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November 16, 2010

BY HAND

Meridith Moldenhauer, Chair
Board of Zoning Adjustment
441 Fourth Street NW Suite 210 South
Washington DC 20001

Kinley R. Bray

Attorney
202.715.8572 DIRECT
202.857.6395 FAX
bray.kinley@arentfox.com

Reference Number
029508.00002

Re: Application of St. Paul's Rock Creek Parish
BZA Case No. 18138
Prehearing Statement of the Applicant

Dear Ms. Moldenhauer and Members of the Board:

Enclosed for filing please find an original and twenty (20) copies of the Applicant's prehearing statement in this case.

We look forward to presenting this case at the Board's November 30, 2010 hearing.

Sincerely,



Kinley R. Bray

Cc: Rev. Rosemari Sullivan
Bill Halsey
Wendy Shenk-Evans
Osborne George, P.E.
Stephen Mordfin, Office of Planning (via electronic mail and U.S. Mail)
Anna Chamberlain, DDOT
Jeff Jennings, DDOT
ANC 4D

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18138

EXHIBIT NO. 28

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of:
St. Paul's Rock Creek Parish

BZA Application No: 18138
Hearing Date: November 30, 2010

PRE-HEARING STATEMENT OF THE APPLICANT

I. INTRODUCTION

This is a self-certified application, pursuant to 11 DCMR §3104.1, for a special exception to operate a child development center and private school for 120 students, aged 2.5 to 12 years in age, and 18 staff within an existing institutional building located on an 86-acre parcel of land. No new exterior construction is proposed. The applicant, St. Paul's Rock Creek Parish ("St. Paul's" or "Applicant") proposes to convert a portion of an existing parish hall for classroom use so that the space may be leased to Christian Family Montessori School ("CFMS" or the "School"), an existing private school currently operating in Mount Rainer, Maryland. The property that is the subject of the instant application is located in the R-3 zone district at 210 Allison Street N.W. (Parcel 0111/0037) (the "Property"), and is owned by St. Paul's Rock Creek Parish. The Applicant submits that it meets the criteria for the requested relief.

II. JURISDICTION

The Board of Zoning Adjustment has jurisdiction to grant the relief requested pursuant to 11 DCMR § 3104.1.

III. BACKGROUND INFORMATION

A. The Property and Surrounding Neighborhood.

1. The Property.

The Property is located between North Capitol Street and New Hampshire Avenue, N.W., to the north of Webster Street, N.W. and Rock Creek Church Road N.W. It is zoned R-3 and contains approximately 86 acres of land area. The Property includes the historic Rock Creek Cemetery and is improved with several buildings, including St. Paul's Center (the "Center"), which will house the School. The Center includes church and cemetery administrative offices, a dining room, a fully equipped commercial kitchen, a large auditorium suitable for concerts and other performances, and a large open space that has been used for receptions and dinners.

The Property is the site of St. Paul's Rock Creek Episcopal Parish, which was founded in 1712 during the reign of Queen Anne. One hundred acres, including the present site of the church building, was pledged to St. Paul's in 1719 and a structure was completed in the several years that followed. Major rebuilding and remodeling occurred in 1775, 1810, 1868, 1922, and, most recently, in 2004 when the Center was renovated.

2. The Surrounding Neighborhood.

The Property comprises more than 86 acres in upper Northwest Washington and lies between New Hampshire Avenue and North Capitol Street, north of Webster Street and south of Gallatin Street, near the Petworth and Fort Totten neighborhoods. The land is zoned R-3, and is classified as "Parks, Recreation and Open Space" on the Comprehensive Plan Future Land Use Map. The area is defined by large open spaces, such as the Armed Forces Retirement Home, which is just south and southeast of the Property, and garden-style apartments and row dwellings in low-density residential neighborhoods to the east and west.

3. Zoning.

The Property is classified within the R-3 Zone District, with patches of R-5-A and other higher-density residential areas close by. The Armed Forces Retirement Home is unzoned, federally-owned property. Matter-of-right uses in the R-3 zone district include, *inter alia*, single-family detached and single-family semi-detached dwellings, and other uses permitted as a matter of right in the R-1 zone district, such as churches, public schools, and libraries. 11 DCMR §§ 300.2, 201.1.

IV. THE PROPOSED DEVELOPMENT

A. Proposed Use.

St. Paul's proposes to use portions of the Center as a child development center and private Montessori school, with a maximum enrollment of 120 students and a total of approximately 18 regular staff members. The School will be operated by Christian Family Montessori School ("CFMS"), which currently operates a Montessori school (for children ages two-and-a-half to 12 years) in Mount Rainier, Maryland. CFMS will formally be a tenant of St. Paul's at the Center, but St. Paul's will take an active role in ensuring the success of the School. Hours of operation will be from 8:00 a.m. to 6:00 p.m. The regular school day will run from 8:30 am until 3:00 pm, with before-care starting at 8:00 am and after-care available until 6:00 pm. No expansion of the building footprint is proposed, as the existing Center building will be internally retrofitted to accommodate the classrooms needed by CFMS' use. An existing on-site play area will be used by the School. CFMS plans to enhance this play area by adding a new play structure appropriate for children under the age of 6 and erecting a fence to enclose the play area. Additionally, CFMS will enclose a small outdoor play area off of each of the two existing

classrooms within the Center to allow for some outdoor classroom activities throughout the school day, when weather permits.

A total of 59 parking spaces is available in two parking lots adjacent to the Center. 20 spaces in the north parking lot will be reserved for CFMS staff use. In addition, there is ample parking available in a second parking lot immediately south of the St. Paul's Center building. Parents dropping off and picking up children at the School will use the south parking lot for this purpose. All pick up and drop off operations will take place entirely within the boundaries of the property and, as demonstrated in the Applicant's traffic impact analysis, which was submitted with the initial application in this case, and the Applicant's supplemental traffic information, attached hereto, there will be no queuing onto neighborhood streets and no dangerous or objectionable conditions created as a result of the requested use.

V. SPECIAL EXCEPTION CRITERIA

The Board is authorized to grant a special exception where it finds:

(1) The proposed use is in harmony with the general purpose and intent of the Zoning Regulations and Zone Maps; and

(2) The proposed use is not likely to adversely affect the use of neighboring property,

subject to the specific conditions specified in the Zoning Regulations for the particular special exception use. 11 DCMR § 3104.1.

The BZA's discretion in reviewing an application for a special exception is limited to a determination of whether the applicant has complied with requirements enumerated in the specific section of the Zoning Regulations pursuant to which the applicant is seeking the special exception. If the applicant meets this burden, the Board ordinarily must grant the application.

First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment, 432 A.2d 695, 698 (D.C. 1981); *Stewart v. District of Columbia Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973).

A. The Proposed Use is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zone Maps.

The Property is located in an area which is characterized predominantly by single-family homes and open space. The use of the Property for a school is consistent with the institutional nature of a church property; in fact, St. Paul's established one of the District of Columbia's first parochial schools on this Property in 1775. Child development centers and private schools, as uses permitted by special exception, have been pre-determined as compatible with the uses in the R-3 zone so long as the special exception criteria can be met. We submit that all requirements for child development centers and private schools can and will be met by the Applicant.

B. The Proposed Use is Not Likely to Adversely Impact Neighboring Property.

St. Paul's has had a long history of being a welcoming and considerate neighbor and plans to continue this track record with the relocation of CFMS to the Center. Likewise, CFMS prides itself on creating a welcoming environment where parents, children, and staff work together to provide an affordable Montessori school for the community. For the past 30 years, CFMS has done just that in the Mount Rainier neighborhood and hopes that its relocation to the Center will create new opportunities to better serve its current and future students. As described further herein, the existing use and the proposed expansion pose no threat to neighboring property, particularly because the Center is removed from most residential development in the area and situated on an 86 acre enclave.

