

My name is Daniel Crabtree, and my family and I live at 2608 36th Place NW – one of three single family homes directly across a narrow (12.9-foot wide) residential alley from the proposed facility at 2619-2623 Wisconsin Avenue.

I'd like to make **three points** in opposition to MED Developers LLC's plans, which center on how thoroughly objectionable their plans are for adjacent neighbors because of:

- 1) safety;
- 2) noise; and
- 3) irreversibly damaging the character and value of this attractive R-1-B neighborhood.

As noted in my letter of opposition to this case (Exhibit 54), the applicant has made zero attempt to address these concerns of adverse impact to the community, and to meet their burden of proof under special exception regulations - despite having had months to do so.

1. **The plans are fundamentally unsafe: the narrow residential alley behind the site – expected to be the SOLE means of vehicular access to the facility - would become a death trap for my young children**

I have an intelligent and beautiful 8-year-old daughter and a bright and cheeky 4-year-old son. We use the alley a lot. Every day, I walk them out our back gate, and down the alley to school at Stoddert Elementary. At the weekend, we walk along the alley to Guy Mason park. And they practice their budding cycling skills on many days along this same alley, naturally under close parental supervision. Some evenings we will walk as a family along the alley to a restaurant in Glover Park. Or maybe to a neighbor's house. For their safety, I always remind the children to look both ways as we enter the alley as we often encounter our neighbors coming and going from their garages. We also must take care to avoid the trucks that race up the alley from the illegally constructed Glover Park Hotel, after they deliver food, linen, and other wares to the Davis Street side of the hotel. This narrow alley has numerous blind spots due to buildings, foliage and telegraph poles – making it 12.9 feet, not 15 feet as the applicant states. It gets blocked frequently (See Photos 1 and 2)

Given the applicant's plans for a commercial loading dock for the commercial kitchen, commercial laundry facility, trash, patient drop-off and pick-up, and other needs, plus a 9-car parking lot off the alley (which is woefully inadequate to meet the CCRC exception requirement, which requires sufficient off-street parking for staff, residents, and visitors), this residential alley would be turned into a busy commercial thoroughfare.

If this proposed facility is constructed, every time my children and I enter this narrow alley, we will need to not just dodge the commercial trucks from the Glover Park Hotel, but also numerous other commercial vehicles going to the facility - from ambulances to delivery trucks to trash trucks to resident excursion vans - as well as the cars of an unsubstantiated number of staff, visitors, and contractors going back and forth in a futile search for parking. And if they do park, they will be effectively trap up against our back gate (See Photo 3)

To not oppose this irresponsible and dangerous proposal would be a dereliction of my duty as a parent. I would be asking my children to take their lives in their own hands. If I want my precious children to grow up and live prosperous lives, this small alley – designed for the use of residents entering and exiting their homes – would be off-limits, basically a no-go zone. Is it fair to deny our rights to safe residential alley access at the commercial convenience of the applicant? Of course it is not. The zoning regulations are in place precisely to protect residents from adverse impacts such as these.

The developer has not even bothered to conduct a proper traffic assessment to demonstrate how traffic would flow to, from, and around the facility – and what kind of congestion and safety risks it may cause. There is not even an accurate picture of the loading dock in their application or statements. The applicant's evident lack of concern for the clear safety risks for families who live along the alley is astonishing and reprehensible.

- 2. The plans would dramatically increase noise in the neighborhood: The 24/7 activity at the facility is a vast difference to the noise generated by three family homes (for which the site is zoned)**

Under the Comprehensive Plan, the site is in a "Neighborhood Conservation Area", zoned for 3 single family homes. As with other homes along the alley, these houses could be expected to generate a small amount of additional vehicular traffic (1-2 cars per family) and perhaps occasional noise associated with having cookouts and children playing in the garden.

Compare this with the use of this site as a 24/7 memory care center, including: delivery trucks, ambulances, vendor vans, nursing, administrative staff, therapist and other cars coming and going at all hours of the day and night, generating significantly increased vehicular noise; the noise of a on-site commercial laundry facility; the noise that will be heard from a small but busy garden that is situated a few feet away from neighboring properties (the only outdoor space for the facility's 36 residents, visitors and staff); the noise and disruption of staff arriving for, and departing from, their shifts (all through the alley); the noise of staff congregating at the rear of the building on their breaks; and the noise of patients being loaded on and off the excursion truck several times a week, as well as ambulances (since many will need urgent medical care).

