

BZA Application No. 21249

4231 Clay St NE, LLC
4231 Clay Street, NE
April 23, 2025

Applicant:

4231 Clay St NE, LLC
Aaron Eyob
Senai Medhani

Zoning Attorney

Sullivan & Barros, LLP
Alexandra Wilson
District of Columbia

Zoning Consultant

Bello & Bello Associates
Toye Bello

Overview and Requested Relief

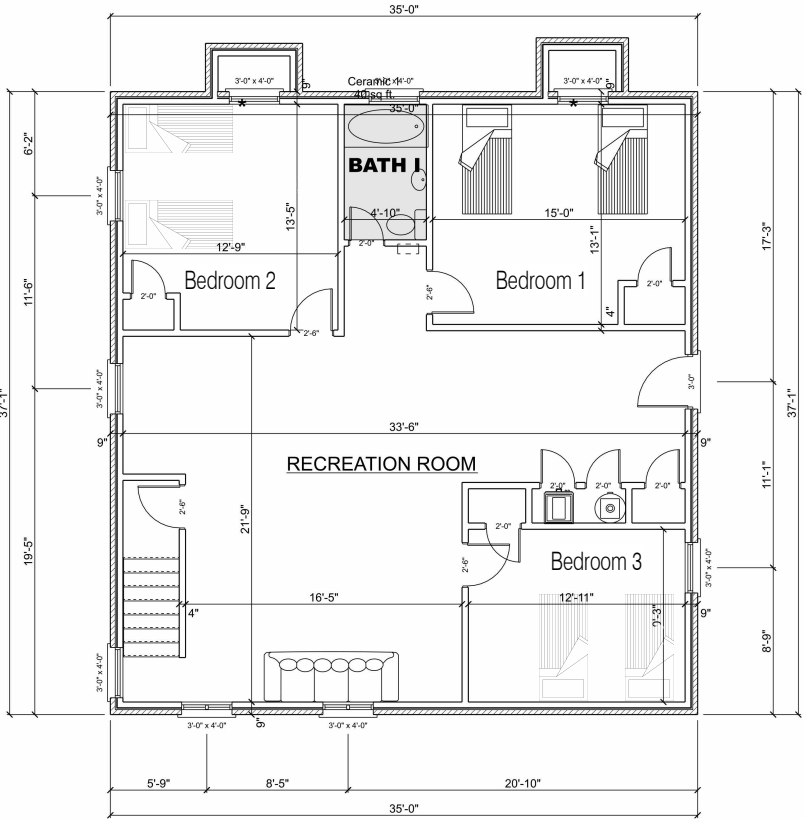
- The Applicant is proposing to use the existing Building for an assisted living facility.
- The use falls under the definition of a “Health Care Facility” per the Zoning Regulations.
- Health care facilities are permitted by-right for up to 8 residents. The proposed facility will have 16 residents, requiring special exception approval under Subtitle U-203.1(j).

