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HAND DELIVERY

Board of Zoning Adjustment
for the District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

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2005 AUG 26 PM 1:05

Re: BZA Application No. 17320
St. Albans School

Dear Members of the Board:

On behalf of St. Albans School, we are filing herewith its response to the supplemental reports submitted by the Office of Planning ("OP") and the District's Department of Transportation ("DDOT") in the above-referenced case. This response is made in accordance with the schedule established by the Board of Zoning Adjustment ("Board" or "BZA") at the conclusion of the hearing on July 26, 2005.

DDOT August 12, 2005 Report

In its supplemental report dated August 12, 2005, DDOT recommended denial of the St. Albans application until the school prepares a Transportation Management Plan ("TMP") and obtains approval of the TMP by DDOT and Advisory Neighborhood Commission 3C. Because this recommendation did not appear to accurately reflect information in the record, including the transportation management measures submitted as part of St. Albans' Proffer of Conditions, St. Albans met with DDOT representatives to clarify the nature and scope of the application, as described below.

Transportation Management Plan

First, St. Albans reformatted its Proffer of Conditions into a TMP so that DDOT could easily discern the transportation mitigation measures that St. Albans has incorporated into its application. A copy of the TMP is attached as Exhibit A. The TMP differs from the Proffer of Conditions in the following respects:

BZA
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District of Columbia
CASE NO. 17320
EXHIBIT NO. 51

- Paragraphs 1 and 12 of the Proffer, which were unrelated to transportation issues, were deleted. However, St. Albans continues to offer these paragraphs as conditions to the approval of its application. A complete list of the applicant's proposed conditions will be set forth in its Proposed Decision and Order to be filed with the Board on September 7, 2005;

- The last sentence of new Paragraph 1 in the TMP was re-written to emphasize that students, faculty and staff with Zone 3 Residential Parking Permits are to park on the Close before resorting to on-street parking;

- New Paragraph 2 was added to the TMP to identify available parking spaces during construction of the Foundation garage;

- The Parking Management Activities in new Paragraph 3 of the TMP have been described in detail as the "Commuter Rewards" program, with an attachment outlining in full the incentives of that program; and

- The Parking Policy enforcement mechanisms have been broken out as a separate paragraph (TMP ¶ 5) to elaborate on the school's disciplinary action policy, with a copy of that policy included as an attachment.

Clarification of Issues Raised by DDOT.

Second, St. Albans and DDOT reviewed the issues identified in DDOT's supplemental report and clarified them as follows:

There will be no change in the traffic patterns or parking requirements as a result of this application. St. Albans School does not propose any increase in the number of students, programs, performances, activities, or sporting events other than one annual track meet and a once-every-six-year track tournament – either by the school or outside users – in its application to the Board. While there will be a slight increase of nine faculty and staff at the school over the next ten years, it is not significant enough to affect the traffic patterns of the school.

There is no evidence of record demonstrating that the school creates a parking shortage or other objectionable traffic conditions in the neighborhood as a result of its existing or continuing operations. While a few neighbors presented anecdotal information about

students and outside users parking on surrounding streets, there was no documentation that use of these on-street spaces created a parking problem. The one witness who stated she often had to circle the block several times to find a parking space when returning from the grocery store did so because she elected not to use the two off-street spaces on her property. Further, there was no evidence to suggest that the lack of parking in front of her house was caused by the school or outside users of its facilities. In fact, the only traffic study conducted for this application, prepared by Gorove/Slade Associates, concluded that there was ample parking in the neighborhood. For example, between 10:00 and 11:30 a.m. on an average school day in September 2003, 404 of the 1,106 legal on-street parking spaces within a two block radius of the Close were vacant. During the hearing on July 26, 2005, ANC Chairperson Nancy MacWood acknowledged that she had "never done an independent count" of available parking spaces in the neighborhood and that she had "no reason not to believe what he [Louis Slade of Gorove/Slade Associates] offered." *See* Transcript of Hearing in BZA Case No. 17320, July 26, 2005, at 373.

Even if St. Albans were the source of parking shortages in the neighborhood, those shortages are eliminated by the construction of the new parking garage on the Close. The new garage currently under construction by the Protestant Episcopal Cathedral Foundation ("Foundation") will take 294 parked cars off the surrounding streets and relocate them to Close. As a result, approximately 700 of the legal 1,016 on-street parking spaces within a two-block radius of the Close will be available for neighborhood use. Thus, whatever perceived existing parking shortage there is will be eliminated by construction of the garage, which will be completed prior to the proposed improvements to the St. Albans campus.

