GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director

DATE: September 14, 2004

SUBJECT: BZA Application No. 17055
Special Exception Application by Army Distaff Foundation, Inc.
6200 Oregon Ave., NW Square 2339, Lot 3
Ward 4 ANC 3/4 G

I. APPLICATION SUMMARY AND OFFICE OF PLANNING RECOMMENDATION

The applicant seeks a special exception pursuant to 11 DCMR §218 Community Residence Facility and §219 Health Care Facility. The applicant has also filed for relief from one condition of BZA Order Number 15358 (January 31, 1991), which was the last BZA Order to govern the applicant's property. This condition prohibited the applicant's making major structural additions to the property for 25 years from the effective date of that Order (i.e., until January 31, 2016).

The requested relief is needed to allow construction of a 68,100 square foot addition to an existing health care facility for 9 to 300 persons. The addition would include 25 living units for 27 dementia-impaired residents, and 22 independent living units. It would be built on the site of an existing parking lot and service road. The parking lot would be relocated and expanded by 19 to 39-spaces, potentially including one level of below-grade parking.

The applicant has worked extensively with the community to make significant modifications to the original proposal. The orientation, location, height, setbacks, materials, and distances from adjacent properties have all been improved.

The Office of Planning (OP) recommends **approval** of the revised application, as submitted to OP on September 7, 2004, subject to the following conditions:

1. The applicant shall clarify the number of existing parking spaces within the context of the 190 spaces previously approved by the BZA;
2. Prior to the BZA's decision in this case, the applicant shall submit to the BZA the final designs for the proposed parking area and landscaping on the east lawn;
3. Prior to the BZA's decision in this case, the applicant shall submit final plans for the proposed vehicular access point at Tennyson Street, and its use restrictions. This access point shall be restricted to:

BZA Case No. 17055 Exhibit No. 122

Board of Zoning Adjustment
District of Columbia
CASE NO. 17055
EXHIBIT NO. 122

a. Ingress/egress by emergency vehicles if access at Oregon Avenue is temporarily blocked;
b. Right-turn-only egress by Army Distaff Hall residents.

4. Prior to the BZA's decision in this case, the applicant shall submit to the BZA the final designs for the proposed landscaping and specifications for the caliper and height of the evergreens to be planted on the western portion of the property facing the rear property line of houses on 29th Street, as well as the southern portion of the property facing Stephenson Lane.

Since the application was originally filed, the applicant has made a number of changes to the proposed building's site plan, height, massing, architectural design, landscaping and parking arrangements. These changes were made primarily in response to a formal mediation process between the applicant and Knollwood Neighbors, a group representing nearby property owners. The changes also reflect consideration of conversations between the applicant and OP, the District Department of Transportation (DDOT), and the U.S. Commission of Fine Arts.

This Office of Planning (OP) report is based on plans and written documentation received from the applicant on September 7, 2004.

II. SITE AND AREA DESCRIPTION *(See Attachments 1 and 4)*

Square 2339 in northwest Washington is bounded by:

- North: Tennyson Street
- East: Oregon Avenue
- South: Stephenson Lane and Nebraska Avenue
- West: 29th Street.

The Army Distaff Hall (Knollwood) comprises 16.3 acres and occupies over 90% of the Square. The remainder of the Square is developed with 7 single-family residences that front on 29th Street and that have rear yards adjacent to Knollwood. The blocks bordering Knollwood on the north, south and west are occupied by single-family residences. Rock Creek Park is to the east, across Oregon Avenue. The Square has no alleys. The Square and the surrounding area have a relatively dense canopy of mature trees.

III. AREA ZONING AND HISTORIC DISTRICTS *(See Attachment 1)*

The site is zoned R-1-A, as are Squares 2343 and 2345 to the north. (Square 2345 is developed with townhouses as part of a Planned Unit Development). The land to the west and south is zoned R-1-B. Rock Creek Park, to the east, is unzoned. The nearest commercial zone district is a mile to the west, along Connecticut Avenue, where there is also medium density residential zoning.

The surrounding area is developed almost exclusively with single-family detached houses. The exceptions to that pattern include the applicant's existing Army Distaff Hall; the aforementioned PUD to

the north; St. John's College High School to the south, at Military Road and 27th Street; and the Episcopal Home for Children (a day-school) to the west, at Nebraska Avenue and Oregon Avenue.