Community & Agency Support

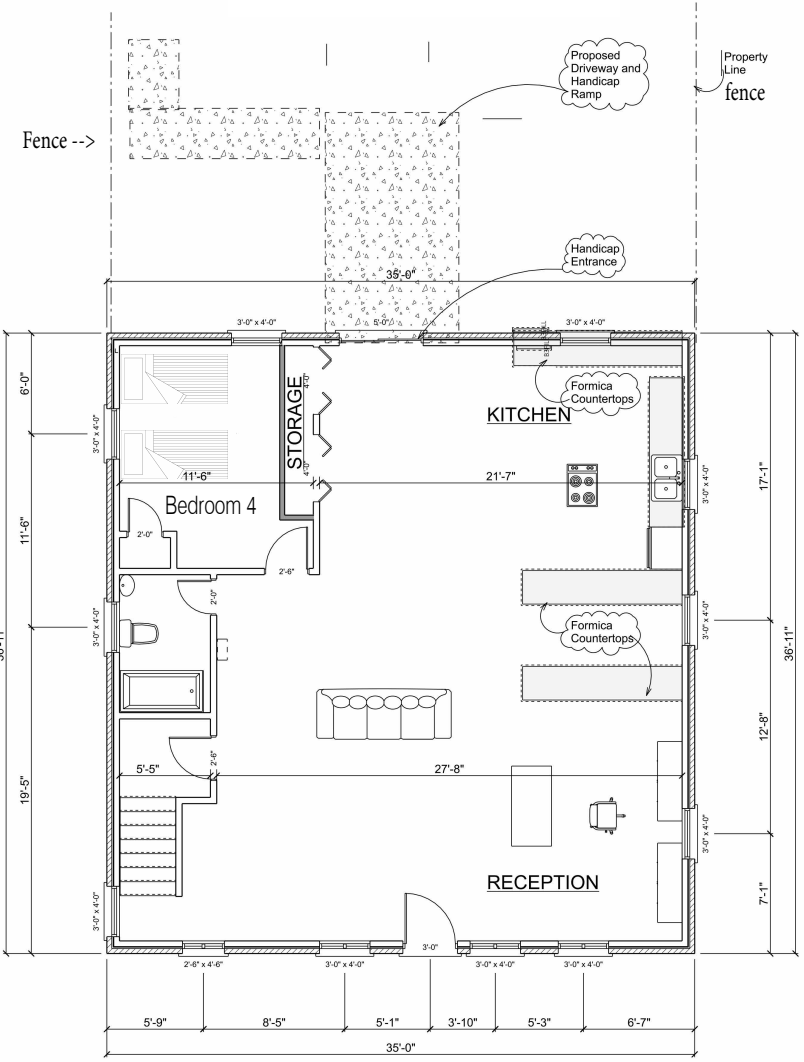
- The Office of Planning recommends approval.
- DDOT has no objection.
- There are 2 letters of support from surrounding neighbors including the adjacent neighbor at the rear. The Applicant sent packets to neighbors via certified mail with receipts in Exhibit 21F.
- The Applicant attended an ANC meeting on March 18th, and then the ANC requested a postponement at the originally scheduled hearing on March 26th in order to attend the April ANC meeting (originally scheduled April 15th).
- The Applicant was informed the meeting was moved, and then the ANC requested the Applicant attend a community meeting on April 15th. The Applicant attended the community meeting and as of this filing, the Applicant is also scheduled to present at the April 22nd ANC meeting.

Proposed Use

This facility proposed will be licensed as an assisted living facility (with no age minimums). The facility is designed to provide treatment and care to individuals requiring daily assistance, medical supervision, and other supportive services. The residential component ensures that patients, referred to as "guests" or "residents" have access to on-site care, meals, daily activities, and medical oversight tailored to their needs. The building accommodates 16 beds— only 8 more than permitted by right.



EXISTING/PROPOSED BASEMENT PLAN



EXISTING/PROPOSED FIRST FLOOR PLAN



EXISTING/PROPOSED SECOND FLOOR PLAN

CHAIR LIFT



Staffing & Roles:

- **Administrative Supervisor (On-Site Daily)**
- **Two Caregivers (On-Site Daily)**
- **Nurse (On-Site Every Three Weeks)**
- **Medical Provider (On Call)**

Services:

- **Food Delivery Service** – (One daily delivery between 7-7:30am).
- **Housekeeping & Waste Management** – Daily cleaning services (arriving between 8am-9am) and waste disposal procedures are in place.
- **Urgent medical care**- As provided in more detail in the Assisted Living Facilities Sample Manual. The facility has on-call protocols beyond our retained provider to handle urgent medical situations. These protocols will comply with state regulations and facility policies.
- **Visitor Coordination**- Visitors are permitted during mealtimes and activities.
- **Activities**-- Depending upon the residents' health assessment, our facility will offer customized care plans and flexible schedules for residents.

Outdoor Use, Visitor Policies & Quiet Hours

- Designated outdoor courtyard for guest recreation and relaxation.
- Quiet hours (8pm-7am) to minimize noise from residents, staff, and visitors. Signs will be posted regarding noise.
- Visitors permitted during mealtimes and activities.
- Facility will assist in scheduling visits if there is a large group planning to come (4 or more visitors).
- Fencing and screening are in place.

Parking & Transportation

- The facility has 4 designated parking spaces located at the rear of the building, used for staff and visitors.
- The spaces are screened with fencing and landscaping to comply with zoning requirements.
- Additional on-street parking is available adjacent to and across from the facility.

Deliveries & Waste Management

- **Meal Deliveries:** Primarily contracted food delivery service provides daily meal drop-offs, with some minor food prep (snacks etc. on site).
- **Trash Collection:** The facility has a designated screened waste storage area near the alley, and daily trash pickup will be scheduled during daytime hours to ensure cleanliness and hygiene and minimal disruption to residents and neighbors.

General Special Exception Criteria

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property.

The proposed use is residential in nature and is appropriate in this location given the nature of the use, the fact that up to 8 residents are permitted by right, and the request is only for 8 additional residents and permitted via special exception.

