

January 26, 2022

Re: Board of Zoning Adjustment Case #20643: Maret School

Dear BZA Commissioners,

I appreciate this opportunity to speak to the BZA, the relevant DC agencies and the commissioners as they discern the qualitative aspects and suitability of this project in our neighborhood and the city at large. I am an abutting neighbor to the ECC field and I am a proud citizen of this special city. I am pleased to say that my own home has been documented by DC Historic Preservation for their archives of midcentury homes. If this proposal, which forcefully disrupts our community, is allowed to go ahead in its current state, it will send a negative message for the future of our city that the very people and property that zoning regulations are to protect can simply be ignored.

As an architect, I have done my best to make meaningful and positive interventions in the city. The Maret proposal falls far short on many levels. The Maret School, not located in this ward, has asked for zoning exceptions to impose their planned five acre sports complex into a community of single family homes (R1B zoning). It is too much program on too little land. This intervention, wedged into a residential neighborhood, is without precedent in the city with its adjacency to single family homes and without appropriate setback buffers for visibility and sound. It is a site and program that is bursting at the seams.

### **No Justification for Zoning Relief. for 11-C DCMR 710.3**

The footprint is so tight that the 50 car/bus parking area would extend well beyond the front yard setback for which Maret is seeking a zoning exception from building within a building restriction line and front lot line. The **plan would create a strip mall type parking lot** that would face seven single family residences with single car driveways across Nebraska Avenue. These residences are in compliance with the front yard requirements and the front set back lines,,as are the residences contiguous with the site, including the Episcopal Center for Children's historically designated building on Nebraska Avenue. Per Zoning, *"A front setback shall be provided within the range of existing front setbacks of all residential buildings within an R-1 through R-3 zone on the same side of the street in the block where the building is proposed."* In a residential neighborhood, adherence to setback requirements is critically important to maintain appropriate scale and the street appearance.

There is minimal space for any depth of vegetation to visually obscure the proposed large parking lot and its anticipated constant use for non-Maret sports practices and games nearly every day of the year; Maret plans to sublease the proposed sports fields to other sports leagues and clubs in addition to their own use. The limited shrubbery is a weak response to the removal of setbacks and the visual chaos that the proposed intensity of activity will bring.

The Maret proposal is on a site that is subleased from the Episcopal Center for Children (ECC) which is directly next door to the proposed parking lot. The curb cut for the proposed parking lot would be in the same block as are **ECC's existing three curb cuts** which will actively be used as the school is reopening as both a school but more importantly and after school care program with drop off and pick up coinciding with that of the Maret athletic complex. Collectively, the three existing curb cuts are all within 227 feet and 160 feet from a traffic light intersection. These existing curb cuts are obviously for a non-residential use. The proposed fourth curb cut is a commercial cut at 24 feet wide and would be 230 feet to the east of the three existing curb cuts. The proposed new curb cut would be next to a pick up and drop off bus area for the sports fields which would add considerable traffic disruption close to the stop light at the intersection of Nebraska and Utah Avenues. Maret has said that they will have a flagger to stop traffic which is an indication that they assume there will be difficult ingress to and egress from the parking lot and a disruption to the traffic using Nebraska Avenue as their thoroughfare.

During rush hour, when most of the driveway use will occur, Nebraska Avenue is thick with commuter traffic from and to Maryland. Traffic will increase with Rock Creek Park's Beech Drive's likely permanent closure to traffic. Importantly, Nebraska Avenue is also a very travelled pedestrian sidewalk and street. Included in the mix are bicyclists who, without a designated bicycle lane, use the shoulder and the roadway to enter Rock Creek Park, as do the many parents with their children. Nebraska Avenue is one of the gateways to the Park and with Bingham Drive re-opening, Nebraska Avenue will be used even more often. The proposed curb cut is in a risky location for multiple safety concerns not to mention that Nebraska Avenue has a significant slope. A visit to the site is highly warranted.

In addition, the proposed parking lot would necessitate the removal of permeable soil for water filtration and retention as well as the removal of trees. The proposed construction would encroach in the root zone of the heritage trees. Although Maret has claimed that the company that would be moving trees on the ECC site has been successful at City Ridge, that project is still under construction and there is no proof of its success. The parking lot is perilously close

to existing heritage trees to remain and the required relocation of heritage trees is not an assured process.

