

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen Cochran, Case Manager
Joel Lawson, Associate Director Development Review

DATE: November 17, 2017

SUBJECT: BZA Case 19599 - Request for special exception for 4200 Davenport Street, expansion and consolidation of the Georgetown Day School private school (Square 1672 – Lots 4, 14, 804, 812, 815; Square 1673 – Lots 822, 824)

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends **approval**, of:

- A. A Special Exception pursuant to Subtitle X § 104 and U § 203.1 (1) for the Georgetown Day School’s continued operation as a private school and its expansion in the R-2, R-3 and MU-4 zones;
- B. A Modification of Significance pursuant to Subtitle Y § 704.1 to extinguish BZA Order 17868 and its predecessors and to supplant them with a consolidated order governing all school buildings and operations on the expanded site.

Subject to Conditions included under Tab C of the Applicant’s November 8, 2017 filing (Case Exhibit 41C), with the following additions to proposed Condition 7 (proposed additions underlined):

- *The School shall, in accordance with and subject to the terms of the TMP, and other Conditions of the approved Order, hold quarterly meetings with the ANC and other community members to garner feedback on traffic and parking related issues, and on other matters related to the Conditions in the Order.; and*

Provided that, by the hearing, the applicant addresses the following concerns, which are discussed in more detail in other sections of this report:

- Lighting:
 - Condition No. 23 should refer to no exterior lighting directed *westerly* towards 43rd Street.
 - The applicant should provide larger-scaled illustrations than Exhibit 41A1 Sheet G0.12 to better illustrate the lighting proposed for campus pedestrian paths and for the western side of 42nd Street;
 - The applicant should explain how the landscaping illustrated on Sheet G0.11 of Exhibit 41A1 will screen the lighting of the above-grade portion of the proposed garage from the rear yards of adjacent residences on 43rd Street and Ellicott Street.
- Transportation Demand Management: The applicant should present a final TDM plan, based on the applicant’s draft September 9, 2017 proposals to ANC 3E, which had not been entered into the record at the time OP completed this report. It should also work with the District Department of Transportation (DDOT) to clarify potential signalization of the intersection of Wisconsin Avenue and Chesapeake Street;

- Design and Landscaping of GDS Property : The applicant should:
 - For the west side of 42nd Street between Davenport and Ellicott streets, further refine landscaping adjacent to the property line and the design of the first 10 above-grade feet of the building façade to enhance the pedestrian experience through additional color, texture transparency and/or variety.
 - Submit illustrations of the size, materials and general content of the signage shown on Sheet G0.12 of Exhibit 41A1;
- Design and Landscaping of Public Space: The applicant should:
 - Continue to work with the District Department of Transportation (DDOT) to clarify and enhance the design and treatment of the proposed modifications to 42nd Street immediately south of Ellicott Street as well as the traffic “slip lane” and public space between 42nd Street and Wisconsin Avenue.
 - Clarify potential changes to the control of the intersection of Wisconsin Avenue and Chesapeake Street.
- Housing Supply: The application includes the demolition of two existing dwellings, which would not further broader District objectives to retain existing, and provide more, housing. The applicant should submit additional information about how the proposed demolition of the GDS-owned market-rate townhouse on 43rd relates to the school site’s stormwater management plan, and how the proposed demolition of the GDS-owned market-rate detached house on Ellicott Street relates to provision of adequate recreation areas for the lower/middle school, and to the screening of school facilities from adjacent residences on Ellicott Street.
- Extinguishing of Previous Orders: The applicant should clarify whether it is seeking to extinguish all previous Orders relating to both the high school and lower/middle school, or only to extinguish the most recent high school-related order.

II. BACKGROUND APPLICATION-IN-BRIEF

The applicant, the Georgetown Day School (GDS), currently operates from two campuses in northwest Washington under special exception orders:

- A lower/middle school at 4530 MacArthur Boulevard, NW, on residentially-zoned land in the Palisades neighborhood. It has a cap of 575 students and a 120 full-time-equivalent faculty and staff. (BZA Orders 7451, 7801, 9597, 12599, 14140 and 16166); and
- A high-school at 4200 Davenport Street, NW on residentially-zoned land in the Tenleytown neighborhood. It has a cap of 500 students and 100 full-time-equivalent faculty and staff. (BZA Orders 14140, 16166, 16944 and 17868).

