

BOARD OF ZONING ADJUSTMENT
SPECIAL EXCEPTION APPLICATION
APPLICANT'S STATEMENT

Ronald McDonald House Charities of Greater Washington, D.C. Inc. (Owner)
Servants of the Lord and the Virgin of Matara, Inc. (Contract Purchaser)
1326 Quincy Street, N.E. Square 3968, Lot 17

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I. Introduction.

This application requests special exception approval pursuant to Section 215 of the District of Columbia Zoning Regulations for a religious group residence in excess of fifteen (15) persons in the R-1-B Zone District at 1326 Quincy Street, N.E. (Square 3968 Lot 17) (the "**Property**"). The Property is currently owned by Ronald McDonald House Charities of Greater Washington, D.C., Inc. ("**Ronald McDonald House**"), and is under contract to be purchased by The Servants of the Lord and the Virgin of Matara, Inc. (the "**Applicant**"). The Applicant proposes to operate a "Formation House" for up to 96 sisters of the Order (as defined below) who will be in training to be missionaries throughout the world.

II. History and Background of the Religious Order.

The Servants of the Lord and the Virgin of Matara, a religious community of Diocesan Right (the "**Order**"), was founded by Rev. Carlos Miguel Buela on March 19, 1988, in San Rafael, Argentina. The Institute Servants of the Lord and the Virgin of Matara and The Institute of the Incarnate Word (IVE), comprised of religious priests and brothers, along with the Third Order make up the Religious Family of the Incarnate Word. The Religious Family of the Incarnate Word is a missionary order made up of three branches: 1) the Institute of the Incarnate Word, for missionary priests and brothers; 2) the Servants of the Lord and the Virgin of Matara, for missionary sisters, and 3) the Third Order, an association of laypeople, founded twenty-six years ago in Argentina by Father Buela. The Religious Family strives to live as Christ in each culture in which they mission. The Order has grown to include over 900 sisters in 31 countries and 5 continents. Each sister spends almost four years 'in formation' upon entering religious life, and this time of academic study, intense community life and spiritual development is critical to her fruitfulness as a future missionary in some of the hardest places in the world.

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The missionary activities of the Order depend on the needs of the community to which the Order is invited: a sister might work in a home for disabled Palestinian children in Israel, or supervise new novice sisters in Egypt, she might teach Latin in a university in Rome or run youth programs in Harlem. She may visit the sick in Russia, or teach high school in Argentina. She could care for orphans in Peru or prepare children of immigrants to receive sacraments in Philadelphia. In spite of this diversity in the Order's mission, they share in common the belief that they are spouses of Christ and must present the very face of Christ to a desperate world. That is why those four years of formation before the first mission assignment are perhaps the most important years in a missionary sister's life.

III. House of Formation on Quincy Street.

When new sisters from any country want to enter the order, they typically enter one of the nine houses of formation around the world. Most regions of the world are served by only one center of formation. For instance, any sister entering the order in East Asia will start her formation in Taiwan, and any sister entering from the Middle East or Africa will begin in Egypt. The houses of formation are the training ground for missionaries, and the formation houses in the U.S. will prepare and send American, Canadian, and Central American missionaries out into the world to fulfill the mission described above.

The Order is establishing a permanent house of formation in the U.S. for three main reasons:

1. Stability

Stability is crucial in order for a house of formation to provide meaningful spiritual and intellectual development to the sisters. For North America, the center for all formation is the Washington, D.C. area, where the two current houses of formation (in Southeast Washington and in Upper Marlboro) are rented or borrowed and have often involved frequent moves, with the uncertainty of knowing whether a lease or agreement will be renewed.

2. Space to Thrive and Grow

These formation houses typically hold anywhere from 20 to 40 sisters and more during special mission outreach times, feast days, or retreats. The current houses were originally built for fewer people and provide a challenge in adapting the buildings to so many occupants,

including cramped dining space and sleeping quarters, and chapels that overflow into adjacent rooms, hindering communal prayer and worship. The Property at 1326 Quincy Street, N.E., would provide a facility of much greater size than the current houses offer.

3. Hospitality and Outreach

The formation houses are a center of activity for the North American province of the Order, and as such, frequently host guests during special events and ceremonies (the 100 residents requested would include any such guests, i.e., at any given time, there will not be more than 100 persons residing in the Formation House) ?? The sisters occasionally host weekend and day retreats for laypeople as well. A permanent house with size and proper design for such activities would greatly aid the fruitfulness of these ministry efforts.

IV. Description of the Property and Surrounding Neighborhood.

The Property is located on Quincy Street between 13th and 14th Streets, and extends the full depth of the block from Quincy Street back to Randolph Street. The property is zoned R-1-B, and is located within ANC Single-Member District 5A-06. See maps attached as Exhibit A and photographs attached as Exhibit B. The Property is 68,000 square feet in area, with a frontage of approximately 202 feet along Randolph Street to the north and a frontage of approximately 251 feet along Quincy Street to the south. The Property is improved with a four-story, 10,000 square foot house built in 1910. An addition of 2,800 square feet was made to the house in 1986. The land to the north and east of the main building on the Property is improved with a wooden deck, a patio area, basketball court, children's playground, garden and paved parking area. There are numerous trees on the Property, particularly on the side and rear borders, providing a considerable buffer between the Property and its immediate neighbors.

