



ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS
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Resolution about The River School **Proposed Development of the site at 4200 Nebraska Avenue NW**

Whereas, The River School (“TRS”) (“Applicant” or “the Applicant”), has proposed to build several buildings for zoning purposes to accommodate a child development center and private school campus (“Project”), at 4200 Nebraska Avenue NW, that is in ANC 3E (BZA Application No. 20472);

Whereas, the Applicant has filed an application with the D.C. Board of Zoning Adjustment in Case No. 20472 for several special exceptions in order to construct a child development center and private school campus on the Site, which is located in the R-1-B District¹;

Whereas, the specific relief requested in BZA Application No. 20472 is as follows: (i) the daytime care use permissions; (ii) the private school use permissions; and (iii) from the minimum parking requirements;

Whereas, while the Applicant has engaged extensively and constructively with the ANC and surrounding neighbors, the ANC has come to the conclusion, after offering a number of proposals for mitigating the expected traffic impacts revealed by TRS’s Comprehensive Transportation Review (“CTR”) and other sources, that the Applicant and the ANC cannot currently reach an agreement that would enable the ANC to support TRS’s request for relief before the BZA.

Whereas, the specific issues preventing an agreement are as follows:

Whereas, [*Traffic Volume*] The volume of vehicular traffic arriving and departing from the site. Initially, the ANC asked TRS for a reduction of 45% from the original estimate of vehicular drop-offs in the AM Peak time period. This is in stark contrast to the current TRS site on MacArthur Boulevard where approximately 90% of the AM Peak drop-offs are by car. But after reviewing the CTR, which was submitted to the BZA after this discussion, the ANC determined that both background and future conditions would dramatically reduce the operation or Level of Service (LOS) of the nearby intersections, specifically those at Nebraska Avenue/Van Ness St and Nebraska Avenue/Warren Street. Given this new information, the ANC asked that TRS attempt to reduce its vehicular drop-offs by 70 – 80 percent of the estimated volume via busing, carpooling and any other non-vehicular mode of transit. TRS was not prepared to meet this request, the reason given that a good deal of the children were younger and wouldn’t be able to be bused or car-pooled. While the ANC sees some logic in this contention, although one of the stated advantages of the site chosen by the Applicant² is that it is close to a number of mass transit options such as Metro, many bus lines, and bike lanes, it would seem to indicate that the site might not

¹ Table 1.1

² <https://riverschool.net/wp-content/uploads/2021/09/The-River-School-Final-CTR-9-10-21.pdf> Pg. 4

be appropriate for a child development center versus the contention that the ANC's request was unreasonable. Several Commissioners have utilized alternative transit modes to transport their young children to and from school or child care centers—this is neither unusual nor difficult.

Whereas, [Use of Local Streets for Queuing] The Applicant's CTR indicates that Warren Street will become one of the main streets used by TRS traffic to arrive at the site. The ANC is concerned that, in addition to adding traffic on this local street, it will become a de facto queue for TRS vehicles picking up and dropping off students/children where parents/guardians idle while waiting to do so. This is not the purpose of a street functionally classified as local and the ANC would like assurances it will continue to adhere to that classification.

Whereas, [Intersection Performance] The amount of traffic the Project anticipates is just one criteria for evaluation, another is how intersections perform and whether TRS traffic exacerbates intersection service issues by, for example, introducing new turning movements that cause existing intersection problems to worsen. The fact that many children/students will be arriving from the west and have to make a challenging left turn onto Van Ness and then a quick right turn onto 42nd street via an awkwardly constructed intersection (geometry-wise) is one example. One can imagine two scenarios, one where parents/guardians are tempted to make dangerous left turns into and out of the campus on Nebraska and another where both the Nebraska/Van Ness intersection and the Van Ness/42nd Street intersection drop in LOS and experience a growing number of safety issues as a result. The absence of mitigation on the eastern side of Nebraska, ostensibly because of existing traffic infrastructure or DDOT's refusal to change that infrastructure, does not absolve the Applicant of mitigating those issues. Rather, it just requires TRS to find another means of doing so. The ANC offered a number of suggestions on how to mitigate these issues, the most prominent being to drastically reduce the volume of vehicles arriving and departing to and from the site, thus addressing the impacts by eliminating a good deal of the vehicular volume. There are a number of examples in the area of schools doing this via innovative strategies, Potomac School, St. Patrick's School, and Georgetown Day School nearby, the ANC sees no reason why River can't do the same.

