GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director

DATE March 26, 2002

SUBJECT: BZA Application 16836
3720 Upton Street, N.W. – The Washington Home

APPLICATION
The applicant is requesting a special exception to construct:

- A one-story addition to the existing facility to accommodate four (4) new beds and;
- Expand and reconfigure the existing 75-space on-site parking lot to create 98 additional spaces.

SUMMARY RECOMMENDATION
The Office of Planning supports the addition to the facility and the enlargement of the parking lot. OP also supports the efforts of the applicant to address concerns raised by the ANC.

SITE AND AREA DESCRIPTION
The Washington Hospice is a health care facility located on 5.73 acres at the southwest corner of the intersection of 37th and Upton Streets, N.W. The surrounding area is primarily developed with single-family detached dwellings to the north, east and southeast. Sidwell Friends private school is located to the south, and Friendship U.S. Post Office to the west. The building is set back from Upton Street and is aesthetically screened by landscaped berms, older tree stands and shrubbery. The subject property is located in the R-1-B zone district that combines a mix of low-density residential and institutional uses.

PROJECT DESCRIPTION
The Washington Home has submitted a proposal to enlarge the building with a one-story addition to accommodate four (4) patient rooms. In an attempt to address the inadequate parking facilities on the lot, the applicant has proposed the addition of 98 spaces to the existing 75 parking spaces. This expansion will involve a reconfiguration of the lot to

BZA
Case No. 16836
Exhibit No. 36

Board of Zoning Adjustment
District of Columbia
CASE NO.16836
EXHIBIT NO.36

allow a landscaped berm to be created along the 37th Street frontage in an effort to provide screening between the lot and the residential area. The new berm will also complement the existing berm along the Upton Street frontage of the lot. This area has mature trees which may be removed and replaced with new plantings as necessary during the construction phase.

ZONING REQUIREMENTS

The subject property is located in the R-1-B zone. Section 219 refers to health care facilities in R-1 zones as follows:

HEALTH CARE FACILITIES (R-l)

219.1 Use as a health care facility for nine (9) to three hundred (300) persons, not including resident supervisors or staff and their families, shall be permitted in an R-l district if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.

219.2 There shall be no other property containing a community-based residential facility for seven (7) or more persons in the same square and no other property containing a community-based residential facility for seven (7) or more persons within a radius of one thousand feet (1,000 ft.) from any portion of the property.

219.3 There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.

219.4 The proposed facility shall meet all applicable code and licensing requirements.

219.5 The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

219.6 The Board may approve more than one (1) community-based residential facility in a square or within one thousand feet (1,000 ft.) only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations.

219.7 The Board may approve a facility for more than three hundred (300) persons, not including resident supervisors or staff and their families, only if the Board finds that the program goals and objectives of the District cannot be achieved by a facility of a smaller size at the subject location, and if there is no other reasonable alternative to meet the program needs of that area or the District.

219.8 The Board shall submit the application to the Director of the Office of Planning for coordination, review, report, and impact assessment, along with reports in writing of all relevant District departments and agencies, including but not limited to the D.C. Departments of Public Works, Human Services, and Corrections and, if a historic district or historic landmark is involved, of the State Historic Preservation Officer.

COMPREHENSIVE PLAN

The predominant land use in Ward 3 is residential, ranging from low-density large estates to moderate density row houses and garden apartments to high-density multi-storied apartments. The Generalized Land Use Map designates the subject property as "institutional" characterized as land and facilities occupied by colleges, hospitals, and other like facilities. Ward 3 has a number of institutional uses. Many of the facilities have structures that are an exception to the neighborhood's land use. According to the Comprehensive Plan, "the compatibility of these uses must be maintained, expansion carefully controlled, changes to neighborhood-related uses encouraged, and conversion to other non-conforming uses prevented." In Title 11, Section 1103, the Land Use Element-Objectives for Residential Neighborhood is specific:

The residential neighborhood objectives are to conserve the essentially satisfactory qualities of the District's many stable residential neighborhoods, to enhance other neighborhoods to improve and achieve stability, to redirect public and private initiatives to neighborhoods in most need of improvement and stability, to encourage development of adequate shopping and support services in all sections of the District, to protect residential neighborhoods from disruptive uses and to prevent concentrations of non-residential uses in residential neighborhoods.

