

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15558 of the District of Columbia Department of Recreation, pursuant to 11 DCMR 3108.1, for special exceptions under Section 221 and Sub-section 221.7 to establish an emergency shelter for fifty persons in the R-1-B District at premises 3600 Calvert Street, N.W., (Square 1299, Lot 974).

HEARING DATE: September 27, and October 11, 1991
DECISION DATE: December 18, 1991

ORDER

PRELIMINARY PROCEDURAL MATTERS:

The hearing on the application was originally scheduled for September 27, 1991. However, due to an administrative oversight, the applicant had not been notified that all of its prehearing submissions were to be filed 14 days in advance of the hearing. Consequently, there was no prehearing statement in the record. At the hearing on September 27, the Board allowed the parties to address the issue of postponement and the Board received from the applicant any submissions that it had for the record. The applicant of record, the D.C. Department of Recreation and Parks, submitted a letter from its director authorizing the D.C. Department of Human Services to act as its representative.

Two organizations who opposed the application, the Massachusetts Avenue Heights Citizens Association (MAHCA) and Friends of Guy Mason Recreation Center, Inc. (FGM), through their attorney requested party status in the application. They also supported postponement of the application. MAHCA and FGM filed with the Board a motion to dismiss the application. The Board however, deferred action on the motion and waived the applicant's 14-day filing requirement to give the applicant an opportunity to respond to the motion. The Board rescheduled the hearing for October 11, 1991.

At the public hearing on October 11, 1991, the MAHCA and FGM raised the motion to dismiss as a preliminary matter. They based their motion on two grounds. First, they maintained that the government needs the approval of the National Park Service before it can locate a shelter at Guy Mason. Second, a 1927 Congressional statute provides that the property can only be used for a school, playground, highway or park. The movants maintained that because of these factors, the matter before the Board is moot and should not be heard. Movants cited 11 DCMR 3100.9 which provides that the Board shall not hear moot questions.

The Federal Act upon which movants based their motion to dismiss is entitled "An Act to authorize the exchange of certain land between the United States and the District of Columbia." (Act of March 3, 1927, ch. 354, 69 Stat. 1386).

Under this Act, the Secretary of the Navy was authorized to convey to the District of Columbia certain lands lying outside of and adjoining the Naval Observatory in exchange for certain lands lying inside the Naval Observatory. This includes the land on which Guy Mason is situated.

Movants pointed out that the Act specifically provides that if the District of Columbia chooses to utilize (rather than sell) the land acquired by it, then that land "shall be used for school, playground, or highway purposes or transferred to the Director of Public Buildings and Parks to become part of the park system of the District of Columbia" The District, therefore, is prohibited from using the land on which Guy Mason is located for any purpose other than one stated in the statute.

Movants maintained that it is because of this land use restriction that the city's application for a special exception to convert Guy Mason into a homeless shelter is moot. Even should the Board grant the application, the District is prohibited by federal law from proceeding with its plans. They argued that the Board is simply not authorized to allow the District to proceed with the proposed shelter. Thus, there is absolutely no reason for the Board to go forward with the application.

Movants alleged that the application is also moot because the District must obtain approval for its plans for Guy Mason from the Regional Director of the National Park Services (NPS) before proceeding with the proposed shelter. They maintained that until the District obtains such approval, no decision by this Board may authorize the District to use Guy Mason as a homeless shelter.

Movants explained that the District must obtain NPS approval because Guy Mason has received federal funding for development pursuant to the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. Section 4601-4 to 4601-11 (LWCA). The recreational center is thus subject to Section 6(f)(3) of the LWCA which requires NPS approval before a federally funded recreational area is "converted" to a non-recreational use. Movants pointed out that in a letter dated August 8, 1991 to the Department of Recreation, the NPS made it clear that it views the proposed use for Guy Mason as a "conversion" within the meaning of Section 6(f)(3), and that the District must seek NPS approval before moving forward with the homeless shelter. Movants further argued that, pursuant to the District's agreement with the NPS, the District may not skirt the approval process by simply reimbursing the NPS the money granted to the District for Guy Mason.

It is further argued that to obtain NPS approval the District must first evaluate and reject on a "sound basis" all practical alternatives to converting Guy Mason into a shelter. The District must also substitute Guy Mason with a property of equal fair market value and reasonably equivalent usefulness and location. This is a process which usually requires a great deal of time to complete.

Movants indicated that although the District has known about this requirement since March 1991, it has done little, if anything, to fulfill its obligations to the NPS. Further, it is not clear that the District is even capable of meeting the requirements for NPS approval of its plans for Guy Mason.

Concluding, movants argued that because of these federal legal obstacles, there is no determination that this Board could reach that would allow the District to carry out its plans. The matter is therefore moot and the application should be dismissed.

In response to the motion to dismiss the government acknowledged that the Board cannot consider moot issues. The government maintained, however, that the assertion that the application is moot is based upon four equally faulty premises: (1) that movants have standing to raise or enforce the grant agreement between the District and the NPS; (2) that the District seeks to "convert" Guy Mason into a homeless shelter, thereby suggesting that the District's proposal would end current outdoor recreation uses to establish, in their place, a nonrecreational use; (3) that federal law prohibits the District from using Guy Mason as an emergency overnight shelter; and (4) that NPS approval is a prerequisite to proceeding with this application for a special exception. In each respect, the government argued that MAHCA and FGM are in error.

The government set forth five grounds to support denial of the motion to dismiss.

1. MAHCA and FGM lack standing to raise or enforce the grant agreement between the District of Columbia and the National Park Service.
2. National Park Service approval is not a prerequisite to the Board's exercise of jurisdiction in this matter.
3. The Federal Act by which the District acquired the Guy Mason site does not prohibit a contemporaneous use.
4. The District of Columbia does not seek to convert Guy Mason from a recreational to a nonrecreational use within the meaning of the federal law.

5. The District's proposed contemporaneous use does not violate the LWCFA's requirement. The facilities within a project area complement or support outdoor recreation uses.

Standing. The applicant points out that the parties to the Land and Water Conservation Fund Act (LWCFA) grant are the District and the United States. The LWCFA does not create a private right of action. Therefore, the applicant argued, whether the proposed "contemporaneous" or mutual use of the Guy Mason Recreation Center as an overnight homeless shelter constitutes a conversion within the meaning of the LWCFA is a matter that can be raised and enforced only by the United States or the District of Columbia.

