

RECEIVED
BEFORE THE DISTRICT OF COLUMBIA OFFICE OF ZONING
BOARD OF ZONING ADJUSTMENT

2012 JUN 28 PM 2:28

Application of Friendship Family LLC, on behalf of the Friendship Hospital for Animals
4105 Brandywine Street, N.W. (Square 1732, Lot 822)

PRELIMINARY STATEMENT OF COMPLIANCE

I.

Introduction

A. Description of Property

The subject property is zoned C-2-A and is identified as Lot 822 in Square 1732. The property fronts on the north side of Brandywine Street, NW, one lot west of Wisconsin Avenue. The property is rectangular in shape and measures 60 ft. wide by 115 ft. deep, with 6900 sq. ft. of land area. Lot 822 is the only commercially-zoned lot in the square that does not have frontage on Wisconsin Avenue. The property slopes severely from the southeast corner down to the northwest corner, with a change in elevation of approximately 12 ft. On its west side, the property is approximately 17 ft. to 23 ft. below the elevation of Wisconsin Avenue at the corner of Brandywine Street.

Square 1732 is bisected north-south by a 20-foot wide public alley. The lots to the west of the alley are zoned R-2, and the lots to the east of the alley are zoned C-2-A. The property is bordered on the south by Brandywine Street; on the west by the public alley; on the north by a 5 ft. wide pipe-stem portion of Lot 817 (which fronts on Wisconsin Avenue), and then, further to the north, a four-story office building at 4620 Wisconsin Avenue, with a surface accessory parking area at the rear (property is identified as Lot 45, which has 17,136 sq. ft. of land area); and on the east by Lots 817 and 820, which together have 12,661 sq. ft. of land area and have

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18435
EXHIBIT NO. 5

Board of Zoning Adjustment
District of Columbia
CASE NO. 18435
EXHIBIT NO. 5

been assembled for development with a six story mixed-use residential and retail building known as 4600 Wisconsin Avenue, pursuant to an application for a PUD and a related map amendment from C-2-A to C-3-A.

The subject property is improved with a veterinary hospital that was built as a matter of right in 1960. At the time of construction, the property was zoned C-3-A, which allowed a maximum building height of 60 ft., and a maximum permitted commercial density of 3.0 FAR. This property, along with all of the other lots east of the north-south alley in Square 1732, was rezoned from C-3-A to C-2-A in 1988, in Zoning Commission Order No. 530. The square immediately south across Brandywine Street remains in the C-3-A zone. The Comprehensive Plan Future Land Use Map shows the commercial properties on both the north and south sides of this block of Brandywine as being in the same mixed-use moderate density commercial/medium density residential land use category. The C-2-A zone on the north side permits a maximum commercial density of 1.5 FAR (2.5 FAR total), and the C-3-A zone on the south side permits a maximum commercial density of 2.5 FAR (4.0 FAR total).

The existing building on the property was built as a single-purpose structure, and includes the main level, which measures approximately 6000 sq. ft. of gross floor area (87% lot occupancy), and which is devoted to veterinary hospital use. The building height is one story and 20.5 ft. The lower level of the building is devoted to parking, hospital administrative offices, and back-of-house uses. The lower level is partially unenclosed on the west and north sides, and the ceiling of the lower level is more than four feet above the adjacent finished grade along almost all of those two sides. Thus, a portion of the lower level is classified as a basement, and is included in the gross floor area measurement of the building. The ceiling of the lower level is either totally below, or less than four feet above, the adjacent finished grade along the entire

south and east sides. Therefore, using the perimeter wall method of measurement, 50% of the lower level, or 3,000 sq. ft., is classified as a basement and is included in the building's gross floor area. The total gross floor area of the building is approximately 9,000 sq. ft. (1.3 FAR).¹ The rear yard measures 15 ft. in depth. The building's emergency generator and trash area, and egress stairs from the main level, as well as a parking space, are all located in the rear yard.