Further, St. Albans is instituting measures to ensure that it is not *the source of any impacts*. As set forth in its Proffer of Conditions and the attached TMP, St. Albans has agreed in writing to comprehensive transportation management measures as a condition of BZA approval. These transportation measures specifically address the recommendations on page 2 of the supplemental DDOT report to reduce on-site parking demand, institute a parking policy requiring use of the garage and surface spaces on the Close and restricting parking on the neighborhood streets, establish a community liaison with the community, and limit the use of school facilities by outside users. St. Albans indicated its unwillingness to accommodate DDOT's recommendation to reduce the number of performances at the Performing Arts Center ("PAC") because there is no information to suggest that the performances generate any parking demands that cannot be accommodated on the Close, particularly in light of the new parking garage. The anticipated 100 performances to take place in the PAC are events that already occur on the Close and will simply be relocated to the new facility. Rather, the Gorove/Slade traffic report and supplemental memo dated August 1, 2005, conclude that there will be sufficient parking spaces on the Close to accommodate the parking demand.

Finally, the BZA may not delegate approval authority over transportation management measures to the ANC. While DDOT suggested that the application should be denied unless the Advisory Neighborhood Commission ("ANC") has approved a TMP, only the BZA is vested with authority to determine if those measures are warranted and adequate, based on the evidence of record. Although community input is important, ultimately the decision rests with the BZA and that decision cannot be contingent upon ANC approval.

Based on the clarification of these issues and the proposed TMP, DDOT has indicated that it will be submitting to the BZA a second supplemental report in support of the application.

Office of Planning Supplemental Report

In its report dated August 16, 2005, OP requested the applicant to strengthen its parking policy to strongly encourage parking on the Close and discourage parking on neighborhood streets. OP also concurred with DDOT's recommendation that St. Albans prepare a detailed description of the school's parking management plan. In response to those requests, St. Albans prepared the TMP described above, which directs students, faculty and staff to park on the Close before resorting to on-street parking. The TMP also provides a detailed description of St. Albans' parking policy, commuter rewards program and enforcement mechanisms.

We appreciate the opportunity to respond to the supplemental reports filed by DDOT and OP.

Very truly yours,

Whayne S. Quin

Whayne S. Quin

Mary Carolyn Brown

Attachment

cc: Nancy MacWood, Chair, ANC 3C (w/ attach)
ANC 3C Commissioners (w/ attach)
Maxine Brown-Roberts, OP (w/ attach)
Abdoulaye Bah, DDOT (w/ attach)

EXHIBIT A

TRANSPORTATION MANAGEMENT PLAN

ST. ALBANS SCHOOL
BZA CASE NO. 17320
August 17, 2005

This Transportation Management Plan ("TMP") has been prepared by St. Albans School in response to comments received from the District's Department of Transportation ("DDOT") in its August 12, 2005 supplemental report to the Board of Zoning Adjustment ("BZA" or "Board"). It re-formats St. Albans Proffer of Conditions previously submitted to the BZA and elaborates on several of those conditions. Like the Proffer of Conditions, this TMP is designed to provide greater comfort to the community that the school will continue to operate reasonably and in conformance with section 206 (based on the record).

1. Parking Spaces for Faculty, Staff and Students. St. Albans will require faculty, staff and students who drive to school and who do not have valid Zone 3 Residential Parking Permits ("RPP") to park on the Close (including the parking garage to be located under the Cathedral lawn), in designated off-street parking, or on areas of streets not restricted to Zone 3 parking. St. Albans shall direct faculty, staff and students with Zone 3 RPPs to park on the Close before resorting to on-street parking.

2. Parking During Construction of the Foundation Garage. St. Albans shall maintain its current allotment of 154 parking spaces during construction of the Protestant Episcopal Cathedral Foundation (the "Foundation") garage. As a result of lost surface parking spaces during construction, St. Albans will lease 40 spaces from St. Sophia's Church and will construct 12 parking spaces on Pilgrim Road until completion of the Foundation parking garage. Although the legal requirement is for 154 parking spaces, 210-230 spaces will be available after completion of the garage.