The environmental element of Ward 3's Comprehensive Plan is a key factor in maintaining the natural features of the Ward. The objective outlined in Section 1403.7: "Protecting the quality of the land area objective and policies", reads as follows:

(a) The overall environmental quality of the ward's land areas can be protected by doing the following:
   1. Requiring that any construction preserve natural features;
   2. Promoting extensive planting, especially trees; if the plantings are a condition to a permit, then there shall be a reasonable requirement for landscape maintenance; and
   3. Minimizing any development adjacent or proximate to the ward's stream valley parks…

OP recognizes that there are other environmental elements in Ward 3's Comprehensive Plan. However, in this instance, OP regards Section 4103 as inclusive of the overall environmental objective for the Ward.

ANALYSIS

In accordance with Section 3104.1, the Board must determine if the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not adversely affect the use of the neighboring properties.

Since the Washington Home is an existing facility, the proposal was reviewed under Section 219 of the Zoning Regulations, with emphasis on compliance with Sections 219.3 and 219.5 (outlined above) as it relates to: **Traffic, Landscaping, and Runoff/Drainage.**

Traffic

The hospice serves as an inpatient referral center for patients city-wide. The applicant maintains that the proposed 2,077 square foot addition is a response to the recent increase in occupancy and demand for inpatient hospice services. The addition will accommodate 4 extra beds at the hospice. This is not expected to operate in a different manner from the existing facility. The applicant does not anticipate a substantial increase in the number of visitors or employees to the facility. The addition is a minimal enlargement to the existing facility, increasing the floor area by 1.6%. Hence, there will be no appreciable increase in traffic or noise due to this addition. The addition preserves the intent of the Zoning Regulations and Map and will not adversely affect the neighboring properties.

Section 219.3 of the Zoning Regulations require that the facility meet the parking standard of adequate, appropriately located and screened off-street parking to provide for the needs of the occupants, employees and visitors to the facility.

The intent of the parking lot expansion is to alleviate the current condition of overflow parking into the surrounding neighborhood and to provide parking relief for staff and visitors (many of whom are elderly) to the facility. A previous BZA approval, granted in 1985 (Attachment 2), reduced the requested spaces at that time from 116 to 75.

The applicant conducted a recent parking study in support of their request for the expansion of the lot by 98 additional spaces. Based on the collected data, the study outlined several reasons for the expansion. Over a three-day, mid-week period (the facility's busiest period), an average of 136 automobiles were observed on a lot designed for 75, resulting in congestion and an obvious demand for off-street parking (Table 1). Neighborhood parking is restricted to two-hour parking for non-residents of Ward 3. The parking analysis provides further details with respect to on-street parking conditions.

In addition, the hospice currently has a greater number of employees (166 in 1985, 203 in 2002) at work during the main shift hours between 7:00 a.m. and 3:00 p.m. The morning and afternoon shifts, and the afternoon and late-night shifts overlap by half an hour, beginning at 3:00 p.m. and 11 p.m. respectively. Shift changes require staff to arrive half an hour before actual staff change over, which inadvertently doubles the demand for employee parking within the half hour. According to the study, with 66% of those employees arriving by car, not including visitors and other health professionals, there is a demand for 134 spaces (Table 2). The study concluded that there was more demand for employee parking than can be provided by the existing on-site and off-site parking capacity.

Table 1
On-Site Parking Capacity and Demand

The Washington Home	Number of Spaces Occupied	Number of Spaces Provided
Tuesday (05/22/01)	137	78
Wednesday (05/23/01)	139	78
Thursday (05/24/01)	132	78
Three-Day Average	136	78
Deficit	136-78 = 58 spaces	

Parking Analysis: Prepared for The Washington Home by Gorove/Slade Associates Inc.

Table 2
Employee Survey Summary

Mode Choice for Washington Home	Employees	Mode Choice Percent	Employees on Site between 11 a.m. & 2 p.m.	Mode Choice for Employees on site between 11 a.m. & 2 p.m.
Drive	196	66%	134	66%
Metro	60	20%	41	20%
Walk	12	4%	8	4%
Car Pool	30	10%	20	10%
Total	**298**	**100%**	**203**	**100%**

Parking Analysis: Prepared for The Washington Home by Gorove/Slade Associates Inc

The parking lot expansion seems justified in light of the current parking overflow and demand for additional spaces. The demand currently exceeds the supply of available spaces and places the hospice in a position of non-conformance with Section 219 requirements. Expansion in this instance will comply with the requirements of Section 219. Additionally, the applicant is willing to address community concerns about unauthorized parking, through parking enforcement or vehicle registration to ensure that parking spaces are allotted only to employees and visitors to the facility.