B. Friendship Hospital for Animals

1. History and Description of Hospital Operations

The Friendship Hospital for Animals has been a part of the neighborhood, and an important resource for the community and the region, for several generations. The Hospital has operated for 75 years in the Tenley Circle area as a veterinary hospital, as that term is defined in the Zoning Regulations.² The Hospital was established in 1936 in a small building across Wisconsin Avenue from the subject property. When the current Hospital building was constructed in 1960, it had a staff of three veterinarians and was one of the largest hospitals in the nation at that time that was dedicated to treating small animals. The public demand in the area for veterinary services and specialized veterinary services, in particular, has grown to the point that the Hospital now requires 25 veterinarians, a total of 130 personnel on staff (maximum of 66 veterinarians and staff on site at any one time, which occurs on the Tuesday and Thursday morning shifts), and a full range of veterinary care services, all in a building that originally housed 15 employees.³

¹ The 1959 Zoning Computation Sheet for the building indicates 9854 sq. ft. of gross floor area, and 2146 sq. ft. of cellar floor area. This can only be explained by the use at that time of a method other than the perimeter wall method to calculate the gross floor area.

² The use is not a veterinary boarding hospital, as that term is defined in the Zoning Regulations.

³ In 1998, approximately 1,034 sq. ft. of space in the building, on the parking level, was enclosed for back-of-house uses. This enclosure did not affect the gross floor area calculations.

Friendship is the only veterinary hospital in the close-in Metropolitan area that provides 24-hour emergency care and specialty services, in addition to primary care (the next closest similar facility is in Gaithersburg, MD). In addition to the typical examination rooms and treatment areas for routine shots and regular visits, facilities at the Hospital include surgery, oncology, dentistry, cardiology, and internal medicine, plus x-ray, laboratory and pharmacy facilities, and a quarantine area (with a separate ventilation system) for patients with infectious diseases. In addition to serving the public's pet health care needs, Friendship also provides post-graduate clinical training for seven veterinary interns per year.

As a member of the business and animal health community for 75 years, Friendship is committed to making the community a better place to live. Friendship Hospital for Animals is a major supporter of the two largest humane organizations in the District, the Washington Animal Rescue League and the Washington Humane Society, both financially and through a multitude of in-kind services. Friendship Hospital veterinarians volunteer with the Humane Society of the United States. The veterinarians travel with HSUS officials outside the area to evaluate, treat and document animals housed around the country in abusive and inhumane conditions. The Hospital has supported the establishment of multiple dog parks throughout the District. The Hospital has also been active in annual Wisconsin Avenue beautification projects. The Hospital has sponsored a demining dog in Afghanistan through the Marshall Legacy Institute, an organization that Friendship has supported for many years. Friendship Hospital demonstrates its commitment to the community through its Employee Community Service Leave Policy. Employees are granted 6 days of paid leave per year to work for the community organization of their choice. DC based organizations where Friendship employees have volunteered include the Washington Humane Society, Washington Animal Rescue League, Humane Society of the

United States, Food and Friends, multiple religious organizations, and Martha's Table. As the largest animal health facility in the area, Friendship has long recognized its special place in the community and takes its community service obligations very seriously.

2. Options for Additional Space

There is currently inadequate space within the building in order to provide adequate room for the various facilities of the Hospital. A recent renovation maximized the usable space within the building, but the space is still inadequate for the Hospital's current and long-term future needs. The Hospital's administration has searched for a suitable location in the surrounding area of Northwest Washington to accommodate a larger state-of-the-art hospital facility in a single location. The primary purpose of a larger space for the Hospital is not to substantially increase the capacity for additional patients, but rather to bring all aspects and services of the Hospital up to state-of-the-art industry standards, to organize the space more efficiently, to reduce staff overcrowding, and to increase the ability to provide a more complete range of the highest quality services to the public.

