JORDAN & KEYS, LLP
ATTORNEYS AT LAW
SUITE 700
1400 SIXTEENTH STREET, N.W.
WASHINGTON, D. C. 20036-2217
(202) 483-8300
FACSIMILE (202) 328-6153

E-mail: gkeys@jordankeys.com

ALLISON R. H. ALVARADO
KATHLEEN A. CAREY+
RACHEL C. EVANS+
GEORGE R. KEYS, JR.+
O'NEIL S. KING+

+Also Admitted in Maryland

OF COUNSEL:

HAROLD E. JORDAN

September 23, 2003

D.C. OFFICE OF ZONING
2003 SEP 23 AM 11: 29

HAND-DELIVERED

Geoffrey Griffis, Chairman
District of Columbia Board of Zoning Adjustment
441 Fourth Street, N.W. - Room 210 South
Washington, D.C. 20001

Re: Board of Zoning Adjustment Application No. 16836 - The Washington Home and Hospice

Dear Mr. Griffis:

Enclosed in compliance with the directions of the Board of Zoning Adjustment (the "Board"), the Applicant herewith submits:

(1) a Concept Site Improvements Plan (C-04), dated September 18, 2003, showing revisions to the parking lot layout, including (a) the extent of retained pavement shown with shaded diagonals; and (b) revisions to the details of the storm water management system (the "Revised Parking Layout");

(2) a Pavement Marking & Signing Plan (C-05) showing the layout of parking spaces within the Revised Parking Layout and pavement and other signage;

(3) a revised Landscape Plan, based upon the Revised Parking Layout, together with a Plant Species list;

(4) a Landscape Plan Narrative; and

(5) a Parking Management and Transportation Plan, which has been approved and ratified by the Applicant's Board of Directors.

At the conclusion of the Board's public meeting of December 17, 2002, the Board approved the Applicant's special exception

BZA
Case No. 16836
Exhibit No. 129

Board of Zoning Adjustment
District of Columbia
CASE NO.16836
EXHIBIT NO.129

application to construct a 4-bed addition to the hospice portion of the facility (in accordance with the plans filed with the application) and to enlarge the existing parking lot subject to certain conditions in the number of parking spaces, design, operation, management and landscaping of the parking lot. Based upon our review of the transcript of the public meeting, the Applicant has attempted to extract the specific criteria incorporated into the Board's motion approved at the above-referenced public hearing. Accordingly, the Applicant has taken into account the following instructions from the Board (identified by their source in the transcript):

1. The enlarged parking lot shall be limited to spaces for 130 vehicles. Tr. at pp. 44, 58 and 59.

2. The Applicant will adopt a parking and transportation management plan to address parking demand and the actual management of the parking lot. Tr. at pp. 45-46 and 48.

3. In redesigning the parking lot, the Applicant will preserve the large berm on Upton Street and "the area at the corner of the end of that row in the cupola." Tr. at p. 44.

4. The Applicant will provide controlled access to the parking area during weekdays between the hours of 7:00 a.m. to 3:00 p.m. Tr. at p. 49.

5. The Applicant will provide separate areas of controlled parking for visitors and employees. Tr. at pp. 49-51.

6. The Applicant's redesign of the parking lot will include a new landscaping plan that adequately screens the parking lot. Tr. at p. 53-55, and 58.

Description of the Revised Parking Layout

The Revised Parking Layout is little changed from the area proposed for the 173-space parking lot configuration originally proposed by the Applicant. The principal reason for this is the additional aisle and maneuvering space required to accommodate parking gates and the requirement to separate visitor and employee parking. The shape of the Revised Parking Layout is further influenced by the requirement to preserve as much of the berm along Upton Street and to limit the extension of the parking lot in the

direction of the cupola at the northeast corner of the subject property. With such restrictions, the parking lot could only expand to two directions: toward the existing facility and toward 37th Street. Finally, the Board's interest in effective screening also motivated the Applicant to retain in approximately the same position the island in the middle of the parking lot, which will be of sufficient size to accommodate planting of significant trees, which as they mature will provide the interior "scrim" that further filters view into the site.

The Revised Parking Layout contains 63,916 square feet of paved surface, which is larger than what currently exists, but is slightly smaller than the parking configuration proposed originally by the Applicant. Two notable aspects of the Revised Parking Layout are that, as cost-saving measures, the Applicant is saving as much of the existing paved surface as possible and minimizing the amount of re-grading on the site. This, in turn, has an impact of the landscape plan, which is discussed more fully below. The introduction of the interior island and the smaller islands that are required to delineate and enclose the controlled access parking areas enhance the interior green space of the parking lot. The originally proposed parking lot contained approximately five percent (5%) greenspace; the Revised Parking Layout will now contain 71,938 square feet of land area, with 8,022 square feet (11.2%) of the Revised Parking Layout area devoted to greenspace. This is in excess of the 5% requirement set forth in the Zoning Regulations.

Stormwater Management and Environmental Controls

The Applicant is intent upon providing stormwater quantity and quality management for the entire parking lot, where none is currently provided. In consultation with the Environmental Health Administration, D.C. Department of Health ("EHA"), the Applicant has agreed to handle part of the parking lot's stormwater through a bioretention area on the interior island (approximately 30% of stormwater flow based on the drainage area of pavement) and to handle the remainder with an oil-grit-debris separator, known as a "1K Baysaver," for water quality treatment. Both of these water quality elements feed stormwater into a detention chamber which is of sufficient capacity to retain the run-off from a "50-year storm event" and slow the movement of stormwater into the public sewer system.

