



COUNCIL OF THE DISTRICT OF COLUMBIA
JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004

JANESE LEWIS GEORGE
Councilmember, Ward 4

COMMITTEE MEMBER
Human Services
Labor and Workforce Development
Recreation, Libraries and Youth Affairs
Transportation and the Environment
Special Committee, COVID-19 Recovery

February 2, 2022

Frederick L. Hill
Chairperson, Board of Zoning Adjustment
441 4th St SW, Suite 200S
Washington, DC 20001

Dear Chairperson Hill:

I am the Ward 4 Councilmember and I write to you regarding Case #20643: the Maret School and its application for special exceptions to the District's zoning regulations to construct and operate a sports facility on the property of 5901 Utah Avenue NW for private school use. I held an open community forum via the Zoom meeting platform on Thursday, January 6th, 2022 to gather the input of my constituents related to this project. What follows is a summary of views expressed in that forum, both in support and in opposition, as well as some questions I believe need further clarity before you make your final decision on the merits of the case. Thank you for the opportunity to provide this testimony, and I welcome further engagement as you deem appropriate.

Background on the Case

The property is owned by the Episcopal Center for Children (ECC), a therapeutic school for children with emotional challenges from the greater Washington, DC metropolitan area. The ECC was in operation for over 125 years before suspending operations in June 2019 due in part to financial challenges. The property is approximately 7.2 acres in total size including three buildings with frontage along Utah Avenue, NW to the west and Nebraska Avenue, NW to the south, and 4.9 acres in open field/grounds space. The approved Generalized Policy Map designates the land for "Institutional Uses."¹

The surrounding neighborhood is quiet and residential. The area is zoned "R-1-B" meaning it is composed of primarily detached houses on moderately sized lots. Homes in R-1-B zones have front setbacks, 25-foot rear yards, and eight-foot side yards and occupy 40% of their lots, leaving 50% minimum for pervious surface.² Single-family homes abut the property on all sides, including approximately 30 homes that share alleys or back fences with the property along Utah Avenue, NW, Rittenhouse Street, NW and 28th Street NW.

¹ Approved Generalized Policy Map:

https://plandc.dc.gov/sites/default/files/dc/sites/Comprehensiveplan/page_content/attachments/Policy_62821.pdf

² DC OZ Zoning Handbook. Residential ® Zones – R-1-B: <https://handbook.dcoz.dc.gov/zones/residential/r-1-b/>

The Maret School is an independent private school offering Kindergarten through 12th grade education located at 3000 Cathedral Avenue, NW in the Woodley Park neighborhood of Ward 3. Maret has approximately 650 students, over 400 of which reside in the District.³ Field space at their campus is too small for regulation-size varsity baseball, soccer, football, and boy's lacrosse and so the school currently leases field space throughout the city to play these sports.

Relief Sought

Maret signed a long-term lease for up to 50 years for the property in February 2021. Maret plans to construct a new multi-sport field, baseball diamond, and parking lot as well as re-configure an existing building into an auxiliary storage and restroom facility. To complete the project, Maret applied for special exceptions to two sets of District zoning regulations: matter-of-right uses and parking location restrictions.

D.C. Municipal Regulations, Title 11, Subtitle U, § 203.1(m), allows private schools to be in R-1-B zoned areas if approved by the Board of Zoning Adjustment as a special exception and subject to the following conditions:

- 1) *[The school s]hall 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*
- 3) *After hearing all evidence, the Board of Zoning Adjustment may require additional parking to that required by this title;*⁴

D.C. Municipal Regulations, Title 11, Subtitle C, § 710.3 allows the Board of Zoning Adjustment to permit parking spaces to be located anywhere on the lot in accordance with the general special exception requirements and subject to the following conditions:

- 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;*
 - 2) *The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;*
 - 3) *Traffic hazards caused by unusual street grades; or*
 - 4) *The location of required parking spaces elsewhere on the same lot or on another lot would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties;*

³ Statement of the Applicant, BZA Case Log Exhibit #17:

<https://app.dcoz.dc.gov/Exhibits/2010/BZA/BZATmp1863/Exhibit30.pdf>

⁴ DCMR, Title 11, Subtitle U, Chapter U2, § 203, "Special Exceptions for R-Use Groups A, B, C, and D":

<https://www.dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=11-U203>

- b) *The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures that they are designed to serve; and*
- c) *The Board of Zoning Adjustment may impose conditions as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.*⁵

Support for the Project

Several participants, particularly those with direct connections to the Maret School, spoke in favor of the project during the January 6 community forum.

Supporters spoke to the need for additional athletic field space for organized sports like soccer. Ms. Jennifer Gootman, the Executive Director of DC Soccer Club (formerly “DC Stoddert Soccer”) and a nearby resident, spoke to the dearth of field space in the area. Des Hogan, a resident of Rittenhouse Street, NW and former Maret parent spoke to the specific need for more baseball field space in Northwest D.C. Sherlonda Good-Jones, a Colonial Village resident and Maret parent, spoke to the “quality of life” benefits for families that would no longer need to drive all over the city to support their children’s participation in sports.