It is important that the Hospital not only remain in the District, but also that it remain in the area. While the Hospital's emergency and specialty services serve the entire community, the large majority of the Hospital's clientele comes from within two miles of this site. It is also important for this additional hospital space to be contiguous to the existing hospital space for efficiency and economy, because the various different patient and administrative services in the hospital act as a single unit. The Hospital's administration sought to enter into an agreement to either acquire a portion of the adjacent vacant Babe's Billiards site to the east (Lots 817 and 820) when that property came on the market several years ago, or to arrange with the buyer of that

property for contiguous expansion space within the new building to be constructed on that site. However, neither effort was successful.

The Hospital's administration has looked at a number of other options within the Northwest Washington area, either for construction of a new building, or relocation within an existing building. They have been unsuccessful in finding any existing building space that would suit the special needs and requirements of the Hospital. Building owners in the District generally do not want a facility of this kind for animals mixed together with residential, retail, office or other commercial uses. Objections generally include noise, odor, sanitary and allergy issues, plus the need for a separate extensive ventilation system. No animal hospital in the District shares building facilities with any other entity - either commercial or residential.

The only other options were to find an available building to purchase and convert to an animal hospital, or available land in the area that is suitably zoned to allow for the construction of a new building. Friendship has been unable to find a property to purchase in the immediate area because of a lack of suitable inventory. Friendship would require a large footprint, preferably on one level. However, renovation of such a space, were one to be found, or construction of a new hospital on a vacant site, would be so prohibitively expensive as to render the project non-viable. Most recently, Friendship explored the purchase of a 22,000 sq. ft. office building on the east side of Wisconsin Avenue which could have met the Hospital's needs. Acquisition costs (\$8 million) and build out costs (\$4.4 million at \$200 per foot) as well as moving costs made the acquisition and conversion of that building economically infeasible. In contrast, construction and build-out costs for the additional floor on the existing hospital are estimated at approximately \$3.2 million. It would not be logical or feasible to put only the

specialty hospital functions in another building in another location, apart from the general practice, because the Hospital operates as one integrated unit.

After assessing all options, the Applicant has determined that the only viable way to obtain all of the contiguous space necessary to provide a high-quality, state-of-the-art, multi-faceted veterinary hospital to meet both current and long-term future demand for comprehensive veterinary services in a single location in the area is to expand the present building. Because Friendship Hospital for Animals is unique to the District of Columbia and the surrounding metropolitan area in the scope and extent of services that it provides, the Hospital must remain in operation during the entire period of expansion. As illustrated on the plans filed with this application, the proposal is to add a second floor, where the currently existing specialty practices will be consolidated and relocated. The general practice, including the 24-hour emergency care, will remain on the first level, and will expand into the additional space on the first floor level that is vacated by the specialty practices. The specialty practices are much less intense in terms of volume, serving a relatively smaller number of clients and patients on a daily basis than the general practice. A number of the existing services will move to the new second floor, and will include a properly-sized surgical facility, including surgical prep and instrument prep areas, plus state of the art neurology, cardiology, oncology, X-ray, CT scan, and treatment areas, in addition to a reception/waiting area, consult rooms, a conference room, and administrative staff office quarters that will be relocated from the cellar. This relocation will allow for a properly-sized storage room and a separate employee breakroom to be established in the cellar. No increase in the number of doctors employed at the hospital is contemplated as a result of this expansion. The maximum number of doctors and staff on-site at any one time during the week is expected to increase from 66 to 73. The current weekend staffing maximum of 28, and the night-time

staffing maximum of seven, are not anticipated to change. This is due primarily to the fact that the cardiologist and the neurologist, and their teams, will be on site five days a weeks, as opposed to the current one day a week, and that the oncology team will be on site four days a week, as opposed to the current two days a week.

C. Description of Required Zoning Relief

The usable space for the veterinary hospital use within the building has been stretched to its limit. In order to meet the increasing demand for a broad range of state-of-the-art veterinary services, including general services as well as specialty services, the hospital must add additional space. The only viable options for adding this space on site will require a variance from the non-residential FAR limitation (but not the overall FAR limitation); the rear yard requirement; the parking requirement; and the loading requirement.