Because the proposed use encompasses both a child development center use (for ages 2.5 through 5 years, as well as before- and after-care for all students) and a private school (for ages 5-12), we analyze the use against the special exception criteria for both uses under 11 DCMR §§ 205 (child development center) and 206 (private school).

C. The Center shall be capable of meeting all applicable code and licensing requirements (205.2).

CFMS has been in operation and continually in compliance with all Maryland State licensing requirements since it opened in 1981. CFMS will meet all licensing requirements of the Office of State Superintendent of Education, including maximum class sizes by age and minimum teacher-student ratios as required for each age group. The Office of the State Superintendent of Education has submitted a memorandum to the Board in this case, filed as Exhibit 26 in the record, noting its support for the application.

D. The Center shall be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off children (205.3).

All parking for the Center is off-street parking and located within the boundaries of the Property. A total of 59 spaces are available for all Center users, including staff of the Center and parents needing to come inside the center; 20 of these spaces will be reserved for CFMS. During the regular operating hours of the Center, there is rarely a time when all of the parking spaces at the Center lot are full, however, additional off-street parking is available throughout the internal road network on the Property.

The Center is served by a variety of feeder streets: Allison Street and Webster Street from the south, and New Hampshire and Rock Creek Church Road from the North. As demonstrated by the Traffic Study, attached as Exhibit I, the surrounding road network is

operating at acceptable levels of service. No traffic congestion is anticipated, as student drop-off and pick up will take place entirely within the boundaries of the Property and immediately adjacent to the Center entrance. This wholly-internal parking and drop-off not only provides a safe point of entry for the children, the parking area, drive aisles and circular drive area provide ample space for queuing of vehicles on site, ensuring that there is no traffic congestion on the public streets around the Property. Moreover, CFMS' operation calls for staggered arrival and departure times, spreading out the traffic volumes over the course of several hours, most, if not all, of which fall outside of the peak hour for traffic volumes on the surrounding road network. Additionally, CFMS's current enrollment includes a significant number of siblings (25 families with multiple children), and many families carpool to and from school as well.

CFMS recently conducted a travel mode split survey at their Mount Ranier campus. The School is currently serving 93 children, represented by 69 families. Of the 65% of families with just one child enrolled in the school, nine of these bike or walk to school and nine carpool with another family on a regular basis. Additionally, four of CFMS' staff members have children enrolled in the school, so the parent/staff member and their child travel together to school. Although the vast majority of CFMS' students live within the same zip code as the School's current location, 15 students (approximately 21.7%) live in the Brookland/Brentwood/Fort Lincoln areas of D.C. or within the zip codes surrounding the St. Paul's Property. It is anticipated that once CFMS opens its doors on the St. Paul's Property, it will become a neighborhood school, as students who live in Mount Ranier will be replaced with students from the surrounding neighborhood over the course of the first three years in operation. In fact, in the last two months, during the course of community outreach in connection with the instant

application, CFMS has received 3 new applications from families and 2 additional inquiries from students living within the neighborhoods surrounding the Property.

CFMS is committed to implementing a strong Transportation Management Plan that is consistent with CFMS' mission and financial capabilities. CFMS proposes a plan that consists of the following measures:

1. Ride-Sharing. CFMS will include language in the parent and staff handbooks regarding ride-sharing opportunities in an effort to reduce single-occupant vehicle trips to the Property. As stated above, there is currently a significant amount of ride-sharing occurring among the student population, and CFMS will continue to encourage this behavior by facilitating opportunities for parents and staff to coordinate with one another to work out carpooling arrangements, and by maintaining a comprehensive carpool list in the school office.

2. Promoting Transit. Unfortunately, the school's non-profit status, along with the limited number of employees and the variable times of arrival on site does not make participation in WMATA's SmartBenefits program a feasible option, however, CFMS will encourage transit ridership for both parents and staff. CFMS will publicize bus routes, fares, and scheduling information on the School site and will include this information in parent and staff handbooks.

3. Guaranteed Ride Home. CFMS will disseminate information regarding the Metropolitan Washington Council of Governments' Guaranteed Ride Home program to its staff at the time of initial employment and will include such information in the staff handbook.

4. Bicycle Racks. CFMS and St. Paul's will place two (2) or more bicycle racks at convenient locations near the entrance to St. Paul's Center for use of staff and parents who wish to bike to the School.

5. Local Access Plan. CFMS will direct parents and staff who drive to the Property to utilize routes that will not substantially impact the surrounding neighborhood. These routes will be included in the parent and staff handbooks. CFMS will also provide parents with information about planning safe walking routes to school, including a link to the Safe Routes to School website maintained by DDOT in the parent handbook.

6. School Transportation Coordinator. Wendy Shenk-Evans, Director of CFMS, will serve as the School's Transportation Coordinator ("STC"). As STC, Ms. Shenk-Evans will monitor and promote the measures noted above through dissemination of information and periodic reminders, and will be the designated contact with the local Advisory Neighborhood Commissions (there are four ANCs in the area surrounding the Property).

E. The center shall provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors (205.4).

The Property contains 59 off-street parking spaces, 20 of which are adjacent to the Center and will be reserved for CFMS use. The minimum number of parking spaces for a child development center in a residential zone is 1 per 4 teachers and staff. 11 DCMR § 2101.1. The minimum number of parking spaces for a private school is 2 per each 3 teachers and staff. Id. Assuming the more restrictive parking ratio applies to all teachers and staff, a maximum of 12 spaces is required.

The Center has always had ample parking to accommodate all of the needs of St. Paul's, and even with the addition of the CFMS staff and parents that may need to park at the Center, there is no need for staff or parents to park on the public streets around the Property—all parking will continue to be accommodated on site.

There are several special events throughout the school year that may result in heavier use

of the parking area at the Center. Some examples of these events where most families will be attending are: two student performances in the spring (Friday evenings); two school picnics, one at the beginning and one at the end of the year (weekday evenings); a silent auction in the early spring (Saturday evening); and graduation in mid-June (weeknight). If the Center's parking area is inadequate to contain all of the vehicles for these events, there is adequate on-road parking within the Property, which is considered off-street parking and can, if necessary, accommodate hundreds of vehicles. CFMS will, however, discourage use of the on-road parking within the Property for regular pick-up and drop-off operations, and will include language to that effect in its parent and staff handbooks.

F. The Center, including any outdoor play space provided, shall be located and designed so that there will be no objectionable impacts on adjacent or nearby properties due to noise or activity, or visual or other objectionable conditions (205.5).

The Center includes an outdoor play area, which is set back from all single-family residential properties in the area. The closest residential property is at least 170 yards away from the outdoor play area, and therefore does not create any objectionable impact.

G. The Board may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements as it shall deem necessary to protect adjacent and nearby properties (205.6).

The Center and related parking areas are located in the southwestern corner of the Property such that screening to the east and north are not an issue. There are adequate screening and plantings to the west and south such that additional screening will not be necessary to protect adjacent properties from the School's activities on the Property. The Applicant submits that

there is no need for the Board to require special treatment to protect any adjacent or nearby properties.

H. Any off-site play area shall be located so as not to result in endangerment to the individuals in attendance at the Center in traveling between the play area and the Center itself (205.7).

There will not be any off-site play area.

I. The Board may approve more than one (1) child development center in a square or within one thousand feet (1,000 ft.) of another child development center only when the Board finds that the cumulative effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors (205.8).

To the Applicant's knowledge, there are no other child development centers within 1,000 feet of the Property. Regardless, there is no evidence that the School will have any adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

J. The school shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions (206.2).

As discussed above, the Center in which the School will be located is removed from all residential uses in the neighborhood and is not likely to generate a significant amount of traffic. No other objectionable conditions are anticipated.

K. Ample parking space, but not less than that required in chapter 21 of this title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile (206.3).

Ample parking space exists on the Property to accommodate the School's requirements under Chapter 21 of the Zoning Regulations (12 spaces), as well as parents and other visitors to the School, in addition to all other uses operating on the Property.