3. Parking Management Activities. The Foundation and St. Albans will encourage its employees to participate in the Foundation's "Commuter Rewards" program to

reduce parking demand among faculty and staff. A copy of the school's current program is attached hereto for reference only. Among the incentives in this program are:

- Tax-free purchase of Metrochek, SmarTrip and CommuterBucks, up to $105/month, delivered to the work site;
- $30/month Foundation subsidy of tax-free Metrochek, SmarTrip and CommuterBucks
- $100/year Environmental Reward for walkers and cyclists
- Free SmarTrip Cards ($5 value)
- Free van-pool matching service
- Free car-pool matching service
- Free life-time membership in Flex Car, parked on the Cathedral Close ($35 value)
- Free safe and secure bicycle parking at various locations around the Cathedral Close, including in front of the St. Albans Lower and Upper School entrances
- Free shower and changing facilities at various locations around the Cathedral Close
- Free Metro Shuttle

4. Parking Policy and Registration. Beginning in September of 2005, St. Albans shall establish a parking policy for its faculty, staff and students that will be consistent with paragraphs 2 and 3 above. The parking policy will require any student, staff or faculty member who drives to school to register his or her vehicle with the school and to display an identifying sticker on his or her vehicle that will facilitate compliance with the parking policy.

5. Enforcement of Parking Policy. St. Albans will require each parent to agree to the parking policy when the parent signs each year's enrollment contract. Students who violate the school's parking policy will be subject to disciplinary action,

which will escalate with repetitive violations and which may include non-renewal of the enrollment contract for the following year. A copy of the school's current policy on disciplinary action is attached hereto for reference only.

6. Visitor Cars and Buses. Visitors who drive to school events and activities, including athletic events, summer programs and the Performing Arts Center, and who do not have valid Zone 3 parking stickers, will be required to park their cars in those areas identified in paragraph 2 above to the extent parking is available. St. Albans will inform all visitor schools in writing of the designated visitor parking and will require visitors from such schools to park in those areas identified in paragraph 2 above to the extent parking is available. Buses will be required to park on the Close or in designated off-street parking spaces.

7. St. Albans Summer Programs. In order to minimize any potential adverse impacts on neighboring properties, St. Albans will limit the hours of its outdoor summer programs from 8:00 a.m. to 7:00 p.m. St. Albans shall designate vehicular pick-up and drop-off locations on the Close for participants in the summer programs.

8. Performing Arts Center. In order to minimize any potential adverse impacts on neighboring properties, St. Albans will limit hours of events at the Performing Arts Center from 8 a.m. to 11 p.m. Sunday through Thursday and 8 a.m. to midnight on Friday and Saturday. Performances at the Performing Arts Center (not including rehearsals and practices) will be held on no more than 100 days during any calendar year, which corresponds to existing conditions. Except as provided herein, the Performing Arts Center will only be used by Protestant Episcopal Cathedral Foundation institutions and will not be rented out or otherwise used for commercial purposes. In rare circumstances, the Performing Arts Center may be made available on a limited basis to a non-PECF not-for-profit institution or a community organization that has a compelling need for use of the Performing Arts Center or that has suffered the loss of use of a similar facility and requires temporary relief from such loss.

9. Limitation on St. Albans use of Athletic Fields. St. Albans will not schedule simultaneous varsity scrimmages or games with other schools on its athletic fields, with the following exceptions: (i) tennis matches, and (ii) make-up games cancelled due to inclement weather and other similar unanticipated events. Additionally, St. Albans will not schedule more than five athletic tournaments involving more than one visiting school per year on its athletic fields.

10. Limitation on Non-School Use of Athletic Fields During Academic Year. St. Albans may offer the use of its athletic fields by schools, organizations or individuals unaffiliated with the PECF or Saint Albans ("non-PECF users") during the academic year as provided herein. St. Albans will direct any non-PECF users who do not have valid Zone 3 parking permits to park in those areas identified in paragraph 2 above. Non-PECF users shall not be permitted to use the athletic fields before or after the school day, or on weekends, during the school year, except as follows:

    a. Except as provided in paragraph 10.c., St. Albans may choose to provide a single field space for a single outside user on each weekend day, if there is no scheduled St. Albans or PECF activity on the fields on that weekend day.

    b. Any vehicular pick-up or drop-off will be directed to occur on the Close.

    c. Use of the athletic fields during the academic year by teams coached by a St. Albans coach or parent and consisting predominantly of St. Albans students shall be limited to no more than four days per week. Such events shall not last more than six hours.

    d. Unless being used by St. Albans, the track shall be available for public use subject to any restrictions placed on such use by St. Albans.

11. Limitation on Non-School Use of Athletic Fields During Non-AcademicYear. St. Albans may offer its fields to non-PECF users during the summer when school is not in session as provided herein. St. Albans will direct non-PECF users who do not have valid Zone 3 parking permits to park in those areas identified in paragraph 2 above.

a. A single field may be used on a weekday when there is no summer camp activity or St. Albans School or PECF activity on that day. The field may be used for up to seven hours, and begin no earlier than 9:00 a.m. and end no later than 6:00 p.m.

b. A single field may be used four weekday evenings per week; provided, however, that the activity ends no later than 9:00 p.m.

c. A single field may be used each weekend day by a single user either during the day or in the evening if there is no St. Albans or PECF activity on the weekend day. The field may be used for up to six hours, beginning no earlier than 9:00 a.m. and ending no later than 9:00 p.m.