This new design eliminates the two sand-filters which were the sole means of stormwater management in the original parking lot design. The new stormwater management design can be built for approximately the same cost as the original design and has the additional advantages of incorporating an environmental element important to EHA and of diminishing the rate of stormwater discharge from the site into the public sewers. Overall, the stormwater management system now being proposed by the Applicant is a further enhancement over the one originally proposed in the application, which itself went beyond what the Applicant was required to do by applicable regulation. EHA has already advised the Applicant that the proposed design will satisfy all local environmental requirements.

Landscape Plan

Given the Revised Parking Layout, there were several adjustments necessary to adapt the landscaping to the new configuration.

First, the addition of new islands in the Revised Parking Layout required more and larger scale plantings of red maples, the dominant tree in the landscape design. The seven (7) maples in the existing parking lot island are being replaced by twenty-five (25)red maples occupying the five parking lot islands and bounding the interior border of the parking area adjacent to the new hopsice addition. This is a significant addition to the screening greenery in the interior of the site which will only improve the "scrim" effect over time as they mature and grow to full size.

Second, the inclusion of the biorentention area in the large center island in the Revised Parking Layout means that the Applicant has switched to more hydrophilic plants for much of this area, instead of the trees, low ground cover and grass first proposed.

Third, the Revised Parking Layout follows the contours of the existing parking lot along its northern edge along Upton Street and at its northeastern corner is set farther away from the cupola than originally proposed by the Applicant, as the Board had suggested. The former adjustment minimizes the potential for injury to the existing mature trees on the Upton Street berm by restraining construction in their vicinity. The latter adjustment has reduced the overall number of crepe myrtles which must be transplanted from the vicinity of the cupola. The screening effect at critical

points around the northern perimeter of the Revised Parking Layout has been reinforced with new planting of flowering trees.

Fourth, along the eastern perimeter facing 37th Street, the extension of the Revised Parking Layout in this direction necessitates the removal of several small caliper pine trees, however, the cluster of large mature pines remain. The Applicant will fill the gap between the remaining trees with a variety of flowering shrubs at the crest of the berm along 37th Street. We are aware of the views of some of the community who have viewed the landscape plan that low shrubs are inadequate to screen the parking lot and that more evergreen trees are essential. The Applicant is committed to implementing an effective landscape plan that enhances the site and respects its neighbors. It should be remembered that the landscape plan being offered herein is a concept plan, the particular details of which will be subject to adjustment as the actual conditions on the site after construction are considered.

Parking and Transportation Management Plan ("Parking Plan")

The Applicant's governing body has adopted the Parking Plan as requested by the Board. The Parking Plan embraces both rules for employees and visitors and prescribes an enforcement policy for each set of parking lot users. The Parking Plan creates three zones of parking use: the five (5) uncontrolled spaces in the circle at the main entrance to the facility off Upton Street are set aside for patient/resident pick-up and drop-off only; the twenty-six (26) gated parking spaces on either side of the roadway just beyond the main entrance circle are dedicated exclusively to resident, professional and administrative visitors; and the remaining ninety-nine (99) gate-controlled spaces in the main portion of the Revised Parking Layout are reserved for employees only during the principal work hours from 7:00 a.m. to not earlier than 3:00 p.m. on weekdays.

The allocation of parking spaces into visitor (31 spaces) and employee (99 spaces) sections is based on current experience and to the extent that those particular variables may change over time, it should be possible to relocate the gates in such a manner as to increase the number of employee parking spaces, if, for example, visitor parking consistently failed to reach capacity, the employee lot operated at capacity and employees continued to have difficulty to locate convenient on-street parking.

The Applicant wishes to retain the right to open the entire Revised Parking Layout after the principal hours and on weekends. This policy of controlled access during the workday is consistent with parking data presented in the special exception application and at the public hearing demonstrating the hours of intensive use of the parking lot.

The five (5) unregulated parking spaces in the circle will be continuously monitored by the front desk in the reception area of the facility and from which they are visible. Visitors will have to enter and exit the facility from Upton Street and, in order to gain access to the gated area for visitor parking, they will have to register their vehicle at the main reception desk. Access for employees to the employee section of the parking lot will be controlled by "swipe cards" to operate the gates on the 37th Street side of the parking lot.[1] It is possible that regular visitors will be issued "swipe cards" like the employees to facilitate routine entry to the visitor area. This parking management plan should afford a measure of assurance that unauthorized vehicles are not parking at the facility and ensures that visitor parking will be available in convenient locations for physician and family visitors.

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[1]In view of the community's concerns regarding the flow of traffic along 37th Street in the morning rush hour when students arrive and are being driven to and dropped-off at the Hearst and Sidwell Friends Schools, the Applicant believes that it will be prudent to open the Upton Street entrance of the revised Parking Layout to employees, beginning at 7:00 a.m. (since few, if any, visitors are making use of the facility at that time) for one or two hours. Employees would at that time be able to drive through the visitor parking area and park in the employee parking area. After that time, the visitor area restrictions would go into effect, the parking gate would be activated and all employees will thereafter have to enter and leave from 37th Street, as many do presently. Such operational flexibility will allow the Applicant to control and manipulate the parking environment on its property to maximum advantage and we encourage the Board to authorize such changes expressly in the written order, so that the Applicant can vary the flow of traffic entering and leaving its site, alter the number of vehicle spaces dedicated to short-term, visitor and employee parking and relocate the gates restricting entry to certain portions of the Revised Parking Layout.

The Parking Plan also sets forth the Applicant's commitment to encourage and support alternative means of transportation for employees, including the adoption of WMATA's Metrochek program for employees and the promotion of carpools through preferred parking spaces and other non-cash inducements.

The Applicant believes strongly that the instant submissions respond fully to the Board's instructions and merit approval. We would further request that the Board's Decision and Order incorporate some degree of flexibility in adjusting the landscape plan as construction exigencies arise and in the long-term management of the parking lot as indicated herein.