The BZA rejected a similar case on safety and noise grounds in 2011, when Ms. Moldenhauer was serving as the BZA Chair. In that case (Case no. 18190), the applicant was seeking approval for a special exception to build a 45-child child care facility in a R-1-B neighborhood, accessible along a narrow street. The BZA found that due the center being open from 7am to midnight, and "a relatively large number of people...would be traveling to and from the facility each weekday" that this would create "a level of activity...much greater than that experienced at surrounding properties, most of which are one-family detached dwellings." As such, the BZA order reads, "the applicant did not satisfactorily address concerns regarding potential noise impacts associated with vehicles traveling to and from" the center. The BZA's order goes on to say "The Board agrees with ANC 5B's resolution in opposition to the application that the proposed child development center would create adverse impacts particularly with respect to traffic and safety...and to the close proximity of the child development center to the adjacent homes".

- 3. The proposed facility will irreversibly damage the character and value of our small and attractive, single family R-1-B neighborhood**

Our small community of single family homes has been thoughtfully preserved for over half a century by the District's planners. The Comprehensive Plan has consistently recognized the area as suitable for single family residences. This has allowed hundreds of families across generations to confidently enjoy this tasteful, green, child-friendly neighborhood. Indeed, it was this very character – and sense of true community - that convinced my wife

and I to buy our home on 36th Place in 2015. Other friends in the neighborhood I know came to a similar conclusion when they purchased their properties.

The plans put forward today by MED, for a high density, 52-foot monolithic institutional building, lay to waste over 50 years of zoning precedent. If approved, the plans for this commercial facility would cause irreversible damage to this special residential neighborhood. As experience has shown us with the illegally constructed Glover Park Hotel, once a large, non-conforming building is constructed, it is not pulled down. The site will never have the single family homes for which it is zoned. And if a new, non-conforming building fails, it becomes a vacant, shuttered white elephant that blights the neighborhood and brings down surrounding property values (or the neighborhood is forced to accept an alternative institutional use, such as an embassy or a school). This is what happened with the Union Building down the road at Calvert and Wisconsin (2641 Wisconsin) – which has been sitting vacant for years while real estate brokers, ANC members and the community have searched for an alternative use. As you know, it was recently agreed that the Union Building will house a daycare facility.

As neighbors living a couple of short strides from this site, we must be seriously worried about the project's viability, given the total inexperience of the builder and operator in this case in the memory care industry – which has been all too apparent in their inability to provide straight (or any) answers to questions from neighbors about traffic, off-street parking, safety, noise, staffing, business sustainability, etc. Pausing for a moment on business sustainability: why does an industry leader like Sunrise Senior Living, who you will hear from in another CCRC case later today, confirm that CCRCs in urban locations are not viable with less than 90 units (due to land, construction and operating costs)?

I recall vividly, at a meeting at my own house in late 2016 to discuss what might happen following the failed shelter plan, and after hearing neighbors expressing multiple concerns about over-developing the lot, Mr. Finland confidently telling me and some of my neighbors: "I am a developer – of course I am going to maximize the number of units on those lots". He clearly only cares about one thing: maximizing his revenue stream (whether by flipping the building or by seeking another use that is more viable). The applicant shows zero consideration for the residents of this fine neighborhood or about zoning regulations. All my own experience hearing about their plans for this site these past 2.5 years, and from what I see in MED's vague, arguably bad faith application, suggests that Mr. Finland and his team view the neighborhood as a nuisance, as a fly to swat away, so that they can make money at our expense (even if that premise of profitability itself appears flawed, as who would want to put their loved one in such a poorly designed facility with all the common space in a cellar and practically no green space? And not to mention, the size of the facility looks questionable by industry standards)

I implore the Board to reject this application. As with the earlier case before the BZA, if pursued this application would create serious adverse impact for the the neighborhood – especially with regard to safety and noise, whilst irreversibly damaging the neighborhood's character.