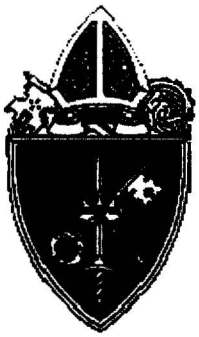
d. Any vehicular pick up or drop off will be directed to occur on the Close.

e. Unless being used by St. Albans, the track shall be available for public use subject to any restrictions placed on such use by St. Albans.

12. Tennis Club Parking. St. Albans shall direct members, and require staff, and employees of its tennis club who do not have valid Zone 3 parking permits to park in those areas identified in paragraph 2 when they drive to the St. Albans tennis courts.

13. Use and Parking Liaison Committee. St. Albans shall establish a neighborhood liaison committee composed of St. Albans staff and neighbors for the purposes of coordinating and discussing uses of the athletic fields and parking for the School as provided in paragraphs 2 through 11 hereof. St. Albans will provide a contact phone number and e-mail address for neighbors who wish to report any failure to comply with the usage and parking conditions stipulated herein.

14. St. Albans Coordination with DDOT. St. Albans will routinely request the District's Department of Transportation or other appropriate District agencies to enforce parking restrictions in the immediate neighborhood surrounding the Close.



Protestant Episcopal Cathedral Foundation

Commuter Rewards Policy

The Commuter Rewards program is intended to encourage Protestant Episcopal Cathedral Foundation employees to commute to work by methods which reduce traffic congestion, improve regional air quality, and reduce the need for parking on the Close grounds and in the surrounding neighborhoods.

Eligibility

Employees of the Protestant Episcopal Cathedral Foundation normally scheduled to work at least 2 days per week who are in a regular or temporary position that is expected to extend for at least 12 months.

Commuter Programs

Carpool Matching Program

The Human Resources Department will maintain an electronic list and a physical bulletin board indicating employees who are interested in joining or forming carpools with other employees. The carpool matching list will be maintained on CloseWeb and a bulletin board outside of the Human Resources Department.

Employees who would like to be added or removed from the carpool matching list should contact the Human Resources Department at extension 2348.

Metrochek and SmartBenefits Program

This program provides employees with Metrocheks (farecards) or SmartBenefits (electronic SmarTrip card funds). Metrocheks and SmartBenefits are issued by the Washington Metropolitan Area Transit Authority (WMATA). Metrocheks can be used to pay for Metrorail fares, Metrobus, MARC Trains, Virginia Railway Express (VRE), Omnibus, and certain qualifying vanpools. SmartBenefits are credited to participants SmarTrip cards which can be used to pay for Metrorail and Metrobus, and are the only form of payment accepted at Metro-operated parking lots. Participants who do not have a SmarTrip card may receive one, at no cost, from the Human Resources Department.

Employees who use public transportation or a qualifying vanpool service at least 80% of their normally scheduled work week may apply for a nontaxable subsidy of up to $30 per month. (Participants may not apply for a benefit that is greater than his or her total commuting cost.) This subsidy is paid 100% by the PECF and may only be received by employees who have not received the environmental benefit during the current calendar year. This subsidy purchased Metrocheks or SmartBenefits may only be used to pay for the cost of commuting to and from work

Employees who do not qualify for the employer subsidy may purchase up to $105 of Metrocheks or SmartBenefits each month through a pre-tax payroll deduction. Participants, who are already receiving the employer subsidy or the environmental benefit, may purchase up to $75 worth of Metrocheks or SmartBenefits each month through a pre-tax payroll deduction so that they may benefit from the tax savings program for any commuting costs that are not covered by the subsidy. These purchased Metrocheks or SmartBenefits may only be used to pay for the cost of commuting to and from work and may be purchased in $5 denominations.

Participants must return a completed application to the Human Resources Department by the 15th of the month prior to the month for which he or she is applying for a benefit. Participants may request a SmarTrip card from the Human Resources Department at extension 2348 or purchase one directly from WMATA for a minimal fee.

Any Metrocheks or SmartBenefits are nontaxable as set forth in the Internal Revenue Code Section 127(c). However, the value of any subsidy, i.e. amount provided by the PECF, will be reflected on the participants 2nd paycheck of the benefit month. Any Metrochek or SmartBenefits purchases will be deducted from the participant's 2nd paycheck during the benefit month.

