

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Prehearing Statement in Support of Special Exception Relief

BZA Case No. 19659 of The Federation of State Medical Boards of the United States, Inc.

2118 Leroy Place NW, N.W.; Square 2531, Lot 49

I. INTRODUCTION.

This Statement is submitted on behalf of The Federation of State Medical Boards of the United States Inc. (the “Applicant”), owner of the property and improvements located at 2118 Leroy Place, N.W. (Square 2531, Lot 49). The Property is improved with a three (3) – story + basement structure (the “Building”). The Building is currently vacant, and was previously used as a chancery/consulate by the Republic of Columbia. The Applicant, the Federation of State Medical Boards of the United States, Inc. (“FSMB” or the “Federation”) intends to use the Building for local office space. The Property is located in the R-3 Zone. In this zone, the Property is permitted to be used as office space for a non-profit organization, subject to certain conditions as part of the special exception process. This Application safely meets all special exception conditions, pursuant to 11-U DCMR § 203.1(n).

This Application originally included a request for variance relief from § U-203.1(n)(2), the condition that the gross floor area of the building in question be ten thousand square feet (10,000 sf) or greater. Upon further investigation, the Applicant’s consultants have determined that the Building has a Gross Floor Area of approximately 10,825.03 square feet, under current Zoning Regulations.¹ Therefore, the Applicant is hereby amending this Application to remove the request for variance relief, leaving just the special exception request.

¹ Currently proposed amendments to the Zoning Regulations would make this number increase by about 500 square feet, to 11,325 sf.

II. BACKGROUND OF THIS AREA OF SPECIAL EXCEPTION RELIEF.

The Zoning Commission, in 1974, instituted the special exception opportunity being pursued in this Application. In Zoning Commission Order No. 83 (Case No. 73-32), the Commission laid out the purpose and principal behind allowing the use of large residential properties for non-profit office use. Specifically, the Commission found that:

It is in the public interest to provide for the continued use and maintenance of large residential buildings within historic sites and districts, and it is in the public interest to maintain and preserve large residential buildings of historical and architectural significance which are not within historic sites and districts.

The Commission further provided that:

There are instances where continued use as residences of such large buildings is no longer assured, leading to their dilapidation and destruction;

The use of such buildings for nonprofit organization is an appropriate means of providing for the preservation of such buildings, thereby promoting the public health and general welfare;

Since the adoption of Order No. 83, the Board of Zoning Adjustment (“BZA”) has steadfastly and consistently approved appropriate nonprofit uses in large residential buildings such as this (and has also granted variance relief for smaller buildings), and has developed a standard for approval consistent with the Special Exception standards laid out in BZA and Court of Appeals case law. This land use policy has now been followed for over forty (40) years, and has now been re-affirmed by its inclusion by the Zoning Commission in the 2016 Zoning Regulations. In this particular case, this long-standing policy would be effectuated in a way which ideally manifests the intentions of the Zoning Commission.

The structure at 2118 Leroy Place is a large building in dire need of full-scale interior restoration, in addition to full-scale retro-fitting, as it has been used for non-residential, office

purposes by the Republic of Colombia from the period of 1951 to 2017. The Colombian government purchased the property from the Republic of Hungary, who were in possession of the property from 1948 to 1951. The Property was offered to the public, but found no residential-dwelling takers. Despite the purported feasibility of transforming this property to a one-family dwelling, raised by the neighbors, it is worth noting that there is a similarly-sized building located at 2241 Bancroft Place, N.W., which has been on the market for 482 days (as of January 10, 2018).² That Property was more recently a residence, unlike the subject Building, and is apparently not in need of retro-fitting or restoration.

Into this situation comes the Federation of State Medical Boards, a nonprofit organization which, in its mission, serves the individual state medical boards, including the District of Columbia Board of Medicine. The FSMB has a long and stable history, and has the resources and motivation necessary to restore the Property, and to maintain it for many years to come. While doing so, the FSMB will operate a very light office use, with a small number of staff, none of whom will park in this or any other residential neighborhood. The FSMB will not throw parties or hold fundraisers, and any reception-type events would be very small and infrequent. The use will emit no noise beyond the walls of its Building. It will be a standard weekday office use for fifteen (15) to twenty-five (25) staff.