Landscaping

The applicant sought the cooperation and involvement of the neighborhood and the ANC with respect to the preservation of the existing park-like nature of the hospice's grounds. According to the applicant's submission, 60% of the site has been set aside for green space with an overall FAR of 0.53. The landscaped areas and walkways occupy approximately 50% of the site. They provide natural visual barriers and buffers between the hospice and the surrounding residential community. The proposal makes an effort to preserve the natural grades of the property along Upton Street by excavating the reverse slope of the existing berm, without affecting the wooded area of mature trees on the rising slope and crest of

the berm along the Upton Street side of the property. Thus, the sightline of up to six feet from the sidewalk on Upton Street will be preserved

A new berm and relocated and/or new tree plantings will be added to the site along a landscaped area on the 37th Street edge of the property. Similarly, the new landscaped berm will complement the Upton Street frontage and be visually appealing up to a six feet sight line from the curb.

These enhancements will serve to minimize the visibility of the expanded and reconfigured parking lot from the public street and surrounding residential properties (Attachment 3).

The residential community included suggestions for various types of shrubbery and landscape plantings for the site and the applicant has agreed to incorporate the community's suggestions into a corresponding landscape plan.

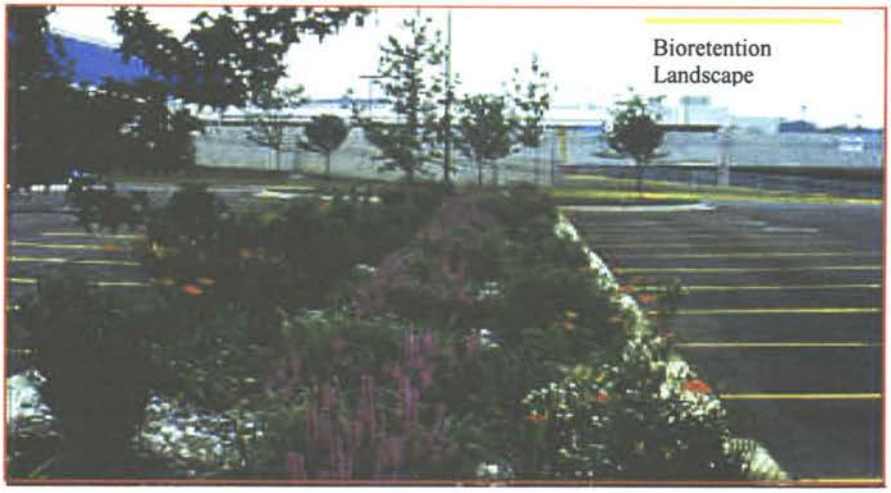
To this extent, the applicant has made an adequate effort to:

- Comply with the requirements of the Zoning Regulations, including Section 219.3 to provide screened off-street parking and;
- Meet the general intent of the Ward 3 Comprehensive Plan elements to preserve the natural characteristics of the Ward as outlined in Section 1403.7.

Drainage and Runoff

The total increase in impervious coverage to the site, including the building addition and parking/paving is 20,487 square-feet, representing 8.2% of the site. The combined existing and proposed impervious coverage of the site is 48.3%. Hence, 51.7% of the site allows for natural drainage of runoff from the impervious surfaces of roofs and parking areas.

While the percentage of imperviousness is not adverse, and the addition of a landscaped berm is advantageous, the applicant may consider retention of its existing landscaping in the parking lot to reduce the imperviousness of the expanded parking lot. The photo below is an example of disconnecting the imperviousness of urban parking lots with combined vegetation, similar to that in the current parking lot.



In addition, since the parking lot expansion is over 5,000 square-feet, the applicant is aware of the requirement for a Sediment Control and Storm Water Management Plan to be submitted to the Department of Health as part of DCRA's review process for compliance with DCMR Title 21 Sections 526-535: Erosion Management and Sediment Control Regulations.

COMMUNITY COMMENTS

The proposal was heard by the ANC at their March 18th meeting. Per the ANC resolution, the ANC has issues regarding:

- Landscaping and lighting
- Storm water management
- Construction management
- Size and adequacy of the proposed parking lot

The community has formed three (3) working groups around these issues and held several meetings with the applicant to discuss and resolve the above matters.
OP supports the efforts being made to address these concerns of the ANC and the community. OP will issue a supplemental report after further conversations with the applicant and community.

