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DC Board of Zoning Adjustments  
441 4<sup>th</sup> Street, NW, Suite 200S  
Washington, DC 20001

**Subject: Comments opposing BZA Case 19377: The Boundary Companies and The Missionary Society**

Dear Board of Zoning Adjustment Members,

## **INTRODUCTION**

I am writing on behalf of my family, as residents of Chancellor’s Row, to express our concerns regarding the development of the Paulist Property. Additionally, we want to ensure that the Board of Zoning Adjustment (BZA) is aware of the impact of the proposed development when evaluating it and in granting any special exception or variance to minimize the adverse impacts of the development.

## **BACKGROUND**

The Boundary Companies and The Missionary Society of St. Paul the Apostle (Applicant) seek a special exception to construct multiple buildings on a single lot and a variance related to vehicular access points less than 24 feet and non-compliant rear and side yards.

## **CONCERNS AND RECOMMENDATIONS**

I set forth our specific concerns below along with recommendations on what should be required of the developer to mitigate the negative impacts of the proposed development.

### **Require that Roadways through the Proposed Development are Built to Accommodate Two-Way Traffic AND Reject DDOT Suggestion to Connect Regent Place to 4<sup>th</sup> Street**

When the schools moved in to the existing Paulist building, the curb cut for the driveway to enter the property and reach the schools was temporarily expanded to accommodate two-way entry and exist. However, the roads within the property to approach the schools do not truly accommodate two-way traffic. Since the schools are not yet at maximum capacity, the development must be built to accommodate the two-way traffic of the students, parents and teachers at full capacity in addition to the future residents of the new development.

Additionally, the roads through the Chancellor’s Row development are private streets and were not built to accommodate additional traffic. Therefore, the “springing easement” suggested by the District Department of Transportation (DDOT) to connect 4<sup>th</sup> and 7<sup>th</sup> Streets NE via Regent Place NE should be rejected by the BZA. The Chancellor’s Row development was approved for significantly narrower roads and houses positioned much closer to the roads than the surrounding community, as the roads were never intended to accommodate the volume of traffic that would result by connecting the roads. Based on the Google Map measure distance feature, there is a 30-35 foot distance between the curb of Franklin St. NE to the front door of the houses on Franklin, whereas there is only a 12 foot distance between the curb and the homes along Regent Place. Furthermore, Franklin Street NE is 30 feet across, whereas Regent Place NE was approved to be only 26 feet across.

Given the volume of traffic that regularly impacts Michigan Ave. NE to the north (which doesn’t have houses) and Franklin Street NE to the South (which is markedly wider), Regent Place NE would become a favorite cut through, making it unsafe and unhealthy for my children due to the marked increase in exhaust fumes and vehicular traffic. Therefore, the BZA should reject DDOT’s proposal and not support or approve any plan that

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would allow additional traffic to travel on Regent Place NE as it would be an undue burden on residents, force additional traffic on private roads that are not built to handle additional capacity, clearly further reduce our property value, and impact the use and enjoyment and use of our home and streets.

**New Paulist Building & Surrounding Open Space Should Only Be Approved With Documented Restrictions on Future Use**

Given the Paulist's repeated public statements of its financial difficulties and the fact that its numbers are shrinking, it is reasonable to predict that at some point in the future they will no longer be of sufficient in number or need to occupy the proposed new building to house the remaining Paulist Fathers. In addition, the sale of the land to Chancellors Row, their 102,000 square foot building likely provided more than sufficient funding to create a new building (that is actually smaller in size than proposed) and ample support for their remaining brothers.

Therefore, if the development is approved to permit a new building to accommodate the remaining Paulist Fathers, it should be approved with the documented restrictions that the surrounding land will not be further developed nor should the new building be leased or sold to another entity or for non-institutional use. It is imperative that such future restrictions be clearly documented in the record.