In their form letters, the neighboring community (most of them not from Leroy Place), argues not that *this particular use* promises to be troublesome; but rather that *no* nonprofit office use should ever be permitted under any circumstances, regardless of the Zoning Commission's intent in encouraging this very use, in this very situation.³ In effect, the opponents are either

² See Exhibit A- 2241 Bancroft Place, NW Listing.

³ This despite the fact that this Building has already not been used for residential use for 70 years.

saying that *their* residential historic neighborhood is different from other residential historic neighborhoods and therefore should not be subject to the Zoning Commission's Regulations in this regard; or they are saying that the Zoning Commission is wrong, and nonprofit office use should never be permitted in *any* residential historic neighborhood. In either case, this would be an argument for the Zoning Commission.

The Zoning Commission has already made it clear that nonprofit uses in these cases is of great benefit to the public health and general welfare, and that it is an appropriate means of providing for the preservation of large buildings. They have even done so in situations where the nonprofits (such as Tudor Place) have much more events and other activities with the potential for disturbances. If the party opponents wish to argue that point by merely claiming that the proposed office use will, *ipso facto*, be a detriment to the neighborhood, they would have to convince the Zoning Commission on that point and have the Zoning Commission eliminate this area of relief. If they decide to make a probative argument, then they would have to argue that a staid, well-funded, professional nonprofit organization, with no plans for off-hours events, no impact on street parking, and no impact at all other than providing a diligent restoration and maintenance of this Property, which has been used for commercial purposes for 70 years, somehow would *adversely affect the use of neighboring properties*.

Sometimes when an opponent has no evidence or rational explanation for claiming that a special exception proposal will adversely affect the use of neighboring properties, it simply claims that the Applicant has not met *its* burden. The party opponents will not be able to legitimately make such a claim here. This prehearing statement will lay out the details of the proposed use, and will offer conditions which clearly provide for no likelihood of adversely affecting the use of neighboring properties. In fact, the facts and circumstances of this particular

Application, when compared to the Board's previous approvals, show an extraordinarily strong proposal, which guarantees not only to *not* adversely affect the use of neighboring properties, but to also achieve exactly what the Zoning Commission asked for in adopting the subject Regulations: the preservation of this Building and this Property.

III. THE APPLICANT.

A. Background of the Applicant.

For more than 100 years (since 1912), the Federation of State Medical Boards (FSMB) has served its members, who are the 70 state and territorial medical boards, to ensure best practices and higher standards of quality in the regulation of physicians. The FSMB was established in 1912 as a merger of two predecessor organizations representing the interests of medical licensing boards: the National Confederation of State Medical Examining and Licensing Boards, and the American Confederation of Reciprocating Examining and Licensing Boards. The FSMB is chartered as a 501(c)(6) non-profit organization and has an affiliated 501(c)(3) foundation, the FSMB Foundation, that provides grants to state medical boards and sponsors educational programming.

The FSMB serves as a convening forum for the state medical boards (including the District of Columbia Board of Medicine), as well as the broader medical regulatory community. FSMB initiatives have shaped policy, facilitated the sharing of information between governmental entities, and provided education to help state medical boards, government and policy makers, and the general public as these groups tackle issues related to telemedicine, combating the opioid epidemic, and reducing fraud within the healthcare system. In addition to the development of model policies and best practices for state medical boards, the FSMB

provides programming assistance to a variety of federal agencies, such as the Department of Health and Human Services, the Department of Defense, Department of Veterans' Affairs, the Drug Enforcement Administration, and the Food and Drug Administration.

The FSMB currently operates two offices for its 170 employees. The main office of the FSMB is located outside of Dallas-Fort Worth Airport in Euless, Texas and is home to over 160 employees. In 2010, as a result of its growing advocacy for state medical boards on Capitol Hill and increasing involvement with federal policy makers the FSMB opened its Advocacy Office. The Advocacy Office, which currently consists of 8 individuals, monitors and reports on regulatory and legislative activity and serves as a contact between state boards and the federal government. The Advocacy Office also hosts periodic meetings of workgroups where thought leaders gather to address the emerging concepts that will impact the future of healthcare and regulation.

