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April 1, 2014

BY HAND DELIVERY

Lloyd J Jordan, Esq
Chairperson
Office of Zoning
441 Fourth Street, NW
Suite 210
Washington, DC 20001

Re. BZA Case No. 18740: Pre-Hearing Statement of Sheridan School, Inc.
4400 36th Street, N W
Square 1968, Lot 10

Dear Chairperson Jordan and Members of the Board

Enclosed please find the original and ten (10) copies of the above-referenced Pre-Hearing Statement for filing with the D C Board of Zoning Adjustment

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to have the staff at the Office of Zoning contact the undersigned.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P C

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18740

EXHIBIT NO. 23

By. 
John Patrick Brown, Jr

By. 
Kate M Olson

Enclosures

Board of Zoning Adjustment
District of Columbia
CASE NO.18740
EXHIBIT NO.23A

CERTIFICATE OF SERVICE

I hereby certify that a copy of this BZA Pre-Hearing Statement was sent on April 1, 2014 to the following

ANC 3F
Advisory Neighborhood Commission 3F
4401-A Connecticut Ave, NW Box 244
Washington, DC 20008-2322
(By U S. Mail)

Commissioner Adam Tope, Chair of ANC 3F
4319 Reno Road NW
Washington, DC 20008
(Electronically adam@adamtope.com)

Ms. Karen Thomas
D.C. Office of Planning
1100 4th Street, SW, Suite E650
Washington, DC 20024
(Electronically karen.thomas@dc.gov)

Mr. Jamie Henson
D.C. Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003
(Electronically jamie.henson@dc.gov)



Kate M. Olson, Esq.

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

**Application of Sheridan School, Inc.
4400 36th Street, NW
Square 1968, Lot 10**

**BZA Application No. 18740
Public Hearing Date April 15, 2014
ANC 3F06**

APPLICANT'S PRE-HEARING STATEMENT

This Pre-Hearing Statement ("Statement") is submitted on behalf of the Sheridan School, Inc , by its attorneys, Greenstein DeLorme & Luchs, P C by John Patrick Brown, Jr Esquire and Kate M. Olson, Esquire, in support of the application for the special exception described below.

I. NATURE OF RELIEF SOUGHT

This is an application pursuant to 11 DCMR Section 3104.2 for a special exception under Section 206 to permit the Sheridan School, Inc (hereinafter "Applicant", "Sheridan School" or "School") to renew and continue operating as a private school in a R-2 Zone District located at 4400 36th Street, NW (Square 1968, Lot 10) ¹ The School, which was first granted permission to build and operate as a private school by the Board of Zoning Adjustment ("BZA") in 1963, was most recently granted an extension, with nineteen conditions, to operate as a private school per BZA Order No 16977 which remained in effect for ten (10) years from the effective date of that order and expired after this renewal application was filed

The Applicant requests a permanent special exception to operate the School without an expiration date, except for any future changes in its operations and/or improvements which would require additional zoning relief. In conjunction with the special exception, the Applicant seeks a nominal increase in its student enrollment from 226 to 230 to provide for minor

¹ Sheridan is located on two campuses. The Main Campus is located in the Van Ness neighborhood of Washington DC and is the subject of this Application. The Mountain Campus is located in Luray, Virginia.

flexibility arising from unpredictable admissions acceptances. The School is proposing to renovate the existing playground, including a new turf field and reduced impervious surface. The renovated playground will maintain the existing grade and footprint. Although the proposed renovation of the existing playground does not specifically require BZA approval, the School requests that this project be included in the Board's approval.

No variances are requested in this application² and the requested special exception relief fully meets the requirements of the Zoning Regulations.

II. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the requested relief as a special exception pursuant to 11 DCMR §3104 and in accordance with §206 of the Zoning Regulations.

III. PREVIOUS BZA APPROVALS

The Sheridan School has been operating at its current location for over fifty (50) years.

A. **BZA Order No. 7282 (July 2, 1963)**: The School's construction and use of the Property was first authorized by the Board in 1963 and this order allowed a maximum number of 200 students.

B. **BZA Order No. 13089 (February 27, 1980)**: The BZA allowed the School to construct an addition consisting of two staff offices (first floor) and a science laboratory (second floor) in 1980.

² The variances granted by BZA Order 16977 (a variance from the requirement that parking spaces be accessible at all times directly from an improved street or alley under Section 2117.4, a variance from Section 2115.1, from the minimum size requirement for a parking space, and a variance from the off-street parking requirements for an elementary or junior high school under Section 2101.1) apply for as long as the school is in operation and therefore the Applicant does not need to seek renewal of these variances.

C. **BZA Order No. 15656 (December 23, 1992)**: The Board approved a requested increase in student enrollment from 200 to 215 and the construction of an addition containing classrooms, a library, a gymnasium and support facilities in 1992

D. **BZA Order No. 16977 (February 4, 2004)** Most recently in 2004, the Board approved the addition of one thousand two hundred (1,200) square feet of gross floor area ("GFA") to an existing building, reconfiguration of the parking area in front of the School along 36th Street in order to add four (4) additional parking spaces, an increase in the maximum number of students enrolled in the School from 215 to 226, and an increase in the number of students who may be enrolled in the School's summer educational program in excess of one hundred (100) students to a maximum of 226 students

Copies of the aforementioned BZA Orders are attached hereto as Exhibit A

IV. **DESCRIPTION OF PROPERTY AND SURROUNDING AREA**

The School is located at 4400 36th Street, N.W. in the residential area of the Van Ness neighborhood, close to Connecticut Avenue. The site is generally rectangular with a frontage of approximately 225 feet along 36th Street, 307 feet along Alton Place, and 266 feet along Yuma Street, for a total lot area of approximately 70,647 square feet. The nearest Metro Station to the Sheridan School is the Van Ness – UDC Metro Station (4200 Connecticut Avenue, NW) which is an approximate walking distance of 0.5 miles. In addition, the Tenleytown – AU Metro Station (4501 Wisconsin Avenue, NW) is located approximately 0.6 miles walking distance from the Sheridan School.

A farmers market has operated on the school grounds during evening and weekend hours in the spring and summer months for 24 years.

The School's playground (located on the south side of the School) is available to the community during the School's non-operational hours – except when a school event is scheduled.

V. MISSION OF SHERIDAN SCHOOL

Sheridan School's mission is to create an inclusive, vibrant learning community. The School seeks to inspire self-knowledge, intellectual discipline and personal integrity in its community members. The Sheridan community challenges itself to live the ideal of respect for oneself, others and the environment.

To nurture and challenge all learners, Sheridan School

- Educates the whole child. intellectual, social, physical and emotional;
- Creates a safe learning environment in which students feel known and understood;
- Fosters close, supportive relationships between all members of the community. families, teachers, administrators, staff and students,
- Maintains high academic standards while respecting the pace of child development,
- Challenges students to think critically, creatively, and conceptually,
- Provides hands-on, engaging, authentic learning experiences that challenge students to wrestle with big ideas and their own assumptions,
- Embraces collaborative learning,
- Challenges prejudice, embraces difference and teaches children to view the world from multiple perspectives;
- Supports students' inquiry and self-reflection,
- Emphasizes the learning process; and
- Provides specific, ongoing feedback on students' learning and personal growth.

The School believes that a diverse and inclusive learning environment is integral to achieving academic excellence. Sheridan's commitment to diversity is grounded in its school mission and the principles of progressive education. The School offers a curriculum that promotes social justice and challenges prejudice, within a school culture that embraces and celebrates difference. Sheridan recognizes and values the experiences that diversity of gender,

race, ethnicity, religion, sexual orientation, socio-economic class, age and ability within our school community contributes to a Sheridan education. The School ultimately strives to prepare its students to understand the nature of a complex world and to thrive in a multicultural global society

VI. BACKGROUND OF SHERIDAN SCHOOL

Sheridan is an independent, co-educational, K-8 school offering a progressive, mission-aligned, concept-based curriculum consisting of approximately 226 students and 60 faculty members. The school facilities have been designed to meet the programmatic needs of the School and has 16 classroom spaces, a gymnasium with a full stage, outdoor playground, and a fully functional kitchen and cafeteria. Approximately two-thirds of the students are residents of the District of Columbia.

A. Athletics

Students in grades 5-8 may participate in interscholastic athletic teams after school, including soccer, basketball, softball, cross country and track and field. There are no tryouts – all students who wish to play are welcomed join a team.

B. Sustainability

Sheridan is very committed to making the School sustainable and to that end has implemented the following greening efforts.

- **Solar Panels** A 60 kW solar system was installed resulting in the school deriving approximately 10% of its annual electric usage from the solar array
- **Wind Power.** 100% of Sheridan's electricity is wind powered
- **Single-Stream Recycling:** The School increases recycling participation by commingling recyclable trash
- **100% Green Cleaning Products.** In concert with its cleaning company, the School has removed all non-green cleaning products from the school

- **Lighting Controls** A large portion of the School's rooms are on motion sensor switches and Sheridan is committed to converting every room
- **White Roof.** The School replaced two of its roofs with a white roof, lowering its cooling costs and carbon dioxide emissions
- **Composting Program** All of the School's food waste is composted
- **Leftovers.** Extra food that is not served each day is taken to a local homeless shelter.
- **Farmer's Market** Tuesdays and Saturdays, Sheridan hosts New Morning Farm to support the local and organic food movement.

C. Summer Camp

The School provides a summer day camp called, Creative Arts Summer Adventure ("CASA"), which has been in operation for approximately 18 years. CASA is a quality, stimulation-rich, child-centered summer program delivered in a warm, supportive, and highly interactive environment. Designed for children ages 3-16, this extensive and fully developed summer program provides opportunities to explore the creative process, all while having fun. The staff—artists, performers, specialists, and teachers—are all vibrant individuals with insights and experiences to share. Devoted to creating the best possible environment for all children, CASA's staff is highly creative, energetic, friendly, and multi-talented. The 7:1 student-teacher ratio ensures individual attention.

VI. THE APPLICANT IS ENTITLED TO SPECIAL EXCEPTION RELIEF UNDER THE ZONING REGULATIONS

Uses that are allowed by special exception are deemed compatible with other uses permitted in the applicable zoning district provided certain requirements are met. In reviewing an application for a special exception under the Zoning Regulations, the discretion of the Board of Zoning Adjustment is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites of the Zoning Regulations are satisfied, the

BZA ordinarily must grant the application. See, e.g., Baker's Local Union No. 118 v. District of Columbia Board of Zoning Adjustment, 437 A 2d 176, 178 (D.C. 1981)

As set forth in greater detail below, approval of special exception relief in this case will satisfy the requirements of Section 3104.1 of the Zoning Regulations that require the special exception "be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps." In addition, the application complies with the private school requirements of Section 206 of the Zoning Regulations which states the private school must not be objectionable to adjoining and nearby property because of noise, traffic, number of students or otherwise objectionable conditions and that there be ample parking provided.

VII. THE APPLICANT MEETS THE SPECIAL EXCEPTION STANDARDS FOR A PRIVATE SCHOOL, FOR A VERY MINOR INCREASE IN THE "CAP" ON STUDENTS FROM 226 TO 230 AND THE ELIMINATION OF THE TIME LIMITATION IN THE BZA ORDER

Pursuant to Section 3104.1, the School is seeking a special exception under Section 206 of the Zoning Regulations for the continued operation of a private school in the R-2 Zone District. The Applicant also requests a nominal increase in the maximum allowable students from 226 to 230. Section 206 provides that a private school is permitted in the R-2 District if the BZA finds that two requirements are met. First, the private school must not be objectionable to adjoining and nearby property because of noise, traffic, number of students or otherwise objectionable conditions (11 DCMR §206.2). Second, ample parking, but not less than that required under Chapter 21 of the Zoning Regulations, must be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile (11 DCMR §206.3).

Through previous applications approved by the BZA, the School has demonstrated that its program meets these standards over a fifty-year time period.

A. Noise

The proposed renewal of the special exception to operate the School and the minor increase in the student cap from 226 to 230 will not generate any additional noise

B. Traffic

There will be no increase in traffic as a result of the renewal of this special exception or by the minor increase in the student cap. Through the previous BZA approval, a traffic circulation plan and mitigation measures were instituted by the School to address neighborhood concerns. In addition, the School is working with a transportation consultant, Wells + Associates. The traffic consultant submitted the transportation assessment ("Traffic Study") dated January 23, 2014 to the Department of Transportation attached as Exhibit B. The Traffic Study concludes that the requested special exception will not have an adverse impact on the traffic operations of the surrounding roadway network. The Applicant will implement and maintain the following updated Traffic Management Plan Exhibit B.

Therefore, traffic and parking will not be adversely affected by this Application.

C. Number of Students and Faculty/Staff

The School is currently permitted to enroll a maximum of 226 students and 60 faculty and staff and does not exceed these allowable maximums. This application does request a modest increase in students from 226 to 230 to provide minor flexibility to accommodate unanticipated higher yields of admissions acceptance which may occur.

D. Ample Parking

The School currently provides 37 off-street parking spaces (29 in the rear surface parking lot and eight in the surface lot along 36th Street), less than the 40 parking spaces required by the Zoning Regulations. However, under the 2004 BZA Order 16977, the School received parking variances including a variance from Section 2101.1 concerning the number of parking spaces required based on a cap of 60 faculty and staff members. Since the Applicant only requests a minor increase (1 7%) in the student cap and no increase in the employee cap, there is no change required for the approved variance. Therefore, ample parking is provided.

Furthermore, the proposed nominal increase in students will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not substantially or adversely change the School's impact on the surrounding neighborhood, pursuant to Section 3104 1

VIII. UPDATING AND CONTINUATION OF CURRENT BZA CONDITIONS

The Applicant has complied with all of the conditions set forth in BZA Order No 16977. The Applicant has maintained ongoing communications with its neighbors, ANC 3F and filed the required annual operating reports with the Zoning Administrator. Exhibit D.

On March 7, 2014, the Applicant hosted a meeting for its neighbors to review the current application. On March 18, the Applicant appeared before ANC 3F ANC 3F voted to support this application, including the increase in students from 226 to 230, but the approval should be contingent with continued compliance with the current conditions as updated and for a period of only 5-10 years While the Applicant continues to believe a permanent approval of the current school operations is appropriate, the Board's approval should also be subject to following updating conditions, including:

Condition No. 1: *The Special Exception approved by this Order shall remain in effect for so long as the Applicant does not exceed the approved student and faculty levels for the School and Summer Camp and maintains the current improvements at the Property. However, any increased enrollment, faculty or proposed expansion of the improvements will automatically require a new special exception and/or other required zoning relief.*

Condition No. 2: *The parking layout of the small parking area in front of the school building on 36th Street, N.W. and the main parking area on Alton Place, N.W. shall be maintained in the current configuration. The Applicant shall ensure that the parking areas are used in the manner as configured and specifically that the drive aisle in the lot on Alton Place is not used for the parking of motor vehicles and that there is no stacked parking in the parking area in front of the school building on 36th Street.*

Condition No. 3: *The parking area on Alton Place shall be used during school hours only by faculty and staff. During after-school hours, the parking area may be used by school visitors, parents, and members of the board of trustees.*

Condition No. 4: *The Applicant shall maintain and enhance all landscaping in a healthy growing condition, replacing it when necessary.*

Condition No. 5: *The number of students (including students enrolled during the customary school term from September to June and during the CASA or similar summer program between June and August) shall not at any time exceed 230, no more than 50 of which shall be kindergarten students. "Students" is defined as those children who are enrolled in the school or participate in summer school or summer camp activities (including children who pay tuition or receive scholarships).*

Condition No. 6: *The hours of operation shall be between 7:30 a.m. and 6:00 p.m., Monday through Friday.*

Condition No. 7: *No trash collection shall occur before 9:00 a.m. or after 6:00 p.m., Monday through Friday.*

Condition No. 8: *The Applicant shall schedule deliveries at the subject property so that:*

- a) *No pickups or deliveries shall occur at any entrance located on the north side of the building (i.e., facing Alton Place) before 9:00 a.m. or after 6:00 p.m., Monday through Friday. The Applicant shall post and maintain a sign adjacent to the door located nearest to the parking lot on Alton Place indicating that no deliveries shall be accepted at that location except during the designated hours.*
- b) *Deliveries of produce, perishable goods, or similar items that are time-sensitive may be accepted at the building's main entrance on 36th Street between 7:00 a.m. and 9:00 a.m. on an occasional "as-needed" basis.*

- c) *No deliveries shall be made during the weekend or on school holidays.*

Condition No. 9: *The Applicant shall maintain and continue a community liaison group in cooperation with Advisory Neighborhood Commission 3F, including:*

- a) *Electronic notice of special events on a continuous basis, but not less than monthly, to ANC 3F and to all property owners or occupants in the 3500 and 3600 blocks of Yuma Street, 3500 and 3600 blocks of Alton Place and 4300 – 4500 blocks of 36th Street (“Neighbors”); and*
- b) *As required and/or requested, but not less than once a year, the community liaison group will meet at the school to review issues of ongoing interest, including traffic and parking, landscaping, compliance with BZA conditions, school operations, and upcoming construction and/or planned renovations and maintenance.*

Condition No. 10: *The Applicant shall not park a school bus or van (a) on any residential streets within the boundaries of ANC 3F or (b) on the subject property after school hours unless arrangements for off-site parking are terminated by the owner of the off-site parking area (or other third party who controls the parking area) and the Applicant is unsuccessful in making arrangements for alternative off-site parking. In the event the arrangements for off-site parking are terminated, the Applicant shall use good-faith efforts to make alternative arrangements for off-site parking promptly, and shall not park a school bus or van on the subject property after school hours for any period longer than 60 days. In the event a school bus or van is parked on the subject property, the Applicant shall report to the community liaison group with respect to its good-faith efforts to make alternative off-site parking arrangements within 14 days of the parking of a bus or van on the subject property and thereafter on a biweekly basis until the bus or van is relocated to an off-site property.*

