



**BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to www.dcoz.dc.gov > IZIS > Participating in an Existing Case > Party Status Request for Instructions. Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name:	JUDY CHESSER, PRES, TENLEYTOWN NEIGHBORS ASSN.		
Address:	3901 ALTON PL, NW, WASH, DC 20016		
Phone No(s):	202 744 2503	E-Mail:	Chesser1@rcn.com

I hereby request to appear and participate as a party in Case No.:	19823
Signature:	Judy L. Chesser
Date:	August 24, 2018

Will you appear as a(n)	<input type="checkbox"/> Proponent	<input checked="" type="checkbox"/> Opponent	Will you appear through legal counsel?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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If yes, please enter the name and address of such legal counsel.

Name:	
Address:	
Phone No(s):	
E-Mail:	

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

I hereby request advance Party Status consideration at the public meetings scheduled for: September 12, 2018

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf;
2. A summary of the testimony of each witness;
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
4. The total amount of time being requested to present your case.

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

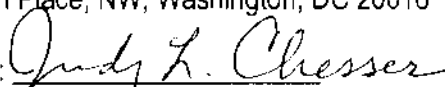
**Before the Zoning Commission or Board of Zoning Adjustment
of the District of Columbia
FORM 140 - Party Status Request**

ATTACHMENT

BZA Case No. 19823 -Wisconsin Avenue Baptist Church and Sunrise Senior Living – 3920 Alton Place, NW, Washington, DC 20016

NAME: Judy Chesser on behalf of Tenleytown Neighbors Association
ADDRESS: 3901 Alton Place, NW, Wash, DC 20016
Phone Nos. 202 744 2503
Email: chesser1@rcn.com

I hereby request to appear and participate as a party in Case No: 19823
Wisconsin Avenue Baptist Church and Sunrise Senior Living –
3920 Alton Place, NW, Washington, DC 20016

Signature: 
Print Name: Judy Chesser
Date: August 24, 2018

Will you appear as _ Proponent Opponent
Will you appear through legal counsel? _ Yes No
If yes, please enter the name and address of such legal counsel
Name _____
Address _____
Phone Nos. _____
Email _____

I hereby request advance Party Status consideration at the public meeting scheduled for:
September 12, 2018.

PARTY WITNESS INFORMATION:

1. A list of witnesses who will testify on the party's behalf:

Judy Chesser (TNA President) at 3901 Alton Place, NW;
Barbara Gunning (TNA Member) at 3822 Albemarle St. NW, and
John Allen-Gifford (TNA Member) at 4412 39th Street, NW.

2. A summary of the testimony of each witness:

See TNA Resolution (attached below) for greater detail. The proposed project would set a precedent by allowing a massive building on a lot zoned R-1-B, single-family detached. The Applicant is requesting at least 5 special exceptions and variances because the building does not fit on this site. This severe change in use of the lot is of grave concern to the homeowners who live nearby. Thus, the Tenleytown Neighbors Association officially adopted the attached Resolution and will feature at the

hearing several of our members who live directly adjacent as well as within a block of the proposed project. They will articulate the concerns detailed in the attached Resolution.

3. **An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts:**

It is not our plan to offer expert witnesses.

4. **The total amount of time being requested to present your case:** 1 hour.

PARTY STATUS CRITERIA

1. **How will the property owned or occupied by such person, or in which the person has an interest, be affected by the action requested of the Commission/Board:**

If approved, the project will be a massive project – requiring at least 5 special exceptions and variances for use on a single family detached lot. The building will house approximately 200 residents and staff for Sunrise operating 24/7 plus a 250-seat church within a few feet of single family homes. The project presents an inappropriate special exception from zoning in an area that zoning designates for low density and neighborhood conservation.

2. **What legal interest does the person have in the property? (owner, tenant, trustee, or mortgagee)**

All TNA presenters listed are homeowners of long standing on the same block as the project or within a block of the project. Legal interest: all own the properties where they live.

3. **What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no further than 200 ft.)**

The proposed project at 3920 Alton is located on the same block as the home of the President of TNA, Judy Chesser, who lives at 3901 Alton Place. John Allen-Gifford shares a property line with the site. Barbara Gunning lives 1 house beyond the 200-foot radius.

