ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

June 18, 2002

BY HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: BZA Application No. 16889 – National Children's Center, Inc. – 3400 Martin Luther King, Jr. Avenue, S.E.

Dear Members of the Board:

Enclosed please find the Statement of the Applicant, which we have prepared on behalf of National Children's Center, Inc. Please call either of the undersigned with any questions.

Sincerely,

Maureen E. Dwyer /MS
Maureen E. Dwyer

Martin P. Sullivan

Enclosures

D.C. OFFICE OF ZONING
2002 JUN 18 AM 3:57

BZA
Case No. 16889
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO.16889
EXHIBIT NO.23

2300 N Street, NW Washington, DC 20037-1128 | 202.663.8000 Fax: 202.663.8007 | www.shawpittman.com | Washington, DC Northern Virginia New York Los Angeles London

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

National Children's Center, Inc.

BZA Application No. 16889
Public Hearing: July 2, 2002
ANC 8C

STATEMENT OF THE APPLICANT

I.
NATURE OF RELIEF SOUGHT

The National Children's Center ("NCC") seeks special exception approval for continued use of the school building ("Subject Building") located at 3400 Martin Luther King, Jr. Avenue, S.E. ("Subject Property") as a private school for the developmentally disabled. This special exception also requests an enrollment increase from 150 to 250, and a staff increase from 80 to 110, which includes both full-time and part-time staff. The Board of Zoning Adjustment ("BZA") approved the construction of the Subject Building and the establishment of the current use in BZA Order No. 15182, dated July 11, 1990 (a copy of the Order is attached as Exhibit F).

II.
HISTORY OF THE NATIONAL CHILDREN'S CENTER

The National Children's Center, Inc., is a non-profit organization that was incorporated in 1958 as the Jewish Foundation for Retarded Children, Inc. The name of the organization was changed to the National Children's Center, Inc., in the early 1970's. NCC has for many years operated, and continues to operate, a school at 6200 2nd Street, N.W. In the late 1980's, NCC determined there was a need and constructed a facility in Southeast Washington in order to better serve the large number of its students from that District neighborhood. The overwhelming majority of NCC students are from Wards 6, 7 and 8. Construction of the NCC school on the Subject Property ("Subject Building") was completed in 1994.

III.
DESCRIPTION OF PROPERTY AND PROPOSED USE

A. Subject Property and Environs

The Subject Property is located in the R-4 Zone District on a lot consisting of 167,314.9 square feet, or, approximately 3.8 acres. The Subject Property is bounded by Martin Luther King, Jr. Avenue to the west, Savannah Street to the south and east, and the Wilburn Mews residential development at Fourth Street to the north. The Subject Building was constructed in the early 1990's pursuant to BZA Order No. 15182. Thirty-five percent (35%) of NCC's student population resides in Ward 8, and over sixty-three (63%) reside in the combined Wards 6, 7 and 8. The Applicant currently leases a portion of the Subject Building to Covenant House, which operates a small program of approximately 40 adolescents with 15 staff. Covenant House will be leaving the Subject Building for a new facility in November of 2002. Upon Covenant House's departure, NCC will then have this additional building space and parking to accommodate its proposed enrollment increase. NCC also plans, subject to available funds, to renovate the basement of the Subject Building. It was the potential for the basement use that led the Applicant to amend this application, from 225 to 250 students. The enrollment increase requested in this application contemplates the full use of the Subject Building, including the basement and the current Covenant House portion of the Subject Building.

B. Proposed Increase

The NCC school program provides intensive day programs to developmentally disabled persons from age 8 years old to 21 years. The majority of the enrollment of the early intervention program will consist of children aged eight weeks to 5 years. The remainder of the proposed enrollment will consist of students aged eight to twenty-one years.

The school children, during the course of a regular day, engage in a series of structured indoor and outdoor activities. All activities are selected to facilitate each child's physical, social, cognitive and self-care development. Staff assist children in toileting/diaper changing and afterwards each child receives a morning snack. The children then participate in structured activities within the classroom or are seen individually or in groups by a therapist. Lunch is served to the children between 11:30 and 12:15. A one-hour naptime is established for those children who tire and require rest. Children in the older age groups participate in afternoon activities. An afternoon snack is served prior to children leaving the Center. A small percentage of the children (20%) receive before and after school care, which starts no earlier than 7 a.m and runs no later than 6 p.m. These children participate in games and social activities during these times. The children in the early intervention program range in age from 8 weeks to 5 years.

The children also participate in activities such as: construction-block & Lego building, shape & color sorting, music, balance beam walking, stair climbing, writing, coloring, stringing beads, tabletop activities-puzzles & pegboards, naming and identifying objects and pictures, and sensory activities involving textures such as shaving cream.

C. <u>Renovations</u>

There are no planned exterior renovations or exterior physical expansion as part of this proposed enrollment increase.

