

**BEFORE THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application of S&R Foundation, Inc (t/a S&R Evermay)  
For Renewal of Special Exception Order #18315-A  
1623 28<sup>th</sup> Street, NW, Washington, DC (Square 1285, Lot 0006)**

**STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF**

---

**I. Background**

S&R Foundation, Inc., t/a S&R Evermay, a 501(c)(3) non-profit organization, (the "Owner" or "S&R Evermay") proposes to renew the non-profit organization's use at Evermay, located at 1623 28<sup>th</sup> Street, NW, Washington, DC (Square 1285, Lot 0006) ("Property" or "Evermay").<sup>1</sup> The Board of Zoning Adjustment ("BZA") first approved use of the Property in 2012 when it was owned by Evermay Georgetown, LLC (the "LLC"). At that time, the LLC managing members, Sachiko Kuno and Ryuji Ueno, also the founders of S&R Foundation ("S&R"), sought and were granted approval of the special exception for a five-year period, in which they hosted concerts, art exhibits and other non-profit events on behalf of S&R at Evermay. The BZA renewed the initial approval in December 2016 for a 10-year period when priorities shifted to the non-profit endeavors of the Sachiko Kuno Foundation ("Kuno Foundation") and the Ryuji Ueno Foundation ("Ueno Foundation"), under the auspices of S&R. At that time, S&R, the Kuno and Ueno Foundations, were small, private grant-making foundations and continued to host concerts and other non-profits event. Events halted when the covid pandemic swept the country and post-pandemic, operations were slow to resume but became more focused on non-profit meetings and think-tank events.

In July 2024 the LLC sold Evermay to S&R Evermay, therefore, in advance of the expiration in December 2026 of the current special exception ("SE"), S&R Evermay seeks renewal of special exception # 18315-A granted by the BZA in December 2016 to continue non-profit operations. In recognition of its successful mitigation of any impacts to the neighborhood, S&R Evermay seeks a 25-year term, subject to any future transfer to a non-related entity prior to the expiration of the term.

S&R Evermay's plans for Evermay conform with the special exception regulations pursuant to 11-X DCMR §901.2. Pursuant to the Internal Revenue Section 501(c)(3), S&R Evermay qualifies as a non-profit and remains a private foundation but has transitioned from a grantmaking foundation to an operating foundation. Consistent with its general purposes of operating exclusively for charitable purposes, S&R Evermay will continue to educate, encourage and recognize talented emerging innovators, scientists and artists whose talents contribute to improved global, cultural and scientific understanding. But its vision / mission will primarily focus on shaping the way people and technology evolve together to realize a post-scarcity future.

---

<sup>1</sup> The prior applications to the BZA identified the property as Square 1285, Lot 0815, the lot being denominated for Assessment and Tax purposes. In 2024 the lot was converted to record lot 0006 via the subdivision process.

To accomplish these lofty goals Evermay will serve as a hub of the future, looking back to its historical past for inspiration to explore paths to a more peaceful world. Thoughtfully curated collaborations are anticipated to respect individual purpose, and nurture shared understanding devoted to educating, encouraging, and recognizing innovators, scientists and artists.

## **II. Proposed Programs at Evermay**

In the future, the non-profit programming will focus on the intersection of technology and history/people, coupled with innovative and critical thought meetings. Transformative projects will continue to support work that fosters social impact grounded in the collaborative spirit. For some of these projects, up to 12 persons will be selected annually for residencies of thirty (3) to sixty (60) days. Pursuant to approval of the special exception, S&R Evermay will continue to run its operations from the existing offices at Evermay. No rent will be paid by the Foundation and under no circumstances will Evermay be used as a rental venue for parties, weddings and functions of a purely social nature.

With the conveyance from the LLC to S&R Evermay, there is a fiscal need to fund operational expenses, a civic desire to open the grounds to more neighbors and DC residents as well as a renewed commitment to feature quality programming. To accomplish these goals, Evermay proposes the following:

- A. Thought /Sabbatical Residencies - these events are intended to offer up to 12 persons an in-residence “sabbatical.” For this program the “fellows” will reside at Evermay for one to two months gathering inspiration from the tranquil grounds and other offerings to advance their work. End goals are the production of cultural artifacts, research, policy recommendations, advances in science and technology, etc.
  