There are no nearby historic districts. The original residence on Knollwood's 16.3 acres, which will remain untouched by the proposed addition, is a fine example of traditional residential architecture from the first third of the 20th century. It is not, however, a designated historic structure.

The area is covered by the federal Shipstead-Luce Act.

IV. EXISTING FACILITY AND ZONING HISTORY

Knollwood is presently developed as a continuing care facility consisting of a stone "manor house" built in the 1930's, and a more modern building with four wings constructed between 1962 and 1992. The Army Distaff Hall currently has 253 residents in 150 independent living apartments, 39 assisted living units, and 50 nursing-dependent units. There are 190 parking spaces. The existing buildings occupy 11% of the Distaff Hall's property and have a floor area ration (FAR) of 0.45. The remainder of the site is a wooded area.

The applicant is a non-profit organization that provides retirement living facilities and health care services for military personnel and their spouses. The facility has been permitted by three BZA orders:

- Order No. 5550 (May 29, 1959) permitted a community based residence facility for a maximum of 300 persons, and restricted the area not occupied by the proposed buildings (which were completed by 1962) to use as green space, private circulation roads, and paths;
- Order No. 9158 (April 12, 1967) established a still-current cap of 318 residents, and allowed expansion of the health care facility from 8 to 48 nursing beds;
- Order No. 15358 (1991) retained the 318 cap, but permitted expansion of construction into previously restricted open areas. It allowed a 40,500 square foot addition containing 40 living units, staff rooms, a new dining room, pool and exercise facility and general improvement of the facilities. It permitted a 3-space expansion of parking for a total of 190 spaces. There were modifications to this order later in 1991 and in 1993 governing landscaping, circulation alignments and minor architectural changes.

The principal restrictions affecting the applicant under Order No.15358 are:

- The facility may have no more than 318 residents;
- The maximum building height shall be no more than three stories, as measured from elevation 310' at the front of the existing main building;
- No building shall be constructed within the area designated as open area by the landscape plans approved in conjunction with BZA Order No. 5500 as modified by Order No.15358;
- The original 1930's residence may be retained for administrative and staff use;
- There shall be no major structural additions for 25 years from the effective date of that order (i.e., until January 31, 2016).

V. PROJECT DESCRIPTION *(See Attachment 3)*

The applicant proposes constructing a 68,100 square foot addition attached to the southwest corner of the 1961-62 wing of the existing facility. The addition would be located within the footprint of an

existing parking lot and internal roadway. There would be one level of underground parking accessesed from the existing entrance drive from Nebraska Avenue. The first floor would contain 25 special care units for up to 27 residents with dementia, as well as essential facilities and recreation areas for these residents. The dementia facility will connect directly to the principal existing health care facilities at Knollwood. There will be three additional floors above the dementia area. These floors will contain 22 independent living units, which are intended to generate a financial surplus that will help support the assisted living units and special care (dementia) facilities.

Although some portions of the addition would have four floors, by embedding part of the first floor into the existing southern-sloping grade of the site, the addition would be no more than thirty feet above the 310-foot elevation point established in BZA Order 15358. The north façade would also be terraced back from the building line at the third and fourth floors. The first level of the south side of the structure would be developed with a walled wandering garden for residents with dementia. The proposed building and garden would, according to the applicant, remain outside the area in which no building was permitted by previous BZA orders.

The proposed addition would displace a portion of the existing parking lot. Accordingly, the applicant proposes to construct a new parking lot in the eastern portion of the property. The most recent drawings show this parking lot to be located south of the existing entrance drive off of Oregon Avenue. It would contain 86 parking spaces. The new lot would represent a net expansion of 19 parking spaces for 22 new independent living units and 18 new employees. The applicant is also exploring the possibility of putting some of 20 of the 86 spaces underground.

The applicant further proposes a limited vehicular entrance/exit onto Tennyson Street, aligned with 29th Place. It would be used for emergency ingress//egress and a residents' right-turn-only egress.

The applicant states that, when completed, the expanded facility would most likely have no more than 311 residents, which is greater than the existing 253 residents, but fewer than 318-person limit set by the BZA. The number of permanent jobs would increase from 175 to 193 (of which approximately 25% would be part-time employees).

VI. RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN *(See Attachment 2)*

When the Comprehensive Plan was adopted, the applicant's site was located in Ward 3. It became part of Ward 4 after the most recent census-related adjustments. However, the location is still governed by the Ward section applicable to Ward 3.