The District of Columbia Department of Health, and its subdivision unit, the District of Columbia Board of Medicine, have the responsibility to regulate the practice of medicine within the District of Columbia. In furtherance of this statutory charge, both the Department of Health and the Board of Medicine have regularly called upon the Federation of State Medical Boards to testify in front of City Council, educate the board and its staff about best practices and policies in medical regulation, and provide expertise and staff that complement the research and analysis capacities of their divisions.

The use of the Federation's services to support the efforts of essential city services has increased significantly since the Federation chose to open an advocacy office in the District of Columbia, and it is expected that the FSMB services will be further utilized if the organization is able to establish a permanent location for its advocacy office within the boundaries of the

District. As described further below, the FSMB intends to use the space for occasional meetings of its workgroups. Department of Health and Board of Medicine staff serve on these workgroups, joining together with regulatory colleagues from across the country to address the future of medical regulation.

B. Proposed Operations of the Applicant at 2118 Leroy Place.

The purpose of the proposed use is to provide the FSMB with a permanent location to provide services to its member state and territorial medical boards. It will also allow the District Department of Health (“DOH”) unparalleled access to the Federation’s expertise, as part of its mission to protect and enhance the health, safety, and well-being of District of Columbia residents.

The Applicant is proposing to locate no more than twenty-five (25) FTE staff at this location. This would include any staff visiting from Texas headquarters for temporary stretches. During normal business and operational hours (8:00am-6:00pm), the FSMB does not typically have guests or visitors. There may be occasional meetings with staff members from other organizations or parties interested in medical regulatory issues as well as occasional visits from members of state medical boards who are in Washington, D.C. to participate in Congressional hearings or meet with federal agencies. The FSMB does not hold fundraisers or parties, and proposes a condition for very limited and infrequent receptions.

Once a year (mid-February) the FSMB Board of Directors (15 members) and support staff (approx. 5 individuals) meet in Washington, D.C. for a 4-day meeting. The meeting usually runs from Wednesday afternoon until Saturday morning, with departures on Saturday afternoon. On one of those days, the Board of Directors is off-site, visiting Congressional offices.

The FSMB also hosts periodic committee and workgroup meetings (approximately 2-3 per quarter). These meetings are limited to one to two days and occur during normal business hours (9am-5pm). There may be an occasional meeting that commences the evening prior from (5:00-8:00pm) due to travel schedules. Committees are composed of 10 individuals with 1-2 support staff. All committee members would be lodged at nearby hotels.

IV. BACKGROUND OF THE PROPERTY.

A. Description of the Property and Surrounding Area

The Property is located in the R-3 zone district. It is a uniquely large interior lot measuring 5,124 square feet, and is currently improved with a large three-story + basement building. Abutting the Property on either side are single-family residences. As demonstrated by the map and photos attached hereto as Exhibit B, this block of Leroy Place consists of a combination of single-family residential and institutional uses. On the south side of Leroy Place, there is an embassy and two other nonprofit office uses. The north side of Leroy Place includes a mosque, two embassies, the Russian Cultural Center, and the front entrance of a Courtyard Marriot Hotel. Although it has a Connecticut Avenue address, the hotel takes up a significant portion of the northeast corner of Leroy Place, and its driveway and delivery bay, which are only about 110 feet from the Property, exit onto Leroy. Leroy Place is actually characterized by its diversity of uses, especially relative to Bancroft Place to the south which is made up entirely of single-family dwellings. This may be likely due to the fact that properties and buildings on Leroy are more diverse in size. Many of the opposition letters come from residents of Bancroft Place, who will not be impacted by the continued office use in any way. At most, any alleged impact on the *use* of Leroy Place properties will be limited to about ten (10) employees walking past the handful of residences on the portion of Leroy Place closest to Connecticut Avenue and entering

the Building. The most direct route to the Property from the DuPont Circle Metro Station or from two nearby parking garages where employees driving vehicles will be required to park— is not through the surrounding residential streets, but via Connecticut Avenue.

The Property is located less than 250 feet from Connecticut Avenue; about 500 feet from Connecticut Avenue bus stops; .4 miles from Massachusetts Avenue bus stops, and .4 miles from the Dupont Circle Metro entrance. It has a Walk Score of 93 out of 100 (a Walker's Paradise). There is a public parking garage about .2 miles from the Property, located at 1825 Connecticut Avenue, and the Washington Hilton garage is .1 mile from the Property. All Applicant's staff will be directed to park in these garages and will not be permitted to park on Leroy Place or in any residential neighborhood.