IV.
THE APPLICANT IS ENTITLED TO SPECIAL EXCEPTION RELIEF UNDER THE ZONING REGULATIONS

As the Board is aware, uses that are allowed by special exception are deemed compatible with other uses permitted in that particular zoning classification provided certain requirements are met. Schools are recognized as reasonable and appropriate uses in the residential zone -- "In general, uses of land for educational purposes are 'highly favored,'" Glenbrook Road Ass'n v. D.C. Board of Zoning Adjustment, 605 A.2d 22 (D.C. 1992). Also, 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 of the requirements 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 n.1 (D.C. 2000). Granting special exception relief in this case is in harmony with the general purpose and intent of the Zoning Regulations and map, and will not adversely affect the use of neighboring properties.

V.
THE APPLICANT MEETS THE STANDARDS FOR THE USE OF THE PROPERTY AS A PRIVATE SCHOOL

Section 206 of the Zoning Regulations, by relation back from Section 332.1(a), provides that a private school shall be permitted in the R-4 Zone District if the Board of Zoning Adjustment finds that two requirements are met. First, the private school must not be objectionable to adjoining and nearby property because of noise, traffic, number of students or other objectionable conditions (11 DCMR 206.2). Second, ample parking space, but not less than that required under Chapter 21 of the Zoning Regulations, must be provided to

accommodate the students, teachers, and visitors likely to come to the site by automobile (11 DCMR 206.3).

A. The Proposed School Shall Be Located So That It Is Not Likely To Become Objectionable To Nearby Property Because Of Noise, Traffic, Number Of Students Or Otherwise Objectionable Conditions

(1) Noise

In the eight years of the Center's existence, noise emanating from the school has not adversely affected neighboring property. The enrollment increase will not significantly alter this situation. The large land area of the Subject Property, the ample parking, the efficient traffic patterns, and the limited hours of operation, significantly limit, and will continue to limit, the level of any potential noise affecting neighboring property owners.

The hours of operation of the building will be from 7:00 a.m. to 6:00 p.m., although 80% of the students will attend classes only from 8:30 a.m. until 2:45 p.m. The school does not generally operate on evenings or weekends, although the school does permit the use of its parking lot on weekends for neighboring churches.

Because of the aforementioned factors, there will be no objectionable conditions with regard to noise created by NCC's use of the Subject Property.

(2) Traffic

Drop-off and pick-up of children will continue to occur via the semi-circular driveway accessed from Martin Luther King, Jr. Avenue, S.E.. NCC currently utilizes 7 buses and vans for student transportation. Also DCP, a private transportation provider transports The Early Intervention Program children are dropped off at the main entrance. Staff access the Subject Property by the entrance from Savannah Street through the parking area. Because of the van transportation system and the distribution of drop-off and staff entrance points, traffic has never

been an issue. With the modest increase in staff requested in this application (from 80 to 110), this favorable condition will continue. Moreover, because the increase in enrollment will be handled by van and mini-bus transportation, the increase in actual number of vehicles to the site will be relatively small.

(3) Number of students and faculty/staff

NCC provides a learning environment that fulfills a desperate community need for the developmentally disabled. This need is great, and NCC proposes to help as many children as it can without creating a negative impact in the surrounding neighborhood. It is important to note first that the proposed increase in enrollment, from 150 to 250 students, will be offset to a large degree by the departure of the Covenant House program, which accommodated approximately 40 adolescents. Further, as mentioned above, the transportation system consolidates the drop-off and pick-up of children, which greatly lessens the impact of any increase in student population.

B. NCC Provides Ample Parking Spaces On The Property To Accommodate Teachers/Staff and Visitors

The Zoning Regulations have varied parking requirements for schools, depending on the age level of the students, e.g., elementary and junior high vs. high school. There is also a separate parking requirement for a child development center, or pre-school. Therefore, the parking requirement for the NCC school is calculated by combining the parking requirements applicable to the various populations within the school, in accordance with the following chart. The parking requirement is based on a Full Time Equivalent ("FTE") of 100 staff.[1]

Program type	**Requirement under 2101.1**	**number of students/ corresponding staff**	**Amount of parking requirement**
Early Child Development	1 space for each 4 staff	150/60	15 parking spaces
Elementary and Junior High	2 spaces for each 3 staff	60/24	16 parking spaces
High school	2 spaces for each 3 staff + 1 for each 20 classroom seats	40/16	11 + 2 = 13 parking spaces
TOTAL		250/100(FTE)	44

In addition to meeting the parking requirement under the Zoning Regulations, the applicant's 71 parking spaces will provide more than ample parking for the program. The parking lot on the Subject Property typically is, at a maximum, only about two-thirds full. For these reasons, NCC's parking situation will not have a negative impact on neighboring property owners.

[1] The applicant proposes a total of 90 full-time staff and 20 part-time staff (4 hours or less per

VI.
COMMUNITY OUTREACH

NCC has had extensive impact on the community in the surrounding neighborhood. A large majority of the children served come from the surrounding area, including Wards 6, 7 and 8, but particularly from Ward 8. As such, community outreach is important to NCC. On Wednesday, June 5, 2002, the Applicant presented its proposal to ANC 8C at its regularly scheduled meeting. At this meeting, following NCC's presentation, ANC 8C voted unanimously to support this application. This vote is indicative of both the applicant's successful community outreach as well as the lack of negative impact emanating from the school.

