

March 23, 2016

VIA IZIS

Marnique Y. Heath, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, NW, Suite 200 South
Washington, DC 20001

Re: Applicant's Post-Hearing Filing, BZA No. 17703A,

Dear Chairperson Heath:

At its meeting on March 15, 2016, the Board requested that the parties address, in more detail, the application of the Applicant's funds for certain public improvements in public space, with regard to the Applicant's Proposed Condition No. 6, which reads as follows:

- "Prior to the issuance of a Certificate of Occupancy for the Lower School facility at 3720 Upton Street NW, the Applicant shall either:
 - (a) Construct some of the capital improvements recommended by the DDOT in its report to the BZA (Exhibit No. 29 of the record) subject to DDOT determining which of those improvements are necessary or desired for life/safety of District residents up to a monetary value of \$100,000; or
 - (b) Place \$100,000 into an escrow fund to contribute to said capital improvements as determined necessary or desired by the DDOT for life/safety of District residents.

If, after five years after the issuance of the Certificate of Occupancy said improvements are not constructed, the money shall be released back to the Applicant."

The Applicant strongly requests that the Board NOT modify this proposed Condition No. 6 for the following reasons.

- **Applicant's Proposed Conditions Resulted From Extensive Community Negotiations**

The entirety of the Applicant's Proposed Conditions filed with the BZA on March 7, 2016 (a copy of which is attached for your convenience) was the

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result of months and hundreds of hours of intense negotiations involving the ANC, the Springland Farms Community L.L.C., the Van Ness Coalition and numerous adjacent neighbors. It is a carefully crafted balance of compromises and concessions made by all the parties. The result of these intense negotiations is that there are no parties or persons in opposition to this Application despite the fact that the Application proposes to add a 300 student population increase to the Applicant's existing campus. As illustrated in the filings made by the Van Ness Coalition and the Springland Community Farms L.L.C. since the close of the hearing, modifying the Applicant's Proposed Condition No. 6 will open up a fissure that is unnecessary in the context of this BZA application.

- **DDOT's Jurisdiction**

The DDOT has a process, the Public Space process, that will be effectuated before any such capital improvements are made to any public space. The DDOT will apply such process, which involves the neighbors and the ANC, as part of the Applicant's public space application.

- **DDOT's Recommendations**

Please note that some of DDOT's capital improvement recommendations are still dependent on future "study." Consequently, creating a list of priority for any of the capital improvements is premature.

- **Conclusion**

The Applicant has heard the BZA's repeated admonition to all applicants to come to the BZA with an application that has achieved a consensus of support through compromise by all involved. Here, the Applicant and the parties have achieved such compromises and presented an application WITHOUT opposition. We urge the Board to support these compromises and adopt the Applicant's Proposed Conditions.

Very truly yours,



Phil Feola

Attachment

cc: ANC 3F (by E-mail)
Van Ness Coalition (by E-mail)
Springland Farms Community LLC (by E-mail)
Karen Thomas, OP (by E-mail)
Ryan Westrom, DDOT (by E-mail)
Bryan Garman (by E-mail)

Sidwell Friends School
BZA Application No. 17703A

PROPOSED CONDITIONS

1. The Project shall be constructed in accordance with the plans prepared by Ennead Architects, LLP and marked in the record as Exhibit No. 22A.
2. The Applicant shall fully implement and comply with the Transportation Management Plan ("TMP") including the Transportation Demand Management, Operations Management and Monitoring Subparts of the Plan contained in the Applicant's Pre-Hearing Submission, dated February 16, 2016, marked as Exhibit No. 22C of the record.
3. The provisions of the TMP that the Applicant implements shall include, but not be limited to:
 - a. Relocation of Middle School drop-off and pick-up from its existing location on 37th Street NW to Wisconsin Avenue NW as soon as practicable but no later than the beginning of construction of the Lower School;
 - b. The site plan for the Lower School be configured to allow a queuing capacity of 58 cars as shown on the plans marked as Exhibit No. 22A and 22B of the record;
 - c. A reduction of all vehicular traffic to the School by 30%;
 - d. A requirement that no more than 220 morning peak hour trips (which is equivalent to 110 vehicles entering and exiting the site during the AM peak hour or during any sixty-minute morning period), and no more than 180 afternoon peak