Specific Criteria of U-203.1(j)	Proposed
(1) In R-Use Group A, there shall be no other property containing a health care facility either in the same square or within a radius of one thousand feet (1,000 ft.) from any portion of the property;	Not in Use Group A.
(2) In R-Use Groups B and C, there shall be no other property containing a health care facility either in the same square or within a radius of five hundred feet (500 ft.) from any portion of the property;	The Applicant is proposing a similar facility at 4237 Eads Street, which is approximately 450 feet from the subject Property. As noted in (6), the Board may permit more than one health care facility within 500 feet, subject to U-203.1(j)(6).
(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;	See Slides 9-10
(4) The proposed facility shall meet all applicable code and licensing requirements;	The proposed facility will meet all applicable code and licensing requirements, as further demonstrated by the Policies and Procedures Manual in Exhibit 21D.
(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; and	See Slides 11-18
(6) More than one (1) health care facility in a square or within the distances of (1) and (2) above may be approved only when the Board of Zoning Adjustment finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations	See Slides 11-18

(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;

- The Applicant is providing four parking spaces where only one is required. There will be three employees at the facility at one time, with one space reserved for visitors or on call medical staff. Visitors will be coordinated as detailed in the visitor policy.
- The parking shall be screened. An existing fence will be maintained, and the parking is hidden by a roll-up door along the alley side.
- Further, there are several bus stops nearby, and the Property is only four-tenths of a mile from the metro if visitors or employees desire to use public transportation.

4231 **CONSUMER INFORMATION NOTES:**

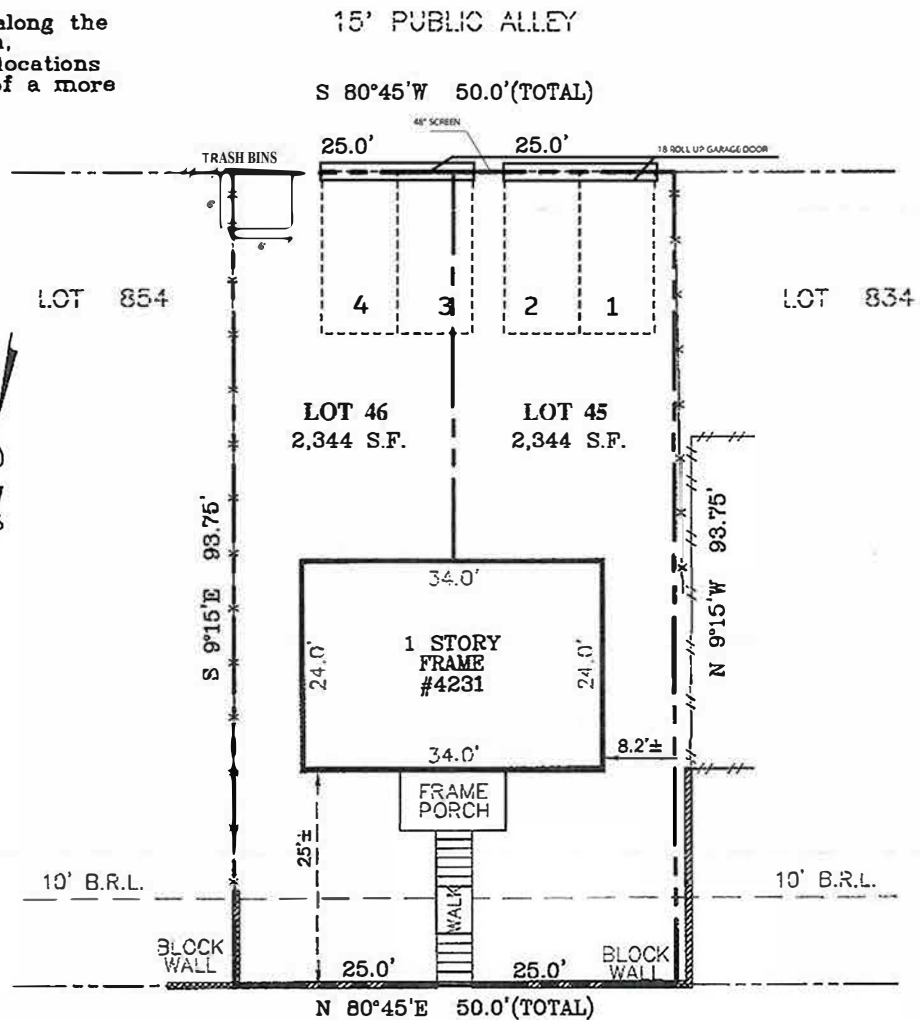
1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.

