J White

NEIGHBOR:

PLEASE READ THESE DOCUMENTS CAREFULLY AND PARTICIPATE IN THE RESOLUTION OF THIS IMPORTANT COMMUNITY ISSUE.

BZA
CASE No. 16556
EXHIBIT No. 308

Board of Zoning Adjustment
District of Columbia
CASE NO.16556
EXHIBIT NO.308

JW

ATTENTION:

PARENTS OF SHEPHERD PARK SCHOOL STUDENTS WHO WALK TO SCHOOL THROUGH THE ALLEYS SOUTH OF JONQUIL STREET

CURRENTLY OUR CHILDREN USE THESE ALLEYS IN RELATIVE SAFETY TO WALK TO THEIR NEIGHBORHOOD PUBLIC SCHOOL. THERE IS LITTLE AUTOMOBILE TRAFFIC AND THEY HAVE CLEAR VIEW IN CROSSING GERANIUM, HOLLY, HEMLOCK, IRIS, JUNIPER AND JONQUIL STREETS TO APPROACH THE SCHOOL.

THE BOARD OF ZONING ADJUSTMENT IS CURRENTLY CONSIDERING AN APPLICATION, UNDER A SPECIAL EXCEPTION, TO ESTABLISH TWO PRIVATE DAY SCHOOLS AT CHEVORAH TIFERETH ISRAEL SYNAGOGUE, 7701 16TH STREET AND AT OHEV SHOLOM TALMUD TORAH SYNAGOGUE, 7712 16TH STREET.

ALMOST ALL OF THE PROPOSED 205 STUDENTS WILL ARRIVE AT THESE FACILITIES BY AUTOMOBILE FROM OTHER AREAS OF THE CITY AND FROM THE SUBURBS. THE FACULTY, STAFF, DELIVERY TRUCKS AND OTHER SERVICES WILL GENERATE ADDITIONAL TRAFFIC AT THE EXACT TIME THAT OUR CHILDREN WALK THEIR ACCUSTOMED ROUTES TO AND FROM SCHOOL.

NEITHER FACILITY HAS ADEQUATE ON-PREMISE PARKING OR DROP-OFF AREAS. ANY TRAFFIC PLAN PROPOSED BY THE PRIVATE SCHOOLS WOULD NECESSARILY INVOLVE USING THE ALLEYS AND SIDE STREETS AND OBSTRUCTING THE VIEW AND ACCESS FOR OUR SMALL PEDESTRIANS.

ISSUE: SHOULD THE SAFETY OF OUR CHILDREN WHO WALK TO THEIR NEIGHBORHOOD SCHOOL BE COMPROMISED BECAUSE THE PRIVATE DAY SCHOOL'S PLAN FOR TRANSITION TO ITS PERMANENT FACILITIES FAILED , IT NEEDS A TEMPORARY BUILDING AND, IT IS UNWILLING TO CONSIDER ALTERNATIVE SITES?

PLEASE READ THE ATTACHED BACKGROUND MATERIALS, INCLUDING THE WASHINGTON POST ARTICLE OF MARCH 2, 2000.

PLEASE ATTEND THE BOARD OF ZONING AUTHORITY (BZA) HEARING

TUESDAY, MARCH 21, 2000, 9:30 am
441 Fourth Street, N.W. (1 Judiciary Square Bldg.)
Zoning Hearing Room (Rm. 220)
TELEPHONE (202) 727-6311

Citizens for the
Jewish Primary Day School of the Nation's Capital
Temporary Occupancy of Ohev Sholom and Tifereth Israel Synagogues

FACT SHEET

Background

The Jewish Primary Day School (JPDS) is an independent co-educational Jewish day school with a dual curriculum of general and Judaic studies for students in kindergarten through sixth grade. It is the only Jewish day school in the District of Columbia. JPDS has been located at Adas Israel Synagogue since it was established in 1987. However, JPDS' lease in the Adas Israel synagogue cannot be extended beyond June of 2000. The school has identified a permanent location in Forest Hills. The lengthy approval process associated with that site unfortunately will not allow for the immediate relocation of the school. In December of 1999, JPDS began discussions with Ohev Sholom and Tifereth Israel Synagogues on 16th Street and immediately filed an application with the Board of Zoning Adjustment (BZA) to secure approval for the temporary use. The application was filed rapidly to maintain a place in line before the BZA while assessing the feasibility and neighborhood concerns all to ensure a September opening.