The Comprehensive Plan gives mixed guidance with respect to this application. 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 Comprehensive Plan's Generalized Land Use Map designates most of the land east between the Connecticut Avenue corridor and Rock Creek Park, between Military Road and the District Line as appropriate for low-density residential use. 10DCMR §1400.2 notes that *Ward 3's most outstanding characteristic is its low density, stable residential neighborhoods...Residents seek to ensure that stability is maintained.* 10DCMR§1103, the Land Use Element-Objectives for Residential Neighborhoods, states that: *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.

However, the Generalized Land Use Map includes exceptions to this low-density residential pattern. These include the moderate density residential designation for the PUD just north of the applicant's site, at Tennyson Street, as well three institutional land use designations at Military and 27th Street (St. John's College High School), The Episcopal Home for Children day-school at Nebraska and Utah Avenues, and the applicant's property at Nebraska and Oregon Avenues.

The designation of the applicant's property as "institutional" characterizes it as land and facilities appropriately occupied by colleges, hospitals, and similar facilities. Ward 3 has a number of institutional uses that included structures or uses that are exceptions to the surrounding neighborhoods' land uses. 11 DCMR §1409.1(f) notes that *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.* 11DCMR §1409.1(h) further states that *if development of institutional holdings and large estates or other parcels occurs [ensure that] it is compatible with the physical character of the ward, has no adverse effects on surrounding areas, and is consistent with the Comprehensive Plan.*

On the other hand, Section 1402.2 (e) of the Comprehensive Plan's Ward 3 element specifically stresses that *the ward must be particularly sensitive to the needs of its elderly population, which comprises seventeen percent (17%) of the ward and is proportionately the highest in the city. Housing for the elderly must be maintained and increased, especially along the major transportation and commercial corridors of Connecticut and Wisconsin Avenues.*

The Knollwood property is heavily wooded. Buildings occupy only 11% of the 16.3 acres. The environmental element of Ward 3's section of Comprehensive Plan gives guidance toward maintaining the natural features of the property. The objective is outlined in Section 1403.7: *Protecting the quality of the land area objective and policies* state that *(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...*

VII. EVALUATION OF REQUESTED ZONING RELIEF

The applicant's property is located in the R-1-B zone. The applicant is required to provide a lot area of at least 7,500 square feet; the site's land area contains 709,637 square feet. The R-1-B zone district permits 40% lot occupancy; based on the revised application, approximately 95,800 square feet of land area, or 13.5% percent of the site would be occupied. There is no FAR limitation in the R-1-B zone; with the proposed addition, Knollwood's FAR would be 0.5. The minimum lot width required by the Zoning Regulations is 75 feet; the site has an average width of over 700 feet. There is a side yard

requirement of eight feet; the smallest distance between the proposed facility and the property line is 70 feet.

The proposed building would not intrude on the area designated as "open" by BZA Order 15358, as amended.

The facility's use categorizes it as both a Community Residence Facility and a Health Care Facility. Such facilities are permitted in the R-1-B zone, provided the applicant demonstrates that the applicable Special Exceptions criteria have been met. This section of OP's report:

- First analyzes whether the special exception criteria particular to this type of facility have been met;
- Then explores the applicant's rationale for relief from BZA Order No. 15358's 25-year limitation on major structural additions to the property;
- Finally, discusses whether the more general criteria for a special exception have been met.

A. Special Exceptions Criteria Particular to a CBRF and/or Health Care Facility (11 DCMR §§218 & 219)

10 DCMR Section 218 and 219 specify the criteria for community residence facilities (a.k.a community based residence facilities, or CBRFs) as well as health care facilities. Typically these criteria apply to CBRF with nine to fifteen residents, and to health care facilities for nine to three hundred persons. However, under Section 218.7, *the Board may approve a facility for more than fifteen (15) persons...only if the Board finds that the program goals and objectives of the District of Columbia 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 of the District.* Section 219.7 permits the Board to *approve a* [health care] *facility for more than three hundred (300) persons* only if the Board makes the same findings as noted immediately above for Section 218.7

In approving the previous Orders for this property, the Board has already found that the District's program goals and objectives could not be achieved by a facility at this location smaller than the existing Knollwood facility, which has a cap of 318 residents. Even with the proposed physical expansion the residential population would remain below the existing 318-person limit.