- B. Garden and House Installations – to utilize the property more for non-profit purposes, and in particularly to share the gardens, S&R Evermay desires the ability to open the house and garden by appointment during periods of thematic and mission-related installations. Zoning entitlements at Tudor House, Dumbarton House and Dumbarton Oaks permit the ability to offer daily tours but the Evermay garden experience will be different in that it will not be offered year-round. Instead, the Evermay gardens will be open for a maximum of four months annually with no requirement to be open for any period of time. When the gardens are open the following guidelines will limit days, hours and availability:
  - Exhibition days and hours on Tuesday – Friday, from 10 a.m. to 4:00 p.m. and 7:00 pm to 10:00 p.m. (the evening hours solely for special installations) and Saturday-Sunday from 10:00 a.m. to 9:00 p.m.
  - A maximum of 50 persons permitted in the gardens at any one time, whether self-guided or guided by staff, artists, etc.
  - Visits scheduled by appointment only so that S&R Evermay can maintain control over the flow and number of guests.

C. Non-profit events, individually or co-hosted - Non-profit events will consist of concerts, civic events, S&R Evermay fund-raising events, and meetings. Meetings include, but are not necessarily limited to, seminars, presentations, panels, boards, etc. which sometimes could be co-hosted or hosted by collaborative organizations. The concert series has debuted, rebranded as the Listening Room, with the initial concerts held this past fall. A total of four (4) concerts were presented between September 19<sup>th</sup> thru November 14<sup>th</sup>. For the Spring 2026 season, six concerts are planned between March 13<sup>th</sup> and May 22<sup>nd</sup>, 2026.<sup>2</sup> Additional musical events will be added in the future as well as the recently added learning/wellness events.

Conceptually, S&R Evermay will seek to find fresh ideas to resolve intractable problems, of which there are many. As such, meetings and events will be hosted in the vein of the Evermay Dialogue, a series sponsored by the Kuno Foundation. For example, S&R Evermay will bring together “outside the box” thinkers, and experts from opposite sides of an issue to create new thinking and consensus to analyze and relay results in a tangible manner. To further the mission to the greatest extent possible, S&R Evermay intends to host, and sometimes co-host, meetings with similarly minded non-profits or groups similarly seeking resolution or “new thinking”.

### III. Evermay Event Schedule

In 2012, when the first SE was approved, the event schedule permitted 93 annual events. In 2016, the Foundation was in the initial period of operating a social impact incubator at Halcyon House and planning to open an arts incubator at the former Fillmore School. With those ongoing affiliated operations, it was determined the program load at Evermay could be reduced with the result being in 2016, S&R asked for the BZA’s approval of only 40 annual events. The social impact incubator is no longer affiliated with S&R, nor S&R Evermay, and the Fillmore is serving as temporary space for the Boys & Girls Clubs while Jellef is under a multi-year renovation. With the renewed pressure on Evermay as the center of operations, this renewal application requests 72 events, more than the 2016 renewal but less than the 93 events per the 2012 approval. The maximum number of guests has been 200 since the 2012 SE was approved and there is no change sought. For the renewal, S&R Evermay requests the following event schedule:

# of Guests	Type of Event	Proposed # of Guests	Max. Number/Yr
1-50	S&R Foundation Events	1-50	12
1-100	S&R Foundation Events	1-100	40
1-150	S&R Foundation Events	1-150	12
1-200	S&R Foundation Fund-Raising Events	150-200	8
	Total		72

<sup>2</sup> See <https://listeningroom.sandrevermay.org/#performances>.

As it has continuously done, for all purposes S&R Evermay will mitigate any impact pursuant to the existing conditions as set forth in the Summary Order for No. 18315-A, attached hereto and incorporated herein.

#### **IV. Special Exception Relief Requested**

The R-1B/GT district permits non-profit organization use through special exception relief. In order to maintain non-profit offices at Evermay the special exception relief under Title 11-U DCMR §203 of the Zoning Regulations must be approved before the SE term expires. The application meets the requirements for special exception approval as shown below.

#### **V. Special Exception**

The Zoning Regulations provide that the Board of Zoning Adjustment may grant special exception relief from the R-1B/GT regulations, subject to the following requirements 11-U DCMR §203.1(o)(1)-(6):

**A. § 203.1 (o)(1) *If the building is listed in the District of Columbia's Inventory of Historic Sites or, if the building is located within a district, site, area, or place listed on the District of Columbia's Inventory of Historic Sites.***

Evermay was built in 1801-1802 and is listed in both the D.C. Inventory of Historic Sites, and in the National Register of Historic Places, as an individual historic landmark. Also, Evermay is located within the Georgetown Historic District.

**B. § 203.1(o)(2) *If the gross floor area of the building in question, not including other buildings on the lot, is ten thousand square feet (10,000 ft.<sup>2</sup>) or greater.***

The gross floor area of the main building, not including other buildings on the lot, is 10,110 square feet of gross floor area. The main building also contains 5,182 square feet of cellar space. The Gate House, adjacent to the formal entrance to the Property, contains 2,285 square feet of floor area, and the former domestic quarters contain 1,252 square feet of floor area. Thus, the application meets the gross floor area requirements of this provision.