These schools were given special exception approval in ten BZA Orders between 1963 and 2009.

YEAR	BZA CASE #	REQUEST	BZA DECISION
1963	7451	Unified School (MacArthur Boulevard)	Original approval for GDS School location.
1964	7801	Unified School (MacArthur Boulevard)	Amended plans
1968	9597	Middle School (MacArthur Boulevard). Additions to western side of building	Approved with conditions.
1978	12599	Middle School (MacArthur Boulevard. Addition to close a closed court	Approved
1984	14140	Middle School (MacArthur Boulevard). 500 student cap. Additions for gym, classrooms, library; reconfigured parking area; variance from parking space dimensions	Approved with conditions
1985	14279	High School (Davenport Street). Special Exception for establishment at this location 410-student cap.	Approved with conditions
1997	16166	Middle School (MacArthur Boulevard). Enlargement of building and parking circulation area. 575 student cap, 120 faculty/staff cap.	Approved with conditions.
2002	16944	Hight School (Davenport Street). Special Exception to increase student enrollment to 465 and 95 faculty/staff FTE's.	Approved with conditions
2004	17170	Hight School (Davenport Street). Special Exception to: <ul style="list-style-type: none"> ● add new, enlarged classrooms and science labs; ● renovate library and support space; ● add two-story reception and student lounge with outdoor terrace; ● add underground athletic facility and 140 space parking garage; improve athletic field;convert old gym to a theatre. 	Approved w/conditions
2009	17868	Hight School (Davenport Street). Special Exception to: <ul style="list-style-type: none"> ● Increase student enrollment fro 465 to 500 ● Increase faculty/staff FTE's from 95 to 100. 	Approved with conditions

GDS, is now seeking a modification of Significance under Subtitle Y §704.1 to extinguish previous orders and seeking approval of a Special Exception under Subtitle X §§ 104 – 106 and Subtitle U § 203.1 (1) to relocate its Middle and Lower School to a 3.3-acre site adjacent to the existing 4.6-acre High School campus, for a consolidated campus of 7.9 acres

The applicant has requested a cap of 1,200 students and 260 full-time-equivalent of faculty and staff For the consolidated campus. This would add 700 students and 160 full-time equivalent faculty and staff to the Tenleytown location. The number of parking spaces at the larger Tenleytown site would increase from 317 to a proposed 598. The total population would be 125 more students and 40 more full-tome equivalent faculty and staff than are currently at the two existing school sites.

All the new construction and facilities for the lower and middle school would be within the expansion area.

The principal portion of the proposed lower and middle school classroom building would be constructed on the site of the now-vacant and to-be-demolished Safeway grocery store and parking lot. The school building would be in the MU-4 zone, which permits a private school by-right.

Portions of the below-grade levels of the lower/middle school, all the partially below-grade parking lot, the athletic field atop the parking structure, and the sports court, play areas and open spaces associated with the lower/middle school would be located in the R-2 and R-3 zones, where a private school is permitted only by special exception.

The new construction would entail the demolition of one row-house and one single-family detached house. Each is owned by GDS.

III. AREA AND SITE DESCRIPTION

Address	4200 Davenport Street, NW
Legal Description	(Square 1672 – Lots 4, 14, 804, 812, 815; Square 1673 – Lots 822, 824)
Ward / ANC	Ward 3 / ANC 3 E
Lot Characteristics	7.9 acres overall, of which 3.3 acres is proposed expansion site. Relatively flat but sloping downwards from east to west.
Existing Development	Existing GDS high school and, on proposed expansion site, a former Safeway grocery store and its parking lot
Zoning	R-2, R-3, MU-4
Historic Designation	None
Adjacent Properties	Detached and attached residential to north and west. Existing high-school to south. Moderate-density commercial uses to east.
Neighborhood Character	Moderate-density commercial development to east, on 41 st Street and Wisconsin Avenue.