VI. WITNESSES

The Reverend Rosemari Sullivan, Rector, will testify on behalf of St. Paul's as to the history of uses on the property, the condition of the existing facility, and the capacity to accommodate a school operation on site.

Wendy Shenk-Evans, Director of CFMS, will testify on behalf of the School as to its current operational characteristics and future operations on the Property.

Osborne George, P.E. will testify as an expert in transportation planning and traffic engineering on the existing transportation network and the potential impacts of the proposed use on the Property.

Ellen McCarthy, Director of Planning and Land Use for Arent Fox, will testify as an expert in planning and zoning and will address how the application meets the tests for special exception relief under 11 DCMR § 3104.1.

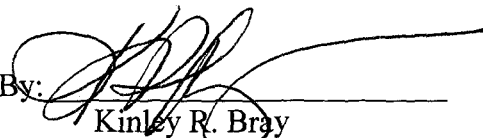
We reserve the right to call additional witnesses and to present additional evidence as necessary at the hearing. We estimate that our presentation will require approximately 45 minutes of the Board's time.

VII. CONCLUSION

For the foregoing reasons, it is respectfully submitted that, upon receipt of all of the Applicant's proof and all other support of record for the special exception requested, such relief may be granted.

Respectfully submitted,

ARENT FOX LLP

By: 

Kinley R. Bray
1050 Connecticut Avenue, NW
Washington DC 20036
(202) 715-8572
(202) 857-6395 FAX

LIST OF EXHIBITS

- | | |
|-----------|---|
| Exhibit A | Community Outreach Efforts |
| Exhibit B | Supplemental Transportation Memorandum, O.R. George & Associates |
| Exhibit C | Transportation Related Information included in Parent & Staff Handbooks |
| Exhibit D | Résumé of Osborne George, P.E. |
| Exhibit E | Résumé of Ellen McCarthy |

LIST OF WITNESSES

Rev. Rosemari Sullivan, Rector, St. Paul's Rock Creek Parish

Wendy Shenk-Evans, Director, Christian Family Montessori School

Osborne George, P.E.*

Ellen McCarthy, Director of Planning and Land Use, Arent Fox*

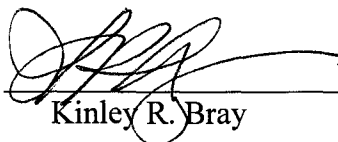
* Expert witness.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of November, 2010, a copy of the foregoing
was mailed, first-class, postage pre-paid, to:

Advisory Neighborhood Commission 4D
143 Kennedy Street N.W.
Washington DC 20011

District of Columbia Office of Planning
2000 14th Street, N.W., Fourth Floor
Washington D.C. 20009
Attention: Jennifer Steingasser, Joel Lawson, Stephen Mordfin


Kinley R. Bray

A

EXHIBIT A

ST. PAUL'S/CFMS COMMUNITY OUTREACH

Organization/Event	Meeting Date	Outcome
Neighborhood Open House at St. Paul's (invitations sent to neighbors within 200' of property)	September 10, 2010	Over 100 neighbors in attendance at spaghetti dinner and open house at St. Paul's Center
ANC 4C (neighboring ANC)	September 16, 2010	Unanimous approval of resolution in support of BZA Case No. 18138
ANC 4D	September 21, 2010	No quorum present, ANC 4D cancelled meeting. Representatives from St. Paul's and CFMS spoke informally with neighbors. No significant opposition expressed.
ANC 5C (neighboring ANC)	October 18, 2010	St. Paul's spoke with Anita Bonds, Chair of ANC 5C, who declined to provide time on the ANC's agenda at a regular meeting for St. Paul's but who expressed no opposition to the proposed school use.
ANC 5A (neighboring ANC)		St. Paul's phoned and e-mailed the Chair of ANC 5A to request time on their October agenda to present the plans for the proposed school use. There was no response from ANC 5A.
ANC 4D	October 19, 2010	No quorum present. Representatives from St. Paul's and CFMS were present and gave a presentation to the attendees, but no vote was taken. There was no opposition to the proposed school use.
Neighborhood Open House / Halloween Party	October 29, 2010	Approximately 75 neighbors in attendance. CFMS had an information table and spoke with residents regarding proposed school use.

B

Technical Memorandum:

**RESPONSES TO QUESTIONS AND ISSUES FROM
DISTRICT DEPT. OF TRANSPORTATION (TPPA),
CHRISTIAN FAMILY MONTESSORI SCHOOL/
ST. PAUL'S PARISH, BOARD OF ZONING
ADJUSTMENT APPLICATION (CASE # 18138)**

Prepared for:

ST. PAUL'S ROCK CREEK PARISH

201 Allison Street, NW
Washington, D.C. 20011

Submitted to:

DISTRICT DEPARTMENT OF TRANSPORTATION (TPPA)

2000 14th Street, NW, 7th Floor
Washington, D.C. 20009

Attn: Jeffrey Jennings, Transportation Review Coordinator

Prepared by:

O. R. GEORGE & ASSOCIATES, INC.

Transportation Planning & Engineering Consultants
10210 Greenbelt Road, Suite 310
Lanham, MD 20706-2218
Tel: (301) 794-7700

November 12, 2010

O. R. GEORGE & ASSOCIATES, INC.

Traffic Engineers – Transportation Planners

10210 Greenbelt Road, Suite 310 • Lanham, MD 20706-2218

Tel: (301) 794-7700 • Fax: (301) 794-4400

E-mail: ogeorge@orgengineering.com

MEMORANDUM

DATE: November 12, 2010

TO: Mr. Jeffrey Jennings, Development Review Coordinator
District Department of Transportation
Transportation Planning and Policy Administration

FROM: Osborne George, PE, PTOE
Terri J. Davis, Transportation Engineer

RE: St. Paul's/Christian Family Montessori BZA Application No. 18138 –
Additional Transportation-Related Information

Please refer to your e-mail of October 20, 2010 (Attachment 1). The Applicant, Christian Family Montessori School has requested that we forward to you the following information:

- 1) **Zip Code Listing:** Please find the zip codes provided by the school included as Attachment 1. As requested by the school, we also summarized the data in the table following:

CFMS Zip Code Listing (October, 2010)

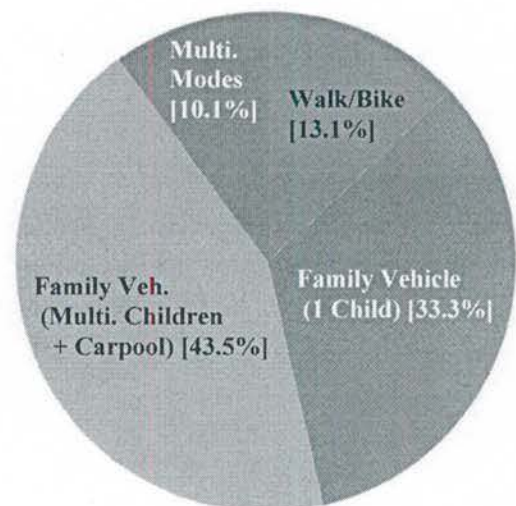
Zip Code	Residential Area/ Jurisdiction	Location Context	No. of Families	%-age
a) 20712	Mount Rainier	School Location	15	21.7%
b) 20781	Hyattsville/Cheverly	Adjacent Area	12	17.4%
c) 20018, 20017	Brookland/ Brentwood/ Fort Lincoln	Adjacent (within D.C.)	12	17.4%
d) 20785	Cheverly	Contiguous to 20781	7	10.2%
e) 20901, 20912, 20910, 20904, and 20902	Takoma Park/ Silver Spring	Outlying	7	10.2%
f) 20001, 20772, 20064, 20706 20002, and 20003	Miscellaneous/Far-out Prince George's Co./ District of Columbia	Outlying	7	10.2%
g) 20782, 20737, and 20770	Hyattsville/Riverdale/ College Park/Greenbelt	Adjacent to 20712 (School Location)	6	8.7%
h) 20009, 20011, and 20012	Northwest, D.C./Close- In	--	3	4.3%
Total			69	100.0%

CFMS also provided a zip code listing for 15 staff persons, 4 of whom were already included in the listing for CFMS families. The 11 staff members are widely dispersed throughout the region with several located within the Brookland, Takoma Park/Silver Spring area. Details are provided on the sheet included in Attachment 2.