Photograph 1. Alley between Davis & Edmunds blocked by vehicle (facing towards Davis)

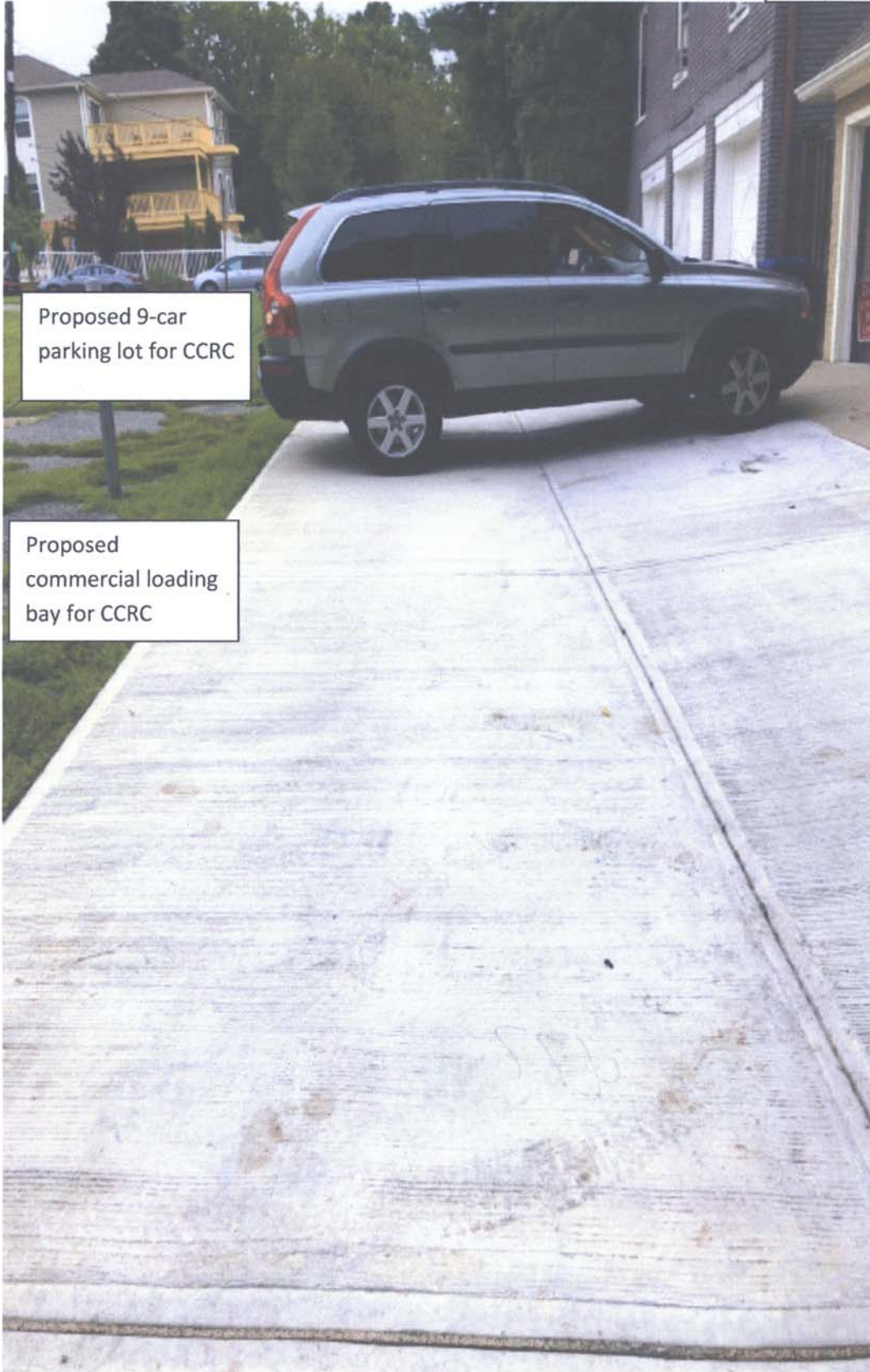


Photograph 2. Alley between Davis & Edmunds blocked by vehicle (facing towards Edmunds)



Photograph 3. Inadequate space for loading and parking, endangering residents

2610 36th Place NW



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