The Property's improvements consist of just the Building. There is a garage at the rear of the Property, which is connected to the rest of the Building. The garage has two parking spaces, although upon renovation the Applicant may reduce this to one parking space. Staff will use these parking spaces, but the use will be dedicated to particular staff, so there would not be staff driving through the alley randomly hoping that spot is open.

B. Property History

The Building was originally constructed in 1902, presumably as a residence. It was purchased in 1948 by the Hungarian Government. In 1951, it was purchased by the Columbian Government, which owned the Property until July 18, 2017, when it sold the Property to the FSMB.

Since 1951, the Property was used as a Columbian chancery or consulate. While the Applicant does not have first-hand knowledge on the exact level of use by the Columbian government, the condition of the interior indicates a history of moderate to heavy use—as

demonstrated by interior photographs attached hereto as Exhibit C. At time of sale, the Building had approximately 27 offices and a variety of cubicle spaces spread across multiple floors. The Applicant's architect's feasibility study noted to the Applicant that the Building could have allowed up to 118 staff.

The Building is permitted to be used for one-family dwelling residential use as a matter-of-right, and for nonprofit office use or chancery use with BZA special exception approval. If the proposed use is not granted, the Property could likely revert to chancery use, or perhaps would sit vacant for an extended period, as the property located at 2241 Bancroft Place, N.W.

V. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF 11-X DCMR §

901.2, 11-U DCMR § 203.1(N).

A. Overview. Pursuant to 11-X DCMR § 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, subject also, in this case, to the specific requirements for relief under 11-U DCMR § 203.1(n) of the Zoning Regulations. In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

Under the zoning regulations, "the Board is authorized to grant special exceptions ... where, in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent" of the regulations. In evaluating requests for special exceptions, the

Board “is limited to a determination whether the exception sought meets the requirements” of the particular regulation on which the application is based. *Stewart v. District of Columbia Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C.1973). The applicant has the burden of showing that the proposal complies with the regulation; but once that showing has been made, “the Board ordinarily must grant [the] application.” *Id.*; see *First Baptist Church v. District of Columbia Board of Zoning Adjustment*, 432 A.2d 695, 698 (D.C.1981).

B. Requirements of 11-X DCMR § 901.2.

The granting of a special exception in this case “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 in accordance with the Zoning Regulations and Zoning Maps ...” (11 DCMR Subtitle X § 901.2). Given the nature of the relief, the proposed use will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. This regulation was created in Zoning Commission Case No. 73-32, as noted above. The Commission enacted the regulation, noting that “there are instances where the continued use as residences of large buildings is no longer assured, leading to their dilapidation and destruction . . . the use of such buildings for nonprofit organizations is an appropriate means of providing for the preservation of such buildings, thereby promoting the public health and general welfare.”

The Building is currently not only large, but after seventy (70) years of office use, it would need to be completely retrofitted and restored for one-family dwelling use.

The Applicant is not proposing to expand the existing Building and is only proposing to utilize the Building as an office for a non-profit organization. As discussed below, the proposed

office use will be light and could not be said to adversely affect the use of neighboring properties in any way.

C. Requirements of 11-U DCMR § 203.1(n).

Use of existing residential buildings and the land on which they are located by a nonprofit organization for the purposes of the nonprofit organization:

- (1) *If the building is listed in the District of Columbia's Inventory of Historic Sites or, if the building is located within a district, site, area, or place listed on the District of Columbia's Inventory of Historic Sites;*

The Building is a contributing structure located within a district listed on the District of Columbia's Inventory of Historic Sites, specifically the Sheridan-Kalorama Historic District.

- (2) *If the gross floor area of the building in question, not including other buildings on the lot, is ten thousand square feet (10,000 sq. ft.) or greater;*

The gross floor area of the building in question, not including other buildings on the lot, is approximately 10,852 square feet. The Applicant was not originally aware that a large percentage of the lower level – all of which was used by the previous owner – is included in the Gross Floor Area calculation. Upon further investigation, it was confirmed that the total GFA for the Building is safely over 10,000 square feet, this requirement is satisfied, and the Applicant has therefore withdrawn its variance request.