The applicant cites with particularity the NPS regulations implementing the LWCFA which provides that "[r]esponsibility for compliance and enforcement of these provisions rests with the State (the District) for both state and locally sponsored projects." 36 CFR 59.1. Accordingly, applicant argued, the Board must deny the motion to dismiss since it hinges upon the meaning and effect of certain agreements between the District and the United States.

Jurisdiction of the Board. The applicant maintained that the movants' argument that NPS approval must be obtained before the Board can hear, or the District can pursue, an application for a special exception, is unsupported. The applicant noted that no authority is cited for the contention that without the approval of NPS "no decision by this Board may authorize the District to use Guy Mason as a homeless shelter." (Motion to dismiss at 3).

The Board's jurisdiction over zoning matters, as set forth in 11 DCMR 3105.2 is clear:

The Board shall also have original jurisdiction to grant . . . special exceptions, in accordance with the provisions of Section 3108; and to exercise all other powers authorized by the Zoning Act of June 20, 1938 (52 Stat 797), as amended.

The government maintained that whether the District may ultimately have to satisfy other requirements to implement the proposal does not operate to deprive this Board of jurisdiction, under District law, to hear and decide an application for a special exception. The government argued that the Board should exercise its authority, leaving the question of implementation and associated requirements, should they materialize, to the District and relevant parties. Absent statutory or regulatory authority to the contrary, the Board may hear and decide this matter.

Because the only issue raised by the motion is whether the Board has jurisdiction to hear and render a decision in the subject application, the Board finds that the three remaining grounds set

forth by the applicant to support its position, would be more properly addressed to the appropriate federal entity. These remaining arguments are therefore not addressed herein.

At the hearing on October 11, 1991 the Board decided to hear the case and defer its ruling on the motion to dismiss to give the Board members an opportunity to review the government's response that was submitted on the same day.

By memorandum dated October 21, 1991, to the Corporation Counsel, the Board solicited advice on the two jurisdictional issues raised in the motion to dismiss. The issues were: 1) whether certain provisions of the Act of March 3, 1927 operate to deprive the Board of jurisdiction over the special exception application; and 2) whether certain provisions of the Land and Water Conservation Fund Act of 1965, as amended, operate to deprive the Board of jurisdiction over this application. After a thorough examination of both of these Acts, staff of the Office of the Corporation Counsel (OCC) concluded that neither Act deprives the Board of jurisdiction to decide the application, and advised the Board to deny the motion to dismiss.

At the Special Public Meeting of December 18, 1991, the Board voted 3 to 2 to deny the motion to dismiss (Charles R. Norris, Maybelle Taylor Bennett and Carrie L. Thornhill to deny; Sheri M. Pruitt and Paula L. Jewell opposed to the motion). The Board credited the argument of the District that the Board's jurisdiction is based on the Zoning Regulations and that nothing in the federal legislation cited by the movants served to preclude the Board from exercising jurisdiction prior to resolution of the federal issues. The Board decided, therefore, that the application was not moot and that it should be decided pursuant to the Zoning Regulations.

SUMMARY OF EVIDENCE AND TESTIMONY:

1. The subject site is located on the south side of Calvert Street, N.W. between Wisconsin Avenue to the west and Observatory Circle to the east. It is located in the R-1-B zone district and is known as premises 3600 Calvert Street, N.W.

2. The subject site is developed with a two-story plus basement brick building. The building is located on the eastern edge of the lot adjacent to the western edge of the U.S. Naval Observatory Circle. The site also has outdoor play areas and a softball field. The property is known as the Guy Mason Recreation Center (Guy Mason).

3. The subject site is located within the newly established Naval Observatory Precinct District. To the north across Calvert Street, N.W. is a residential area developed primarily with single-

family detached dwellings. To the south of Guy Mason are commercial properties located in a C-2-A District.

4. Guy Mason has developed into a community recreation center and park for the arts and dance, as well as social and sporting events for District residents of all ages.

The facility's ground floor houses large weaving looms, and the basement contains a pottery studio with the kilns and storage areas for bulk quantities of clay and other supplies. The second floor was specifically designed for use as an art studio and classroom. It has northern lighting exposure and special built-in art storage and drying areas.

During the day, the building and park are most heavily used by senior citizens who gather there to take classes, play bridge and engage in other recreational activities.

Classes given at the center include art, calligraphy, ceramics, china painting, weaving, copper enameling, pottery, dance, aerobics and yoga. Some "students" have been taking classes at Guy Mason for over 35 years. The majority of these classes and other recreational activities are held in the Recreation Center at night for the benefit of community members who work during the day. Currently, 33 class sessions per week are scheduled at Guy Mason; 15, or 42 percent are evening classes.

Guy Mason's playground and other grounds are used daily by the many children in the neighborhood. The recreation center's softball field is one of the few fields in the area with lighting. It is used in the evenings and on weekends by a number of the city's softball teams and leagues, including high school teams and little leagues.

5. The applicant proposes to establish an emergency overnight shelter for no more than fifty (50) homeless men. The applicant is therefore seeking a special exception under 11 DCMR 221 for the proposed use. Section 221 of the Zoning Regulations provides as follows:

221 EMERGENCY SHELTERS (R-1)

221.1 Use as an emergency shelter for five (5) to fifteen (15) persons, not including resident supervisors and their families, shall be permitted in an R-1 district if approved by the Board of Zoning Adjustment in accordance with the conditions specified in Section 3108 of chapter of 31 of this title, subject to the provisions of this section.

- 221.2 There shall be no other property containing a community-based residential facility for five (5) or more persons in the same square and no other property containing a community-based residential facility for five (5) or more persons within a radius of one thousand feet (1,000) from any portion of the property.
- 221.3 There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.
- 221.4 The proposed facility shall meet all applicable code and licensing requirements.
- 221.5 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.
- 221.6 The Board may approve more than one (1) community-based residential facility in a square or within one thousand feet (1,000) only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations.
- 221.7 The Board may approve a facility for more than fifteen (15) persons, not including resident supervisors and their family, only if the Board finds that the program goals and objectives of the District cannot be achieved by a facility of a smaller size at the subject location and if there is no other reasonable alternative to meet the program needs of that area of the District.
- 221.8 The Board shall submit the application to the Director of the Office of Planning for coordination, review, report, and impact assessment, along with reports in writing of all relevant District departments and agencies, including but not limited to the D.C. Department of Public Works, Human Services, and Corrections and, if a historic district or historic landmark is involved, of the State Historic Preservation Officer.

