

Concerned Neighbors Directly Impacted by LAMB Application (CNDI-LA)

January 10, 2018

Chairman Fred Hill
D.C. Board of Zoning Adjustment
441 4th Street NW, Suite 200S
Washington, DC 20001

Re: BZA Case No. 19581 – CNDI-LA’s Response to January 9 Applicant Final Conditions

Dear Chairman Hill and Members of the Board –

Below is CNDI-LA’s response to the applicant’s final conditions of approval submitted on January 9, 2018. CNDI-LA agrees with twenty-seven of the thirty-five conditions offered by the applicant. Those condition numbers are 1, 4, 5, 6, 8, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 31, 32, 33, 34, and 35. For the remaining eight conditions (numbers 2, 3, 7, 9, 10, 12, 28, and 30) that CNDI-LA disagree on, please see below for our alternate text. Please also refer to our closing statement (BZA exhibit #165) for our rationale on why CNDI-LA disagrees of these eight conditions.

Transportation, Traffic, and Routing

1. The Applicant shall fund and construct the following improvements to the pedestrian network to encourage a reduction in automobile mode share and to mitigate travel delay impacts at nearby intersections:
 - a. A sidewalk along the southern side of Gallatin Street between Piney Branch. Rd and 14th Street NW with new curb ramps and crosswalks, as required, as well as crosswalks specifically across Gallatin Street NW at both Piney Branch Road and Iowa Avenue to connect pedestrians to the existing sidewalk on the northern side;
 - b. New curb ramps on the northern and southern sides of Emerson Street at 15th StreetNW and stripe crosswalks, subject to DDOT approval; and
 - c. Upgrades to all existing sub-standard curb ramps at the intersection of 14th Street and Farragut Street NW.
2. LAMB shall implement the loading management plan and transportation demand management program described on pages 11-12 of Exhibit 31A1 in the record. LAMB shall post a sign on the Piney Branch Road gate(s) indicating that they shall be used for exit only.

CNDI-LA’s response to condition #2:

Alternate Text: LAMB and Kingsbury (as long as they are a tenant of the property) shall implement the loading management plan and transportation demand management program described on pages 11-12 of Exhibit 31A1 in the record. LAMB shall post a sign on the Piney Branch Road gate(s) indicating that they shall be used for exit only, and only by faculty/staff and not parents of students.

3. Within the first month of each school year, LAMB shall distribute a policy manual, to include all regularly-scheduled PTO meetings, academic, and parent/student events, to all LAMB families that explains all relevant policies and procedures regarding its transportation management measures including, but not limited to, carpooling, parking, pick-up, drop-off, queuing, and driving routes.
 - a. The policy manual also shall include “Safe Passage” information to ensure students’ safe arrival and departure. This policy manual will be made available to LAMB’s neighbors

- b. The policy manual shall advise families that parents driving to and from the school shall use the appropriate exit based on their commute needs.
- c. LAMB shall make the policy manual available to any resident of ANC SMD4C02 upon request.

CNDI-LA’s response to condition #3:

Alternate Text: Within the first month of each school year, LAMB shall distribute a policy manual, to include all regularly-scheduled PTO meetings, academic, and parent/student events, to all LAMB and Kingsbury (as long as they are a tenant of the property) families that explains all relevant policies and procedures regarding its transportation management measures including, but not limited to, carpooling, parking, pick-up, drop-off, queuing, and driving routes.

- a. The policy manual also shall include “Safe Passage” information to ensure students’ safe arrival and departure. This policy manual will be made available to LAMB’s neighbors.
 - b. The policy manual shall advise families that parents driving to and from the school shall use the appropriate exit based on their commute needs.
 - c. LAMB shall make the policy manual available to any resident of ANC SMD4C02 upon request.
4. LAMB shall support efforts of and will work with West Education Campus (“West EC”) to request additional Crossing Guards and Traffic Control Specialists to ensure the safety of children.
 5. LAMB shall not recommend that Emerson Street be turned back into a two-way street.
 6. The alley on the southeastern corner of the site shall be kept open for two-way traffic and emergency vehicles at all times.
 7. As part of its annual survey of students and parents, LAMB shall collect data about the modes of transportation that LAMB students use to get to and from school. LAMB shall work with CNDI-LA in creating and establishing, to the extent possible, a comprehensive data questionnaire/survey to capture this information.