Condition No. 11: *All mechanical equipment associated with the central heating and cooling (“HVAC”) systems shall be located in the basement of the school building or in other interior areas of the building, except that new or replacement HVAC equipment may be installed and operated on the exterior of the building (including its roof) so long as the new or replacement HVAC equipment (a) generates operating noise no greater than the noise generated by the HVAC equipment it replaces, (b) is screened from neighboring property, and (c) is no larger in size, shape, or profile than the HVAC equipment it replaces. Any HVAC equipment not permitted by this paragraph shall require Board of Zoning Adjustment approval as a modification of the special exception approved in this Order.*

Condition No. 12: *Evening and weekend activities or events at the subject property shall be restricted to those activities and events that are customary to an elementary school (kindergarten through eighth grade).*

- (a) *During activities or events at the school, ingress and egress shall be restricted to the building's main entrance on 36th Street, N.W.*

- (b) *The Applicant shall notify all persons on the List of Neighbors (described in Condition No. 9) of all planned activities or events at least one week in advance by mail or electronic mail.*
- (c) *Activities or events attracting 50 or more persons or 25 or more vehicles shall be restricted to a maximum of 12 per year.*
- (d) *This condition shall not to apply to the farmers market operating at the subject property.*

Condition No. 13: *The Applicant shall not rent or make the school or its facilities available for commercial or profit-making functions or activities such as dances, concerts, exercise classes, or other events. This condition shall not apply to the CASA or similar summer educational program or summer camp traditional to an elementary school offered by the Applicant or to the farmers market operating at the subject property.*

Condition No. 14: *The Applicant shall use its best efforts to ensure that:*

- a) *students enter and exit the school building by means of either the 36th Street entrance or the playground doors closest to 36th Street that face Yuma Street;*
- b) *faculty and staff enter and exit the school building through (i) the doors located on 36th Street, (ii) the doors adjacent to the Yuma Street playground, or (iii) the doors adjacent to the parking area on Alton Place for faculty and staff who park their vehicles in that parking area; and*
- c) *students, parents, visitors, faculty, and staff enter and exit the school building on the Alton Place (north) side of the building when coming to the subject property by bicycle and using a bicycle rack located on the Alton Place side.*

Condition No. 15: *The Applicant shall provide faculty and staff with incentives, including the Smart Benefits program, to encourage the use of public transportation or to carpool to and from the subject property. The Applicant shall post signs adjacent to the Alton Place parking lot reserving at least three parking spaces for, or giving priority to, persons who carpool.*

Condition No. 16: *The Applicant shall comply with, implement, and enforce the traffic management plan described in BZA Exhibit ___, as may be amended after consultation with the community liaison group.*

Condition No. 17: *No later than May 1st of each year, the Applicant shall submit an annual report to the Zoning Administrator setting forth its ongoing compliance with Conditions 2 through 16 of this Order during the prior calendar year, and shall transmit copies of the annual report, by mail or electronic mail, to the Office of Planning, ANC 3F, and the List of Neighbors. The annual report shall include, at minimum:*

- a) *detailed information on the number of students enrolled (by range and average number enrolled);*
- b) *a breakdown of faculty and staff by full-time, part-time, and contract basis for those contract personnel who work more than 10 hours per week on average; and*
- c) *the number of written complaints or allegations of non-compliance received by the Applicant during the prior year, with a description of the nature of the complaints or allegations and a copy of each complaint.*

Condition No. 18: *The Applicant shall notify in advance ANC 3F and the Neighbors of the renovation of the existing playground and/or any substantial maintenance or renovation, including interior work to be completed. The Applicant and community will meet to discuss the schedule and appropriate construction management measures for the playground project or any other larger scale maintenance work.*

Condition No. 19: *The Applicant shall not be required to obtain additional Board approval for the renovation of the existing playground provided that the existing footprint, location and topography or grade is generally maintained.*

IX. WITNESSES

In support of this Application, the School will introduce at least the following witnesses

- 1 Adele Paynter, Acting Head of School
- 2 Mike Stoll, Director of Finance and Administration
- 3 Jami L Milanovich, P E., Wells & Associates, Traffic Consultant

X. EXHIBITS

- Exhibit A. BZA Orders
- Exhibit B Traffic Study
- Exhibit C. Traffic Management Plan
- Exhibit D Annual Reports to Zoning Administrator
- Exhibit E Outline of Hearing Testimony and Resume for Expert Witness, Jami L Milanovich , P E , Wells & Associates Traffic Consultant

XI. CONCLUSION

For the above reasons, this application meets the criteria set forth in §206 for a special exception approval for the continued use of a private school with a minor increase in the “cap” on students and modification or elimination of conditions in the prior BZA order and is in harmony with the general purpose and intent of the Zoning Regulations and will not adversely affect neighboring property. The School respectfully requests the Board of Zoning Adjustment approve this Application.

Respectfully submitted,

GREENSTEIN DELORME & LUCHS, P C



By. _____
John Patrick Brown, Jr



By. _____
Kate M. Olson

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Washington, D C. 20036
Telephone (202) 452-1400

Attorneys for the Applicant

EXHIBIT A

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



Application No. 16977 of the Sheridan School, pursuant to 11 DCMR § 3104.1, for a special exception under § 206 to add 1,200 square feet of gross floor area to an existing building, to reconfigure the parking area in front of the school along 36th Street in order to add four (4) additional parking spaces, to increase the number of students enrolled in the school from 215 to 226, and to authorize the number of students who may be enrolled in the CASA summer program in excess of one hundred (100) students, and pursuant to 11 DCMR § 3103.2, a variance from the requirement that parking spaces be accessible at all times directly from an improved street or alley under § 2117.4, a variance from § 2115.1, from the minimum size requirement for a parking space, and a variance from the off-street parking requirements for an elementary or junior high school under § 2101.1, to allow a private school in the R-2 District at premises 4400 36th Street, N.W. (Square 1968, Lot 10).

HEARING DATE. September 30, 2003
DECISION DATE: November 4, 2003

DECISION AND ORDER

This application was filed on December 4, 2002 by the owner of the property that is the subject of the application, Sheridan School ("Applicant"), an existing private school use in an R-2 zone at 4400 36th Street, N.W. (Square 1968, Lot 10). The application was amended July 31, 2003 to request a special exception under 11 DCMR § 206 to (i) add 1,200 square feet of gross floor area to an existing building, (ii) reconfigure the parking spaces in front of the school building along 36th Street to add four additional parking spaces and reconfigure the parking lot on Alton Place, N.W. to accommodate 29 parking spaces, (iii) increase the maximum number of students from 215 to 226, and (iv) authorize the number of students enrolled in a summer program in excess of 100 students. The Applicant also requested variance relief from 11 DCMR § 2117.4, concerning access to required parking spaces from improved streets or alleys; § 2115.1, concerning the minimum size of parking spaces; and § 2101.1, concerning the parking requirement for an elementary or junior high school. The requested zoning relief was self-certified pursuant to 11 DCMR § 3113.2.

Following a public hearing, the Board voted 4-0-1 on November 4, 2003 to approve the application subject to conditions.

Preliminary Matters

Notice of Application and Notice of Hearing By memoranda dated December 4, 2002, the Office of Zoning gave notice of the filing of the application to the Zoning Administrator, the Office of Planning ("OP"), the Department of Transportation ("DDOT"); Advisory Neighborhood Commission ("ANC") 3F, the ANC for the area within which the subject property is located, the ANC commissioner for the affected single-member district, ANC 3F01; and the Councilmember for Ward 3.

The Board scheduled a public hearing on the application for February 25, 2003. Pursuant to 11 DCMR § 3113.13, the Office of Zoning, on December 19, 2002, mailed notice of the hearing to the Applicant, the owners of all property within 200 feet of the subject property, and ANC 3F. Notice of Hearing was also published in the *D. C. Register* on August 22, 2003, at 50 DCR 6971. The Board twice granted requests by the Applicant, with the support of ANC 3F, to continue the hearing so that the Applicant could seek resolution of outstanding issues with the ANC and neighbors of the school, and could amend its application to reflect resolution of the issues and to address transportation and parking issues raised by DDOT. The public hearing was held September 30, 2003. The Applicant's affidavit of posting indicates that zoning posters were placed on the subject property in plain view of the public on September 15, 2003.

Requests for Party Status. ANC 3F was automatically a party to this proceeding. The Board granted party status to Scott A. Schachter, who resides at 3627 Alton Place, N.W., but denied seven requests for party status by persons who were not present at the hearing.

Applicant's Case. The Applicant presented testimony and evidence from Randall Plummer, Head of School, with respect to the need to modernize the existing facility and to address neighborhood issues concerning the Sheridan School; the Applicant's architect, Michael Hickok, AIA, a principal in Hickok Warner Cole Architects,¹ with respect to the parking and landscape plans (Exh. 42A, exhibits A and D); and the Applicant's traffic planner, Martin J. Wells, President, Wells & Associates, with respect to traffic and parking studies. After the public hearing, on October 14, 2003, the Applicant submitted revised proposed conditions of approval of the application (Exh. 56, exhibits 2-4).

Public Agency Reports and Memoranda By memorandum dated September 19, 2003, the Office of Planning recommended approval of the application as

¹ The architectural firm formerly known as Hickok Warner Fox became Hickok Warner Cole Architects on April 1, 2003.

submitted by the Applicant (Exh. 49). OP reviewed the application in terms of the subject property's zoning, the intensity of use, the character of the neighborhood, and the standards for special exception and variance relief. By memorandum dated September 26, 2003, DDOT recommended approval of the application without any conditions (Exh. 52).

ANC Report. By resolution dated September 15, 2003 (Exh. 48), ANC 3F noted a unanimous vote, at a duly noticed public meeting with a quorum present, to approve the application with a request that the Board adopt certain conditions attached to the ANC's report. At the public hearing on September 30, 2003, Carl Kessler, Commissioner for single-member district ANC 3F01, and Cathy Wiss, ANC 3F Chair, testified about the Applicant's efforts to address community concerns. By letter dated October 21, 2003, ANC 3F submitted a resolution, approved unanimously at a duly noticed public meeting on October 20, 2003 with a quorum present, indicating that the ANC had no objection to the Applicant's revised proposed conditions of approval of the application (Exh. 58).

Party in Opposition. Scott Schachter, who had requested party status in opposition to the application, testified that he was not opposed to approval of the application subject to the Board's adoption of the proposed conditions submitted by the Applicant.

Persons in Support or Opposition The Board received two letters in support of the application, both from long-time residents of the 4300 or 4400 block of Reno Road, N.W. (Exs. 46 and 47). No persons submitted letters or testified in opposition to the application.

Findings of Fact

The subject property

1. The subject property is located at 4400 36th Street, N.W. (Square 1968, Lot 10) in the Van Ness neighborhood of Ward 3. The site is generally rectangular, with a frontage of approximately 225 feet along 36th Street, 307 feet along Alton Place, and 266 feet along Yuma Street, for a total lot area of approximately 70,647 square feet. The site slopes gently along Alton Place but suffers a substantial change of grade along the Yuma Street frontage.
2. The subject property is currently developed with a private school for 215 students. The school building was constructed circa 1964 for a maximum of 200 students pursuant to BZA Order No. 7282 (May 21, 1962). By Order No. 13089 (February 27, 1980), the Board approved construction of

an addition to the school to house two staff offices on the first floor and a science laboratory on the second floor. By Order No. 15656 (December 23, 1992), the Board approved an increase in enrollment to 215 students and the construction of an addition containing classrooms, a library, a gymnasium, and support facilities.

3. The Applicant currently uses the existing building on the subject property as a private school for kindergarten through eighth grades (i.e., lower school, middle school, and junior high school). The school now enrolls approximately 205 students, approximately 60 percent of whom live in the District of Columbia.
4. Fifty-five faculty and staff (including six outside contractors) currently work at the subject property either full- or part-time. The Applicant anticipates increasing its faculty and staff to 60 persons over the next 10 years (i.e. through 2013).
5. The subject property is zoned R-2.
6. A farmers market operates on school grounds during certain evening and weekend hours in spring and summer months. The Applicant indicated that its proposal to restrict evening and weekend activities at the subject property was not intended to apply to or prevent the continuation of the farmers market, which enjoys widespread support in the community. The representative of ANC 3F also testified in support of continuing the operation of the farmers market on the subject property.
7. The Applicant makes its playground on the Yuma Street (south) side of the school building available to the community during non-operational hours (i.e., after 6:00 p.m. to dusk Monday through Friday and during daylight hours on weekends and school holidays) except when a school event is scheduled.

The Applicant's proposal

8. The Applicant proposes to expand the existing private school use through:
 - (a) an increase in the maximum enrollment from 215 to 226 students, phased in over three years;
 - (b) approval of the number of students who may be enrolled in the school's summer educational program in excess of 100, to a maximum of 226 students;

- (c) the construction of additions of 150 square feet to each of eight classrooms to increase their size and versatility;
 - (d) the reconfiguration of a small parking area in front of the school on 36th Street to accommodate eight vehicles; and
 - (e) the reconfiguration of a parking lot on Alton Place to accommodate 29 vehicles.
9. The Applicant stated that the requested increase in enrollment – from 215 to 226 students – would provide flexibility and assist the school in stabilizing its annual finances. According to the Applicant, the higher enrollment would not cause objectionable conditions or adversely affect neighboring property because the number of additional students would be small, and because the Applicant anticipated that the maximum number of students enrolled in any given year would not necessarily reach the cap of 226.
10. The Applicant also proposed an enrollment cap of 226 students for its summer educational program, known as CASA (Creative Arts Summer Adventure). The CASA program, which has been operating at the school for eight years, offers educational services in two sessions, each three and a half weeks long, between late June and early August. In 2002 approximately 192 students attended each session. The CASA program requires fewer teachers and staff than are provided from September through June.
11. The proposed additions, in the form of bays adding 150 square feet to each of eight classrooms, will increase the gross floor area of the building by four percent. The bays will be separated from nearby houses by at least 100 feet. Normal day-to-day activities in the eight enlarged classrooms, which are currently used by students in kindergarten through third grade, are unlikely to create any noise that would be heard by residents of nearby houses, particularly since the new construction would result in better soundproofing through the use of thicker glazing on the classroom windows.
12. The classroom additions, constituting a total of approximately 1,200 square feet of gross floor area, will be constructed as shown on the site plan prepared by Hickok Warner Cole dated July 29, 2003 (Exh. 42A) and the floor plans and elevations prepared by Hickock Warner Fox dated October 14, 2002 (Exh. 1).

13. Under Chapter 21 of the Zoning Regulations, a private school use is required to provide two parking spaces for every three employees. The Applicant is therefore required to provide 36 parking spaces for its 55 current employees. By increasing the number of employees to 60, the Applicant would be required to provide at least 40 parking spaces on the subject property pursuant to §§ 206 and 2101.1
14. The Alton Place lot is presently striped to accommodate 22 parking spaces, including one handicapped space. The Applicant's proposal to employ tandem parking and parking for compact cars would make room for seven additional cars, for a total of 29 parking spaces in the lot on Alton Place. With the addition of eight parking spaces in the lot on 36th Street, the subject property will accommodate a total of 37 parking spaces on site, where there are currently 26 spaces.
15. The Applicant requested three variances related to parking:
 - (a) a variance from the requirement under § 2117.4 that each parking space must be accessible at all times directly from an improved street or alley, so that the Applicant could provide tandem spaces in its main parking lot on Alton Place,
 - (b) a variance from the requirement under § 2115.1 that each parking space must be at least nine feet in width and 19 feet in length, so that the Applicant could provide parking spaces for compact cars, thereby maximizing the total number of spaces provided on-site, and
 - (c) a variance of three spaces from the requirement under § 2101.1 that an elementary or junior high school must provide two parking spaces for each three teachers and other employees, so that the Applicant could increase the number of faculty and staff from 55 to 60 over the next 10 years.
16. The Applicant stated that the tests for the requested area variances were satisfied:
 - (a) The subject property is unique given the steep slope and dramatic change of grade that exists along the south side of the property. The slope and change of grade result in a hillside along Yuma Street that comprises approximately 15 percent of the lot area of the subject property and is unusable.