6. The applicant's representative, Mr. Vincent Gray, Director of the Department of Human Services (DHS) first testified about the need for homeless shelters in Ward 3 and the District's policy on providing such facilities. He testified that D.C. Law 8-197, "The District of Columbia Emergency Overnight Shelter Amendment Act of 1990" and subsequent emergency and proposed rulemaking (re-published September 6, 1991) provides standards for the operation, management, and administrative procedures for two programs within the Department of Human Services: a program of

emergency overnight shelter and support services for homeless individual adults, and a program for temporary housing and support services for homeless families with minor children. Additionally, the rulemaking clearly sets forth the eligibility criteria for receipt of shelter services and the grounds for denial, suspension or termination of such services, as well as guidelines for remedial action for violation of shelter rules. These rules also contain length of stay provisions, standards by which continuation of shelter stay is allowed, and grounds for extensions of shelter stay for up to thirty (30) days for mitigating circumstances or justifiable public purpose. During a person's stay in the shelter, the rules provide guidelines for resident responsibilities, support services, and the District's responsibility for assisting the homeless person in the acquisition of permanent housing. Finally, the rules include due process requirements when an applicant or recipient is aggrieved by the District's action or inaction in the denial, suspension or termination of shelter services.

7. Mr. Gray testified that homelessness is a crisis of significant proportion embodying economic, social and health factors. These factors compound to further reduce the already tenuous grip on independence and self sufficiency of the individuals affected. The District of Columbia government's policy is to emphasize prevention as the key strategy for reducing the incidence of homelessness. In those instances where homelessness cannot be abated or avoided, emergency shelter services are provided. Notwithstanding the vast amount of local, federal and private resources that have been applied toward programs assisting homeless persons, the number of individuals and families who seek emergency shelter services has continued unabated over the past seven years. Concomitant with this crisis, however, is a decrease in the resources available. The appropriated budget for the Office of Emergency Shelter and Support Services has been reduced from a high of \$30 million in fiscal year 1989 to \$11.7 million for fiscal year 1992. Given these fiscal constraints, strategies must be employed which ameliorate predisposing factors to homelessness to reduce the number of persons who become homeless, reverse the revolving door aspect of homelessness, and ensure cost-effective, quality emergency shelter services.

8. The applicant further testified that in addressing the issue of cost-effective, quality emergency shelter services, the District has determined that steps must be taken to: (1) provide emergency shelter services in smaller settings through reduction in bed capacity in existing shelters and to limit the capacity to no more than 50 beds in newly-established facilities; (2) distribute more fairly the emergency shelter facilities throughout the city to alleviate over-concentration; and, (3) establish emergency shelter facilities in neighborhoods where homeless persons are known to congregate to ensure reasonable access. The applicant testified that the proposed shelter of 50 beds will represent the smallest

overnight emergency shelter that the District of Columbia would operate. He testified that establishing smaller capacity shelters, such as the proposed Guy Mason site, allows for more efficient management and service delivery and reduces neighborhood impact.

9. The applicant testified that the District currently operates, through contracts, fifteen (15) emergency shelters for homeless men and women with a total bed capacity of 1,493. These facilities are located in the four quadrants of the city and in six of the eight wards. However, while many neighborhoods have been saturated with emergency shelters and community-based residential facilities, there are areas in the city in which a noticeable population of homeless persons are congregating and "living on the streets". He testified that one such area is the Wisconsin Avenue Corridor, extending from Georgetown upwards to Tenley Circle. He further stated that Health Care for the Homeless, Inc., a nonprofit health care provider, reports that on any given day, they provide outreach/health services to between 50 and 100 homeless men in this area. The applicant testified that the need for shelter services in this area has been clearly demonstrated.

10. The applicant testified that in the case of Atchison v. Barry, (CA 11976-88, D.C. Sup. Ct. 1989), the court required the District to open 50 additional beds for the homeless in an area which includes parts of Wards 2 and 3. The applicant testified that this case was initially an important factor in the proposal to establish a Ward 3 shelter. The applicant further testified that although the court order was subsequently vacated, its underlying rationale - the fair distribution and dispersal of shelters for increased access by homeless persons - still exists and is supported by the government.

11. The applicant testified that efforts were initiated over two years ago to identify an appropriate site for an emergency overnight shelter in this sector of the city. The Department of Administrative Services assisted the Department of Human Services in the identification of District-owned or leased property in Ward 3. As these sites were made known, and determined to be available for use, staff conducted site surveys to assess suitability. Both buildings and land were surveyed. In some instances the lots were too small to accommodate trailers. In other instances the cost of requisite renovations to buildings was prohibitive. In one instance, the District was contacted by a private property owner who offered his land for lease. However, zoning restrictions required a special exception by this Board which the owner did not pursue. The applicant testified that there is a paucity of appropriate sites for the establishment of an emergency shelter in Ward 3 because of its residential density. The identification of the Guy Mason Recreation Center, a District-owned building, resulted, once again, in a site survey. The building was found to be in good condition, suitable in size and layout, and in need of

minimal renovation. Additionally, it is located equi-distance from the lower end of Wisconsin Avenue and the upper end of Tenleytown. Located one block from Wisconsin Avenue, the site also provides easy access to public transportation. Since the building is owned by the District of Columbia government, selecting it is fiscally sound. Based on these survey elements, a recommendation was made to use the building as an emergency overnight shelter. This recommendation was accepted and is supported by the Mayor of the District of Columbia.

