20, 2004 ANC 3/4G

STATEMENT OF THE APPLICANT

This is an application of Bloom Builders, Inc. ("**Applicant**") to further the proposed renovation and reconfiguration of the existing building located at 5608 Broad Branch Road, N.W., Lot 78 in Square 1997, (the "**Property**"). The existing building on the Property is a nonconforming structure devoted to a nonconforming use, the Broad Branch Market. The Broad Branch Market has existed on the Property for over 80 years. The Applicant wishes to renovate and reconfigure the existing building for continued use as a neighborhood market and establish a child development center on the Property.

I. NATURE OF RELIEF SOUGHT

The Property is located in the R-1-B Zone District. The Applicant requests that the Board of Zoning Adjustment (the "**BZA**" or "**Board**") approve: (1) a use variance from §2002.3 of the Zoning Regulations to allow for the renovation of an existing building for continued use as a neighborhood market[1]; and (2) a special exception to establish a child development center pursuant to §205 of the Zoning Regulations[2]. The variance and special exception relief are necessary in order to reconfigure and modernize the existing building so that it can once again be

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1 Based on further discussions with the Office of Planning, such relief may not be necessary. The Applicant discusses the potential relief required from the Board in Section III.C. of this statement.

2 Initially, the Applicant requested area variance relief from the rear yard requirements of the Zoning Regulations. In response to comments from Commissioners of ANC 3/4 G, the plans for the proposed renovation of the building were modified so that such area variance relief is no longer necessary.

used as a code compliant and successful neighborhood market, as well as establish a child development center on the Property. The Applicant's satisfaction of the standards for granting variance and special exception relief are discussed in detail in Sections IV and V of this statement.

II. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the requested variance and special exception relief pursuant to § 8 of the Zoning Act, D.C. Code, 2001 Ed. § 6-641.07(g)(3).

III. BACKGROUND

A. Description of the Property and the Surrounding Area

The Property is located at the intersection of Broad Branch Road, N.W. and Northampton Street, N.W. in the Chevy Chase, D.C. neighborhood. The Lafayette Public Elementary School is located across the intersection from the Property and the general area surrounding the Property consists of single-family detached homes. Copies of a plat depicting the Property, the Zoning Map, and pictures of the Property are attached as Exhibits A, B and F.

As previously mentioned, the structure of the Property has served as a neighborhood market, the Broad Branch Market, for over 80 years. The market use continued on the Property until approximately 12 months ago. As shown in the pictures attached as Exhibit F, the existing structure includes a main building that is in rather poor condition and a series of additions that snake through the southwest corner of the Property. As mentioned previously, the existing structure is non-conforming as to the rear and side yard requirements of the Zoning Regulations. The existing structure does not satisfy current building, fire/life safety, electrical or

plumbing/mechanical codes. In addition the current structure does not satisfy ADA requirements for public accommodations.

B. Description of the Proposed Upgrades to the Existing Building

The existing building does not provide a coherent or marketable space for a neighborhood market operator. The proposed upgrades to the structure will make the market and child development center spaces fully compliant with all current building, fire/life safety, electrical and plumbing mechanical codes. The proposed upgrades will occur with the significant renovation and reconfiguration of the structure as shown in Exhibit C. As previously mentioned, the Applicant has "notched-out" a portion of the southeastern end of the structure to avoid the need to obtain variance relief from the rear yard requirements of the Zoning Regulations.

The existing building on the Property has a certificate of occupancy that authorizes use of the basement and first floor of the building for market use. This area consists of 5,160 square feet. With the proposed renovation and reconfiguration of the building, the Applicant will be creating a market with only 4,005 square feet. Thus, the proposed market will make more efficient use of a reduced total area.

Returning a viable market use to the Property has been a long-standing goal of the community. The Applicant has engaged in extensive discussions with the neighborhood to help achieve this goal. The proposed market will be a community-oriented market featuring grocery staples as well as gourmet food, a small coffee bar and a candy counter. As discussed in the Traffic and Parking Study prepared by Wells & Associates attached as Exhibit G, the market use is expected to generate only fifteen vehicular trips in each of the AM and PM peak hours. Based

on input from the community regarding previous experience with market use on the Property, most visitors who do drive to the market park in the ample supply of on-street parking spaces that are in close proximity to the Property.

The proposed child development center will occupy a total of 4,225 square feet on a small portion of the first floor and the entire second floor. At the present time, the Applicant has engaged in extensive discussions with the operator of a child development center located nearby, All Saints All Day Child Care Centers, Inc. ("**All Saints All Day**") a well-respected neighborhood non-profit organization. Both parties hope to continue discussions so that All Saints All Day can become the operator of a child development center on the Property. Regardless of whether the child development center is run by All Saints All Day or another operator, the child development center on the Property will include a maximum of 60 children and a maximum of 6-8 teachers and staff on the Property at any one time. A well-buffered and protected child play area will be provided on the Property, along with adequate parking facilities for the child development center's staff and visitors. As shown on the site plan in Exhibit C, the Applicant will provide four stacked parking spaces on the Property for use by the proposed child development center.

C. Areas of Necessary Relief

The Office of Planning has raised an argument that variance relief from 11 DCMR §2002.3 may not be necessary because the proposed renovation and reconfiguration of the structure satisfies 11 DCMR §2002.4. This section of the Zoning Regulations allows ordinary repairs, alterations or modernizations to a structure or portion of a structure devoted to a nonconforming use. Structural alterations are not allowed, unless the structural alterations to the

building are "required by other municipal law or regulation." As noted above, the existing structure does not satisfy the current building, fire/life safety, electrical, or plumbing/mechanical codes, or the ADA. In order to renovate the structure to such a level that a reputable market operator would consider renting the space, the degree and cost of the renovations trigger bringing the existing building into compliance with all current codes. The Applicant believes that the proposed structural alterations are required by the D.C. Building and related codes, as well as the ADA, and the standards of 11 DCMR §2002.4 are satisfied. Therefore, no variance relief is necessary.

In the event that the Board believes that 11 DCMR §2002.4 is not satisfied, the Applicant is requesting variance relief from the Zoning Regulations' prohibition on extending a nonconforming use to a portion of a structure that was not previously used for the nonconforming use, pursuant to 11 DCMR §2002.3. While the total area of market use on the Property is being reduced, an argument could be made that the reconfigured area of the building is a portion of the structure that did not previously include the nonconforming market use. Thus, relief from 11 DCMR §2002.3 may be necessary.

In addition, the Applicant seeks special exception approval to establish a child development center on the Property pursuant to 11 DCMR §205.

IV. THE APPLICATION MEETS THE REQUIREMENTS FOR VARIANCE RELIEF FROM SECTION 2002.3 PURSUANT TO 3103.2 OF THE ZONING REGULATIONS

The Applicant is entitled to variance relief pursuant to §3103.2 of the Zoning Regulations because it can demonstrate that: (1) there is an extraordinary or exceptional situation or condition inherent in the Property; (2) an undue hardship arises in satisfying the strict application of the

Zoning Regulations; and (3) no harm to the public good or to the zone plan will occur as a result of the approval of this variance application.

A. The Property is Affected by an Exceptional Situation or Condition

The D.C. Court of Appeals held in *Clerics of St. Viator v. D.C. Board of Zoning Adjustment*, 320 A. 2d. 291 (D.C. 1974) that the exceptional situation or condition standard goes to the "property", not just the "land", and that "property generally includes the permanent structures existing on the land." *Id.* At 293-294. Indeed, the Court repeatedly has rejected the idea that the exceptional situation and practical difficulty justifying a use variance must arise from the physical aspects of the land. *See National Black Child Development Institute*, 483 A.2d 687, 690; *Monaco v. D.C. Board of Zoning Adjustment,* 407 A.2d 1091, 1097 (D.C. 1979).

The BZA has previously determined that the Property is subject to an exceptional or extraordinary situation or condition. In BZA Order No. 15905 (approved by Bench Decision on February 9, 1994 and attached hereto as Exhibit E), the BZA granted an area variance for the Property in order to create a record lot for the Property that did not satisfy rear yard, lot width and area requirements. In addition, the existing building on the Property is a nonconforming building that has undergone significant alterations that make the building inefficient and noncompliant with numerous building and related code requirements. For these reasons, the Applicant believes that the Property is subject to an extraordinary or exceptional situation or condition.

B. Use Variance: Strict Application of the Zoning Regulations Would Result in Undue Hardship

The D.C. Court of Appeals has established a test for determining whether an applicant is entitled to a use variance. The measure for a use variance is "undue hardship," which is a more stringent standard than required for area variances. In order to satisfy the undue hardship standard, an applicant for a use variance must demonstrate that a reasonable use cannot be made of the Property in a manner consistent with the Zoning Regulations (See *Palmer v. Board of Zoning Adjustment,* 287 A. 2d. 535, 542).

The longstanding use of the existing building on the Property as a neighborhood market, the large size of the structure, the significant cost of renovations that are necessary to renovate the building and bring the structure into compliance with current building, fire/life safety, electrical, plumbing/mechanical codes and the ADA, and the filing (and subsequent withdrawal) of a historic landmark designation application for the Property establish obstacles that prevent the Applicant from making a reasonable use of the Property consistent with the R-1-B District matter-of-right uses. As noted in Advisory Neighborhood Commission ("**ANC**") 3/4G's resolution in support of the application, attached as Exhibit D, members of the immediate neighborhood filed the historic landmark application "in order to preserve the Property as a neighborhood store." Therefore, the Applicant has satisfied the undue hardship standard of the variance test.

C. Relief Can Be Granted Without Substantial Detriment to the Public Good and Without Impairing the Intent, Purpose and Integrity of the Zone Plan

Granting the requested variance relief will not cause harm to the public good or to the zoning plan because the proposed project has been carefully designed to mitigate any adverse

impacts on the neighboring properties. The return of a viable market to the Property will continue a use on the Property that has been viewed by the community as a benefit.

As further evidence that granting the requested variance relief will not cause harm to the public good or the zone plan, the Applicant notes that ANC 3/4G held an exhaustive hearing on the proposed application at its March 22, 2004, public meeting. At that meeting, ANC 3/4G, by a vote of six to zero (with one abstention), approved the request for variance and special exception relief. The ANC noted:

> The Commission believes the applicant has met the requirements for the granting of a use variance to operate the Market in an R-1-B zone. In this connection, we believe the longstanding use of the existing building on the Property as a general store, the age of the structure, the significant cost of renovations that are necessary to bring the Market back into operation, and the filing (and subsequent withdrawal) of a historic landmark designation application for the Property all establish the necessary hardship obstacles that would otherwise prevent the applicant from making reasonable uses of the Property within the R-1-B matter-of-right uses. The group of neighbors working with Commissioner Levine and the various parties, including the seller, the developer, and their various attorneys and professionals, have been able to generate considerable support for this redevelopment proposal that will not only carry on the tradition of a beloved neighborhood landmark property, but also contribute a new day care center to the educational structure of our Chevy Chase community. The alternative to this proposal might well be complex and lengthy litigation, neighborhood dissatisfaction and concern, and a dilapidated building falling into further decay as a nuisance to the area.

A copy of the ANC's full resolution is attached as Exhibit D.

V. COMPLIANCE WITH SECTION 205 OF THE ZONING REGULATIONS

Child development centers are permitted to operate in residential zones with special exception approval. In obtaining approval of a special exception pursuant to Section 205, the Applicant has the burden of showing that the child development center will not become objectionable to adjoining and nearby properties because of noise, number of students,

objectionable traffic conditions or objectionable conditions for picking up and dropping off children, or other objectionable conditions related to the location and operation of the child development center. This application fully satisfies the standards for special exception relief for child development centers in the R-1-B District, pursuant to 11 DCMR §205.

Section 205.2: The Center Shall be Capable of Meeting All Applicable Code and Licensing Requirements.

The proposed child development center on the Property is capable of meeting all applicable code and licensing requirements. The child development center will have a maximum of 60 children and a maximum of 8 staff members on the Property at any one time. The Child & Residential Care Facilities Division of the Department of Health submitted a memo, dated March 19, 2004, into the record of this case recommending approval of the application. The memo stated that the proposed child development center with sixty (60) children is recommended and "would assist in satisfying the City's dire need for licensed child care services for infant, pre-school and school-aged children."

Section 205.3: The Center Shall be Located and Designed to Create No Objectionable Traffic Conditions and No Unsafe Condition for Picking Up and Dropping Off of Children.

The Applicant's traffic and parking expert has concluded that based on observations of the Property and the surrounding neighborhood, and with adherence to a Transportation Management Plan ("TMP"), discussed in detail below, no unsafe condition for picking-up and dropping-off children will occur. Similarly, the traffic and parking expert has concluded that no objectionable traffic conditions will occur as a result of the introduction of the child development center use on the Property.

As noted in the Traffic and Parking Study, attached as Exhibit G, the child development center is expected to generate only 32 vehicular trips in the AM peak hour (8:00 – 9:00 AM), 33 vehicular trips in the PM school peak hour (3:00 – 4:00 PM) and 32 vehicular trips in the PM commuter peak (5:15 – 6:15 PM). These numbers are based on a conservative assumption that only 35% of the trips to the child development center would be made by foot. The general consensus of the ANC 3/4 G Commissioners was that this number would likely be higher given the current demographics of the neighborhood. However, the use of a conservative number was appropriate for the purpose of the Traffic and Parking Study. In conclusion, with regard to potential objectionable traffic conditions, the Applicant's traffic expert concluded that the Broad Branch Road/Northampton Street intersection currently operates at an acceptable level of service and will continue to do so after the redevelopment of the Property.

The Traffic and Parking Study notes that during the majority of the day there are over 40 vacant on-street parking spaces within a one block radius of the Property. The Applicant's traffic expert determined that a maximum of eleven parking spaces would be required at any one time during the peak periods of pick-up and drop-off operations of the child development center. The traffic expert noted that six parking spaces exist along the Property's frontage on Broad Branch and Northampton Streets. With the exception of approximately 30 minutes during the PM peak period, the vacant on-street parking spaces within a one block radius of the Property are sufficient to meet the needs of the parents, employees, and visitors to the site.