The applicant has stated that it has a waiting list of approximately 15 people for its assisted living units and skilled nursing units/special care units. It further states that 58% of the current skilled nursing unit residents would be suitably transferred to a dementia unit, were such a unit available. Finally, the applicant notes the national trend towards a greater need for facilities devoted to dementia as the population ages, and the aged-population expands.

The applicant also has stated that it has a waiting list of approximately 150 people for its independent living units. Section VI of the applicant's pre-hearing statement provides details on a survey of this waiting list. 45 of the current 230 Knollwood residents were District residents prior to moving to Knollwood.

The application further states that additional independent living units are vital to enabling the level of income needed to cross-subsidize the expenses of the dementia facility.

OP has been unable to evaluate the statements of need and cross-subsidization, as they pertain to the specific circumstances of the proposed Knollwood facility expansion, from the information provided by the applicant thus far. However, OP is aware that there is general need to expand dementia-related facilities in the District, and that there is a general pattern for "continuum of care" retirement and health care facilities to use revenue from independent living units to cross-subsidize more care-intensive facilities.

Assuming that the Board has already found that a CBRF of greater than 15 people and a health care facility of greater than 300 people are appropriate at this location, OP has joined its evaluation of the identical criteria of 11 DCMR §§ 218 and 219 as they apply to the proposed expansion.

§§ 218.2 and 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.*

The nearest such facility is over ½ mile away on Military Road.

§§ 218.3 and 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.*

Number: The applicant states that there are currently 203 parking spaces on the site. (OP notes in Case No. 15358, the applicant had stated that the number of parking spaces would not exceed 190). In its September 2, 2004 report, the applicant's transportation and parking consultant determined that there are at least 15 excess parking spaces at present, based on an evaluation of employee peak-hour activity, and adjusting for daily fluctuations. The applicant proposes that the 22 new independent living units will require 22-parking spaces, and that additional employees (11 daytime employees of a total of 18 new employees) and visitors will require 12 additional spaces. The applicant is, therefore, proposing to relocate a portion of the existing parking lot to accommodate the proposed addition, and expand the total number of parking spaces by 19 (i.e., the 34 additional spaces determined necessary by the applicant's parking consultant minus the approximately 15 existing spaces to be determined excess). There would, therefore, be a total of 222 parking spaces, of which 86 would be on the east lawn.

OP notes that the exact location of 20 of these 86 spaces is still to be determined. In conversations with OP, the applicant has stated that if soil and rock conditions permit, 20 spaces will be located under the area shown for surface parking. If conditions do not permit this, the "20 optional spaces" shown on the applicant's parking illustration would be located at-grade, east of the proposed surface parking area.

OP believes the 1:1 ratio for the additional independent living units will be more than adequate, given the on-site public and private transportation services, and the demographics of the independent living unit population. The applicant has told OP that the District Department of Transportation (DDOT) has had no reservations about the adequacy of the total number of proposed parking spaces.

OP is not aware of DDOT's having prepared a written report on this application. OP will encourage DDOT to do so.

The applicant should clarify why the applicant is showing 203 existing spaces, when the plans for the most recent expansion approved by the BZA in 1991 showed a total of 190 parking spaces on the site.

Location and Screening: The relocated and expanded parking is proposed for a part of the property's front lawn that is, at present, visible from Oregon Avenue and the edge of Rock Creek Park. OP has explored alternative parking locations with the applicant, and agrees that the proposed location probably best minimizes obtrusiveness, impacts on neighbors, and impacts on mature trees and the site's environment. From the computer simulations provided by the applicant, it seems that the proposed berming and landscaping will make the lot not visible from Tennyson Street and from southbound Oregon Avenue. The applicant states that the new parking area "will include significant landscaping and berms to maintain the attractive natural setting of Knollwood's front lawn and will have no visual impact on Rock Creek Park or on Oregon Avenue". OP realizes that if the application is approved by the BZA, the proposal will then require review by the Commission of Fine Arts (CFA), which has review authority over construction adjacent to Rock Creek Park. OP also notes that the applicant is presently exploring the feasibility of reducing the visual impact of the parking area by constructing half of it underground.

The final plans will need to reflect whether 20 of the 86 spaces to be located on the east lawn will be constructed below grade or at-grade.