4. **What are the environmental, economic or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?**

The proposed building is to be shared by a 24/7 assisted living facility with approximately 100 residents and 70 staff plus a 250-seat church. This over use in a single-family neighborhood will increase traffic and parking congestion, and would be an inappropriate zoning special exception in an area that zoning designates for low density and neighborhood conservation. Tenleytown Neighbors Association has many members who are strongly opposed to the proposed project. This project is per se objectionable on an R-1-B lot.

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied?

Our response to Question 4 above and the TNA Resolution attached include our primary concerns.

6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of others persons in the general public.

The proposed project at 3920 Alton Place is located in a block bound by Alton Place, 39th Street, Yuma Street, and federal park land. Many TNA members live directly adjacent to the proposed site.

BZA Case No. 19823 -Wisconsin Avenue Baptist Church and Sunrise Senior Living – 3920 Alton Place, NW, Washington, DC 20016

**Tenleytown Neighbors Association (TNA)
Request for Party Status and Advanced Consideration.**

Tenleytown Neighbors Association Resolution

Whereas the Tenleytown Neighbors Association has serious objections regarding the proposed development at 3920 Alton Place, NW, Washington, DC as articulated in the resolution TNA adopted on November 6, 2017.

Whereas TNA requests party status for participation in the proceeding and hereby authorizes TNA President Judy Chesser and TNA Member Barbara Gunning and TNA Member John Allen-Gifford to represent and present on behalf of TNA at all hearings before the Board of Zoning Adjustment regarding BZA Case No. 19823 - Wisconsin Avenue Baptist Church and Sunrise Senior Living – 3920 Alton Place, NW, Washington, DC 20016

Whereas, to be specific, TNA designates the following TNA officer to represent TNA in these proceedings and bind TNA if requested and agreement is achieved: Judy Chesser, President, Tenleytown Neighbors Association.

BE IT RESOLVED THAT TNA hereby proffers this resolution to the Board of Zoning Adjustment in compliance with 404.1(f) of the Zoning Regulations.

ADOPTED unanimously on August 23, 2018

ATTACHMENT

TENLEYTOWN NEIGHBORS ASSOCIATION RESOLUTION

REGARDING SUNRISE ASSISTED LIVING AND WISCONSIN AVENUE BAPTIST CHURCH PROPOSAL AT 3920 ALTON PLACE NW, WASHINGTON, DC. (BZA Case No. 19823)

WHEREAS Sunrise Assisted Living Worldwide and the Wisconsin Avenue Baptist Church (WABC) presented a plan before Advisory Neighborhood Commission (ANC) 3E on October 12, 2017 and are currently scheduled for a hearing before the Board of Zoning Adjustment on October 10, 2018.

WHEREAS the lot in question, Square 1779, Lot 14, is zoned R-1-B, single family detached.

WHEREAS the church is located at 3920 Alton Place, which is in a residential area and not on Wisconsin Avenue.

WHEREAS Sunrise and WABC's proposed development at 3920 Alton Place NW includes a request for a special exception for a senior retirement community facility that would be included in one building with a newly constructed church on the site in a single-family residential R-1-B district.

WHEREAS Sunrise and WABC are requesting at least 3 area variances and 2 special exceptions from R-1-B limitations for lot occupancy, number of stories, side yard setback, a retaining wall and perhaps the requirement for pervious surfaces on half the lot and a reduction in required parking.

WHEREAS Sunrise and WABC's proposal would include an 86-unit 24/7 senior assisted living center housing approximately 100 people with 70 staff and a 250-seat church with several shared meeting rooms.

WHEREAS the church will occupy a very small amount of the space on the first two floors only on the Yuma Street side of the building and will be an estimated ¼ of the floor space on the first floor, less on the second. The vast majority of the building space will be occupied by the Sunrise Assisted Living for-profit business.

WHEREAS Sunrise and WABC's proposal, according to their statement, is for 58% lot occupancy compared to the R-1-B zoning, which allows only 40% for entities other than a church, such as a senior living facility (non-church).

WHEREAS, on an R-1-B zoned site, "40 feet and 3 stories" is allowed but Sunrise proposes 4 stories.

WHEREAS Sunrise and WABC's proposal would dramatically increase usage of the site, would entail at least two years of construction of a large building for multiple uses, would reconfigure lot occupancy on 3920 Alton Place NW, and entail new curb cuts on both Yuma Street and Alton Place.