The Traffic and Parking Study recommends the adoption of the following Transportation Management Plan ("TMP"):

1) The CDC drop-off and pick-up period should be dispersed and should not coincide with drop-off and pick-up times at Lafayette Elementary School (school begins at 8:45 AM and ends at 3:15 PM);

2) Parents should be discouraged from dropping off children from 8:30 AM to 9:00 AM;

3) Parents should be discouraged from picking up children from 3:00 PM to 3:30 PM;

4) Parents and staff must legally park when dropping-off and picking-up students;

5) Families using the child development center should be encouraged to walk or carpool with other families;

6) Employees of the child development center should be encouraged to walk, carpool, or use public transportation to come to the Property; and

7) Staff persons from the child development center should assist children to and from cars during peak pick-up and drop-off periods.

The Applicant has agreed to adopt all of these recommendations.

As noted above, the Traffic and Parking Study concludes that "given the large number of available parking spaces within a one block radius of the site and with adherence to the [TMP], Wells & Associates concludes that no unsafe condition for picking-up and dropping-off of children will occur."

Section 205.4 **The Center Shall Provide Sufficient Off-Street Parking Spaces to Meet the Reasonable Needs of Teachers, Other Employees and Visitors.**

The Zoning Regulations require one parking space for every four teachers and staff of the child development center. The Applicant will provide four stacked parking spaces on the Property for use by child development center staff and employees. As noted in the Traffic and Parking Study, there are a significant number of available on-street parking spaces within a one block radius of the Property for use by teachers and staff of the child development center, as well as visitors to the child development center.

Section 205.5 **The Center, 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 or Activity, Or Visual or Other Objectionable Conditions.**

There will be no objectionable impacts on adjacent or nearby properties. The proposed play area of 700-1,000 square feet will be appropriately buffered from nearby properties. The Applicant has agreed to construct a wood fence surrounding the Property that is at least six feet tall.

Section 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 Shall Deem Necessary to Protect Adjacent and Nearby Properties.**

No special treatment is required. The Property is of significant size that the location of the child development center, the parking area, and the proposed play area will not create objectionable impacts on nearby properties. The Applicant has agreed to add appropriate landscaping surrounding the Property.

Section 205.7 **Any Off-Site Play Area Shall be Located So as Not to Result in Endangerment to the Children.**

While the Applicant believes that there is sufficient outdoor play area on the Property for the child development center, Lafayette Park Playground is located across Broad Branch Road from the Property.

Section 205.8 **The Board May Approve More Than One (1) Child Development Center in a Square or Within 1000 Feet of Another Only When The Board Finds Certain Conditions Have Been Met.**

The Applicant is not aware of any other child development center within the square or within 1000 feet.

VI. COMMUNITY OUTREACH & PROPOSED CONDITIONS OF APPROVAL

The Applicant has had numerous discussions and meetings with the adjacent property owners and residents of the surrounding neighborhood. The Applicant notes that the adjacent neighbors on Broad Branch Road and Northampton Street are supportive of the application. The Applicant notes that ANC 3/4G's support for the application was based on the following conditions:

1) An existing cherry tree on the Property will be retained;

2) The back of the entire Property will be fenced in with a wood, six foot high fence;

3) The day-care center will afford a first-priority preference system in admission to existing or prospective neighborhood residents to the extent of a majority of the slots in the center's enrollment; and

4) The redevelopment team will enter into a mutually-satisfactory construction agreement with the Commission.

The Applicant has agreed to accept all of these conditions, as well as the terms of the TMP outlined above, as conditions of Board approval of this application.

VII. LIST OF WITNESSES EXPECTED TO TESTIFY

The following witnesses are expected to testify at the public hearing on behalf of the Applicant:

1) Lewis Bloom; representative of the Applicant; and

2) Jami Milanovich; Wells & Associates, traffic and parking expert.

VIII. EXHIBITS IN SUPPORT OF THE APPLICATION

Exhibit A: Portion of the Sanborn plat showing the Subject Property outlined in red.

Exhibit B: Portion of the Zoning Map showing the Subject Property outlined in red.

Exhibit C: Elevations and plans of the proposed modifications and improvements to the building.

Exhibit D: Advisory Neighborhood Commission 3/4 G Resolution in Support of the Application.

Exhibit E: BZA Order No. 15905.

Exhibit F: Photographs of the existing building.

Exhibit G: Traffic and Parking Study.

Exhibit H: Outline of Testimony of Lewis Bloom, representative of the Applicant.

Exhibit I: Outline of Testimony of Jami Milanovich, traffic and parking expert.

IX. CONCLUSION

For all of the above reasons, the Applicant is entitled to the requested variance and special exception relief in this case.

Respectfully submitted,

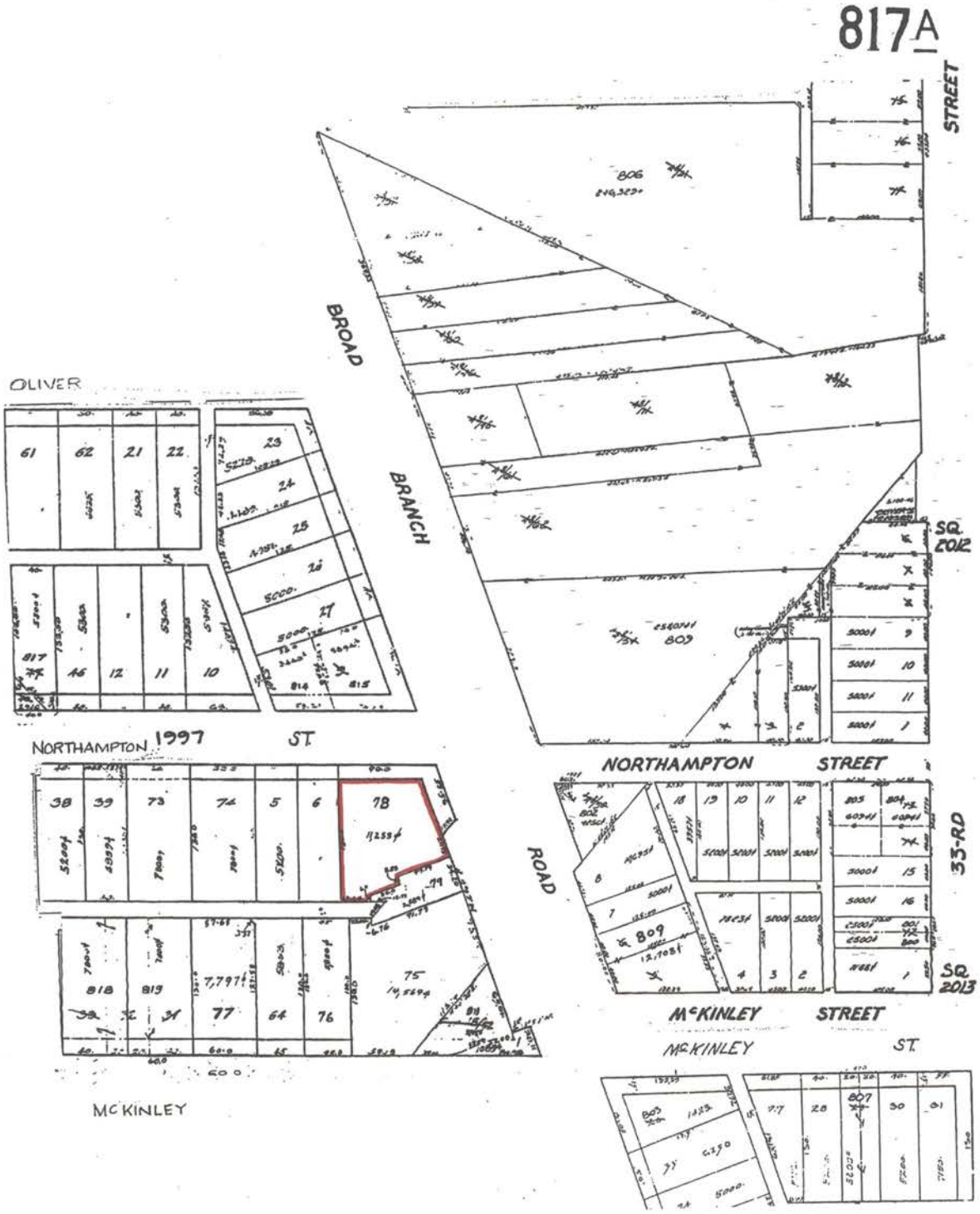
Shaw Pittman LLP

By: Paul A. Tummonds

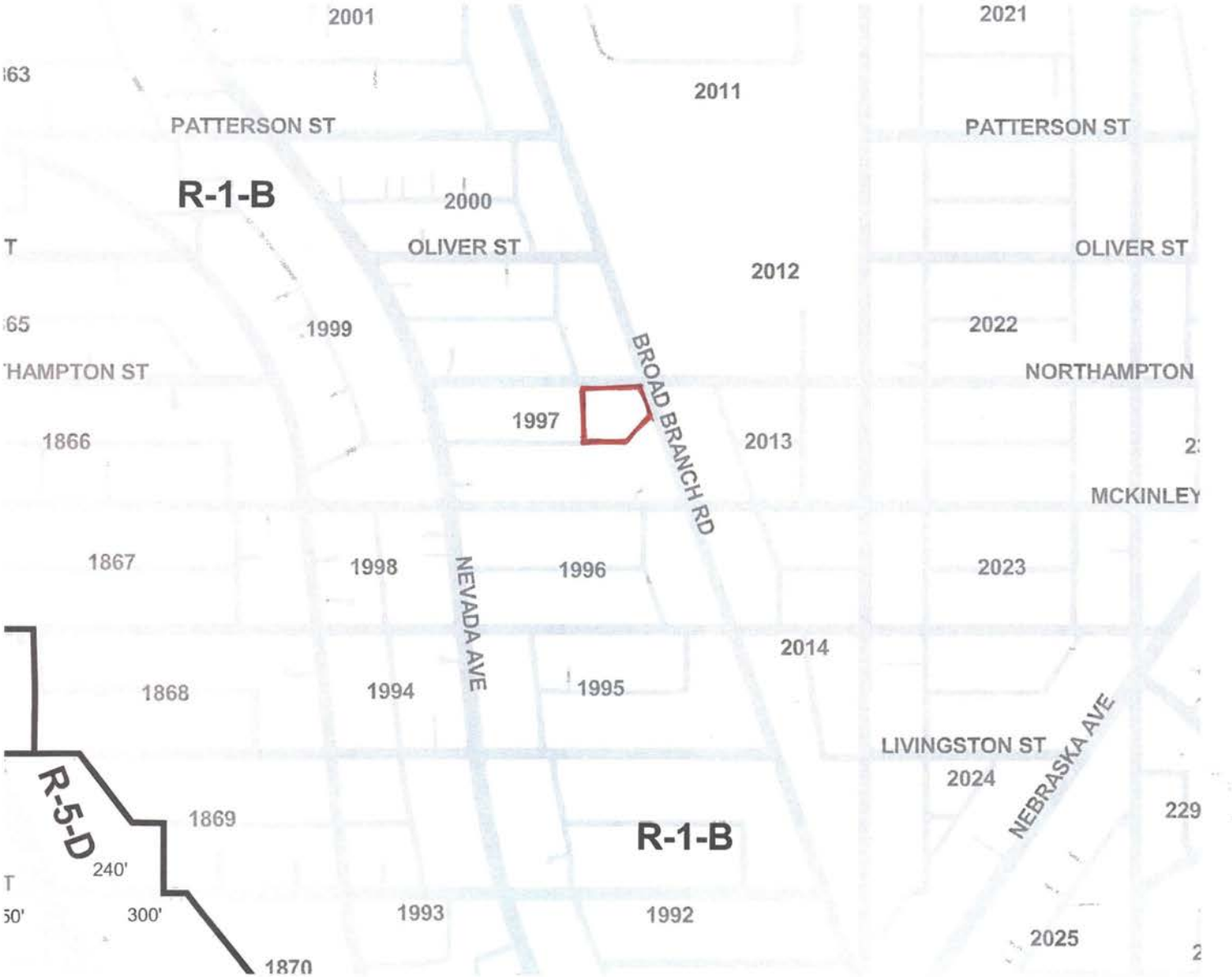
Paul A. Tummonds

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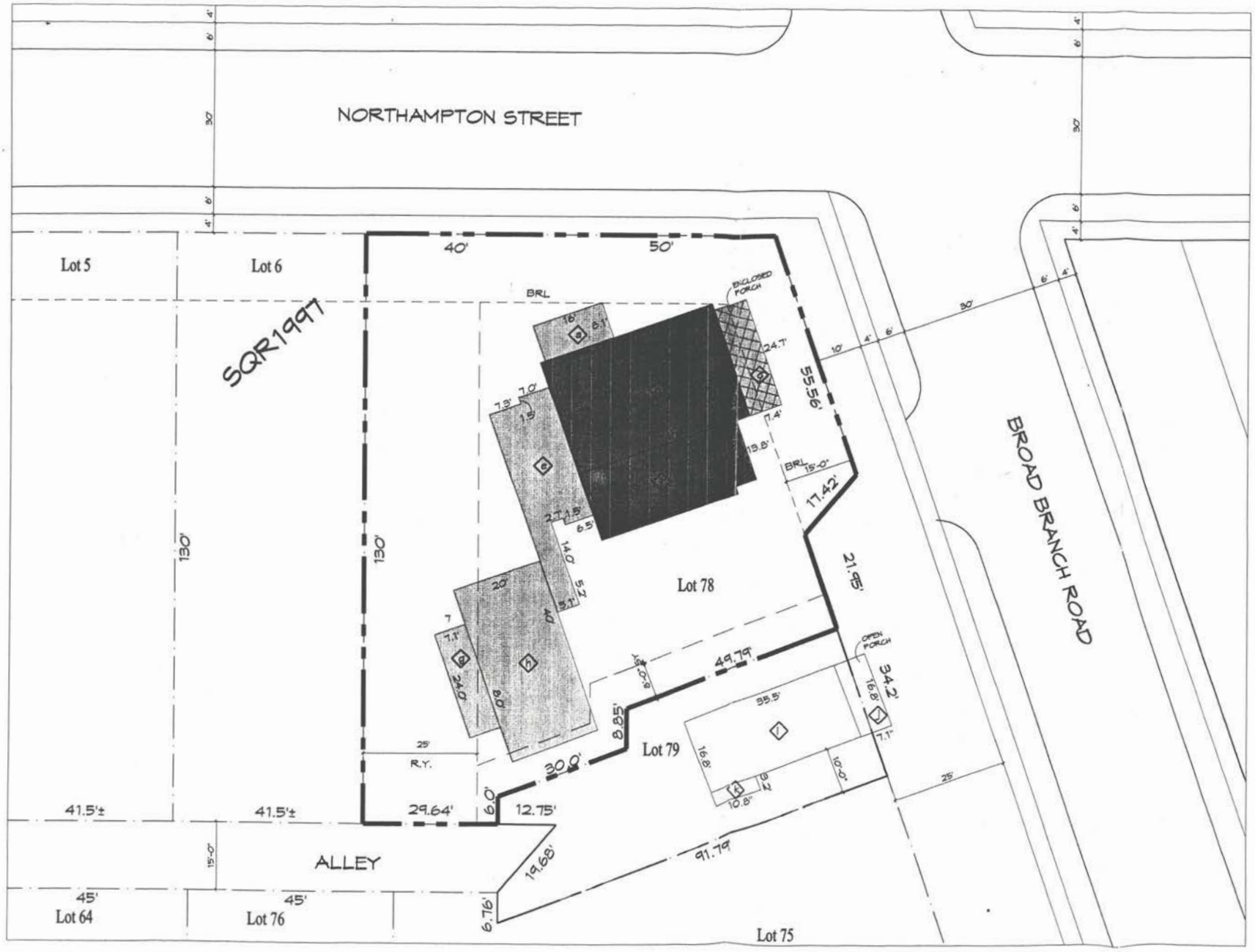
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ANCL ©
ARCHITECTS