- (b) The unique lot conditions cause practical difficulties in that the Applicant is not able to provide parking on the subject property other than in the parking lots currently provided along Alton Place and 36th Street. The area between the steep hillside along Yuma Street and the school building is occupied in part by outdoor play areas. The remainder of the site is occupied by the school building, by landscaped areas, and by the small parking lot on 36th Street and the main parking lot along Alton Place. There is no land on which to locate additional full-sized parking spaces or additional non-tandem spaces
 - (c) The requested variances would not cause substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan. Tandem parking would keep the drive aisle unobstructed, where a "stacked" arrangement, in which cars are parked in the drive aisle, has been in place for many years without adverse impact on the surrounding neighborhood and with few complaints. By maximizing available parking on-site, the Applicant would relieve overflow parking pressure on nearby streets and eliminate or minimize the need for on-street parking by faculty and staff, even with modest growth in the number of employees over the next 10 years
- 17. The Applicant submitted a transportation study prepared by Wells & Associates, LLC dated July 30, 2003 (Exh 42A, exhibit 3), which concluded that no substantial detriment to the public good would result from the grant of the requested variances. The study's findings included that:
 - (a) 36th Street at Yuma Street and Alton Place currently operates at acceptable levels of service, at less than a third of capacity;
 - (b) with respect to traffic, the peak hours of the school and the street do not coincide, with the school peak occurring 15 minutes before the street peak in the morning and one and a half hours earlier than the street peak in the afternoon;
 - (c) the school presently generates approximately 325 to 335 vehicle-trips during school peak hours;

- (d) the proposed increase in enrollment to 226 students would generate up to 34 additional school peak hour vehicle trips, which would have no significant adverse traffic impacts and would not be objectionable; and
 - (e) safe and efficient traffic and pedestrian flows were generally observed in the vicinity of the subject property on school days, with through traffic on neighborhood streets moving at appropriately slow speeds, unimpeded by Sheridan school traffic.
- 18. The Applicant submitted a landscaping plan (Exhibit No 42, Tab D) designed to screen and landscape the parking lot on Alton Place to decrease its visibility to neighbors and to improve the landscaping of the subject property generally, especially around the perimeter of the site.
- 19. The Applicant proposes to implement and enforce a traffic management plan whose elements include school policies governing the morning drop-off and afternoon pickup procedures for students who are driven to school. Requirements of the transportation management plan include that:
 - (a) vehicles used in dropping off or picking up students along the west side of 36th Street between Alton Place and Yuma Street may not park or leave their vehicles unattended;
 - (b) students may not cross in the middle of the block on 36th Street between Alton Place and Yuma Street,
 - (c) U-turns are not permitted on 36th Street between Alton Place and Yuma Street;
 - (d) vehicles may not be parked in front of the driveways or on the lawns of any nearby residential properties, and
 - (e) vehicles may not be double-parked on any neighborhood streets.
- 20. The Applicant proposes to continue a community liaison group, in cooperation with ANC 3F, to report on the Applicant's compliance with the conditions of approval of its application, to provide a forum for neighborhood residents to express their concerns about the operations and activities of the Applicant, and to notify residents of upcoming special events at the subject property. Pursuant to the Applicant's proposal:

- (a) The community liaison group will meet at least four times per year. The Applicant will send notice of each meeting at least two weeks in advance, by mail or electronic mail, to all property owners or occupants located in the 3500 and 3600 blocks of Yuma Street, N.W., the 3500 and 3600 blocks of Alton Place, N.W. and the 4300-4500 blocks of 36th Street, N.W. ("List of Neighbors"), unless an affected property owner or occupant has notified the Applicant in writing of a desire not to receive further notices. The Applicant will also transmit, every September, an annual schedule of the meetings of the community liaison group to ANC 3F and the List of Neighbors.
 - (b) The community liaison group will discuss and attempt to resolve issues such as concerns about the conduct of the school's activities and operations; implementation of the drop-off and pick-up program; use of public transportation and carpooling by faculty and staff; implementation of the landscaping plan and ongoing maintenance and replacement of plant material; compliance with conditions adopted by the Board; traffic reduction and traffic safety; and other issues of interest pertaining to the school. The Applicant will also use the meetings to notify the community of upcoming special or other events at the subject property.
 - (c) To ensure accurate information is made available to residents of the neighborhood, the Applicant will take detailed minutes of all meetings of the community liaison group and transmit them by mail or electronic mail to the List of Neighbors. The minutes will be maintained for a minimum of two years by the Applicant and will be made available for public inspection.
- 21. The Office of Planning concluded that the application was consistent with the requirements of § 206 because approval of the requested special exception would not create adverse impacts on neighboring property with respect to noise, number of students, traffic, or parking.
- 22. OP stated that the subject property is unique due to its exceptional slope and topography, and that a practical difficulty would result to the Applicant if required to provide parking as specified in the Zoning Regulations. With respect to the Applicant's proposal to provide stacked parking, OP noted that all of the off-street parking spaces were intended for long-term parking by employees of the school, which would provide a low turnover rate suitable to the use of smaller parking spaces. OP concluded that the

requested variances could be granted without substantially impairing the intent and purpose of the zone district, noting that the impact of the variances would be contained within the subject property with no adverse impact on the adjoining neighborhood.

23. The Department of Transportation recommended approval of the application, and did not identify any objectionable conditions or adverse impacts associated with the requested special exception or variances
24. ANC 3F recommended approval of the application subject to the proposed conditions devised jointly by the Applicant and representatives of the surrounding neighborhood, along with the Applicant's proposed construction management plan and landscape management plan. The ANC subsequently indicated its support for the revised proposed conditions submitted by the Applicant on October 14, 2003.

Conclusions of Law

Special exception. The Applicant seeks a special exception to expand its existing private school use by (a) increasing maximum enrollment from 215 to 226 students; (b) allowing up to 226 students to enroll in the summer educational program; (c) enlarging the school building through construction of small additions (each 150 square feet) to eight classrooms; and (d) modifying two parking areas at the subject property to increase parking on-site. The Board is authorized to grant a special exception where, in its judgment, the special exception will "be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps..." 11 DCMR § 3104.1. The Application must also satisfy § 206 of the Zoning Regulations, which requires that a private school use must 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" and that "ample parking space" is provided to "accommodate the students, teachers, and visitors likely to come to the site by automobile" 11 DCMR § 206.

The Board concurs with the Applicant and the Office of Planning that the requested increases in student enrollment and in authorized participation in the summer educational program are not likely to cause objectionable conditions or adversely affect neighboring property. The higher enrollment cap represents an increase of only 11 students (or five percent) over the current maximum permitted enrollment, and will be phased in gradually with a maximum of 215 students during the 2004-2005 school year and a maximum of 220 during the 2005-2006 school year. Similarly, the summer educational program has been in operation for

at least eight years, and, by complying with the same cap in effect for student enrollment, is not likely to cause objectionable conditions or adversely affect neighboring property, particularly since fewer faculty and staff are required for the summer program than during the regular school year. The Board credits the findings of the Applicant's transportation study in concluding that the proposed increase in enrollment will not create objectionable traffic impacts.

The Board also concurs with the Applicant and the Office of Planning that the proposed additions to the school building and the reconfiguration of the parking areas are not likely to cause objectionable conditions or adversely affect neighboring property. The proposed additions will increase the gross floor area of the building by only four percent, will be at least 100 feet from any neighboring residence, and will likely lessen any noise impacts associated with the private school use due to the type of windows to be installed in the additions. Reconfiguration of the parking areas will not create adverse impacts on neighboring property but will further reduce the likelihood of spillover parking on neighborhood streets by increasing the number of parking spaces available on the subject property from 26 to 37.

The Board concludes that, pursuant to §§ 206 and 3104.1, the special exception relief requested for the private school can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map, and that as conditioned by this order, the special exception will not tend to affect adversely the use of neighboring properties in accordance with the Zoning Regulations and Map.

Variances The Applicant also seeks variances from requirements concerning access to parking spaces on the subject property, the minimum size of the parking spaces, and the number of parking spaces required for private school use under chapter 21 of the Zoning Regulations. A private school use is required to provide "[a]mple parking space, but not less than that required in chapter 21 ... to accommodate the students, teachers, and visitors likely to come to the site by automobile." 11 DCMR § 206.3.

The Board is authorized to grant a variance from the strict application of the zoning regulations where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of the property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, provided that relief can be granted without substantial detriment to the public good and without substantially impairing the intent,

purpose, and integrity of the zone plan as embodied in the zoning regulations and map. D.C. Official Code § 6-641.07(g)(3) (2001); 11 DCMR § 3103.2.

The Board concurs with the Applicant and OP that the subject property is unique in light of the steep slope and dramatic change of grade along its south side. The topography results in a hillside comprising approximately 15 percent of the lot area that is unusable for building, parking, or driveway purposes. The strict application of the Zoning Regulations would result in practical difficulties to the Applicant because the exceptional topographical conditions of the site render a significant portion of the subject property unusable and diminish the Applicant's ability to provide parking spaces on-site other than in the two existing lots

The Board also concludes that the requested variances would not cause substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan. By requesting variances from §§ 2117.4 and 2115.1 so as to permit tandem spaces and parking for compact cars, the Applicant will be able to maximize the number of vehicles that can be parked on the subject property without obstructing the drive aisle, thereby diminishing the likelihood of any spillover parking on neighborhood streets. Neither the Applicant's traffic expert nor DDOT identified any adverse impacts associated with the requested variances. Any negative visual impacts on neighboring property associated with the parking lots will be mitigated by the landscaping that the Applicant will plant and maintain on the school grounds, and by the Applicant's obligation to arrange to park school buses or vans at an off-site parking area.

By requesting a variance from § 2101.1, the Applicant seeks permission to increase the number of employees of the private school use at the subject property without providing additional parking spaces. After reconfiguration of the parking lots, the subject property will contain 37 parking spaces, while the Applicant currently has 55 faculty and staff and projects an increase to 60 employees by 2013. The strict application of the Zoning Regulations would require the Applicant to provide at least 40 parking spaces for 60 employees. The Board concludes that an increase in the number of employees at the subject property from the current 55 to 60 over the next 10 years is not likely to become objectionable to adjoining or nearby property because of traffic or parking or otherwise objectionable conditions, and that the 37 parking spaces provided on the subject property in the reconfigured parking lots will provide ample parking to accommodate the students, teachers, and visitors likely to come to the site by automobile. With the increase in the number of parking spaces provided on site, effective implementation of the transportation management plan, and provision of incentives to encourage faculty and staff to take public transportation or carpool, a

modest increase in the number of faculty and staff over the next 10 years is not likely to create objectionable impacts.

Based on the findings of fact, and having given great weight to the recommendations of the Office of Planning and to the issues and concerns of ANC 3F, the Board concludes that the Applicant has met its burden of proof. The Board has imposed numerous conditions in this order in response to the Applicant's proposal and the recommendations of the ANC. In addition, the Board concludes that a 10-year term is appropriate for the requested special exception.

It is hereby **ORDERED** that the application is **GRANTED**, subject to the following conditions:

1. The special exception approved by this Order shall remain in effect for **TEN (10)** years from the effective date of this Order.
2. The parking layout of the small parking area in front of the school building on 36th Street, N.W. and the main parking area on Alton Place, N.W. shall be as shown on Exhibit 42A of the record. The Applicant shall ensure that the parking areas are used in the manner depicted on Exhibit 42A, and specifically that the drive aisle in the lot on Alton Place is not used for the parking of motor vehicles and that there is no stacked parking in the parking area in front of the school building on 36th Street.
3. The parking area on Alton Place shall be used during school hours only by faculty and staff. During after-school hours, the parking area may be used by school visitors, parents, and members of the board of trustees.
4. The Applicant shall provide landscaping as shown on the landscaping plan prepared by Hickok Warner Cole dated July 16, 2003 (Exh 42A), and shall maintain all landscaping in a healthy growing condition, replacing it when necessary in accordance with the landscaping conditions marked as Exhibit 45 (Tab B) of the record.
5. The number of students (including students enrolled during the customary school term from September to June and during the CASA or similar summer program between June and August) shall not at any time exceed 226, no more than 50 of which shall be kindergarten students; provided that:
 - a) the number of students shall not exceed 215 during the 2004-2005 school year and 220 during the 2005-2006 school year,
 - b) the Applicant shall complete the landscaping plan (Ex. 42A) and the revisions to the parking lots on Alton Place, N.W. and 36th Street,

N W. (Exhibit 42A) prior to any increase in enrollment above 215 students; and

- c) “students” is defined as those children who are enrolled in the school or participate in summer school or summer camp activities (including children who pay tuition or receive scholarships).
- 6 The hours of operation shall be between 7:30 a.m. and 6:00 p.m., Monday through Friday.
- 7 No trash collection shall occur before 9:00 a.m. or after 6:00 p.m., Monday through Friday.
8. The Applicant shall schedule deliveries at the subject property so that:
- a) No pickups or deliveries shall occur at any entrance located on the north side of the building (i.e., facing Alton Place) before 9:00 a.m. or after 6:00 p.m., Monday through Friday. The Applicant shall post a sign adjacent to the door located nearest to the parking lot on Alton Place indicating that no deliveries shall be accepted at that location except during the designated hours.
 - b) Deliveries of produce, perishable goods, or similar items that are time-sensitive may be accepted at the building's main entrance on 36th Street between 7:00 a.m. and 9:00 a.m. on an occasional “as-needed” basis.
 - c) No deliveries shall be made during the weekend or on school holidays.
- 9 The Applicant shall maintain and continue a community liaison group in cooperation with Advisory Neighborhood Commission 3F, as described in Finding of Fact No. 16.
- 10 The Applicant shall not park a school bus or van (a) on any residential streets within the boundaries of ANC 3F or (b) on the subject property after school hours unless arrangements for off-site parking are terminated by the owner of the off-site parking area (or other third party who controls the parking area) and the Applicant is unsuccessful in making arrangements for alternative off-site parking. In the event the arrangements for off-site parking are terminated, the Applicant shall use good-faith efforts to make alternative arrangements for off-site parking promptly, and shall not park a

school bus or van on the subject property after school hours for any period longer than 60 days. In the event a school bus or van is parked on the subject property, the Applicant shall report to the community liaison group with respect to its good-faith efforts to make alternative off-site parking arrangements within 14 days of the parking of a bus or van on the subject property and thereafter on a biweekly basis until the bus or van is relocated to an off-site property.

11. All mechanical equipment associated with the central heating and cooling ("HVAC") systems shall be located in the basement of the school building or in other interior areas of the building, except that new or replacement HVAC equipment may be installed and operated on the exterior of the building (including its roof) so long as the new or replacement HVAC equipment (a) generates operating noise no greater than the noise generated by the HVAC equipment it replaces, (b) is screened from neighboring property, and (c) is no larger in size, shape, or profile than the HVAC equipment it replaces. Any HVAC equipment not permitted by this paragraph shall require Board of Zoning Adjustment approval as a modification of the special exception approved in this Order.
12. Evening and weekend activities or events at the subject property shall be restricted to those activities and events that are customary to an elementary school (kindergarten through eighth grade).
 - (a) During activities or events at the school, ingress and egress shall be restricted to the building's main entrance on 36th Street, N.W
 - (b) The Applicant shall notify all persons on the List of Neighbors (described in Finding No. 16(a)) of all planned activities or events at least one week in advance by mail or electronic mail
 - (c) Activities or events attracting 50 or more persons or 25 or more vehicles shall be restricted to a maximum of 12 per year.
 - (d) This condition shall not to apply to the farmers market operating at the subject property.
13. The Applicant shall not rent or make the school or its facilities available for commercial or profit-making functions or activities such as dances, concerts, exercise classes, or other events. This condition shall not apply to the CASA or similar summer educational program or summer camp

traditional to an elementary school offered by the Applicant or to the farmers market operating at the subject property

14. The Applicant shall use its best efforts to ensure that:

- a) students enter and exit the school building by means of either the 36th Street entrance or the playground doors closest to 36th Street that face Yuma Street;
- b) faculty and staff enter and exit the school building through (i) the doors located on 36th Street, (ii) the doors adjacent to the Yuma Street playground, or (iii) the doors adjacent to the parking area on Alton Place for faculty and staff who park their vehicles in that parking area; and
- c) students, parents, visitors, faculty, and staff enter and exit the school building on the Alton Place (north) side of the building when coming to the subject property by bicycle and using a bicycle rack located on the Alton Place side.

15. The Applicant shall provide faculty and staff with incentives, including the MetroChek program, to encourage the use of public transportation or to carpool to and from the subject property. The Applicant shall post signs adjacent to the Alton Place parking lot reserving at least three parking spaces for, or giving priority to, persons who carpool

16. The Applicant shall comply with, implement, and enforce the traffic management plan described in Finding of Fact No ~~15~~⁷, as may be amended after consultation with the community liaison group.

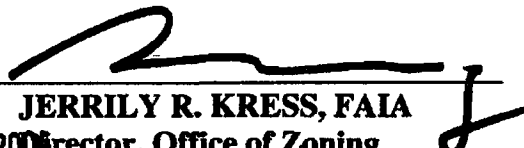
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17. No later than March 1st of each year, the Applicant shall submit an annual report to the Zoning Administrator setting forth its ongoing compliance with Conditions 2 through 16 of this Order during the prior calendar year, and shall transmit copies of the annual report, by mail or electronic mail, to the Office of Planning, ANC 3F, and the List of Neighbors. The annual report shall include, at minimum:

- a) detailed information on the number of students enrolled (by range and average number enrolled);

- b) a breakdown of faculty and staff by full-time, part-time, and contract basis for those contract personnel who work more than 10 hours per week on average; and
 - c) the number of written complaints or allegations of non-compliance received by the Applicant during the prior year, with a description of the nature of the complaints or allegations and a copy of each complaint.
18. The Applicant shall comply with, implement, and enforce the construction management plan dated September 16, 2003 (Exh. 45 (Tab C) during the period of construction of the interior and exterior work described in the plans and drawings submitted in conjunction with the subject application.
19. The Applicant shall have flexibility to make minor revisions to any plans submitted in the record for renovations, rehabilitation, or replacements located in the interior of the school building so long as the revisions are not visible from adjacent or nearby property, do not require any new or additional zoning relief, and do not violate any condition set forth in this Order.

VOTE: **4-0-1** (Ruthanne G. Miller, David A. Zaidan, Carol J. Mitten, and Curtis L Etherly, Jr. (by absentee vote) voting to approve the application; Geoffrey H. Griffis not voting, having recused himself)

ATTESTED BY: 
JERRILY R. KRESS, FAIA

Director, Office of Zoning

FINAL DATE OF ORDER: ~~FEB 04 2004~~
FEB 04 2004

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

Each concurring member has approved the issuance of this Order

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE

UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. MN/RSN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15656 of the Sheridan School pursuant to 11 DCMR 3108.1, for a special exception under Section 206 to allow an increase in the number of students of a private school from 200 to 215, and an addition containing classrooms, library, gymnasium and support facilities for a private school in an R-2 District at premises 4400 36th Street, N.W. (Square 1968, Lot 10).

HEARING DATE: May 20, 1992
DECISION DATE: June 17, 1992

ORDER

SUMMARY OF EVIDENCE OF RECORD:

1. The site is located in the eastern portion of Square 1968 and is bounded by Yuma Street, N.W. to the south, 36th Street, N.W. to the east and Alton Place, N.W. to the north. The site is located between Reno Road and Connecticut Avenue, N.W. and is known as premises 4400 36th Street, N.W. It is zoned R-2.

2. The site is generally rectangular in shape with a frontage of 235 feet along 36th Street, 306.72 feet along Alton Place, and 265.95 feet along Yuma Street for a total lot area of approximately 70,647 square feet. The site slopes gently along Alton Place with a substantial change of grade to the Yuma Street frontage.