CNDI-LA’s response to condition #7:

Alternate Text: As part of its annual survey of students and parents, LAMB shall collect data about the modes of transportation that LAMB and Kingsbury students use to get to and from school. LAMB shall work with CNDI-LA in creating and establishing, to the extent possible, a comprehensive data questionnaire/survey to capture this information.

8. The number of parking spaces on the site shall be at least 107.
9. At the start of the 2018-2019 school term, continuing through subsequent years, LAMB will dedicate the services of traffic monitors, to be assigned at all queuing and entry/exit points during peak hours of drop-off and pick-up in order to assure compliance with the school’s policy manual as it relates to transportation management measures including, but not limited to, carpooling, parking, pick-up, drop-off, queuing, and driving routes.

CNDI-LA’s response to condition #9:

Alternate Text: At the start of the 2018-2019 school term, continuing through subsequent years, LAMB will dedicate the services of traffic monitors, to be assigned at all queuing and entry/exit points during peak hours of drop-off and pick-up in order to assure compliance with the school’s policy manual (by LAMB and Kingsbury (as long as they are a tenant of the property)) as it relates to transportation management measures including, but not limited to, carpooling,

parking, pick-up, drop-off, queuing, and driving routes.

10. Starting in the first year of LAMB's operations at the building, LAMB shall implement the performance monitoring plan (PMP) described on pages 21-22 of DDOT's report at Exhibit 45 in the record and enhanced on pages 1-3 of the Applicant's submission at Exhibit 121 in the record. The submission of performance monitoring reports will continue until (1) a minimum of three years of reports have been submitted or LAMB increases its enrollment to a maximum of 600 students, whichever is later, **and** (2) the two latest consecutive years demonstrate that the school is in compliance with the PMP.

CNDI-LA's response to condition #10:

Alternate Text: Starting in the first year of LAMB's operations at the building, LAMB and Kingsbury (as long as they are a tenant of the property) shall implement the performance monitoring plan (PMP) described on pages 21-22 of DDOT's report at Exhibit 45 in the record and enhanced on pages 1-3 of the Applicant's submission at Exhibit 121 in the record. The submission of performance monitoring reports will continue until (1) a minimum of three years of reports have been submitted or LAMB, pending BZA approval, increases its enrollment to a maximum of 600 students, whichever is later, **and** (2) the two latest consecutive years demonstrate that the school is in compliance with the PMP.

Good Neighbor Policy and Partnerships

11. LAMB shall work with West EC to ensure that the fundraising efforts of the schools' school-parent organizations (PTA/FTA/PTO) do not compete.
12. LAMB shall establish a non-voting community liaison committee, the LAMB/Community Committee (LCC), which will include representatives from Committee of Neighbors Directly Impacted by LAMB Application ("CDNI-LA") and West EC. The LAMB/Community Committee (LCC) will be comprised of nine (9) representatives: one (1) LAMB administrator, two (2) members of the LAMB PTO, one (1) LAMB parent residing in ANC 4C, the ANC 4C02 SMD representative, and four (4) residents of ANC 4C02 on behalf of the community (equally split between CNDI-LA and West Education Campus representatives, provided that West EC representatives are not also CNDI-LA members). Meetings will occur in-person once per quarter at 5000 14th Street NW. One week prior to the school's start date, the LCC must have all members assigned and notified of the year's meeting schedule, which will be agreed upon each August, beginning in August 2018. After each meeting, a member of the LCC shall prepare and distribute to other LCC members a written summary report that includes a standing list of agenda items, attendees, old business, new business, and next meeting date.