CLIENT
LEWIS BLOOM

BROAD BRANCH MARKET

9/9/03
12/12/03

R.Y. REAR YARD
S.Y. SIDE YARD
B.R.L. BUILDING RESTRICTION LINE

LOT 78: 11,252.5 SF

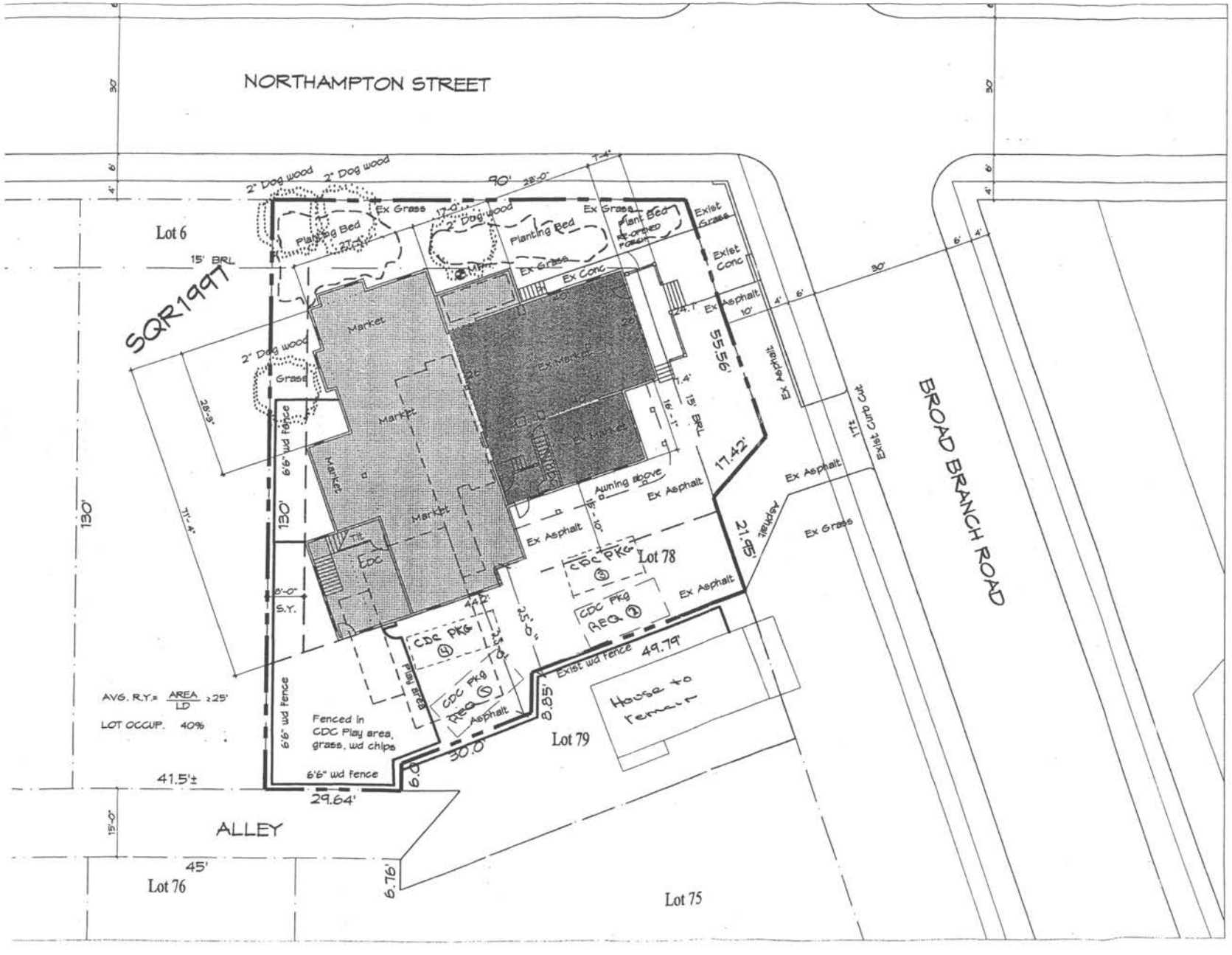
LOT 79: 2,588.84 SF

NOTES:
GRADES, BLDG DIM, AND OTHER SITE INFORMATION APPROX; NEED SURVEY TO VERIFY.

0 20'

EXISTING BLDG

SITE 2



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ARCHITECTS

CLIENT
LEWIS BLOOM

BROAD BRANCH MARKET

12/22/03

PROPOSED:

1ST FLOOR GFA

EXIST. (TO REMAIN)	1,798 - Mkt
EXIST. (DEMOLISH & REBUILD)	1,707 - Mkt
NEW	500 - Mkt
NEW	495 - CDC
S. TOTAL:	4,500 GFA (Mkt/CDC)

2ND FLOOR GFA

EXIST. (TO REMAIN)	1,120
EXIST. (DEMOLISH & REBUILD)	0
NEW	2,610
S. TOTAL:	3,730 GFA (CDC)
TOTAL:	8,230 GFA

CELLAR, "Basement"

EXIST.	1,655
NEW	0
S. TOTAL	1,655 SF

Percet Lot Occup allowed: 40%

Percet Lot Occup provided: 40%

Existing / Demo

New; Rebuilt

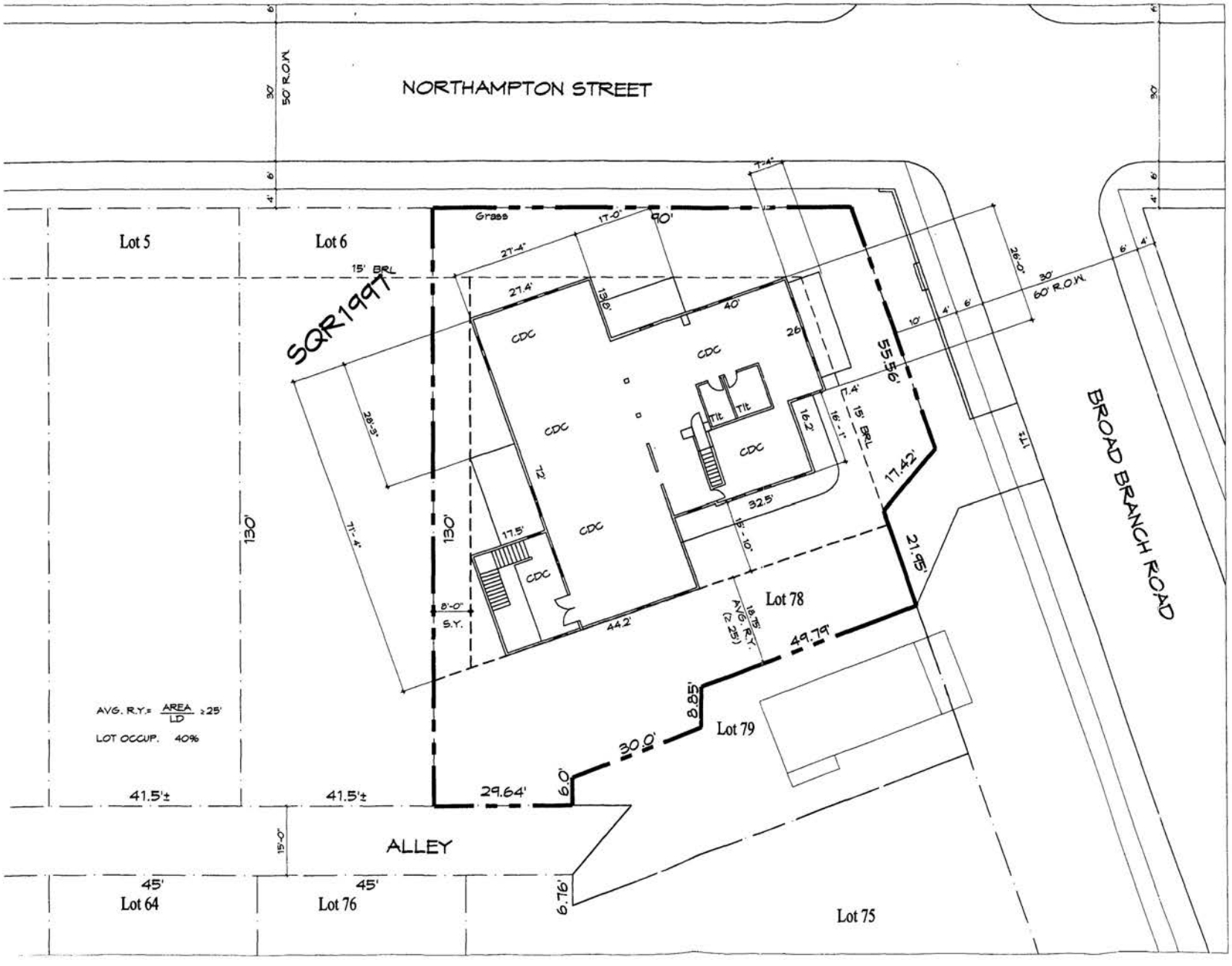
TOTAL SITE AREA: Lot 78; 11,253 SF

NOTES:
GRADES, BLDG DIM, AND OTHER SITE INFORMATION APPROX; NEED SURVEY TO VERIFY.

0 20'

LEVEL 1

OPTION 2.4b



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ARCHITECTS

CLIENT
LEWIS BLOOM

BROAD BRANCH MARKET

12/22/03

PROPOSED:

1ST FLOOR GFA

EXIST. (TO REMAIN)	1,798 - MKT
EXIST. (DEMOLISH & REBUILD)	1,707 - MKT
	500 - MKT
	495 - CDC
S. TOTAL:	4,500 GFA (MKT/CDC)

2ND FLOOR GFA

EXIST. (TO REMAIN)	1,120 CDC
EXIST. (DEMOLISH & REBUILD)	0
NEW	2,610 CDC
S. TOTAL:	3,730 GFA (CDC)

TOTAL: 8,230 GFA

CELLAR, "Basement"

EXIST.	1,655
NEW	0
S. TOTAL	1,655 SF

Percet Lot Occup allowed:	40%
Percet Lot Occup provided:	40%

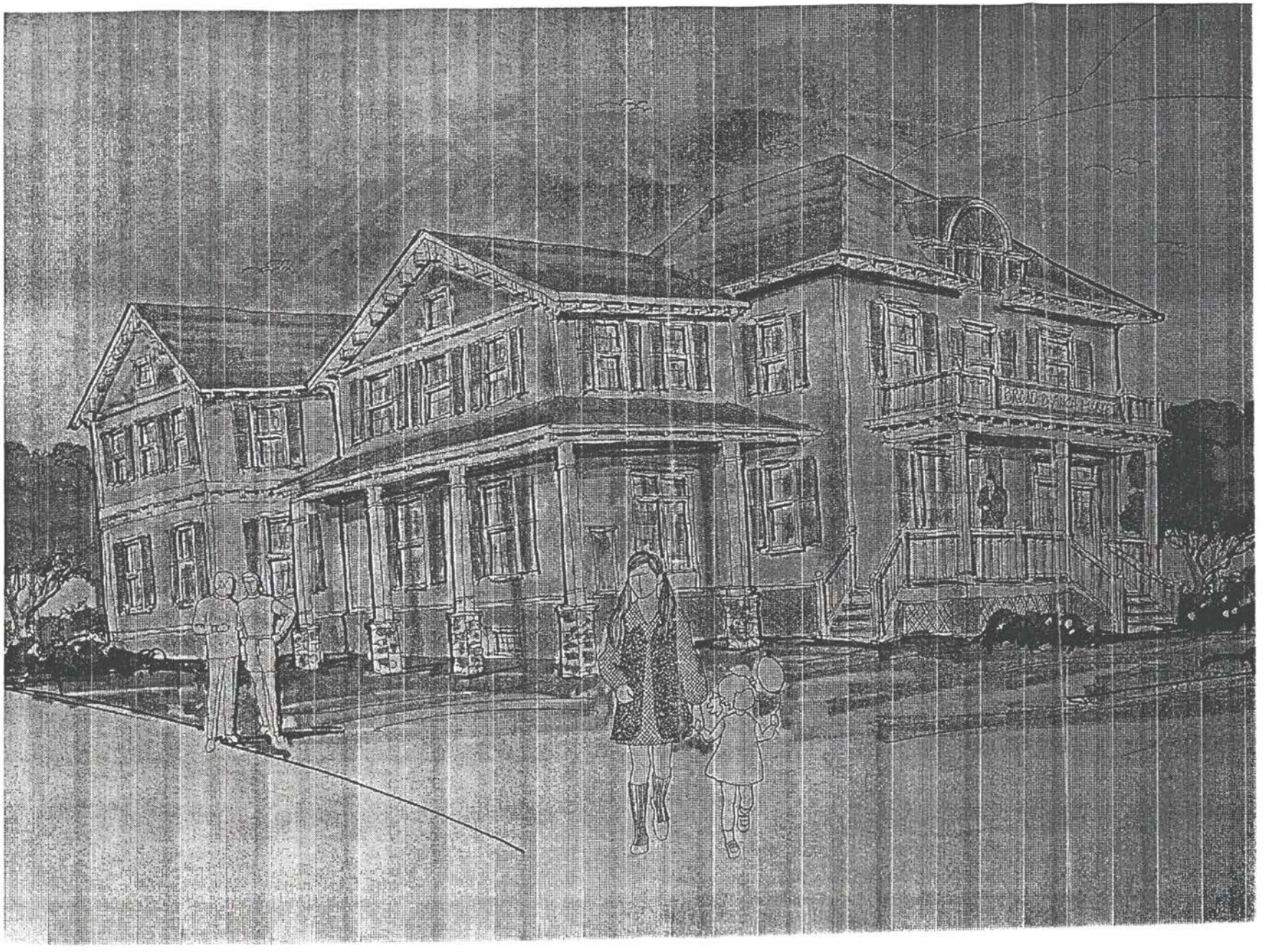
TOTAL SITE AREA:
Lot 78; 11,253 SF

NOTES:
GRADES, BLDG DIM, AND OTHER SITE INFORMATION APPROX; NEED SURVEY TO VERIFY.