3. The site is currently developed with a private school for 200 students which was constructed circa 1964 pursuant to BZA Order No. 7282. By Order No. 13089 dated February 27, 1980, the Board approved the construction of an addition to the school to house two offices on the first floor and a science room on the second floor.

4. The area surrounding the subject site is primarily developed with single-family detached and semi-detached dwellings in the R-2 and R-1-B Districts. Two blocks west of the site, along Connecticut Avenue, are C-3-A and R-5-C zone districts. The Diplomatic Overlay zone is located one block southeast of the site. The University of the District of Columbia and the Van Ness-UDC Metro Station are approximately two blocks from the site.

5. The applicant is seeking a special exception to expand its current physical plant and to increase its enrollment from 200 to 215 students. No variances or other zoning relief are needed.

6. The R-2 District primarily permits single-family detached and semi-detached dwellings. It also permits certain institutional uses, including churches and schools. Private schools are allowed as a special exception with Board approval, subject to the following provisions:

- a. The private 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.
- b. 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.

7. The Sheridan School is a small independent school with approximately 200 students of diverse backgrounds. The school includes kindergarten through eighth grade -- a lower school, middle school and junior high school. It is a not-for-profit institution, governed by a Board of Trustees and administered by a headmaster. The school's philosophy places priority on preparing students to meet academic and personal challenges in a supportive and stimulating environment emphasizing individual growth and community responsibility. Mathematics, science, reading, writing, foreign language, computer education, physical education and athletics, art and music are integral parts of the school's curriculum. Extra curricular activities include a newspaper, computer club, year book, photography club, orchestra, sports and a mountain campus.

8. The school exists in a highly competitive academic community and seeks to maintain its reputation for offering quality education. The school is the only kindergarten through eighth grade independent school located in northwest Washington. The school has one section per grade. Class sizes average 22 to 24 students. Seventy-five percent of its families live in the District of Columbia. Approximately 37 percent of the students live within a ten-block radius of the site.

9. There are currently the equivalent of 39 full-time teachers and staff. The academic hours of operation are currently 8:30 a.m. to 3:30 p.m. Daycare programs for the students begin at 7:30 a.m. After-school daycare activities and evening programs run from 3:30 to 6:00 p.m.

10. The applicant proposes to construct an addition to the existing building to modernize the facility to meet current and future requirements. The existing building has many obsolete features and is too small to meet the school's physical needs.

11. The proposed modernization plan includes larger classrooms for fourth to eighth grades; room for computer technology throughout the school; a separate gymnasium that will still be smaller than the recommended size for a junior high school; a larger library; math room and science room; a music room insulated from outside noise and large enough for instruments and movement activities; a foreign language classroom; four small tutoring rooms; and improved storage space. The proposed modernization will also bring the building into compliance with the Americans with Disabilities Act.

12. The existing classrooms are smaller than the average square footage per student for D.C. public schools (33 square feet), Montgomery County public schools (38.08 square feet) and several independent schools with which Sheridan competes (36 to 37 square feet). The existing building contains 30 square feet of space per student for kindergarten through third grade, 21 square feet of space per student for fourth through sixth grades, and 25 square feet of space per student for seventh and eighth grades. The proposed modernization would increase the average classroom size from 26 square feet to 32 square feet.

13. The school had an enrollment of 204 students for the 1991-92 school year. The headmaster testified that the school accepts more than 200 applications per year to ensure that 200 students are actually enrolled in order to satisfy its budget needs for tuition income. The applicant requests flexibility to allow up to 215 students. The applicant testified that the school does not intend to increase its 200 student base, but desires flexibility to accommodate an increase when actual enrollment exceeds the 200 students cap by a small percentage.

14. The school sponsors approximately ten activities per year which attract 100 or more people. These events include such school-related activities as the Fall Fair, School Play, Spring Musical, etc. The school has previously leased its facility for non-school related activities such as a Jazzercise class but has discontinued such activities because of neighborhood concerns regarding noise and traffic. The school will not rent its facility for commercial activities in the future.

15. The applicant's representative testified that the school enhances the neighborhood in which it is located in that it provides an educational alternative for families in the District; its playground is open for use by nearby residents and their children; and the site provides visual open space. In addition, the school participates in community outreach, including making space available to the neighbors for a Saturday morning produce market, picking up litter in the neighborhood, visiting nearby senior citizens, providing food and clothing for needy residents

and making available, at no charge, its outdoor education center in the Shenandoah Mountains for children from the Allen Outreach Center in Anacostia.

16. The school proposes to establish a Sheridan Neighbors' Advisory Council to give the neighbors an ongoing forum to express their ideas and to hold the school accountable for compliance with the Board's order. The Advisory Council would meet on a quarterly basis, or more often, as requested by the neighborhood. The school is willing to submit to the Zoning Administrator an annual report on its compliance with the Board's order with copies to the Office of Planning and Advisory Neighborhood Commission 3F.

17. The proposed two-story addition will contain approximately 15,500 square feet to be located primarily west of the existing building. The existing school, with the proposed addition, would contain a total of approximately 37,300 square feet of gross floor area.

18. The existing height of the structure is approximately 23 feet. The proposed height of the building addition would be approximately 32 feet measured from the finished grade level at the middle of the front of the building to the ceiling of the top story. The building height measured at the new westernmost point will be 21.6 feet. The R-2 Zone District permits a height of 40 feet.

19. The R-2 Zone District has a minimum side yard requirement of eight feet. The applicant is proposing a 19-foot wide side yard along the addition's western boundary on the Alton Place side.

20. The allowable lot occupancy for a church or a public school in the R-2 District is 60 percent. The allowable lot occupancy for all other uses is 40 percent. The proposed lot occupancy of the school, with the addition, would be approximately 30 percent. The allowable floor area ratio (FAR) in an R-2 zone district is 0.9. The FAR of the proposed project is 0.53.

21. The proposed addition will be set back approximately 60 feet from Alton Place and about 53 feet from Yuma Street. It would be sited 10 to 20 feet lower than Yuma Street.

22. The applicant's architect testified that the location and design of the proposed addition was selected over several alternative schemes as having the least impact on the neighborhood and providing for the school's optimal program requirements. The location of the proposed addition to the west of the existing structure will reduce its visual impacts on the houses located to the south and east along Yuma Street.

23. The proposed addition will be constructed of brick and concrete block building materials to complement the architecture of the existing structure.

24. The height of the proposed addition will be less than 40 feet as permitted in the R-2 District. In addition, the proposed addition will have a mansard roof to reduce the visual perception of the apparent height of the building.

25. The applicant proposes to retain as much of the existing landscaping as possible. The applicant also proposes additional landscaping along the western and southern portions of the site to further screen the school from nearby residences. On the western edge, there will be a combination of evergreen shrubs and plants, a trellis with a twining vine and approximately four other trees such as pine or willow oaks. Along Yuma Street, the southern portion of the site, there will be a mixture of canopy and flowering trees with evergreen shrubs.

26. In response to the concerns expressed by neighborhood residents regarding the inadequacy of the existing landscaping, the applicant has invited neighborhood participation in the final detailing of the landscape plan for the site. In addition, the applicant began implementation of the landscaping plan with the planting of five canopy trees along Yuma Street.

27. The nearest residential structure to the proposed addition is located at 3634 Alton Place. There is a six-foot "overlap" between the proposed addition and the residential structure at 3634 Alton Street. The gym is set back 19 feet from the property line or 27 feet from the adjacent structure. The height of the residential structure at 3634 Alton Street is higher than the roof line of the proposed gym. The applicant proposes to soften the visual impact of the western walls by screening them with landscaping to resolve any visual impacts of height and bulk. The applicant submitted shadow studies indicating that shadows created by the proposed addition will have a negligible impact on the adjacent properties due to the change in topography and the shadows from the existing building.

28. The applicant's representative testified that a unified playground is an important part of the proposed plan. The proposed play area will measure approximately 38,000 square feet and will contain a paved play area, a grass play area, and playground equipment. The play area is located on the southern portion of the lot.

29. The applicant's representative testified that all deliveries and trash pick-up shall occur after 7:00 a.m. The applicant has designated a representative to be contacted in case there are any problems with the delivery and/or trash pick-up schedule.

30. The mechanical equipment associated with the proposed central heating and cooling systems will be located in the basement of the building. The applicant's expert acoustical engineer testified that it will not be audible at the northwest property line which is nearest the proposed addition.

31. There was further expert testimony that the gymnasium, which will not have windows along the western edge, will not have any adverse noise impact or create objectionable conditions on adjoining properties. Doors on the south side of the addition will be for emergency exiting only. Persons attending events will be directed to use the front entrance of the school along 36th Street.

32. The applicant's expert aeronautical engineer and aerodynamics expert testified that there will be no wind tunnel effect resulting from the relationship between the school's proposed gymnasium and the adjacent property at 3634 Alton Place. Considering the existing and proposed building geometries, the features of the surrounding terrain and the substantial number of adjoining buildings and trees surrounding the site of the addition, the expert witness concluded that no wind tunnel effect would occur.

33. The applicant's representative testified that during construction there will be no adverse impact from vibrations on neighboring property because either caissons or auger cast pile foundations will be used.

34. In December 1991, five months before the public hearing and prior to the filing of the BZA application, the applicant invited the community to review the revised plan at a number of neighborhood meetings. In early 1992, a neighborhood negotiating team was established. Negotiations were taking place up until the time of the public hearing. The major concerns expressed on behalf of the neighbors related primarily to size and scale, setback, noise from the air conditioning equipment and the gym, and landscaping. There was also concern about the school's compliance with the 1963 Order establishing the school at the site.

35. Between December 1991 and the time of the public hearing, the applicant revised its plans in an effort to respond to the issues raised by the neighbors which included increasing the setback of the building from eight to 19 feet on the side closest to the adjacent western residence; placing the HVAC in the basement of the building to eliminate noise; eliminating all windows in the

gym; eliminating all doors on the western side of the gym and one set of exit doors on the south side to reduce potential noise; placing panic bars on the on the emergency exit doors to the gym; hiring an expert landscape architect to develop a comprehensive landscaping plan; and beginning implementation of the landscape plan prior to any BZA action on the application.

36. The school's expert traffic consultant testified that there would be no objectionable conditions created by the addition of 15 students to the Sheridan enrollment. The levels of service at the intersections of 36th Street and Alton Place and 36th and Yuma Streets will remain at levels of service A during morning and evening peak hours. He testified that under the proposed plan, there will be 26 parking spaces at the site. This meets the D.C. Code requirement of two parking spaces for every three employees. Twenty-two spaces will be located on the northern portion of the site with two curb cuts along Alton Place. There will be four spaces in the circular driveway at the front of the building along 36th Street N.W.

37. The traffic consultant testified that the existing drop-off and pick-up of students is organized and efficient. A staff person meets each child and helps the child out of the car. Children are taught to cross only at the crosswalk. The school places cones by nearby driveways to ensure that parents picking up their children do not block access to neighboring properties.

38. The Office of Planning, by memorandum dated May 13, 1992, recommended conditional approval of the application. The OP was of the opinion that the proposed increase in enrollment is minimal and would not impact the surrounding area adversely. Additionally, OP was of the opinion that the proposed addition would not adversely impact the surrounding area in terms of noise, traffic or other objectionable conditions. OP noted that the applicant has agreed to meet with community representatives on a regular basis to ensure that the school's functions do not impact the area adversely. The OP recommended that approval of the application should be conditioned as follows:

- a. The number of students shall not exceed 215. Of this total, the number of kindergarten students shall not exceed 50.
- b. Landscaping shall be provided and maintained, particularly along the west side of the property and along Yuma Street, to effectively screen the addition from adjacent neighbors.
- c. The hours of operation shall be from 8:00 a.m. to 6:00 p.m.

- d. The after-hour activities on the subject site shall be restricted to those that are customary to an elementary school. Large functions shall be restricted to a maximum of 12 per year. Entrance and exit by the participants to such events shall be restricted to the existing main entrance at 36th Street N.W.
- e. No moneymaking programs, such as dances, concerts or other events, shall be conducted at the school.
- f. Delivery of supplies and trash pick-up shall not occur before 7:00 a.m.
- g. The applicant shall maintain a continued liaison with the Advisory Neighborhood Commission to discuss and resolve community concerns regarding the conduct of the school's activities and compliance with the Board's order.
- h. The school shall explore with the community the need to establish and implement a drop-off and pick-up program to alleviate traffic impacts on the area.

39. Advisory Neighborhood Commission (ANC) 3F, by letter dated May 7, 1992, and by testimony presented at the public hearing, recommended that the application be denied. The ANC was of the opinion that the granting of the application would adversely affect surrounding residences in a variety of ways including noise, traffic, appearance, inadequate setback, and casting of shadows on neighboring property. The ANC representative testified at the public hearing that the ANC's opposition to the application does not represent opposition to the School. The ANC representative urged the applicant to attempt to reach a compromise with the neighbors such as entertaining revisions to the plans for the proposed addition, to reduce the mass of the structure, and to condition its right to a certificate of occupancy to compliance with the conditions of the Board's orders.

40. The record in the case contains a petition and several letters in support of the application. Four persons testified at the public hearing in support of the application. The support was generally based on the school's positive impact on the neighborhood in terms of providing an educational alternative; its aesthetically pleasing architectural presence; and its availability to the community in terms of the use of its playground facilities and weekend farmers' market. In addition, persons in support testified that the existing facility does not have an adverse impact on the area in terms of its architecture or bulk, noise or traffic.

41. The record contains petitions and letters in opposition to the application. Ten persons testified at the public hearing in opposition to the application. The opposition is generally summarized as follows:

- a. The massing and scale of the proposed addition is too large and would damage the residential character of the neighborhood;
- b. The proposed addition is too close to the western property line. Because the address of the school is 36th Street, the western portion of the site should be required to meet the 20-foot minimum rear yard requirement for the R-2 District;
- c. The proposed addition will create objectionable shadows on the neighboring Alton Place property;
- d. The proposed addition will create an objectionable wind tunnel effect between the addition and the residence at 3634 Alton Place;
- e. The gymnasium/auditorium would generate objectionable noise levels. Soundproofing the interior of the building would not alleviate the noise impact of people arriving at or leaving the gymnasium after events;
- f. The industrial-size air conditioning system would be too noisy for a residential neighborhood;
- g. Parking of school buses on or near school property and the pre-7:30 a.m. delivery of supplies and trash pick-up are too noisy for a residential area and should be discontinued;
- h. The school creates adverse traffic conditions based, in part, on its failure to limit enrollment to neighborhood children as set forth in the 1963 Board order;
- i. The school should be required to protect neighborhood residences from noise, filth, debris, and danger during the construction period. In addition, the school should be required to provide a surety bond to adequately protect the area against property damage or failure to complete the project;
- j. The school must rectify any noncompliance with previous Board orders and provide a guarantee of strict compliance with any conditions imposed in any future Board orders.

42. At the conclusion of the public hearing, the Board left the record open to afford the applicant an opportunity to submit revised plans and/or a narrative explanation addressing concerns regarding massing as it relates to the residential character of the area, shadows, noise, and compliance with the conditions of the Board's previous orders; a north/south elevation of the site including landscaping; and any possible agreement or compromise between the application and the opposition to address the issues raised by the opposition.

43. By submission dated June 3, 1992, the applicant submitted materials to address the issues identified by the Board at the public hearing. The submission included a copy of the proposed site plan showing alternative locations for the proposed addition, with a written description of each plan and its impacts on shadows, massing and noise, as well as the pros and cons associated with each plan both programmatically and with respect to impacts on the site and neighborhood.

44. The applicant argued that Scheme A, as presented at the public hearing, is the best plan in terms of addressing the potential impact of an addition on the neighborhood and the programmatic needs of the school. Scheme A does not create any objectionable conditions with respect to shadow, massing or noise and is designed to best meet the needs of the school. The addition is set back 19 feet from the adjacent Alton Place property and takes advantage of the favorable topographic conditions on the western part of the site without losing canopy trees.

45. With respect to the alternative schemes, the applicant argued that Schemes B through G are unacceptable because of one or more of the following: programmatic problems with respect to the school's operations; potential adverse impacts on nearby residential properties due to massing; loss of existing trees and open green space; loss of windows to existing classrooms; and the prohibitive cost of providing underground parking.

46. Of all the alternatives proffered, the applicant argued that Alternative B represents the least objectionable plan. Alternative B would not be as efficient programmatically as Scheme A. However, Alternative B results in a setback from Alton Place 15 feet further south than Scheme A and therefore would lessen any potential impact from shadows cast by the addition on the adjacent residential structure on Alton Place or any potential "wind tunnel" effect.

47. The applicant described matter-of-right alternatives for the site which would result in major topographic disruption and up to 20 duplexes on the site. Such development could result in

additional curb cuts, less setbacks, 40 percent lot occupancy, 0.9 FAR, greater shadow impact, loss of canopy trees and open space, loss of locally available playground space and loss of on-street parking.

48. The record contains one response from a party in support of Alternative A. The support was based on the following:

- a. The plan is well-conceived.
- b. The addition is well-sited.
- c. The proposal minimizes impacts on neighbors and the surrounding community; and,
- d. The proposal is not objectionable based on the applicable standards.

49. Advisory Neighborhood Commission (ANC) 3F, by submission received on June 10, 1992, responded to the applicant's post-hearing submission, as follows:

- a. The applicant has not changed its position on agreeing to condition the issuance of the certificate of occupancy on compliance with the conditions imposed in the Board's orders.
- b. The alternative schemes presented by the applicant would result in very little change in terms of the impact of the proposed building mass on the immediate residential neighborhood. In addition, the proposed alternatives only depict a re-configuration of the addition on the site and do not reduce the architectural mass of the addition.
- c. The applicant failed to prove that the noise from the proposed HVAC system would be within legal limits or that the noise generated from such system would not be objectionable to neighboring property owners.
- d. The applicant offered no new evidence establishing that the neighbor's concerns regarding the casting of unwanted shadows on adjoining property has been addressed.