The proposed expanded building will measure approximately 34.67 ft. in height, well within the maximum permitted 50 ft. height in the C-2-A zone. With the addition of 8,181 sq. ft. of gross floor area, the building will measure 17,181 sq. ft. in gross floor area, which translates to 2.49 FAR. This amount of density is permitted in the C-2-A zone. However, a variance from Section 771.2 is required because all of the additional space within the building, above 1.5 FAR, will be devoted to non-residential use. A rear yard variance from Section 774.1 is required because the building will be expanded into the current rear yard, to provide an elevator and egress stairs, in addition to necessary space to locate an intensive care unit on the main level, and to accommodate the surgical suite on the second level.

In addition, a variance from Section 2101.1 of the parking requirements will be necessary. When constructed in 1960, the building required five parking spaces, according to the Zoning Computation Sheet. The building now has 10 parking spaces in the lower level. When

the parking regulations were revised in 1985, the parking requirement for a veterinary hospital in the C-2-A zone more than doubled, and is now calculated at twice the number of spaces required for a general office use in that zoning district. Thus, the number of spaces now provided is less than the number now required if the building was built new today. According to Chapter 21 of the Zoning Regulations, the proposed addition of 8760 sq. ft. of gross and cellar floor area in the Hospital would require 29 additional parking spaces. There is no additional room on site to provide additional parking spaces, and thus a variance is required.

Finally, a variance from the loading requirement is necessary. When the Hospital was built in 1960, the Zoning Regulations did not require the inclusion of a loading berth or loading platform for a veterinary hospital. The current Zoning Regulations require one 30 ft. deep loading berth and one 100 sq. ft. loading platform for any retail or service use measuring between 5000 and 20,000 sq. ft. in gross and cellar floor area. A veterinary hospital is classified as a service use in the Zoning Regulations. The proposed addition to the Hospital will be greater than 5000 sq. ft. in size. Therefore the loading requirement applies. Because there is no room on site to retrofit a loading berth and a loading platform, a loading variance is required.

II.

The Applicant Meets The Tests For Variance Relief

A. The property is affected by an exceptional or unusual situation or condition.

There are a number of exceptional or unusual conditions affecting this property, including the unique nature of the use on the property as well as the existing improvements and physical constraints on the property, the zoning history, the changing demand for veterinary care services in the District, and the topography, shape and orientation of the property. The property is improved with a veterinary hospital that provides a full range of general and specialized

veterinary care services, and is the only such facility in the District of Columbia and in the close-in suburbs that provides 24 hour emergency veterinary services.

The subject property is the only commercially-zoned site in this square that does not front on Wisconsin Avenue. Thus, while the rear lot lines and rear yards of all of the other commercial lots in the square abut the public alley, it is the side lot line of this site, and the west side of this building, which abut the public alley. Because of the sloping topography, this is the low point of the site, and there is no opportunity to re-grade the site (as there would be for the other commercial lots that abut the alley at the rear), in order to remove the entire lowest level of the building from gross floor area.

The existing 15 foot deep rear yard opens onto the 20 ft. wide public alley. Due to the sloping topography of the area, a large portion of the lowest level of the rear yard is below the adjacent grade, and is in an areaway. The areaway is occupied by a large emergency generator as well as the emergency egress stairs from the rear exit from the main level of the building. The portion of the rear yard adjacent to the alley is used for parking access.

Unlike all of the commercial properties in the square, the rear lot line, and the rear yard, of this property abut a side lot line of an adjacent commercially-zoned property. Specifically, the rear lot line abuts a side lot line of the pipestem lot to the north. Further to the north, on the other side of the five-foot wide pipestem, is the side lot line of Lot 45 and the rear of the Lot 45 property.

Unlike most commercial office buildings on flat sites, the parking level and back-of-house uses in this building are not located totally below-grade, but are rather at grade, at least on the west and north sides. Thus, gross floor area in the building that would otherwise be available

for veterinary hospital space is counted in the parking garage and back-of-house spaces in this building.

The existing single-purpose building on the site was built in 1960 as a veterinary hospital and, as detailed above, is the only veterinary hospital of its kind in the District of Columbia. Therefore, the Hospital must remain in operation for service to the public during the expansion of the building.