12. The applicant testified that in the initial application to the Board, the operating hours of the proposed shelter were to be 7:00 p.m. to 7:00 a.m. However, as a result of several meetings with community members and Advisory Neighborhood Commissioners in the affected ANC 3B, an agreement was reached to amend the operating hours to 8:00 p.m. to 7:00 a.m. The shelter will operate seven days per week. Each night, one hour prior to shelter opening, cots will be erected and the facility prepared for the evening intake of persons requesting shelter. Homeless men seeking shelter will present themselves for intake at 8:00 p.m. when the shelter opens. Except in extreme health-threatening circumstances during the winter, there will be no transporting of persons to the shelter from the street. Homeless persons will not be transported from other shelters to Guy Mason. Support services to be provided at the shelter will include counseling, social services, support group meetings (such as alcoholics anonymous) and referrals for health services, entitlement benefits, employment and housing services. These services will be contracted out to Associated Catholic Charities, Inc. Meals will not be prepared on the premises. The contractor may, however, elect to bring to the facility a light evening meal such as pre-packaged sandwiches or soup.

13. The applicant testified that no more than three staff persons will operate the shelter. Janitorial services will be provided to clean the facility including the showers and lavatories used by the shelter residents. Security personnel will also be on site to ensure compliance with the rules regarding entry and departure from the shelter. They will also provide protection for shelter residents and staff inside the building and on building property. Most shelter residents are in bed by 11:00 p.m. Residents are not permitted outside of the facility after intake is effected. Shelter operations cease at 7:00 a.m.

14. In the prehearing submission, the applicant stated that there is adequate, appropriately located and screened off-street parking with ample space to provide for staff vehicles. Limited deliveries of supplies and linen will be made to the site. Traffic will be at a minimum since staff numbers are small and shelter residents will travel by public transportation or walk.

15. The applicant stated that nothing inherent in the operation of an emergency shelter will impact on the noise level since most of the time spent by shelter occupants consists of counseling sessions and sleeping. Also, shelter residents are not allowed to have visitors.

16. The applicant testified that there will be minimal disruption to the recreation activities at the site. Day and early evening activities will not be affected at all. Recreation activities conducted outside of the building will also not be affected. The lavatories will remain accessible to softball players and game attendees. The large equipment used for classes will not be disturbed by shelter occupants. The applicant testified that the Department of Recreation and Parks has identified those programs or classes which would be affected and has determined that it is feasible to relocate such classes to an alternative site. However, the larger percentage of activities offered at Guy Mason occur prior to the opening time of the proposed shelter operations.

17. With regard to the behavior of shelter residents, the applicant testified that it has been the experience of the Department of Human Services that persons utilizing shelter services return during the day to their point of origin or travel to sectors of the city where services or feeding programs are provided. The applicant testified that security guards will be on duty during shelter hours to ensure safe conditions in and around the facility. During nonshelter hours, the site will be monitored by the recreation center's management. Responding to opponents' concerns that crime will increase near the site, the applicant testified that according to the police there is no documented data to attribute an increase in crime in an area to the presence of shelters and homeless people.

18. The applicant testified that the contractor, Associated Catholic Charities, has a long and laudable history of providing services to homeless persons and operating shelters effectively. Therefore, the applicant has every confidence that an emergency shelter can be operated at the Guy Mason site in a competent and safe manner.

19. By report dated September 19, 1991 and through testimony at the hearing, the Office of Planning (OP) recommended conditional approval of the application. OP noted the location and proposed use of the site. OP also noted that the Generalized Land Use Map of the Comprehensive Plan for the District of Columbia designates the subject site for park, recreation and open space where they are the predominant uses. OP indicated that recreational programs are conducted by the Department of Recreation and Parks. It is OP's understanding that some adjustment in these programs would have to be made, or alternative approaches to meet these program needs

would have to be explored to make the building available exclusively to the homeless at night.

OP stated that it is proposed that the first floor of the subject building would accommodate 20 cots in addition to administrative offices and security staff. The second floor would accommodate the remaining 30 cots. These cots would be set up in the evening before 7:00 p.m. and dismantled in the morning after 7:00 a.m. Essential services to the homeless clients such as food and shower facilities, in addition to some social services, would be provided.

OP stated that at issue are matters such as the possible curtailment of community programs at the site, the possibility of scheduling conflicts that might arise between the community activities and the homeless, and the potential conduct of the homeless at the site and in the surrounding area.

The Office of Planning noted the Zoning Administrator's determination that there is no other community-based residential facility within 1,000 feet of the Guy Mason Recreation Center.

OP stated that it is in full agreement with the view that homelessness is a city-wide problem which needs to be solved. The subject property has been determined by the Department of Human Services to be most suitable for use as an emergency shelter for men in this area.

OP stated that the proposed emergency shelter would be operated under the oversight and control of the Department of Recreation and Parks and the Department of Human Services in a manner that would, in OP's opinion, keep impacts on the neighborhood to a minimum.

Therefore, the Office of Planning recommends approval of this application with necessary safeguards for the neighborhood as determined after further inquiry into the case at the time of the public hearing.

20. OP noted that the application was referred to the following District government agencies for review and comment:

Department of Public Works;
D.C. Fire and Emergency Medical Services Department;
Department of Human Services;
Metropolitan Police Department;
Department of Consumer and Regulatory Affairs;
Department of Housing and Community Development; and
Department of Recreation and Parks.

The application was also referred to the National Capital Planning Commission (NCPC).

21. By memorandum dated September 16, 1991, the Department of Public Works (DPW) addressed the transportation impact of the proposal. DPW reported that a site survey revealed that the recreation center has a large parking lot which the applicant indicated is available for the shelter's residents. Although no determination has been made regarding transportation arrangements, DPW believes that this parking lot will accommodate enough buses, vans, or automobiles needed to transport the shelter's occupants and staff. Therefore, the Department of Public Works has determined that the use of the recreation center as an emergency overnight shelter will not have an adverse transportation impact.

22. By memorandum dated September 19, 1991, the Fire and Emergency Medical Services Department indicated that it has evaluated the zoning request to determine its impact on emergency operations. The department indicated that fire and life safety code requirements shall be determined during the permit review process and based on its review of the application, the Fire Department has no objection to the request.

23. The Metropolitan Police Department, by letter dated September 10, 1991, commented on the subject application. The Police Department stated that the property is located in the Second District and is patrolled by Scout Car 72. The department further stated that, based upon its review of this application, it does not appear that the proposed change will affect the public safety in the immediate area or generate an increase in the level of police services now being provided. Accordingly, the department does not oppose this application.