hour trips (which is equivalent to 90 vehicles entering and exiting the site during the PM school peak hour or during any sixty-minute afternoon period) be generated by the proposed Lower School facility (as determined based on inbound plus outbound traffic counts) as verified by traffic monitoring conducted on representative school days at the 37th Street and Upton Street driveways to The Washington Home Site at the Applicant's expense;

e. The Applicant commits to continue to work with the neighborhood through periodic meetings to ensure any traffic concerns by either party can be addressed in a timely manner;

f. The hiring of a Metropolitan Police Officer consistent with Metropolitan Police Department regulations to control traffic at the intersection of 37th and Upton Streets during the Lower School's pick-up and drop-off periods;

g. The Applicant will work to secure approval from the District Department of Transportation ("DDOT"), as soon as practicable after the Middle School pick-up-drop-off is relocated to Wisconsin Avenue, to change the signage along the west side of 37th Street between Quebec and Tilden Streets to read "No Stopping, Standing or Parking, 8:00 AM to 4:00 PM School Days."

4. The maximum enrollment for the entire school upon the issuance of a Certificate of Occupancy of the new Lower School building shall be 1150 students. Provided that the Applicant meets the standards and requirements of the Monitoring Subpart of the TMP for two consecutive school years, it may increase student enrollment to 1200 students. Provided that, after increasing enrollment to 1200 students, the Applicant meets the

standards and requirements of the Monitoring Subpart of the TMP for two additional consecutive years, it may increase student enrollment to 1250 students.

5. The maximum number of faculty and staff for the entire school upon the issuance of a Certificate of Occupancy for the new Lower School building shall be 250. The maximum number of faculty and staff may be increased to 260 if after successfully meeting the standards and requirements of the Monitoring Subpart of the TMP for two consecutive years after initial occupancy of the new Lower School building.
6. Prior to the issuance of a Certificate of Occupancy for the Lower School facility at 3720 Upton Street NW, the Applicant shall either:

- (a) Construct some of the capital improvements recommended by the DDOT in its report to the BZA (Exhibit No. 29 of the record) subject to DDOT determining which of those improvements are necessary or desired for life/safety of District residents up to a monetary value of \$100,000; or
- (b) Place \$100,000 into an escrow fund to contribute to said capital improvements as determined necessary or desired by the DDOT for life/safety of District residents.

If, after five years after the issuance of the Certificate of Occupancy said improvements are not constructed, the money shall be released back to the Applicant.

7. As shown on the plans marked as Exhibit No. 22A of the record, the Applicant shall maintain the existing vegetation and green buffer at the corners of the site at 37th and Upton Street, NW; the Project's fencing shall be consistent with the design and locations as shown on the plans marked as Exhibit No. 22A of the Record; and the community will have access to the green space, on hours/days that School is not in session.

8. The Applicant shall abide by the following construction constraints:

- a. Construction shall be limited to the hours of 7 AM-5 PM on weekdays; and 8 AM – 5 PM on Saturdays;
- b. There shall be a limit on Saturday exterior construction work no more than 10 Saturdays during the construction period. Interior construction work on Saturdays shall be permitted during the entire construction period provided that there shall not be deliveries of material or equipment to the site on Saturdays beyond the 10 Saturdays aforementioned. Notice shall be given to the ANC and neighborhood representatives at least two days in advance of exterior Saturday work;
- c. Vehicles belonging to construction personnel and construction vehicles will not be permitted to park on neighborhood streets;
- d. The staging or queuing of construction vehicles such as dump trucks and tractor trailers will not be permitted on neighborhood streets before 7:00 AM weekdays and 8:00 AM Saturdays;
- e. All truck traffic will use an approved circulation from Quebec Street to 37th Street to Upton Street out to Wisconsin Avenue to minimize the impact on the adjacent neighborhood streets provided that such plan is approved by DDOT;
- f. At the completion of each work day, the construction site will be cleared of litter and debris and all construction materials and machinery will be left in an organized manner;

- g. Sidewalks around the perimeter of the site shall be kept clear and clean throughout the period of construction;
- 9. All faculty, staff and students who drive to the School shall park on the campus.
- 10. The Applicant may construct the Project in two phases. The first phase (Phase I), shown on the plans in the record as Exhibit No. 22A, will involve the construction and renovation of the existing Washington Home building and grounds for the Lower School, a building permit application for which shall be filed within two years of the effect date of this Order. The second phase (Phase II), encompassing the improvements proposed for the Applicant's existing campus (the remainder of the Project as shown on the plans in the record as Exhibit No. 22A) shall be started with five years of completion of Phase I.