OP received the newest parking plans on September 7, 2004, and received the most recent traffic and parking study on September 8, 2004. At the time this report was written, OP and the applicant had not yet been able to discuss the following matters about the revised parking plans. Among the questions that will need to be addressed as the case proceeds are:

- Screening of the parking lot from the southeast and east;
- Impervious area of the proposed parking lot and the total existing and proposed buildings, parking lots, service drives and paths;
- What are the alternative circulation and landscaping plans for the different parking alternatives: the preferred alternative that would place 20 spaces underground or the other alternative that would place 86 parking spaces on the surface?

OP is continuing to discuss concerns about the relocated parking area with the applicant and with DDOT. OP also encourages the applicant to incorporate environmentally sensitive design features such as pervious paving materials and bio-retention ponds.

§§ 218.4 and 219.3: *The proposed facility shall meet all applicable code and licensing requirements.*

The applicant's certificate of occupancy and operating license will be dependent on meeting these requirements. The applicant has chosen to file for its Certificate of Need after the Board considers the Special Exception relief.

§§ 218.5 and 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.*

- *No Adverse Impact on Neighborhood Due to Traffic*

The applicant's September 2, 2004 traffic analysis indicates that the proposed expansion will likely generate one new trip every eight minutes in the AM peak hour and one new trip every 4 minutes in the PM peak hour. At the time OP wrote this report, OP was not aware of DDOT's having been able to respond to this most recent analysis. However, OP has independently observed the applicant's current traffic generation on many occasions and is aware of no immediately evident problem. The site is well served by public transportation. Residents are also provided van or small-bus transportation to a variety of activities and services. In its several discussions with neighbors during the course of this application, OP has not been made aware of any concerns about the existing traffic situation. Given this, OP believes it likely that there will be no significant adverse impact from the addition of 25 dementia units for 27 people (none of whom are permitted to drive), or from the addition of 22 additional independent living units for senior citizens.

OP is aware of some neighborhood concern that the addition of a limited access entry point onto Tennyson Street may shift traffic onto a street that does not now receive traffic going to or from Knollwood. However, OP believes that:

- The provision of alternative emergency vehicle ingress and egress would be prudent, given that the location of the proposed addition would interrupt the existing thru-circulation pattern from the main building entrance both north and east to Oregon Avenue and south to Nebraska Avenue;
- The proposed restriction of non-emergency vehicle use of the Tennyson Street entrance to right turn out only would minimize potential traffic increases on Tennyson Street.

OP encourages the applicant to refine the design and use restrictions on this access point, to discourage its use by other-than: emergency vehicles that require access when the Oregon Avenue entrance is blocked, and; east-bound/ right-turn-only Knollwood residents.

OP further notes that the applicant has suggested to DDOT that a stop sign be added at the intersection of Tennyson Street and southbound Oregon Avenue, where the existing changes in grade and elevation make it difficult from drivers at the existing Knollwood entrance to see southbound traffic on Oregon Avenue.

- *No Adverse Impact on Neighborhood Due to Noise*

The applicant states that the relocation of parking spaces away from Stephenson Lane and 29th Street may result in less noise reaching residents of those streets. OP agrees with the applicant's statement that "the current use of the Property is inherently quiet" and does not believe the addition of 22 additional independent living units for a retirement-age population would likely result in significant adverse noise impacts.

- *No Adverse Impact on Neighborhood Due to Operations*

The applicant's pre-hearing statement gives a breakdown of the existing numbers of on-site staff and visitors, as well as deliveries at different times of the day and week. The maximum number of staff on-site at any one time is 87. The maximum number of visitors averages 75 on a weekend day and 35 on a weekday. There are an average of 8 to 10 delivery trucks (including trash pick-up) per day.

The applicant has stated that it does not believe the operations of the addition will have an adverse impact on neighboring properties. OP is unaware of any current complaints due to operations. (This is separate from some neighbors' evaluation of the applicant's initial handling of the present application). It seems likely to OP that an aging population with an increased number of dementia residents may result in marginal increases in the number of emergency vehicles visiting the site, but that the visits are unlikely to have an adverse impact on the neighborhood.

- *No Adverse Impact on Neighborhood Due to Number of Similar Facilities in the Area*

There are no other similar facilities within at least ½ mile of the present facility, and no concentration of these facilities within the Forest Hills, Barnaby Woods or Chevy Chase neighborhoods.