24. In a memorandum dated October 1, 1991, the Department of Housing and Community Development stated that it is not opposed to the placement of a homeless shelter in Ward 3. However it recommended that the impact of the proposed emergency shelter at the sought location, as well as the adequacy of the existing facilities to accommodate potential users, be determined prior to Board action.

25. The National Capital Planning Commission (NCPC) submitted a report to the Board dated July 25, 1991, addressing the application. In the report, NCPC stated that the building plans submitted with the application indicate no changes to the character or extent of the outside of the building, with the exception of a new handicapped access ramp and a below-grade utility structure both located at the entrance of the building. Interior changes include additional shower facilities, fire doors, alarms, an enclosure for establishing a kitchen and emergency lights.

The NCPC stated that based on correspondence received from the U.S. Naval Observatory and the U.S. Secret Service, the proposed use would not adversely affect the Naval Observatory nor the security of the Vice-President's residence and grounds.

The NCPC informed the Board that in the absence of a determination by the Regional Director of the National Park Service (NPS) on (a) whether the proposed use will constitute a conversion under the LWCA, and (b) whether, and under what circumstances, such a conversion will be allowed, the NCPC staff is unable to identify the full impact on the Federal interest.

26. Advisory Neighborhood Commission (ANC) 3B testified at the hearing and submitted a resolution approved September 19, 1991, expressing opposition to the application. The ANC expressed its belief that a 50-bed homeless facility will not meet the needs of homeless persons; smaller facilities for homeless persons foster more efficient case management aimed at making homelessness a temporary condition; and that the community has a responsibility to seek alternative solutions to cope with the homeless problem.

ANC 3B indicated that it shares the community's interest in promoting a sensible homeless shelter policy, and it encouraged the applicant to consider alternative sites and proposals for smaller facilities and to come back to the ANC with a new recommendation to serve the homeless population. ANC 3B further requested that the applicant satisfy four conditions:

- a). Limit use of the facility to 15 persons;
- b). Limit use of the facility to persons within the boundaries of Ward 3. Do not transport persons from other areas of the city.
- c). Record shelter occupants through an intake process which would enable DHS to track the shelter population and offer available services. Offer transportation to each shelter resident to obtain any of the services determined appropriate for his needs.
- d). Create a community advisory board to assess the community response to any homeless proposals, the needs of the homeless and the adequacy and appropriateness of the District and community programs. Any recommendations by the board with respect to the homeless shelter shall be considered by the District and acted upon as appropriate.

27. Advisory Neighborhood Commission (ANC) 3C, by letter dated September 20, 1991, and through testimony at the public hearing, expressed opposition to the application. The concerns expressed were as follows:

- a). The Board should not act until the National Park Service requirements are met.
- b). The proposed shelter will have an adverse impact on the neighborhood's recreation facilities.
- c). Neighborhood safety and health will be adversely impacted.
- d). The city has failed to demonstrate program goals and objectives or a need for a facility this size.
- e). Reasonable alternatives exist.

NPS Approval. Based on the letter from the NPS to the Department of Recreation and Parks, dated August 8, 1991, stating the proposed use constitutes a conversion, ANC 3C believes that the Board should not entertain or act upon the District's request until the NPS requirements are satisfied.

Impact on recreation facilities. ANC 3C believes that these operations will severely cripple a successful recreation center that serves the Glover Park, Cathedral Heights, and Massachusetts Avenue Heights neighborhoods, as well as the larger community. Because the homeless shelter will be open from 7:00 p.m. to 7:00 a.m., the ANC believes that it is reasonable to predict that many shelter occupants will remain in the public recreation building during the hours of the recreation center's operation and on the adjacent playground.

The ANC further stated that the majority of the city's homeless shelter population is mentally ill and/or has alcohol or drug abuse problems. Many are aggressive panhandlers. To concentrate this population in numbers never before experienced at Guy Mason will discourage use of the center and use of the adjacent playground not only during the evening and night, but also during the day.

The ANC then cited other incidents where shelter residents at other locations monopolized a nearby playground; used drugs, left needles on a school playground; and engaged in other bizarre behavior unsuitable for or threatening to youngsters who would frequent the area.

ANC 3C stated that Guy Mason is the only playground serving the numerous children in lower Massachusetts Avenue Heights. It is used by Glover Park and Cathedral Heights children, especially those in apartment buildings on Wisconsin Avenue. It is used heavily also by families attending softball games at Guy Mason and on Sundays by churchgoers at St. Luke's. ANC 3C does not believe

that it is in the public interest to let a shelter for 50 men degrade a playground used by many times more children.

Guy Mason's current fall schedule offers 34 art, exercise and dance classes, serving 326 adults and senior citizens. Of these, 16 classes, or 47 percent meet after 6:00 p.m. and would have to be eliminated if a homeless shelter were to operate. If heavy art and ceramics equipment (easels, wheels, kilns) were removed from Guy Mason to accommodate evening classes elsewhere, another 10 daytime classes that use this equipment (china painting, art, pottery) would have to be cancelled, or this expensive equipment would have to be duplicated elsewhere.

ANC 3C further stated that other Guy Mason users would also be affected. Approximately one dozen more social/civic groups with 200 attendees meet monthly or bimonthly.

ANC 3C pointed out that Guy Mason's softball field is the premier facility of its kind in the city. It is used daily evenings and nightly from early spring to late fall. The only public toilets, washrooms and showers for softball players and attendees are in Guy Mason. These will be unavailable to the public in the evening if the shelter opens.

ANC 3C stated that Guy Mason is one of only two adult centers in the city. It is used by neighborhood residents as well as residents from all over the city. Guy Mason is not an empty facility. Many elderly attendees have expressed fear about going to daytime activities if unpoliced homeless persons who are aggressive or who appear threatening loiter at the center. ANC 3C finds the disruption and displacement of programs serving hundreds of people to be a highly adverse impact upon neighborhood residents, especially senior citizens and children. The ANC is of the view that the shelter use is not compatible with the current activities at the site.