- 2) **Multi-Modal Split Information:** ORGA performed a travel mode split survey at the school in June, 2010. We also worked with the school to perform a survey which was distributed to the parents in October, 2010. The school has a total of 93 children represented by 69 families. Of these, 56 families responded (a favorable response rate of 81.2%). A copy of the survey questionnaire is included as Attachment 3. The results are summarized in the table and pie chart following:

a) Mode Split Summary:

- Family Vehicle (Multiple Children + Carpool) 43.5%
- Family Vehicle (1 child) 33.3%
- Walk/Bike (Primary Mode) 13.1%
- Use Multiple Modes (Walk, Bike, Carpool, Transit, Family Veh., etc.) 10.1%
- Total: 100.0%*



b) Factors Affecting Mode Choice:

- Distance 81.3%
- Already Walk/Bike 13.1%
- Misc. Concerns 5.6%
- Total: 100.0%*

- 3) **Hawaii Avenue/North Capitol Street Projected Traffic Usage:** DDOT's e-mail cites 40.0% using this intersection. The submitted Traffic Study actually reflects 60.0% usage. The distribution of zip code listings shows that, between 30.0 – 35.0% of families attending CFMS at present are located within adjacent Upper Northwest, Takoma Park and near Northeast communities. These would use various routes coming to St. Paul's from the north, west and south. The school administration has indicated that they have received several new applications from within the immediate/adjacent residential community, and outreach to the local area is continuing.

It is recognized that convenience of location is a significant factor in selecting a school, and the school anticipates that they will continue to attract increased patronage from the surrounding community. This is further supported by the zip code summary in Table 1, which shows that over 50.0% of current patrons come from the local zip code area of the school and immediately contiguous areas.

The projections developed in the submitted traffic study use the year 2013 as the planning horizon. While there is no scientific or statistical basis to project the distribution two (2) years into the school's "draw" at the St. Paul's location, the figures cited on page 2 suggest that the 60.0% using the Hawaii Avenue/North Capitol Street intersection may be quite conservative (i.e., on the high side).

[DDOT has requested Synchro files used in the Traffic Impact Study. Because the study area intersections are isolated locations, the Synchro tool was not utilized. The Highway Capacity Manual procedures were utilized. Minor adjustments were made to the capacity analyses documented in the Traffic Impact Study to reflect more detailed field observations and measurements. The corresponding updated sheets are included in Attachment 4, along with the annotated roadway lane configuration diagram. The level of service results remain unchanged and do not affect the findings and conclusion of the study. An extra analysis sheet was developed to show an increase from 40.0% to 60.0% of the site trips assigned to the Hawaii Avenue approach of the North Capitol Street intersection under the total traffic situation. This analysis sheet is included as Attachment 4-Z.]

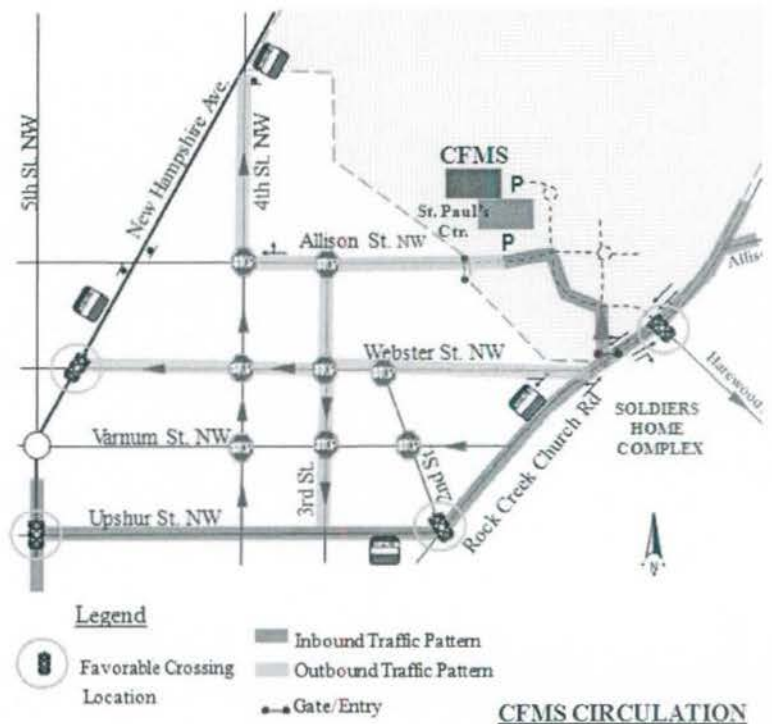
- 4) **Circulation Pattern:** The school has developed a vehicle access pattern that it intends to publish in its parent handbook. An extract from the CFMS handbook is included below:

Drop-off and Pick-up Procedures

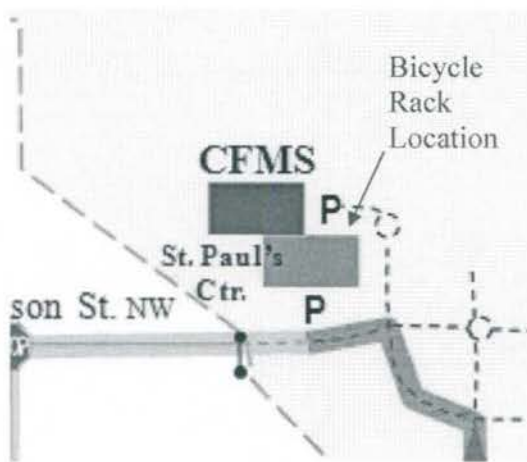
To ensure smooth flow of traffic, to minimize disruption in the neighborhood roadways and to ensure the safety of our students, CFMS has established the following procedures for drop-off and pick-up:

Vehicular Access Pattern: All traffic shall enter the site via the Webster Street gate; and exit via the Allison Street gate during the peak morning and afternoon activity periods. These are 8:00 - 8:45 AM and 2:30 - 3:30 PM. CFMS staff and St. Paul's security personnel will be placed at the Webster Street gate periodically to monitor and ensure compliance.

Parking On-Site: Parents/caregivers must park in the large lot adjacent to St. Paul's Center and walk child(ren) around the building to the front door of the school. The lot immediately adjacent to the school entrance is reserved for staff. *[Note: Parents should refrain from parking on neighborhood streets.]*



- 5) **Bike Rack Location:** A bike rack location will be established within the parking area adjacent to the CFMS building as shown below. Details will be provided to DDOT prior to the public hearing, and will be included in the Applicant's pre-hearing Statement.



DDOT Preferred Bike Rack Design



6) **Actionable Transportation Demand Management Measures:**

[As of the time of writing this memorandum, the applicant and their attorney were still working on the language for Transportation Management Plan measures. The document will be forwarded to DDOT once it becomes available.]

Rock Creek Church Road/Webster Street Intersection: During the October 18th OP/DDOT review meeting, DDOT staff raised the issue of an increase in crashes at this intersection, over the most recent two (2) to three (3) years. Through subsequent correspondence with DDOT staff, it was confirmed that the traffic pattern changes along Webster Street were made within the same timeframe. Recent assessments by DDOT's Road Safety Division have resulted in a recommendation to revert to the one-way westbound traffic pattern. *[Relevant correspondence is included in Attachment 5.]*

Mr. Jeffrey Jennings, Development Review Coordinator
Christian Family Montessori School Relocation
Additional Transportation-Related Information
November 12, 2010 Page 5 of 5

We believe that the above fully responds to the issues and requests from DDOT. We would welcome the opportunity to meet with the DDOT staff to clarify and otherwise respond to any questions you may have regarding this document. Thank you!