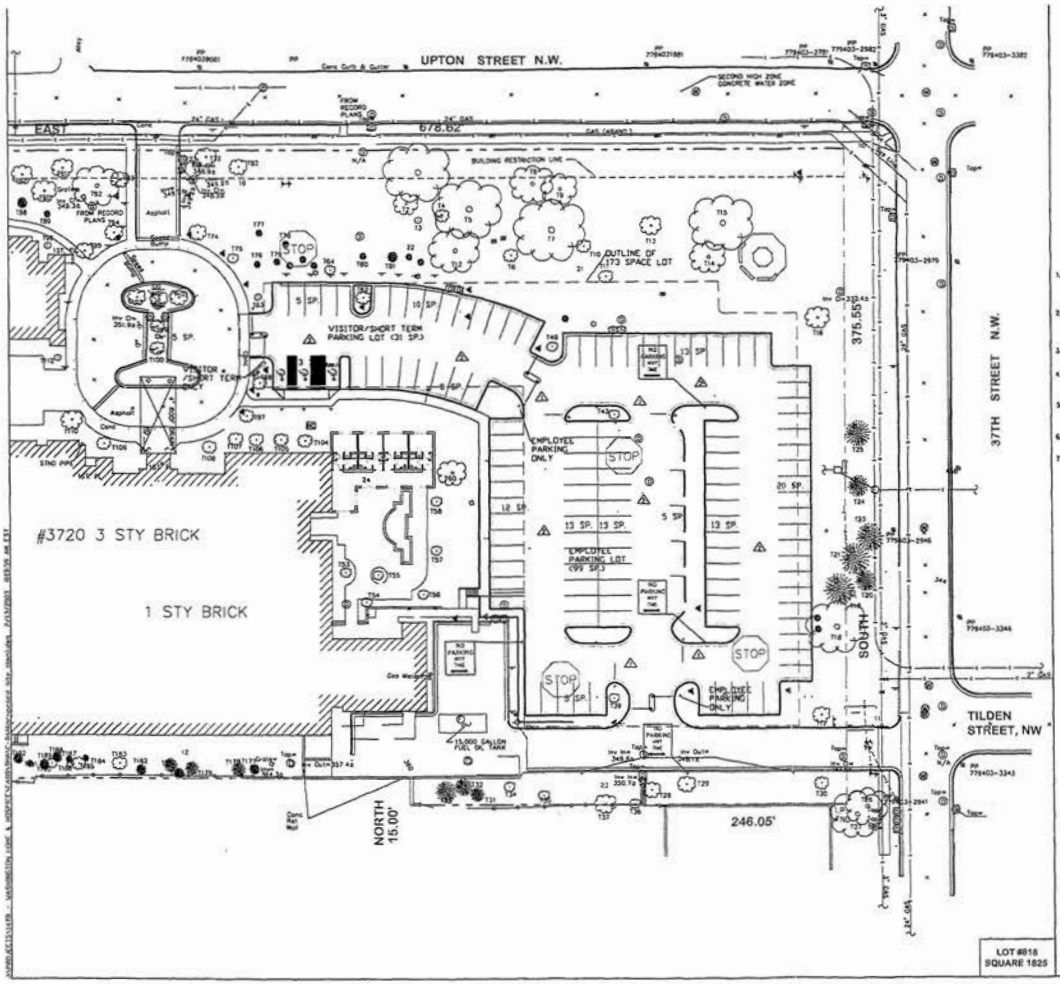
Respectfully submitted,

George R. Keys, Jr.
Counsel for the Applicant

Exhibits:

1. Concept Site Improvements Plan
2. Pavement Marking & Signing Plan
3. Landscape Plan
4. Landscape Plan Narrative
5. Parking Management and Transportation Plan
6. 12/17/02 Transcript, pp. 44-46, 48-51, 53-55 and 58-59

cc: Jonathan P. Graham, Esq. (w/exhibits)
Advisory Neighborhood Commission 3F (w/ exhibits)
Karen Thomas, D.C. Office of Planning (w/exhibits)



GRAPHIC SCALE

MARKINGS AND SIGNAGE NOTES

1. THE SIGN LOCATIONS ON THE PLANS ARE APPROXIMATE. THE CONTRACTOR SHALL ADJUST THE LOCATION OF THE PROPOSED SIGNS AS REQUIRED TO ELIMINATE CONFLICTS WITH UTILITY LINES, DRIVEWAY ENTRANCES, AND OTHER SIMILAR FEATURES.
2. ALL SIGNS AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AS WELL AS CURRENT DDOT STANDARDS AND DIRECTIVES.
3. ALL SIGNS AND ASSOCIATED HARDWARE SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR.
4. ALL WOOD SIGN SUPPORTS SHALL BE DRILLED WITH TWO 1" DIAMETER HOLES CENTERED 4" AND 18" ABOVE THE GROUND LINE AND PERPENDICULAR TO THE ROADWAY.
5. SIGNS IN CONCRETE SIDEWALK AREAS SHALL BE INSTALLED IN NEW 10" PVC PIPE SLEEVES EMBEDDED AT LEAST FOUR (4) FEET INTO THE GROUND.
6. ALL STOP BAR MARKINGS SHALL BE MADE OF 3M COMPANY 60 MIL WHITE REFLECTIVE TAPE OR EQUAL.
7. ALL PAINT MARKINGS SHALL BE REFLECTIVE LATEX BASED WITH TRAFFIC RESISTANT GLASS BEADS.