Figure 1. Site Location and Existing Conditions



Figure 2. Proposed Site Plan

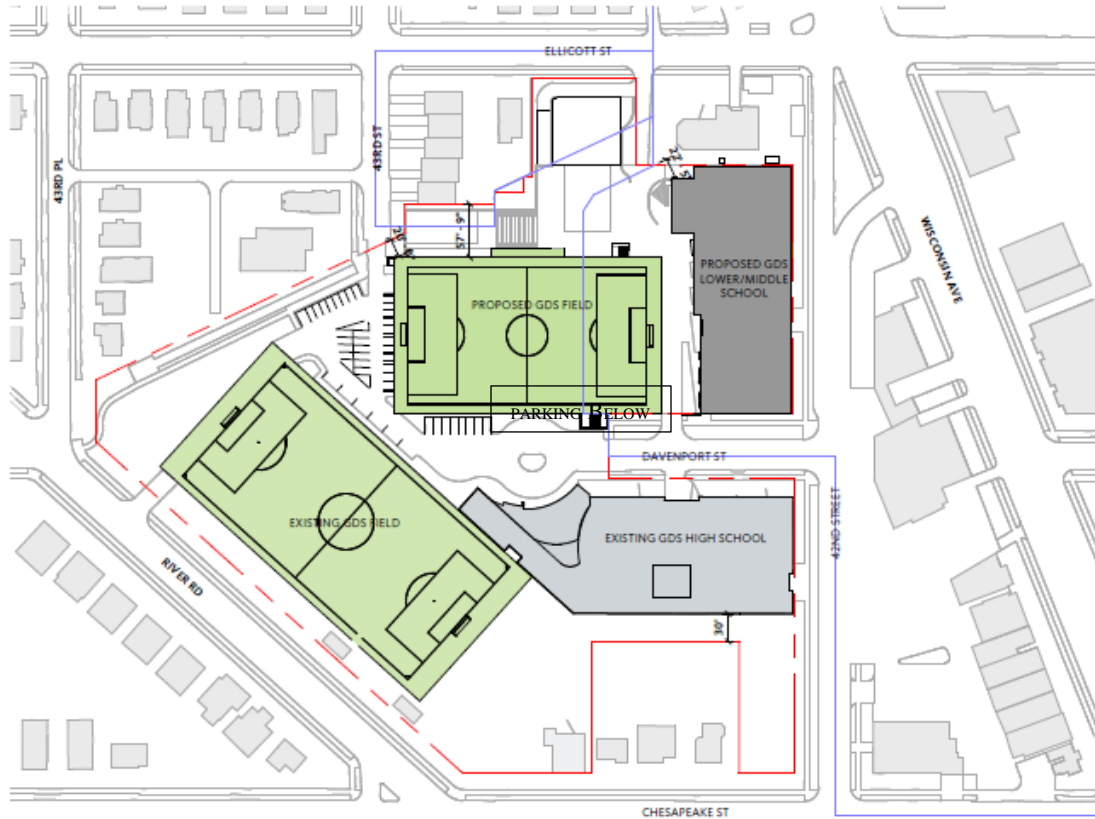


Figure 3. Proposed Site Plan

The 3.3-acre relocation site is split zoned MU-4, R-2 and R-3 and is occupied by the vacant store and parking lot of a former Safeway grocery. It is adjacent to the existing 4.6-acre high school site. The consolidated Lower/Middle School and High School would be located on an irregularly shaped 7.9-acre site, generally between 42nd on the east and 43rd Place on the west, and Chesapeake Street on the south and Ellicott Street on the north. To the northwest of the expanded campus are twenty single-family houses fronting on 43rd Place. 43rd Street or Ellicott Street. A WMATA facility is located at the southwest corner of Ellicott Street and 42nd Street. A north-south alley separates the WMATA facility from the norther-most portion of GDS's proposed lower/middle school site.

