

May 1, 2025

Board of Zoning Adjustment

441 4th Street, NW

Suite 210S

Washington, DC 20001

RE: Rescinded Walkthrough Agreement – BZA Applications 21240 and 21249

Dear Members of the Board,

We are writing to notify you of a recent development regarding the applications numbered 21240 and 21249. During the zoning hearing held on April 23, 2025, the applicant publicly agreed to allow Commissioner Orendoff to conduct an indoor walkthrough of the assisted living facilities, specifically at the Clay Street and Eads locations.

However, we have since been informed that the applicant is no longer offering this walkthrough, citing patient privacy concerns and regulatory restrictions. While we understand the importance of respecting resident privacy and relevant legal guidelines—particularly at the Clay Street site which currently houses residents—we find the blanket rescission perplexing, especially considering the Eads location is reportedly unoccupied.

This walkthrough was a discretionary effort, but it represented a key opportunity to build rapport and transparency between the Advisory Neighborhood Commission (ANC) and the applicant. Its cancellation is another instance in a growing pattern of limited cooperation that has challenged our efforts to foster a productive relationship.



We are disappointed to report that, despite the applicant's commitment made before the Board, they have now declined to follow through. We intend to formally document this reversal as part of the record and respectfully request the Board consider this development when evaluating the pending applications. As stated in our previous correspondence to the applicant, all updates and evidence were due to be submitted by May 2, 2025. We are sharing this information in accordance with that timeline.

We remain committed to transparency and constructive dialogue and will continue to honor the Board's guidance in this matter.

Sincerely,

Kimory S. Orendoff

Secretary, Advisory Neighborhood Commission 7F03

7F03@anc.dc.gov

(202) 209-9617

Subject: Re: ANC Site Meeting - 4231 Clay Street
Date: Friday, May 2, 2025 at 7:04:18 AM Eastern Daylight Time
From: Nelson, Chanettia (SMD 7f04)
To: Alexandra Wilson, Sarah Harkcom, Orendoff, Kimory (SMD 7F03), Aaron eyob, Toye Bello, Senay G.
Attachments: Outlook-2xgz4p4p.jpg, Outlook-kgv2hmdn.jpg, Outlook-yoy05pqr.jpg, Outlook-zjr34m1o.png, Outlook-v310ux1y.jpg, Outlook-xcq3f2fs.jpg

Good morning Ms. Wilson,

I will let Commissioner Orendoff determine if he wants to do an exterior tour.

Best,

Chanettia

Chanettia Nelson

ANC Commissioner 7F04

Phone: 202-209-9622

WWW.ANC7F.COM

Please give me 48 hours to respond to all inquiries.

From: Alexandra Wilson <awilson@sullivanbarros.com>
Date: Thursday, May 1, 2025 at 9:09 AM
To: Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>, Sarah Harkcom <sharkcom@sullivanbarros.com>, Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>, Aaron eyob <aaro_yob@yahoo.com>, Toye Bello <toyebello@bandbllc.com>, Senay G. <senai.medhani1@gmail.com>
Subject: Re: ANC Site Meeting - 4231 Clay Street

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I believe the inside of the Eads property is still a house so an inside walk through would not serve any purpose. You are of course free to communicate anything you'd like to the Board. Please let us know if you are interested in an exterior walk through.

If you have any questions about operations, I would direct you to the procedures manual in the record.

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From: Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>
Sent: Thursday, May 1, 2025 5:44:23 AM
To: Sarah Harkcom <sharkcom@sullivanbarros.com>; Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>; Aaron eyob <aaro_yob@yahoo.com>; Toye Bello <toyebello@bandbllc.com>; Senay G. <senai.medhani1@gmail.com>
Cc: Alexandra Wilson <awilson@sullivanbarros.com>
Subject: Re: ANC Site Meeting - 4231 Clay Street

Good morning Sarah,

Thank you for your response. Yesterday, decisions for both applications (21240 and 21249) were moved to May 14th. This walk through would need to occur before then. You all informed us that the Clay Street property was the only location that currently has residents, Eads does not. Your concerns make sense for that location, but I am confused by this response if it also applies to the Eads location.

In front of the board, you all agreed to allow Commissioner Orendoff do an **inside** walk through. We're okay with informing the board that you all have rescinded on your agreement on this matter, but we just want to make sure that is what is being communicated here. The board asked everyone to submit all evidence and updates by tomorrow, so I am requesting confirmation by noon May 2nd. That gives us enough time to provide them the update by COB May 2nd. As your client mentioned, this issue has been delayed long enough, so let's see how we can keep the ball moving forward. We will honor whatever decision is made but will need to communicate these updates with the board.

Best,

Chanettia

Chanettia Nelson

ANC Commissioner 7F04

Phone: 202-209-9622

WWW.ANC7F.COM

Please give me 48 hours to respond to all inquiries.