AGENCY COMMENTS

The Department of Transportation conducted a site visit on 03/14/02 and staff confirmed the need for the increase in the existing parking lot's capacity to curb the observed parking over-flow into residential spaces. (Appendix 5)

The applicant has also satisfied the State Health Planning and Development Agency's requirements for a Certificate of Need defined in DCMR Title 22 Section 4312, and pursuant to Section 219.8 requiring review and approval by relevant agencies. This is included as part of the applicant's submission (Appendix 10 - Applicant's submission, September 20, 2001).

CONCLUSION

The Washington Home (Hospice) has operated in its current format since 1978 and serves as the only Medicare/Medicaid provider of in-patient hospice care in the District of Columbia. The application for a special exception included the addition of a one-story structure to accommodate four new beds and the expansion and re-configuration of the existing on-site parking lot to accommodate an additional 98 spaces.

The one-story addition facing Upton Street will blend in architecturally with the existing two-story portion of the building at the rear of the addition. The Zoning Regulations and Comprehensive Plan both require that the addition should not have an adverse impact on the neighborhood, particularly as it may relate to an increase in traffic to the site. OP believes that the addition poses no additional burden to the surrounding neighborhood and Ward 3 in general.

This type of facility is allowed in the R-1-B zone provided that it meets the standard of adequate, and appropriately screened on-site parking for occupants, employees and visitors to the facility. The effort to increase the parking availability will minimize neighborhood curb parking encroachment, and non-residential traffic through local streets. The parking analysis submitted by the applicant and staff observation, (including OP and DOT) indicates that this is a reasonable proposal and OP believes that the community concerns will be addressed by the applicant.

ATTACHMENTS

1. Area Map
2. BZA Order #14283, 1985
3. Parking and Landscaping Configuration – aba Architects
4. Department of Transportation's Report. 3/15/2002



Feature Key

Zoning Boundaries
The Washington Home
Wooded Area

Board of Zoning Adjustment
Application No. # 16836

February 27, 2002
DC Office of Planning

Scale 1:1953

25 0 25 50 75 100 Feet

Attachment 1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 14283, of the Washington Home for the Incurables, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.414 to permit construction of a new 189 bed health care facility, existing structure to be demolished upon completion and occupancy of the new building, in an R-1-B District at premises 3720 Upton Street, N.W., (Square 1825, Lot 818).

HEARING DATE: May 8, 1985
DECISION DATE: June 5 and September 4, 1985

FINDINGS OF FACT:

1. As a preliminary matter at the public hearing of May 8, 1985, a representative of the Advisory Neighborhood Commission 3C requested the Board to postpone the public hearing on this case for two reasons. First, the position of the ANC was predicated on the execution of an agreement between the applicant and an ad hoc group of citizens composed of nearby property owners which had not been formally executed. Second, the ANC felt that the record was not complete and needed clarification of the landscape and parking plans and the basis for the data contained in the traffic study.

2. Counsel for the applicant objected to the postponement and stated that the applicant was prepared to go forward with its case.

3. The Chairperson ruled that there was no evidence that any violation of the Supplemental Rules of Practice and Procedure before the BZA had occurred and the motion for postponement was denied.

4. The subject property is located at the southwest corner of the intersection of 37th and Upton Streets, N.W. and is known as premises 3720 Upton Street, N.W. It is zoned R-1-B.

5. The subject site is rectangular in shape and contains approximately 248,447 square feet of land area.

6. The subject site is currently improved with a five-story brick 178-bed health care facility, an accessory building and a power plant.

7. The surrounding area is zoned R-1-B and is developed primarily with single family detached dwellings to the north, east and southeast. The Hurst public elementary school is located to the southeast and Sidwell Friends private school is located to the south. To the west of the site is the Friendship U.S. Post Office which fronts on Wisconsin Avenue, N.W.

8. The applicant proposes to replace the existing 178-bed health care facility with a new health care facility with a capacity of 189 beds.

9. The basic building structure of the existing facility is basically sound, but all major building sub-components such as plumbing, heating, electrical and elevator systems, as well as laundry and dietary equipment needs to be entirely replaced due to deteriorated condition and current operational and energy conservation standards.