For the first 28 years of its existence, the C-3-A zoning of the veterinary hospital property would have allowed this addition without the need for an FAR variance. The current C-2-A Zoning Regulations allow for additional height (up to 50 ft.) and density (up to 2.5 FAR) to be placed on the site, and the proposed building addition will be within those height and density limitations. However, the proposed use of that additional space is not residential, but rather is classified as non-residential, which requires a variance.

Between the time of commencement of veterinary hospital operations in this building in 1960, and the present, the public demand for a broad range of veterinary services has skyrocketed. The existing veterinary hospital building has become outmoded, and is inadequate in size to adequately accommodate all of the facilities necessary to respond to this public demand for state-of-the-art veterinary hospital services.

Based on the above factors, including the singular physical orientation and configuration of this building and this commercially-zoned property on Brandywine Street in this square, the topography of the property, the capacity for additional matter of right height and density, combined with the zoning history of the property, and the existence of a unique facility on the property with an increasing demand for a wide spectrum of veterinary services, all combine to constitute an unusual or exceptional situation or condition. See Clerics of St. Viator v. DC

Board of Zoning Adjustment, 320 A.2d 291, 293-94 (DC 1974) (historical circumstance of changing demand for services within building constitutes an exceptional situation; purpose of variance is to prevent usable land from remaining idle); Monaco v. DC BZA, 407 A.2d 1091, 1096-99 (factors constituting exceptional situation include existence of a "public service" use within a building with a need to expand into immediately contiguous space, and past zoning history of the property; variance is justified if property is subject to difficulties not shared by the entire neighborhood) Gilmartin v. DC BZA, 579 A.2d 1164, 1168 (DC 1990)(uniqueness can arise from a confluence of factors affecting a property).

B. The strict application of the Zoning Regulations will impose a practical difficulty or undue hardship

As discussed above, Friendship Hospital for Animals is unable to find suitable relocation space to an existing building, or a suitable parcel of land that is properly located and zoned to allow for construction of a new veterinary hospital facility in the area. As a result, the only viable option is to expand the existing veterinary hospital building on the site. This will require variance relief.

The strict application of the Zoning Regulations would require that the existing operating veterinary hospital must be demolished in order to provide below grade parking and additional hospital space so that the non-residential FAR limitation, the parking and loading requirement, and the rear yard requirement, can all be met. This would not only be cost-prohibitive, but would also require the Hospital to shut down its services to the public during the 16-18 month period of construction, and would impose a practical difficulty and an undue hardship to the

owner.⁴ The discontinuance of hospital operations for this period of time will also cause a hardship to the 130 employees as well as the clients of the hospital.

As the only veterinary hospital of its kind in the area, Friendship Hospital for Animals must remain in operation during the period of expansion. Shutting down the operation, and demolition of the existing veterinary hospital and reconstruction on site over a period of 16-18 months, in order to include substantial below-grade space that would allow the hospital to meet the strict FAR, rear yard and parking and loading requirements, is not a feasible alternative. Moreover, the building contains all of the systems (ventilation, etc.) necessary for a veterinary hospital, and demolition rather than inclusion in the expanded building would be wasteful. As discussed above, relocation to another site, even for a temporary period of time, is not a viable option either.

Moreover, it is not physically possible to keep the existing building in place and to excavate deep enough beneath the existing building to locate the additional required hospital space, and the additional required parking and loading, while the hospital remains in operation. Nor can the existing parking area and back-of-house space in the lower level be eliminated, and that space simply converted to veterinary hospital space. The existing lower level uses are integral to the hospital use, and cannot be eliminated. Further, given its size and weight, and inadequate structural loading of the building, it is not possible to relocate the emergency generator onto the roof of the building in order to provide sufficient space for a loading berth and platform in the currently-designated rear yard. Nor is it possible to eliminate a portion of the main level of the Hospital in order to provide sufficient vertical clearance for a loading berth

⁴ In Monaco, supra at 1099, the Court held that the standard for an undue hardship for a hospital is less than that for a commercial user. "For example, 'A commercial nonconforming user who needs parking facilities cannot satisfy the requirement for a use variance...without proving that the proposed site will not yield a reasonable return for a conforming use....No such burden is usually imposed on a hospital.'" Monaco, supra at 1099, citing 2 R. Anderson, American Law of Zoning, Section 14.78 (1968).

beneath the existing building. Even if that was possible, it would eliminate a number of the existing parking spaces.