VII.
WITNESSES

Arthur Ginsberg, Executive Director, National Children's Center, Inc.

Vincent Gray, President, Covenant House Washington

Felicia Valdez, Director of Educational Services, National Children's Center, Inc.

VIII.
EXHIBITS IN SUPPORT OF THE APPLICATION

The applicant submits the following exhibits in support of the application;

Exhibit A	Portions of the Sanborn Atlas showing the Subject Property outlined in red, as well as the context of the Subject Property
Exhibit B	Portion of the D.C. Zoning Map showing the Subject Property outlined in red and the surrounding area
Exhibit C	Photographs of the Subject Property, including the parking lot
Exhibit D	Aerial Map of the Subject Property

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day). 90 plus half of 20 equals a FTE amount of 100.

Exhibit E Sketch of parking layout for the Subject Property

Exhibit F BZA Order No. 15182, dated July 11, 1990, for the BZA approval pursuant to which the NCC school was established

Exhibit G Outlines of witness testimony

IX.
CONCLUSION

As demonstrated above, the application meets the criteria set forth in Section 206 for special exception approval and is, therefore, in harmony with the general purpose and intent of the Zoning Regulations. In compliance with Section 3104.1 of the Zoning Regulations, the school has demonstrated that the relief sought is in harmony with the general purpose and intent of the Zoning Regulations and will not adversely affect neighboring properties. The school respectfully requests that the Board of Zoning Adjustment approve this application.

Respectfully submitted,

Shaw Pittman LLP

By: Maureen E. Dwyer/mes 6/18/02
Maureen E. Dwyer

By: Martin P. Sullivan 6/18/02
Martin P. Sullivan

June 18, 2002

Document #: 1235977 v.3

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2002, a copy of Statement of the Applicant was served by first class mail to:

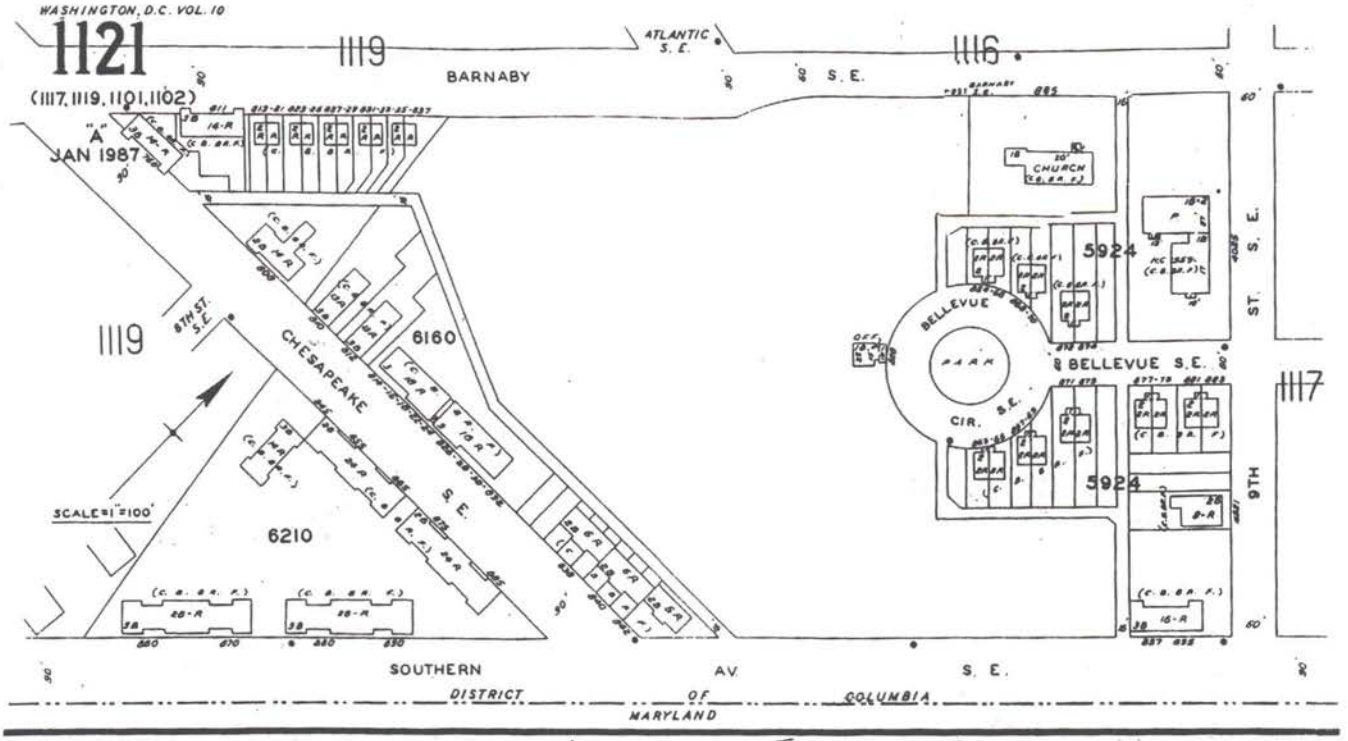
Andrew Altman
Office of Planning
801 N. Capitol Street, NE
Suite 400
Washington, DC 20002