Questions and Answers

- ***Why did the school choose the two synagogues in Shepherd Park?***
  JPDS is the only Jewish day school in the District of Columbia and we are committed to remaining in the District where half of our families reside. Locating appropriate space for our temporary location in the city proved extremely difficult. Ohev Sholom and Tifereth Israel Synagogues were able to accommodate our students with modest interior modifications. The location of the Synagogues is central to the homes of the vast majority of our families.

- ***What can the school offer the immediate community?***
  Timely snow removal, after school programs, joint programs with Shepherd Park Elementary School, increased public safety with traffic policing, cultural exchange programs involving seniors, and a community relations oversight board.

- ***How many students are enrolled in JPDS?***
  JPDS proposes to locate a maximum of 205 students, i.e., a maximum of 120 students in grades K through 3 at Ohev Sholom Synagogue and a maximum of 85 students in grades 4 through 6 at Tifereth Israel Synagogue.

- ***What is the proposed term of occupancy?***
  JPDS seeks only the temporary use of the site for three school years while the necessary approvals are sought for the permanent location. After the three-year term of approval, JPDS will not be permitted to remain in the synagogues without another approval from the Board of Zoning following another public hearing.

- ***How will the children arrive to and depart from the site?***
  JPDS retained a local traffic-engineering firm, Gorove/Slade, to examine existing traffic conditions in the area to determine the most appropriate manner in which to handle drop-off and pick-up. The community will have input on the final traffic management plan.

COMMUNITY ALERT !!!!

TO: Residents of the Shepherd Park Community (SMD 4A 02)
FROM: Jourdinia S. Brown, ANC 4A 02
RE: ***ANC 4A MEETING***
TUESDAY, MARCH 7, 2000 7:30 P.M.
SHEPHERD PARK ELEMENTARY SCHOOL

It is **imperative** that you attend this very important ANC 4A meeting to have your imput on what is being planned for **your community.** This is **your** opportunity to participate in the decisions that will affect your community !!!

The following items are on the agenda:

1. ***TRAFFIC MANAGEMENT PLANS***

   Tiferith Israel and Ohev Shalom, the two synagogues located at 7701 16th Street and 7712 16th Street, N.W., will present their Traffic Management Plans for your community if their application to establish a private school at the two locations is approved by the Board of Zoning Adjustment (BZA).

   Based on the discussion and comments by Shepherd Park residents about the negative impact - including the addtional traffic from Maryland, Virginia, and other neighborhoods in the District - that the school will have on your community, the Advisory Neighborhood Commission 4A voted unanimously against the establishment of a school at the two locations at the February 1, 2000, ANC Meeting.

   Consequently, the synagogues requested an opportunity to present a traffic management plan at the March 8th meeting.

2. ***Closing of Beach Drive in Rock Creek Park***

   Members of the Peoples' Alliance for Rock Creek Park have proposed extending the existing ban on weekend auto traffic to week days between Broad Branch Road and the Maryland line. They think that the road should be reserved for bikers, joggers

OVER

DISTRICT OF COLUMBIA BOARD OF EDUCATION

REV. ROBERT G. CHILDS
PRESIDENT
AT-LARGE MEMBER
825 NORTH CAPITOL STREET, N.E.
WASHINGTON, D.C. 20002
(202) 442-4289, FAX 442-5198

March 14, 2000

Board of Zoning & Adjustment
441 4th Street, N.W. #210
Washington, D.C. 20001

To Whom It May Concern:

I am writing on behalf of the District of Columbia Board of Education requesting that you delay a decision on a proposal coming before the Board of Zoning Adjustment to establish a private school, Chevorah Tifereth Israel Synagogue at 7701 16th Street, N.W., and a private school, *Ohev Sholom Talmud Torah Synagogue* at 7712 16th Street, N.W.

