Res 05-05

ANC 3F RESOLUTION OF NO OBJECTION TO APPLICATION OF HILLWOOD MUSEUM AND GARDENS TO MODIFY CERTAIN CONDITIONS OF OPERATIONS (BZA APPLICATION NO. 17229)

Advisory Neighborhood Commission 3F
North Cleveland Park, Forest Hills, & Tenleytown
4401-A Connecticut Avenue, N.W., Box 244
Washington, D.C. 20008-2322

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WHEREAS, Hillwood Museum and Gardens (Hillwood), 4155 Linnean Ave, N.W. has filed application No. 17229 with the Board of Zoning Adjustment (BZA) seeking to modify certain conditions governing Hillwood's operation in an R-1-A zone district; and

WHEREAS, Hillwood operates as a museum in an R-1-A zone District pursuant to BZA orders No. 12297, 13668, 14735, and 16019; and

WHEREAS, the Hillwood Museum and Gardens is located within ANC 3F; and

WHEREAS, many owners of property in the immediate vicinity of Hillwood expressed concerns about the effect on traffic and street parking in the neighborhood; and

WHEREAS, Hillwood, the neighboring property owners and ANC commissioners, have had several meetings, to address the concerns of neighboring property owners; and

WHEREAS, those meetings have brought forth an agreement, Neighborhood Cooperative Agreement, and an Operating Conditions document; and

WHEREAS, Hillwood and the neighbors have signed the agreement; and

WHEREAS, Hillwood made a presentation regarding the Agreement and Operating Conditions, on January 10, 2005 to ANC 3F in a public meeting; and

WHEREAS, ANC 3F convened a special public meeting, with required notice, on January 17, 2005 to consider the application; and

WHEREAS, many of the owners of neighboring property, who had expressed concerns and have now signed the agreement, were present at the afore mentioned meetings, to show support for the agreement; and

WHEREAS, ANC 3F is not aware of any opposition to the agreement; and

BZA
Case No. 17229
Exhibit No. 35

Board of Zoning Adjustment
District of Columbia
CASE NO. 17229
EXHIBIT NO. 35

WHEREAS, Subsections A and B of Section VIII of the Agreement provide for quarterly reports by Hillwood to the Neighborhood Parties.

THEREFORE, BE IT RESOLVED, ANC 3F does not object to the proposed modifications of the conditions governing Hillwood's operation in an R-1-A Zone District as provided for in the Neighborhood Cooperative Agreement, as shown in the attached table,

FURTHER, ANC 3F respectfully requests that the BZA conditions include a requirement that the quarterly reports provided for in Section VIII, Subsections A and B of the Agreement also be made available to ANC 3F and residences within 200 feet of Hillwood,

FURTHER, ANC 3F applauds the amicability from which the parties have come to an agreement,

FURTHER, ANC 3F designates Commissioners Klibanoff, and Winstead to represent it before the Board of Zoning Adjustment for this matter.

Approved by a vote of 7-0-0 at a duly noticed public meeting of ANC 3Fon January 17, 2005, with a quorum present, a quorum being four.

Karen Lee Perry, Chair

Frank Winstead, Secretary

OPERATING CONDITIONS

1. The facility shall be open five days per week, Tuesday through Saturday, for regular daily visits.

2. The hours of operation for regular daily visits shall be from 8:30 a.m. to 6:00 p.m.

3. Visitors shall be admitted by appointment only. Appointments shall be limited by parking availability as described in Condition No. 4 below.

4. Visitors shall be limited to the facility's parking capacity of 110 cars, including limousines, at any one time. Reservations shall be made for no more than 110 cars in morning and 110 cars in afternoon. At the time of reservation, Hillwood staff shall ask visitors how they plan to arrive at Hillwood. There shall be no charge for parking.

5. No more than two buses shall be permitted to enter the property each morning and each afternoon.

6. Up to four overflow events per year may be held without limit on the number of cars or attendees, under the following conditions:

    a. The event is either a fundraising event for Hillwood or is primarily related to Hillwood's educational mission.
    b. Sufficient off-street parking is provided so that no vehicle needs to park on the street.
    c. Hillwood takes all reasonable measures to assure that visitors do not park on the street. These measures shall include, at a minimum:
        i. Signs, invitations and other advertising media will direct visitors not to park on the street.
        ii. Free valet parking will be provided for off-site parking.
        iii. During each overflow event, there may be no more than two bus arrivals including drop-offs and pickups.
        iv. For purposes of this order, buses are defined as passenger vehicles that exceed 25 feet in length.
        v. Space shall be provided for bus parking on the property.

7. In addition to the four "overflow" events discussed in Condition No. 6, there may be a total of 41 evening and Sunday events. These events shall be limited as follows:

    a. All Sunday and evening events shall be primarily educational events related to Hillwood's mission or fundraising events for Hillwood.
    b. There shall be no Sunday evening events. Sunday hours will be from 12:30 p.m. – 6:00 p.m. only.
    c. No more than 18 Sunday events may be held in any calendar year. No more than three Sunday events shall be held in any calendar month, nor may Sunday events be held on consecutive Sundays.

d. No more than two evening events shall be held in any calendar week.
e. The educational evening activities shall end no later than 10:00 p.m.
f. Attendance shall be limited to 75 cars at evening events and 100 at Sunday events, including limousines.
g. Buses on Sundays shall be limited to two buses on each of two Sundays per year.
h. Buses at evening events shall be limited to five evening events per year. At such events, there may be no more than five bus arrivals including both drop-offs and pick-ups. Space shall be provided for bus parking on the property. Signs, invitations and other advertising media will direct visitors not to park on the street.
i. Free valet parking will be provided for off-site parking.