MARKINGS AND SIGNAGE LEGEND

- NEW HANDICAPPED SPACE SIGN
- NEW TRAFFIC SIGN (ON 4"x4" PRESSURE TREATED WOOD POST)
- NEW WHITE STOP BAR (18" WIDE)
- NEW 4" SOLID WHITE LINE (TYPICAL)
- NEW HANDICAPPED SPACE MARKING

BZA #16836

DHA JOB NO. 5478

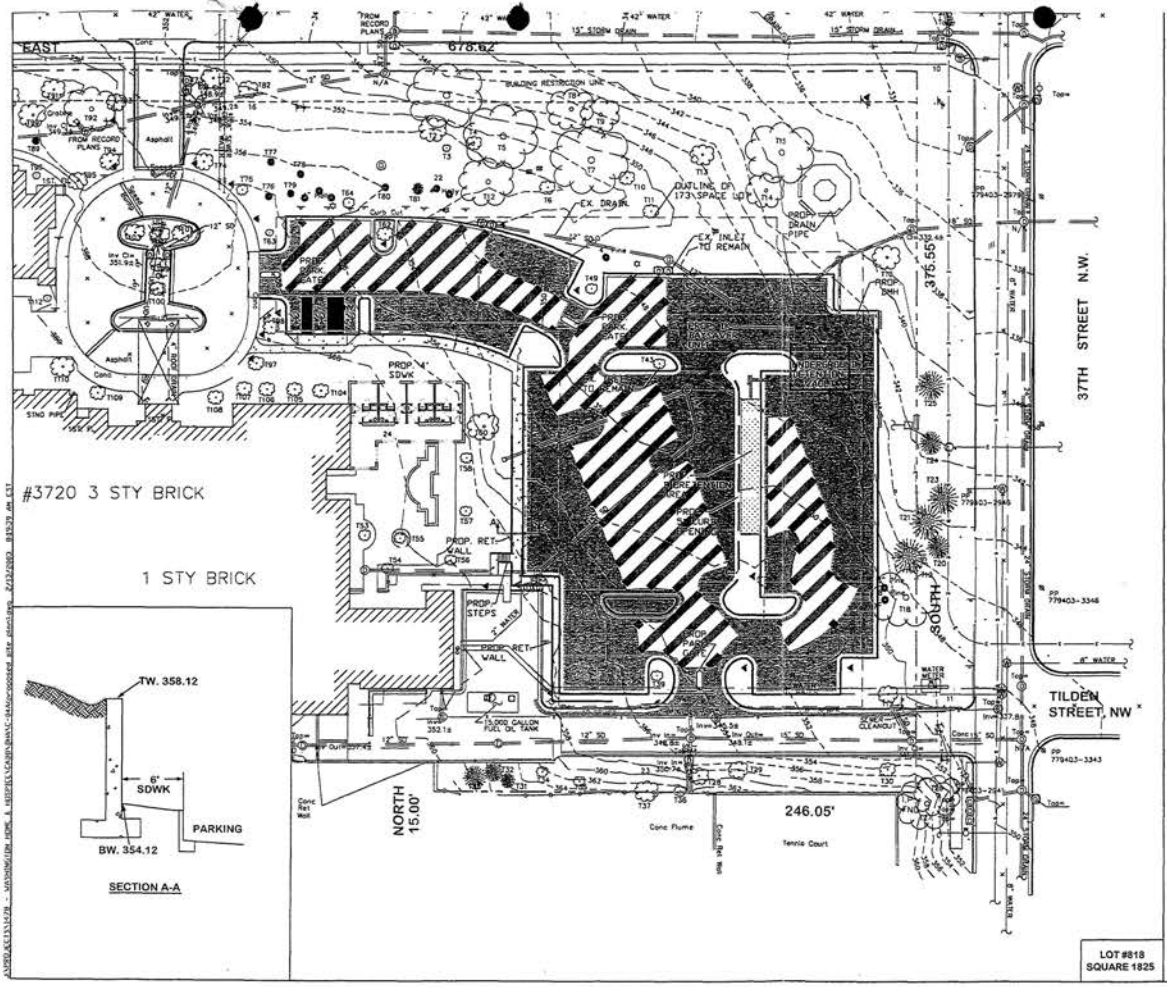
ARCHITECTS
Amos Bailey Arnold + Associates, Inc.
Delon Hampton & Associates

Project Title: HOSPICE ADDITION & PARKING EXPANSION
The Washington Home & Community Hospices
3720 Upton Street NW Washington, DC 20016

Issued for: REVIEW, PERMIT, NOT FOR CONSTRUCTION, CONSTRUCTION

Drawing Title: PAVEMENT MARKING & SIGNING PLAN

Project No.: 0106 | Sheet No.: C-05 | Scale: AS SHOWN | Date: 5-16-03



GRAPHIC SCALE



VICINITY MAP

PARKING TABULATION

VISITOR/SHORT TERM PARKING (INCL. 5 HC SP.)	31 SP.
EMPLOYEE	99 SP.
TOTAL PARKING	130 SP.

LEGEND

- NEW SIDEWALK
- PAVEMENT OVERLAY
- NEW ASPHALT PAVEMENT
- BIORETENTION AREA

STORMWATER MANANGEMENT NARRATIVE

STORMWATER MANAGEMENT FOR THIS PROJECT CONSISTS OF A BIORETENTION AREA LOCATED IN THE MIDDLE ISLAND FOR WATER QUALITY TREATMENT FOR THE PAVEMENT ON WEST OF THE ISLAND, A 1K BAYSAVER FOR STORMWATER FROM REMAINING AREA, AND A UNDERGROUND VAULT FOR WATER QUANTITY CONTROL FOR A 50 YEAR STORM EVENT. THE DESIGN IS BASED ON THE REQUIREMENTS OF ENVIRONMENTAL HEALTH ADMINISTRATION, DCDOH.