CNDI-LA's response to condition #12:

Alternate Text: LAMB shall establish a non-voting community liaison committee, the LAMB/Community Committee (LCC), which will include representatives from Committee of Neighbors Directly Impacted by LAMB Application ("CDNI-LA") and West EC. The LAMB/Community Committee (LCC) will be comprised of nine (9) representatives: one (1) LAMB administrator, two (2) members of the LAMB PTO, one (1) LAMB parent residing in ANC 4C02, the ANC 4C02 SMD representative, and four (4) residents of ANC 4C02 on behalf of the community (equally split between CNDI-LA and West Education Campus representatives, provided that West EC representatives are not also CNDI-LA members). Meetings will occur in-person once per quarter at 5000 14th Street NW. One week prior to the school's start date, the LCC must have all members assigned and notified of the year's meeting schedule, which will be agreed upon each August, beginning in August 2018. After each meeting, a member of the LCC shall prepare and distribute to other LCC members a written summary report that includes a standing list of agenda items, attendees, old business, new business, and next meeting date.

13. The LCC meetings shall be used to identify any issues that require redress or mitigation. Issues may include, but are not limited to, those for parking, traffic, noise, environmental impact, and lighting. LAMB shall work with the LCC to establish mitigation strategies and verification methods of compliance to address concerns arising from the LCC meetings.
14. LAMB will provide at least seven days advance notice to CNDI-LA, or as soon as possible for emergencies and unforeseen circumstances, before hosting a “large event.” The notice shall include a description of the event, the date and start/end times, and the expected number of attendees. “Large event” shall be defined as one occurring, either during or after regular school hours, where parking is expected to overflow outside the property and into the neighborhood and/or the event will have any outdoor functions. “Large events” shall not include regularly-scheduled PTO meetings, academic events, or parent/student events.
15. LAMB representatives shall collaborate with representatives from West EC and CNDI-LA to coordinate schedules that will avoid, to the greatest extent possible, the simultaneous hosting of large events.
16. After a large event, LAMB agrees to acknowledge receipt of any specific concerns or issues raised by CNDI-LA within one week receipt of CNDI-LA’s written concerns and to respond in writing within 30 days of receipt from CNDI-LA to such concerns and issues. Notice to extend any written response from LAMB shall not be unreasonably withheld by CNDI-LA, provided that LAMB makes such request at least 10-days prior to the expiration of the response 30-day period.
17. At any large event, LAMB shall engage the services of staff as needed to enforce parking, traffic, queuing, noise, traffic entry/exit conditions, and provide safety and security services. LAMB will use its best efforts to accommodate all parking for large events on the school property.

Lighting, Noise, and Design

18. LAMB shall continue to use the same parking lighting plan as the Kingsbury School, making sure all illuminations are pointing downwards. Any changes to the lighting plan shall be discussed in the quarterly LCC meetings before implementation.
19. All signage on the building will comply with applicable District of Columbia laws and regulations. Any changes to the signage on the building or on the property shall be discussed in the quarterly LCC meetings before implementation.
20. LAMB shall not install any lighting on the field or other additional outdoor lighting, except for that required by applicable laws and regulations.
21. LAMB will install acoustic blankets on the HVAC systems facing Piney Branch Road on the existing building, on any addition to the building, or on any new equipment to be installed on the subject property, whether on the ground or elevated.
22. The gymnasium shall conform to zoning requirements and will be contained within the property boundaries. LAMB will return to the BZA for a modification for only design review and approval of the gymnasium prior to its construction.
23. The gate at the southeastern corner of the site shall be on the property line and shall swing inward.
24. LAMB shall plant evergreen trees around the perimeter (not otherwise obstructed by the school building) of any current or future playground area to act as a noise buffer.
25. LAMB shall plant evergreen trees around the perimeter of the property, except for the 14th Street side, and ensure that any trees lost are replaced on an equivalent diameter-inches basis.