0 20'

LEVEL 2

OPTION 2.4b



D

3/4G Chevy Chase
Advisory Neighborhood Commission 3/4G
MAILING ADDRESS: P.O. BOX 6252 Northwest Station Washington, DC 20015

CHEVY CHASE OFFICE
5601 Connecticut Ave. NW
Washington, DC 20015
(202) 363-5803
FAX (202) 686-4366
E-mail uppernwdc@juno.com

March 26, 2004

Mr. Geoffrey Griffis
Chairman
Board of Zoning Adjustment
One Judiciary Square #210S
441 Fourth Street, N.W.
Washington, D.C. 20004

Re: BZA Application No.17147, Broad Branch Market, 5608 Broad Branch Road, N.W. (Sq. 1997, Lot 78)

Dear Mr. Griffis:

At its regular, public meeting of March 22, 2004, by a vote of six to zero, with one abstention (a quorum being four), ANC 3/4G (the "Commission") approved and agreed to support the following two requests for relief submitted by Paul Tummonds, Esq., Shaw Pittman, LLP, attorney for Lewis Bloom, of Bloom Builders, Chevy, Chase, MD, contract purchasers of the Broad Branch Market property (the "Property"):

A. Use Variance Relief (11 DCMR Sec. 3103.2 and 2002.3) in order to reconfigure the Broad Branch Market structure;
B. Special Exception approval (11 DCMR Sec. 3104.1 and 205) in order to establish a child development center with a maximum of 60 children and 8 staff members on the property at any time.

The Commission did not approve or endorse the requested Area Variance Relief (11 DCMR Sec. 3103.2 and 404) (rear yard requirement) at this time, pending the developer's decision to attempt to redesign the project to eliminate the need for this request.

The reasons for the Commission's support of the foregoing requests for relief include the following:

1. The Property was a neighborhood general store for over 80 years until 2003 when it was boarded up (the previous operator failed and had its lease cancelled by the owners of the Property). Many neighborhood residents and local school children (attending Lafayette School across the street) have for

many decades relied upon the store for a variety of food, beverage and snack needs. It has long been of great benefit to the neighborhood and the residents are anxious for it to return as a delightful and convenient nearby market and store for the whole family. The neighbors have filed an application to designate the Property as a historic structure (subsequently conditionally withdrawn) in order to preserve the Property as a neighborhood store.

2. The neighborhood strongly supports bringing the Property back to life as a local general market and a day care center. In fact, the neighbors mobilized last year to persuade the current owners to sell the Property solely for this purpose and not for any alternative uses. The application to designate the Property as a Historic Structure was filed by the neighbors in order to further that goal. The Property has been empty for a year now and is beginning to exhibit an unkempt appearance. The neighbors have been working closely with Mr. Bloom and his development team for over six months, along with a representative of the ANC (Vice Chair Jerry Levine, in whose SMD the Property is located) in order to achieve a design for the Property that redevelops it as an attractive and sustainable resource for the community.

3. The collaborative process described above has resulted in a favorable design that includes a community market on the first floor featuring gourmet food and wines, a small coffee bar and candy counter, and a branch of All Saints All Day Child Care development center on the second floor (proposal with All Saints is still pending as the prospective operator of the day care center).

4. The prospect of a new day care center on the second floor of the Property is particularly exciting to the neighborhood and to the Commission. It will bring a number of new, younger families into the neighborhood, many of whom will also be sending their children to Lafayette Elementary when they are ready for school. It is anticipated that the proposed new child development center will be operated by All Saints All Day Child Care, Inc., a well-respected neighborhood nonprofit organization. All Saints is an experienced operator of seven other child development centers in the metropolitan area. The child development center will include a maximum of 60 children on the Property at any one time and have a staff of 6 to 8 -- which will not result in crowded or unmanageable numbers of people on the Property. A protected, buffeted play area is also planned for the children on the Property, who will also have use of the nearby Lafayette Park playground.

5. The ANC has received only two objections to the redevelopment plan or to the items of relief requested by the redeveloper from the BZA from adjoining or other neighborhood homeowners or residents living in the vicinity of the Property: one from a nearby owner who is not opposed to the plan in its current state but who would oppose it if it included the razing of a house situated between his house and the Market; and another from a nearby owner who would prefer that the Property be sold for residential ownership use.

6. The results of a traffic and parking analysis performed by the redeveloper's traffic consultants were presented to the Commission's meeting of March 22. The study indicates no significant increase in traffic on neighborhood streets as a result of bringing the Market back or by adding the child development center. The report further indicates that the increase in temporary parking needs resulting from the use of both the Market and day care center can be accommodated by existing on-street parking (there are only three houses fronting on Broad Branch Road between McKinley and Northampton Streets). The staggered drop off hours in the morning for the day care center should alleviate any potential concerns that the child development center could substantially increase traffic at the same time as children are being dropped off for school at Lafayette Elementary in the morning. Likewise, the length of the hours for pick-up at the end of the day for the child development center will only conflict with pick-up times at Lafayette for about 30 minutes.

7. The redevelopment plan for the Property includes the addition of four new on-site parking spaces, a number that is expected to be provide sufficient parking facilities for child development center staff. As was the case for over 80 years of the Market's operations, customers of the Market itself will either walk to the Property from the neighborhood or park on neighborhood streets. It should be noted that the E4 and E6 buses stop near the Property and that these buses connect with the Friendship Heights metro stop and with the L2 bus on Connecticut Avenue.

8. The proposed redevelopment plan does not call for the use of an existing alley or the installation of any delivery platform. Adequate plans have been made for signage and lighting. Playground noise is not expected to be significant. Possible outdoor seating will be considered.

9. At the Commission's meeting of March 22, 2004, the redevelopment team for the Property also agreed to meet the following special conditions requested by the Commission in connection with this matter:

    - An existing, old cherry tree on the Property will be retained.
    - The back of the entire Property will be fenced in with a wood, six-foot high fence.
    - The day care center will afford a first-priority preference system in admission to existing or prospective neighborhood residents to the extent of a majority of the slots in the center's enrollment.
    - The redevelopment team will enter into a mutually-satisfactory construction agreement with the Commission.

10. The Commission believes the applicant has met the requirements for the granting of a use variance to operate the Market in an R-1-B zone. In this connection, we believe the longstanding use of the existing building on the

Property as a general store, the age of the structure, the significant cost of renovations that are necessary to bring the Market back into operation, and the filing (and subsequent withdrawal) of a historic landmark designation application for the Property all establish the necessary hardship obstacles that would otherwise prevent the applicant from making reasonable uses of the Property within the R-1-B matter-of-right uses. The group of neighbors working with Commissioner Levine and the various parties, including the seller, the developer, and their various attorneys and professionals, have been able to generate considerable support for this redevelopment proposal that will not only carry on the tradition of a beloved neighborhood landmark property, but also contribute a new day care center to the educational structure of our Chevy Chase community. The alternative to this proposal might well be complex and lengthy litigation, neighborhood dissatisfaction and concern, and a dilapidated building falling into further decay as a nuisance to the area.

11. The Commission further believes that the special exception should be granted for this Property in order to operate the proposed new day care center. This proposed use is in harmony with the general purpose and intent of the zoning regulations and complies with the provisions of Section 205 of the Zoning Regulations.

For all of the above reasons, ANC 3/4G strongly supports and endorses the applicant's above-cited two requests for relief from the BZA for this Property. If there is any additional information or materials needed or desired by the BZA from the ANC on this matter, please do not hesitate to contact Vice Chair Jerry Levine (202.775.4551 or jerry@sambergfdn.org) whom the ANC has designated as its representative to represent the Commission with respect to all proceedings relating to this matter.

Thank you for your consideration of this report and also for affording it "great weight" in your deliberations on this matter.

Sincerely,

Robert Gordon

Robert Gordon
Chair,
ANC 3/4G

cc: Mr. Lewis Bloom
Paul A. Tummonds, Esq.
Vice Chair Jerry Levine

E

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 15905 of Eugene W. and Carol S. Shin, pursuant to 11 DCMR 3107.2, for a variance to allow a subdivision that does not comply with the Zoning Regulations (Subsection 101.6), a variance from the rear yard requirements (Subsection 404.1), a variance from the lot width and area requirements (Subsection 401.3), and a variance from the allowable percentage of lot occupancy requirements (Subsection 403.2) to allow the subdivision of three lots into two lots with two existing principle structures in an R-1-B District at premises 5606 and 5608 Broad Branch Road, N.W. (Square 1997, Lots 7, 8 and 824).

HEARING DATE: February 9, 1994
DECISION DATE: February 9, 1994 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3G and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 3G. ANC 3G, which is automatically a party to the application, filed a written statement of issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 101.6, 404.1, 401.3 and 403.2. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3107, that there exists an exceptional or extraordinary situation or condition related to the property which creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED**.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.1 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3-0 (George Evans, Laura M. Richards and Craig Ellis to grant; Angel F. Clarens and William B. Johnson not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Madeliene H. Robinson
MADELIENE H. ROBINSON
Director

FINAL DATE OF ORDER: MAR 7 1994

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENMTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ORD15905/TWR/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 15905

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on MAR 7 1994 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Mr. & Mrs. Eugene Shin
5606 Broad Branch Road, N.W.
Washington D.C. 20015

Anne M. Renshaw, Chairperson
Advisory Neighborhood Commission 3-G
P.O. Box 6252
Washington, D.C. 20015

Madeliene H. Robinson

MADELIENE H. ROBINSON
Director

DATE: MAR 7 1994

F



Intersection of Broad Branch and Northhampton



View along Northampton



Entrance on Broad Branch



View along Broad Branch



Existing Building



View along Broad Branch

G

TRAFFIC AND PARKING STUDY
FOR THE
BROAD BRANCH MARKET AND
CHILD DEVELOPMENT CENTER
WASHINGTON, D.C.

Prepared for:
Bloom Builders, Inc.

Prepared by:
Wells & Associates, LLC

March 2004

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Section I
INTRODUCTION

Overview

Bloom Builders proposes to renovate the existing, vacant Broad Branch Market that is located in the southwest quadrant of the Broad Branch Road/ Northampton Street intersection in the northwest section of Washington, D.C. (See Figure 1-1).



The vacant Broad Branch Market

The proposed re-development would raze a portion of the existing 4,625 S.F. building. In its place, a new 3,605 S.F., two-story addition would be constructed, as shown on Figures 1-2 and 1-3.

The renovated structure would house a 4,005 S.F. neighborhood market on the first floor and a 4,225 S.F. child development center (CDC), which would occupy a small portion of the first floor and the entire second floor. Four on-site parking spaces would be provided adjacent to the building.

Study Area

The study area was selected based on those intersections that could potentially be affected by the proposed development.

Based on a scoping meeting with District Department of Transportation (DDOT) staff, the Broad Branch Road/Northampton Street intersection was selected for detailed analysis.

This report presents an analysis of existing transportation conditions in the site vicinity, an analysis of 2007 no-build conditions, and an analysis of 2007 conditions after the proposed re-development is completed.

Tasks undertaken in this study included the following:

1. Review of development plans prepared by ANCL Architects.
2. Agreement with DDOT staff regarding the traffic study scope.
3. A field reconnaissance of existing roadway and intersection geometrics, traffic controls, and speed limits.
4. Field observations of arrival and dismissal at Lafayette Elementary School.
5. Parking occupancy counts on Broad Branch Road and Northampton Street in the site vicinity.
6. Turning movement counts at the Broad Branch Road/Northampton Street intersection during the AM and PM peak periods of the adjacent streets and the PM peak period of Lafayette Elementary School.
7. Analysis of existing and projected levels of service at the Broad Branch Road/Northampton Street intersection.
8. Estimation of the number of AM and PM peak hour trips that would be generated by the proposed project.

9. Recommendation of a traffic and parking management plan.

The conclusions of this study are as follows:

1. ***The Broad Branch Road/Northampton Street intersection currently operates at an acceptable level of service (LOS) "A" during all peak hours. The intersection would continue to operate at LOS "A" after re-development of the Broad Branch Market, as proposed by Bloom Builders.***

2. ***Classes at Lafayette Elementary School begin at 8:45 AM. Dismissal is at 3:15 PM.***

3. ***The peak parking demands in the study area occur at 8:45 AM when 67 percent of the parking spaces are occupied and at 3:15 PM when 97 percent of the parking spaces are occupied.***

4. ***The north side of Northampton Street adjacent to the school was utilized by parents stopped to drop-off/pick-up students. The east side of Broad Branch Road adjacent to the school was not used by many parents stopping to drop-off/pick-up students, however.***

5. ***The proposed CDC would generate an estimated 49 AM peak hour person-trips, 51 PM school peak hour person-trips, and 49 PM commuter peak hour person-trips. Approximately 35 percent of the trips are projected to be made on foot. Therefore, 32 AM peak hour vehicular trips, 33 PM school peak hour vehicular trips, and 32 PM commuter peak hour vehicular trips would be generated.***

6. ***The proposed neighborhood market would generate an estimated 31 person-trips during each peak hour. Approximately 50 percent of these trips are projected to be non-auto trips or pass-by trips from the nearby Lafayette Elementary School. Therefore, 15 new vehicular trips would be generated during each of the peak hours.***

7. ***According to the District of Columbia Municipal Regulations[1], two on-site parking spaces would be required for eight CDC employees.***

8. ***An estimated eleven spaces would be required to accommodate the drop-off/pick-up operations of the CDC.***

9. ***Since the market use is grandfathered and the proposed square footage does not exceed the square footage of the existing market, no on-site parking spaces would be required for the market use.***

The recommendations of this study are as follows:

1. ***The CDC should implement a transportation management plan consisting of the following elements:***

   A. ***CDC drop-off and pick up times should be dispersed and should not coincide with drop-off and pick up times at Lafayette Elementary School.***

   B. ***Parents should be discouraged from dropping-off children from 8:30 AM to 9:00 AM.***

   C. ***Parents should be discouraged from picking-up children from 3:00 PM to 3:30 PM.***

   D. ***Parents and staff must legally park when dropping-off or picking-up students.***

   E. ***Encourage families in the immediate vicinity to walk and other families to carpool.***

   F. ***Encourage employees to walk, carpool, or use public transportation.***

[1] District of Columbia Municipal Regulations, Title 11-Zoning, Section 2101.1, 2001 Edition.