10. The applicant's representative testified that the D.C. Office of Licences and Inspections had determined that the existing building was not in compliance with numerous building codes and health regulation requirements. The facility is currently operating on waivers which are predicated on the applicant's promise to modernize without delay.

11. Paragraph 3101.414 of the Zoning Regulations provides that the Board may approve a health care facility for nine to 300 persons, not including resident supervisors and their family, in and R-1 District as a special exception provided that:

a. There shall be no other property containing a community based residential facility for five or more persons in the same square and no other property containing a community based residential facility for five or more persons within a radius of 1,000 feet from any portion of the subject property.

b. There will be adequate, appropriately located and screened off-street parking to provide for the needs of occupants, employees and visitors to the facility.

c. The proposed facility shall meet all applicable code and licensing requirements.

d. The facility will not have an adverse impact on the neighborhood because of traffic, noise, operations or the number of similar facilities in the area.

e. The Board may approve more than one community based residential facility in a square or within 1,000 feet only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations.

f. The Board shall submit the application to the Assistant City Administrator for Planning and Development for coordination, review, report and impact assessment along with reports in writing of all relevant District departments and agencies, including but not limited to the Departments of Transportation, Human Services and Corrections, and if a historic district or historic landmark is involved, of the State Historic Preservation Officer.

12. There are no other properties containing a community based residential facility for five or more persons in the same square or within a radius of 1,000 feet from any portion of the subject property.

13. The existing health care facility provides approximately forty-five parking spaces on site. Thirteen of those spaces are reserved and the remainder are available to visitors and employees on a first come, first served basis.

14. The applicant originally proposed to provide 118 on-site parking spaces. As a result of discussions with neighboring property owners, the applicant submitted three alternate proposals depicting parking layouts with a reduced number of parking spaces on-site which the applicant believed would meet the peak parking demands of the site and help ameliorate the concerns of the neighbors.

15. The applicant's traffic and parking study indicates that the applicant employs approximately 260 full-time and part-time workers. Approximately eighty-one employees work and 8 a.m. to 5 p.m. shift, five days per week. Approximately 166 nursing department employees and thirteen hospice department employees work 7 a.m. to 3:30 p.m., fifty-nine employees work 3 p.m. to 11:30 p.m. shift and forty work an 11 p.m. to 7:30 a.m. shift. The morning and afternoon shifts, and the afternoon and late night shifts overlap by one-half hour beginning at 3 p.m. and 11 p.m. respectively. The facility is staffed seven days a week, 365 days a year. Not all of the employees work the same days or same hours. More employees work on weekdays than on weekend days. The general effect is to spread automobile trips, thereby reducing concentration of traffic in any short period.

16. The new building will replace the existing facility. The proposed facility will increase the bed population by eleven beds. The same number of employees will be able to efficiently operate the new, larger facility. The applicant notes that business and resident visitation and deliveries are not expected to increase measurably.

17. The alternative parking schemes proposed by the applicant are described in detail in its parking and traffic study marked as Exhibit No. 19G of the record. The alternatives are principally distinguished by the number of spaces that are provided on the subject site and the number of spaces proposed to be provided on surrounding public streets. All of the alternative parking plans provide for more on-site parking than than currently exists.

18. The proposed parking lot is located on the eastern half of the site. The parking lot is set back 57.5 feet from the property line on Upton Street and seventy-eight feet from the property line along 37th Street. The lot is proposed to be landscaped with new and existing trees and shrubs. The lot will be lighted for security purposes. There are three handicapped parking spaces located in front of the main entrance. The truck service entrance is located to the rear of the proposed building and is accessed by way of a sixteen foot wide delivery driveway off of 37th Street.

19. The alternate parking plans are a result of the applicant's efforts to address the following community concerns and goals:

a. Preserve the park - like setting by minimizing the number of visible on-site parking spaces.

b. Preserve neighborhood tranquility by minimizing non-residential traffic on local streets.

c. Minimize neighborhood curb parking encroachment and through traffic generated by employees of existing and future developments on Wisconsin Avenue, Connecticut Avenue and Van Ness Street.

d. Ensure proper use of curb parking by adequately enforcing parking regulations, especially in residential permit parking zones.

e. Promote neighborhood safety through regulation of traffic speeds and volumes.