Attachments: As noted.

ORG/TJD

cc: Anna Chamberlin, DDOT - TPPA
Wendy Shenk-Evans, CFMS Director
Kinley R. Bray, Esquire, Arent Fox, LLP
Gary Baker, Realco
The Rev. Rosemari G. Sullivan, D.D., St. Paul's Rock Creek Parish

ATTACHMENT

1

O. R. George Assoc.

From: Jennings, Jeffrey (DDOT) [jeffrey.jennings@dc.gov]
Sent: Wednesday, October 20, 2010 12:28 PM
To: Terri Davis
Cc: Chamberlin, Anna (DDOT); Henson, Jamie (DDOT); Mordfin, Stephen (OP)
Subject: RE: Christian Family Montessori School BZA Application No. 18138

Dear Terri:

Thank you for the voicemail from earlier today.

The transportation related items we continue to seek are the following:

- 1) A zip code share for the existing student body & faculty attending CFMS in Mt. Ranier MD.
- 2) The multi-modal split information (students & faculty) for the existing CFMS campus in Mt. Rainer MD.
- 3) Data supporting that 40% of the future vehicular travel will pass through the N. Capitol/Hawaii intersection.
DDOT is requesting the *all* Synchro files used for this impact study so we may independently review.
- 4) A circulation plan for pick-up and drop-off to the proposed campus located at 210 Allison Street.
- 5) A map indicating where on the proposed campus, the bicycle storage/parking will be located.
- 6) A list of actionable items CFMS will perform as part of its transportation demand management (TDM) program.
On p. 18 of the O.R. George Traffic Impact Analysis in support of the application, there is a list of items the school will 'encourage' students & faculty to use. The O.R. George report indicates, "There is likely to be significant walk trips to and from the school . . ." However, there is no real indication the walk trips, or any sustainable transportation practices, are presently occurring.

I've included Anna Chamberlin here on this message as she may have some additional items as part of the request in advance of the 30 November hearing.

Thank you, again.

Jeff
202-673-2377 direct

Jeff Jennings
District Department of Transportation (d.)
Policy and Planning
2000 14th Street N.W.
7th floor
Washington, D.C. 20009
202.671.2730 phone | 202.671.0617 fax

jeffrey.jennings@dc.gov

website: ddot.dc.gov

Please consider the environment before printing this e-mail

1-A

ATTACHMENT

2

**Christian Family Montessori School - Zip Code Listings
(October, 2010)**

<u>FAMILIES</u>		<u>STAFF</u> (Notes)
20001	20772	20740
20001	20781	20712 (have children who attend CFMS)
20002	20781	20902
20003	20781	20782
20009	20781	20722
20011	20781	20010
20012	20781	20018
20017	20781	20712 (have children who attend CFMS)
20017	20781	20781
20017	20781	20017
20017	20781	20705
20017	20781	20785 (have children who attend CFMS)
20017	20781	20712
20018	20782	20011 (have children who attend CFMS)
20018	20782	20740
20018	20785	
20018	20785	
20018	20785	
20064	20785	
20706	20785	
20706	20785	
20712	20785	
20712	20901	
20712	20901	
20712	20904	
20712	20910	
20712	20912	
20712	20912	
20712	20912	
20712		
20712		
20712		
20712		
20712		
20712		
20712		
20737		
20737		
20740		
20770		

ATTACHMENT

3

CHRISTIAN FAMILY MONTESSORI SCHOOL

Survey on Parent/Student Travel to and From School

Dear Parent/Caregiver/Staff:

As part of our move to our new location at St. Paul's, we are working with Washington D.C. Planning staff and our consultants to improve our access into our new school premises. This survey will be very useful for our planning, and will take only about 5 minutes to complete. After you have completed the form, please return it to the staff attendant or to our office as soon as possible. *[In view of our on-going planning effort, please try to return the form this week (i.e., by October 29, 2010)].*

Thanks for your participation.

Sincerely,

Wendy Shenk-Evans
(School Director)

Name: _____ (Optional)

1. What is your zip code? Are you a parent? ☐ Are you a staff? ☐
2. What are the grade(s) of your child(ren) at CFMS? (Please circle as appropriate.)
☐ PK, ☐ K, ☐ 01, ☐ 02, ☐ 03, ☐ 04, ☐ 05, ☐ 06, ☐ 07, ☐ 08

3. How does your child(ren) usually travel to/from school, currently?
(Place a "X" in the appropriate box).

To School

- ☐ Walk
☐ Bike
☐ School Bus
☐ Family Vehicle
(only children in your family)
☐ Carpool
(with children from other families)
☐ Transit/Bus
☐ Other

From school

- ☐ Walk
☐ Bike
☐ School Bus
☐ Family Vehicle
(only children in your family)
☐ Carpool
(with children from other families)
☐ Transit/Bus
☐ Other

4. At what grade (or age) would you allow your child to walk or bike to/from school without an adult?
(Select a grade PK, K, 1, 2, 3, 4, 5, 6, 7, 8)

☐ PK, ☐ K, ☐ 01, ☐ 02, ☐ 03, ☐ 04, ☐ 05, ☐ 06, ☐ 07, ☐ 08

☐ ☐ Age.

☐ I would not feel comfortable at any age.

5. Which factors impact your decision regarding the means (or mode) of travel to/from school?

- ☐ Distance.....
- ☐ Convenience of driving.....
- ☐ Time.....
- ☐ Child's before- or after-school activities.....
- ☐ Speed of traffic along route.....
- ☐ Amount of traffic along route.....
- ☐ Adults to walk or bike with.....
- ☐ Sidewalks or pathways.....
- ☐ Safety of intersections and crossings.....
- ☐ Crossing guards.....
- ☐ Violence or crime.....
- ☐ Weather conditions.....

8. Would you consider permitting your child to walk or bike to/from school if this problem were changed or improved?

☐ My child already walks

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

☐ Yes ☐ No ☐ Not sure.

6. In your opinion, how much does your child's school encourage or discourage walking and biking to/from school?

☐ Strongly Encourages ☐ Encourages ☐ Neither ☐ Discourages ☐ Strongly Discourages

7. How healthy is walking or biking to/from school for your child?

☐ Very Healthy ☐ Healthy ☐ Neutral ☐ Unhealthy ☐ Very Unhealthy

8. Will you likely be moving to the new St. Paul's location? ☐ Yes ☐ No

If so, how will it change? My primary mode of transportation will change from _____ to _____.