G. Provide staff person(s) to assist children to and from cars during pick-up and drop-off times.

2. The market should implement a transportation management plan consisting of the following elements:

A. The curbside loading zone on the south side of Northampton Street adjacent to the market should be retained.

B. Market deliveries should be scheduled outside of CDC peak periods.

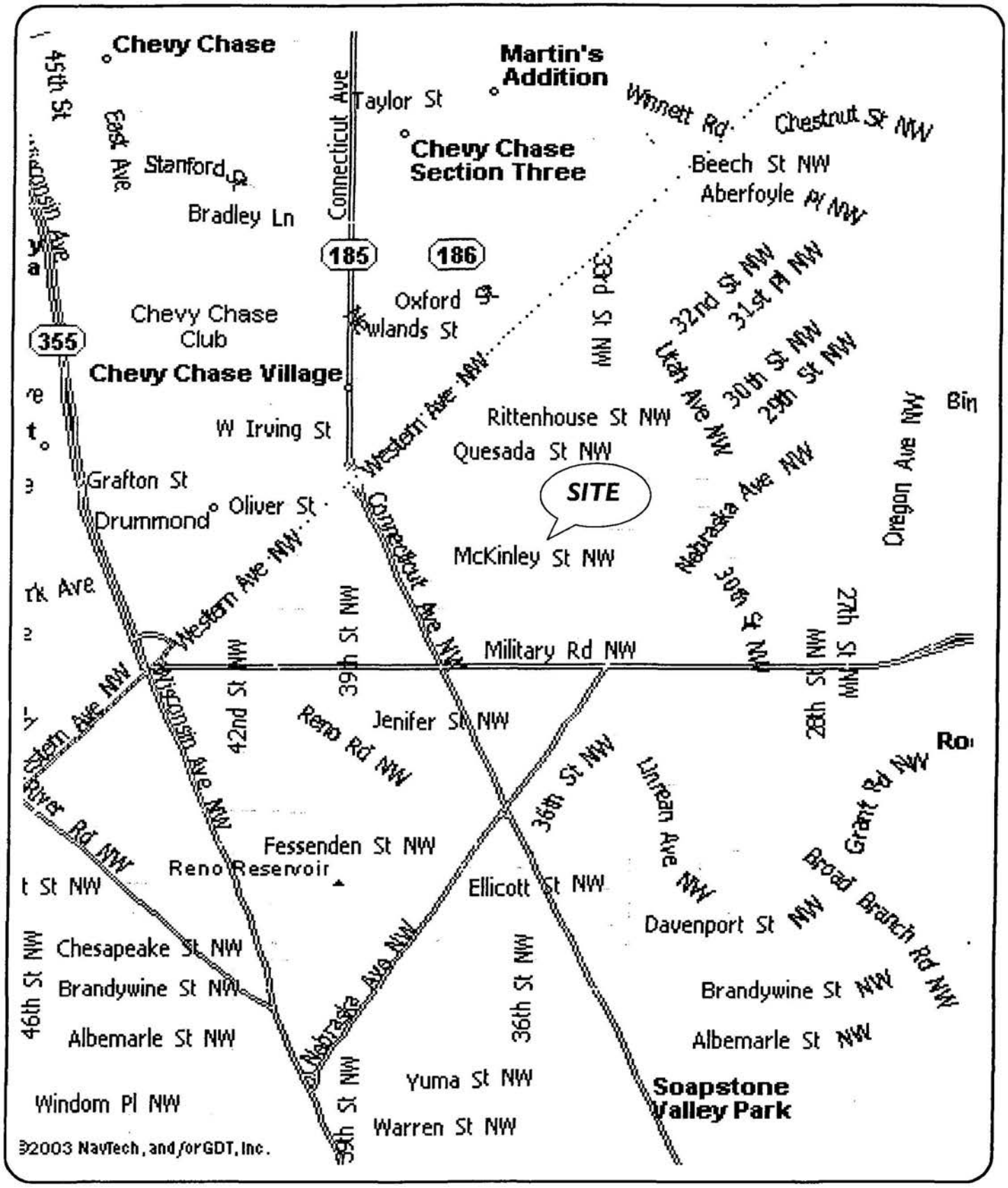


Figure 1-1
Site Location Map

North
Schematic

Broad Branch Market and CDC
Washington, DC

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, AND PARKING CONSULTANTS

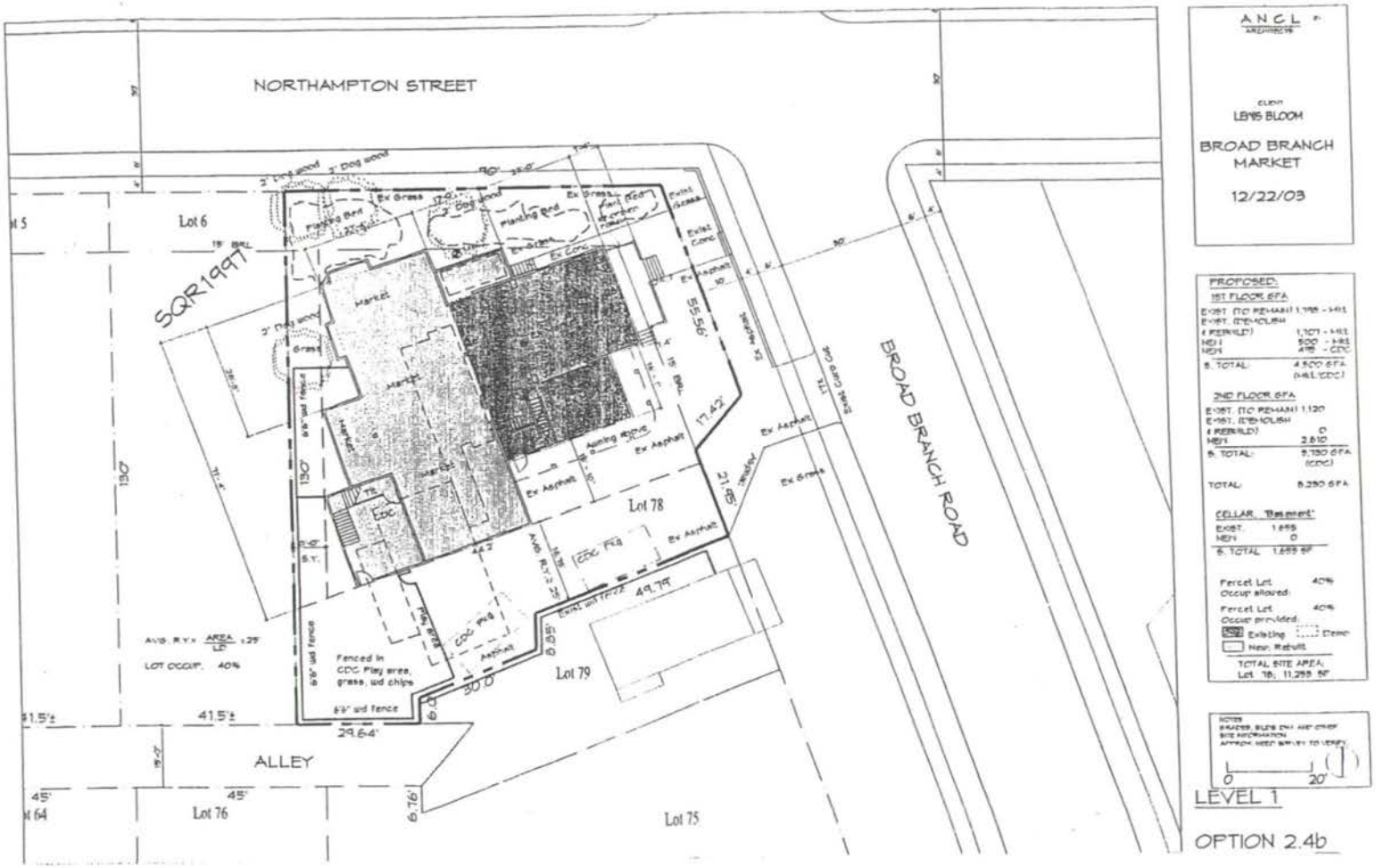


Figure 1-2
Proposed Site Plan (First Floor)

North
Schematic

Broad Branch Market and CDC
Washington, DC

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, AND PARKING CONSULTANTS

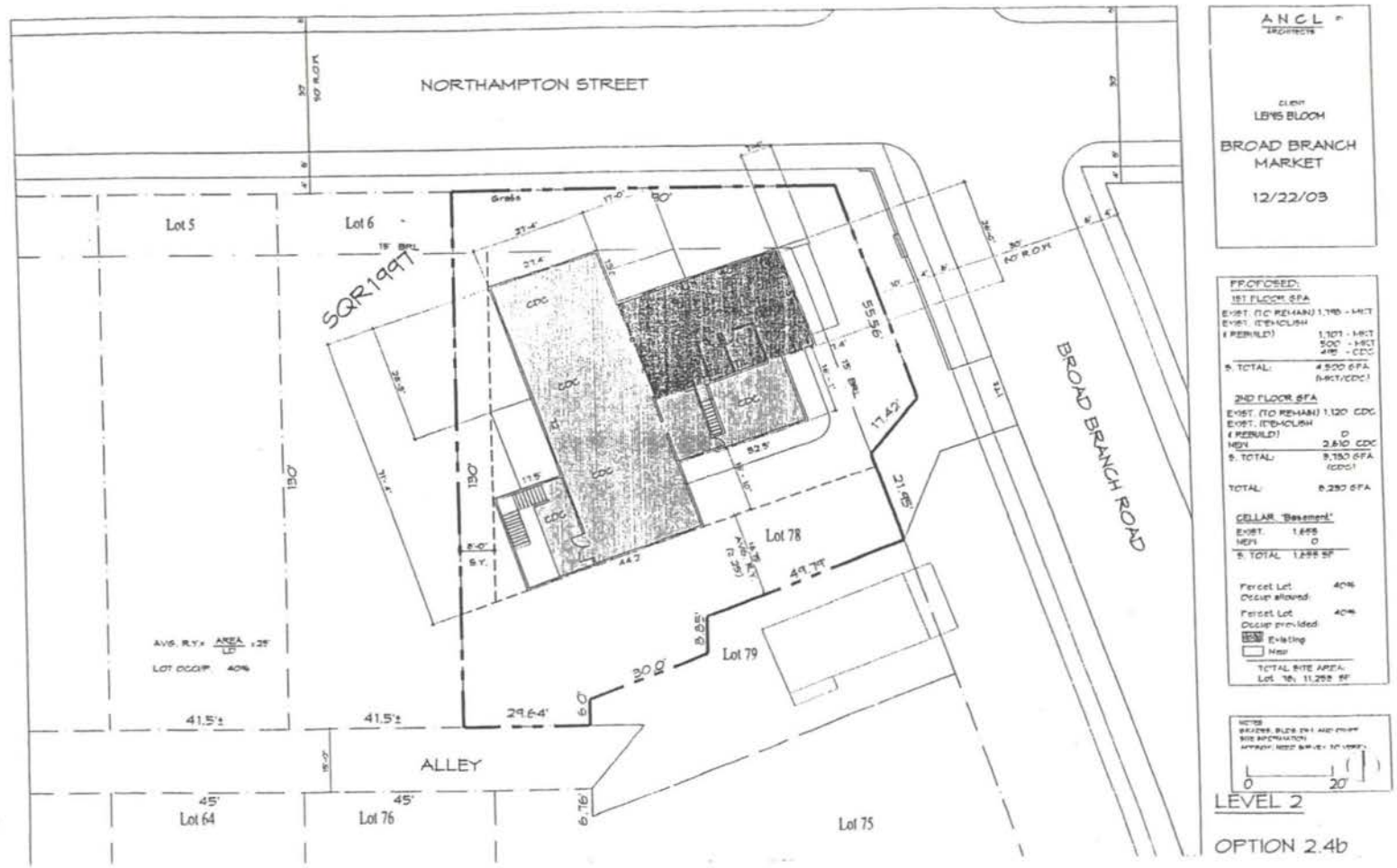


Figure 1-3

Proposed Site Plan (Second Floor)

North
Schematic

Section 2
EXISTING CONDITIONS

Land Use

The area immediately surrounding the subject site is primarily residential, comprised of single-family detached housing. Lafayette Elementary School is located on the northeast corner of the Broad Branch Road/ Northampton Street intersection. Lafayette Park is located immediately east of the school.

Roadway Network

Broad Branch Road is a two-lane, local, street aligned in a north-south direction. In the vicinity of the site, the roadway is 29 feet wide and the speed limit is posted at 15 miles per hour (mph) "When Children are Present."

Parking is present on both sides of the street south of Northampton Street. North of Northampton Street, parking on the west side of the street is limited to two hours between 7:00 AM and 8:30 PM, except Zone 3 permit holders. Parking on the east side of the street is prohibited from 8:00 AM to 4:00 PM on school days.

Northampton Street is a two-lane, local, street that is aligned in an east-west direction. The 29-foot wide roadway has a posted speed limit of 15 mph "When Children are Present."