B. Requested Relief from BZA Order No. 15358 Prohibiting Major Structural Additions for 25 Years from Effective Date of Order (i.e., until January 31, 2016)

The applicant addresses this restriction indirectly, by stating that the proposed addition is needed now. It cites its 150 person waiting list for independent living units; its internal study showing that 58% of its current "skilled nursing facility" population would be immediately suitable for the dementia unit; the general aging of the population and the increased incidence of dementia; and the greater emphasis seniors are giving to "continuum of care" facilities that permit movement on-site from independent living, to assisted living, to nursing care facilities. The applicant also cites Knollwood's need to remain competitive with similar military retirement facilities in Northern Virginia that already have, or are planning to have, both dementia units and an expanded independent living component. The applicant argues that the income created by the independent living units is needed to help fund the dementia unit, and that the combination of expanded facilities is needed now.

OP recognizes that the addition of dementia units and the expansion and upgrading of independent living facilities is an industry-wide trend for continuum of care retirement facilities. OP has based its evaluation of the application on whether the applicant meets the specific special exception criteria for Sections 218 and 219, as noted above in Section VII. A of this report, and on whether the applicant meets the general special exception criteria, as noted below in Section VII C of this report.

OP believes that both the Zoning Regulations and the Comprehensive Plan emphasize the desirability of stability for residential neighborhoods and predictability and orderliness if change is proposed. OP also recognizes that Zoning Regulations' special exceptions procedures are intended to ensure that certain types of uses can be built and operated provided specified criteria are satisfied. Neither Section 3104,

nor Sections 218 or 219 of the Zoning Regulations refer to time restrictions on seeking special exception relief.

C. General Special Exception Criteria

1. *Will the Special Exception Be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps?*

It will. Community residence facilities and health care facilities are permitted uses in residential zones provided they meet the conditions listed in Sections 218 and 219 of the zoning regulations. Section VII A of this report examined the application's compliance with these regulations. There has been some question about whether the independent living units should be classified as apartments, rather than as part of a CBRF or health care facility. The Board has already established that such units are to be considered as part of a community residence facility, most notably in its order for Case No. 16138, the Ingleside at Rock Creek. The Knollwood facility is available only to the (relatively) elderly, and only if those who desire residency commit to a life-care contract that automatically moves them through differing levels of care-environments, depending on the direction of the residents' health care needs. The independent living unit residents have supporting services available including: meal services, activity directors and transportation services, special fittings and emergency notification devices in their residence units, medical clinic emergency service, and --for supplemental fees -- access to the medical services provided to the assisted living residents.

This special exception does not seek any variances. Even with the expansion, the Knollwood facility will comply with the minimum lot area, dimensions, yard, height and lot occupancy requirements.

2. *Will the Special Exception Not Tend to Affect Adversely the Use of Neighboring Property, in Accordance with the Zoning Regulations and Zoning Maps, subject in each case to the conditions specified in the relevant title?*

The application is subject to the conditions noted and evaluated in Part A of this Section of the OP report.

The applicant has worked with the neighborhood to alter the configuration and design of the originally proposed addition, in order to reduce the potential visual impact and use impact on neighboring properties. The applicant and neighbors undertook a formal mediation process. Although the parties had been unable to reach final agreement on the proposal at the time OP submitted this report, the September 7, 2004 design addresses the concerns the Office of Planning had about the original proposal, and most of the concerns OP is aware of the neighbors expressing.

As demonstrated by the balloon test requested by OP and illustrated in the applicant's pre-hearing statement, the previous design would have significantly altered the view from picture windows, and the enjoyment of the use of the decks and back yards of properties along 29th Street. The revised new design has increased the distance between the rear property line of the nearest 29th street neighbor and the nearest part of the proposed Knollwood addition from 51 feet

to 120 feet. It has reduced the number of proposed independent living units and embedded a portion of the first level into the existing south-facing slope and a new berm. This has enabled the new design to present a lower overall profile and to step back at the upper levels from the rear property line of the 29th Street residences. These changes are illustrated by the applicant's pre-hearing statement comparisons of a computer-simulated outline of the current design for the proposed new structure with the design that had been proposed in 2003 and whose height was assessed during the balloon test. The applicant has also pivoted the proposed building's orientation to present a more tapered profile to the rear of the 29th Street properties, and has introduced changes in façade materials and design that reduce the apparent bulk of the proposed structure from the rear of the 29th Street properties, and from Stephenson Lane. The above changes, plus the decision to build the proposed addition on land that was already used for parking and circulation has enabled the applicant to retain more of the existing mature trees on the site, and to have open space in which to plant additional landscaped buffers.