BZA #16836

DHA JOB NO. 1478

DHA
Delon Hampton & Associates
8403 Colesville Road
Suite 500
Silver Spring, Md. 20910
P 301.652.8166
F 301.652.6417

Project Title:
HOSPICE ADDITION & PARKING EXPANSION
The Washington Home & Community Hospices

3720 Upton Street NW
Washington, DC 20016

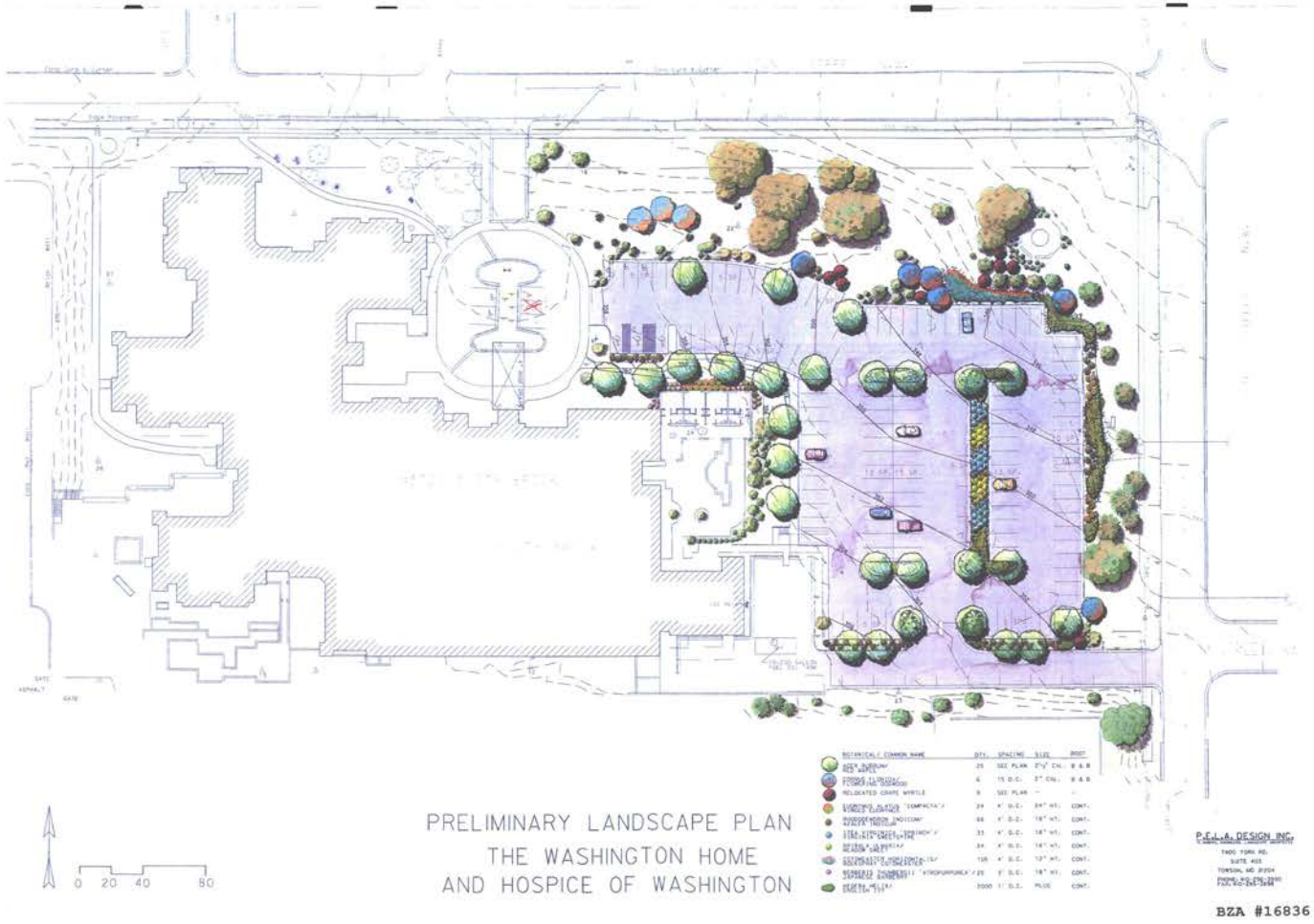
Revisions:

Certification:

Issued for:
☐ REVIEW ☐ NOT FOR CONSTRUCTION
☐ BID ☐ CONSTRUCTION
☐ PERMIT ☐

Drawing Title:
CONCEPT SITE IMPROVEMENTS PLAN

Project No.: 0106
Sheet No.: C-04
Scale: AS SHOWN
Date: 9-18-03
Sheet ___ of ___



PRELIMINARY LANDSCAPE PLAN
THE WASHINGTON HOME
AND HOSPICE OF WASHINGTON

P.E.L.A. DESIGN INC.
LANDSCAPE ARCHITECTURE AND PLANNING
7400 YORK RD.
SUITE 403
TOWSON, MD 21204
PHONE: 410-296-2550
FAX: 410-296-2558

BZA #16836

BZA No. 16836

Preliminary Landscape Plan for
Washington Home Hospice Addition and Parking Lot Expansion

The Preliminary Landscape Plan was developed based upon the following goals:

1. To preserve and enhance the park-like appearance of its land and the quality of the existing landscape.
2. To provide a natural visual barrier to screen the parking lot.
3. To soften the paved parking lot and to provide shade.
4. To relate the hospice addition to its surrounding landscape.

In order to preserve and enhance the park-like appearance and th quality of the existing landscape, we propose to retain all existing vegetation located outside of the limit of disturbed/ construction area. In addition, groups of flowering trees, low flowering shrubs, and low shrubs with attractive foliage colors are proposed to be planted along the edge of the parking lot and between existing trees in the landscaped berm/ area. Groundcovers are also recommended to cover areas having steep slopes (slope $\geq$ 2:1). A few existing Crepe Myrtles will be relocated to the berm area along Upton Street. Thus a natural visual barrier to screen the parking lot is created by using existing trees and groups of new and existing flower trees, and low shrubs.