From: Sarah Harkcom <sharkcom@sullivanbarros.com>
Date: Wednesday, April 30, 2025 at 12:56 PM
To: Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>, Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>, Aaron eyob <aaro_yob@yahoo.com>, Toye Bello <toyebello@bandbllc.com>, Senay G. <senai.medhani1@gmail.com>
Cc: Alexandra Wilson <awilson@sullivanbarros.com>
Subject: Re: ANC Site Meeting - 4231 Clay Street

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Good Afternoon Commissioners,

My. Eyob would be happy to host an outdoor walkthrough on May 17th. Due to privacy concerns for patients and strict regulations governing access to these types of facilities, an indoor tour will not be possible. However, he would be happy to review and discuss the floor plans during the visit.

Best,

Sarah

Sarah Harkcom, Legal Assistant/BZA Specialist

Sullivan & Barros, LLP

1155 15th St, NW, #1003

Washington, DC 20005

202-733-4460

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From: Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>

Sent: Tuesday, April 29, 2025 5:27 AM

To: Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>; Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>; Sarah Harkcom <sharkcom@sullivanbarros.com>; Aaron eyob <aaro_yob@yahoo.com>; Toye Bello <toyebello@bandblc.com>; Senay G. <senai.medhani1@gmail.com>

Cc: Alexandra Wilson <awilson@sullivanbarros.com>

Subject: Re: ANC Site Meeting - 4231 Clay Street

Good Day

Thanks let us know prefer date...

In advance so we both can make scheduling arrangements.

Housing Advocacy

Please allow 24-48 hours for response.

10-30 days for

Housing / Zoning Violations & Business

Complaints to agencies.

Emergencies Call 311 or 911 or new 211

ANC Commissioner 7F03 Sends Only

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Kimory S. Orendoff

ANC Commissioner 7F03

2025-2026

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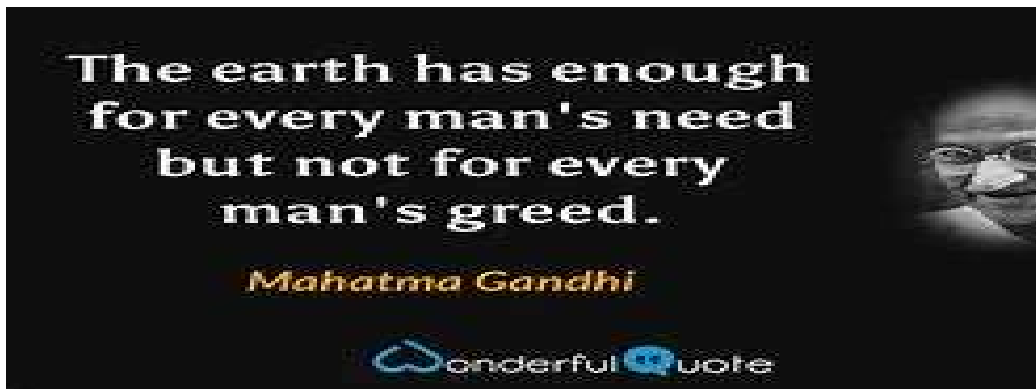
7F03@anc.dc.gov

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(202) 209-9617

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From: Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>

Sent: Monday, April 28, 2025 6:00 AM

To: Sarah Harkcom <sharkcom@sullivanbarros.com>; Aaron eyob <aaro_yob@yahoo.com>; Toye Bello <toyebello@bandbllc.com>; Senay G. <senai.medhani1@gmail.com>; Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>

Cc: Alexandra Wilson <awilson@sullivanbarros.com>

Subject: Re: ANC Site Meeting - 4231 Clay Street

Good morning,

Following up on this email.

Best,

Chanettia

Chanettia Nelson

ANC Commissioner 7F04

Phone: 202-209-9622

WWW.ANC7F.COM

Please give me 48 hours to respond to all inquiries.

From: Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>
Date: Wednesday, April 23, 2025 at 12:57 PM
To: Sarah Harkcom <sharkcom@sullivanbarros.com>, Aaron eyob <aaro_yob@yahoo.com>, Toye Bello <toyebello@bandbllc.com>, Senay G. <senai.medhani1@gmail.com>, Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>
Cc: Alexandra Wilson <awilson@sullivanbarros.com>
Subject: Re: ANC Site Meeting - 4231 Clay Street

Thank you, Ms. Harkcom. Please let us know the preferred days and times.

Chanettia Nelson

ANC Commissioner 7F04

Phone: 202-209-9622

WWW.ANC7F.COM

Please give me 48 hours to respond to all inquiries.

From: Sarah Harkcom <sharkcom@sullivanbarros.com>
Date: Wednesday, April 23, 2025 at 12:21 PM
To: Aaron eyob <aaro_yob@yahoo.com>, Toye Bello <toyebello@bandbllc.com>, Senay G. <senai.medhani1@gmail.com>, Nelson, Chanettia (SMD 7f04) <7f04@anc.dc.gov>, Orendoff, Kimory (SMD 7F03) <7F03@anc.dc.gov>
Cc: Alexandra Wilson <awilson@sullivanbarros.com>
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Good Afternoon,

Connecting Commissioner Orendoff, Commissioner Nelson and the Applicants team to arrange a site meeting.

Best,

Sarah

Sarah Harkcom, Legal Assistant/BZA Specialist

Sullivan & Barros, LLP

1155 15th St, NW, #1003

Washington, DC 20005

202-733-4460

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