The Metro red-line's Tenleytown stop is approximately 0.4 mile to the south and the Friendship Heights stop is approximately 0.6 mile to the north. With the exception of moderate-density commercial and residential uses along Wisconsin Avenue, most of the nearby area is devoted to the single-family house uses permitted in the R-2 and R-3 zones.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

- The R-2 zone accounts for the majority of the site, at the center, and encompasses the proposed garage/athletic field and one of the two rowhouses to be demolished for part of the recreation area. Private schools are allowed by special exception;
- The R-3 zone is located at the northeast corner of the property and encompasses additional play area, the second rowhouse that would be demolished, and a detached single-family house that would be demolished. Private schools are allowed by special exception;

- The MU-4 zone is adjacent to 41st street and is the location of the former Safeway grocery and parking lot. It is where the above-ground portions of the lower and middle school classroom building would be located. Private schools are allowed by-right.

The applicant is requesting a special exception for private school uses in these residential zones. It is not requesting any other special exceptions or variance relief.

The following chart, prepared by the applicant, notes the size of the site within each of the zone, and summarizes the proposals compliance with each zone’s regulations. Exhibit 41A1, Sheets G0.05 – G0.08 provide more detail on the relationship between the site plan and the zoning regulations for each of the zone-specific portions of the property. The proposed lower/middle school building would be located in the MU-4 zone, where it would be permitted by-right. A new parking garage and athletic field, play areas, and passive open space would be located in the R-2 and R-3 zones, thereby requiring the requested special exception.

Figure 4. Zoning Information Presented by Applicant

	MU-4	R-3	R-2
SITE AREA	59,125 SF	11,148 SF	274,609 SF
LOT OCCUPANCY (PERMITTED)	35,475 SF (60%)	4,459 SF (40%)	109,844 SF (40%)
LOT OCCUPANCY (PROPOSED)	22,421 SF (37.9%)	0 (0%)	63,988 (23.3%)
GREEN AREA RATIO (REQUIRED)	17,738 SF (0.3)	N/A	N/A
GREEN AREA RATIO (PROPOSED)	18,735 SF (0.32)	N/A	N/A
SITE FAR (PERMITTED)	88,688 SF (1.5)	N/A	N/A
SITE FAR (PROPOSED)	88,146 SF (1.49)	N/A	N/A
SIDE YARD SETBACK (REQUIRED)	N/A	N/A	8'-0"
NORTH	N/A	N/A	57'-9"
SOUTH	N/A	N/A	*30'-0"
REAR YARD SETBACK (REQUIRED)	15'-0"	20'-0"	20'-0"
WEST	22'-5"	N/A	20'-0"
BUILDING HEIGHT (PERMITTED)	50'-0" **	40'-0"	40'-0"
BUILDING HEIGHT (PROPOSED)	50'-0" **	N/A	*39'-0"
PENTHOUSE HEIGHT (PERMITTED)	15'-0"		
PENTHOUSE HEIGHT (PROPOSED)	15'-0"		

EXISTING BUILDINGS GSF

GDS HIGH SCHOOL = 106,420 SF

NEW BUILDINGS GSF

GDS LOWER/MIDDLE SCHOOL = 88,146 SF
 GDS GARAGE = 25,188 SF

PARKING

GDS HIGH SCHOOL (REQUIRED) = 78
 GDS HIGH SCHOOL (PROPOSED) = 182
 GDS LOWER/MIDDLE (REQUIRED) = 80
 GDS LOWER/MIDDLE (PROPOSED) = 95

LOADING

BICYCLE PARKING

SHORT TERM (REQUIRED) = 59
 SHORT TERM (PROPOSED) = 64
 LONG TERM (REQUIRED) = 18
 LONG TERM (PROPOSED) = 24

LOADING BERTH REQUIRED = 2 @ 30 FT DEEP
 LOADING BERTH PROVIDED = 1 @ 30 FT DEEP, 1 @ 33 FT
 LOADING PLATFORM REQUIRED = 2 @ 100 SF
 LOADING PLATFORM PROVIDED = 2 @ 100 SF
 DELIVERY SPACE REQUIRED = 1 @ 20 FT DEEP
 DELIVERY SPACE PROVIDED = 1 @ 33 FT DEEP*