West of Broad Branch Road, parking is allowed on both sides of the street, with the exception of a signed loading zone located on the south side adjacent to the existing Broad Branch Market. East of Broad Branch Road, parking is present on the south side of the roadway. Parking on the north side of Northampton Street is prohibited between 7:00 AM and 6:30 PM on school days.

The Broad Branch Road/Northampton Street intersection is a four-way stop-controlled intersection. (See Figure 2-1). One lane is provided on each approach. On school days, police officers direct traffic at the intersection during the AM peak hour.



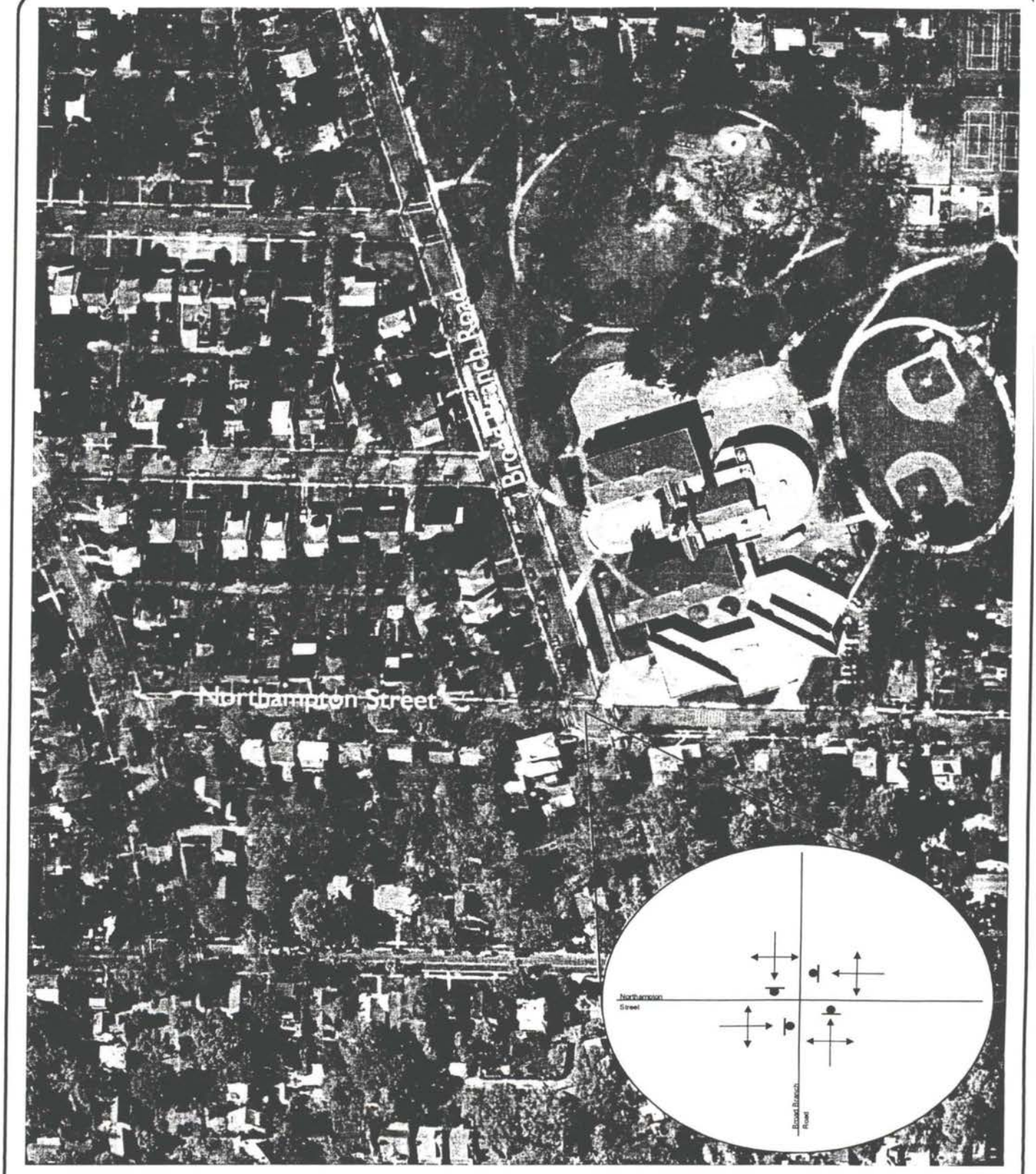
Police Officer directing traffic at Broad Branch Road/Northampton Street

Public Transportation Facilities and Services

The study area is currently served by Metrobus Route E6 (the Chevy Chase Line), which provides access to the Friendship Heights Metro Station. Bus stops are located on Broad Branch Road south of Northampton Street and north of Oliver Street.

Traffic Volumes

Turning movement counts were conducted at the Broad Branch Road/Northampton Street intersection on Thursday, March 4, 2004 from 6:00 AM to 10:00 AM and from 2:30 PM to 6:30 PM.



Travel Lane

Existing Traffic Signal

Existing Stop Sign

North
Schematic

Figure 2-1
Existing Lane Use and Traffic Control

Broad Branch Market and CDC
Washington, DC

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, AND PARKING CONSULTANTS

These times were selected in order to capture not only the commuter peak periods, but also the peak periods associated with Lafayette Elementary School, which begins at 8:45 AM and dismisses at 3:15 PM.



Intersection of Broad Branch Road/Northampton Street

Based on the count data, three peak hours were selected. The AM peak hour occurred from 8:00 to 9:00 AM. The afternoon school peak hour occurred from 3:00 to 4:00 PM and the evening commuter peak hour occurred from 5:15 to 6:15 PM.

The common school/commuter AM peak hour was the highest of the three peak hours. A total of 295 vehicles entered the intersection at that time. The school PM peak hour (at 183 vehicles) was higher than the commuter PM peak hour (at 152 vehicles).

Pedestrian counts were also taken concurrently with the vehicle counts. The peak hour vehicular and pedestrian volumes are shown on Figure 2-2. Traffic count data is included in Appendix A.

Operational Analysis

A capacity/level of service (LOS) analysis was conducted at the Broad Branch Road/Northampton Street intersection in accordance with Highway Capacity Manual 2000 procedures.

Based on the existing traffic control, lane use, and traffic volumes, each approach of the intersection operates at an acceptable LOS "A" during all peak hours.

Results of the analysis are summarized in Table 2-1. HCS worksheets are included in Appendix B.

Table 2-1
Existing Levels of Service
Broad Branch Road/Northampton Street

Approach	AM Peak	PM Peak (School)	PM Peak (Commuter)
EB	A (7.52)	A (7.08)	A (7.22)
WB	A (7.87)	A (7.22)	A (7.23)
NB	A (7.69)	A (7.23)	A (7.16)
SB	A (7.57)	A (7.30)	A (7.41)
OVERALL	A (7.74)	A (7.23)	A (7.26)

Parking Analysis

Overview. Parking occupancy counts were conducted on Northampton Street between Nevada Avenue and 33rd Street and on Broad Branch Road between McKinley Street and Oliver Street (an area consisting of a one block radius around the Broad Branch Market site) on Thursday, March 4, 2004 from 6:00 to 10:00 AM and from 2:30 to 6:30 PM. Occupancy count summaries are included in Appendix C.

Occupied Spaces. Excluding areas adjacent to Lafayette Elementary School, the peak parking demand within a one block radius during the AM period occurred at 8:45 AM when 67 percent of the parking spaces were occupied, as shown on Figure 2-3. During the PM peak period, the peak parking demand occurred at 3:15 PM when 97 percent of the available spaces were occupied.

Incorporating the areas adjacent to Lafayette into the analysis, 62 percent of the spaces were occupied during the peak demand at 8:45 AM and 88 percent were occupied during the peak demand at 3:15 PM, as shown on Figure 2-4.

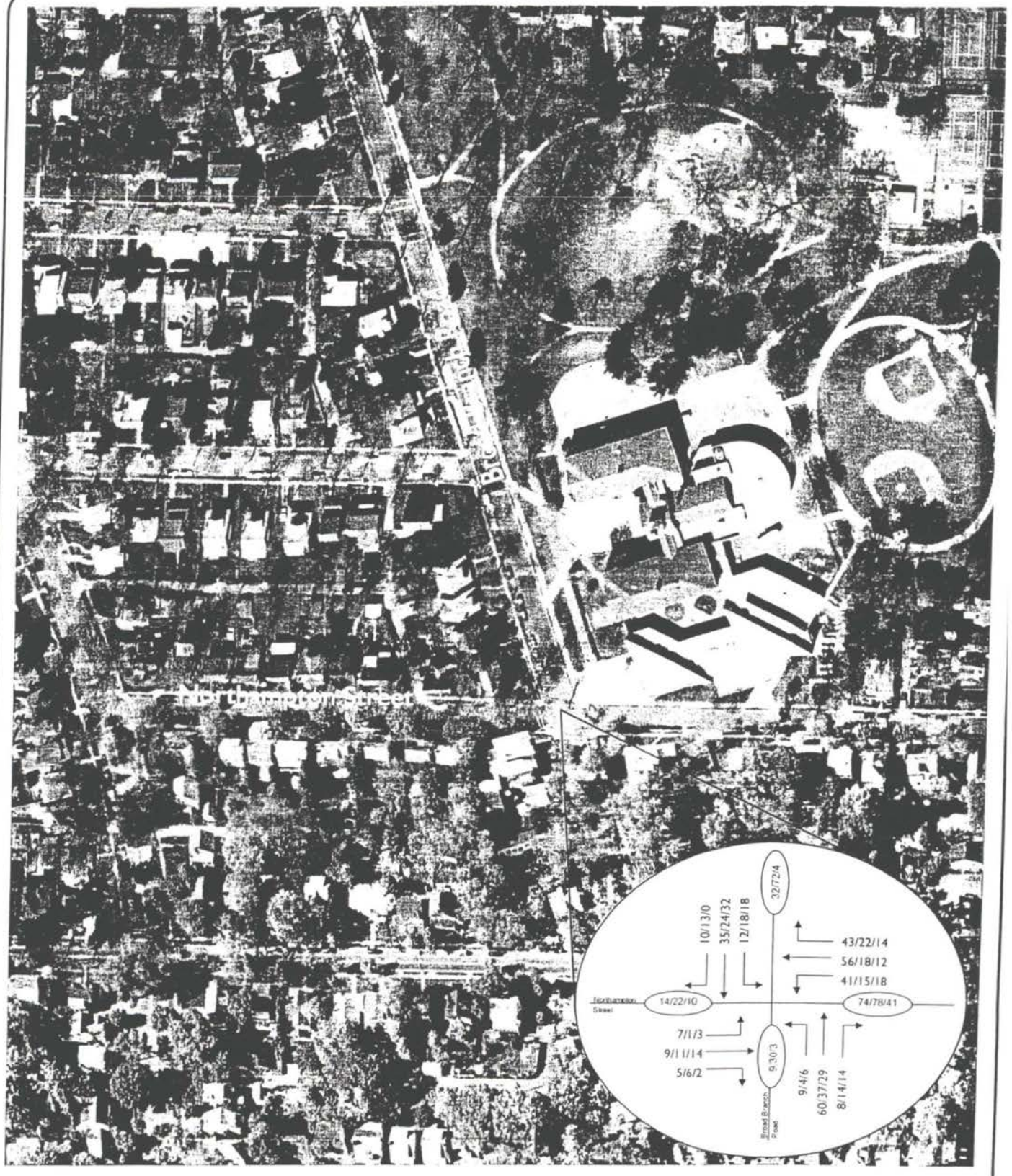


Figure 2-2
Existing Peak Hour Traffic Volumes

AM Peak Hour Ped Volume
PM Peak Hour Ped Volume (School)
PM Peak Hour Ped Volume (Commuter)
14 / 22 / 10

AM Peak Hour Vehicle Volume
PM Peak Hour Vehicle Volume (School)
PM Peak Hour Vehicle Volume (Commuter)
00 / 00 / 00

North
Schematic

Broad Branch Market and CDC
Washington, DC

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, AND PARKING CONSULTANTS

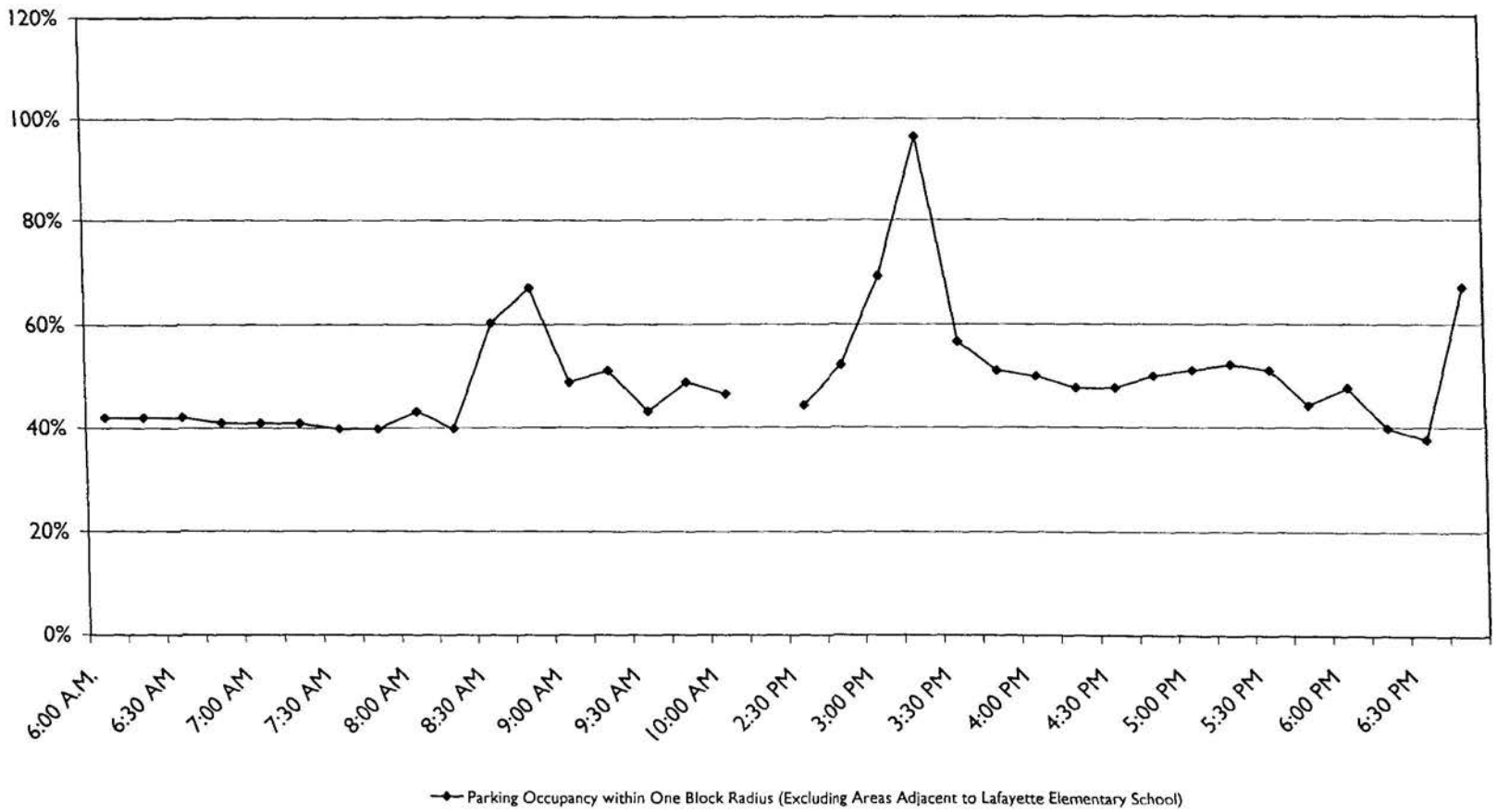


Figure 2-3

Existing Parking Demand within One Block Radius

(Excluding Areas Adjacent to Lafayette Elementary School)