The Board of Education has been requested to evaluate the effect the location of these schools will have upon the Alexander Shepherd Elementary School, located at 7800 14th Street, N.W. The results of our evaluation should be completed by Thursday, April 20 2000, at which time we will inform you of our findings

If you have any further questions, please contact me at 825 North Capitol Street, N.E., Washington, D.C. 20002. I may also be contact by telephone on (202) 442-4289

Respectfully,

Robert G. Childs

Robert G. Childs
President

cc Derrick A Humphries

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20001

(202) 724-8052

CHARLENE DREW JARVIS
Councilmember - Ward 4
Chairperson
Committee on
Economic Development

Committee Member
Finance & Revenue
Government Operation

March 15, 2000

Ms. Sheila B. Reid
Chair
Board of Zoning Adjustment
441 4th Street, NW
Washington, DC 20001

Re: Application No. 16556

Dear Ms Reid:

As the representative to the Council from Ward 4, I appreciate an opportunity to provide input for your consideration of the application for a special exception to locate the Jewish Primary Day School of the Nation's Capital (JPDS) in the Chevorah Tifereth Israel and Ohev Sholom Talmud Torah synagogues. The synagogues are located at 7712 and 7701 16th Street in the Shepherd Park community of Ward 4.

On March 2, 2000, representatives from JPDS met with me and Advisory Neighborhood Commissioners Joseph H. Hairston, Jourdenia Brown, and Douglas Sloan of ANC 4A. This meeting provided us with an excellent opportunity to gain a keen understanding of the importance of JPDS's remaining in the District and its immediate need to secure a temporary location.

We were also briefed about the JPDS plan to complete construction in the next three years of a permanent facility on Chesapeake Street, NW, in the Forest Hills section of the District. This construction also requires approval by the DC Board of Zoning Adjustment (BZA) and the temporary location of JPDS for the next three years.

However, it is the application for *temporary* occupancy that has proven to be most troubling for some of my constituents. Residents in the Shepherd Park community have learned of significant opposition to the location of JPDS on Chesapeake Street. They have repeatedly expressed concern that the Tifereth Israel and Ohev Sholom synagogues will become permanent locations for JPDS. Their concern is fueled by the school's own admission that while these two sites are inadequate for future needs, JPDS has been unable to locate any other suitable District site.

In addition, residents have expressed concern about the impact of increased traffic in their

neighborhood. Sixteenth Street, which is already heavily used by rush-hour commuters may experience even more traffic as a result of a Montgomery County plan to divert traffic from Georgia Avenue in downtown Silver Spring to Sixteenth Street. They are also concerned about conflicts with the Department of Public Works over use of adjacent alleys for drop-off of youngsters.

Finally, many of my constituents point to the experience they have had with the operation of a day care center at 7701 Sixteenth Street, NW. They are concerned that they will now have at two locations in their community the same experience that began for them in 1986 when a day care center opened at 7701 16th Street to provide care for forty-eight children from 8:30 am until 1:00 pm. Through continuous expansion by 1992, the center had grown to sixty-five children and operated from 8:30 am until 4:00 pm. This use was granted by a special exception from the Board of Zoning which conditioned its decision with eight requirements. The BZA order was not adhered to, and neither the BZA, nor any other District agency, enforced the failure to comply with the BZA order. Neighbors would not like a repetition and thus, many do not support this special exception. I understand the concerns of these constituents.

Just as I have heard from my constituents who are opposed to the application for a temporary location of the JPDS, I have also heard from my constituents, and many residents in other parts of the community, who are in support of the application before the BZA.

Given the concerns of both supporters and opponents of the application before the BZA, it is my view that the best solution to the immediacy of the need of the JPDS is for all of us to work aggressively to identify another location for the school.

To that end, I was much encouraged by a meeting on March 10, 2000 that representatives from JPDS and the Mayor's office, and I had with Dr. Julius Nimmons, President of the University of the District of Columbia (UDC) at which Dr. Nimmons expressed his willingness to identify space on the UDC campus for JPDS. While there is no certainty that the UDC site will meet the needs of the school, I remain committed to helping JPDS remain in the District and will continue to pursue other locations with them.

Sincerely,

CHARLENE DREW JARVIS
Councilmember, Ward 4

cc: Board members
ANC 4A Commissioners
Shepherd Park Citizen's Association
At-Large Councilmembers
Office of the Mayor
Office of Intergovernmental Relations
The Jewish Primary Day Schoo!

Partner Sites:
- Newsweek.com
- Britannica Internet Guide

Related Items

Print Edition
D.C. Weekly
Metro Articles
Front Page Articles

On Our Site
Living in the District
Neighborhoods
Traffic
Community Resources
Metro Section

School in Search of a Home

Prospective Neighbors Object to Proposals After Split From Adas

By Caryle Murphy
Washington Post Staff Writer
Thursday, March 2, 2000; Page J01

Picking at a bunch of red grapes, 6-year-old Ezra Wexler explained that his enormous pink-and-black stovepipe was his "Dr. Seuss hat." Miriam Cleeman, 7, used double-stick tape to adorn her black felt hat with real Hershey chocolate kisses. And Ari Saperstein, 6, was barely visible beneath the oversize fur cap with earflaps borrowed from his older brother.

It was Crazy Hair and Hat Day in Julie Fisher's first-grade class at Jewish Primary Day School of the Nation's Capital--a way to celebrate the coming Jewish holiday of Purim, traditionally a day for donning costumes.

The event was also an apt metaphor for some recent "crazy" times at the school--when the "hats" who run Adas Israel Congregation in Northwest Washington and the "hats" who run the school located there did not see eye to eye.

As a result, the school and synagogue decided two years ago to part ways. But as the deadline for moving nears, the school has yet to find a new home.

Plans to operate temporarily out of two other synagogues in Shepherd Park are up in the air because of neighborhood concerns about traffic. And the school's long-term goal of building a new facility for 350 pupils in the upper-income Forest Hills community is facing huge resistance from homeowners.

It is a situation neither the synagogue nor the school envisioned when a group of parents at Adas, the area's largest Conservative synagogue, founded a kindergarten in 1987 with 18 pupils. Over the years, the school grew steadily, attracting sons and daughters of many prominent area legislators, federal officials and journalists. Today, it has 180 students in kindergarten through sixth grade and is the only full-time Jewish day school in the city.

But as the school grew, so did disagreements over sometimes minor and sometimes major issues. Who gets to cancel classes on a snowy day? Why does the school follow stricter kosher rules than the synagogue? Whom does Principal Susan Koss answer to--the synagogue board or the parents? Should this be a Conservative synagogue school or a community school designed to appeal to Jews across the spectrum of Judaism?

Ultimately, the discord boiled down to who should wear the top hat.

"Adas felt it ought to control the school's destiny, and the school and parents felt they should control the school's destiny," said Stephen H. Marcus, a synagogue member who has two children at the school. "And that created a great deal of conflict."

When the school was organized, "the assumption was that it would be a Conservative school," said Adas's senior rabbi, Jeffrey Wohlberg. "But as the school grew, as always happens, issues arose."

One source of friction was religious orientation. Some at the synagogue wanted the school to be openly oriented to the Conservative movement of Judaism. But Wohlberg and Koss, who is an Orthodox Jew, were able to agree that the school's menu should be strictly kosher, since it was seeking pupils from all types of Jewish backgrounds.

"We wanted every child to be comfortable," Koss explained. "No one should have to say, 'I can't eat that.' "

There were also tensions over space. The school takes up the synagogue's first and second floors--space that some in the synagogue thought could be used for other worthwhile programs.

Frictions came to a head in 1997 during discussions about the renewal of Koss's contract. Although Koss, who joined the school in 1989, offered to resign to facilitate a narrowing of differences, the parents demanded she stay.

By the spring of 1998, the two sides formally agreed that the school should become a separate entity. The school filed incorporation papers last July and set up its own board and budget. Koss is now officially employed by the school, not the synagogue. The school also began paying rent and promised to move out by the end of the 1999-2000 school year.

But finding a new home proved harder than anticipated.

When the school petitioned the synagogue board last fall for an extension beyond June, the board said no.

Board member Russell Smith said the synagogue needs the space for programs it has been planning for a year: helping its nursery school deal with children who have special needs, expanding its religious school for Jewish children who attend secular schools and creating a new youth lounge.

Many school parents, about one-third of whom are Adas members, were angry and hurt by the board's refusal to give the school more time to find a new home.

"I guess sometimes people in a dispute get so far dug in that they can't extricate themselves," said Stanley Cohen, who serves on the boards of both the synagogue and the school. "I think everyone could have extricated him or herself if people had wanted to."

Wohlberg defended the board, which he said "is trying to be responsible to all needs . . . and unfortunately, people mistake that as being one-sided or prejudiced or angry, and that's not the case. They're not a bunch of hard heads who are malevolent in any way. These are good people trying to be responsible leaders of the synagogue to the best of their ability."

But he expressed sadness at the rancor between the two sides. "People are angry at each other, and there's lots of misunderstanding and lots of misrepresentations," Wohlberg said. "People who used to be friends see themselves now as divided over this issue, which should never have happened."

Many are alarmed at the school's uncertain future. "I think it would be really tragic for the Jewish community and Jewish education if this school were to die," said columnist Charles Krauthammer, whose son once attended the school and who recently gave it $50,000 to help its transition.

The school still hopes it can address Shepherd Park residents' concerns over traffic so that it can move temporarily into the Ohev Sholom and Tifereth Israel synagogues there next fall. And it still needs a permanent home--which it hopes to build on a 3.2-acre site on Chesapeake Street NW, two blocks east of Connecticut Avenue. The school is negotiating to purchase the site.

But residents of Forest Hills have sprinkled their front lawns with signs saying, "NO COMMUTER SCHOOL ON CHESAPEAKE." And they've collected a $13,000 war chest for a legal fight if necessary at the zoning board. They are concerned that a school would increase traffic and parking problems in the area and radically alter its residential character.

"Nothing has galvanized neighborhood concern more than this development project," said Chesapeake Street resident Gary Stevens,

noting that 350 of his neighbors have signed a petition opposing the school's construction.

Marcus, the school's liaison with Forest Hills, said the school plans to apply for a zoning variance within the next few months. And, he said, "I expect a fight."

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Shepherd Park/Colonial Village Neighbors Alliance
Frequently Asked Questions (FAQ)

- **Who belongs to the Shepherd Park/Colonial Village Neighbors Alliance?**
  - Your neighbors, Jews, Christians and Moslems. Owners and renters. Oldtimers and new residents. Single and married, with school age children and without.
- **What is the problem it is attempting to solve?**
  - Neighborhood appropriate land use at the intersection of Juniper and 16th Streets, NW, and Jonquil and 16th Streets, NW
- **What got us together?**
  - Board of Zoning and Adjustment Application #16556 to get a zoning variance to locate the Jewish Primary Day School with at least 248 people (students, faculty and staff) at the two synagogues located at the intersection of Juniper and 16th Streets, NW (7701 16th Street, NW) and at the intersection of Jonquil and 16th Streets, NW (7712 16th Street, NW)
- **What is the Jewish Primary Day School?**
  - Was at Adas Israel synagogue at Porter Street & Connecticut Avenue. Outgrew the building.
  - A commuter school. Over 50% of students from outside DC. Only three in walking distance of the proposed sites located at Juniper and 16th Streets, NW and Jonquil and 16th Streets, NW.
  - Wants to grow to 300 students and 50 pre-schoolers, plus a summer camp
- **Why do they want to temporarily relocate at the synagogues?**
  - Synagogues offer a good deal
  - A good neighborhood. Attractive to parents and easy to raise funds for it here
- **Why is this a problem?**
  - The proposed permanent site on Gates Road, NW is faced with huge opposition by the Forest Hills Neighborhood Alliance (call Gary Stevens at 202-362-5341, stevensgrj@aol.com) whose members have already raised $13,000, expect to raise $50,000 for a long-term five year fight, and already have lawn signs in front of nearly 400 homes
  - The proposed temporary sites for the private Jewish Primary Day School are less than 500 feet from the Alexander Shepherd Elementary School (7800 14th Street, NW)
  - The Shepherd School PTA opposed the application because of the significant adverse impact and potential draining of resources from Shepherd Elementary public school
  - 200 extra cars in the morning and afternoon
  - Extremely congested 16th Street borders the sites; surrounded on all sides by residences; access through public alleys
  - Our children going to Shepherd use the sidewalks and the side alleys to walk to school
  - Local streets already clogged during rush hour
  - Will compete with homeowners and Shepherd elementary school parents, family members teachers and staff for very limited parking
  - Representatives of the Metropolitan Police Department report that there are already traffic problems in the area caused by commuter traffic and the traffic from the four existing schools in the immediate area

- **What can we do?**
  - Fight them at the D. C. Board of Zoning Adjustment on March 21, 2000 and in court
  - Lobby elected officials to oppose the plan
  - Oppose the special zoning exception request they need
  - Oppose the granting of a certificate of occupancy
  - Make it clear to the school that the neighborhood opposes the plan
- **How long might the fight take?**
  - Could be as much as $50,000 over the five years
- **How much will it cost to fight?**
  - Could be five years
- **Can we win?**
  - Advisory Neighborhood Commission 4A has voted twice (February 1, 2000 [6-0] and March 7, 2000 [6-0, 1 abstention]) to oppose this application. District of Columbia Ward 4 Councilmember Charlene Drew Jarvis opposed the application and has offered to assist the applicant in finding a location that is appropriate. D.C. Board of Education President Rev. Robert C. Childs has requested the Board of Zoning Adjustment to delay its decision until after April 20 to allow the Board of Education time to evaluate the effect the location of these schools will have on Shepherd Elementary School
  - Various lawyers think we have a strong case. Different city planners also think the sites have a number of unique problems.
  - Time is on our side. The school is being pushed out of Adas, and needs a new temporary home soon. Parents want the issue settled by April 1.
  - Easier for the school to raise money for construction than for a court fight.
- **What can you do now to help?**
  - Attend the Board of Zoning Adjustment Hearing to take place at 9:30 a.m. on Tuesday, March 21, 2000 at 441 4th Street, NW, Room 220
  - Talk with your neighbors to build support
  - Put a sign in your front yard, showing your support
  - Donate money to fund the fight
  - Volunteer your labor or special skills
  - Phone: 202-882-0597 Shepherd Park/Colonial Village Neighbors Alliance
  - E-mail: falewis144@aol.com

2/25/2000

Dear Neighbors,

We want to thank you for attending the meetings we hosted to dialogue about the Jewish Primary Day School. Your participation attests to the importance of retaining the quality of life in our neighborhood. We are hoping that the steps that the Jewish Primary Day School is taking to address your concerns will secure your support.

One of the things that became crystal clear in the series of meetings we had is that Tifereth Israel and Ohev Sholom synagogues need to do more to improve our relationships with our neighbors. We would like to avoid our mistakes of the past by scheduling regular meetings in which we can address your concerns.

Please know that we want be the best neighbors that we possibly can be. We need to hear from you more often to know how you feel about what we are doing. To this end, we invite each of you to attend the following quarterly Synagogue Dialogues and please bring your neighbors. All of the dialogues will begin at 7:00 PM and refreshments will be served.

April 6 - Tifereth Israel
Sept. 20 - Tifereth Israel

Sincerely,

Leonard Goodman
President
Ohev Sholom Talmud Torah Congregation

Rabbi Ethan Seidel
Tifereth Israel Congregation