V. OFFICE OF PLANNING ANALYSIS

A. SPECIAL EXCEPTION CRITERIA SPECIFIC TO PRIVATE SCHOOLS – SUBTITLE U § 203.1 AND SUBTITLE X §§104 - 106 -

1. *Subtitle U- 203 SPECIAL EXCEPTION USES – R-USE GROUPS A, B, AND C*

203.1 *The following uses shall be permitted as a special exception in R-Use Groups A, B, and C, if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9 subject to applicable conditions of each section: ...*

(1) Private schools and residences for teachers and staff of a private school, but not including a trade school, ...

GDS is an independent, coeducational institution serving, between the two existing campuses, grades Pre-K through 12. The high school was approved for its present location in 1987, and is currently operating under BZA Order 17868. The lower/middle school has been operating in Palisades since 1963, most recently under BZA Order 16166. There are not, and would not be, any residences for teachers or staff on the site.

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*
- (3) After hearing all evidence, the Board of Zoning Adjustment may require additional parking to that required by this title;*

Number of Students

GDS' high school is currently capped at 500 students and 100 faculty and staff. The relocation of the lower/middle school to Tenleytown would result in an increase of 700 students and 160 full-time equivalent faculty and staff to an expanded Tenleytown campus.

Potential impacts are examined below for individual aspects of § 203.1's criteria.

Noise

In response to an OP request the applicant has submitted a professional acoustics-analysis report (Exhibit 41E) concluding that, with the proposed location of the lower/middle school building, the erection of the sound fences detailed in the Tab D report, and the absence of mechanical air shafts on the proposed parking garage, the granting of the private school special exception should result in no significant negative impact from project-generated noise levels to the rear of the adjacent houses on 43rd Street and on Ellicott Street, or on the surrounding neighborhood

The applicant has striven to minimize the additional noise by locating the lower/middle school building adjacent to 42nd street, approximately 275 to 300 feet from the nearest residences. The proposed noise-related Conditions of Approval in Exhibit 41C, include:

- #20: All extra-curricular or inter-scholastic activities (other than athletic events) held on the Campus shall be concluded by 11:30 p.m.;
- # 21: All interscholastic athletic events on the campus files shall be scheduled to conclude no later than 7:30 p.m., with absolute conclusion by 8:00 p.m. regardless of circumstances;
- # 21: Outdoor playing fields, playgrounds, outdoor recreation areas and green spaces shall not be used after sundown;
- # 24: Loudspeakers and bells other than emergency alarms shall not be audible in the adjacent neighborhood;
- #25 Temporary outdoor audio systems shall be allowed only for school special events and only during school hours, and no more than three times a year.

Lighting

In proposed Conditions 22 and 23, the applicant states that the athletic fields, playgrounds, outdoor recreation facilities and green spaces will not be permitted to have external lighting, and that no exterior building lights will be directed towards the existing residences along 43rd Street, NW. The applicant provides lighting details in Exhibit 41A1, Sheet G0.12

OP Comment on Lighting:

- Proposed Condition No. 23 should be corrected to refer to no exterior lighting being directed *westerly* towards 43rd Street;
- The scale of Sheet G0.02 does not adequately illustrate lighting types and locations. would be sufficient for pedestrian safety. By the hearing the applicant should provide additional information about how proposed lighting will enhance pedestrian safety both on-campus, and along the western side of 42nd Street, N.W.
- Portions of the garage for the lower/middle school will be above-grade. By the hearing the applicant should provide additional information about how the internal lighting of the proposed parking structure would be screened from adjacent residences, and whether there would be late night and early morning hours during which garage lighting might be reduced;

Parking, Circulation and Traffic

The proposals relating to traffic and TDM have changed several times during the review of this application, in response to ANC and neighborhood concerns. At the time OP completed this report, the most recent information on the impact of the proposed increase was contained in:

- The September 17, 2017 Comprehensive Transportation Review (CTR) (Exhibit29A);
- The November 8, 2017 “Pre-Hearing” Statement and Updated Site and Architectural Drawings (Exhibits 41 – 41C);
- A November 9, 2017 Powerpoint presentation to ANC 3E concerning the draft Trip Generation and Transportation Management Plan. (Not yet a Case Exhibit).

The following section summarizes, this information. The District Department of Transportation (DDOT) will be providing a detailed analysis on these topics and on the most current TDM plan under separate cover.

The applicant and DDOT will be continuing to refine proposals for the treatment of 42nd Street at Ellicott Street, the nearby slip lane from Wisconsin Avenue, and will provide additional information about potential enhancements to the control of traffic at the intersection of Wisconsin Avenue and Chesapeake Street.

Parking

is now accessed from Davenport Street, with drop-off and pick-up within a surface lot adjacent to the athletic field and parking provided below the athletic field (145 spaces) and on a surface lot (51 spaces). Emergency access/egress is also provided at a gated and locked opening at 43rd Street.

For the consolidated campus, the applicant proposed, as of September 17, 2017:

- Retention of 176 of the current 196 parking spaces now on the high-school portion of the campus;
- The addition of 106 spaces in a new parking structure for the relocated lower/middle school
- An overall increase of 186 parking spaces on the overall site.
- OP Comment on Parking: The OP would not support any further increase from this proposed number and supports efforts of the applicant, the neighborhood, the ANC and DDOT to complete an aggressive TDM plan.

Circulation patterns

would change with the addition of a new garage and curb cuts. The applicant proposes:

- Retention of the Davenport access and egress point for the high school parking areas, with this point being the only egress point for all high school pick-up and drop-off, and one of two points (with River Road) for lower/middle school AM drop-off and PM pick-up;
- The addition of a new curb cut on River Road to provide access to and egress from the existing high school garage, with this point being the only permitted entrance point for all high school traffic during PM peak-hours,
- The addition of a new curb cut on the north side of Davenport Street to provide access-only to the proposed lower/middle school parking garage;
- Use of the existing public alley on Ellicott Street for right-turn only egress from both garages;
- The closing of an existing curb cut on 42nd Street, formerly providing access to the Safeway grocery store.

These most recent drop-off, pick-up and general circulation plans were presented to ANC 3E on November 9, 2017. The applicant will file updated diagrams prior to the hearing.

Traffic and Vehicle Counts

for the present high school and lower/middle schools were presented in the September 17, 2017 CTR (Exhibit 29A). It estimated that the proposed on-campus population and vehicle parking space

numbers, combined with the proposed access, egress and circulation plans would result in the following increases in site-related trips without a Transportation Demand Management (TDM) plan.:

Vehicular Trips	AM Peak			PM School Peak			PM Commuter Peak		
	In	Out	Total	In	Out	Total	In	Out	Total
High School (500 Students, 100 Faculty/staff)									
Existing	294	189	483	80	98	178	63	85	148
Lower/Middle School									
Existing	339	283	622	126	154	280	46	65	111
Increase with Proposed Cap	31	26	57	11	14	25	4	6	10
Estimated Total, adjusted for Consolidation	645	480	1125	209	256	465	111	154	265
Estimated Net Increase, at Consolidated Tenleytown site without TDM	351	291	642	129	158	287	47	69	117

The TDM plan that had been submitted to the record at the time OP completed this report, was contained on pages 3 and 4 of the Applicant’s November 8, 2017 “Pre-Hearing Statement” (Exhibit 41F). Additional potential TDM strategies were presented to ANC 3E on November 9, 2017. At that meeting, the applicant presented a revised trip-generation assessment which appears to be significantly lower for the AM peak than those noted in Exhibit 41F. The applicant will be meeting again with the ANC on November 20, 2017.

The applicant proposes to phase-in a vehicle cap over a 5-year period, maintaining a projected new total enrollment of the consolidated lower/middle/high schools at 1,075 until that trip cap is reached, after which the enrollment could increase to the full, requested 1,200 students.

The applicant states that the following would be the principal tools by which the cap would be reached:

- Mandatory carpooling for morning drop-offs, with exceptions for Pre-K and 1st grade students, student drivers, and students with special transportation needs;
- A bussing program from off-site locations, using at least three busses, each with a capacity of 50 students;
- An annual bikeshare membership, or \$240 subsidy, for each employee who regularly bides to work;
- Competitions with incentives and prizes to the student(s) who most frequently take transit, walk or bike to school;
- As-yet-unspecified infraction procedures against GDS for non-compliance with the TMP.

The applicant should continue working with DDOT and the ANC and submit a final TDM plan to the record for DDOT review.

Additional Considerations

- Design of 42nd Street Façade: The proposed 3 ½-to-4 story lower/middle school would occupy the entire length of the west side of 42nd Street between Davenport and Ellicott Streets. While the most recent design is improved from the original submission, the long horizontal bands of dark brick, and dark windows framed by metal engineered wood, still present a ground level that does not enliven the pedestrian experience.
 - *OP recommends the applicant further refine this design to present more varied patterns, color and landscaping to make for a pleasant pedestrian experience, particularly in light of the existing conditions for pedestrians on the west side of this block of 42nd Street.*

- **Perimeter Landscaping:** The streetscape illustrations shown on Sheet A9.04 of the Pre-hearing statement (Exhibit 41A1) make clear that while the applicant would provide superior landscaping inside of the campus, it has not proposed to provide an equivalent level of landscaped environment on the project’s perimeters.
 - *OP recommends the applicant make every effort to meet with the staff of the public space committee for an informal consultation in order to present more refined proposals for the perimeter landscaping at the public hearing.*
- **Public Space Considerations:** The applicant should continue working with DDOT to refine the design and public space improvements related to the proposed changes to the 42nd Street right of way south of Ellicott Street, the “slip lane” and open space between 42 Street and Wisconsin Avenue near the intersection with Ellicott Street, and potential changes to the control of the intersection of Wisconsin Avenue and Chesapeake Street.

2. SUBTITLE X § 104 PRIVATE SCHOOL PLAN

104.1 Education use by a private school shall be permitted as a special exception subject to review and approval by the Board of Zoning Adjustment after its determination that the use meets the applicable standards of Subtitle X, Chapter 9 and conditions of this section.

104.2 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.

These requirements have been addressed above in the discussion of Subtitle U, § 203.

104.3 The development standards for a private school shall be those of the zone in which the private school is located.

This was discussed above, in Section IV of this report. The applicant has demonstrated that it meets the development standards for each of the three zones in which particular portions of the site are located.

104.4 In calculating density, the land area shall not include public streets and alleys, but may include interior private streets and alleys within the school boundaries.

The applicant has not included the existing alley right of way or the right of way of Davenport Street in its density calculations.

3. SUBTITLE X § 105 SCHOOL PLAN REQUIREMENTS

105.1 The applicant shall submit to the Board of Zoning Adjustment for its approval a plan for the school showing the location, height, and bulk, where appropriate, of all present and proposed improvements, including, but not limited to, the following:

- (a) Buildings and parking and loading facilities;*
- (b) Screening, signs, streets, and public utility facilities;*
- (c) Athletic and other recreational facilities;*
- (d) A description of all activities conducted or to be conducted in the school, and of the capacity of all present and proposed school development; and*
- (e) Any other relevant information.*

The applicant has submitted all of the above-required information, with one exception. Although Exhibit 41A1, Sheet G0.12 indicates two locations for future signage, the applicant has not described or illustrated what the proposed signage would be.

- *OP recommends that the applicant submit illustrations showing the materials, size and general content of the proposed signage.*

105.2 Pursuant to Subtitle Y § 405.2, the Office of Zoning shall, within ten (10) days after the receipt of the application, refer the application to the Office of Planning, the Department of Transportation, and the Department of Energy and Environment for review and written reports.