For the planting islands in the parking lot, we propose planting major deciduous trees, low shrubs and groundcovers to alleviate the monotony and harshness of the parking lot paving as well as provide shade. For the bioretention island, low shrubs tolerant of wet soil and inundation of the rainwater are proposed.

In the vicinity of the Hospice addition, groups of flowering shrubs of various heights are proposed as the foundation planting. A row of major deciduous trees along the new walkway will be planted to provide shade and additional amenity.

Modifications of the Memorial Garden are not included on this plan.

In summary, a total of approximately 34 existing trees will be removed and all of the existing mature trees located in the existing landscaped berm/area will be preserved. Forty (40) new trees, two hundred and seventy- seven (277) new shrubs and two thousand (2,000) new groundcovers will be provided for this project.

The Washington Home

P & P NAME: Parking Plan

Policy No: #########

Department Involved:	All TWH & CH staff, visitors and residents

Plan Objectives

The parking objectives at The Washington Home are to provide adequate parking for the facility operations including employees, patients and guests while maintaining a system to monitor the parking operations and enforce the plan objectives.
The plan will be administered by The Washington Home management with the assistance from the members of the security department as it relates to monitoring of parking conditions and the enforcement of the objectives of the plan.
The following outlines the structure of the proposed Parking Management Plan and provides the primary framework for organizing the parking conditions at The Washington Home.

- Provide adequate parking for the operations of The Washington Home including employees, visitors and guests;
- Develop a system to monitor parking operations;
- Develop an enforcement system to discourage parking conditions in conflict with the objectives of the plan.
- Encourage use of public transportation and car pools.

Section 1.0 Vehicle Registration

All employees and staff must register for parking at The Washington Home. A color-coded registration tag will be issued for each employee. The tag will be utilized to determine the owner of the vehicle if needed, and if the vehicle is parked in the correct area of the lot. The procedures for obtaining and displaying the tags will be as follows:

- 1.1 All employees will report to the security department to obtain a tag.
- 1.2 Tags shall be displayed appropriately in the vehicle at all times while on the lot.

Section 2.0 – Parking Regulations

All employees, staff, volunteers, patients, and visitors are required to obey all posted traffic signs, regulations, and observe the vehicle code of the District of Columbia. This includes parking in designated areas within striped parking spaces.

- 2.1 Employees found in violation of handicapped parking restrictions and/or fire lanes will be reported to the District of Columbia Police Department for ticketing.
- 2.2 Employees with handicapped license plates shall park in the handicapped parking spaces.
- 2.3 Employee found in violation of The Washington Home Parking Regulations, such as, parking in the ambulance entrance, Employee of the Month space, will be

ticketed by the Security Department as outlined in Section 4.0.

- 2.4 Employees are not allowed to park in spaces dedicated to visitor parking, violators will be ticketed per Section 4.0.

Section 3.0 – Parking Lot Access

The new parking plan will provide additional parking toward the bottom of the property enlarging our current lot. Islands will be installed and access gates utilized to allow for the consolidation of employee parking while at the same time increasing the availability for patient and visitor parking. The primary goal is to provide adequate parking for the needs of the facility while minimizing all illegal parking on site and along residential streets.

- 3.1 All parking areas at The Washington Home will be controlled by gates which are activated by an issued swipe card.
- 3.2 All employees are required to park in the gate controlled lower parking lot, and will not have any access to the visitor parking lot.
- 3.3 All employees will enter The Washington Home property through the 37th Street driveway only.
- 3.4 Visitors will enter The Washington Home property through the Upton Street driveway only.
- 3.5 Visitors will be required to register their vehicle tag number at the front desk prior to parking in the gate controlled visitor lot.
- 3.6 No parking is allowed in the circle driveway, this is only for patient drop-off and pick-up; the facility will follow its Parking Enforcement Procedures as outlined in Section 4.0.

Section 4.0 – Parking Enforcement Procedures

The intent of the parking enforcement is to promote conformity with the procedures of the parking management plan. The goal is to educate the employees about the parking management structure and institute a violation system to help improve conformity with the plan. The following are the enforcement procedures:

- 4.1 At all times, The Washington Home reserves **the right to tow any vehicles that may pose a threat to the safety of the facility, employees, patients, visitors, or physicians or those not conforming to this policy.**
- 4.2 First Violation – A copy of a violation/warning will be sent to the Department

Head.

- 4.3 Second Violation – A second violation of any parking policy within 6 months of the first violation will result in a written fine ($20.00) to be payable within 30 days, to The Washington Home.
- 4.4 Third Violation – A third violation within a year from the first violation will result in a towing enforcement and a written warning.
- 4.5 Fourth Violation – A fourth violation within a year from the first violation will result in prohibiting the vehicle from the parking lot, towing enforcement if vehicle is found on lot and further use of the disciplinary process.

Section 5.0 – Promote Commuting Alternatives

In order to further decrease the demands on parking, the management team will help educate the employees on alternatives such as car pooling and public transportation. This will help reduce the likelihood of illegally parked vehicles and vehicles parking on the residential streets. Some alternatives are listed below:

- 5.1 Metro bus makes a stop at the corner of Wisconsin Ave. and Upton St, approximately ½ block from The Washington Home. Employees may choose to utilize these services for their commuting options.
- 5.2 Metro subway locations are located within 8-10 blocks of The Washington Home, at Tenleytown and Van Ness.
- 5.3 The Washington Home will offer to the employees the opportunity to purchase Metrocheck through payroll deduction. This is a pretax deduction that the employees can voluntarily participate.
- 5.4 The Washington Home will encourage use of Metro and car pools at all monthly staff meetings.
- 5.5 The Washington Home will actively promote car pool activities by offering employee matching services, and certify all Car Pool participants.
- 5.6 All certified Car Pool participants will be assigned preferred parking in the employee parking lot closest to the building.

the first place I saw it was in the OP report.