We also propose that the area between the existing Chancellors Row homes and the proposed new Paulist building be dedicated as permanent open space, regardless of whether or not a new Paulist building is ever built, to ensure that the designated space is not repurposed at some point in the future for further development. If not made a condition of approval, it is entirely possible that if the Paulist's circumstances change, they could sell the development rights to someone who would then seek more intensive development that includes construction within the space between the proposed new Paulist Building and the existing Chancellor's Row homes.

**Require that Adequate Greenspace be Maintained and Protect Existing Trees**

We ask the BZA to ensure that residents can continue to use and enjoy the property. Open space and mature trees are a rapidly disappearing commodity in the District. Children and families from the surrounding neighborhoods and across the city have enjoyed the Paulist property for generations. In fact, longtime Brookland residents used to play ball on what they referred to as "Paulist Field". I know this first hand as part of my family grew up on 7<sup>th</sup> Street NE. That tradition has been carried on for generations and now my own children enjoy what remains of this same park-like open space.

One of the things that makes the Paulist property so pleasant and enjoyable is all of the mature trees. In addition to aesthetic, the trees filter pollutants and noise, and provide a place for wildlife to live. The trees make you feel like you are truly in a parklike setting.

In addition to being used by the neighboring residents, the existing property and green space is currently used by the two public charter schools housed in the original Paulist building – Washington Leadership Academy and Lee Montessori, schools that my own children may attend in the future (our son is waitlisted at Lee Montessori). I have not heard a definitive answer on where the students will play and what space they will use for recreation post-development. Any option would have students leaving campus and crossing streets, which is not a wise or safe option, particularly for the younger students. Furthermore, leaving the existing campus to get to these alternate play/recreation locations will only take time away from the time designated for their recreational activities or other studies.

Therefore, any development should set aside adequate open space for children to play and neighbors and residents to gather, which does not appear to be the case based on the current plans. In addition, the developer should provide for a long-term tree protection preservation plan of the existing mature trees.

### **IMPOSE ADEQUATE CONSTRUCTION REQUIREMENTS AND RESTRICTIONS TO PROTECT SURROUNDING COMMUNITY AND SCHOOLS**

Obviously, residents across the city are inconvenienced by construction from time to time; however, any plan for development should have adequate controls for minimizing such impacts. A few such controls which must be incorporated into approval include (1) limiting construction time to minimize noise and impact on surrounding community and schools, (2) limiting construction parking, and (3) providing for power washing of all homes impacted by the construction debris, dirt and dust.

- **Limit Construction Hours to Minimize Impact on Neighbors and School** – The construction times should be limited to minimize impact on both the school and the neighborhood. As many local residents, including our own family, have children and infants that still nap frequently, the non-stop daily construction will already be a huge disruption.
- **Limit Construction Parking** – The parking on the private streets of Chancellors Row are already at a premium and the school parking lot already appears to be full during school hours. Therefore, it is imperative that the developer make other arrangements for parking and ensure that no construction vehicles shall park in the school parking lot or in Chancellor's Row at any time
- **Require Power Washing of the School and all Impacted Chancellors Row Homes** – The developer has already agreed in a letter submitted to BZA that one row of homes that face the proposed construction site will be examined pre- and post-construction and power washed throughout. However, while that row will clearly be impacted as the plan is currently proposed, depending on the final development plan, other homes may be impacted just as much, if not more. For example, while my home does not directly abut the proposed development, it does directly face the existing school parking lot. The dust and debris from any parking lot construction and tree removal will directly impact my home, just as surely as the pollen from the trees is currently covering our porches. All impacted homes should receive the same accommodation and the BZA application should be amended to include such language related to pre- and post-construction surveys and power washing. Therefore, we request that all homes that immediately abut the construction site must be power washed by a third-party contractor as necessary throughout the construction period with a reasonable frequency *as well as* the other homes directly impacted by the construction, as ours will be.

Thank you for your consideration and time on this matter.

Sincerely,

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