8. Hillwood shall implement measures to reduce the queue on Linnean.
   a. At no time shall Hillwood permit a street queue of more than three cars at the upper entrance or two at the lower entrance.
   b. During all events, both gates will be opened for ingress.
   c. If requested by one or more of the parties to this agreement, Hillwood will consult with the parties to this agreement and will use best efforts to institute special measures recommended by them.
   d. At no time shall Hillwood permit a street queue of more than one bus.
   e. All buses and taxis that park or wait must do so on the property.

9. No amplified music or speech shall be allowed at the site that can be heard off the premises.

10. Hillwood shall continue to maintain a liaison committee made up of the ANC, area residents and institutions to coordinate the activities of the applicant's facility and nearby institutions. The committee shall continue to meet at least quarterly to resolve any problems raised by its members.

11. No outside groups or individuals shall be allowed to rent the applicant's facility.

12. The applicant shall provide security at the site 24 hours a day, seven days a week.

13. The existing "No right turn" sign shall be maintained at all vehicular exits from the site.

14. The applicant shall request that visitors exit from the facility toward Tilden Street.

Current (BZA Order 1609)	Filed with BZA	Agreed
1. Open 5 days/wk (not including Sun); 8:30 am – 6:00 pm	1. Open Tues – Sat; 8:30-6 pm	1. No change
2. Visitors admitted by appointment only.	2. Visitors admitted by appointment only, except ten walk-in visitors shall be permitted each day. Appointments shall be limited by parking availability as described in Condition 3 below.	2. Visitors admitted by appointment only; reservations made for no more than 110 cars in morning and 110 cars in afternoon. No walk-ins permitted. At time of reservation, visitors will indicate how they will arrive at Hillwood.
3. Maximum of 250 visitors per day; maximum of 50 persons inside the museum at any one time No bus limit.	3. Visitors limited to the facility's parking capacity of 110 to 125 cars at any one time. No bus limit.	3. Visitors limited to the facility's parking capacity of 110 cars at any one time. No more than 2 buses each morning and afternoon.
4. All parking shall occur on premises.	4. Parking on premises only with the exception that for the maximum of 5 events per year, 75 cars may park on the property of a neighboring institution as long as the facility has arranged to accommodate all of it excess parking at neighboring institution.	4. Parking on premises only with the exception that the capacity limit will be suspended for 4 events per year ("overflow events") as long as the facility has arranged to accommodate all of it excess parking at neighboring institution.
5. Maximum of 26 educational events per year, including evening and Sunday events.	5. Maximum of 75 educational events per year, including evening and Sunday events; number of attendees based on parking capacity; all must park in site's parking lot	5. Maximum of 41 educational events per year (includes evening and Sunday events, but not overflow events); no more than 2 evening events per week. Attendance limited to 75 cars at evening events. Visitors not to arrive by bus except for 5 evening events per year.
6. Educational evening activities shall end no later than 10:00 p.m.	6. Same	6. Same
7. 4 Sunday afternoon events in year 1, with one additional event added each year with an ultimate maximum of 10 per yr.	7. 25 Sunday afternoon events annually	7. 18 Sunday afternoon events between the hours of 12:30 – 6; no more than 3 Sunday events in any one calendar month, Sunday events may not be held on consecutive

Current (BZA Order 16019)	Filed with BZA	Agreed
		Sundays.
8. Maximum of 100 persons may attend each Sunday event.	8. Number of attendees based on parking capacity; all must park in site's parking lot	8. Attendance limited to 100 cars at Sunday events.
9. 1 annual fundraiser permitted, with no more than 350 guests.	9. Condition eliminated.	9. Condition eliminated.
10. No amplified outdoor concerts.	10. Same	10. No amplified music or speech that can be heard beyond the site.
11. Applicant shall establish liaison committee.	11. Liaison committee made up of ANC, area residents and institutions to coordinate the activities of the applicant's facility and nearby institutions.	11. Same
12. No rental to outside groups or individuals.	12. No rental to outside groups or individuals unrelated to its mission.	12. No rental to outside groups or individuals.
13. Hillwood to provide security 24/7.	13. Same	13. Same
14. Install "no right turn" sign at all exits.	14. Maintain signs	14. Same
15. Hillwood to request that all visitors exit toward Tilden Street.	15. Same	15. Same
		NEW: Hillwood to take reasonable measures to assure that employees and visitors do not park on street.
		NEW: No more than 2 buses each morning and afternoon
		NEW: Implement measures to reduce queue on Linnean; no street queue of more than 1 bus at any time.
		NEW: Arbitration procedure
		NEW: No requests for significant changes to operating conditions for 10 years without consent of all but one household that signed the Neighborhood Cooperation Agreement.