Impact on safety and health. ANC 3C stated that safety concerns expressed with regard to children and elderly using Guy Mason also extend to the neighborhood. Experience in other neighborhoods near shelters suggests that burglaries and vandalism increase when emergency homeless shelters operate in residential areas. Needles of drug addicts are also found, an obvious health hazard. Finally, an increased incidence of urination and defecation in public streets, alleys and private yards occurs. Overall, there is a heightened perception and reality of a less safe and healthful environment.

Proof of program goals and need. The ANC stated that the District has used a now vacated court order as the basis for needing a facility of this size at this location. However, it has not otherwise demonstrated program goals, objectives or a basis for

such a need. ANC 3C stated that the city has no comprehensive homeless goals, objectives or program. Absent such a plan, the District certainly cannot carry out a rational approach to housing the homeless and cannot justify the proposed facility. A comprehensive approach to the homeless problem that involves more than overnight shelters is sorely needed. The ANC stated that it has volunteered to assist in the development of such a program but the District has not responded.

Reasonable alternatives. ANC 3C has concluded on the basis of both its experience in the District, and its understanding of the reasoning for the community-based residential facilities (CBRFs), that large shelters for troubled populations, such as the homeless, are not compatible with residential neighborhoods and should not be located in them. In general, CBRFs should be small, fit into residential neighborhoods, and house populations that are under care and rehabilitation and/or are benign with regard to their neighborhood.

ANC 3C suggests that another approach be used. That is to provide small shelters scattered throughout Ward 3. They could be located temporarily in religious institutions and transitional housing shall be targeted as part of the District's plan for Ward 3. Alternatively, if the District desires large shelters, dependent on busing in homeless occupants, then it is entirely feasible for the District to provide overnight shelter in downtown public buildings or other public facilities in nonresidential areas. Again, such a solution should be temporary: full day housing for those needy and deserving should be the rule. The District has, however, continued to pursue Guy Mason which would concentrate a large homeless population in one neighborhood.

28. The Board heard testimony in support of the application from individual neighbors as well as from representatives of groups and members of the religious community. The organizations include the Ward 3 Committee for a Responsible Housing Policy, the Glover Park and Massachusetts Heights Neighbors in support of the Guy Mason Shelter, The Ward 3 Interfaith Committee on the Homeless and the Wesley Theological Seminary.

The views expressed in the testimony supporting the application can be summarized as follows:

The need for a shelter. Supporters agree that there is a large number of homeless persons in the Wisconsin Avenue Corridor between Georgetown and Tenleytown who need shelter facilities and services.

The use of Guy Mason. Although some supporters would prefer to see smaller scattered shelters located throughout Ward 3, there is a general opinion that Guy Mason is the best alternative

currently existing, at least until other provisions can be made. They believe that the building is in a good location for this use. One witness testified that small shelters do not represent the most efficient use of resources. At larger shelters, better services can be provided because the recipients are centralized.

Volunteerism. All of the supporting witnesses testified that they would recruit volunteers from their congregations and memberships to provide needed services. Many also offered the use of their space for shelter facilities or to relocate programs displaced from Guy Mason. One witness testified that some of the programs could be held at neighborhood schools, such as Stoddard, Wilson or Deal.

Perceptions of the homeless. The supporting witnesses, many of whom have had extensive contact with homeless persons, testified that homeless people are often the subject of negative stereotypes. Although some of them have mental conditions and drug or alcohol related problems, generally they are found to be more apathetic than antisocial. Criminal conduct is not a condition of homelessness, they noted. It was also pointed out that many of our homeless are veterans who need assistance and employed persons who simply cannot afford a place to live. Some of the supporters believe that the stereotypes are possibly racist or classist. One witness offered to sensitize and educate the communities of Ward 3 about mental illness and the specific characteristics of homelessness. With such education the supporters believe that the negative perceptions would be minimized, if not eliminated.

Civic duty. All of the proponents support the view that Ward 3 has an obligation to meet the needs of its homeless population and to carry its share of the burden along with the other areas of the city. To that end, they express support for the application.

29. Ward 3 Councilmember James Nathanson testified in opposition to the use of the Guy Mason building for shelter purposes. He stated that he would support the location of trailers on the center's parking lot. These trailers could be made available to 15 homeless persons, as the R-1 zone district regulations allow. He believes however, that 50 persons is too many to house at one site and he opposes the displacement of programs at the center. He also expressed support for small shelters scattered throughout the city.

30. Ward 2 Councilmember Jack Evans, by letter dated September 27, 1991, also expressed opposition to the application. He stated that the proposed location of the facility is within several blocks of the Ward 2 boundary. Because Ward 2 currently has the highest concentration of emergency overnight shelter beds

in the city (44 percent) he is concerned that the one proposed will be located too close to the Ward 2 boundary.

Further, he does not believe that it is good public policy to have large emergency overnight shelters or to locate such shelters in small residential neighborhoods. He therefore requested that the Board deny the application for the following reasons:

- a). The proposed shelter would not be in harmony with the general public and the R-1-B classification for the neighborhood.
- b). The proposed shelter will impact adversely on the neighboring residential and commercial communities; and
- c). The city's goal to house the homeless should be aimed at smaller facilities equally distributed throughout the city.

31. At-Large Councilmember William Lightfoot, Chairman of the Committee on Public Services, submitted a statement dated October 11, 1991 opposing the application. He agreed with the view that it is poor public policy to locate such a large shelter in a residential area. He stated that the Mayor should address ways to house smaller groups of people in settings where support services are available. Alternatively, government buildings should be used.

Councilmember Lightfoot was of the opinion that the overnight shelter will be too disruptive to the recreational programs at Guy Mason. The young and elderly will be discouraged from using the center during the day because the homeless men are likely to remain on the grounds during nonshelter hours. Night classes will be affected because there is no plan in place for relocating them. Also, day classes will be disrupted because day students will be unable to use the equipment if it is relocated for use by the night students.

Finally, he pointed out that the proposed shelter for 50 men is in direct conflict with the zoning law which allows five to 15 persons.

32. The Board heard further testimony from opponents to the application including business owners, patrons of the Guy Mason Recreation Center, and representatives of the Massachusetts Avenue Heights Citizens Association and Friends of Guy Mason. They discussed a number of issues in support of their position to oppose the application.