Whereas, [Lack of Commitment to Alternative Transit Modes in TMP] The Applicant cites access to alternative transit modes as one of the advantages of the proposed site, but in all phases of the CTR, AM Peak, PM School, PM Commuter, there is little change in the mode splits, especially in the PM School and PM Commuter where the mode split went from 91% to 80% auto, a percentage not dramatically different from the existing site³, additionally transit goes from 0% to 4%, walking 8% to 10%, and biking from 2% to 5%.⁴ The ANC recognizes the Applicant's stated commitment to busing children/students to the campus from an off-campus site. Now, the ANC requests that the Applicant further develop that concept to reduce vehicular traffic and to commit to more strongly encouraging use of the readily available alternative transit modes.

Whereas, [Consequences for Non-Compliance] While the ANC appreciates that any TMP will have provisions for the school or its community not adhering to agreements, the ANC felt the means for holding TRS responsible for those consequences was neither sufficient nor swift enough, to act as a sufficient deterrent in ensuring the agreements reached would be respected and adhered to. While the ANC appreciates the escalating

³ <https://riverschool.net/wp-content/uploads/2021/09/The-River-School-Final-CTR-9-10-21.pdf> Tbl 9B

⁴ <https://riverschool.net/wp-content/uploads/2021/09/The-River-School-Final-CTR-9-10-21.pdf> Pg 38

consequences of parent non-compliance, it is also interested in the consequences for the school itself not complying with the TMP short of revoking the Certificate of Occupancy, an extreme and thus unlikely action. The consequences for queuing on Nebraska Avenue or Warren Street while either dropping-off or picking up, a phenomenon that occurs with St Albans, Maret, and currently River School at Palisades, should be sufficient enough to act as a strong deterrent. The ANC does not currently think this is the case.

Whereas, the ANC has worked diligently with the Applicant over the past year to convey its concerns, suggest means of addressing those concerns, and finding a mutually beneficial solution so that it might support the Applicant's Project but, to date, has not been able to achieve that outcome;

Now therefore be it resolved,

1. For the reasons detailed above, ANC 3E opposes the application but remains committed to working with the Applicant to address the ANCs concerns and arriving at a mutually beneficial solution; and
2. ANC 3E authorizes Commissioners Jonathan McHugh and Matthew Cohen to testify for the ANC at any proceedings connected to the above-referenced application.

The resolution passed by a vote of 4-1-0 at a properly noticed meeting held on October 14th, 2021 at which a quorum was present (A quorum constituting 3 out of 5 Commissioners), with Commissioners Bender, Cohen, McHugh, Hall, and Quinn in attendance (5 Commissioners present).

Digitally signed by
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ANC 3E

By Jonathan Bender, Chairperson

Table 1.1 - Special Exceptions in Upper Northwest

| Type | Property | Zoning |
|-----------------|------------------------------|------------------------|
| Private School | St Albans at St Anns | R-1-B |
| Public School | Janney Elementary School | R-1-B |
| Private School | Georgetown Day School | R-2 R-3 MU-4 |
| Public School | Deal Middle School | R-1-B |
| Public School | Wilson High School | R-1-B |
| Public School | Murch Elementary School | R-1-B |
| Private School | St Albans | R-1-B |
| Private School | National Cathedral School | R-1-B |
| Public School | Hearst Elementary School | R-1-B |
| Private School | Sidwell Friends School | R-1-B MU-4 |
| Public School | Mann Elementary School | R-15 |
| Private School | Sheridan School | R-2 |
| Private School | Field School | R-1-A |
| Private School | St Patricks | R-1-B |
| Private School | Our Lady of Victory | R-1-B |
| Public School | Key Elementary | R-1-B |
| University | GW-Mount Vernon | R-1-A R-1-B |
| University | American University | R-1-A R-1-B MU-4 |
| Public School | Oyster Adams | RA-4 |
| Private School | River School | MU-4 |
| Hospital | Sibley Hospital | RA-1 |
| Assisted-Living | Lisner-Dickson Home | R-2 |
| Recreation | Jellef Recreation/Field | R-1-B |
| University | Howard University Law School | R-8 |

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| University | UDC | R-1-B |
| Children | Episcopal Home for Children | R-1-B |
| Church | Temple Baptist Church | R-1-B |