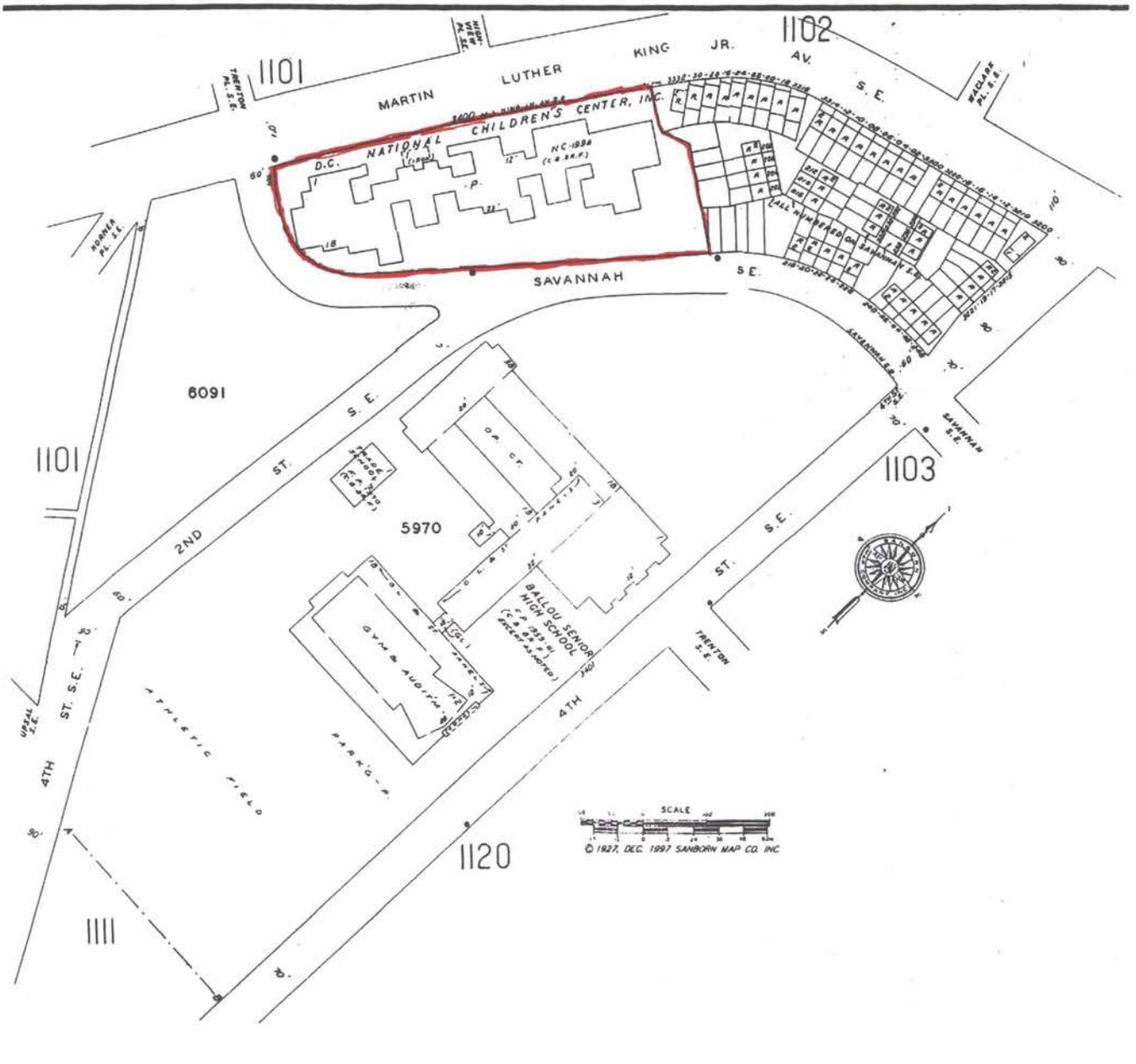
ANC 8C
3125 Martin Luther King Jr. Avenue, SE
Washington, DC 20032

Martin P. Sullivan, Esq.
Shaw Pittman, LLP
2300 N Street, N.W.
Washington, D.C. 20037