Location of the shelter. Opponents testified that the location of such a large shelter in a residential neighborhood does not make sense. Such a use is incompatible with other uses in the

area. Some believe that such shelters should be located downtown, in nonresidential areas close to where the homeless already congregate. They feel that public buildings should be opened for large facilities so that large shelters in residential areas can be closed. Residential areas are more suitable for small scale facilities.

The use of Guy Mason. Opponents testified that the proposed shelter will be too disruptive to the recreational activities at Guy Mason. Because the center is well used, large numbers of people will be adversely affected by the interference with classes and programs and the continued presence of the homeless men during nonshelter hours.

Untoward behavior. Residents in the area were concerned that the homeless men will engage in offensive and possibly criminal behavior in and around Guy Mason. They referred to police printouts which they claim indicate problems in other areas of the city where shelters are located. Residents were concerned that with the homeless men in the area, frequent users of Guy Mason would be reluctant to go to the center for recreational activities. This would have a severely adverse impact on programs there. Members of the business community were likewise concerned that the behavior of some of these men would offend their patrons, thereby creating an adverse impact on business operations.

Alternative proposal. Witnesses in opposition testified that there are alternatives to locating such a large shelter at Guy Mason. They support the idea of small scattered shelters housing approximately six or eight people. They maintain that such a proposal is attainable now. They indicated that St. Luke's church has already provided six beds and the witnesses are willing to work with other churches and the city to establish other small shelters in Ward 3.

Policy objectives. Opponents maintain that the District needs a coherent city-wide policy which provides services for the homeless. The District needs to stop warehousing the homeless in undignified temporary shelters and provide long-term rehabilitative programs which are sorely needed by so many. Also, affordable housing must be created. Opponents to the application indicated that they care about the homeless and the problems they face but that to use Guy Mason, as proposed, will not alleviate those problems. It will only cause problems for other District citizens.

33. Several letters were submitted into the record. Some were in support, however the majority were in opposition to the application.

FINDINGS OF FACT:

1. The Board credits the testimony of the applicant at paragraphs 9 and 10 and finds that the District has established a policy of locating emergency shelters where they are needed based on the homeless population in a given area. The District's policy is also to fairly distribute and disperse shelters for increased access by homeless persons.

2. While giving great weight to ANC 3B, the Board credits the testimony of the applicant at paragraph 9 and finds that the District has demonstrated a need for a 50-bed shelter in Ward 3. The Board credits the testimony of the applicant at paragraph 8 and finds that the size of the proposed shelter will be one of the smallest when compared to other emergency overnight shelters operated by the District.

3. While considering the evidence of ANC 3C at paragraph 27d, the Board credits the testimony of the applicant at paragraph 8 and finds that the District has developed a program for operating its homeless shelter facilities.

4. While giving great weight to the testimony of ANC 3B at paragraph 26 and considering the testimony of opponents at paragraph 32, the Board credits the testimony of the applicant at paragraph 11 and finds that the applicant conducted site surveys at other locations but was unable to find reasonable alternatives to the subject site.

5. While considering the testimony of ANC 3C at paragraph 27 and the testimony of the opponents at paragraph 32, the Board credits the testimony of the applicant at paragraph 9 and finds that while small scattered sites create a reasonable alternative to larger facilities, an inadequate number of such sites currently exist to serve the homeless population in Ward 3.

6. The Board credits the testimony of the applicant at paragraph 16 and finds that neither daytime nor outdoor recreational activities will be adversely affected by the night time shelter use. The Board credits the testimony of the applicant at paragraph 16 and finds that the evening classes that will be affected by the shelter can be relocated. The Board credits the testimony of the applicant at paragraph 16 and finds that the large equipment used for classes will not be disturbed by shelter occupants. The Board credits the testimony of the applicant at paragraph 16 and finds that the lavatory facilities will not be made unavailable to softball players and attendees due to use of the facility by the homeless. While considering the testimony of ANC 3C at paragraph 27b and the testimony of the opponents at paragraph 31, the Board credits the testimony of the applicant at paragraph 16 and finds that use of the site for the proposed

emergency overnight shelter will cause minimal disruption to the recreational activities at Guy Mason.

7. While giving great weight to ANC 3B, the Board credits the testimony of the applicant at paragraph 12 and finds that homeless men will not be transported to Guy Mason from other shelters in the city. The Board finds, therefore that the impact on traffic in the area will be minimal.

8. While considering the testimony of the opponents at paragraph 31, the Board credits the testimony of the applicant at paragraphs 12 - 16, and finds that program services will be provided in a manner that will make the shelter use compatible with the residential and business community of Ward 3.

9. While considering the testimony of ANC 3C at paragraph 27 and the testimony and evidence of opponents at paragraph 31, the Board credits the testimony of the applicant at paragraph 17 as supported by the Police Department report at paragraph 23 and finds that safety at or near the site will not be a problem due to the use of the facility as a homeless shelter. The Board credits the testimony of the applicant at paragraph 17 and finds that security will be provided during shelter hours to address any problems with safety. The Board also finds that the recreation center's management will be available during nonshelter hours to handle any security problems that might arise at or near the site.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and evidence of record the Board concludes that the applicant is seeking a special exception to locate a 50 bed emergency homeless shelter in an R-1-B District. The granting of such a special exception requires a showing of substantial evidence that the proposed use will be in harmony with the general purpose and intent of the Zoning Regulations and Map and that it will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map. The applicant must also meet the provisions of Section 221 regulating emergency shelters in an R-1 District.

The Board concludes that the applicant has met the burden of proof. The Board concludes that there are no properties containing a CBRF for five or more persons in the same square or within 1,000 feet of the subject site.

The Board concludes that adequate, appropriately located and screened off-street parking will be provided for the needs of the occupants, employees and visitors of the facility. The Board concludes, however, that visitors to the shelter residents will not be allowed.

The Board concludes that the shelter will meet all applicable code and licensing requirements.

The Board concludes that the facility will not have an adverse impact on the neighborhood because of traffic, noise, operations or the number of similar facilities in the area.