The Human Resources Department distributes Metrochek farecards directly to participants, Business Officers, or the participant's supervisor depending upon the participant's request. Metrocheks will generally be available by the 1st business day of the benefit month. Participants redeem SmartBenefits at any Metrorail station pass/farecard machine during the benefit month.

Vanpool Program

Employees who use the VPSI vanpool service at least 80% of their normally scheduled work week may apply for a nontaxable subsidy of up to $30 per month. The subsidy is provided as CommuterBucks, a voucher coupon which can be redeemed toward the monthly VPSI vanpool service charges. This subsidy is paid 100% by the PECF and may only be received by employees who have not received the environmental benefit during the current calendar year.

Employees who do not qualify for the employer subsidy may purchase up to $105 of CommuterBucks each month through a pre-tax payroll deduction. Participants, who are already receiving the employer subsidy or the environmental benefit, may purchase up to $75 worth of CommuterBucks each month through a pre-tax payroll deduction so that

they may benefit from the tax savings program for any commuting costs that are not covered by the subsidy. CommuterBucks may only be purchased in $5 denominations.

The Human Resources Department distributes CommuterBucks directly to participants, Business Officers, or the participant's supervisor depending upon the participant's request. CommuterBucks will generally be available by the 1st business day of the benefit month.

Participants may use the VPSI Vanpool Search Engine, an interactive feature that matches commuters with vanpools already on the road. If the system cannot find a vanpool that matches an employee's commute criteria, the engine will search for other commuters who are trying to start a similar vanpool.

Environmental (Walking/Bicycling) Transportation Program

Employees, who walk or bicycle to work during at least 80% of the calendar year and who have not received a Metrochek or SmartBenefits subsidy during the current calendar year, may apply for a benefit through the environmental program. The environmental program provides an annual $100 benefit to partially subsidize expenses such as walking shoes and bicycle maintenance costs. Participants may apply for the benefit once per calendar year. The cash benefit is subject to all normal federal, District of Columbia, and state taxes.

The benefit is included in a participant's pay check within 30 days of the Human Resources Department's receipt of the completed application.

QUESTIONS

All questions regarding this policy should be directed to the Human Resources Department; telephone number (202) 537-2348.



Commuter Rewards Program Summary

Protestant Episcopal Cathedral Foundation

Eligible Employees

Full-time and part-time faculty and staff of Beauvoir School; Foundation Corporate; National Cathedral School; St Albans School; Washington National Cathedral and the Cathedral College

Program Highlights

*Tax-free purchase of Metrochek, SmarTrip and CommuterBucks, up to $105/month, delivered to the work site

*$30/month PECF subsidy of tax-free Metrochek, SmarTrip and CommuterBucks

*$100/year Environmental Reward for walkers and cyclists

*Free SmarTrip Cards ($5 value)

*Free van-pool matching service through VPSI

* Free car-pool matching service

*Free life-time membership in Flex Car, parked on the Cathedral close ($35 value)

*Discounted membership fee in Zip Car, parked at nearby Alban Towers

*Free safe and secure bicycle parking at various locations around the Cathedral close

*Free shower and changing facilities at various locations around the Cathedral close

*Free Metro Shuttle (currently a.m. only; possibly to be expanded to p.m.)

ST. ALBANS HANDBOOK FOR PARENTS

Excerpt on Disciplinary Action

revised 6/21/2005

III. School Information

A. Guidelines for Parents.

* * *

2. Major School Rules: Students are expected to conduct themselves in a way that will not endanger themselves or others. Violations of major School rules make a student liable for suspension or expulsion. The School relies on the deliberative process and judgment of the Honor and Discipline Councils in determining the seriousness of any kind of infraction of School rules rather than spell out explicit punishment for specific behavior. This deliberative posture assures the Council's ability to weigh the merits of each individual case. If a student is suspended, the faculty will review his situation at the end of the academic year before he is allowed to return to School in September. On some occasions the School will issue a letter of formal warning, normally addressed to parents, which will serve as an official expression of the School's concern about a student's behavior. The School reserves the right to require the withdrawal of any student from the School when, in the opinion of the Headmaster, such action would be in the best interest of the student or the School.

The Discipline Council considers serious disciplinary cases that do not fall under the Honor Code. Consisting of the Academic Dean, the Dean of Students, two members of the faculty elected by their colleagues, the Senior Prefect, and the President and Vice President of the Senior Class, the Discipline Council makes recommendations to the Head of the Upper School or the Headmaster.

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