- (3) *The use of existing residential buildings and land by a nonprofit organization shall not adversely affect the use of the neighboring properties;*

In every aspect of this Application, the Applicant is proposing a use which could not be expected in any way to adversely affect the use of neighboring properties. In the first instance, this requirement is not meant to be an abstract concept which automatically deems nonresidential use as inherently adverse, as many of the letters in opposition seem to imply. This relief obviously presumes a certain level of nonresidential use is appropriate and compatible; typically office, and sometimes museum-related or event space. For the Board to find that nonresidential use is inherently suspect in this situation would be to contradict the very purpose of this special exception.

The FSMB is a solid citizen, providing a valuable nonprofit service to the medical community and the state of health care in the country and in the District, including the District's own Board of Medicine.

The FSMB's proposed operations will be quite limited, especially when compared to some more expansive uses approved previously by the Board. The most similar case was

a BZA approval for a property located just three doors down from the Property, at 2110 Leroy, in BZA Order No. 15555. In that case, the Board approved a nonprofit office use for a building slightly smaller than the 2118 Leroy Building, with a limit of thirty-five (35) employees. A more detailed evaluation of BZA precedents is included in the next Section.

- (4) *The amount and arrangement of parking spaces shall be adequate and located to minimize traffic impact on the adjacent neighborhood;*

The amount and arrangement of parking spaces will be adequate and located to minimize traffic impact on the adjacent neighborhood. The proposed non-profit office use is a use that is inherently quiet and generates little traffic. There are currently two full-sized parking spaces on the Property and only eight full-time employees at the existing FSMB office in the District. The proposed use will generate no additional parking demand, and many office employees currently utilize public transportation. As stated above, there is a public parking garage about .2 miles from the Property, located at 1825 Connecticut Avenue, and the Washington Hilton garage is .1 mile from the Property. All Applicant's staff will be directed to park in these garages and *not* in the residential neighborhood. The Applicant does propose to have a cap of no more than twenty-five (25) staff in the office at any given time, although current plans contemplate an initial staff of about ten (10).

- (5) *No goods, chattel, wares, or merchandise shall be commercially created, exchanged, or sold in the residential buildings or on the land by a nonprofit organization, except for the sale of publications, materials, or other items related to the purposes of the nonprofit organization; and*

No goods, chattel, wares, or merchandise will be commercially created, exchanged or sold in the residential buildings or on the land by a nonprofit organization, except for the sale of publications, materials, or other items related to the purposes of the nonprofit organization.

- (6) *Any additions to the building or any major modifications to the exterior of the building or to the site shall require approval of the Board of Zoning Adjustment after review and recommendation by the Historic Preservation Review Board with comments about any possible detrimental consequences that the proposed addition or modification may have on the architectural or historical significance of the building or site or district in which the building is located;*

The Applicant is not planning to modify the exterior of the Building or the site.

VI. Case Law

The Board of Zoning Adjustment ("BZA") has steadfastly and consistently approved appropriate nonprofit uses in residential buildings. In BZA Case No. 18604 of Halcyon Georgetown, the applicant requested special exception relief in order to use the building at 3400-

3410 Prospect Street, NW for the S & R Foundation. The case is similar to the present case, as the property had not been used for residential purposes since the 1960s and was not configured for use as a residential building. Based on the hours of operation—9AM to 6PM— and the fact that the foundations events were generally limited to fifty people or less, the Office of Planning determined that the use as a non-profit organization would not adversely affect the use of neighboring properties. The FSMB has similar hours of operation 8AM to 6PM, but does not hold night-time events like those proposed by the S & R Foundation.

In BZA Case No. 18679, the applicant requested relief to continue its previously-approved museum use of the Tudor Place estate, located at 1644 31st Street, NW and 1670 31st Street, NW. ANC 2E opposed the requested relief and had previously appealed the Board's decision to grant approval in one of the previous orders— No. 16477 (2000). Order No. 16477, dated January 14, 2000, was challenged on appeal and upheld by the District of Columbia Court of Appeals in the case of Georgetown Residents Alliance v. District of Columbia Board of Zoning Adjustment, 802 A.2d 359 (D.C. 2002). In that case, the surrounding neighbors testified that they, "all agree[d] that the basic Tudor Place Special Exception for daytime tours has not adversely affected the neighboring properties. With the exception of idling tour busses (sic) that must be strictly controlled as provided in the prior orders, these daytime tours have not generally disturbed the peace and quite (sic) of the neighborhood nor created parking and traffic problems. Since 1993, the residents have objected only to the "special events," attended largely by non-residents on weekends and evenings." In response, the applicant in that case agreed to limit the number of attendees to 500 people per event, end all events by 10:30PM, and put a stricter policy in place regarding bus parking. The case at hand is distinguishable from the Tudor House case because the proposed office use is significantly less impactful than museum use. The Applicant is not proposing to host major events, give tours, or host visitors that would arrive by bus. As discussed above, the Applicant's use would be limited to normal office hours and an occasional conference. Accordingly, the proposed office use will not adversely affect the use of neighboring property.

In BZA Case No. 16878, the Forum for Youth Investment was granted special exception relief to use the Cady Lee Mansion, located at 7064 Eastern Ave, NW and zoned RA-1. At the hearing the deputy director for the Forum for Youth Investment testified that the program would have 19 full time employees and 2-3 meetings a month. She anticipated that the majority of individuals would walk to work or take public transportation, as the property was close to the Takoma Metro Station. The applicant's architect testified that the building had 10,002 square feet of gross floor area—just above the requisite amount. The Board found that the proposed use would not adversely affect the use of neighboring properties, and was satisfied that parking would not be an issue, based on the testimony of the deputy director. The Federation's proposed office use is similar to the use by the Forum for Youth Investment: the Forum proposed 19 employees, FSMB is proposing 25 employees; both the Forum and FSMB anticipate that employees will utilize public transportation; neither hosts large-scale events like those proposed by other non-profits requesting the same special exception relief.

In BZA Case No. 15555, also discussed above, the owner of the property, Ann Cullen, requested variance relief (from the 10,000 gross square foot requirement) and special exception

relief to use the building as an office for the Council for Early Childhood Professional Recognition. The building in that case, located at 2110 Leroy Place, N.W., is slightly smaller than 2118 Leroy, but was permitted to have 35 full-time employees. Like 2118 Leroy, the building was previously used for chancery/embassy purposes and not for residential use. According to the BZA Order, all but four employees traveled to work via public transportation and the applicant was permitted to obtain leased off-street parking spaces. The Applicant in the present case will require all employees to use nearby parking garages to avoid parking – or creating traffic - in the residential area. The BZA Order specifically noted that there was already a significant number of chanceries on this block (5 at the time), and that this was not a “purely residential area.” The BZA granted relief, finding that the applicant met its burden of proof, and that the proposed office use would not adversely affect the use of neighboring property on Leroy Place. Similarly, the Applicant in this case is proposing to replace a non-residential use with a less-intense non-residential office use. The hours will be limited to normal office hours, the number of employees will be limited to twenty-five (25), and the Applicant will provide off-street parking so as not to impact traffic on this street. As described in Case No. 15555, Leroy Place continues to have a significant number of non-residential uses, as demonstrated by the Map and photographs Exhibit C. BZA Order No. 15555 was affirmed by the D.C. Court of Appeals.

VII. Proffered Conditions

The Applicant is proffering the following conditions:

1. The number of employees at the subject site shall not exceed twenty-five (25).
2. The hours of operation shall be restricted to normal daytime business hours.
3. The Applicant shall give notice to neighbors in the event that it hosts a reception. The reception must end by 8 PM and shall not exceed fifty (50) guests. Such receptions would not take place more than once a quarter.
4. The Applicant shall proceed with arrangements with local parking garages for staff or guest parking.
5. The Applicant shall establish and maintain a community liaison program, in cooperation with the Advisory Neighborhood Commission, which shall provide a forum for addressing issues and concerns of the facility and its neighbors as necessary.

VIII. Conclusion.

For the reasons outlined in this Prehearing Statement, the Applicant respectfully requests the special exception relief as detailed above.

Respectfully Submitted,

A handwritten signature in black ink that reads "Martin P. Sullivan". The signature is written in a cursive style with a large initial "M".

Martin Sullivan
Sullivan & Barros, LLP
Date: January 10, 2018