The Zoning Citation:

*11-c 710.3 The BZA may allow surface parking spaces to be located anywhere on the lot upon which the building or structure is located in accordance with the general special exception requirements of Subtitle X, and the applicant's demonstration of the following:*

*(a) The Board of Zoning Adjustment shall determine that it is not practical to locate the spaces in accordance with Subtitle C § 710.2 for the following reasons:*

- *(1) Unusual topography, grades, shape, size, or dimensions of the lot;*

There is significant grade change on the site – 35 feet from the west end at Utah Avenue to 28<sup>th</sup> Street at the east. Maret's proposed plan is to level the site and construct both a regulation size baseball field and a regulation size football/multipurpose field, bleachers, dugouts and attendant structures. Maret's proposal indicates that the parking lot will require extreme grading.

**This entire proposal requires extreme grading.** It is the excessive program that is driving the location of the parking. The solution is to reduce the program and eliminate the parking lot encroachment in the neighborhood.

The zoning relief that has been requested *must "be in harmony with the general purpose and intent of the zoning regulations and zoning maps" and [...] not tend to affect adversely the use of neighboring properties.* [DC Municipal Regulations, Zoning, Special Exceptions, 11-X901.2(b)].

#### **No Justification for 11-X DCMR 104**

The Zoning Citation: *The private school shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions.*

This massive proposal adversely as proposed will effect the neighborhood. The playing fields back up to property lines with negligible buffers at the homes abutting the site on 28<sup>th</sup> street. It is only slightly better on the Rittenhouse and Utah alley sides. The drastic cut and fill that would be needed to level the site would require retaining walls which are a minimum of 8 feet deep (2-4 foot stepped walls) on the north side (Rittenhouse Street) and west side (Utah Avenue) and a minimum of 12 foot high (3-4 foot stepped walls) on the east side (28<sup>th</sup> Street contiguous properties). Maret has indicated that the walls will begin 4 feet from the contiguous neighbors' property lines. Stepped or not, their cumulative height of these walls will be excessive. On top of these walls would sit 6 foot fences and netting, 30' +/- high. This is hardly a residential scale: it exceeds the allowable height of the houses in this zoning. These excessive

walls block light and view and essentially bifurcate the neighborhood. This proposal is objectionable for all of the above reasons.

The field itself is a vast heat island with artificial turf of over 3.7 acres. This footprint alone is completely out of scale with the neighborhood of homes on moderately scaled lots. Added to this is the noise generated by the constant use without appropriate sound attenuation and control. In fact, Maret has not given any indication that they have seriously considered sound or offered a noise study other than indicating that any public address sound system would be designed to minimize noise and they would prohibit air horns and artificial noisemakers. There is also some indication that they expect to use vegetation for sound control, but vegetation studies show that the vegetation must be very deep and dense and there is simply no room to accommodate the necessary required density. The proposed use is objectionable in a R zone because of noise or traffic. Further, this proposed plan simply does not fit in with the intent to protect the **quiet nature** of residential areas nor does it **stabilize** our neighborhood.

- (a) *Protect quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes; and*
- (b) *Stabilize the residential areas and promote a suitable environment for family life.*

This proposal would be an over-use of the land with fixed boundaries. The only credible solution is to reduce the over-scaled and overwrought development to fit appropriately and with a neighborly intent within it. Maret's requested solution is to ask for zoning exceptions which contradict the intent of the code "to be in harmony with the general purpose and intent of the zoning regulations and zoning maps" and [...] **not tend to affect adversely the use of neighboring properties.**"

#### No Justification for 11-U-DCMR 203.1

The Zoning Citation: *Private schools and residences for teachers and staff of a private school, but not including a trade school, subject to the following conditions:*

- (1) *Shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions;*
- (2) *Ample parking space, but not less than that required by this title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile; and*

With Maret's subleasing and Maret's rivalry games, the overflow parking will be on the neighboring streets. There are issues of child safety as we have over fifty children living in homes surrounding this property. How will this be handled? The exception requires that it is not objectionable to the adjoining and nearby property owners. The proposal is objectionable to the community and clearly to the nearby and adjoining properties.

Maret justifies the proposed over-use of the site with the claim that they are benefitting this ward by adding sports fields. The proposed athletic field would be highly privatized and not available for the social welfare of the neighborhood and with highly limited access and use by the neighborhood. We have studied the fields in the city and have learned that **Wards 3 & 4 have over twice as many fields per child under 18 than Wards 6, 7, 8.** Their argument to disrupt our neighborhood for the benefit of city sports is not tenable. There are places where these venues are more needed and sites that are much more appropriate.

For the reasons above, I oppose the proposed development and the referenced BZA application.

Regards,

Claudia Russell

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*One of 252 members of Friends of the Field, an alliance of Chevy Chase neighbors, families, and concerned citizens which cares about safety, environmental stewardship, and quality neighborhood life.*

*We work for transparent due process, inclusiveness, and thoughtful use of precious green space.*