50. By submission dated June 10, 1992, several parties in opposition to the application filed a joint response to the applicant's post-hearing submission. In addition to the concerns expressed by the ANC, the parties in opposition noted the following:

- a. None of the applicant's proposed alternatives reduce the mass, height, scale, noise and traffic generated by the proposed addition.
- b. Neither Scheme "A" nor "B" meet the criteria set forth in the Zoning Regulations and would equally impact neighboring property in terms of noise, traffic, number of students and other objectionable conditions including mass, loss of ample parking, and destruction of trees and open space. In fact, Scheme "B" differs from Scheme "A" only with respect to siting, requires the loss of more trees, and does not reduce the mass, footprint, or impact on the neighborhood.
- c. The applicant has violated the conditions imposed by the Board's previous order and the findings of fact upon which the Board based its initial decision are no longer applicable. The opposition is of the opinion that non-compliance predicts future noncompliance.
- d. The applicant's enforcement proposals of providing for a neighborhood advisory council and an annual letter of compliance to the Zoning Administrator are inadequate in that they do not provide any provisions for penalties for noncompliance.
- e. All of the submitted alternative schemes are objectionable to the neighbors. If the applicant would eliminate the proposed enlargement of the gymnasium, the "townhouse" plan submitted by the adjoining property owner would satisfy the educational needs of the school and would integrate the addition into the existing low-scale residential neighborhood without the adverse impacts associated with the proposed large scale development.
- f. The proposed addition will exacerbate the existing adverse traffic impacts associated with the drop-off and pick-up of students to the site.
- g. The applicant's proposed landscaping does not ensure adequate screening of the building nor does it guarantee proper maintenance of the landscaping once it has been provided. In addition, the applicant did not propose to extend the fencing type existing on the eastern property line to the southern property line as a supplement to the natural screening proposed.

- h. The applicant has not conducted an Environmental Impact Study to ensure that the proposal will not create environmental problems such as drainage impact, erosion or flooding.
- i. The applicant's proposal does not include conditions related to maintaining the HVAC system, providing adequate insurance to protect neighboring property owners during the construction period, limiting construction hours and providing parking for construction workers, and committing to completion assurances at the financing stage of the project.

FINDINGS OF FACT:

1. The applicant has met the requisite burden of proof set forth in 11 DCMR 206 and 3108.1.

2. The layout of the building, as hereinafter conditioned, has been modified to specifically address the concerns expressed regarding the physical "overlap" between the proposed addition and the adjoining residence and the related impacts with respect to shadows and wind tunnel effect on the adjacent property. The siting and bulk of the project do not violate any area requirements of the Zoning Regulations.

3. The proposed landscaping will provide visual screening of the proposed addition and the final placement and types of trees are subject to flexibility in order to afford an opportunity to address any specific concerns expressed by the neighbors of the site.

4. The increase in the maximum number of students from 200 to 215 is minimal and is not likely to impact on the existing operation of the school in terms of noise or traffic generated by students. The proposed twenty-six on-site parking spaces comply with the requirements of the Zoning Regulations.

5. The applicant has made substantial efforts to minimize external noise impacts by placing the HVAC equipment within the basement of the building; eliminating all windows in the gym; eliminating doors on the western and southern sides of the gym; placing panic bars on the emergency exit doors to the gym; and limiting visitor access to the gym through the main entrance to the school on 36th Street.

6. After-hours functions for 100 or more persons would be limited to a maximum of 12 per year. Access to the facility during those functions would be limited to the 36th Street entrance to

minimize impacts on the neighborhood. The facility will not be available for activities such as the previous exercise class or other commercial, non-school related events.

7. The applicant is subject to all of the applicable enforcement mechanisms available to ensure compliance with this or any other order of the Board. In addition, the applicant will be further influenced by the community liaison group to be established as a condition of this approval.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires that the proposal meets the requirements set forth in 11 DCMR 206 and 3108.1, that the relief requested can be granted as in harmony with the general purpose and intent of the Zoning Regulations, and that the relief will not tend to affect adversely the use of neighboring property.

The Board concludes that the applicant has met the requisite burden of proof. As hereinafter conditioned, the project will be so located that it is not likely to become objectionable to adjoining property because of noise, traffic, number of students, or other objectionable conditions.

Based on the testimony and evidence of record, the Board also concludes that ample parking space will be provided to accommodate students, teachers, and other visitors likely to come to the site by automobile.

The Board concludes that the special exception will be in harmony with the general intent and purpose of the Zoning Regulations and Map and, as hereinafter conditioned, will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that it has accorded the Advisory Neighborhood Commission the "great weight" to which it is entitled. Accordingly, it is hereby ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. The layout of the addition shall be as shown on the plat marked as Exhibit No. 107C (Scheme B) of the record.
2. The parking layout shall be as shown on the plat marked as Exhibit No. 107A (Scheme A) of the record.
3. Landscaping shall be provided as shown on Exhibit No. 24 of the record. Additional landscaping shall be provided in the 15-foot strip of land directly abutting the

gymnasium addition between the addition and the parking area along Alton Place, N.W. All landscaping shall be maintained in a healthy growing condition. There shall be flexibility in the final placement and types of trees to permit the applicant to address any specific concerns raised by the neighbors.

4. The number of students shall not exceed 215, no more than 50 of which shall be kindergarten students.
5. The hours of operation shall be between 7:30 a.m. and 6:00 p.m., Monday through Friday.
6. Extracurricular activities shall be restricted to those customary to a kindergarten through eighth grade school. After-hours functions which would attract 100 persons or more shall be restricted to a maximum of 12 per year. During the course of such functions, entrance and exist shall be restricted to the main entrance located on 36th Street, N.W.
7. The applicant shall not make the school available for commercial functions such as dances, concerts, or other events.
8. No deliveries or trash collection shall occur before 7:00 a.m.; daily.
9. All mechanical equipment associated with the central heating and cooling systems shall be located in the basement of the school.
10. The applicant, in cooperation with the Advisory Neighborhood Commission, shall establish a community liaison group, and shall meet no fewer than four times per year. Notice of the meetings of the community liaison group shall be sent to all property owners within 200 feet of the site. The community liaison group shall be established for the purpose of discussion and resolution of any community concerns including, but not limited to the following: the conduct of the school's activities and operations; implementation of the drop-off and pick-up program; encouraging use of public transportation and carpooling by staff and students; and, compliance with the conditions of the Board's order.
11. The applicant shall submit an annual report to the Zoning Administrator setting forth its ongoing compliance with the terms of this order. The applicant shall provide copies of such annual report to the Office of Planning, ANC 3F, and all members of the community liaison group.

BZA APPLICATION NO. 15656
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VOTE: 3-1 (William L. Ensign, Paula L. Jewell and Carrie L. Thornhill to grant; Angel F. Clarens opposed to the motion; Sheri M. Pruitt abstaining by proxy).

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

ATTESTED BY:


MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER: _____

DEC 23 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.

15656Order/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15656

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on DEC 23 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:

Nancy H. Leiberman
Linowes & Blocher
800 K Street, N.W.
Suite 840
Washington, D.C. 20001

Hilda J. Mintzes
3530 Yuma Street, N.W.
Washington, D.C. 20008

Morgan A. Gale
3650 Alton Place, N.W.
Washington, D.C. 20008

William J. Sittig
3629 Yuma Street, N.W.
Washington, D.C. 20008

Judith Serkin
3625 Yuma Street, N.W.
Washington, D.C. 20008

Richard L. Monroe
3634 Alton Place, N.W.
Washington, D.C. 20008

Sheila Kenny
3600 Albemarle Street, N.W.
Washington, D.C. 20008

Lindsley Williams
3307 Highland Place, N.W.
Washington, D.C. 20008

Alga Padilla-Waxler
3527 Yuma Street, N.W.
Washington, D.C. 20008

Donna R. Lenhoff
3612 Yuma Street, N.W.
Washington, D.C. 20008

Klaus Klatt
3533 Yuma Street, N.W.
Washington, D.C. 20008

BZA APPLICATION NO. 15656 ATTESTATION SHEET
PAGE NO. 2

Sherwin Rubin
3535 Yuma Street, NW.
Washington, D.C. 20008

Elaine H. Greenstone
3616 Yuma Street, N.W.
Washington, D.C. 20008

David Sadoff
4310 36th Street, N.W.
Washington, D.C. 20008

Chuck Braun, Chairperson
Advisory Neighborhood Commission 3F
4401 Connecticut Avenue, N.W., #205
Washington, D.C. 20008

Stanley Lavine
3627 Alton Place, N.W.
Washington, D.C. 20008

Carl Kessler
3636 Alton Place, N.W.
Washington, D.C. 20008


MADELIENE H. ROBINSON
Acting Director

DATE: DEC 23 1992

15656Att/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13089, of Sheridan School, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraphs 3101.41 and 3101.42 for a proposed addition consisting of two staff offices on the first floor and a science laboratory on the second floor in an R-2 District at the premises 4400 - 36th Street, N. W. (Square 1968, Lots 800 and 816).

HEARING DATE: November 14, 1979

DECISION DATE: December 5, 1979

FINDINGS OF FACT:

1. The subject property is located in an R-2 District on the west side of 36th Street between Yuma Street and Alton Place, N. W. It is known as 4400 36th Street, N. W.
2. The subject property is improved with a two story brick building currently occupied by the Sheridan School.
3. The school is operating at this location by virtue of previous approvals from the Board of Zoning Adjustment.
4. The applicant proposes to add a small addition to the front of the school. The addition would fill in an area between two projecting portions of the existing building, and would contain a total of approximately 900 square feet on two floors.
5. The additional space would serve as two small offices on the first floor and as an additional science room on the second floor.
6. The addition will not result in any increase in the number of students, faculty or staff at the school. It will provide better facilities to serve the existing school population.
7. There will be no increase in traffic, noise or other objectionable effects as a result of the addition.

8. There will be no articles of commerce for sale

9. The addition will not reduce the amount of play space available, so there will still be sufficient play space to meet the requirements of Paragraph 3101.41.

10. The addition will not reduce the number of available parking spaces.

11. Advisory Neighborhood Commission 3-F, by letter dated November 5, 1979, endorsed the application and urged the Board to approve the application.

12. Two adjoining property owners, whose property immediately faces the front of the school, filed letters stating no objection to the proposed addition.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the applicant has complied with all of the requirements of Paragraphs 3101.41 and 3101.42 of the Zoning Regulations. As set forth in the findings of fact, the proposed addition will not increase the intensity of use of the proposed school by increasing the number of students, faculty or staff. Consequently, the Board concludes that the proposed addition will not create any negative impacts because of noise, traffic, number of students or other objectionable conditions. The Board concludes that the proposed addition is minimal in size and will not materially change any of the existing conditions at the school, and will not reduce any available existing play area or parking spaces. The Board concludes that the application is in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ordered that the application is granted.

VOTE: 5-0 (Charles R. Norris, Connie Fortune, Leonard L. McCants, William F. McIntosh and John G. Parsons to grant).

BZA Application No. 13089

Page 3

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER 27 FEB 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "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 LICENSES, INVESTIGATIONS, AND INSPECTIONS.

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--May 15, 1963

Appeal #7282 Mrs. Katherine Gunion, appellant for the Sheridan School contract purchaser.

The Zoning Administrator, District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. McIntosh abstaining the following Order was entered on May 21, 1963: (released July 2, 1963)

ORDERED:

That the appeal to establish a private school for pre-school, kindergarten and grades 1 through 8 for Sheridan School on eastern half of square 1968, bounded by Yuma, Alton and 36th Streets, N. W., lot 816, square 1968, is granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot located in an R-2 District, has frontages of 295 feet on Yuma Street, 235 feet on 36th Street and 306.72 feet on Alton Place. It contains an area of about 70,000 square feet. The property adjoins a sixteen foot wide public alley and one dwelling on its west boundary. The remainder of square 1968 is improved with dwellings, a use which predominates in the area.

(2) The Sheridan School, Inc. the contract purchaser, plans to build an elementary school including pre-school and kindergarten through grade 8. Ages of the children will range from 4 to 14 years. Plans are to eventually enroll 200 students with approximately 50 in the kindergarten or of pre-school age. The school now operates in temporary quarters elsewhere in Northwest Washington with an enrollment of 125 students.

(3) Teachers are prepared to receive children between 8:30 and 9:00 a.m. The academic teaching day is from 9:00 a.m. until 3:00 p.m. There will be an athletic program between 3:00 and 4:00 p.m. for children from the 2nd through the upper grades. All children will leave the school at 4:00 p.m.

Play periods are supervised. Children will be brought to the premises by supervised transportation, which in the 1964 school year will be by hired bus service on a permanent basis.

(4) The curriculum is similar to public and parochial schools of this general class.

(5) The plans provide at least 100 square feet of play area for each child.

(6) The development plan for the property includes a two-story school building at the northeast corner of the tract with principal entrance from 36th Street. A one-story gymnasium to about the same height adjoins the main building on the west. Plans also provide a basketball court and a parking area for 12 (meeting requirements of Article 72) automobiles at the rear of the gymnasium. Two volleyball courts, a tennis court and a playground of 7,200 square feet for the pre-school groups are located to the south along the Yuma Street side of the property.

(7) Normal development of the subject site would result in the construction of about twenty one-family, semi-detached dwellings except that there is substantial testimony contending, but not specifically proving by direct evidence, that one-family development is uneconomical and hence impracticable due to a material amount of fill on a large portion of the site. Both the fact and the contention are conceded by witnesses in opposition.

(8) This appeal was filed under the provisions of paragraph 3101.41 and 3101.42 of Section 3101 of the Zoning Regulations. Subparagraphs (c) and (d) are the only portions of paragraph 3101.41 which are applicable; but all provisions of paragraph 3101.42 must be considered.

These provisions read:-

"3101.41 (c) The use will be reasonably necessary or convenient to the neighborhood which it is proposed to serve. The enrollment at such school will be limited primarily to children residing in that neighborhood; and

3101.41 (d) There shall be provided on the same lot with such use not less than 100 square feet of play area for each child,

3101.42 Other private school, but not including a trade school, and residences for teachers and staff of a private school, provided that:

(a) It is so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions;

(b) Ample parking space, but not less than that required in Article 72 of these regulations, is provided to accommodate the students, teachers, and visitors likely to come to the site by automobile, (As amended to June 14, 1960.)"

(UNDERScoreD WORDS ARE DEFINED)

(9) There was considerable organized opposition to the granting of this appeal registered at the public hearing, including two neighborhood Citizens' Associations. Opposition is based essentially upon contentions of incompatibility, objectionable traffic, and the desire of most that the property should be acquired for public use as a neighborhood playground.

OPINION:

We hold that this school, limited on this land to a maximum of 200 pupils, not more than 50 of whom may be a part of the kindergarten or pre-school groups is an appropriate use of this property. We believe and so hold that its size, type, plan of building and ground treatment together with natural and other screening which will be made a condition of this order, will result in the neighborhood compatibility envisioned by Section 3101.1 of the Zoning Regulations. Continuing with the general question of compatibility we note that traffic which will be generated by this school will be no more than that generated by any public or private school having the same number of pupils.

the record to show that such schools have been found to be objectionable to an extent which would prohibit their locations in a residential area in this and other sections of the city. It is possible of course that the operation of a school on this site will be more objectionable to adjoining and nearby property owners than single-family residences would be. However, public, private and parochial schools are found in every part, area and section of this city and are a public necessity.

It has been contended by objecting property owners that the location of this school on this site will result in objectionable traffic conditions. While we take judicial notice that both Albemarle Street and Reno Road are heavily traveled thoroughfares through this general area it is our opinion that the small number of automobiles and the hired bus service contemplated by the proposed school will not add materially to the present traffic flow on either of the streets referred to nor on other streets bounding or near the property. The supervision proposed should provide adequately for the safety of the children.

We agree with the contention of objectors that a site area of at least five acres for schools of this general character is a desirable standard but rarely attainable in the District of Columbia even when the use of eminent domain is possible. The site in question with its 70 odd thousand square feet of land area and limited number of students is considerably larger in extent than are most public and parochial schools new and old in the District of Columbia.

We are not unmindful that at one time the site was earmarked for public neighborhood playground usage, but we are now reliably informed that such use is no longer probable. This Board has also given some consideration to subsoil conditions existing on this site and to the

reason of excessive foundation costs which would make such construction unlikely even with a materially reduced cost of ground acquisition. A single purpose operation where buildings are minimal provides one solution for a difficult problem of land use.

This order shall be subject to the following conditions:

(a) In compliance with the provisions of subparagraph (c) of paragraph 3101.41 of the Zoning Regulations pre-school and kindergarten students shall reside within a ten block radius of this school. Further, the number of such students shall not exceed 50.

(b) Appellant shall provide a landscaping and screening plan which shall stress permanent year-round planting particularly along the west side of the property. Screening materials and type of planting shall be designated on such plan. Approval thereof shall be required by this Board prior to permit issuance.

(c) The maximum number of students shall be 200.

(d) In the event the school abandons hired bus transportation service and substitutes therefor buses of its own, such buses shall be housed in a garage, the design and location of which shall require approval of this Board.

EXHIBIT B

WELLS + ASSOCIATES

MEMORANDUM



To: Jonathan Rogers, District Department of Transportation

Cc: Mike Stoll, Sheridan School
Gabrielle Koeppel, Sheridan School
John Patrick Brown, Greenstein DeLorme & Luchs

From: Jami L. Milanovich, P.E.