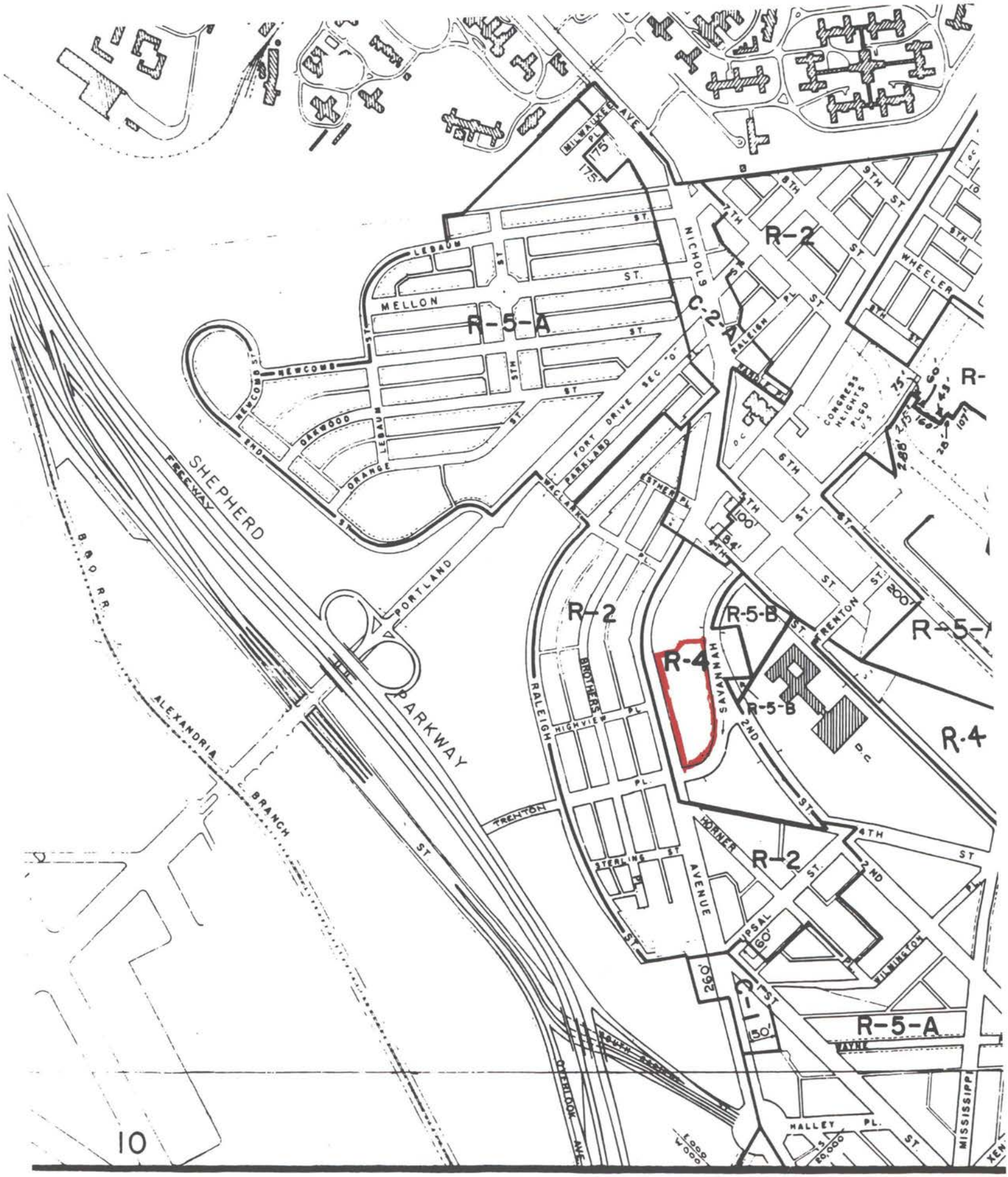
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OF COLUMBIA

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ECTION 9




NATIONAL CHILDREN'S CENTER

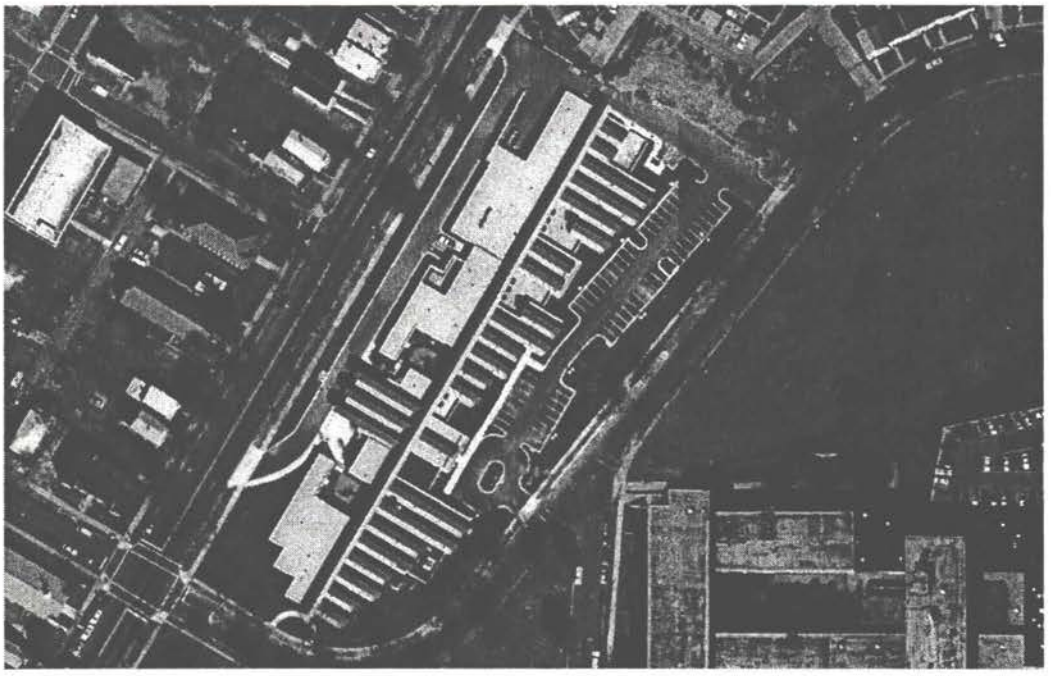














GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 15182 of the National Children's Center, Inc., as amended, pursuant to 11 DCMR 3108.1 for a special exception under Section 207 to establish a private school for children ages six months to adults as a day treatment facility for 150 persons with a staff of 80 in an R-4 District at premises 3400 Martin Luther King, Jr. Avenue, S.E. (Square 5978, Lot 4).

HEARING DATES: December 20, 1989 and January 17, 1990
DECISION DATES: February 7, and March 7, 1990

FINDINGS OF FACT:

1. The application was originally scheduled for the public hearing of December 20, 1989. On that date, a representative of the Office of Planning requested a postponement of the public hearing in order to allow the project to be subjected to large tract review procedures as provided by 10 DCMR, Chapter 23. In addition, staff informed the Board that there was some question as to whether the relief cited by the Zoning Administrator was appropriate given further information from the applicant describing the proposed use. The Board continued the application to its public hearing of January 17, 1990.

2. At the public hearing of January 17, 1990, the application was amended to request special exception relief to allow the establishment of a private school as set forth in the revised memorandum from the Zoning Administrator, dated January 16, 1990. The Board notes that a "private school" is exempt from the large tract review process provided by 10 DCMR, Chapter 23.

3. The property is bounded by Martin Luther King, Jr. Avenue on the west, Savannah Street on the south and east, and the Wilburn Mews residential development at Fourth Street to the north. The site is known as premises 3400 Martin Luther King, Jr. Avenue, S.E. It is zoned R-4.

4. The site is unimproved and is irregular in shape with 626.49 feet of frontage along Martin Luther King, Jr. Avenue, and 905.78 feet along Savannah Street. The total lot area of the site is 167,314.9 square feet.

5. The applicant is seeking special exception relief to establish a private school for multi-handicapped individuals from birth through adulthood.

6. The applicant is a nonprofit organzation which was founded in 1955 as the Jewish Foundation for Retarded Children, Inc. The name of the organization was changed to the National Children's Center, Inc. in 1964. The prupose of the organization is to teach and train mentally and/or physically impaired individuals in basic education and day-to-day living skills.

7. The applicant organization is currently located at 6200 - 2nd Street, N.W. The existing facility contains a residential facility, school, early intervention program, adult services transportation services and administrative offices. This facility will remain at its present location. The applicant also operates seven group homes, three of which are located in the District of Columbia, as well as four independent and two supervised apartments located in Maryland and one adult day treatment program located in Maryland.

8. The proposed facility has been designed to provide barrier-free access for handicapped individuals on one level. The facility will provide intensive day programs to meet basic education needs and to teach skills such as self-care, how to prepare simple meals, how to get around the neighborhood, how to use the public transportation system, etc.

9. The applicant has been searching for an appropriate site in the Southeast area of the City to establish the proposed facility to better service its existing clientele who live in the area; to eliminate or reduce the extensive travel time necessary to transport its clientele, some who are in very fragile physical condition, from the Southeast area to its existing facility in Northwest; to reduce the expense of providing such an extensive transportation program; to reduce staff time devoted to travelling from the Northwest facility to the subject area to visit client's homes; and to provide an easily accessible site to allow for more convenient interaction between staff, clients, and their families.

10. The proposed facility will augment the operations of the existing facility on 2nd Street by offering additional classroom space; space for expansion of the existing early intervention program; a convenient base for counselors serving clients in the Southeast area; and the ability to provide for pre-school services. The transportation services department and the residential component of the facility will continue to be housed at the 2nd Street site.

11. The proposed facility fronts on Martin Luther King, Jr. Avenue and consists of one-story plus basement. The main floor of the structure contains classroom space, administrative office space, health and social service office space, indoor exercise and activity space, cafeteria, kitchen and dining space. The basement level generally provides for some unplanned future expansion space and stairway access to the first floor for staff and visitors who enter the building from the parking area to the rear of the structure.

12. The applicant is providing sixty-four on-site parking spaces. Sixty-two on-site parking spaces are required by the Zoning Regulations. The parking area is located to the rear of the proposed building and is accessed from a driveway off of Savannah Street and a north-south service roadway on the western portion of the site. The parking lot will be available for neighborhood use, including nearby churches, during the hours the proposed facility is not in operation.

13. The proposed facility will serve a maximum of fifty clients in its early intervention program, forty clients in its pre-school program and sixty clients in its adult services program. There will be a total of eighty staff persons.

14. Drop-off and pick-up of clients will be between the hours of 8:45 and 9:15 A.M. and 2:45 and 3:15 P.M., Monday through Friday. Staff hours will be from 8:30 A.M. to 4:30 P.M., Monday through Friday.

15. Drop-off and pick-up of clients shall occur via the proposed semi-circular driveway accessed from Martin Luther King, Jr. Avenue. The applicant employs seven vans and three mini-school buses for client transportation. Early intervention and pre-school clients will be dropped off at the main entrance. The adult clients will be dropped off at the north end of the building which is closer to their section of the facility. Staff will access the site via the entrance from Savannah Street through the parking area. The applicant proposes to provide a service roadway west of the proposed semi-circular driveway which will run from Martin Luther King, Jr. Avenue through the site to Savannah Street.

16. The applicant proposes to provide green, landscaped space between the proposed service roadway and the adjacent Wilburn Mews residential development to provide pleasant buffering space between the facility and adjacent residences. In addition, the applicant will provide a six-foot high wood stockade fence along the west side of the service roadway to screen vehicular traffic from the adjoining residential properties.

17. By representative at the public hearing, the Office of Planning (OP) indicated its general support of the application provided the applicant revise its plans as recommended by the D.C. Department of Public Works. The OP was of the opinion that the proposed use and the overall design of the facility is compatible with the area. The Office of Planning representative requested that the Board leave the record in the application open in order to receive a supplemental report of the Department of Public Works (DPW) based on meetings between DPW and the applicant subsequent to the filing of the DPW report dated December 15, 1989. The Board left the record open to accept the supplemental report of the DPW.

18. By memorandum dated December 15, 1989, the Department of Public Works (DPW) recommended that the semi-circular driveway along Martin Luther King, Jr. Avenue be eliminated and that the lower level driveway accessed from Savannah Street be redesigned, in coordination with DPW, to accommodate all drop-off and pick-up activities. The DPW was of the opinion that the vehicles accessing the proposed drop-off and pick-up point at the front of the building could impede traffic along Martin Luther King, Jr. Avenue and create an unsafe condition for clients of the facility. The DPW further recommended that the applicant provide landscaping along the perimeter of the parking lot and to possibly install a fence along the property line adjacent to Wilburn Mews to reduce traffic noise and safety impacts on adjacent residential properties. As noted in Findings of Fact No. 17, the Board left the record open to receive a supplemental report from the DPW.

19. In response to the DPW report, the applicant argued that providing for drop-off and pick-up of clients from the lower level would be counterproductive to its efforts to provide a barrier-free environment to its clients. Because of the difference in grade between the front of the property and the parking area in the rear, drop-off and pick-up of clients from the rear would necessitate transporting clients up stairs to the main level. Many of the clients of the facility are physically impaired, thereby making such an arrangement difficult or impossible to accomplish. The applicant further argued that vehicles dropping off or picking up clients would not impede traffic on Martin Luther King, Jr. Avenue because the length of the driveway would allow for the queuing of several vehicles simultaneously out of the traffic flow of the Avenue.

20. Advisory Neighborhood Commission (ANC) 8C, by letter dated December 11, 1989 and by representatives at the public hearing, opposed the granting of the application. The bases for the ANC's opposition is generally summarized as follows:

a. The subject proposal, coupled with other projects planned for development within a one-mile radius of the site, would result in an excessive density for the area.

b. There will be an increase in traffic and disruption to the traffic flow along Martin Luther King Jr. Avenue.

c. The proposed driveway access points for the parking lot and the proposed service roadway will encourage traffic to use the site for shortcuts.

d. If all access points to the parking area remain open on a twenty-four hour basis, there will be a tendency for youth to congregate on the site during hours the facility is not in operation.

e. The architectural design of the facility should conform to the character of the community.

21. By letter dated January 10, 1990, Advisory Neighborhood Commission 8C requested a postponement of the public hearing on the application to afford the ANC an opportunity to review and act upon a proposed "memorandum of understanding" between the ANC and the applicant. The Board left the record open to receive the proposed "memorandum of understanding" and any responses thereto.

22. By memorandum dated January 26, 1990, the Department of Public Works (DPW) recommended that the circular driveway accessed from Martin Luther King Jr. Avenue be redesigned to minimize disruptions of local traffic by school generated traffic and to minimize the stacking of vehicles along Martin Luther King Jr. Avenue. The DPW recommended the following design changes:

a. Redesign the circular driveway into a private roadway which would begin at the southernmost curb cut, extending parallel to Martin Luther King, Jr. Avenue and terminating at the project's northernmost driveway. Vehicles would access the main drop-off area from the southernmost curb cut, drop-off and/or pick-up their passengers, continue along the service road to the northernmost curb cut and egress either on Martin Luther King, Jr. Avenue or turn right to access the adult drop-off area and/or proceed to the proposed on-site parking lot at the rear of the site.

b. The proposed private roadway, parallel to Martin Luther King, Jr. Avenue, will operate in an one-way northbound direction.

c. Eliminate the middle curb cut on Martin Luther King, Jr. Avenue.

d. Left turns from traffic traveling southbound on Martin Luther King, Jr. Avenue into the southernmost private driveway will be prohibited. The prohibition of this turning movement will minimize traffic conflicts from southbound vehicles traveling through on Martin Luther King, Jr. Avenue.

e. The developer is to install a "Do Not Enter" sign at the entrance of the northernmost curb cut to prohibit vehicles from turning left from Martin Luther King, Jr. Avenue to access the site. There is no access to the east-west driveway from Martin Luther King, Jr. Avenue at this location.

f. The applicant should eliminate the circular driveway design at the rear drop-off area by eliminating the middle curb cut. The project would have one access point from Savannah Street.

g. The applicant should coordinate with the Bureau of Traffic Services, DPW, for the final design of the main drop-off, rear drop-off, private service roadways, and all signage.

23. In response to the memorandum from DPW dated January 26, 1990, the applicant, by letter dated February 5, 1990, argued that the proposed alternatives were unnecessary, would impose additional expenses upon the applicant, and would negatively impact the aesthetics of the facility as originally designed. By letter dated February 5, 1990, ANC 8C concurred with the recommendations of the DPW. By memorandum dated January 26, 1990 the Office of Planning recommended approval of the application subject to the condition that traffic and transportation concerns be adequately addressed by the applicant.

24. At its public meeting of February 7, 1990, the Board reopened the record to afford the applicant, the ANC, the Office of Planning and the Department of Public Works an opportunity to meet and attempt to reach an agreement with respect to the alignment of the proposed service roadway system and points of ingress and egress to the site.

25. By memorandum dated February 23, 1990, the DPW reaffirmed its recommendations contained in its memorandum dated January 26, 1990.

26. By memorandum dated February 23, 1990, the Office of Planning indicated its continued support for the project. The OP was of the opinion that the project would provide a

needed service for children and adults with multiple handicaps, provide employment for area residents, and provide an attractively designed building. However, with regard the transportation and traffic issues, the OP deferred to the expertise of the Department of Public Works.

27. By letter dated February 21, 1990, ANC 8C concurred with the DPW recommendation.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such special exception relief, the applicant must demonstrate substantial compliance with the criteria set forth in 11 DCMR 207 and, further, that the granting of the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

The Board concludes that the applicant has met the requisite burden of proof. The applicant has been providing services for the developmentally disabled community in the Metropolitan area for many years. The proposed facility, as amended to meet the concerns expressed by the ANC and the DPW, will not be objectionable to adjoining and nearby property owners because of noise, traffic, number of students, or other objectionable conditions. On-site parking in excess of that required by the Zoning Regulations has been provided to accommodate vehicular traffic likely to come to the site.

The Board concludes that it has afforded the ANC the "great weight" to which it is entitled. The Board further concludes that, as hereinafter conditioned, the requested relief can be granted as in harmony with the intent and purpose of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly it is hereby ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

a. All curb cuts and driveways shall be as shown on the site plan marked as Exhibit No. 45B of the record. The applicant shall install proper signage indicating the vehicular circulation patterns on the site in cooperation with the Department of Public Works as outlined in its memorandum dated January 26, 1990 and marked as Exhibit No. 42 of the record.

b. The applicant shall provide a private service roadway as shown on the site plan marked as Exhibit No. 45B of the record and as described in

the DPW report dated January 26, 1990, marked as Exhibit No. 42 of the record.

c. The number of students shall not exceed 150. The number of staff shall not exceed eighty.

d. Drop-off and pick-up of students shall occur between the hours of 8:45 and 9:15 A.M. and 2:45 and 3:15 P.M.

e. The hours of operation shall not exceed from 8:30 A.M. to 4:30 P.M., Monday through Friday.

f. The on-site parking area shall be avilable for neighborhood use during hours that the facility is not in operation.

VOTE: 4-0 (Paula L. Jewell, William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant).

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

ATTESTED BY: _____
EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: JUL 11 1990

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 SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE

OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15182order/BHS23

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

APPLICATION No. 15182

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated JUL 11 1990, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

H. Alan Young
P.O. Box 1946
Alexandria, Virginia 22313

National Children's Center, Inc.
6200 - 2nd Street, N.W.
Washington, D.C. 20001

William Lockridge, Chairperson
Advisory Neighborhood Commission 8-C
M. L. King Avenue, S.E., Suite 2
Washington, D. C. 20032

EDWARD L. CURRY
Executive Director

DATE: JUL 11 1990

F

OUTLINE OF TESTIMONY OF NATIONAL CHILDREN'S CENTER, INC.

I. Arthur Ginsberg, Executive Director, National Children's Center, Inc.
   - A. Introduction
   - B. History in D.C.
   - C. General Description of the Program
   - D. Community Relations
   - E. Closing

II. Vincent Gray, President, Covenant House Washington
   - A. Introduction
   - B. Covenant House – departure from NCC
   - C. Community Relations
   - D. Closing

III. Felicia Valdez, Director of Educational Services, National Children's Center, Inc.
   - A. Introduction
   - B. Specific Program Description
   - C. Closing

Document #: 1251152 v.1



MISSION, VISION, GUIDING PRINCIPLES

MISSION

NCC is committed to providing quality services that improve the lives of persons with developmental disabilities.

VISION

NCC is a respected provider of progressive, comprehensive, contemporary, innovative services, and a recognized advocate, for persons with developmental disabilities.

GUIDING PRINCIPLES/VALUES

High quality and best practices

High ethical and fiduciary integrity

Respect, dignity and fairness