19. At the public hearing, the applicant submitted an additional alternate parking layout which depicted 103 on-site parking spaces. The applicant requested that the Board initially approve ninety-three spaces and allow the

applicant the flexibility to provide the remaining ten spaces at a later date if the applicant finds that ninety-three parking spaces are insufficient to meet the following goals:

a. Provide an adequate number of parking spaces for employees and visitors.

b. Provide one reserved parking space for physician, one reserved space for the Board President, one reserved space for the director, and two designated handicapped visitor parking spaces.

c. Ensure that the long-term parking spaces provided for the applicant's employees will continue to be available in the future as commercial projects are developed in the area.

d. Provide safe, secure parking, especially for late night shift workers.

e. Provide convenient access to on-site parking and loading dock spaces.

f. Comply with all applicable D.C. parking and loading requirements.

21. The Board has the jurisdiction to determine the number of parking spaces which should be provided by the applicant pursuant to Sub-paragraph 3101.4142 of the Zoning Regulations.

22. The applicant has been granted a Certificate of Licensure from the D.C. Department of Consumer and Regulatory Affairs dated April 4, 1985 to maintain and operate a health care facility for skilled and intermediate care. The license authorized a total capacity of 178 beds.

23. The D.C. State Health Planning Development Agency awarded the applicant a Certificate of Need, Number 83-3-1 for the replacement of its existing facility with the proposed 189 bed facility valid until August 27, 1985. The Certificate of Need is conditioned on the following:

a. The nine beds designated for hospice care are to be used only for hospice care and no charges in the use of these beds may be made without prior State Health Planning and Development approval; and

b. That the Washington Home shall adopt a sliding scale for respite care services to ensure access to respite care for persons who cannot afford

self-payment of proposed charges but are not eligible for Medicaid coverage.

24. Although the proposed new facility provides an additional capacity for eleven beds, the applicant stated that the proposed facility is not expected to operate in a significantly different manner from the operation of the existing facility. The applicant does not anticipate a substantial increase in the number of employees or visitors to the site generated by the increase in capacity. The normal operating procedures for a facility of this type are quiet in nature, and further, any noise generated from the facility would be buffered from the nearest residentially zoned property to the east and south by the distance between the structure to the lot lines, the adjacent street rights-of-way and the existing landscaping.

25. There are no community based residential facilities within the same square or 1,000 feet of the subject site. Sub-paragraphs 3101.4145 and 3101.4146 of the Zoning Regulations therefore do not apply in this case.

26. The applicant's original submissions show that the new building as proposed, would have two penthouse structures. Paragraph 3308.12 of the Zoning Regulations requires that all penthouse and mechanical equipment be placed in one enclosure. The applicant did not request the necessary relief to permit two roof structures in the subject application. The Board, therefore, can not consider any configuration of roof structures other than that permitted by the Zoning Regulations unless an application for such relief is filed. Accordingly, any roof structure constructed on the proposed building must comply with the applicable provisions of the Zoning Regulations.

27. The Office of Planning, by memorandum dated April 1, 1985 and a representative at the public hearing, recommended that the subject application be approved. The Office of Planning was of the opinion that the proposed health care facility met the criteria for special exception relief outlined in Paragraph 3101.414 and Sub-section 8207.2 of the Zoning Regulations. The Office of Planning was further of the opinion that the site plan was sensitive to the surrounding properties by providing adequate and well-landscaped on-site parking and an attractive, low occupancy structure. The proposed new facility would improve the living and working environment for residents and staff. In addition, the proposal to increase and improve its resident housing capacity was consistent with the Comprehensive Plan Goals and Objectives of providing needed health care facilities while not adversely impacting residential areas. The Board concurs with the recommendation of the Office of Planning as hereinafter conditioned.

28. Advisory Neighborhood Commission 3C, by memorandum dated April 30, 1985 and a representative at the public hearing, supported the subject application predicated on the understanding reached between the applicant and its neighbors. The ANC took exception to the application on the issues of parking and construction-vehicle use of the alley west of the site.

29. The ANC representative noted that the residents of the community want fewer on-site parking spaces than proposed by the applicant. The ANC agrees that parking should be reduced partly because of their concern with the aesthetics of the site and partly because the applicant has not demonstrated a need to double the number of existing parking spaces in that it has no plans for expanding the number of employees and the applicant's rationale that the proposed on-site parking would alleviate impacts from commercial development nearby was inappropriate. The ANC recommended that the Board limit the number of on-site parking spaces to a maximum of eighty-five.