COMMISSIONER MAY: Thank you, I'm glad you confirmed that.

CHAIRPERSON GRIFFIS: And it's also in the discussion of how there is swing parking. As employees come in, there's an overlap and that goes to a substantial amount of the parking but could actually be mitigated, perhaps by a management plan on the parking. Okay, so Mr. Etherly, if I'm correct, you have accepted a friendly amendment to your motion that would move for approval to 130 spaces; is that correct?

MEMBER ETHERLY: That is correct, Mr. Chair.

CHAIRPERSON GRIFFIS: Okay, other conditions to be discussed at this point? And let me just verify the fact, Mr. Etherly that in your condition, it is to have the preservation of two areas, that is the large berm on Upton and the area at the corner of the end of that row in the copula and that would be where a reduction in the proposed spaces would come from in order to create that screening.

MEMBER ETHERLY: That is correct, Mr. Chairman, because I believe that also addresses some of the concerns that have been raised on the

opposition -- in the opposition's presentation with regard to landscaping and in particular impact on some of the mature trees that are currently present on the site.

CHAIRPERSON GRIFFIS: Okay, anything else?

COMMISSIONER MAY: Yes, the other condition that I would suggest is the -- a transportation demand management program. I'm not sure how best to frame that but we need to do something to encourage The Home to address both the parking demand and the actual management of the lot and that they simply can't continue to operate with an open lot in this way.

CHAIRPERSON GRIFFIS: Okay, and when you're talking about demand, you're talking about other use of the vehicular drive into the --

COMMISSIONER MAY: Exactly, encouraging personnel, their workers to use other means because right now if free parking is a benefit, then a lot more people are going to take it.

CHAIRPERSON GRIFFIS: Okay, and noting the fact that this Board has moved in the substantial direction of conditioning orders with measurable and -- conditions that can, in fact, be looked at for compliance, are you anticipating that what's called a

parking management plan, that would include that, to be submitted by the Applicant to this Board to DDOT for review? Is that to be done annually, each decade, weekly, or do you want to put a time frame on that?

COMMISSIONER MAY: I don't know that this is something that needs to be done with -- and renewed in that fashion. I would think that some -- an initial submission. I mean, it's not uncommon when matters come before the Zoning Commission for the Applicant to provide a transportation management plan that addresses issues of demand for parking and I would think that something like that could be crafted and submitted for -- and made a condition of this order and then it simply is a static document.

CHAIRPERSON GRIFFIS: I see, okay, and I think that goes to the spirit of what we're talking about and that is to encourage, as we would anywhere in the city, encourage a diversity of uses for transportation, public transportation being of course, a mix to that, then there would not be any sort of compliance with that transportation plan inherent in our condition, Mr. May. It would just be the fact that one would be established; is that correct?

COMMISSIONER MAY: I'm not sure what means we would have to enforce it if we did.

Employee Transit Plan and I'm reading in particular from Item Number 211, Section C, that an Employee Transit Plan should be designed to reduce the number of the -- the number of employees, I'm paraphrasing, the number of Washington Home employees who drive to work in this particular version of the language it says, by at least 10 percent through such measures as encouraging car pooling, restricting of the lot to those working at and visiting The Home, using transit subsidies, instituting shuttle service, et cetera.

While I might not want to move towards including that language specifically in the motion or the conditions that we're talking about, just as for the guidance for the Applicant, I believe that a transportation plan, a management plan, should definitely include some reference to a fairly thought out policy as it relates to encouraging visitors and/or most importantly employees to use alternative means of transportation and I think that would help reduce the reliance on the spaces on site and save those for those who need them the most.

CHAIRPERSON GRIFFIS: Thanks a lot. Okay, I think that clearly the intent of that condition is well said, Mr. Etherly and we will look to that language as proposed and craft our own to make the

specific condition.

Lastly, there was talk about the -- well, perhaps not lastly but for me, the construction conditions. I do not think it's appropriate for us nor within our jurisdiction to get into that as I did -- I was not persuaded there was substantial testimony that would move us toward that temporary condition. There are substantial regulations proposed and compliance review for construction and construction site appropriateness.

Mr. May, additional --

COMMISSIONER MAY: I would agree with that. I do want to mention one thing about the proposed condition for parking and transit as was included in CCHE's proposed findings of fact. And the last item which was that Washington Home would be required to control access to its parking lot by gating it or guarding it during the week days 7:00 a.m. to 3:00 p.m., I think that that should probably be rephrased so that it addresses a gate or guarding requirement for employee parking as opposed to visitor parking. I think that if they want to have, you know, a handful of spaces out in front that are not gated or guarded, there ought to be flexibility in the plan to allow that.

CHAIRPERSON GRIFFIS: That's an interesting point. I think that's appropriate to put in as a directive to be looked at with the resubmission of a landscape plan.

COMMISSIONER MAY: Okay.

CHAIRPERSON GRIFFIS: But I think that's also decided that it would help the parking management if they had dedicated spaces that they could clearly see that there were employees and that there are a certain place for visitors.

COMMISSIONER MAY: Right, well, in particular what I'm thinking is that they would be able -- having a guarded lot, I think they stated earlier, was clearly going to be an expense problem for them in the long term.

CHAIRPERSON GRIFFIS: Right.

COMMISSIONER MAY: But having something that was controlled with a gate and a card, you know, that could be done for employee spaces and then you know, visitors or even visiting doctors --

CHAIRPERSON GRIFFIS: Right.

COMMISSIONER MAY: -- you know, doctor spaces, just so long as the bulk of them are controlled.

CHAIRPERSON GRIFFIS: And I think that's

an interesting option. I'm not sure how it lays out because clearly, as you're saying, people are coming in that wouldn't have a card pass or anything of that nature.