Date: January 23, 2014

Re: Transportation Assessment for Sheridan School
4400 36th Street, NW (Square 1968, Lot 10)
Washington, DC

1420 Spring Hill Road
Suite 610
Tysons, Virginia 22102
703-917-6620
703-917-0739 FAX
www.mjwells.com

OVERVIEW

Sheridan School is a private, kindergarten through 8th grade school located at 4400 36th Street (Square 1968, Lot 10) in the northwest section of Washington, DC. As shown on Figure 1, the site is located on the west side of 36th Street between Yuma Street and Alton Place. Sheridan School was granted a special exception in 2004 by the District of Columbia Board of Zoning Adjustment (BZA) to allow a private school in a residential zone (in this case, R-2). Under the approved special exception, Sheridan School operates with an enrollment cap of 226 students and a faculty/staff cap of 60 employees. With the special exception, the Applicant also was granted several variances from the District of Columbia Municipal Regulations (DCMR) including the requirement that parking spaces be accessible at all times directly from an improved street or alley (DCMR §2117.4), the minimum size requirement for a parking space (DCMR §2115.1), and the off-street parking requirements for an elementary or junior high school in the R-2 district (DCMR §2101.1).

Under the 2004 approval, the special exception remains in effect for 10 years. No time limit was imposed on the variance approvals. Therefore, Sheridan is seeking a renewal of the special exception to allow the school to continue to operate in the R-2 zone. In conjunction with the special exception application, the school is seeking a nominal increase in its enrollment cap from 226 to 230 students. No change to the faculty/staff cap is proposed.



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MEMORANDUM

To support the requested special exception renewal, the Applicant commissioned this transportation assessment. The scope of the transportation assessment contained herein was agreed upon by the District Department of Transportation (DDOT) as documented in the Comprehensive Transportation Review Scoping Form included in Attachment A. This memo specifically summarizes: (1) an inventory of alternative transportation options in the site vicinity, (2) a description of the school operations, (3) the Transportation Demand Management (TDM) Plan put in place as part of the 2004 order, (4) the anticipated trip generation for the school under existing and proposed caps, and (4) an assessment of vehicle queues on 36th Street during the AM peak drop-off period.

ALTERNATE MODES OF TRANSPORTATION

Metrorail Service/Facilities

The nearest metro station to the school is the Van Ness – UDC Metro Station (4200 Connecticut Avenue, NW) located approximately ½ mile walking distance from the subject site (or approximately a 10-minute walk based on a walking speed of three miles per hour). Additionally, the Tenleytown – AU Metro Station (4501 Wisconsin Avenue, NW) is located approximately 0.6 miles walking distance from the subject site (or approximately a 12-minute walk based on a walking speed of three miles per hour). Both metro stations provide access to Metro’s Red Line which provides direct service to Metro Center and stations in Montgomery County. Red Line passengers can transfer to the Green and Yellow lines at Gallery Place – Chinatown or Fort Totten metro stations and to the Blue and Orange lines at the Metro Center Metro Station.

Bus Service/Facilities

The Washington Metropolitan Area Transit Authority (WMATA) currently provides public bus service in the area surrounding the site. The Wisconsin Avenue Line (Route 31), Wisconsin Avenue Limited Line (Route 37), Pennsylvania Avenue Line (Routes 32 and 36), Massachusetts Avenue Line (Route N2), Crosstown Line (Routes H2, H3, and H4), East Capitol Street – Cardozo Line (Route 96), Benning Road Line (Route X3), Nebraska Avenue Line (Route M4), and Connecticut Avenue Line (Routes L1 and L2) provide service within an approximate five block radius of the site. Table 1 presents the minimum, maximum, and average headways for the Metrobus routes in the site vicinity.



WELLS + ASSOCIATES

MEMORANDUM

Table 1
Metrobus Headways (in seconds)

HEADWAY	NORTHBOUND/WESTBOUND			SOUTHBOUND/EASTBOUND		
	AM Peak Period	Midday Period	PM Peak Period	AM Peak Period	Midday Period	PM Peak Period
	7:00 AM to 10:00 AM	10:00 AM to 4:00 PM	4:00 PM to 7:00 PM	7:00 AM to 10:00 AM	10:00 AM to 4:00 PM	4:00 PM to 7:00 PM
WISCONSIN AVENUE LINE (ROUTE 31)						
Minimum	0:15	0:30	0:12	0:15	0:10	0:14
Maximum	0:26	0:30	0:17	0:17	0:30	0:30
Average	0:16	0:30	0:15	0:15	0:24	0:16
PENNSYLVANIA AVENUE LINE (ROUTES 32 & 36)						
Minimum	0:05	0:12	0:06	0:05	0:09	0:12
Maximum	0:17	0:18	0:18	0:16	0:18	0:21
Average	0:10	0:15	0:10	0:10	0:15	0:15
WISCONSIN AVENUE LIMITED LINE (ROUTE 37)						
Minimum	N/A	0:08	N/A	0:14	N/A	N/A
Maximum	N/A	0:25	N/A	0:15	N/A	N/A
Average	N/A	0:16	N/A	0:15	N/A	N/A
EAST CAPITOL STREET - CARDOZO LINE (ROUTE 96)						
Minimum	0:20	0:18	0:21	0:20	0:21	0:21
Maximum	0:27	0:27	0:24	0:24	0:24	0:21
Average	0:21	0:24	0:22	0:22	0:23	0:21
CROSTOWN LINE (ROUTE H2)						
Minimum	0:19	0:24	0:24	0:24	0:10	0:26
Maximum	0:35	0:31	0:33	0:30	0:30	0:32
Average	0:27	0:30	0:28	0:28	0:26	0:29
CROSTOWN LINE (ROUTES H3 & H4)						
Minimum	0:03	0:17	0:06	0:09	0:07	0:08
Maximum	0:18	0:30	0:25	0:30	0:30	0:18
Average	0:09	0:29	0:15	0:15	0:23	0:11
N/A – Bus Route is not in operation at this time.						



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MEMORANDUM

Table 1 continued
Metrobus Headways (in seconds)

HEADWAY	NORTHBOUND/WESTBOUND			SOUTHBOUND/EASTBOUND		
	AM Peak Period	Midday Period	PM Peak Period	AM Peak Period	Midday Period	PM Peak Period
	7:00 AM to 10:00 AM	10:00 AM to 4:00 PM	4:00 PM to 7:00 PM	7:00 AM to 10:00 AM	10:00 AM to 4:00 PM	4:00 PM to 7:00 PM
CONNECTICUT AVENUE LINE (ROUTES L1 & L2)						
Minimum	0:10	0:19	0:03	0:06	0:15	0:13
Maximum	0:22	0:21	0:18	0:20	0:20	0:25
Average	0:17	0:20	0:06	0:08	0:19	0:16
NEBRASKA AVENUE LINE (ROUTE M4)						
Minimum	0:00	0:05	0:01	0:05	0:30	0:20
Maximum	0:18	0:22	0:17	0:30	0:31	0:20
Average	0:09	0:13	0:10	0:12	0:30	0:20
MASSACHUSETTS AVENUE LINE (ROUTE N2)						
Minimum	0:22	0:30	0:18	0:12	0:28	0:20
Maximum	0:35	0:30	0:32	0:27	0:30	0:33
Average	0:28	0:30	0:22	0:18	0:30	0:26
BENNING ROAD LINE (ROUTE X3)						
Minimum	0:20	N/A	N/A	N/A	0:36	N/A
Maximum	0:32	N/A	N/A	N/A	0:36	N/A
Average	0:24	N/A	N/A	N/A	0:36	N/A
N/A – Bus Route is not in operation at this time.						

Car-Sharing Services

Zipcar is an automated car rental or car-sharing system in the Washington, DC area. Zipcar users must pay a \$25 application fee and complete an application online. They then will receive a Zipcard, which enables them to reserve Zipcars at any of the available locations. Three plans are available: \$60 per year (pay as you go based on the standard hourly or daily rate), \$6 per month (pay as you go based on the standard hourly or daily rate), or \$50 per month (pay as you go based on a discounted hourly or daily rate). Cars must be returned to the same designated parking space at which it was picked up.

The nearest Zipcar location is at 3527 Albemarle Street NW (an approximate three to four minute walk). One vehicle is stationed at this location. Additional Zipcars are located within walking distance of the site, as shown on Figure 2.



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MEMORANDUM

In addition to Zipcar, Car2Go, Enterprise CarShare, and Hertz on Demand also have begun operating car-sharing services in the District. Car2Go requires a one-time application fee. Once registered, a member card is issued, which enables members to access any available car. No reservation is required and car usage is charged by the minute, with hourly and daily maximum fees. Unlike Zipcar, a Car2Go vehicle does not have to be returned to its original location; a Car2Go vehicle can be returned to any approved parking location. Car2Go currently has 300 vehicles in the District.

Enterprise CarShare began service in DC in late September 2013 with 45 vehicles and 40 locations. Membership to the car-sharing service is \$40 annually and cars can be reserved by the hour or day (hourly and daily fees are charged per usage). In the District, cars must be returned to their original location.

Hertz on Demand has no annual fee. Cars can be reserved by the hour or day (hourly and daily fees are charged per usage). In the District, cars must be returned to their original location.

Capital BikeShare

Capital Bikeshare is an automated bicycle rental or bicycle sharing system available in the Washington, D.C. area. Over 1,800 bicycles are available at over 200 locations in Washington D.C., Arlington, VA, and Alexandria, VA.

Membership, which is required to use Capital Bikeshare, includes several options for joining such as: 24 hours (\$7), three days (\$15), monthly (\$25), or one year (\$75). The first 30-minutes of use are free; users then are charged a usage fee for each additional 30-minute period. There also is a daily key option which has a one-time fee of \$10 plus a charge of \$7 per day each time you use a bicycle. Bicycles can be returned to any station with an available dock. As shown in Figure 2, BikeShare stations are located at both the Tenleytown and Van Ness metro stations as well as at the intersection of 39th Street and Veazey Street.

Pedestrian Facilities

The District of Columbia Pedestrian Master Plan (the Plan) strives to make Washington, DC safer and more walkable by improving sidewalks, roadway crossings, and the quality of the pedestrian environment as well as by ensuring that the District's policies and procedures support walking. The Plan provides an overview of existing pedestrian conditions, recommends new pedestrian projects and programs, establishes performance measures, and provides a plan for implementation through 2018. The Plan estimates areas of pedestrian activity and deficiency. In the immediate vicinity of the site, River Road and Albemarle Street consist of areas of low pedestrian activity and low pedestrian deficiencies. Information pertaining to other roadways in the immediate site vicinity is not provided in the Plan.



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MEMORANDUM

As part of the plan, eight priority corridors (one in each ward) were identified based on areas of heavy pedestrian traffic and deficient walking conditions. The priority corridor in Ward 3 is Wisconsin Avenue from Western Avenue, NW to Woodley Road, NW. Several improvements are recommended along Wisconsin Avenue including the construction of curb extensions, striping of high visibility crosswalks, and installation of ADA compliant curb ramps. While some of the improvements recommended in the site vicinity have been implemented, the vast majority have not yet been made. The Wisconsin Avenue Priority Corridor Recommendations are included in Attachment B.

Sidewalks are present in the study area; however, there are some gaps on certain sides of the streets where sidewalks are not present. For instance, Alton Place west of 36th Street includes sidewalks on the north side of the street but not on the south side. The gaps in the sidewalks are shown on Figure 3.

Crosswalks are present in the site vicinity including high visibility crossings at the Alton Place/River Road, Yuma Street/River Road, and Yuma Street/35th Street intersections. The curb ramps at the River Road intersections include detectable warning strips while the remaining curb ramps in the site vicinity do not. Additionally, the southern crossing of the 36th Street/Yuma Street intersection does not include a ramp on the southeast corner. The 36th Street/Albemarle Street intersection includes only one curb ramp on the southwest corner.

Bicycle Facilities

The District of Columbia Bicycle Master Plan (the Plan) seeks to create a more bicycle-friendly city by establishing high quality bicycle facilities and programs that are safe and convenient. While there are no dedicated bicycle lanes in the study area, 36th Street is a signed bicycle route. Additionally, the Plan indicates that River Road operates at a BLOS "E" in the study area and Albemarle Street operates at a BLOS "B".

The school provides a covered bicycle rack on the north side of the building that can accommodate up to nine bikes. Based on field observations and the mode split survey conducted by the school, the bicycle rack is approximately 50 percent occupied on a regular basis. On some days, the bicycle rack is occupied by up to seven to eight bikes. A staff shower is provided in the building for any employees that choose to bike to work.



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MEMORANDUM

SCHOOL YEAR OPERATIONS

During the normal school year (September through June), Sheridan School currently operates with an enrollment of 230 students and 54 faculty and staff. The school serves children in kindergarten through 8th grade beginning at 8:25 AM. Kindergarten classes end at 2:30 PM each weekday while 1st through 8th grade classes end at 3:30 PM each weekday except Wednesday where they too end at 2:30 PM. Additionally, the school offers Extended Day hours in the morning (7:45 AM to 8:15 AM) and the afternoon (2:30 PM to 6:00 PM).

The school's operational procedure for dropping-off and picking-up students is summarized below:

AM Drop-off:

- No parking on the west side of 36th Street. Standing to drop off a student without leaving the car is permitted.
- Park, only briefly, on the east side of 36th Street and walk students to the crosswalk at Alton Place.
- Parking is permitted on 36th Street north of Alton Place, 36th Street south of Alton Place, along Alton Place, or Yuma Street as posted parking regulations allow.
- A District police officer has been hired to be on site during the morning and will ticket anyone violating the law.
- If coming from Reno Road, take Alton Place and turn right onto 36th Street into the morning drop-off lane.
- When dropping off, follow instructions from the police officer and have your student(s) ready. Make the drop off as quickly as possible to avoid unnecessary delays to traffic.
- No mid-block pedestrian crossing of 36th Street.
- No U-turns permitted on 36th Street.

PM Pick-Up:

- Be mindful of the posted parking regulations when parking to pick up your student(s).
- A District police officer has been hired to be on site during the afternoon and will ticket anyone violating the law.
- Do not allow your student(s) to cross the street at the mid-block to meet you in your car.

WELLS + ASSOCIATES

MEMORANDUM

- Be mindful that you and another car are not blocking access in both directions on any of the streets surrounding the school.
- Do not park or double park in the Sheridan parking lots.
- Do not block neighborhood driveways.

W+A conducted field observations at the Sheridan School on Wednesday, September 18, 2013 during the AM and PM peak periods. AM observations occurred between 6:45 AM and 8:30 AM to encompass those parents/guardians dropping off during the Extended Day hours. The majority of the drop-offs occurred on the west side (school side) of 36th Street in the temporary drop-off lane. Traffic in the site vicinity remained minimal during the Extended Day hours and a few parents/guardians dropping off students on the west side of 36th Street were observed exiting their vehicles at this time. Parents/guardians parking on the east side of 36th Street were often observed crossing at the mid-block rather than walking to the crosswalk at Alton Place. When this occurred, the on-site Metropolitan Police Department (MPD) officer was observed stopping the guardians to remind them to cross at the crosswalks.

The arrivals for general school hours began at approximately 8:10 AM and lasted for approximately ten to fifteen minutes. During this time, the west side of 36th Street was the primary location for student drop-offs, as shown below in Photograph 1.



Photograph 1: AM Drop-off Activity on West Side of 36th Street

In addition to the drop-off lane on the west side of 36th Street, parents/guardians were observed parking in on-street parking spaces primarily along 36th Street north of Alton Place, Alton Place west of 36th Street, and just north of Yuma Street on the east side of 36th Street. Observations indicated that northbound motorists on 36th Street preferred parking and crossing near Yuma Street rather than at Alton Place due to the increased vehicular activity at Alton Place.



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MEMORANDUM

PM peak field observations were conducted from 2:00 PM to 3:30 PM. As was the case during the morning drop-off period, a MPD officer was again on-site to assist with pick-up operations including assisting with pedestrian crossings at the 36th Street/Alton Place intersection.

Parents/guardians began arriving at approximately 2:10 PM for afternoon pick-up. On-street parking was used for pick-up operations as parents/guardians are required to sign the children out before leaving school grounds. Therefore, on-street parking is used and parents walk to the school as opposed to a pick-up lane along 36th Street. The peak traffic demand occurred for approximately ten to fifteen minutes, similar to the AM peak period. During the peak period, pedestrians were observed crossing roadways at the designated crosswalks; however, outside of the peak, when traffic was minimal and the MPD officer was no longer on-site, a few pedestrians were observed crossing at mid-block locations on 36th Street.

As was indicated by the MPD officer assisting with the pick-up operation, the concerning PM peak period issue is illegally parked vehicles blocking neighborhood driveways. During observations of the pick-up operation, no illegally parked cars were observed and all driveways remained open with unrestricted access to the streets.

Vehicle Site Trip Generation

The school proposes a nominal increase in student enrollment, from 226 students to 230 students. The faculty/staff cap is proposed to remain unchanged at 60 employees. A previous Wells + Associates (W+A) transportation study included trip generation analysis for an enrollment of 226 students and 55 employees. As shown in Table 2, 226 students and 55 employees generate 367 AM peak hour trips and 357 PM peak hour trips, based on the prior study conducted by W+A. The increase to 230 students and 60 faculty/staff would result in just nine additional AM peak hour trips and eight additional PM peak hour trips.



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MEMORANDUM

Table 2
Trip Generation Summary

GROUP	AM PEAK HOUR			PM PEAK HOUR		
	In	Out	Total	In	Out	Total
July 2003 TIS Trip Generation (226 students and 55 employees)						
Parents/Guardians	171	171	342	170	170	340
Faculty/Staff	25	0	25	0	17	17
Total	196	171	367	170	187	357
Proposed Trip Generation (230 students and 60 employees)						
Parents/Guardians	174	174	348	173	173	346
Faculty/Staff	28	0	28	0	19	19
Total	202	174	376	173	192	365
Net "New" Trips						
Parents/Guardians	3	3	6	3	3	6
Faculty/Staff	3	0	3	0	2	2
Total	6	3	9	3	5	8

Mode Split Survey

The school conducted a survey in the spring of 2013 of both the parents and faculty/staff to determine their travel characteristics. The results are summarized in Table 3 and are included in Attachment C.