WHEREAS Sunrise and WABC's proposal includes a two-level underground garage, truck loading, and 4 stories above ground plus a penthouse.

WHEREAS Sunrise -WABC's proposal includes a 13-foot retaining wall next to a fence shared with 5 single-family homes, two converging truck ramps, buttressed by the retaining wall, for cars and trucks

to enter the garage, a 20X30 foot loading dock at the bottom of the ramp, plus generators and trash containers inside the garage all of which is a matter of feet from the adjacent homes. Sunrise states they would have 20 trucks per week plus a 7-ton shuttle bus numerous times daily that would arrive and depart on streets where truck traffic is restricted.

WHEREAS the retaining wall of 13 feet below grade, according to Sunrise, would be next to the neighbors' backyard fences where small children reside and would be a serious safety hazard.

WHEREAS Sunrise and WABC's neighbors would be adversely impacted by unsafe traffic conditions, overcrowded and illegal parking, noise, and other objectionable conditions resulting from the group activities in the building, and the need to provide 24/7 services, including food service 3 times per day and sanitation for approximately 200 people.

WHEREAS Sunrise and WABC's expansion would be a serious and inappropriate overuse of the site, which shares a boundary with 5 single family detached homes and has single family homes on all sides of the site, plus Sunrise proposes to use the federal land next to the site as their front yard. Sunrise seeks approval of the National Park Service to landscape and berm the federal park land and has at least two doors entering/exiting directly on to the federal park land.

THEREFORE, BE IT RESOLVED THAT the proposed development is far too large for this residential lot that shares a property line with 5 family homes and is surrounded on all sides by single-family homes. The ramp for truck loading will be a matter of feet from the windows of those homes. This proposal in this residential neighborhood is more than it is reasonable to request neighbors to accommodate.

BE IT RESOLVED that the Tenleytown Neighbors Association opposes the approval of the Sunrise – Wisconsin Avenue Baptist Church proposal. As discussed above, the Applicant requests approval of numerous special exceptions and variances from zoning for a senior assisted living facility and church in a residential zone, including to be in the zone at all plus increased number of stories, lot occupancy, a side yard elimination and a 13-foot retaining wall.

BE IT RESOLVED that Tenleytown Neighbors Association is opposed to the proposal to build a massive building in a neighborhood of single-family homes.

BE IT FURTHER RESOLVED that the Tenleytown Neighbors Association should communicate its position on the Sunrise – Wisconsin Avenue Baptist Church proposal to the Chairman and Members of ANC 3E and recommend that the ANC disapprove the proposal unless Sunrise-WABC modifies its proposal so that the proposal honors all of the R-1-B zoning requirements, including, among others, those that limit height, number of stories and percent of lot occupancy and respects the homes surrounding the site on three sides. In addition, Tenleytown Neighbors Association should communicate its position to the Office of Planning and the Board of Zoning Adjustment and TNA should participate on behalf of neighbors in any BZA proceeding relevant to this proposed development.

Adopted unanimously on August 23, 2018.

BZA Case No. 19823

Wisconsin Avenue Baptist Church and Sunrise Senior Living –
3920 Alton Place, NW, Washington, DC 20016


AFFADAVIT OF SERVICE

I hereby certify that, on August 24, 2018 a copy of the foregoing Request for Party Status was served via email to the following:

Wisconsin Avenue Baptist Church and
Sunrise Senior Living
c/o Mary Carolyn Brown
Donohue & Stearns, PLC.
1750 K Street, NW, 12th floor
Washington, DC 20006
carolynbrown@donohuestearns.com

Joel Lawson, D.C. Office of Planning
1100 4th Street, NW, Suite 650 East
Washington, DC 20024
Joel.Lawson@dc.gov

ANC 3E: Jonathan Bender, Chair
c/o Lisner Home
5425 Western Ave., NW, Suite 219
Washington, DC 20015
jonbender@gmail.com



Judy Chesser
President, Tenleytown Neighbors Association

Notarized

DISTRICT OF COLUMBIA: ss
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 24 DAY OF August, 2018.
Franklin L. Stoen, Jr.
NOTARY PUBLIC
My Commission Expires 09/30/2022