The strict application of the 15 foot rear yard setback will require that the interior layout be reconfigured, and a partial third floor be added, in order to accommodate all of the necessary uses in the expanded building and also retain a 15 ft. rear yard setback. While an additional partial third floor could be added within the height limit, this would require additional expense for the elevator and the front stairways to be extended to this additional partial third floor, plus the introduction of a second stairway at the rear of this additional partial third floor, leading to the new second floor below, which would further diminish the amount of occupiable space on the proposed second floor.

C. Relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose or integrity of the Zone Plan as embodied in the Zoning Regulations and Map.

The C-2-A Zoning of the site permits a maximum of 2.5 FAR as a matter of right. The existing building, together with the proposed addition, will be within that limitation. Therefore the density of the building itself will be consistent with the Zoning Regulations, and the building density will therefore not have an adverse impact on adjacent properties. However, an FAR variance will be necessary solely because the additional space within the building addition, above 1.5 FAR, will be non-residential.⁵

The commercial density of the veterinary hospital, after the proposed addition, will be consistent with the Comprehensive Plan Future Land Use Map designation for the property. The Comprehensive Plan Future Land Use Map shows the commercial properties on the north side of

⁵ The I.Z. regulations would allow development of 10 or more dwelling units to be built to a density of 3.0 FAR on this site (2.5 FAR plus 20% bonus density) as a matter of right.

this block of Brandywine (in the C-2-A Zone) and on the south side (in the C-3-A Zone) as being in the same Future Land Use Map designation. The proposed building addition would result in 2.5 FAR of commercial use on the subject property. This level of commercial density is permitted as a matter of right in the abutting C-3-A Zone across Brandywine Street, and would not be inconsistent with the Comprehensive Plan Future Land Use Map designation on this property.

The proposed use within the expanded building will be consistent with the mix of current and proposed uses found along the Wisconsin Avenue commercial corridor. The abutting site to the east fronting on Wisconsin Avenue is proposed for development with a six-story, 70 ft. tall mixed-use retail/residential PUD, with an FAR of 4.8 and a proposed rezoning to C-3-A.⁶ To the south of the site, across Brandywine Street in the C-3-A zone (where a non-residential FAR of 2.5 is permitted as of right), there is a mix of uses, including a five-story office/retail building fronting on Wisconsin Avenue, and a two-story commercial building to the west of that building. Further up and down Wisconsin Avenue is a mix of a retail/service uses, and office and other commercial uses. The continued operation of the veterinary hospital at this location will continue to be consistent and compatible with the mix of uses in the area. There will be no displacement of any existing residential use with this expansion. The primary purpose of the proposed addition is not to substantially increase the capacity for additional patients, but rather to bring all aspects and services of the Hospital up to state of the art industry standards, to organize the space more efficiently, reduce staff overcrowding, and to increase the ability to provide a more complete range of the highest services to the public.

⁶ That site was also previously approved for development with a mixed-use residential/retail PUD of 3.0 FAR and 65 ft. in height, in Zoning Commission Order No. 03-27.