The design changes have also helped to reduce the visibility of the proposed addition on properties to the south, along Stephenson Lane. Knollwood occupies the entire north side of the street. Residential properties face Knollwood from the south side of Stephenson Lane. The Knollwood property's natural elevation is approximately 25 feet higher than front yards of some of the properties along Stephenson Lane. Even with the new design the distance of the proposed structure from the property line at Stephenson Lane remains at the 70 feet originally proposed, and the distance from the proposed addition to the front yards on the south side of Stephenson Lane remains at the 120 feet originally proposed. However, the applicant has proposed a number of design changes that, in OP's opinion, significantly reduce the apparent presence of the proposed addition from the previous design. Most important is the embedding of the lowest floor into the southern slope of the Knollwood property. This has reduced the elevation of the building by the equivalent of one story. This reduced profile combines with the use of different materials on the façade and breaking up of the façade's massing by balconies and bays to reduce the overall appearance of mass. The increased emphasis that the landscape plan gives to the planting of evergreen trees would also reduce the apparent presence of the proposed structure when viewed from the south.

It is important to realize that the orientation of uses of the properties on Stephenson Lane is different from the orientation of those uses on 29th Street. The decks and back yards of the properties on 29th Street face directly onto the Knollwood property and their use and privacy would have been 51 feet away from and directly affected by the previous design. The back yards and decks of the houses on Stephenson Lane face away from Knollwood. While the unfenced front yards of the Stephenson Lane properties are within 120 of the proposed addition, the more actively used, fenced-in rear yards of these properties are approximately 200 feet from the proposed addition, and are somewhat shielded by the homes on Stephenson Lane, the existing woods on the Knollwood property, and the additional evergreen screening in the proposed landscape plan

OP recognizes that these design changes and landscaping enhancements cannot make the proposed addition completely invisible to adjacent properties. However, OP believes that the applicant has made design and landscaping changes that not only demonstrate a good faith effort to respond to neighborhood concerns, but that also have resulted in a significantly improved, and

less intrusive design. OP believes that the revised design and landscaping would ensure that the proposed structure would not tend to adversely affect the use of neighboring property.

VIII. COMMUNITY COMMENTS

There was significant neighborhood opposition to the previous plans for the proposed addition. This led to ANC 3-4 G's supporting a continuance for the previously proposed hearing from the application, and to the ANC's and OP's suggestion that the applicant and the neighbors undertake a formal mediation process. This process seems to have resulted in a revised proposed design that would have significantly fewer impacts on the neighborhood. However, as of September 14, 2004, the mediation process had not resulted in the signing of an agreement between the applicant and the opposition group known as the Knollwood Neighbors.

On September 13, 2004, ANC 3-4 G voted unanimously to support the application, provided the applicant and Knollwood Neighbors resolved their remaining differences.

The applicant was also to have met with the Commission of Fine Arts staff, and with the National Park Services superintendent for Rock Creek Park prior to the scheduled BZA hearing.

X. OTHER AGENCY COMMENTS

There were no other agency comments on file as of September 6, 2004. OP was continuing its discussions with the applicant with respect to remaining questions about the proposed parking area, and anticipates that DDOT will be filing comments.

AA/slc

Attachments



BZA 17055 - Army Distaff Foundation/Knollwood
Location and Zoning Map

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Feet

0 500 1,000

★ ★ ★ Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ September 2, 2004

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Land Use Legend

- Zoning Districts
- College Campuses
- Planned Unit Development (PUD)
- Transfer of Development Rights (TDR)
- TDR Sending Areas
- TDR Receiving Areas
- Zoning Label



Attachment 1



Comprehensive Plan Map
BZA Application #17055
Army Distaff Foundation/Knollwood.

N

Feet

0 500 1,000

★ ★ ★ Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ September 7, 2004

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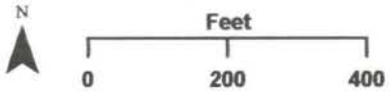
Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Attachment 2



BZA 17055 - Knolllwood/Army Distaff Hall
Site Plan





★ ★ ★ **Government of the District of Columbia**
Anthony A. Williams, Mayor

Office of Planning ~ September 2, 2004

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Land Use Legend

Attachment 3



N

Feet

0 100 200 300

Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ September 7, 2004

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Aerial Photo
BZA Application #17055
Army Distaff Foundation/Knollwood

Attachment 4