This requirement has been satisfied.

105.3 Approval of a private school shall be based on the determination by the Board of Zoning Adjustment that the application 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, subject to the special conditions specified in this section.

This has been addressed in this report's consideration of the requirements of Subtitle X, Section 104.

4. SUBTITLE X § 106 APPLICATION REQUIREMENTS

106.1 An application for a campus plan/further processing review shall comply with the requirements of Subtitle Z § 302.

106.2 An application for a medical campus plan review shall comply with the requirements of Subtitle Z § 302.

Sections 106.1 and 106.2 are not applicable to this private school application.

106.3 An application for a school plan review shall comply with the requirements of Subtitle Y § 300.

The application has been filed and processed consistent with the application requirements for a special exception.

B. SUBTITLE X § 901 SPECIAL EXCEPTION REVIEW STANDARDS

- (a) Will the special exception be in harmony with the general purpose and intent of the Zoning Regulations and Maps?*

Overall, the requested special exception would be in harmony with the general purpose and intent of the zoning regulations. Private schools are permitted by-right in the MU-4 zone district and by special exception in the R-2 and R-3 zone districts, and the applicant appears to substantially meet the criteria for the special exception. However, to further ensure the project would be consistent with this criterion, this OP report has recommended that the applicant provide additional information addressing lighting, landscaping, building façade design and the removal of existing market rate housing. The requests for additional information are summarized on pages 1 and 2 of this report.

The applicant has proposed the incorporation of the relevant conditions the Board attached to previous Orders for the High School and the Lower/Middle School and the addition of a significant number of

new conditions to respond to neighborhood concerns. Most notably, for a consolidation that would double the number of on-campus students and employees on this site, the applicant has responded to ANC 3E's concerns by developing a Transportation Demand Management plan that would significantly limit the number of morning and evening peak hour trips to fewer than would have been expected without an aggressive TDM plan. DDOT will provide a thorough analysis of the most recent TDM plan in its report.

(b) Will the special exception tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps?

The applicant has proposed a significant augmentation of conditions currently in place for the high school to minimize potential impacts from the proposal on the use of neighboring properties. The proposed lower/middle school building would be located along 42nd Street, away from residential properties. There would be restrictions on outdoor athletic activities and special events after 7:30 p.m. Sound-inhibiting fencing would be installed to protect adjacent residential properties. A series of traffic circulation and TDM measures have been proposed to limit the overall number of vehicle trips and to restrict the circulation of GDS-generated traffic within the residential neighborhood.

C. SUBTITLE Y § 704.1 MODIFICATION OF SIGNIFICANCE

Pursuant to Subtitle Y § 704.1, any request for a modification that does not meet the criteria for a minor modification or modification of consequence¹ is a modification of significance and requires a public hearing. The applicant has requested that all previous BZA orders governing the existing GDS high school be extinguished and a new Order, with conditions, be approved for the expanded and consolidated High School and Lower/Middle School campus. The Applicant's request complies with 11 DCMR Subtitle Y § 704, which provides the Board's procedures for considering requests for modifications of significance.

OP has asked the applicant to clarify whether it is also asking for the Board to extinguish Orders relating to the lower/middle school as part of this application.

VI. HISTORIC PRESERVATION

Neither the site nor any of the existing structures are historic or within a historic district.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

There were no District agency reports on file at the time OP completed this report. The applicant has had extensive discussions with DDOT in conjunction with the development of the Comprehensive Transportation Review, the TDM plan and the proposed traffic, circulation and parking-related conditions. DDOT will be submitting a report under separate cover. The applicant is continuing discussions with the Department of Energy and Environment.

VIII. COMMUNITY COMMENTS

The applicant has detailed its community outreach in Exhibit 41B.

ANC 3E had not filed a report at the time OP completed this report. An additional meeting with ANC 3E was scheduled for November 20, 2015. The applicant anticipated that the ANC would vote to take a position on the application at that meeting.

¹ See, Subtitle Y §§ 703.3 and 703.4.