Notes:

1. No property corners found.
Lines shown hereon, are evidenced by the drawing of record and field measurements.
2. Fences and other features along the property lines shown hereon, are approximate and their locations are subject to the results of a more accurate boundary survey.



LOCATION DRAWING
LOTS 45 & 46
SQUARE 5088
WASHINGTON
DISTRICT OF COLUMBIA



CLAY STREET, N.E.

SURVEYOR'S CERTIFICATE

"THE INFORMATION SHOWN HEREON IS BASED UPON THE RESULTS OF A CURRENT FIELD INSPECTION, AND PURSUANT TO DOCUMENTS OF RECORD AT THE OFFICE OF THE SURVEYOR FOR THE DISTRICT OF COLUMBIA. LOCATION OF IMPROVEMENTS SHOWN IS BASED UPON FIELD MEASUREMENTS FROM EXISTING LINES OF APPARENT OCCUPATION. WHENEVER POSSIBLE, PRIOR SURVEYS OF PUBLIC RECORD HAVE BEEN USED TO CONFIRM INFORMATION SHOWN."

DISTRICT OF COLUMBIA LICENSED SURVEYOR LS 908163

REFERENCES

D.C. SURVEYOR SUBDIVISION
BOOK 57
PAGE 10

DC RECORDER OF DEEDS

LIBER

FOLIO



SNIDER & ASSOCIATES LAND SURVEYORS

19544 Ameranth Drive
Germantown, Maryland 20874
301/948-5100 Fax 301/948-1286
WWW.SNIDERSURVEYS.COM

DATE OF LOCATIONS

SCALE: 1" = 20'

WALL CHECK: N/A

DRAWN BY: A.K.

HSE. LOC.: 11-15-19

JOB NO.: 19-04468

(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; and

(6) More than one (1) health care facility in a square or within the distances of (1) and (2) above may be approved only when the Board of Zoning Adjustment finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations

Traffic

- Healthcare facility is a broad term encompassing many different types of healthcare uses, not just assisted living. Perhaps in other types of healthcare facility uses, such as a Community Residence Facility housing able bodied people, car use would be desired or needed, but this particular use would not necessitate a car for the occupants.
- Regarding employees, there will be three employees per shift. The employees may park on site and this will not create any additional traffic.
- Visitors in groups greater than 4 must be planned for; and there are specific times visitors or permitted and visitors are scheduled.
- In addition to the on-site parking, there is on-street parking available at the nearby, expected for meal delivery and housekeeping as demonstrated by the photographs in the following slides.
- Further, there are several bus stops nearby, and the Property is only four-tenths of a mile from the metro if visitors or employees desire to use public transportation.
- The additional 8 residents being requested should not generate enough visitors to create objectionable or adverse traffic impacts.

March 06, 2025 8:12 AM





March 06, 2025 8:14 AM



March 06, 2025 8:13 AM



Noise and Safety

- Healthcare facility is a broad term encompassing many different types of healthcare uses, not just assisted living. Perhaps in other types of healthcare facility uses, such as a Community Residence Facility, noise or safety may be a concern given the residents do not need physical assistance and can come and go freely.
- This particular facility will assist those who need physical assistance, are often wheelchair bound and do not pose any harm to the neighborhood nor risk of wandering. But of course there are safety protocols in place, such as an alarm system and security locks. There are staff on site 24 hours a day to monitor residents.
- There are established quiet hours (8pm-7am) to minimize noise from residents, staff, and visitors.
- The Applicant shall post restriction signs for large gatherings or any outdoor events after certain hours.
- There will be a visitor noise policy (e.g., no loud conversations in the outdoor patios at night) and physical fencing is in place.
- Given the nature of the facility, and the need to keep a peaceful environment for the residents, it is anticipated the proposed use will not create any adverse impacts regarding noise that would impact the use and enjoyment of neighboring properties.

Cumulative Impacts

- The proposed Eads Street facility is approximately 450 feet away from the proposed facility.
- That facility also has four parking spaces and will have operate in the same manner as the proposed facility with the same service providers (no cumulative impacts from 2x deliveries).
- Given that each facility will have 4x the required parking, and more parking than needed for staff, as well as limited visitors, strict noise policies, are both intentionally quiet uses for the recovery of patients and are relatively small in size (16 beds each, where 8 is allowed by right), and also considering the special exception permit up to 300 patients, the facilities will not have a cumulative impact nor adverse impact on the neighborhood because of traffic, noise, or operations or other factors.