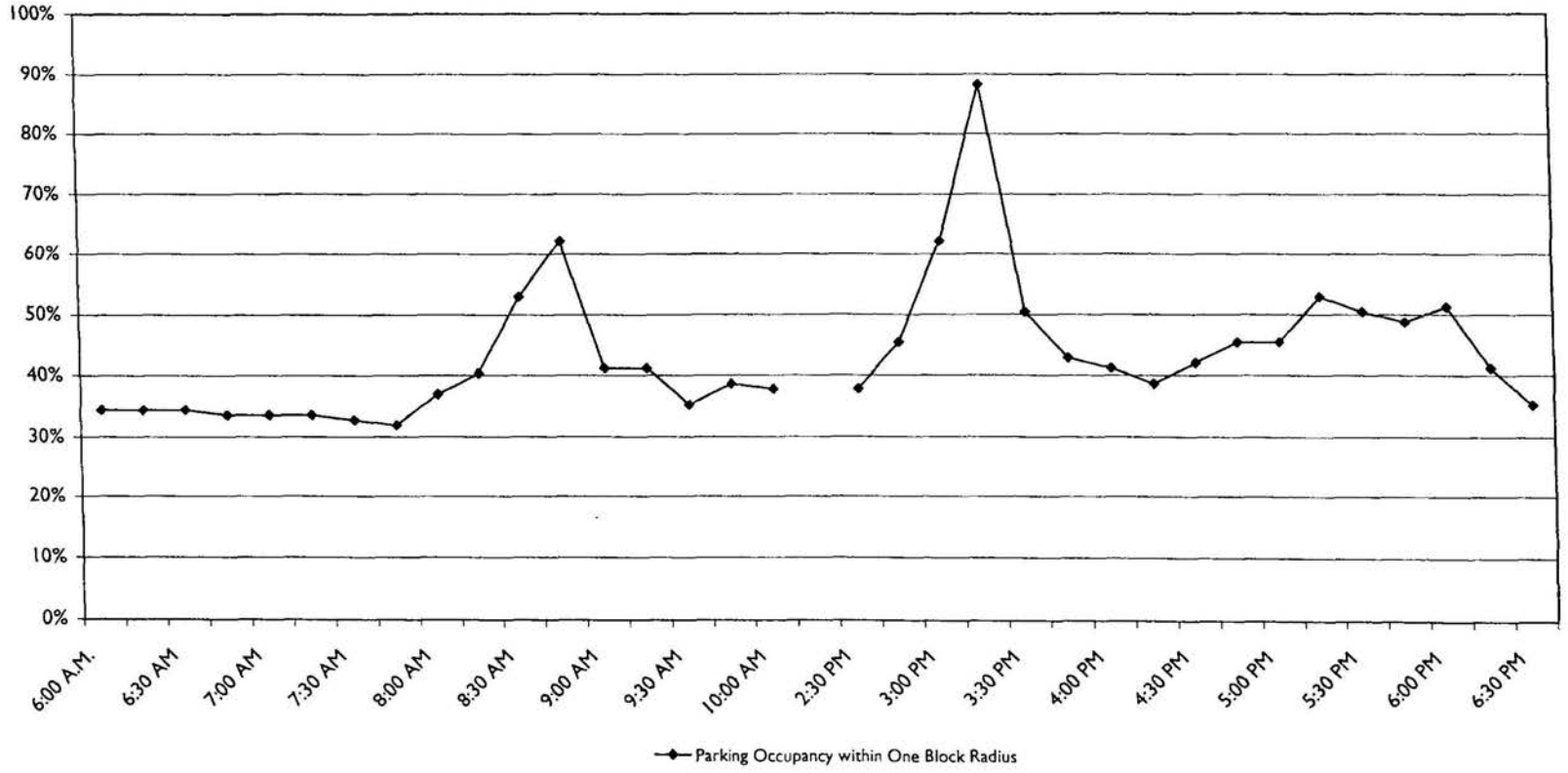


Figure 2-4

Existing Parking Demand within One Block Radius

(Including Areas Adjacent to Lafayette Elementary School)

Field observations during Lafayette's arrival and dismissal times revealed that the north side of Northampton Street adjacent to the school was heavily utilized by parents stopped to drop-off/pick-up students.



Parking on north side of Northampton Street during dismissal at Lafayette Elementary School.

The east side of Broad Branch Road adjacent to the school was not widely used by parents stopping to drop-off/pick-up students, however. Just 23 percent of the available spaces on the east side of Broad Branch Road between Northampton Street and Oliver Street were utilized during the peak demand. During the hours of unrestricted parking in this area (after 4:00 PM), the maximum utilization was only 38 percent.

It was noted that two charter buses were parked in this area during the AM peak hour waiting for students to board, presumably for a field trip.

Vacant Spaces. Figure 2-5 graphically shows the number of vacant parking spaces within a one block radius of the site (excluding the areas adjacent to Lafayette Elementary School).

The periods of time from 8:30 to 9:00 AM and from 3:00 to 3:30 PM have the fewest available parking spaces, with a minimum of 29 parking spaces available during the AM peak and a minimum of three parking spaces available during the PM peak.

During other times at least 40 vacant parking spaces are available within the one block radius. With the exception of approximately 30 minutes during the PM peak, these vacant spaces are sufficient to meet the needs of parents, employees, and visitors to the site.

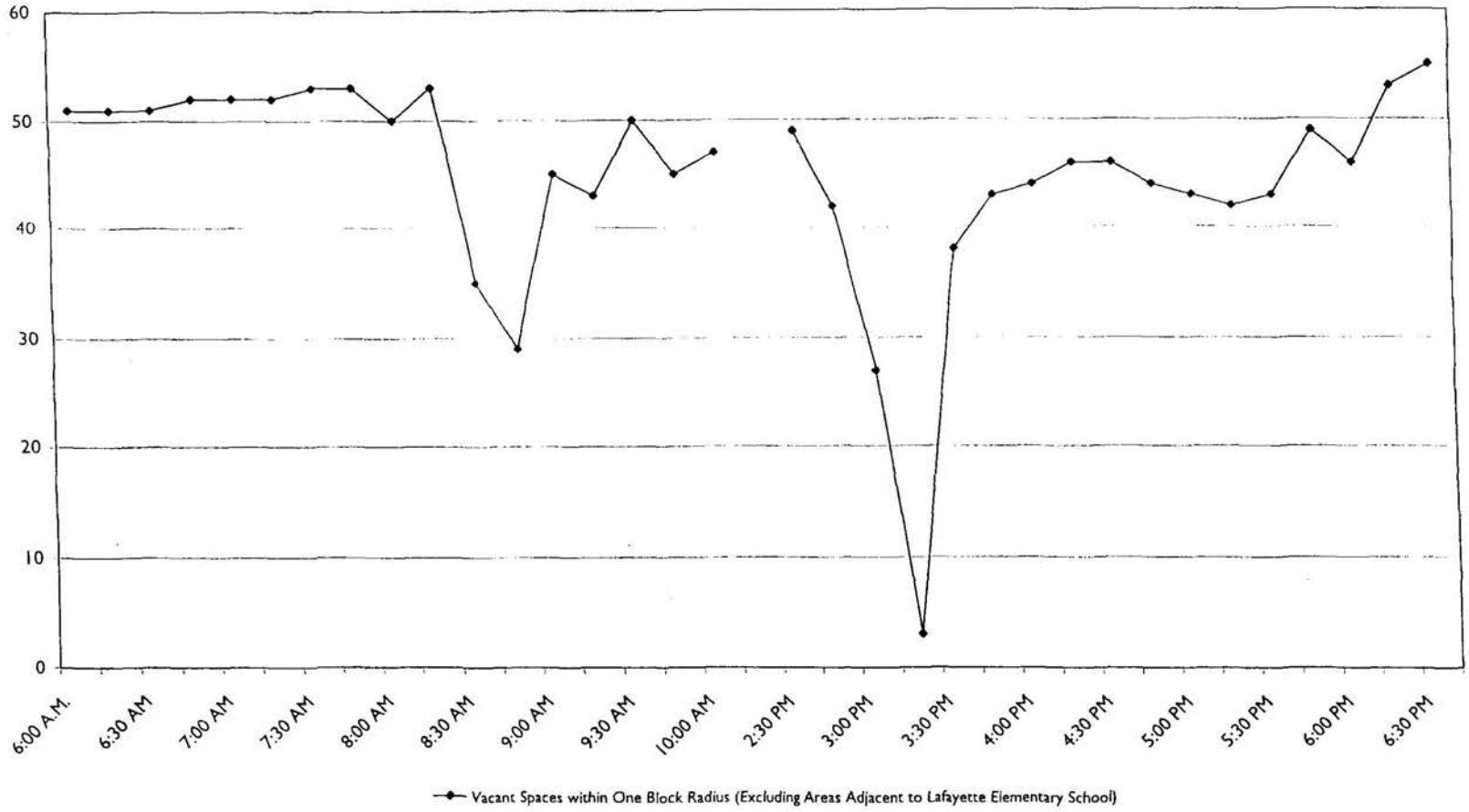


Figure 2-5
Vacant Parking Spaces within One Block Radius
(Excluding Areas Adjacent to Lafayette Elementary School)

Section 3
FUTURE BACKGROUND CONDITIONS

Land Use

No changes to the current character/lane use of the area are anticipated.

Roadway Network

No changes to the roadway network are currently planned within the study area.

Traffic Volumes

In order to account for area-wide traffic growth outside the immediate study area, a growth rate of 1.0 percent per year, compounded annually over three years was applied to the existing volumes.

No planned developments within the immediate area are known. Given the local nature of both Broad Branch Road and Northampton Street, these roadways would not be affected by "through" traffic volumes resulting from developments outside the immediate site vicinity.

The peak hour background traffic forecasts are shown in Figure 3-1.

Operational Analysis

As shown in Table 3-1, each approach to the Broad Branch Road/Northampton Street intersection is projected to continue to operate at a LOS "A" during all peak hours in 2007, without the proposed re-development. HCS worksheets are included in Appendix D.

Table 3-1
Background Levels of Service
Broad Branch Road/Northampton Street

APPROACH	AM PEAK	PM PEAK (SCHOOL)	PM PEAK (COMMUTER)
EB	A (7.54)	A (7.09)	A (7.22)
WB	A (7.91)	A (7.23)	A (7.25)
NB	A (7.72)	A (7.24)	A (7.18)
SB	A (7.59)	A (7.32)	A (7.42)
OVERALL	A (7.78)	A (7.25)	A (7.28)

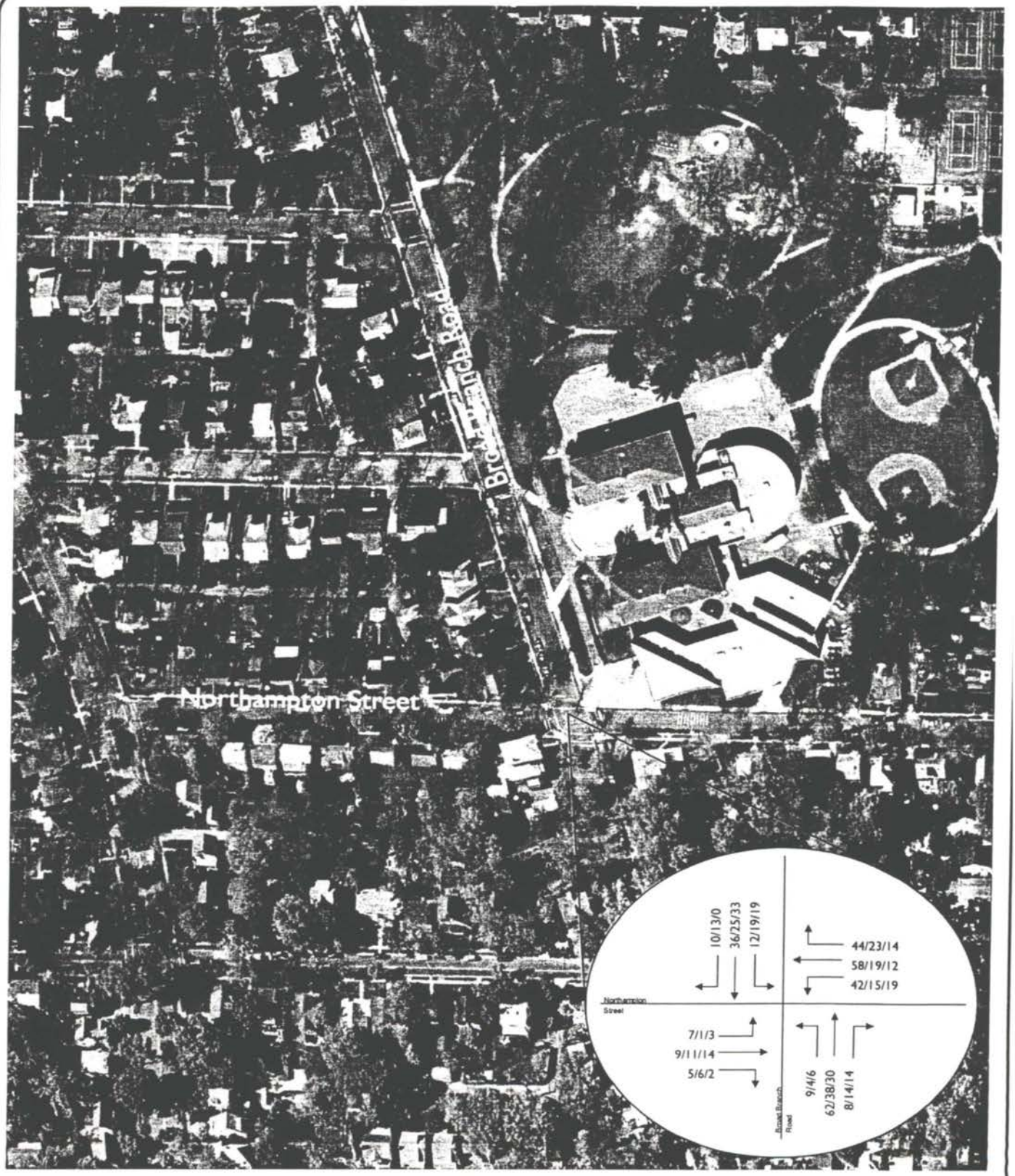


Figure 3-1
2007 Background Peak Hour Traffic Volumes

Broad Branch Market and CDC
Washington, DC

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Section 4
SITE ANALYSIS

Trip Generation Analysis

Child Development Center. The proposed 4,225 square foot child development center (CDC) would be operated by All Saints' All Day Child Care Center and would enroll a maximum of 60 students. The center would employ approximately six to eight teachers and staff.