Further, several supporters associated with Maret complimented their work as an educational institution and good neighbor. Lawrence Smith, a Petworth resident and Maret parent, said, “if nothing else, Maret is a good neighbor, and you can come to Cleveland Park and you can see that.” He noted that Maret allows neighborhood children to use their fields and hosts a farmer’s market. Allie Levey, a 16th Street Heights resident and Maret staffer, spoke to Maret’s mission and interest in being community minded. Several parents shared high opinions of Maret and support for the field despite their children being too old to use it while they are still enrolled at Maret.

Additionally, multiple residents spoke to the benefits that the community would enjoy with organized field space and a reopened ECC school. Molly Rauch, a Shepherd Park resident and Maret parent, spoke to how much she enjoyed raising her children near the Shepherd Park Elementary School field. She said most of the neighbors she knows are avid supporters of that field, despite the heavy usage of the field and the additional traffic it brings. Jenny Backus, an adjacent neighbor on Nebraska Avenue, NW and Maret parent, spoke to her love of hearing children playing across the street at ECC when it was open.

Stephanie Nash, the President & CEO of the ECC, also spoke to how the lease revenues from the project will allow their educational programs to reopen and once again serve the community and children with special needs in the District. Since the ECC suspended operations in 2019, there has not been an analogous institution open to provide services for children with emotional challenges in the District – leaving them to travel to Maryland or Virginia.

⁵ DCMR, Title 11, Subtitle C, Chapter C7, § 710, “Location Restrictions”:
<https://www.dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=11-C710>

Opposition to the Project

Several neighbors, particularly those living in adjacent homes, expressed serious concerns.

Multiple residents spoke to the project's size and its potential to negatively impact their daily lives. Claudia Russel, a resident of Nebraska Avenue, NW, whose home abuts the property, called the footprint "intrusive, with limited and insufficient buffers." Residents noted that, although Maret revised its site drawings based on resident feedback, high retaining walls and netting remain a major concern for those living in adjacent homes. David Patton, a resident of 28th Street, NW, likened the project to a "runaway train" that's being imposed on the nearby neighbors without sufficient ability for public input to reign in the impact of project. He also shared concern for the potential noise in excess of what's allowed in residential zones. Leslie Moulton-Post, a nearby resident, said the project feels like a zero-lot-line development with an industrial use.

The second major concern from neighbors is the proposed schedule and usage of the redeveloped field space. The conversation highlighted divergent interests between sufficient access to field usage for neighboring community members, field accessibility as a public good, and reasonable limitations on all facility operations regardless of who is playing on the fields. Maret released a revised plan in December which cut back on the hours proposed to be available for other youth sports groups.⁶ Despite these concessions, nearby residents remain concerned that the fields will be in use too often. Nancy Voisin, resident of 28th Street, NW abutting the property and an adjacent neighbor, commented on the intensity of use as an aggravating factor for her concerns with the development. Daniel Burdeinick, an adjacent resident, expressed concerns that the field space would be leased out to other groups so often that he would be unable to use it with his son.

Nearby residents also expressed concerns about the environmental impacts of the project. Residents named that the rain garden may insufficiently manage any stormwater runoff, potentially putting at risk nearby homes. Similar concerns around stormwater management were expressed related to the synthetic turf being proposed, although Maret representatives said the turf material is more permeable than natural grass. Residents also asked the project to prioritize a better plan to relocate heritage trees and other smaller trees which would be taken out to install the field space.

Lastly, several residents shared concerns related to traffic and parking. Tom Downs, a nearby resident on Oliver Street, NW, shared that back-to-back scheduling of games could lead to gridlock on the surrounding neighborhood streets. Others questioned the adequacy of the 50-spot parking lot planned and the extent to which traffic analyses will incorporate unrepresentative pandemic-era traffic flow data.

⁶ December 15, 2021 "ECC-Maret Partnership Community Update Meeting" PowerPoint: https://resources.finalsite.net/images/v1639770861/maret/jzmgbjr9ratwwfnf1ydn/Dec-Meeting_PPT_12-17-21_web.pdf

In considering the request for approval of a special exception, I encourage the BZA to raise the following questions of the applicant to secure commitments and clarity based on concerns surfaced by my constituents:

- Detail Maret's plans to install fences, retaining walls, buffers and setbacks between the project and adjacent homes and the alley long Rittenhouse Street, NW and on the east side of the property behind 28th Street, NW.
- Maret posted its Tree Preservation Plan on January 25th after this meeting. Inquire as to the qualifications and details of this plan and the arborists hired to do the work, as well as efforts to minimize loss of trees.
- Maret posted its Comprehensive Transportation Review on January 21st after this meeting. Review Maret's traffic analysis to ensure it accounts for pre- and post-pandemic traffic volume and ways that Maret will mitigate the impact of field traffic on surrounding neighbors.
- Maret posted its three-dimensional (3D) rendering of the project on January 26th after this meeting. Review these renderings to gauge its impact on surrounding neighbors. Ensure full access to the updated rendering online.
- Clarify Maret's final schedule for the use of the fields space. Ensure community usage rights and identify specifically how often surrounding neighbors can access the field space for unscheduled use.

Thank you again for the opportunity to provide written testimony. You may contact Will Perkins, my senior policy advisor, wperkins@dccouncil.us, if you would like to discuss these matters in more depth.

Sincerely,



Janeese Lewis George
Ward 4 Councilmember