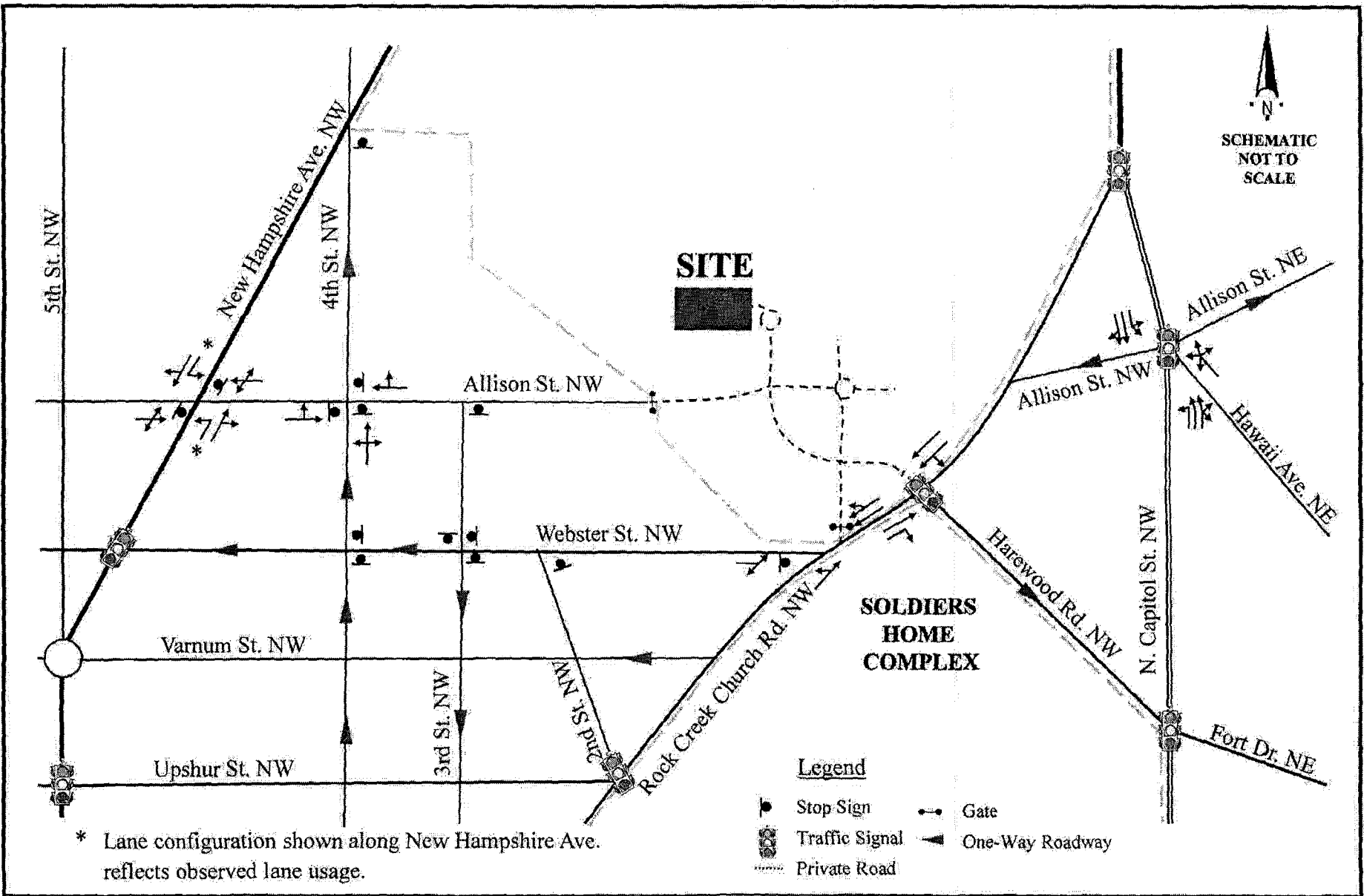
Thanks again for your assistance. Please return the form at your earliest convenience.

Wendy Shenk-Evans
(School Director)

3-B

ATTACHMENT

4



4-A

O. R. GEORGE & ASSOCIATES, INC.
Traffic Engineers - Transportation Planners

Exhibit : Existing Roadway Land Configuration and Circulation Pattern

Board of Zoning Adjustment Application for
 St. Paul's/Christian Family Montessori School
 Northwest, Washington, D.C.

C

CFMS Parent Handbook Sections

Pertaining to Carpooling and Circulation Plans

(This information will also be disseminated verbally to new parents at a new parent orientation meeting held before the opening of school each year)

Transportation Guidelines

In order to ensure that we minimize any traffic impacts on our local/St. Paul's neighborhood, and do our part in protecting the environment, CFMS will place/give great emphasis on reducing traffic generation. This will include promoting carpools, use of public transportation, and alternative modes of travel such as biking and walking. This objective will be supported by the following measures:

Carpooling Lists: CFMS will develop a comprehensive list of parents/caregivers grouped by zip code, and will include this list in the summer mail-out package. This will make it easy to identify potential carpool partners. This list also will be available in the school office throughout the year.

Carpoolers	
1.	~~~~~
2.	~~~~~
3.	~~~~~



Safe Walk Routes: The roadways within the area of the school are all provided with sidewalks and crosswalks. There are also four (4) traffic signals, which typically allows easier and safer street crossing. A map showing the signal locations is included below. Most intersections are also provided with multi-way stop signs. Parents and caregivers should take care in planning their routes, keeping these factors into consideration. Parents may also consult the DDOT website at <http://www.ddot.dc.gov/saferoutes>.

Bus Routes: The bus lines that run closest to CFMS are No. 60 (Takoma – Petworth Line) and No. H8 (Park Road – Brookland Line). CFMS community members can plan your route from home using the website wmata.com.



Bike Racks: Two (or more) bike racks, will be positioned in a safe and convenient location within the rear parking lot adjacent to the school entrance, and will be available for use by CFMS families who choose to bike to school. Please be sure to lock your bike as the property is open to the public during school hours.

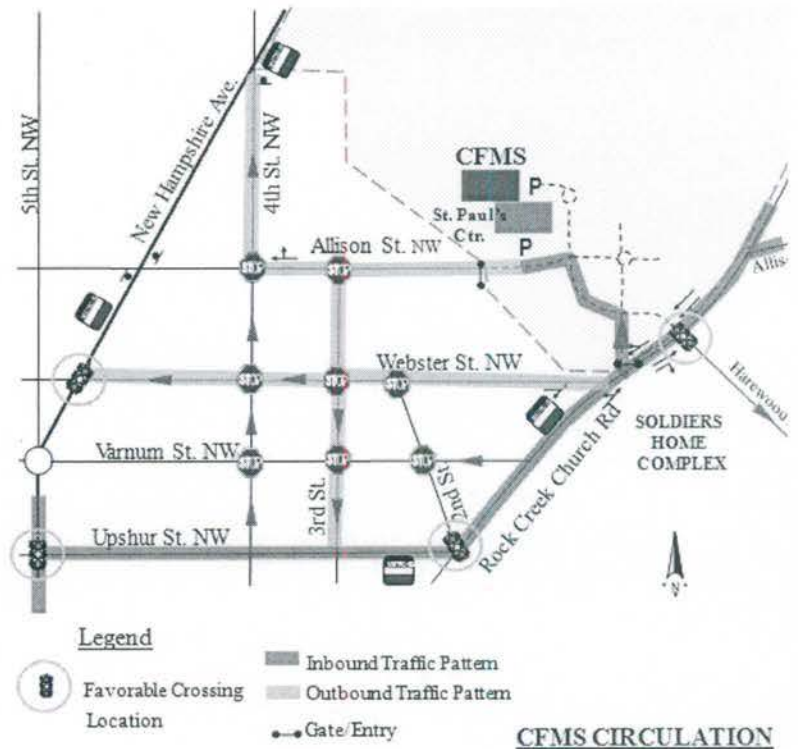
School Transportation Coordinator: CFMS' Director (Ms. Wendy Shenk-Evans) will serve as the School Transportation Coordinator (STC), and parents/caregivers should consult with her for further information regarding any of the above items. Ms. Shenk-Evans will distribute information to parents/caregivers at the beginning of the school year with reminders as necessary.

Drop-off and Pick-up Procedures

To ensure smooth flow of traffic, to minimize disruption in the neighborhood roadways and to ensure the safety of our students, CFMS has established the following procedures for drop-off and pick-up:

Vehicular Access Pattern: All traffic shall enter the site via the Webster Street gate; and exit via the Allison Street gate during the peak morning and afternoon activity periods. These are 8:00 - 8:45 AM and 2:30 - 3:30 PM. CFMS staff and St. Paul's security personnel will be placed at the Webster Street gate periodically to monitor and ensure compliance.

Parking On-Site: Parents/caregivers must park in the large lot adjacent to St. Paul's Center and walk child(ren) around the building to the front door of the school. The lot immediately adjacent to the school entrance is reserved for staff. ***[Note: Parents should refrain from parking on neighborhood streets.]***



Vehicle Flow/Speeds: Parents and caregivers who drive should be mindful to travel slowly (with moderate speed) to promote safety for our children and for the neighborhood in general.

The CFMS Director will arrange for periodic monitoring to ensure compliance with these procedures. Parents and caregivers should contact the Director with any questions, comments or concerns.