The number of trips anticipated to be generated by the proposed CDC was estimated based on the Institute of Transportation Engineers' (ITE) Trip Generation[2]. Land Use Code 565, Day Care, was used with the number of units as the independent variable.

The CDC is anticipated to generate 49 total AM peak hour person-trips, 51 total PM peak hour person-trips during the school peak, and 49 total PM peak hour person-trips during the PM commuter peak.

All Saints' All Day Child Care Center provides community based service and anticipates that a large portion of children attending the CDC would live nearby in the Lafayette neighborhood. As such, a portion of the total trips to and from the CDC would be pedestrians. In order to account for this phenomenon, a non-auto mode split of 35 percent was assumed. This assumption is supported by data collected by Wells & Associates at the Rosemount Center[3]. As a result, the CDC is anticipated to generate 32 vehicular trips during the AM peak hour, 33 vehicular trips during the PM school peak hour, and 32 vehicular trips during the PM commuter peak hour.

At the March 22, 2004 ANC 3/4G Public Meeting, one of the ANC commissioners stated that he thought this assumption was low, and that more than 35 percent of the trips would be non-auto trips.

Market. The proposed 4,005 square foot neighborhood market would feature gourmet food and wines, a small coffee bar, and candy.

The number of trips anticipated to be generated by the proposed neighborhood market was estimated based on the Institute of Transportation Engineers' (ITE) Trip Generation[1]. Land Use Code 814, Specialty Retail, was used with the square footage as the independent variable.

The neighborhood market is anticipated to generate 31 total person-trips during each of the peak hours. An estimated 209 total person-trips would be generated by the market on a daily basis.

Due to the community serving nature of the neighborhood market, a portion of the generated trips would be pedestrian trips. Additionally, some of the trips would be pass-by trips from Lafayette Elementary School. A pass-by trip is defined by ITE[4] as a trip in which the retail or service destination is the secondary part of a primary trip, such as a work-to-shopping-to-home trip. In other words, a portion of the trips to and from the Broad Branch Market are anticipated to be Lafayette students and/or parents that would already be in the area. To account for these phenomena, a reduction of 50 percent was applied to the total trip generation. Therefore, the market is expected to generate 15 new vehicular trips during the each of the peak hours.

The trip generation for both uses is summarized in Table 4-1.

[2] Trip Generation, 7th Edition, Volume 3, Institute of Transportation Engineers, Washington, DC, 2003.

[3] Rosemount Center Traffic and Parking Study, Wells & Associates, October 7, 2003.

[4] Trip Generation Handbook, Institute of Transportation Engineers, Washington, DC, 2001.

Table 4-1
Trip Generation Summary

PEAK PERIOD[a]	CDC			MARKET[b]			Total Net New Trips
	Total Trips	35% Mode Split	Net New Vehicle Trips	Total Trips	50% Mode Split/Pass-by	Net New Vehicle Trips	
AM-Enter	26	9	17	14	7	7	**24**
AM-Exit	23	8	15	17	9	8	**23**
AM-Total	49	17	32	31	16	15	**47**
PM1-Enter	24	8	16	14	7	7	**23**
PM1-Exit	27	10	17	17	9	8	**25**
PM1-Total	51	18	33	31	16	15	**48**
PM2-Enter	23	8	15	14	7	7	**22**
PM2-Exit	26	9	17	17	9	8	**25**
PM2-Total	49	17	32	31	16	15	**47**
Daily	269	94	175	209	105	104	**194**

[a] PM1 = PM School Peak Hour
PM2 = PM Commuter Peak Hour
[b] No data were available for the AM Peak Hour or PM School Peak Hour; therefore, PM Commuter Peak Hour data was used for all peak hours

Trip Distribution

The distribution of peak hour trips generated by the proposed development was determined based on existing traffic patterns in the study area.

An estimated 30 percent of the site generated traffic would approach/depart the site to/from the north via Broad Branch Road, while approximately 28 percent would approach/depart the site to/from the south via Broad Branch Road.

Approximately 14 percent of site-generated traffic would approach/depart the site to/from the west via Northampton Street, while an estimated 28 percent would approach/depart the site to/from the east on Northampton Street.

Site Traffic Assignments

The site-generated traffic volumes were assigned to the public roadway network according to the directional distribution described above. The resulting site traffic assignments are shown on Figure 4-1.

Parking Analysis

Overview. In order to determine the parking demands of the CDC, data were collected at several similar facilities. The number of parking spaces required to adequately accommodate the CDC and market parking demands were then computed and compared to the available number of vacant parking spaces.

Student Drop-off/Pick-Up. The drop-off/pick-up operation of the All Saints' All Day Child Care Center in Chevy Chase, Maryland was observed from 7:45 AM to 9:00 AM and from 3:15 PM to 5:30 PM on March 17, 2004.

The number of vehicles stopped or parked (either in the on-site parking lot or on the adjacent street) to drop-off or pick-up children was recorded every minute. The maximum number of vehicles stopped or parked at one time during the morning observation was nine vehicles.

All Saints' All Day Child Care Center enrolls children from 80 families at its Chevy Chase facility. Therefore, based on the AM data collected, approximately 0.113 parking spaces per enrolled family were required for the drop-off/pick-up operation.

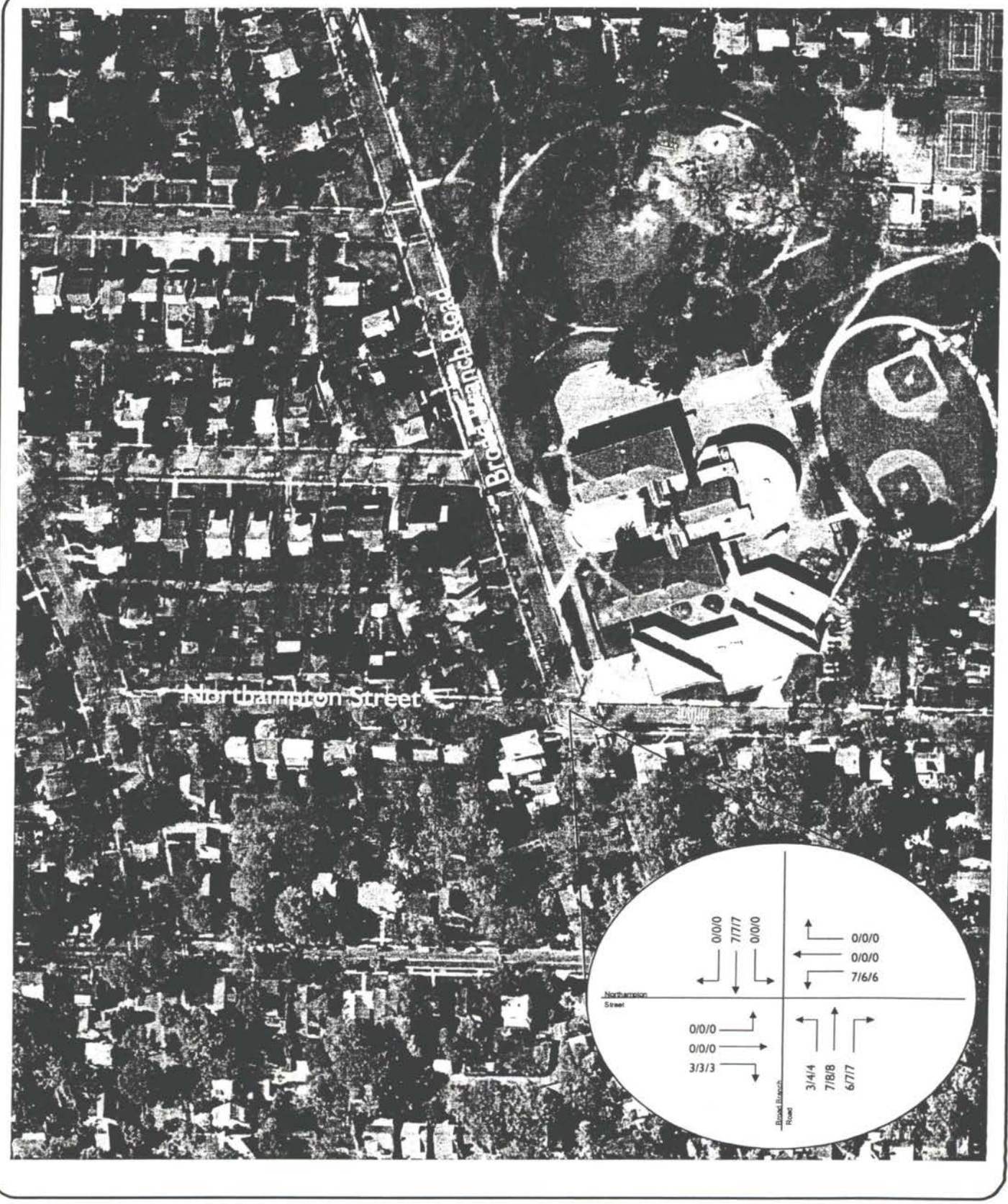


Figure 4-1
Site Generated Traffic Volumes

Broad Branch Market and CDC
Washington, DC

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Data collected as part of the Rosemount Center traffic study[5] indicates that ten vehicles arrived during the busiest 15-minute interval to drop-off students in the morning. In the afternoon, 11 vehicles arrived during the busiest 15-minute interval to pick-up students. Based on an enrollment of 131 students, the parking demand at Rosemount is 0.076 spaces per student during the AM peak and 0.084 spaces per student during the PM peak.

It should be noted that the arrival of children at Rosemount took place over a 2¼-hour period. The pick-up of children took place over a 2½-hour period.

Minute-by-minute queues collected as part of a traffic analysis conducted for Barbara's Montessori School[6] indicates that a maximum of four vehicles were queued at one time during the peak morning drop-off period. During the peak PM pick-up period, a maximum of seven vehicles were queued at one time. Based on an enrollment of 24 children, this corresponds to 0.16 spaces per child during the AM peak and 0.28 spaces per child during the PM peak. The higher rates can be attributed to the fact that the drop-offs were concentrated over only a 49-minute period and the pick-ups were concentrated over only a 25-minute period.

Based on the above data, it is reasonable to assume that a maximum of 11 spaces would be required at any one time during the peak periods to accommodate the proposed CDC's drop-off/pick-up operations. Approximately six parking spaces exist along the site's frontage (on Broad Branch Road and Northampton Street).

Faculty/Staff. The proposed CDC would employ six to eight teachers and staff. The District of Columbia Municipal Regulations[7] for Child Development Centers require one on-site parking space per four employees. Accordingly, two on-street parking spaces would be required.

Market. The proposed neighborhood market would not require any on-site parking spaces due to the fact that the use is grandfathered and the proposed square footage does not exceed the square footage of the existing market, no on-site parking spaces would be required for the market use.

Conclusion. Given the large number of available parking spaces within a one block radius of the site and with adherence to the Transportation Management Plan outlined in Section 6), Wells & Associates concludes that no unsafe condition for picking-up and dropping-off of children will occur.

[5] Rosemount Center Traffic and Parking Study, Wells & Associates, October 7, 2003.

[6] Wells, Martin J. Memorandum to Barbara Allen, Barbara's Montessori School. September 19, 2002.

[7] District of Columbia Municipal Regulations, Title 11-Zoning, Section 2101.1, 2001 Edition.

Section 5
TOTAL FUTURE CONDITIONS

Traffic Volumes

The future background traffic volumes shown on Figure 3-1 were combined with the site traffic assignments shown on Figure 4-1 to yield the total future traffic forecasts shown on Figure 5-1.

Operational Analysis

A future conditions capacity analysis, with the proposed development, was performed at the Broad Branch Road/Northampton Street intersection utilizing 2007 projected total future traffic volumes. As shown in Table 5-1, each approach of the intersection would continue to operate at a LOS "A" during all peak hours. HCS worksheets are included in Appendix E.

Table 5-1
Total Future Levels of Service
Broad Branch Road/Northampton Street

APPROACH	AM PEAK	PM PEAK (SCHOOL)	PM PEAK (COMMUTER)
EB	A (7.40)	A (7.11)	A (7.22)
WB	A (8.07)	A (7.39)	A (7.39)
NB	A (7.85)	A (7.36)	A (7.28)
SB	A (7.71)	A (7.41)	A (7.50)
OVERALL	A (7.89)	A (7.36)	A (7.37)