



ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
CATHEDRAL HEIGHTS • CLEVELAND PARK
MASSACHUSETTS AVENUE HEIGHTS • MCLEAN GARDENS
WOODLAND-NORMANSTONE • WOODLEY PARK

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07- Maureen Kinlan Boucher; 08-Vacant; 09-Nancy MacWood

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ANC3C Resolution 2018-029
Regarding MED BZA application for Special Exceptions
BZA No. 19751

Whereas, MED Development, LLC (applicant) is seeking a Special Exception, No. 19751, from the Board of Zoning Adjustment (BZA) to build and operate a Continuing Care Retirement Community (CCRC) at 2619-2623 Wisconsin Avenue, and Special Exception to reduce the required number of on-site parking spaces for that use; and

Whereas, the Special Exception is required because the lots at 2619-2623 Wisconsin Avenue are zoned R-1-B, which is intended for single family detached or semi-detached houses and which discourages multiple dwelling unit development (Title 11, Subt. D, Sect. 100.2(f)); and

Whereas, the D.C. Comprehensive Plan Generalized Policy Map designates the neighborhood, including this site, a Neighborhood Conservation Area, which anticipates some scattered infill development if it is compatible in scale and architectural character with the neighborhood. The Future Land Use Map designates the neighborhood and this site for Low Density Residential development, and, in contrast, designates the west side of Wisconsin Avenue for High Density Residential development; and

Whereas, the applicant proposes a 2- story with exposed basement level and penthouse, 34-unit memory care facility for 36 senior residents with varying stages of dementia on a block with single family homes; and

Whereas, the standard for review of Special Exception applications for a CCRC, including memory care, requires that the use shall be located and designed so that it will not likely become objectionable to neighborhood properties because of noise, traffic, or other objectionable conditions (Sect. 203.1(f)(5)); and

Whereas, many neighbors have raised concerns with ANC 3C that the proposal will increase noise, traffic congestion, parking demand and potentially storm water issues to a degree that would not be contemplated by a matter of right R-1-B use and would be incompatible with residential living; and

Whereas, the applicant plans an open, unbuffered loading dock next to single family homes that would be the sole area for trash trucks, patient transport, ambulances, food trucks, and other deliveries but has not explained how this area would be managed and how it would operate to avoid conflicts in the 15-foot alley with daily residential use of the alley; and

Whereas, DDOT's report, Exhibit 45, states that it might be necessary to restrict or remove on-street parking spaces, which are restricted to provide residential parking, on Edmunds Street or Davis Place, the streets with access to the alley, in order to facilitate trucks serving the proposed facility turning into or from the alley; and

Whereas, the applicant has not addressed how residents living as close as 8-15 feet from the site could continue to have enjoyment of their properties with the potential adverse impacts from light emanating potentially 24-hours from the proposed large numbers of windows or the predictable sirens and flashing lights from ambulances parking in the loading area or alley; and

Whereas, the applicant has not presented a landscape plan or a plan to buffer the proposed use even though the proposal would build this use up to every lot line maximum that is permitted for single family homes; and

Whereas, the architecture and mass of the proposed facility takes its cues from the apartment buildings across Wisconsin Avenue rather than the single family neighborhood that surrounds it; and

Whereas, the standard for review of the Special Exception request also requires that there will be sufficient off-street parking spaces for employees, residents, and visitors (Subt. U, Sect. 203.1(f)(4), and the applicant is seeking an additional Special Exception to reduce the parking requirement from 17 on-site parking spaces to 9 parking spaces; and

Whereas, the applicant has not provided information about the numbers of visitors or the duration of their visits other than to state visiting hours will be during business hours; nor has the applicant provided a reliable number for staff, including private aides, that may be required to serve the memory care population; and

Whereas, it is likely that many of the prospective residents' families will expect onsite parking as a factor in their decision to apply for residency; and

Whereas, DDOT's report, Exhibit 45 submitted on September 14, 2018, does not analyze numbers of visitors, but states that it is assuming 18 daytime staff comprised of a majority of administrative and support staff and some number of direct care staff divided over 2 shifts, and confirms that there is no parking garage option off-site and that on a typical weekday there will not be enough unrestricted curbside spaces to accommodate even the employees; and

Whereas, the applicant states in its Pre-Hearing Submission that staff levels could be adjusted to meet the needs of the residential population (Exhibit 41, Page 5), which could affect employee parking demand; and

Whereas, the applicant has listed Metrobus service that has stops near the site, but has not offered information based on patterns at other CCRC facilities about where employees are likely to live and what the experience would be relying on public transportation or bikes, including how long it would take from an employee's home to the facility; and

Whereas, DDOT and the applicant conclude that an unspecified number of people coming to this CCRC will use buses or will park in restricted on street parking spaces or will ride bikes or will have access to the 9 on-site parking spaces:

Be It Resolved that ANC 3C finds that the applicant has not met its burden to show that this facility would not create objectionable conditions, and thus, cannot support this application for a Special Exception. This facility would operate on a 24-hour schedule. With 3 shift

changes and an undetermined maximum number of staff, 2 or 3 outings per week for up to 36 patients, unpredictable numbers of visitors, ambulances, and service trucks, the activity at and around the facility would be significantly more intense than in the neighborhood.

There is even uncertainty per DDOT's report that the type of trucks expected to serve this CCRC could access the narrow alley without removing on-street parking that is used by residents. Nor has the applicant addressed noise or light issues. The proposed fence behind the open garden is the only buffer element included in this application and that is not sufficient to find this use, as proposed, would be compatible with single family residential use.

Be It Further Resolved that ANC 3C finds that the applicant has not satisfied its burden of showing that sufficient parking for visitors and employees will be provided on-site, and, thus cannot support a Special Exception to reduce the off-street parking requirement. There is a difference between a matter of right project requirement for 18 parking spaces and the Special Exception standard requiring sufficient off-street parking. The applicant has not persuaded the ANC that 18 on-street parking spaces are sufficient given the lack of alternatives due to no garages and 2-hour restrictions on curbside parking. Without some evidence that visitors and employees will ride bikes or will have access to reasonable public transportation (beyond citing the bus route stops), the ANC cannot endorse limiting the parking requirement or suggest to the BZA that the applicant is providing sufficient off-street parking.

Be It Resolved that the Chair and Commissioner 3C08 or their designee is authorized to represent the commission on this matter.

Attested by

A handwritten signature in cursive script, appearing to read "Nancy J. MacWood".

Nancy J. MacWood
Chair, on September 17, 2018

This resolution was approved by a voice vote on September 17, 2018 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.