30. The ANC's second concern was with regard to the circulation of construction vehicle traffic through the use of an alley running west from the subject site to Wisconsin Avenue. The applicant expressed its willingness to use the alley to the extent permitted by the easement agreements of adjacent property owners including the Sidwell Friends School, the National Radio Institute and the U.S. Postal Service.

31. The Advisory Neighborhood Commission representative submitted a copy of an agreement between the applicant and the "Citizens Affected by the Washington Home's Construction" for inclusion in the record. The agreement sets forth the understanding reached between the applicant and the citizens with regard to the following issues:

a. The building plan dated April 23, 1985 filed with the BZA and provided to the undersigned, and the following paragraphs modifying or supplementing those plans, are the basis of the understanding between the Home and the undersigned. It is understood, however, that deviations consistent with the spirit of this agreement may be implemented by the Home with the approval of a designated representative of the Citizens.

b. The northern road shown in the plans of December 21, 1984, as exiting on 37th Street will be eliminated so as to leave only two entrances and exists from the site: one on Upton Street and one on 37th Street. The road leading to the remaining

37th Street exit may be widened to adjust for the fact that it will be the sole 37th Street exit.

c. By the completion of the construction period, the open land shown on the final site plan approved by the BZA will not be dedicated to any uses incompatible with the objective of retaining open land as landscaped area. The Home has no present intention to otherwise dedicate the open land, and knowing the Citizens' strong interest in maintaining as much open space as possible, the Home agrees that if it should desire to otherwise dedicate the open land, it will make this fact publicly known so as to allow members of the neighborhood to participate in the decision making process prior to any formal application to the BZA concerning such change.

d. The plan will be supported by at least $100,000 in capital expenditures (exclusive of regular maintenance and of architect and landscape planning fees) for landscape planting visible from 37th Street or Upton Street made between this date and nine months after the completion of major construction activity on the site.

e. During the construction period it is agreed that:

(1) The Home will require construction vehicles, especially excavation and concrete trucks, to use the alley running between Wisconsin Avenue and the construction site to the greatest extent consistent with any limitations that may be imposed by law, the property rights of others, safety considerations or practical limits imposed by the contractor to post flagmen in the right-of-way to maximize its use consistent with the above limitations, and that the excavation dump trucks and concrete trucks will utilize Upton Street from 38th Street to Wisconsin Avenue as their a alternative routs if the alley is unavailable as a source of entry or exit.

(2) For the vehicles used by construction personnel, the Home will provide not less than 50 temporary parking spaces in the southeast corner of the site, within the construction area surrounded by the construction fence.

(3) The principal means of movement of heavy materials between different parts of the construction site will be by a crane or cranes within the site, rather than by trucks around the circumference of the site.



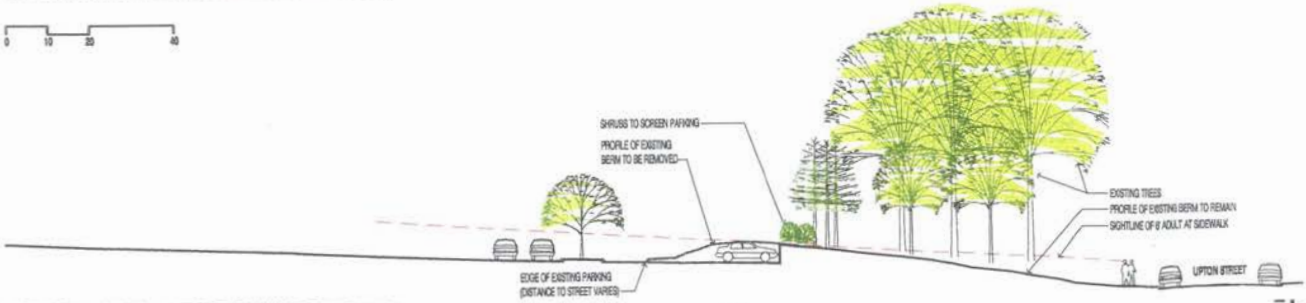
NORTH (Upton Street) ELEVATION OF SITE

0 20 40 80



EAST-WEST SECTION AT EDGE OF PARKING (LOOKING SOUTH)

0 10 20 40



NORTH-SOUTH SECTION AT EDGE OF PARKING (LOOKING WEST)

0 10 20 40

The Washington Home
&
The Hospice of Washington

10-29-01

aba ARCHITECTS
Amos Bailey Arnold + Associates, Inc.