
**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**

FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to Subtitle Z § 406.2 and Subtitle Y § 406.2 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	19694	Case Name:	
Address or Square/Lot(s) of Property:	5104 MacArthur Blvd NW		
Relief Requested:	Relief from minimum parking requirements		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	02107118	Was proper notice given?:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Description of how notice was given:	Current Newspaper, ANC 3D's website, and neighborhood list serv			
Number of members that constitutes a quorum:	5	Number of members present at the meeting:	9	

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (a separate sheet of paper may be used):

See attached resolution.

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (a separate sheet of paper may be used):

ANC 3D recommends that the relief be granted subject to the conditions in the attached resolution

AUTHORIZATION

ANC	3D	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	9-0-0
Name of the person authorized by the ANC to present the report:		Alma Gates	
Name of the Chairperson or Vice-Chairperson authorized to sign the report:		Stephen Gardner	
Signature of Chairperson/ Vice-Chairperson:		Date:	2/7/2019

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO 11 DCMR SUBTITLE Z § 406 AND SUBTITLE Y § 406.

Board of Zoning Adjustment
 District of Columbia
 CASE NO. 19694
 EXHIBIT NO. 55



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3D
PO Box 40846, Palisades Station
Washington, DC 20016**

*PALISADES – KENT - SPRING VALLEY - WESLEY HEIGHTS - NEW MEXICO/CATHEDRAL –
THE AMERICAN UNIVERSITY - FOXHALL VILLAGE - BERKELEY*

February 8, 2018

Mr. Frederick L. Hill
Chair
DC Board of Zoning Adjustment
441 Fourth Street, NW
Suite 200S
Washington, DC 20001

**RE: BZA Application No. 19694
Application of 5104 MacArthur LLC, pursuant to 11 DCMR Subtitle X,
Chapter 9, for a special exception under Subtitle C § 703 from the
minimum parking requirements of Subtitle C § 701.5, to convert the
existing commercial building to a child development center in the MU-3
Zone at premises 5104 MacArthur Boulevard N.W. (Square 1418, Lot
43)**

Dear Chairman Hill:

At its regularly scheduled and properly noticed meeting of February 7, 2018, and with a quorum (5) present at all times, ANC 3D voted 9-0-0 to approve with conditions the special exception application of 5104 MacArthur LLC. Commissioner Alma Gates will represent ANC 3D at the BZA hearing.

The proposed child development center will operate between the hours of 7:30 AM and 6:30 PM with a total staff of 11, including the director, and 44 children. Due to the existing conditions at the site, there is no ability to provide the required two (2) off-street parking spaces.

The one-block long MU-3 zone, where the proposed child development center will be located, is occupied by other commercial uses as well as a condominium, the Brazilian Naval Attaché, a US Post Office and a small brick apartment building. Properties on the abutting blocks to the north and south are residential as well as the backside of the immediate block which is Sherier Place, NW. The opposing side of MacArthur Boulevard is also zoned MU-3 and contains a significant mix of uses including two restaurants. Parking is at a premium within the immediate area. Residential areas have RPP restricted parking.

Given it is impossible for the owner of 5104 MacArthur LLC to provide the required two (2) off-street parking spaces, the granting of a special exception should not tend to affect adversely the use of neighboring property or otherwise result in objectionable conditions.

ANC 3D therefore approves the granting of the special exception pursuant to Subtitle X § 901.2 and Subtitle C § 901.2 subject to the following **Conditions**:

1. The Applicant will furnish a DDOT-approved TDM Plan prior to the Board granting final approval for Application No. 19694;
2. The Special Exception will be granted for a period of five (5) years to enable ANC 3D to determine the effectiveness of the TDM Plan. The timeframe for future special exceptions may be changed depending on the effectiveness of the TDM Plan.
3. On an annual basis, the Applicant will furnish both DDOT and ANC 3D with any complaints received regarding the effectiveness of the TDM Plan;
4. At no time will staff of the child development center park in the unsecured Palisades Recreation Center parking lot; and
5. The Special Exception will cease to exist with a change of use of the property as a child development center.

Sincerely,



Stephen K. Gardner
Chair