The Board concludes that the program goals and objectives of the District of Columbia, to provide adequate shelter and services for the homeless population in Ward 3, cannot be achieved by a facility of a smaller size at this time. The Board also concludes that no reasonable alternatives exist to meet the program needs of this area of the city.

The Board concludes that having met the provisions of Section 221, the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that the shelter will be operated in such a manner as to limit the impact on the surrounding residential and business community.

The Board has accorded ANC 3B the "great weight" to which it is entitled. In light of the foregoing, it is hereby **ORDERED** that the application is **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. Approval shall be for a period of **TWO YEARS**.
2. The hours of operation shall be between 7:00 p.m. and 8:00 a.m. daily.
3. The applicant shall accommodate no more than fifty (50) persons at the site. The applicant shall relocate persons at the subject site as additional shelter beds are provided at other suitable locations within Ward 3. The applicant shall reduce the number of beds at the subject site in direct correlation to the number of persons outplaced to other facilities within Ward 3.
4. Every three months, the applicant shall submit to the Zoning Administrator a written report on the total number of beds provided at Guy Mason, reflecting any reductions or increases in the number of beds in relation to the number of beds provided at scattered site facilities. The applicant shall include the following information in the report:
 - a) the operator of each new scattered site facility;
 - b) the address of each new facility; and
 - c) a copy of each facility's certificate of occupancy.

5. The applicant shall maintain a minimum of three program staff persons on duty during all hours of shelter operation.
6. The applicant shall provide a minimum of two security personnel on duty at all times during shelter operation. The number of security personnel may be increased, if necessary, to provide adequate interior and exterior security monitoring during all hours of operation of the shelter.
7. The applicant shall have the discretion to request the Board to reconsider the number of program and security staff at any time during the approval period based on variations in the number of persons accommodated at the subject site because of outplacement as set forth in Condition No. 3.
8. The applicant shall assure that the facility is appropriately screened and maintained so as to be in keeping with the character of the surrounding neighborhood.
9. The applicant shall assure that all programs are relocated or rescheduled if such programs are currently scheduled to occur at the site during the operating hours of the shelter. There is to be no reduction in the recreation programs and services currently provided to the community as a result of the operation of the shelter.
10. The applicant shall monitor and control loitering by clients of the shelter during the daytime hours. The applicant shall initiate contacts with other appropriate social service agencies in order to coordinate daytime programs and activities to enhance the social and personal development of clients of the shelter.
11. The applicant shall establish and maintain a public/private sector liaison program which should include, but not be limited to, the following organizations: Advisory Neighborhood Commissions 3B and 3C; Community for Creative Nonviolence; D.C. Neighborhood Partnership; Friends of Guy Mason, Inc.; Glover Park Citizens Association; Glover Park/Massachusetts Heights Neighbors in support of Guy Mason; Glover Park Merchants' Association; Massachusetts Avenue Heights Citizens Association; St. Paul's Lutheran Church; Ward 3 Committee for a Responsible Housing Policy; and faculty and students of the Wesley Theological Seminary. This

BZA APPLICATION NO. 15558
PAGE NO. 25

liaison program shall provide a forum for addressing issues and concerns of its neighbors, as well as provide for a public/private partnership with the goal of providing for appropriate programs and shelter to accommodate the clients of the facility in smaller, scattered site facilities in Ward 3.

VOTE: 4-1 (Carrie L. Thornhill, Maybelle Taylor Bennett, Sheri M. Pruitt and Charles R. Norris to grant, Paula L. Jewell opposed to the motion).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER:

MAR 5 1992

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15558Order/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15558

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on MAR 5 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Britt Reynolds
Department of Human Services
801 N. Capitol Street, N.E.
Suite 100
Washington, D.C. 20001

Vincent C. Gray
Department of Human Services
801 N. Capitol Street, N.E.
Suite 700
Washington, D.C. 20001

Yates McCorkel
3149 16th Street, N.W.
Washington, D.C. 20010

George A. Lehner
Pepper, Hamilton & Scheetz
1300 19th Street, N.W.
Washington, D.C. 20036
(Attorney for Mass. Ave. Heights
Citizens Assoc. & Friends of Guy
Mason Center, Inc.)

James E. Nathanson
Councilmember
District Building
1350 Pennsylvania Ave., N.W.
Washington, D.C. 20004

Terrance Lynch
1815 Lamont Street, N.W.
Washington, D.C. 20010

Cliff Newman
C.C.N.V.
425 2nd Street, N.W.
Washington, D.C. 20001

Pastor Thomas A. Omholt
4900 Connecticut Ave., N.W.
Washington, D.C. 20008

Chester Hartman
3372 Stuyvesant Place, N.W.
Washington, D.C. 20015
(Representing Ward 3 Comte. for
a Responsible Housing Policy)

Philip Wogaman
4620 45th Street, N.W.
Washington, D.C. 20016

Reverend Richard L. Dodds
3716 Windom Place, N.W.
Washington, D.C. 20016

Rebecca Vardiman
4500 Mass. Avenue, N.W.
Washington, D.C. 20016

Jack R. Biddle
2700 Wisconsin Avenue, N.W.
Washington, D.C. 20007

BZA APPLICATION NO. 15558 ATTESTATION SHEET
PAGE NO. 2

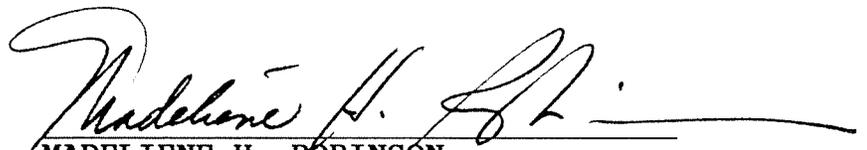
Patricia Wamsley, Chairperson
Advisory Neighborhood Commission 3-C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

Charles Seigel, Chairperson
Advisory Neighborhood Commission 3-B
P.O. Box 32312
Washington, D.C. 20007

Phil Mendelson
Advisory Neighborhood Commission 3C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

Rosalyn P. Doggett
Advisory Neighborhood Commission 3C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

Sandra J. Panchak
Advisory Neighborhood Commission 3B
P.O. Box 32312
Washington, D.C. 20007


MADELIENE H. ROBINSON
Acting Director

DATE: MAR 5 1992

15558Att/bhs