**C. § 203.1(o)(3): *The use of existing residential buildings and land by a nonprofit organization shall not adversely affect the use of the neighboring properties.***

The use of the existing buildings and land by S&R Evermay will not adversely affect the use of neighboring properties. In fact, the Owner is unaware of any complaints for the past 15 years that use of the Property has adversely affected neighboring properties, hence, S&R Evermay requests a term of 25 years for this application, subject to transfer of ownership to a non-related entity. Consistent with the past applications, no more than 10 employees will have offices at Evermay, and the grounds provide more than adequate parking for the employees. Most activities will occur during normal business hours, Monday through Friday, 8 a.m. to 6 p.m. Events in the evening are scheduled outside of peak traffic hours, with limited hours and attendees to ensure that the quiet enjoyment of neighboring properties is not disrupted.

Significantly, Evermay will continue its practice of not renting the property as a wedding or other “social party” venue. Consequently, the Foundation will have strict control over its operations. Public and private events have historically been held at Evermay for more than 80 years. In its present, self-sustaining status, S&R Evermay wishes to open the property to the community and public for its operations yet still maintain a comprehensive list of requirements and protocols to minimize external effects.

**D. § 203.1(o)(4): *The amount and arrangement of parking spaces shall be adequate and located to minimize traffic impact on the adjacent neighborhood.***

With over three acres of land, Evermay is uniquely positioned to offer more than adequate parking spaces and in a location to minimize traffic impact on the adjacent neighborhood. The Applicant commissioned a traffic study in 2012 and has not increased the number of people allowed per event since that time. S&R will continue to follow recommendations to minimize traffic impacts in the neighborhood and add more Transportation Demand Management (“TDM” features as required. Any events in excess of 50 persons require valet, a process which has been continuously maintained for the past 15 years. Increasingly people who attend events use rideshare, cutting down on the number of personal cars and thus does not place any demand on street parking, which is expressly discouraged on event invitations. To date, any vehicles driven to the site have been easily accommodated on the property and without increasing the number of guests, there is no reason to think cars cannot be parked on-site. Any groups coming to the site by multi-passenger vehicles will be required to use vans that can easily enter the site for loading and unloading of passengers. There is no request, nor desire, to change delivery guidelines with the strict set of procedures and delivery times.

The Applicant engaged Gorove-Slade to review traffic conditions; a scoping application was submitted to the District’s Department of Transportation (“DDOT”) in early November. Evermay will maintain mitigation efforts in prior orders and work with DDOT to pursue potential mitigation efforts.

**E. § 203.1(o)(5): *No goods, chattel, wares, or merchandise shall be commercially created, exchanged, or sold in the residential buildings or on the land by a nonprofit organization, except for the sale of publications, materials, or other items related to the purposes of the nonprofit organization.***

Over the past 15 years, excluding artists’ CDs, no goods, chattel, wares or merchandise were commercially created, exchanged or sold in the residential building or on the land by the Foundation. This practice will continue, except for the possible sale of publications, materials, or other items related to the purposes of S&R Evermay.

**F. § 203.1(o)(6): *Any additions to the building or any major modifications to the exterior of the building or to the site shall require the prior approval of the Board.***

There will be no additions to the buildings or any major modifications to the exterior of the buildings, or to the site. There are no plans for future construction on the property other than possible landscape structures.

**G. 11-X DCMR § 901.1-2: *The Board is authorized...to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.***

The special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. The very purpose of 11-U DCMR §203 is to allow large historic properties such as Evermay to be used for non-profit organization purposes, subject to review by this Board.

## **VI. Community Outreach**

S&R Evermay values its location in the Georgetown community and is highly respectful of its adjacent neighbors and citizens. To that end, Evermay has maintained a community liaison but more importantly, maintains an “open door” policy to neighbors. For purposes of this application, the Applicant met with Daniel Chao, who represents the ANC 2E07 Single Member District. S&R Evermay issued invitations to neighbors within the 200-foot radius for meetings held on January 7, 2026 and February 3, 2026. At both meetings, the proposed operations were discussed and no opposition was expressed. The single member district commissioner, Daniel Chao, attended the January 7 meeting.

## **VII. Conclusion**

Pursuant to section 11 -Y DCMR §300 of the Zoning Regulations, the Owner will file supplemental statements and reports with the Board at least 30 days prior to the hearing, and through testimony and evidence presented at the public hearing, the Owner will further demonstrate how the burden of proof is met to obtain the Board's approval of the requested relief.