Table 3
Summary of Mode Split Survey

TRAVEL MODE	WALK	BIKE	METROBUS/ METRORAIL	CAR
Students	11.5%	3.1%	3.1%	82.3%
Faculty/Staff	15.4%	7.7%	7.7%	69.2%

Queue Analysis

As requested by DDOT, traffic counts were conducted on Wednesday October 9, 2013 during the AM peak period, from 7:45 AM to 8:45 AM, to determine the queuing capacity needed to accommodate the drop-off operation. The queue study was conducted at the school's frontage along 36th Street to determine the queues experienced during the morning drop-off period. The number of vehicles queued in the southbound direction on 36th Street for the drop-off operation was recorded every thirty seconds. The queues ranged from zero to eight vehicles during the, morning peak period with an average queue length of just one vehicle.



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MEMORANDUM

The 95th percentile queue was approximately five vehicles. The peak 15-minutes of the morning drop-off period experienced slightly higher queues than the remaining portions. During the peak 15-minutes (beginning at approximately 8:10 AM), the average queue length was four vehicles and the 95th percentile queue length was seven vehicles.

Field observations indicated that the drop-off lane began near the southern radius of the school's 36th Street curb cuts. This provided space for approximately four to five vehicles south of the Alton Place intersection. During the peak fifteen minute interval, this queue extended beyond the 36th Street/Alton Place intersection by two to three vehicles on both the southbound 36th Street approach and the eastbound Alton Place approach. In these instances, the vehicles in the southbound and eastbound queues primarily were those waiting to drop-off students. Although there were a few instances of through traffic being stopped in the queues, such occurrences were limited and occurred only during the peak 15 minute period.

Transportation Management Plan

Under the prior special exception approval, the school agreed to implement a Transportation Management Plan (TMP). Per the BZA order, the requirements of the TMP include:

1. Vehicles used in dropping-off or picking-up students along the west side of 36th Street between Alton Place and Yuma Street may not park or leave their vehicles unattended;
2. Students may not cross mid-block on 36th Street between Alton Place and Yuma Street;
3. U-turns are not permitted on 36th Street between Alton Place and Yuma Street;
4. Vehicles may not be parked in front of the driveways or on the lawns of nearby residential properties, and
5. Vehicles may not be double-parked on any neighborhood streets.
6. Sheridan is required to provide faculty and staff with incentives to encourage the use of public transportation or carpooling and does so by offering SmarTrip discounts to faculty and staff.
7. The rear parking lot is required to include signage reserving at least three parking spaces for, or giving priority to, carpool vehicles.

In an effort to ensure that all parents and guardians follow the established procedures, the School provides an annual letter to parents and guardians outlining the School's policy regarding the pick-up/drop-off operations (an example of the letter is provided in Attachment D). This policy is also provided in the Student Handbook. Additionally, as needed, the School reiterates the established operations during school functions through



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letters and instructional YouTube videos. Finally, the School employs the MPD to provide on-site enforcement and guidance during the peak operations.

SUMMER "CASA" OPERATIONS

Beginning in late June, the Sheridan School offers a summer camp known as CASA, or Creative Arts Summer Adventure. The camp is programmed in sessions. Per the 2004 Order, the student cap for the CASA program was set at the same 226 students as the customary school year. The first six weeks of CASA typically experience enrollment levels near the 226 student cap; however, the remaining sessions yield around half of the student cap. In CASA, there are approximately 90 persons employed by Sheridan School, about 45 more than during the customary school year. However, around one-third of these employees are Counselors-in-Training (CIT) who do not drive. Additionally, the summer program draws more children from the surrounding neighborhood compared to the customary school year; therefore, fewer cars are present for the pick-up/drop-off periods for the CASA program and more students are walking. The pick-up/drop-off periods for CASA operate in the same fashion as during the customary school year.

PARKING REQUIREMENTS

Off-Street Parking

The school currently provides 37 off-street parking spaces (29 in the rear surface lot and eight in the surface lot along 36th Street). Thirteen spaces are of the standard size (12 in the rear lot and one handicapped space in the front lot). The remaining spaces consist of 12 tandem spaces and four compact spaces in the rear surface lot and seven compact spaces in the front lot. These lots are used by faculty and staff during the day.

The District of Columbia Municipal Regulations (DCMR) requires two parking spaces for every three teachers (and other employees) for elementary and junior high schools in the District. With a faculty/staff cap of 60 employees, 40 parking spaces are required; however, under the 2004 BZA Order, the school received the following parking variances:

- A variance from 11 DCMR §2117.4, concerning access to required parking spaces from improved streets or alleys;
- A variance from 11 DCMR §2115.1, concerning the minimum required size of parking spaces, and
- A variance from 11 DCMR §2101.1, concerning the number of parking spaces required for an elementary or junior high school.



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It should be noted that the variance regarding the number of parking spaces required was based on 60 faculty and staff members. Since the faculty cap is to remain at 60 members, there are no changes to the approved variances required.

On-Street Parking

The roadways surrounding the site are primarily marked with two-hour, Zone 3, Residential Permit spaces from 7:00 AM to 8:30 PM, Monday through Friday. However, three hour parking meters (7:00 AM to 6:30 PM, Monday – Friday) are installed on the east side of 36th Street south of Yuma Street.

LOADING REQUIREMENTS

There are no loading requirements for the subject site since it was built in the 1960's when there was no loading requirement under the 1958 zoning regulations. Therefore, the loading requirements established in the mid-1980's would not apply to the site unless there was a 25 percent increase in the size of the building or intensity of the use (i.e. number of students or faculty). Since neither of these applies, the site remains without any loading requirements.

In accordance with the 2004 BZA approval, certain restrictions with regard to loading have been, and will remain in place. The restrictions include:

- No trash collection before 9:00 AM or after 6:00 PM, Monday through Friday,
- No pick-ups or deliveries at any entrances on the north side of the building (i.e. facing Alton Place) before 9:00 AM or after 6:00 PM, Monday through Friday,
- Deliveries of time-sensitive materials (such as produce or perishable goods) may be accepted at the building's main entrance on 36th Street between 7:00 AM and 9:00 AM on an occasional "as-needed" basis, and
- No deliveries during weekends or school holidays.

Currently, the school receives two food deliveries per week which are scheduled for weekday afternoons. The farmer's market, in operation on Tuesdays and Saturdays, also provides food deliveries to the school. School trash pick-up occurs on Tuesdays and Friday afternoons.

Upon arrival to the site for PM peak field observations, there was a food delivery truck parked on the south side of Alton Place near the site's rear surface parking lot, as shown in Photograph 2.



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Photograph 2: Delivery Truck on Alton Place

Additionally, an electric supply company truck was stopped on 36th Street along the site's frontage. Both trucks were in compliance with the loading provisions set forth in the 2004 BZA Order. Additionally, both trucks were unloaded and departed before the pick-up operation began at the end of the school day.

CONCLUSIONS

In summary, the requested special exception extension request for Sheridan School will have no discernible impact to the traffic demands of the site. The nominal increase in students and the addition of faculty/staff up to the cap would increase the number of peak hour trips by just nine trips during the AM and eight trips during the PM peak hours.

Sheridan has implemented a detailed, defined pick-up/drop-off procedure to ensure safe and efficient drop-off/pick-up operations. Additionally, the school has enlisted MPD to provide oversight and to help enforce the traffic policies during these operations. The vast majority of the parents/guardians adhered to the established pick-up/drop-off procedure. However, minor improvements could be made in two areas. First, mid-block crossings were observed outside of the peak periods when traffic was minimal. Sheridan School should further stress the crossing at the marked crosswalks regardless of traffic conditions. Additionally, to allow for more unloading cars for the AM peak in the drop-off lane, the first car in the lane could stop approximately one to two car lengths further south on 36th Street. This will allow for up to seven cars to be unloading at one time which can adequately service the 95th percentile queues recorded during both the peak period and peak 15-minutes of the morning drop-off operations.

Considering all of the transportation related elements discussed herein, the requested special exception request extension for the proposed development will not have an adverse impact on the traffic operations of the surrounding roadway network. We hope that this memorandum provides you with adequate information regarding the transportation issues related to the proposed development. Should you require any additional information, please do not hesitate to contact us at 703-917-6620, jlmlanovich@mjwells.com.

Transportation Assessment for Sheridan School
4400 36th Street NW (Square 1968, Lot 10)
January 23, 2014

FIGURES

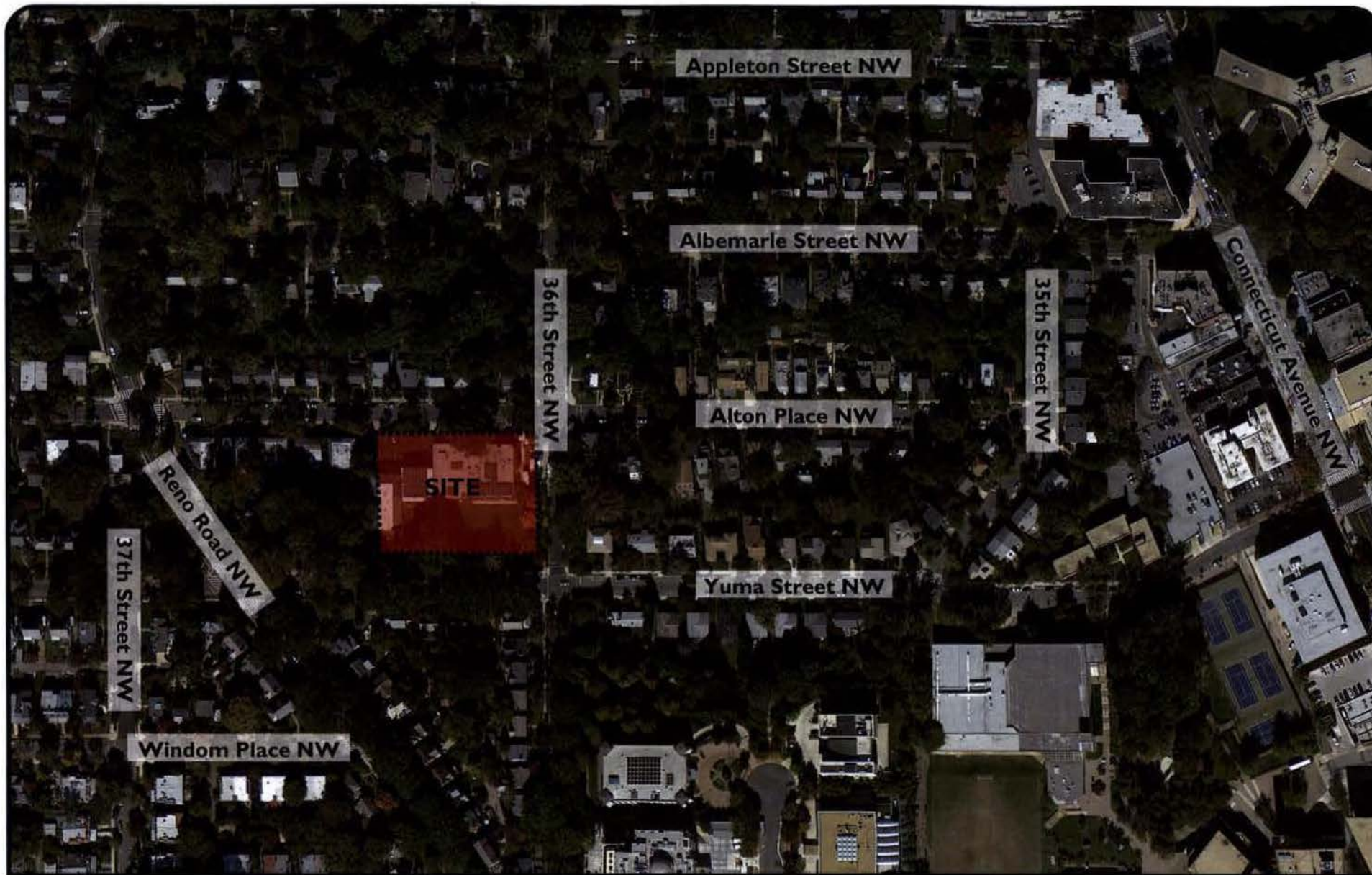


Figure 1
Site Location



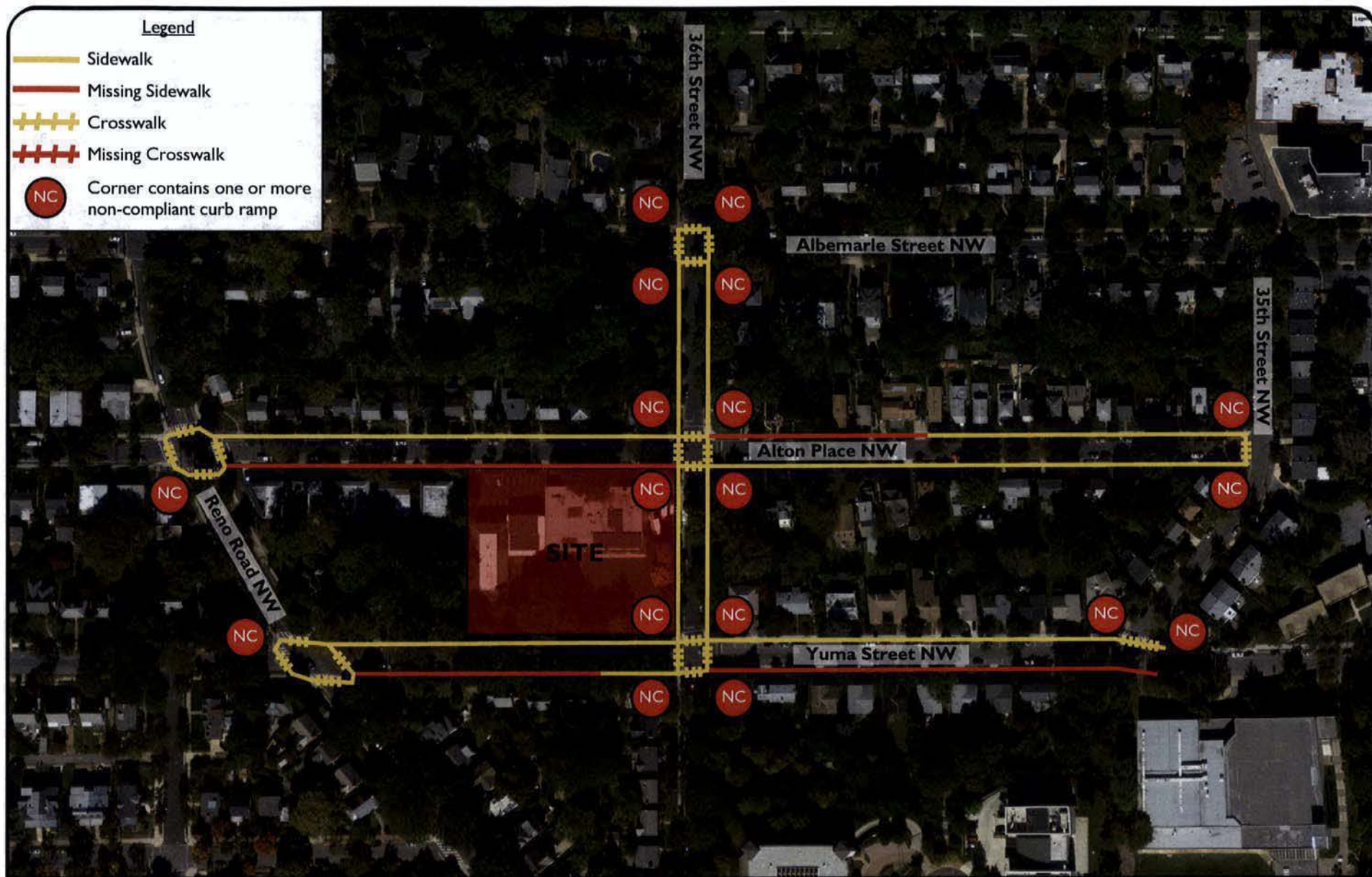


Figure 3
Pedestrian Facilities Gap Analysis



Transportation Assessment for Sheridan School
4400 36th Street NW (Square 1968, Lot 10)
January 23, 2014

ATTACHMENT A
SCOPING DOCUMENT

Project Name & Applicant Team: Sheridan School Special Exception Mike Stoll Sheridan School 4400 36 th Street, NW Washington, DC 20008 mstoll@sheridanschool.org	
Case Type & No. (PUD, LTR, etc.): Special Exception and Variance	
Street Address: 4400 36th Street, NW Washington, DC 20008	
Current Zoning and/or Overlay District: R-2	
Date of Filing: Anticipated filing date: early November 2013	
Estimated Date of Hearing: Hearing date has not yet been set.	
Description of Project: Sheridan School is located on the west side of 36th Street between Yuma Street and Alton Place in the northwest section of Washington, DC, as shown on Figure 1. Currently, the school is operating under a 2004 Board of Zoning Adjustment (BZA) order that allows a maximum enrollment of 226 students in grades K through 8. Under the approval, the school was granted a variance from the District of Columbia Municipal Regulations (DCMR) requirements that: (1) each required parking space shall be accessible at all times directly from improved streets or alleys and (2) each required parking space shall be a minimum of nine feet in width and 19 feet in length, and (3) an elementary or junior high school provide two parking spaces for every three teachers and other employees. The variance regarding the number of parking spaces was based on the requirements for 60 employees. In accordance with the order, the special exception approval remains in effect for ten years (there is no time limit on the variances). Therefore, the school plans to file a special exception application to allow the school to continue to operate under the same conditions approved under the 2004 Order. Specifically, the school proposes to maintain the current cap of 226 students. The existing order does not include a faculty/staff cap. Fifty-four employees currently are employed by the school. The school anticipates that the number of employees could increase to 60 over the next 10 years (note that at the time of the 2004 Order, the school had 55 employees and anticipated potentially increasing the number of employees to 60 by 2013). No changes to parking or traffic operations are proposed. Currently, students are dropped-off and picked-up at the following locations: • 36th Street between Yuma Street and Alton Place (primary location), • 36th Street north of Alton Place, • 36th Street south of Yuma Street, • Alton Place west of 36th Street, and • Alton Place east of 36th Street.	
1. Strategic Planning Elements (Planning Documents)	DDOT Comments/Action Items
Planning Guidelines: The CTR will address how the proposed development considers the primary city-wide planning documents, as well as localized studies. See Section 3.1 of the CTR guidelines for more information.	