CFMS Employee Handbook Sections

Pertaining to Carpooling and Circulation Plans

(This information will also be disseminated verbally to staff at the beginning of the year staff meeting held before the opening of school each year)

Carpooling

In order to reduce our traffic impact on our local neighborhood as well as care for the environment, CFMS encourages staff to carpool, use public transportation, or alternate forms of transportation such as biking or walking to work. A staff directory with addresses and staff schedules is distributed each summer to facilitate finding co-workers with whom you may be able to carpool.

In order to facilitate carpooling and other forms of commuting, staff are encouraged to register with Commuter Connections for **Guaranteed Ride Home** (otherwise known as GRH) which provides commuters who regularly (twice a week) carpool, vanpool, bike, walk or take transit to work with a **FREE** and reliable ride home when one of life's unexpected emergencies arise.

Commuters may take advantage of GRH up to four times per year to get home for unexpected emergencies such as a personal illness or a sick child. GRH can also be used for unscheduled overtime when your employer mandates that you must stay late.

GRH is designed to rescue commuters who are worried about how they'll get home when an emergency arises. Knowing there's a guaranteed ride home allows one to use commuting options like transit and carpools with peace of mind and confidence. Best of all, the GRH service is **FREE!**

Parking

The parking lot immediately adjacent to the school wing of the building is reserved for staff use. To facilitate the flow of traffic for parents during drop-off and pick-up, all staff must park in this lot. Please do not park in the large lot on the opposite side of St. Paul's Center or along the access roads throughout the cemetery.

Biking

Bike racks are available for use by CFMS staff who bike to work. Please be sure to lock your bike as the property is open to the public during school hours.

Bus Routes

The bus lines that run closest to CFMS are 60 and H8. You can plan your route from home at wmata.com

D

OSBORNE R. GEORGE, P.E., PTOE
President
Principal Transportation/Traffic Engineer

EDUCATION: George Washington University, Washington, D.C., 1974: M.Sc., Engineering and Applied Science, (Focal Area: Transportation Planning & Engineering).

Howard University, Washington, D.C., 1972: B.Sc., Civil Engineering.

Northwestern University, Traffic Institute, Chicago, Illinois, 1991: Highway Geometric Design Course.

George Mason University, Fairfax, VA, 1990: Computer Applications in Transportation Engineering.

EXPERIENCE: Mr. George is a professional traffic engineer and transportation planner specializing in providing consulting services in support of land planning and zoning, infrastructure planning and design, and urban revitalization projects. He has had over thirty (30) years of broad experience in traffic engineering and transportation planning, and in related areas of civil engineering. As founder/president of O.R. George & Associates, he directs all aspects of the firm's consulting activities, which include planning and engineering consulting services to public and private sector clients. Prior to founding O.R. George & Associates, Mr. George worked for nine (9) years with Planning Research Corporation (PRC) where he was involved in a wide range of projects in the United States, Canada and internationally, with assignments ranging from project engineer to regional manager.

The following projects are indicative of Mr. George's professional involvement and experience:

- Traffic impact analyses and expert witness testimony in support of a large number of private and public sector development projects. These projects covered a wide range of land uses, from day-care centers and convenience stores to large residential developments, employment/industrial parks, and institutional uses such as hospitals and universities. Involvement has included projects within Prince George's, Montgomery, Howard, Calvert, Anne Arundel, and Baltimore Counties in Maryland, and Washington, D.C., as well as a number of jurisdictions in Virginia and beyond. Mr. George has also provided traffic impact assessments for the Maryland State Highway Administration, Real Estate Division, in support of real property acquisitions for State projects.
- Traffic engineering studies, neighborhood traffic mitigation studies, signal warrant analyses, as well as extensive data collection and analysis of various intersections within Montgomery County under Maryland State Highway Administration and Montgomery County contracts.
- Development studies for Metrorail station areas, involving several stations and a transit corridor over the Washington Metropolitan Area Transit Authority (WMATA) system.
- Transportation access and public safety impacts for the Washington Redskins/Jack Kent Cooke Stadium, Prince George's County, Maryland.

OSBORNE R. GEORGE

Resume .Page Two

- Transportation assessment study for Washington Village/Pigtown Area Empowerment Zone, City of Baltimore, Maryland.
- Multi-modal access and feasibility study for the Norfolk International Terminals, Norfolk, Virginia.
- Master plan traffic and parking studies for Medlantic Healthcare Campus, Howard University Law School campus, Washington, D.C. and for Virginia Commonwealth University Medical and Academic campuses, Richmond, Virginia.

Mr. George's responsibilities on the above projects have covered the full range from field reconnaissance and data collection, to analyses, documentation, as well as public presentations and expert witness testimony before administrative and judicial bodies. Supplementary experience specific to the District of Columbia, is presented in the supplement following.

**POSITIONS
HELD:**

Principal, O.R. George & Associates (1985 - Present).

Associate, KELLERCO, Inc., McLean, Virginia (1984 - 1985).

Project Engineer/Regional Manager, Planning Research Corporation, McLean, VA (1972 - 1977 and 1981 - 1984).

Consultant/Resident Engineer, Ministry for The Federal Capital Development Authority, Federal Government of Nigeria (1977 - 1981).

**PROFESSIONAL
AFFILIATIONS/
CITATIONS:**

Fellow, Institute of Transportation Engineers.

Fellow, American Society of Civil Engineers.

Registered Professional Engineer, District of Columbia, Maryland, North Carolina and Ontario, Canada (1975).

Member, Association of Professional Engineers of Ontario, Canada.

Outstanding Civil Engineer, Howard University (1972): Citation by American Society of Civil Engineers.

Task Force Chairman, Prince George's County Chamber of Commerce, Corridor Transit Improvements (Addison Road to Bowie, Prince George's County, Maryland (1990-1991).

**EXPERT WITNESS
EXPERIENCE:**

Admitted as Expert Witness in the field of traffic engineering & transportation planning and/or provided testimony before the following bodies:

- District of Columbia, (Zoning Commission)
- District of Columbia, (Board of Zoning Adjustment)
- District of Columbia, (Mayor's Agent)
- District of Columbia, (City Council)
- Prince George's County, (Zoning Hearing Examiner, and District Council)
- Prince George's County, (Board of Zoning Appeals)
- Howard County, (Board of Appeals)
- Montgomery County, (Planning Board)
- City of Laurel, Maryland, (Planning Commission)
- City of Laurel, Maryland, (Board of Zoning Appeals/Public Safety Committee)
- City of Bowie, Maryland, (Planning Commission/City Council)
- Fairfax County, (Board of Supervisors)

◆ *"Commitment to Excellence Dedication to Service"* ◆

Supplement
OSBORNE R. GEORGE, P.E.
Traffic Engineer/Transportation Planner

The following is a representative list of recent cases on which Osborne R. George has been admitted, and provided testimony as Expert Witness in the Field of Traffic Engineering and Transportation Planning.

2006/2007 – 5220 Wisconsin Avenue Planned Unit Development Application, Friendship Heights, Northwest, Washington, D.C. (Case No. 06-31)

Traffic impact studies and expert witness testimony, including several community presentations and interaction with the District Department of Transportation.

Client: AKRIDGE Company
Attorneys: Holland & Knight, LLP
Washington, D.C.

2007 – Stanton Square Planned Unit Development Application, Anacostia, Southeast, Washington, D.C. (Case No. 05-35)

Traffic impact analysis, signal warrant analysis, community meetings and presentations and expert witness testimony before the City's Zoning Commission.

Client: Horning Brothers, Inc.
Attorneys: Shaw Pittman, P.C.
Washington, D.C.

2006/2007 – Rhode Island Avenue Metrorail Station Planned Unit Development Application, Ivy City, Northeast, Washington, D.C. (Case No. 04-24)

Comprehensive traffic impact analyses, pedestrian study, signal warrant analyses and expert witness testimony.

Client: Mid-City Urban, LLC/A&R Development Companies
Attorneys: Arnold & Porter, LLP
Washington, D.C.

2007 – Randall School Planned Unit Development Application, Southwest, Washington, D.C. (Case No. 07-13)

Traffic impact assessment, trip generation reviews and expert testimony before the City's Zoning Commission regarding impacts on adjacent properties and mitigation consideration.

Client: Oak Hill Development
Attorneys: Arnold & Porter, LLP
Washington, D.C.

**2006/2007 – Washington International School Board of Zoning Adjustment Application.
(Case No. 17560)**

Traffic impact studies, Transportation Management Plan and expert witness testimony before the City's Board of Zoning Adjustment, Washington, D.C.

Client: Washington International School
Attorneys: Greenstein, DeLorme & Luchs, P.C.
Washington, D.C.

2003/2004 – Capper Carrollsburg (Residential) Planned Unit Development Application, Board of Zoning Adjustments Application, Washington, D.C. (Case Nos. 03-12 and 03-13)

Comprehensive traffic and parking impact analyses to support a large housing redevelopment site near the Navy Yard in Southwest, Washington, D.C.

Client: Mid-City Urban, LLC
Attorneys: Holland & Knight, LLP
Washington, D.C.

2008 – Union Place Planned Unit Residential Development Application.

Direction of all transportation analyses, site access assessments and provision of expert witness testimony for the large development situated near the New York Avenue Metrorail Station in the Union Station/Eckington area of Northeast, Washington, D.C. (Services in progress.)

Client: ADC Builders
Attorneys: Holland & Knight, LLP
Washington, D.C.

2000 - 2003 – Re-Zoning Application and Master Plan for Washington Hospital Center MedStar Health Complex in Northwest, Washington, D.C. (Case No. 02-43)

Comprehensive traffic analyses, Transportation Management Plan, off-site roadway design concepts, community liaison and expert witness testimony.

Client: MedStar Health/Washington Hospital Center
Attorneys: Arter & Hadden, LLP
Washington, D.C.

2002/2003 Catholic University of America Master Plan Update Northeast, Washington, D.C.

Traffic and parking studies and expert witness testimony before the City's Zoning Commission.

Client: Catholic University of America
Attorneys: Shaw Pittman, P.C.
Washington, D.C.

1999 - 2000 - Pope John Paul II Visitors Center, Northeast, Washington, D.C.

Traffic and parking studies and expert witness testimony before the City's Board of Zoning Adjustment and Zoning Commission.

Client: Pope John Paul foundation, Detroit, Michigan
Attorneys: Wilkes, Artis, Hedrick & Lane Chartered
Washington, D.C.

July, 1998 – Howard University Central Campus Plan, Zoning Commission Application, Northeast, Washington, D.C. (Case No. 14733)

Comprehensive traffic impact study and expert witness testimony before the City's Zoning Commission.

Client: Howard University
Attorneys: Linowes & Blocher, LLP
Washington, D.C.

April, 1998 – Lowell School, Zoning Commission Re-zoning Application, Northwest, Washington, D.C.

Traffic impact studies and expert witness testimony before the City's Zoning Commission.

Client: Lowell School
Washington D.C.
Attorneys: Wilkes, Artis Hedric & Lane, Chartered
Washington, D.C.

February, 1998 – CVS Store, MacArthur Boulevard Board of Zoning Adjustment Application, Northwest, Washington, D.C.

Traffic access, parking and safety studies and expert testimony before the City's Board of Zoning Adjustment.

Client: CVS Stores, Inc.
Washington, D.C.
Attorneys: Linowes & Blocher, LLP
Washington, D.C.

Signed: _____ Date: _____
Osborne R. George, P.E.

E



Ellen M. McCarthy*

Director of Planning and Land Use

Washington

202-857-6455

mccarthy.ellen@arentfox.com

Practice Teams

Real Estate

Areas of Focus

Zoning

Land Use

Historic Preservation

Practice Areas

Ellen McCarthy is the director of planning and land use for the firm. She has more than 30 years of experience in the planning field, with a focus on zoning, neighborhood planning and historic preservation.

*Ellen is not a member of the legal profession.

Previous Work

Prior to joining Arent Fox, Ellen was the director of planning and land use for a large US law firm. She advises clients in all aspects of zoning and development review before the Zoning Commission and Board of Zoning Adjustment including planned unit developments, rezonings, variances, and special exceptions. She also assists clients with land use entitlements such as street closings, alley closings, antennas, roof structure reviews, downtown development district compliance and transfers of development rights.

Previously, Ellen was the director of the District of Columbia Office of Planning, where she managed a 60-person team to provide a wide range of services for District of Columbia citizens. While there, her projects included getting city council adoption of a new Comprehensive Plan, the re-engineering of the development review function, and the crafting of a strategy to revitalize dilapidated affordable housing projects into lively, mixed-use, mixed-income neighborhoods while retaining existing low-income residents. She also directed the integration of the Historic Preservation Office into the Office of Planning from the permitting department, revamping its financial accountability system, and oversaw planning efforts for the Anacostia Transit Station Area, Northeast Gateway, Shaw/Convention Center Area, NoMA and Georgia Avenue, along with completion of new zoning for waterfront districts and numerous large development projects.

Professional Activities

Ellen has been involved in several civic and professional organizations. She currently serves on the Advisory Council of the Washington office of the Local Initiatives Support Corporation and on the Housing Council of Catholic Charities of the Archdiocese of Washington, DC. In addition, she co-chairs the Task Force on Public Policy and Regulatory Reform for the Washington effort of the Urban Land Institute's Terwilliger Workforce Housing Initiative. Ellen served on the boards of directors of the Washington Area Community Investment Fund (low-income housing finance organization) and DC Preservation League as well as on Board of Trustees of the Committee of 100 on the Federal City, and she was active in the Citizens Planning Coalition. She was elected president of the National Capital Area Chapter, American Planning Association, and co-chair of the Coalition for a Living Downtown.

Publications/Presentations/Recognitions

Ellen has been recognized with an Outstanding Performance Award by the US Department of Transportation, a Chapter Service Award from the National Capital Area Chapter of the American Planning Association and a Fannie Mae Housing Fellowship.

For the Real Estate Review:

"Revitalizing Downtown DC", *Real Estate Review*, forthcoming issue, 2008

For the Urban Land Institute:

- "Center Cities," *Land Use in Transition*, co-authored with Richard H. Bradley and Gayle L. Berens,
- "The Management and Organization of Ridesharing Programs," *Transportation Research Board Special Report*, co-authored with Richard Bradley, 1985

For the Transit Cooperative Research Program:

- Subcontractor to Project for Public Spaces for *The Role of Transit in Creating Livable Metropolitan Communities*, National Academy Press, 1997

For the US Department of Transportation:

- Integration of Paratransit with Conventional Transit Systems, Information Bulletin, The Urban Consortium, Public Technology Inc.
- Institutional Framework for Integrated Transportation Planning, Information Bulletin, The Urban Consortium, Public Technology, Inc.
- Transportation Planning and Impact Forecasting Tools, Information Bulletin, The Urban Consortium, Public Technology, Inc.
- *Manual for Planning and Implementing Priority Treatments for High-Occupancy Vehicles*, co-authored with Gary Hebert, Urban Consortium, Public Technology, Inc.

For the American Public Transit Association:

- "An Analysis of the US Department of Transportation's National Transportation Policy," 1975

For the World Congress on Transport Research for Social and Economic Progress:

- "A New Role of Transportation System Managers: Public Entrepreneurs," Proceedings, World Congress on Transport Research for Social and Economic Progress, 1980

Education

Harvard University, Department of City and Regional Planning, MCP, 1974
University of Maryland, BA (Phi Beta Kappa, *with high honors*), 1972

Life Beyond the Law

Ellen is an active volunteer in community efforts, and enjoys biking with her husband, reading, gardening and knitting. She especially enjoys visiting her two children at college.