



## **ADVISORY NEIGHBORHOOD COMMISSION 3E**

**TENLEYTOWN    AMERICAN UNIVERSITY PARK    FRIENDSHIP HEIGHTS**  
**WAKEFIELD    CHEVY CHASE    FORT GAINES    SPRING VALLEY**

c/o Lisner Home 5425 Western Avenue, NW Washington, DC 20015  
<https://anc3e.org>

### **RESOLUTION IN BZA CASE #19823A, 3920 ALTON PLACE NW**

#### **WHEREAS:**

1. Wisconsin Avenue Baptist Church ("Applicant" or "the Applicant"), seeks a two year extension to a previously approved plan (BZA case 19823) to build a combined 4-story continuing care retirement community (CCRC) and church ("Project") at 3920 Alton Street, NW ("Property").

2. In 2018 the Applicant along with Sunrise Senior Living (co-applicant) sought relief to the lot occupancy requirements, permitted height, sideyard, retaining wall height limit and a special use exception to operate a CCRC in an R-1-B zone.

3. After a lengthy process that included numerous public meetings and negotiations ANC 3E entered into an MOU with the applicants and voted to approve a resolution in support of the application for relief on November 8, 2018.

4. The Board of Zoning Adjustment (BZA) held public hearings on this application on September 12, October 10, October 17 and November 14, 2018 and approved all sought zoning relief at a public hearing on February 6, 2019 and subsequently issued the written order in this case on February 14, 2020.

5. An appeal of the ruling was subsequently filed by the Tenleytown Neighbors Association (TNA) and Tom McDonald on March 17, 2020 before the DC Court of Appeals. The case was argued before the Court of Appeals on September 30, 2021 and the Court of Appeals affirmed the BZA decision on April 6, 2023 and the mandate was issued on May 1, 2023.

6. ANC 3E has been made aware that sometime between its resolution in support of relief passed on November 8, 2018 and this meeting that the co-applicant withdrew from this project.

7. On April 29, 2025 the applicant filed for a 2 year extension (case 19823A) of the approved zoning relief.

8. Subsequent to the application for an extension ANC 3E learned that the applicant is seeking to proceed with the project partnering (partner) with a different CCRC. As of this meeting ANC 3E has not met with nor learned any of the details of this new partnership and has no ability to assess it operationally it will be similar or dissimilar to the program that ANC 3E based its previous support on.

#### **NOW THEREFORE BE IT RESOLVED:**

1. In our view, ANC 3E believes the building form that we approved in 2018 along with the conditions in the MOU remain appropriate for this location and reliant on both still being applicable support an extension in this case to construct this building.

2. However ANC 3E has serious concerns about the lack of information about the new partner in this development who is unnamed in this application along with any potential operational changes (number of beds, population served, number of staff etc) about which we also have no information. We believe that a different partner/management company may represent a material change in this application and lacking information about this partner we cannot support this extension until such concerns are assuaged.

3. ANC 3E believes that the best course of action would be, first, for the BZA to rule solely on the timeliness issue at its next meeting. If the application is ruled untimely, other concerns would be mooted.

4. Second, if the BZA rules the application timely, ANC 3E respectfully requests a continuance to a late-September or October hearing date on the merits of the application. This would allow time for the ANC and community to learn about any changes requested by the new partner

5. If the application for an extension is ruled timely, but the applicant's new partner is unable to provide written assurances to BZA and the community that it seeks to build a project that closely tracks the approved project, then BZA should deny the application for extension. Extensions are supposed to allow an already-approved project to be built, not to serve as a beachhead from which a developer can seek modifications to build a different project. If applicant's new partner does not want to build a project that is substantially identical to the project already approved, the proper course is to file a new application.

6. For avoidance of doubt, if the BZA declines to grant a continuance of the hearing on the merits until at least late September, ANC 3E opposes the application for the reasons above.

7. ANC 3E authorizes Commissioners John Mitchell, Jonathan Bender and Tom Quinn to testify for the ANC at any proceedings connected to the above-referenced application and to submit any additional required documents to the record.

The resolution passed by a vote of 6-0-0 at a properly noticed meeting held on July 22, 2025, at which a quorum was present, with Commissioners Bender, Cohen, Graff, Hall, Mitchell and Quinn in attendance.

ANC 3E

Jonathan Bender

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by Jonathan Bender

Chairperson