Proposed Documents: • DC Pedestrian Master Plan • DC Bicycle Master Plan • Wells + Associates Transportation Study evaluating the original special exception request for the Sheridan School (July 29, 2003) • BZA Order No. 16977																																																																					
2. Roadway Network, Capacity & Operations	DDOT Comments/Action Items																																																																				
<u>Vehicle Trip Generation Assumptions</u> Guidelines: Provide <i>preliminary</i> site-generated vehicle trips and mode split assumptions. In addition, provide the assumptions and supporting documentation behind the proposed mode split. See Section 3.2.1 of the CTR guidelines for further information. Proposed preliminary mode split and supporting documentation: There are no changes proposed that would result in any additional trips being generated by the school. Table 1 summarizes the trip generation for an enrollment of 226 students (taken from the Sheridan School Transportation Study Conducted by W+A in July 2003): Table 1 Existing Trip Generation (226 students and 55 employees): <table><tr><th rowspan="2">Group</th><th colspan="3">AM Peak Hour</th><th colspan="3">PM Peak Hour</th></tr><tr><th>In</th><th>Out</th><th>Total</th><th>In</th><th>Out</th><th>Total</th></tr><tr><td>Parents/Guardians</td><td>171</td><td>171</td><td>342</td><td>170</td><td>170</td><td>340</td></tr><tr><td>Faculty/Staff</td><td>25</td><td>0</td><td>25</td><td>0</td><td>17</td><td>17</td></tr><tr><td>Total</td><td>196</td><td>171</td><td>367</td><td>170</td><td>187</td><td>357</td></tr></table> No change to the student cap is proposed. Consistent with the approved order, the number of employees may increase to 60. Therefore, the proposed trip generation is summarized in Table 2: Table 2 Proposed Trip Generation (226 students and 60 employees): <table><tr><th rowspan="2">Group</th><th colspan="3">AM Peak Hour</th><th colspan="3">PM Peak Hour</th></tr><tr><th>In</th><th>Out</th><th>Total</th><th>In</th><th>Out</th><th>Total</th></tr><tr><td>Parents/Guardians</td><td>171</td><td>171</td><td>342</td><td>170</td><td>170</td><td>340</td></tr><tr><td>Faculty/Staff</td><td>27</td><td>0</td><td>27</td><td>0</td><td>19</td><td>19</td></tr><tr><td>Total</td><td>198</td><td>171</td><td>369</td><td>170</td><td>189</td><td>359</td></tr></table>	Group	AM Peak Hour			PM Peak Hour			In	Out	Total	In	Out	Total	Parents/Guardians	171	171	342	170	170	340	Faculty/Staff	25	0	25	0	17	17	Total	196	171	367	170	187	357	Group	AM Peak Hour			PM Peak Hour			In	Out	Total	In	Out	Total	Parents/Guardians	171	171	342	170	170	340	Faculty/Staff	27	0	27	0	19	19	Total	198	171	369	170	189	359	Please provide a description of the CASA program and the important differences in operations/function between the CASA program and the regular school program. Include things like # of capacity/attendance, # of staff, pick-up/drop-off procedures, mode split, etc. Please provide a detailed description of pick-up/drop-off procedures. Perform analysis/observations that evaluate the following: queuing, procedures, staff oversight, signage, problem spots, and recommendations for improvements (if applicable). Comment is noted and this will be included in the report.
Group		AM Peak Hour			PM Peak Hour																																																																
	In	Out	Total	In	Out	Total																																																															
Parents/Guardians	171	171	342	170	170	340																																																															
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Parents/Guardians	171	171	342	170	170	340																																																															
Faculty/Staff	27	0	27	0	19	19																																																															
Total	198	171	369	170	189	359																																																															

Table 3 summarizes the net new increase in trips:

Table 3

Proposed Trip Generation (226 students and 60 employees):

Group	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Parents/Guardians	0	0	0	0	0	0
Faculty/Staff	2	0	2	0	2	2
Total	2	0	2	0	2	2

Since the increase in trips is less than 25 trips/hour in the peak direction, a CTR will not be required.

In Spring 2013, Sheridan School conducted a survey of both the parents and the faculty and staff to determine their travel characteristics. The results are summarized in Table 4.

Table 4

Summary of Mode Split Survey

Travel Mode	Walk	Bike	Car	Metrobus/ Metrorail
Students	11.5%	3.1%	82.3%	3.1%
Faculty & Staff	15.4%	7.7%	69.2%	7.7%

The full results of these surveys are provided as Attachment A.

Vehicle Site Access

Guidelines: If vehicle access is needed, at a minimum the CTR will provide locations of access point(s) and desired access controls (full, right-in/right-out, etc.). See Section 3.2.2 of the CTR guidelines for any further requirements.

Access Location(s): Two access points are provided on both 36th Street and Alton Place. The 36th Street access points provide access to eight parking spaces at the sites frontage. The two Alton Place curb cuts provide access to the parking lot at the rear of the building.

Access Control: The 36th Street access points are unsignalized with full access. The Alton Place access points are unsignalized as well; however, one of the curb cuts provides inbound access while the other provides outbound access.

Existing Curb cuts utilized: All of the existing curb cuts will remain utilized.



Existing curb cuts abandoned: None Proposed curb cuts: None Curb cut width and radii: Radii are unknown. Estimated widths listed below: • Inbound Alton Place curb cut – 14 feet • Outbound Alton Place curb cut – 14 feet • Northern 36th Street curb cut – 24 feet • Southern 36th Street curb cut – 24 feet	
<u>CTR Triggers for further vehicle analysis (for sections below)</u> Guidelines: See Section 3.2.3 of the CTR guidelines to determine if a more comprehensive vehicle analysis is required. If so, completion of the remainder of the <i>Roadway Network, Capacity & Operation</i> section of the scoping form is required.	
<u>Development Scenarios</u> Guidelines: See Section 3.2.4 of the CTR guidelines for discussion of the required development scenarios. Proposed Development Scenario: N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Vehicle Study Area</u> Guidelines: See Section 3.2.5 of the CTR guidelines for discussion of the study area. Proposed Study Area intersections, including access points (attach Figure at end of Scoping Form as needed): N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Data Collection and Hours of Analysis</u> Guidelines: See Section 3.2.6 of the CTR guidelines for discussion of the required data collection and hours of analysis. Proposed turning movement count intersections: N/A – Based on the negligible trip generation as described above, no turning movement counts are proposed. However, we will conduct a field reconnaissance of the school's traffic operations, including observations during the morning drop-off and afternoon pick-up for the school, and parking operations to ensure the TMP is functioning as intended.	

<u>Roadway Improvements</u> Guidelines: The study will account for approved and funded roadway improvement projects within the study area that are expected to begin before the proposal's horizon year. See Section 3.2.7 of the CTR guidelines. Proposed roadway improvements: N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Background Developments</u> Guidelines: The study will account for vehicle trips generated by developments in the study area that have an origin/destination within the study area. See Section 3.2.8 of the CTR guidelines. Proposed background development: N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Background Growth</u> Guidelines: The study will account for annual growth or decrease in through traffic on minor and principal arterials that pass through the proposed study area. See Section 3.2.9 of the CTR guidelines. Proposed annual background growth: N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Site Trip Distribution & Assignment</u> Guidelines: Trips generated by the site will be distributed throughout the study area network. See Section 3.2.10 of the CTR guidelines for information in trip distribution and assignment. Proposed site distribution and assignment (attach Figures, as needed, at end of Scoping Form): N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Analysis Methodology</u> Guidelines: Capacity analyses are typically performed using Highway Capacity Manual (HCM) methodologies or a similar industry recognized software. See Section 3.2.11 of the CTR guidelines. Proposed analysis methodology: N/A – Based on the negligible trip generation as described above, no vehicular analysis is proposed.	
<u>Vehicle Trip Mitigation</u> Guidelines: Proposed mitigation of vehicle impacts, if needed, must not add significant delay to other travel	

modes. Standard non-urban mitigation often includes geometric re-design which may not fit DDOT's practice of balancing safety and capacity across multiple transportation modes. See Section 3.2.12 of the CTR guidelines. For Informational purposes only. Mitigation will be documented in the final CTR. No information is required in the scoping form.	
3. Bicycle & Pedestrian Facilities	DDOT Comments/Action Items
<u>CTR Triggers for bike and pedestrian mode share</u> Guidelines: A CTR is required to include some level analysis of the bike and pedestrian network at a minimum, based on several potential factors. See Section 3.3.1 of the CTR guidelines to determine if a more comprehensive analysis is required. If so, complete the remainder of the <i>Bicycle & Pedestrian Facilities</i> section of this scoping form.	
<u>CTR Bike and Pedestrian Study area</u> Guidelines: See Section 3.3.2 of the CTR guidelines to determine bike and pedestrian study areas. Proposed bike and pedestrian study areas: A discussion of the pedestrian and bicycle facilities in the immediate vicinity of the school and on school property will be included.	Study area should include: • Alton Pl b/w Reno and 35th • 36th St b/w Yuma and Albermarle • Yuma St b/w Reno and 35th Comment is noted and this will be included in the report.
<u>Data Collection and Analysis of Bike Network and Facilities</u> Guidelines: See Section 3.3.3 of the CTR guidelines for data collection requirements and analysis for bike and pedestrian modes. Proposed Bike network and facilities analysis: A discussion of the existing and proposed pedestrian and bicycle facilities in the immediate vicinity of the school will be provided. Additionally, relevant information from the Pedestrian Master Plan and Bicycle Master Plan also will be included.	Identify on-site bike parking facilities (# of bike parking spaces, showers, etc.) Comment is noted and this will be included in the report.
<u>Mitigation for Bike network</u> Guidelines: If deficiencies have been documented in the study area's pedestrian or bike facilities that would preclude the proposed mode split, then mitigation of these deficiencies is required. See Section 3.3.4 of the CTR guidelines for mitigation requirements of the bike network. For Informational purposes only. Mitigation will be documented in the final CTR. No information required in scoping form.	
4. Transit Service	DDOT Comments/Action Items

<u>CTR Triggers for transit mode share</u> Guidelines: A CTR is typically required to include some level analysis of the transit network, based on several potential factors. See Section 3.4.1 of the CTR guidelines to determine the minimum analysis requirements and if a more comprehensive transit analysis is required. If so, completion of the remainder of the <i>Transit Service</i> section of this scoping form is required. See Section 3.4.1 of the CTR guidelines	
<u>CTR Transit study area</u> Guidelines: If further analysis of the transit network is triggered, see Section 3.4.2 of the CTR guidelines for determining the requisite study area. Proposed transit study area: The nearest Metro Station to the subject site is the Van Ness – UDC Metro Station, located approximately ½ mile southeast of Sheridan School on Connecticut Avenue. Additionally, the Tenleytown Metro Station is approximately 0.6 miles west of the subject site on Albemarle Street. Both the Van Ness and the Tenleytown stations provide service to the Metro Red Line which offers access to the Green and Yellow lines at the Gallery Place Metro Station and the Blue and Orange Lines at the Metro Center Metro Station. The presence of Metrobus routes in the area is minimal with routes primarily on the major nearby roadways (i.e. Wisconsin Avenue, Connecticut Avenue, Nebraska Avenue, etc.).	
<u>Analysis of Transit Network</u> Guidelines: Analysis of the transit network will incorporate both a quantitative and qualitative review. See Section 3.4.3 of the CTR guidelines for further information. Proposed transit analysis: A discussion of the existing transit facilities including bus stops, Metrorail stations, Carsharing locations, and Capital Bikeshare locations in the immediate vicinity of the subject site will be provided. No changes to the transit infrastructure are anticipated with the proposed development.	Identify bus service in the vicinity including peak and off-peak headways. Comment is noted and this will be included in the report.
<u>Transit Trip Mitigation</u> Guidelines: Proposed mitigation of transit impacts may be needed, given certain impacts to the network. See Section 3.4.4 of the CTR guidelines for more information. For Informational purposes only. Mitigation will be documented in the final CTR. No information is required in scoping form.	



5. Site Access and Loading	DDOT Comments/Action Items
Guidelines: At a minimum, the Applicant is required to show site access for vehicles, pedestrians and bicyclists. In addition, DDOT has additional policies for site access and loading as they relate to public space. See Section 3.5 of the CTR guidelines for additional information regarding these policies. Freight\Delivery The study will identify existing and proposed commercial vehicle access to the site. See Section 3.5.1 of the CTR guidelines. Motorcoach For developments that will generate significant tourist activity (hotels, museums, etc.) the study will discuss the site plan's accommodation of motorcoach access. See Section 3.5.2 of the CTR guidelines. Proposed Loading Analysis: There are no loading requirements for the subject site. Since the school was built in the 1960's, at that time, there was no loading requirement under the 1958 zoning regulations. Therefore, the loading requirements established in the mid-1980's are not applicable to the site unless there was a 25 percent increase in the intensity of the use (i.e. number of students or faculty) or 25 percent increase in the size of the building. Since neither of these applies, the site remains without any loading requirements. Pursuant to the 2003 BZA approval, certain restrictions with regard to loading have been, and will remain in place. These restrictions include: • No trash collection before 9:00 AM or after 6:00 PM, Monday through Friday • No pickups or deliveries at any entrances on the north side of the building (i.e. facing Alton Place) before 9:00 AM or after 6:00 PM, Monday through Friday. • Deliveries of time-sensitive materials may be accepted at the building's main entrance on 36th Street between 7:00 AM and 9:00 AM on an occasional "as-needed" basis • No deliveries during weekends or school holidays.	Please describe how and where loading occurs (Curbside? In the parking areas?). Provide an estimation of the loading needs of the school (size of trucks and frequency of deliveries). Comment is noted and this will be included in the report.
6. Parking	DDOT Comments/Action Items
Guidelines: Minimum requirements exist for documenting parking needs and constraints, regardless of development size. Further requirements may be needed for larger developments. See Section 3.6 Proposed Parking Analysis: The DCMR requires 2 parking spaces for every 3 teachers and other employees for elementary and junior high	

schools in all districts. Sheridan School currently operates with 54 faculty and staff members. Therefore, the DCMR requires that the School provide 36 vehicular parking spaces. While the site currently provides 37 parking spaces (29 in the rear lot and 8 along 36th Street at the site's frontage), only thirteen spaces are of the standard size (twelve in the rear lot and one handicap space at the site's frontage). The remaining spaces are made up of twelve tandem spaces and four compact spaces in the rear lot and 7 compact spaces at the site's frontage. Under the 2004 Order, the school received the following variances related to parking: • A variance from 11 DCMR §2117.4, concerning access to required parking spaces from improved streets or alleys; • A variance from §21 15.1, concerning the minimum size of parking spaces; and • A variance from §2101.1, concerning the number of parking spaces required for an elementary or junior high school. Note that the variance regarding the number of parking spaces required was based on 60 employees. Therefore, no change to the approved variance is required.	
7. Transportation Demand Management	DDOT Comments/Action Items
<u>Triggers for a TDM Plan</u> Guidelines: All developments are encouraged to produce TDM plans, regardless of size. See Section 3.7 Proposed TDM Plan: Under the prior approval, the school agreed to implement a Transportation Management Plan (TMP) that included the following: • Vehicles used in dropping-off or picking-up students along the west side of 36th Street between Alton Place and Yuma Street may not park or leave their vehicles unattended; • Students may not cross in the middle of the block on 36th Street between Alton Place and Yuma Street; • U-turns are not permitted on 36th Street between Alton Place and Yuma Street; • Vehicles may not be parked in front of the driveways or on the lawns of any nearby residential properties, and • Vehicles may not be double-parked on any neighborhood streets. The school will continue to adhere to this TMP, as well as other transportation conditions identified in the Order.	Note that additional TDM measures may be requested pending the outcome of the pick-up/drop-off analysis/observations. Comment is noted.

8. Performance Monitoring & Measurement	DDOT Comments/Action Items
Guidelines: Developments of a certain size may need to incorporate a performance monitoring element as a condition of zoning approval. See Section 3.8 of the CTR guidelines for more information.	
9. Safety	DDOT Comments/Action Items
For informational purposes only. Requirements for performance monitoring will be coordinated with the DDOT case manager.	
Guidelines: The CTR will demonstrate that the site will not create or exacerbate existing safety issues for all modes of travel. See Section 3.9 of the CTR guidelines for further information. Proposed Safety Analysis: Field observations will be conducted to ensure the effectiveness of the transportation management policies in providing safe operations during the AM drop-off and PM pick-up times. Additionally, the facilities in the immediate site vicinity will be observed to ensure compliance and safety.	
10. Streetscape/Public Realm	DDOT Comments/Action Items
Guidelines: DDOT expects new developments to rehabilitate streetscape infrastructure between the curb and property lines. The applicant must work closely with DDOT and OP to ensure that design of the public realm meets current standards. See Section 3.10 of the CTR guidelines for direction on streetscape rehabilitation. These guidelines are provided to inform that public realm design standards may alter an Applicant's intended use of public space.	

Information/Data Requests (List requested data from DDOT after each field below):

- District planning documents: N/A
- Local planning documents, including small area plans: N/A
- Information on programmed and/or funded roadway improvements in study area: N/A
- Studies for background developments in study area: N/A
- Signal Timings: N/A
- Crash Data: N/A

Proposed Schedule:

- Submit Scoping Document: August 16, 2013
- DDOT comments on Scoping Document: September 13, 2013
- Transportation Consultant/Applicant responses to comments: September 16, 2013
- Phase I Completion: N/A
- Phase II Completion: N/A
- Submission of Report to DDOT: At least 45 days in advance of the public hearing
- Zoning Commission or BZA Hearing Date: No public hearing date has been set yet

Attach any Figures, Tables, and Appendices here:

