**ADVISORY NEIGHBORHOOD COMMISSION 3C**
GOVERNMENT OF THE DISTRICT OF COLUMBIA
*CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS*
*MCLEAN GARDENS • WOODLEY PARK*

Single Member District Commissioners
01-Allen Hahn; 02-Kurt Vorndran; 03-Sally MacDonald
04-Richard C. Bartel; 05-John Welsh; 06-Trudy Reeves
07-Sheila Hogan; 08-Nancy Nord; 09-Nancy MacWood

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# TESTIMONY OF TRUDY REEVES FOR ANC 3C REGARDING SIDWELL FRIENDS SCHOOL BZA APPLICATION NO. 17149

Good afternoon, my name is Trudy Reeves. I am the Commissioner of ANC 3C-06. Sidwell Friends School is in my SMD.

Since April 2003 other ANC 3C commissioners and I have attended several community meetings held by Sidwell Friends. Sidwell representatives appeared before the Historic Review Committee, the Planning and Zoning Committee, and before the 3C Commission at several public meetings. At a public ANC 3C meeting on April 17, 2004, ANC 3C unanimously approved a resolution conceptually supporting the Sidwell BZA Application No. 17149. ANC 3C requests that the conditions approved by the commission in Resolutions No. 2004-017 and No. 2004-18 be listed as conditions of any BZA order pursuant to Application No. 17149.

In Resolution No. 2004-17 we applauded Sidwell for choosing designs to create an environmentally friendly campus. We also encouraged Sidwell to further a friendlier environment by taking stringent efforts to reduce the number of cars being driven to the campus by students, parents, and faculty. The Commission has especially expressed concern over the large number of students who drive to school and park in the neighborhood. The number of students who drive to school has been estimated to be 30% of all high school students (reference Traffic Study survey) or 150 students. We would like to see this number reduced through a strictly enforced student driving policy established by Sidwell.

In order to relieve the neighborhood of the large number of cars parked on their streets by Sidwell students and faculty, ANC 3C supports the construction of the below-grade parking garage provided that this parking garage will contain a minimum of 300 code-compliant parking spaces and will allow Sidwell to provide parking for all staff and students on campus. We understand that there may be times that Sidwell will require additional parking, such as during teacher-parent conferences, sporting events, and performances, and that during these times there may be overflow onto neighborhood streets. However, any overflow into neighborhood streets should be limited and planned for, and advance notification should be provided to the neighborhood. Under no circumstances should Sidwell students, teachers, parents, or visitors be permitted to park in areas restricted to residents while at school functions, even if they have

BZA
Case No. 17149
Exhibit No. 72

Board of Zoning Adjustment
District of Columbia
CASE NO. 17149
EXHIBIT NO. 72

residential permits. Additionally the ANC 3C resolution recommends that all buses, both Sidwell and visiting buses, be required to park on campus.

Across 37th Street from Sidwell is the Phoebe Hearst Public Elementary School, to which many out-of-area students (ages 5 through 9) are driven each day, in the same block that Sidwell students are dropped off. During drop-off and pick-up times, 37th Street is congested and hazardous. It presents a very dangerous situation when parents, in a hurry to get to their offices and other activities, drop off and pick up young children. Therefore, ANC3C strongly recommends that once the underground garage is built, the drop-off and pick-up of students on 37th street be restricted to 5th and 6th graders only. All other drop-off should take place off Wisconsin Avenue in the new underground garage, which should allow a sufficient queuing area. The drop-off and pick-up on 37th Street should be monitored and controlled by a Sidwell crossing guard. Cars permitted to drop off students on 37th Street should have a card or sticker prominently displayed.

Because the HPRB has not yet finalized its approval of the site plan, specifically the location of the meeting house, ANC 3C requests that any significant changes to the site plan be subject to ANC 3C review prior to consideration by the BZA.

Sidwell's Zavitz middle school is located on 37th Street and faces the Hearst Elementary School and Hearst Recreation Center. The addition to the middle school will extend to the northeast corner of the campus and will face residences on 37th and Tilden and, because of its height, may be visible from residences on Upton Street. The building will be very long and present a massive institutional view from neighboring streets. Because ANC3C has not been presented with a detailed landscaping plan, we cannot fully opine on the visual impact on the neighborhood. Our resolution recommends that the middle school addition facing 37th Street be indented to the west to give a visual break in the length of the building and to provide the mature trees in public space a greater chance of survival. Our resolution also recommends that the landscaping plan on 37th Street and along the north border of the property include numerous tall evergreens to shield views of the proposed extension from the street and immediate neighbors.

Sidwell currently has exceeded their 1996 BZA enrollment cap by 20 students, or a 2.6% overage, with a total enrollment of 800 students. Our resolution recommends that increases in enrollment be phased in as follows:

1. The existing cap of 780 be increased to cover the current enrollment of 800 students until the garage is built;
2. Once the garage is built, all student and staff parking is contained on campus, and the traffic management plan is implemented ANC 3C would recommend a new special exception application for 825 students. However, we recommend that the parking and traffic conditions must show significant improvement with the implementation of the traffic management plan before an increase to 825 students is approved.

3. Once the traffic management plan has been implemented successfully for a period of one year, ANC 3C recommends that Sidwell be required to return to the BZA for any further increase above 825 in student or staff cap if needed.

Because of Sidwell's history of noncompliance with BZA enrollment caps, our resolution recommends that Sidwell provide an annual report to ANC 3C and 3F due in December to include enrollment and staff levels and a certification that they are in compliance with the BZA order. We also recommend that Sidwell hold quarterly meetings open and pre-announced to the neighborhood and that a copy of the minutes be sent to both ANC 3C and 3F.

On June 7th ANC 3C held a special public meeting for the sole purpose of finalizing a Construction Management Plan. Given the number of construction projects and the sequential nature of the construction, ANC 3C believes it is important that an enforceable CMP be incorporated into the conditions of the BZA order. Central to our plan is the creation of a liaison committee, comprising two representatives from Sidwell; one each from the Washington Home, the Hearst Elementary School, the Hearst Recreation Committee, and the Cleveland Park Citizens Association; one ANC representative each from ANCs 3C and 3F, one from McLean Gardens, and four from impacted neighborhood streets. While there are stated requirements regarding construction routes, entrances, noise, hours, and a complaint process, there is considerable flexibility provided for the liaison committee to react to situations and construction needs as they arise. Most importantly, the CMP provides neighbors with some predictability and protections for quality of life during a long construction period. At the same time, it gives the school stated construction-related allowances and restrictions that will allow them to plan efficiently and avoid unnecessary controversy with the neighborhood.

ANC 3C has dedicated many hours to achieving uncontested support for this application. Sidwell agreed to follow our recommendations in many instances, including the delay of scheduling this proceeding so that we could have more time to work with the neighborhood and school. We are very grateful that they understood the benefit of listening to their neighbors, and reacting with substantive changes to their proposal. While we have conditioned our support and we feel strongly that those conditions must be included in the BZA Order, we are also very pleased that we can state that we endorse the proposal and look forward to continuing to work with Sidwell and the neighbors on any other issues that may arise in connection with this master plan.

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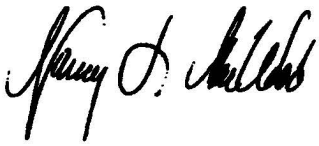
# ANC 3C Resolution No. 2004-018

## PROPOSED CONSTRUCTION MANAGEMENT PLAN FOR SIDWELL FRIENDS SCHOOL BZA APPLICATION NO. 17149

WHEREAS ANC 3C unanimously approved Resolution 2004-017, which endorsed the Sidwell Friends School master plan as presented in BZA Application 17149; and

WHEREAS ANC 3C held a Special Meeting, which was advertised and which had a single agenda item, namely further consideration of issues associated with BZA Application 17149:

BE IT RESOLVED that ANC 3C has taken action on a construction management plan at the Special Meeting, at which a quorum was present, and that such plan is attached and is a further condition of ANC 3C support for the Sidwell Friends School BZA Application 17149.

Attested by  Chair, on June 8, 2004

Nancy J. MacWood

This resolution was unanimously approved (7-0) by ANC 3C at a special public meeting on June 7, 2004, at which a quorum was present.

# Sidwell Friends School Construction Management Plan
# Drafted and Approved by ANC 3C
# June 7, 2004

This Construction Management Plan (Plan) provides the framework, limits, and enforcement for each of the Sidwell Friends School's (School) construction projects, which will be built in sequence over a number of years. The Plan shall become a condition of any zoning Order that is written pursuant to a special exception granted by the Board of Zoning Adjustment (BZA) for construction of a Middle School addition, new gym, new Quaker Meeting House, parking garage, and other renovations on the school's campus pursuant to BZA Application No. 17149. Unless specifically noted, the following applies to each and every construction project pursuant to BZA Application No. 17149.

## Establishment of Construction Liaison Committee

A Construction Liaison Committee (Committee) shall be established consisting of two representatives each from the Sidwell Friends School, one each from the Washington Home, the Hearst Elementary School, the Hearst Recreation Committee, and the Cleveland Park Citizens Association. One ANC representative each will be selected by Advisory Neighborhood Commission 3C and Advisory Neighborhood Commission 3F. One representative shall be selected by the McLean Gardens' complexes: The Village at McLean Gardens and the McLean Gardens Condominium Association. One representative each shall be selected by the owners of the houses on the 3600 and 3700 blocks of Quebec Street; the owners of houses on the 3500 and 3600 block of Tilden Street, 3900 block of Idaho Avenue, and 4000 and 4100 block of 37 Street; and the owners of houses on the 3600 and 3700 block of Upton Street to participate on the Committee. This Committee shall be in effect for all construction projects. Members of the Committee may appoint an alternate. The Committee shall determine its rules of procedure, including proper notice and the constitution of a quorum.

Issues, such as Saturday work, that arise between meetings shall be decided by a majority of the Committee through email communication that occurs at least two days prior to the need for a decision. However, Saturday work can occur once per month without agreement of the Committee. Notice of Saturday work must be given to the Committee and the neighborhood. If weather has prevented work for 2 full days during the same calendar week, work on a subsequent Saturday will be allowed, with notice to the Committee and the neighborhood. Saturday work hours shall be limited to 9AM to 5PM.

**Schedule:** Meetings shall begin as soon as the Board of Zoning Adjustment (BZA) announces its decision. There shall be at least one meeting each month during construction, unless a majority of the Committee agrees to meet less often. Any three (3) Committee members can call a meeting more often that once a month. Meetings must have a quorum and minutes must be taken and distributed to the public in a manner determined by the Committee. There shall be at least three (3) public meetings per year during construction activity designed to share information and hear concerns from the public.

**Responsibilities:** Committee shall have oversight of pre-construction surveys, including the selection of an engineer (paid by school) to determine zone of impact for each construction project; oversight of implementation of the Plan; and enforcement of the Plan. Committee shall maintain a file of all applicable D.C. ordinances related to each construction project, and make them available through links from the School website to the community. Committee shall report

to ANC 3C and ANC 3F during an ANC public meeting on the status of each construction project at least once during each project.

## Pre-Construction

In order to ensure that neighboring properties are protected from damage due to construction activities or hydrology interference, the School shall have an engineer (selected by and reporting to Committee and paid by the School) determine the zone of impact for each new building prior to construction. The zone of impact shall be based on the anticipated construction activity, potential hydrology impact, and allowance for unplanned construction activity, such as blasting and pile driving that could impact a determination of the zone of impact. Each property owner (included institutional owners) shall be informed by School by certified mail that they are within the zone and offered pre-construction survey, at no cost, to be conducted by the engineer. The School shall send a second certified mailing notice if there is no response to the first mailing. Any owner who does not respond within 30 days of the certified mailing shall be deemed to have been properly notified and to have declined the survey. The surveys shall serve as a baseline against which to measure impacts from the construction on each property within the zone of impact. Each surveyed owner shall be furnished a copy of his/her survey prior to the beginning of construction.

## Construction

**Communication:** School shall designate a representative, who is authorized to address complaints, to be the key contact for members of community regarding construction activities. Representative shall have a local office, and 24-hour phone, fax and voice mail, and be accessible during all business hours, and for emergencies at any time. School shall report all complaints within a time specified by the Committee to a designated neighborhood Committee member. Contact information shall be posted on perimeter of construction area in plain sight. Emergency matters shall be handled immediately and non-emergency matters within one business day. A schedule of construction activities shall be prepared and posted on the construction bulletin boards at Wisconsin Avenue and also on 37th Street and on the school web site. The schedule, which shall be posted every week, shall list the construction activities for the following 2 weeks of construction.

**Work Hours:** Construction work shall only be conducted between 7AM to 5PM, Monday through Friday. Saturday work can occur once per month, 9AM to 5PM. More frequent Saturday work must be approved by the Committee and, if approved, shall be limited to 9AM to 5PM. Saturday work can occur once per month without agreement of the Committee, but notice must be given to both the Committee and the neighborhood. If weather prevents work for two full days during the same calendar week, work on a subsequent Saturday will be allowed with notice to the Committee and the neighborhood. No noisy behavior or activities that might disturb neighbors shall be allowed prior to the beginning of or after construction hours. Construction area shall be secured and vacated by 6PM on weekdays and Saturdays. There shall be no work on Sundays.

**Parking:** School shall be responsible for requiring contractors and sub-contractors to provide and require either on-site parking or other non-street parking for all workers or others involved in construction activities. No parking on neighborhood streets shall be allowed. School shall also require that contractors and sub-contractors ensure that operators of all construction vehicles are properly licensed and have not had their license revoked from any of the surrounding jurisdictions and that the vehicle owners are properly insured for liabilities that may occur.

**Traffic:** Wisconsin Avenue shall be the construction entrance for all construction projects, unless the Committee finds that a different entrance is warranted for a project. School shall require all vehicles (including, but not limited to, personal or company vehicles of construction workers) to utilize only arterial roadways for access to and from the site within a 1-mile radius of the campus, except as approved by the Committee. Trucks are not allowed to travel on neighborhood streets, unless specifically authorized by the Committee. Construction-related vehicles shall be allowed to access the construction site no earlier than 6AM. No queuing of trucks shall be allowed on neighborhood streets, and only limited queuing that does not block intersections shall be allowed on Wisconsin Avenue. Flagmen shall be provided to facilitate traffic and the safe arrival and departure of trucks. Pedestrian movement on the sidewalks surrounding the construction area shall not be impeded unless necessary to ensure safety. No construction vehicles shall be allowed on side streets before 7AM except for occasional overnight placement of stationary contracting equipment such as cranes on the west side of 37th Street. Only construction trucks essential for specific construction tasks, such as pouring concrete or crane work, shall be allowed to access Upton, 37th, and Quebec Streets, and then only from Wisconsin Avenue.

**Site Management:** School shall require the temporary construction of chain link or other fencing around the perimeter of construction area. All construction materials and equipment, including construction storage, trailers, and dumpsters, shall be secured on-site in a manner that poses no potential danger to the community. School shall *inter alia* lock all motorized equipment and vehicles, stack any building materials (i.e., brick, lumber, etc.), and cover any loose fill such as gravel or sand in accordance with industry standards for safety. A minimum amount of lighting shall be allowed at night to provide safety and to comply with federal and local safety standards. The temporary lighting shall be directed away from the Washington Home and residences.

**Cleanliness:** School shall require daily removal of rubbish, food and drink debris, and construction debris during the normal construction workday and during any other periods of work. All construction workers shall eat and drink on-site or in an eating establishment. School shall locate portable toilets away from neighborhood and service them frequently. Deliveries of equipment or construction materials shall only occur during construction hours unless approved by the Committee. Trucks carrying debris or excavation materials or fill will be covered both entering and exiting the construction site, and they shall be cleaned prior to exiting the site so as to minimize any dust or dirt on the roadways. Removal and replacement of dumpsters shall occur only during approved construction hours. School shall require that any streets that surround the construction area and/or serve as construction routes are kept clean of dirt, any trash and debris resulting from construction activities or workers. Committee shall establish mitigating procedures for control and removal of dust and dirt that impacts properties adjacent to that construction project. School shall develop and implement, as necessary, a rodent control program in cooperation with Committee. School shall offer to clean the outside windows of adjacent property owners at the end of each construction project.

**Hazardous Materials/Blasting:** If hazardous or toxic materials, including underground storage tanks and asbestos, are identified and need to be abated or removed, School shall immediately and prior to removal notify the Committee, which shall be responsible for notifying any impacted neighbors. Removal shall be conducted in compliance with federal and local Environmental Protection Act standards. If any hazardous or toxic substances are used in conjunction with construction work, the Committee shall be notified. Such substances shall only be used if they can be used safely and in compliance with all applicable federal and D.C. laws.

Should blasting be required during any construction project, the School shall notify the Committee and neighbors at least 48 hours prior to the blasting. The School shall give at least 24

hours notice (48 hours, if possible) to Committee and neighbors prior to any pile-driving activities.

**Special Needs:** School shall ensure that drop-off (7:30AM to 8:45AM) and pick-up (3:15PM to 6PM) periods at Hearst Elementary School are not impeded by construction activity, and that construction noise is minimized during standardized testing week. School shall also provide prior notice to the Washington Home for any unavoidable construction activity that might reasonably cause disruption of patients at the Home, and the School will make every effort to reduce and contain noise related to construction activities, including the banging of dump truck gates, since all construction projects are likely to impact one or both of the special needs populations mentioned in this section.

## Enforcement

**Complaints:** The School is committed to speedy resolution of disputes with neighbors. Any construction-related complaint that cannot be resolved within 1 week of School-designated contact person receiving the complaint shall be referred to the Committee. The Committee shall determine legitimacy of complaint and make recommendations to resolve complaint. If complaint is not resolved within 1 month of receiving the complaint, the Committee by majority vote or School can refer the matter to mediation, which will be paid by School. Process of choosing mediator will follow standard practices as outlined by the American Arbitration Society.

**Implementation of Plan:** If a majority of Committee finds that there is a continuing or repeated violation of the Plan, they shall inform the D.C. Zoning Office or the Zoning Administrator and request a work stoppage until the violation is corrected. All fines and penalties provided for specific construction-related violations shall apply to any violations related to the School's construction projects.

**Reimbursement for Damage:** The School shall reimburse any reasonable cost to repair in kind any and all damage to public and private property caused in whole or in part by the construction activity. For damage to houses in the zone of impact, the survey shall serve as the baseline to determine the nature and extent of damage. The Committee shall determine on a case-by-case basis whether reimbursement should occur during the construction activity or at the end of the construction activity.

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# ANC 3C Resolution No. 2004-017

## RESOLUTION REGARDING SIDWELL FRIENDS SCHOOL
## BZA APPLICATION NO. 17149

WHEREAS, Sidwell Friends School (Sidwell) has applied for a special exception pursuant to Section 206 of the Zoning Regulations, which covers the following:

- Construction of a two-level below-grade parking structure underneath the hockey field on the west side of the campus adjacent to Wisconsin Avenue, providing 307 parking spaces
- Renovation and extension of the Zavitz Middle School
- Construction of a new gym and renovation of existing athletic facilities
- Development of landscaping on the campus
- Renovation of the Kogod Arts Center
- Construction of a Quaker Meeting House

WHEREAS, Sidwell has worked diligently in developing a Construction Management Agreement with its neighbors;

WHEREAS, in its application Sidwell requests a increase in its enrollment cap to 850 students from the existing 780 cap, a 9% increase;

WHEREAS, Sidwell currently exceeds its cap by approximately 20 students, a 2.6% overage;

WHEREAS, currently approximately 30% of Sidwell's high school students drive to school and 180 student cars park in neighborhood streets and only 5% (18 students) use public transportation and the traffic study does not address the number of teachers who drive to work or the number of visitors to the campus;

WHEREAS, Sidwell is bounded on the east by 37th Street and located across 37th Street is the Phoebe Hearst Elementary School, an historic landmarked public school scheduled for expansion, and the Hearst Recreational Center and fields; on the North by the Washington Home (a nursing home) and the Fannie Mae, James Johnson office building; on the west by Wisconsin Avenue and across the street by Fannie Mae headquarters and McLean Gardens, an apartment development; on the south by a small office building and single-family residences;

WHEREAS, the middle school is located on 37th Street and the current condition of 37th Street during drop-off and pick-up periods is congested and hazardous, even though Sidwell has

altered its pick-up time so as to avoid coinciding with the pick-up of Hearst Elementary School children;

WHEREAS, the drawings of the below-grade garage indicate approximately 20% fewer parking spaces than stated in the Sidwell application:

BE IT THEREFORE RESOLVED, that ANC 3C conceptually supports the Sidwell application and applauds Sidwell for choosing designs to create an environmentally friendly campus and that ANC 3C encourages Sidwell to further a friendlier environment by taking stringent efforts to reduce the number of cars being driven to the campus by students, parents, and faculty;

BE IT FURTHER RESOLVED, that ANC 3C supports the construction of the below-grade parking garage provided that this parking garage will allow Sidwell to provide parking for all staff and students on campus; and

BE IT FURTHER RESOLVED, that ANC 3C strongly recommends the following conditions be included in any zoning order issued pursuant to this application:

- That student and staff parking be restricted entirely to the Sidwell campus;
- That any significant changes to the site plan as presented to ANC 3C and Historic Preservation Review Board will be subject to ANC 3C review prior to consideration by the BZA;
- That the middle school addition (facing 37th Street) be indented to the west to give a visual break in the length of the building and to provide the mature trees in public space a greater chance of survival;
- That the landscaping plan on 37th Street and along the north border of the property include numerous tall evergreens to shield views of the proposed building from the street and immediate neighborhood;
- That the below-grade garage provide a minimum of 300 code-compliant parking spaces;
- That all buses (Sidwell's and visiting) be required to be parked on campus;
- That once the two-level, below-grade garage is built, the drop-off and pick-up of students on 37th street be restricted to 5th and 6th graders only;
- That Sidwell provide an annual report to ANC 3C & 3F due in December to include: enrollment; staff; and certification that they are in compliance with BZA order;
- That Sidwell hold quarterly meetings open to the neighborhood and a copy of minutes of said meetings be sent to both ANC 3C and 3F;
- That there be no increase in enrollment over 800 students until the garage is built, all student and staff parking is contained on campus, and the traffic management plan is implemented. If parking and traffic conditions improve with the implementation of the above conditions, ANC 3C would recommend a new special exception application for 825 students;

- That once the traffic management plan has been implemented successfully for a period of one year, we recommend that Sidwell be required to return to the BZA for any further increase in student and/or staff cap if needed;
- That this ANC resolution be incorporated into the BZA order;
- That the Construction Management Plan continue to be a part of the Sidwell application.

Attested by  Chair, on May 18, 2004

Nancy J. MacWood

This resolution was unanimously approved (8-0) by ANC 3C at its regular public meeting on May 17, 2004, at which a quorum was present.