The existing rear yard of the building abuts a five-foot wide pipestem portion of Lot 817 to the east, which is used as a walkway to provide rear access to the building on Lot 817. To the north, on the other side of the pipestem, is a four-story commercial building on Lot 45 (five stories in the rear) with an accessory parking area at the rear of the building. A portion of the expanded Hospital building will be adjacent to the blank side wall of the lowest level of the building on Lot 45. The upper four stories of that building are set back approximately 15 feet from the lot line. Thus, there will be no adverse impact on the properties to the north of the site from the expansion into the rear yard.⁷

There is sufficient parking on-site and in the vicinity of the site, both on-street and in parking garages in the area, to satisfy the needs of the expanded veterinary hospital. The hospital's parking demand tends to peak between 7:30 - 8:30 a.m., and again between 5:30 - 6:30 p.m. weekdays. There are several commercial parking facilities within close proximity to the Hospital, which have space available to the public during the normal business hours of the Hospital (7:00 a.m. to 9:00 p.m., Monday through Friday, and 8:00 a.m. to 1:00 p.m. Saturdays and Sundays). In addition, the Hospital's own informal survey of on-street parking availability surrounding Square 1732, where the Hospital is located, at 10 a.m., 2:00 p.m. and 4:00 p.m. on several recent Tuesdays and Thursdays, showed that there is a significant number of parking spaces available. Most of these are metered on-street spaces. The Hospital's transportation and parking consultant also conducted independent surveys during the normal business hours of the Hospital, and those survey results support the Hospital's findings.

⁷ Under the site's former C-3-A zoning, the Board would be empowered to waive the rear yard requirement as a special exception under Sections 774.2 through 774.6. The Applicant believes that this proposed development would meet those criteria.

The site has a walk score of 100⁸ ("walker's paradise") and a transit score of 72 ("excellent transit"), with the Tenleytown Metrorail Station and 14 bus routes within close proximity, providing service in both directions along each route. Because a large majority of the clientele of the hospital lives within two miles of the site, the applicant expects that many pet owners will continue their current practice of walking to the site, dropping off their pet at the hospital, and then taking Metro to and from work. Many of the staff also use the Metro to travel to and from the hospital. The Hospital's transportation and parking consultant will prepare a full report which will include documentation of travel mode split surveys, and the Applicant's proposed TDM plan.

Given that the increase in gross floor area is not intended to or expected to result in any significant increase in the number of doctors, staff, clients or patients at the Hospital, the Applicant believes that the zoning calculation showing a need for 29 additional parking spaces does not represent the true measure of the parking demand that would result from the proposed expansion of the Hospital.

Surveys by the Hospital's transportation and parking consultant have shown that during typical business hours there are generally spaces available within the Hospital's on-site parking. The surveys also show that there are on-street metered spaces conveniently available within the 4100 block of Brandywine Street, as well as nearby along Wisconsin Avenue and River Road. The consultant's transportation report will include an analysis of data provided by the Applicant regarding projected employee and patient increases, along with any potential increases in trip generation and parking demand.

Loading and service activity for the Hospital consist of trash pick-up, delivery of oxygen and miscellaneous hospital supplies. These can be broadly grouped as follows:

⁸ See www.walkscore.com

- Waste and recycling collection, 1 - 4 p.m. Monday through Saturday, involving standard trash service vehicles making brief stops in the abutting alley;
- Hospital supplies (linens, pet food, oxygen, etc.), 10 a.m. - 3 p.m. each once a week, involving panel van and single unit trucks making stops along Brandywine Street and occasionally the abutting alley; and
- Courier services and USPS, 10 a.m. - 3:30 p.m. daily, involving standard delivery type vehicles using mainly Brandywine Street.

While the volume of materials may change slightly, the pattern and frequency of deliveries and pickups is not expected to change. In addition, there are loading zones on the south side of Brandywine Street across from the Hospital during the period 7 a.m. to 6:30 p.m. on weekdays, and on the west side of Wisconsin Avenue, just north of Brandywine Street (9:30 a.m. to 6:30 p.m. Monday through Saturday) that are available for use by delivery vehicles for the veterinary hospital, if necessary. The Applicant believes that the foregoing situation demonstrates that the needs of the Hospital can adequately be met without providing the 30 ft. loading berth and 100 sq. ft. loading platform. Because of this, there should be no adverse impacts on the surrounding area.

III

Conclusion

Based upon the above, and upon the testimony of the witnesses to be presented at the public hearing, the Applicant respectfully requests approval of the application.