COMMISSIONER MAY: Right.

MEMBER ETHERLY: But you could, of course, get to that with appropriate signage or labeling of spaces as you get into the restriping issue.

CHAIRPERSON GRIFFIS: Right.

MEMBER ETHERLY: If I could, Mr. Chairman, back on the issue of the construction, I would note that in the Applicant's proposed findings of fact and conclusions of law on page 7, there are some proposed conditions or at least some language which I think is fairly consistent with what we see in the opposition's proposal regarding construction. Once again, if it's your concern that that level of specificity perhaps, might not be appropriate to include in the motion, I'm comfortable with that but perhaps just as highlighting that language that's included, once again, on page 7 of the Applicant's proposed findings of fact and conclusions of law, all construction staging would be done on site.

No work before 7:00 a.m. or after 4:00 p.m., all construction vehicles parked on site, no

MEMBER ZAIDAIN: Okay. Well, one of the big issues that I think we need to get a consensus on is we've established a middle ground that I think the Board agrees on in terms of the number of spaces but it's clear in the zoning that one of the purviews that we need to get into here is screening of those spaces.

You'd mentioned requesting a landscaping plan, Mr. Chair. I would assume that's something that we're going to go forward with and I guess my question, and maybe it's for corporate counsel or whoever, is do we condition this vote on the acceptable landscaping plan that needs to be submitted?

CHAIRPERSON GRIFFIS: I, in fact, was assuming that that was the direction we were going. Do others have a different opinion? If we're asking for a reduction in count and that's why I was so hesitant to go straight to a number, it seemed like it was the issues of how those numbers set on the site that was of importance.

MEMBER ZAIDAIN: Right.

CHAIRPERSON GRIFFIS: And so, yes, I think it would, in fact, be with a resubmission of a parking site plan that was approvable by this Board.

MEMBER ZAIDAIN: Okay.

CHAIRPERSON GRIFFIS: Is that everyone's agreement?

MEMBER ZAIDAIN: So in that sense, we're reopening the record just for the landscaping plan and --

CHAIRPERSON GRIFFIS: I don't know if we have to reopen the record for that process if it's a condition that there's a submission, that's the way I'd like to approach it, that it would actually be part of the order.

MEMBER ETHERLY: Right, and that submission, of course would be consistent with the guidance that this Board is laying out through its deliberation.

CHAIRPERSON GRIFFIS: Right.

MEMBER ETHERLY: Today.

CHAIRPERSON GRIFFIS: Are we properly proceeding with that if I might ask corporation counsel? As they are nodding their heads yes, I think was can move on. Okay.

MEMBER ZAIDAIN: Well, I mean, I just want to make sure that that -- we have that process laid out and also I highly suggest the parties are served and we can at least get a response from them, just for our deliberation on the landscaping plan.

CHAIRPERSON GRIFFIS: Okay, that does -- that kind of starts to open the record.

MEMBER ETHERLY: For my --

MEMBER ZAIDAIN: That's why I specified the parties.

CHAIRPERSON GRIFFIS: I see, yeah.

MEMBER ETHERLY: My concern with that course of action, if I can bifurcate your comment, I love that word, the first part, I think is a very important caution and that is that of course, the reduction in spaces that conceivably would be approved by this Board isn't going to take place in a vacuum. That it has to come back to this Board. The impact on the site, the impact on the landscaping should be taken into consideration before final approval is granted, I agree with you, especially if the concern is impact on the landscaping and park like setting of the property.

Reopening it for further comment, however, I think, you know, just runs the risk of taking us back literally not necessarily to square one, but square 10 in terms of you know, I mean --

MEMBER ZAIDAIN: Well, I don't understand and maybe we can separate this out and vote on them separately just to get through it, but we're

Did I miss any?

MEMBER ETHERLY: The landscaping.

CHAIRPERSON GRIFFIS: Well, the landscaping, Mr. Etherly, as you bring that up, the landscaping is incorporated in the second condition. That goes to an approved site plan. That site plan should, in fact, show the landscaping.

COMMISSIONER MAY: Did you need to reiterate the number or did I miss that number?

CHAIRPERSON GRIFFIS: 130. Okay, concerns?

MEMBER ZAIDAIN: I mean, I'm in agreement with the general direction. I would just, I guess say, you know, I think we need to be looking for a landscaping plan that is comprehensive and screens the lot adequately and tries to address some of the concerns that were raised in the testimony that we heard, just to provide that guidance.

CHAIRPERSON GRIFFIS: Good, I think that we have substantially hit that. If the Applicant had any questions we could certainly be more direct.

MS. MONROE: Mr. Chairman, I'm sorry. I'm sorry, I didn't realize you were consulting. Can you restate the motion? Is it for -- is the motion standing for 156 beds or is it now 130?

CHAIRPERSON GRIFFIS: No, the motion was amended and it is for 130. And then the second condition actually goes to the submission of the site plan that incorporates that redesign. All right, let me turn and see if there is anything else that we missed on that, if we have information that was submitted and any sort of proxy in this that we might need to deliberate on or at least hear.

MR. MOY: Yes, sir, Mr. Chair. Let me -- we have a proxy from Ms. Anne Renshaw.

CHAIRPERSON GRIFFIS: Without stating her vote at this time.

MR. MOY: That's correct. What I would like to do is read you her proxy because it's quite extensive.

CHAIRPERSON GRIFFIS: Oh, dear.

MR. MOY: First of all, her proxy vote is to approve the four-bed addition with conditions. And those conditions would include; A, a Construction Management Plan negotiated with the ANC and citizens concerned about The Home's expansion addition to the CCHE's findings of facts and conclusions of law on their page 52 which shows a list of construction conditions and Ms. Renshaw adding to those conditions, two conditions, two additional conditions that read