School Operations and Population

26. LAMB's regular hours of operation shall be 7:00 am to 6:00 pm, Monday to Friday.
27. LAMB's before-care program shall start at 7:15 am, and drop-offs shall continue through 7:45 am. LAMB's day for 1st through 5th graders shall start at 8:15 am. LAMB's preschool 3, 4, and kindergarten shall start at 8:30 am.
28. The maximum number of students at LAMB shall not exceed 600, and the maximum number of faculty and staff members at LAMB shall not exceed 110.

CNDI-LA's response to condition #28:

Alternate Text: The maximum number of students at LAMB shall not exceed 600, and the maximum number of faculty and staff members at LAMB shall not exceed 110; both pending BZA approval.

29. During the interim period when both LAMB and Kingsbury are in the building, the maximum number of LAMB students shall not exceed 310, and the maximum number of LAMB faculty and staff shall not exceed 36.
30. After Kingsbury departs the property, LAMB shall provide CNDI-LA with the application and all accompanying documentation at least 30 days before LAMB applies for a certificate of occupancy to expand into the remainder of the building and increase the student and staff count. LAMB shall demonstrate to DDOT and report to the Zoning Administrator that it is in compliance with the performance monitoring plan (PMP) and demonstrate to the Zoning Administrator that it is in compliance with all other relevant conditions of approval. If LAMB is not in compliance with the PMP, and all other conditions are not met, LAMB shall not be granted a certificate of occupancy for an increase in student and staff count unless given approval by the BZA.

CNDI-LA's response to condition #30:

Alternate Text: After Kingsbury departs the property, LAMB shall provide CNDI-LA with the application and all accompanying documentation at least 30 days before LAMB applies for a certificate of occupancy to expand into the remainder of the building and increase the student and staff count. LAMB shall demonstrate to DDOT and report to the Zoning Administrator that it is in compliance with the performance monitoring plan (PMP) and demonstrate to the Zoning Administrator that it is in compliance with all other relevant conditions of approval. LAMB will return to the BZA to review its compliance and seek approval to increase its student population to the maximum of 600 students and 110 faculty and staff. If LAMB is not in compliance with the PMP, and all other conditions are not met, LAMB shall not be granted a certificate of occupancy for an increase in student and staff count unless given approval by the BZA.

Construction Management for Renovations and Construction of Gymnasium

31. Exterior construction shall be limited to the hours of 7:00 AM – 5:00 PM weekdays; and 8:00 AM – 5:00 PM Saturdays. Noise associated with construction activities will be minimized as much as possible during these hours. In the event that the Applicant requires additional hours for exterior construction, they will appear before ANC 4C and follow all District rules and procedures for after-hours construction.
32. The Applicant shall instruct all construction personnel that they shall not be permitted to park personal or construction vehicles on neighborhood streets. Staging or queuing of such vehicles will also not be permitted on neighborhood streets before the beginning of construction hours except as allowed by permit from DDOT and/or DCRA. There will be no overnight staging of such vehicles or material left on neighborhood streets or in the public space at any time during construction except as allowed by permit from DDOT.

33. All truck traffic will use an approved circulation plan along main arterials, Military Road/Missouri Avenue onto 14th Street, to minimize the impact on the adjacent neighborhood streets, provided that such plan is approved by DDOT.
34. 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. Sidewalks and streets around the perimeter of the site shall be kept clear and clean of concrete, dirt, mud, rocks, sand, or other aggregates throughout the period of construction.
35. For any proposed use of public space for construction activity, the Applicant shall appear before ANC 4C prior to filing an application for a public space permit.

Sincerely,



Rami A. Rihani

On behalf of Committee of Neighbors Directly Impacted by LAMB Application (CNDI-LA)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on Wednesday, January 10, 2018, CNDI-LA provided its response to the applicant's final conditions in BZA Case #19581 via e-mail to the following:

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and

Commissioner Maria Barry, SMD 4C02
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Rami A. Rihani