Immediately adjacent to the west of the Property, at 1302 Quincy Street, is a two-story dwelling owned by the Monastery of the Holy Cross, Inc. Immediately adjacent to the east, at 1340 Quincy Street, is Franciscan Monastery Hall. Across the street from the property at 1325 and 1335 Quincy Street is the Brookland Pastoral Center, a psychological counseling facility, and at 1323 Quincy Street the Franciscan Mission Service Casa San Salvador. At the west end of Quincy Street is the large property encompassing the Franciscan Monastery.

The general area in which the Property is located is characterized by single family detached residences on large lots, and religious institutions and residences housed in single family dwellings converted to accommodate such uses.

V. Existing and Proposed Uses.

The current owner of the Property operates a "Ronald McDonald House" temporary shelter for families with children being treated for serious illnesses in D.C. area hospitals. The existing certificate of occupancy, attached as Exhibit C, provides for occupancy of up to 58 residents. The Ronald McDonald House is building a new facility at the southwest corner of Quincy and 14th Streets, N.E.

The Applicant is proposing to house up to 96 resident sisters of the Order who are training for missionary work in a Formation House, as described above. The principal daily activities of the sisters include daily prayer, mass (in an on-site chapel), and on-site study.

The Servants of the Lord are considered an active, rather than contemplative or monastic, branch of the Order, and as such, look forward to becoming an active part of the Brookland community, as they have done at other formation houses around the world.

Automobiles used by the residents of the Property will include from 4 to 8 vans. Each van would hold 12 residents, so 8 vans would always be sufficient to handle the entire population. These vans will be used to accomplish the daily living tasks necessary for the order including shopping, attending mass when necessary, and missionary travel at specified times during the year. Based on operations at other houses of formation, the activities of the sisters will be primarily within the house and the Property, and otherwise within the surrounding walking community. Activities do not typically include commuting to another location (except on Saturdays and Sundays), or any other such activity that would lead to any impact on the neighborhood from parking or traffic. It is estimated that vans would leave and return to the Property only a couple times a day and more often during the weekend when the sisters provide service to the community. The sisters customarily strive to use a house of formation in concert with the surrounding residential community, and welcome neighbors to join them at occasional informal events. The deck area, among other aspects of this Property, provides a wonderful setting for neighborhood interaction and fellowship.

VI. BZA History of the Property.

There have been three prior BZA applications related to the Property, all by Ronald McDonald House or its predecessor entity. In BZA Application No. 15876, the Board approved a request for a special exception under Section 2516 to allow two or more principle structures on a single subdivided lot and for construction of a separate structure on the Property. This application was approved by the Board, although construction was never commenced. In BZA Application No. 12913 dated April, 1979, the Board granted a special exception to initially establish the use of the Ronald McDonald House. In BZA Application No. 14423 dated May, 1986, the board granted a variance to allow the construction of an addition to the main building. This addition is attached to, and directly east of, the main building.

VII. The Application Satisfies Special Exception Requirements of Sections 3105 and 215.

A. Overview. Pursuant to Section 3104.1 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under Section 215 of the Zoning Regulations.

Uses that are permitted by special exception are deemed compatible with other uses permitted in that particular zoning classification provided certain requirements are met. In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000). This application provides satisfactory evidence that the Applicant has satisfied the relevant zoning requirements of Sections 215 and 3104.1, as described below.

B. The Special Exception Requirements.

The proposal in this application satisfies the requirements of Sections 215 and 3104.1 of the Zoning Regulations necessary to approve a religious group residence in excess of fifteen (15) persons.

Section 215.2 *Use as residences for clerical groups and religious denominations shall not adversely affect the use of neighboring property.* The proposed use of the Property is very unlikely to adversely affect the use of the neighboring properties. The proposed use is of the same character as all of the immediately adjacent properties on Quincy Street, and is even more in character with those religious uses than is the current Ronald McDonald House.

Because of the low intensity of the proposed use, and limited vehicle use, the Applicant believes that the 96 maximum residents, despite being a higher number, would tend to have less of a negative effect on the neighbors than the current use for 58 persons.

Section 215.3 *The amount and arrangement of parking spaces shall be adequate.*

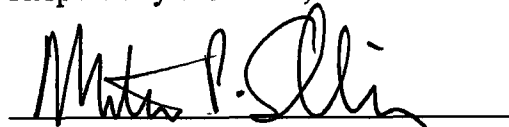
There is paved surface space on the Property to accommodate approximately 13 vehicles, as well as an efficient turn-around circle that provides for comfortable ingress and egress to and from the Property. If the Property uses its maximum requested capacity of 96 residents, it would have no more than 8 vans parking on the Property, which would still leave up to five parking spaces for guests and visitors.

Section 3104.1 *Special Exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.* As described above, special exception relief will not tend to adversely affect the use of neighboring property. The proposed use is a residential use, and is very much in character with other uses on Quincy Street.

VIII. **Conclusion.**

For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Martin P. Sullivan", written over a horizontal line.

Martin P. Sullivan, Esq.
May 4, 2010