

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY

MAY 13, 2008

+ + + + +

The Public Hearing convened in
Room 220 South, 441 4th Street, N.W.,
Washington, D.C. 20001, pursuant to notice at
9:30 a.m., Ruthanne G. Miller, Chairperson,
presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

RUTHANNE G. MILLER, Chairperson
MARY OATES WALKER, Board Member
SHANE L. DETTMAN, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

ANTHONY HOOD, Chairperson

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary
BEVERLEY BAILEY, Sr. Zoning Specialist
JOHN NYARKU, Zoning Specialist

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D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

LORI MONROE, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN RICE
ARTHUR JACKSON
MAXINE BROWN-ROBERTS

The transcript constitutes the
minutes from the Public Hearing held on May
13, 2008.

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P-R-O-C-E-E-D-I-N-G-S

9:38 a.m.

CHAIRPERSON MILLER: This hearing will please come to order. Good morning, ladies and gentlemen. This is the May 13, 2008 public hearing of the Board of Zoning Adjustment of the District of Columbia. My name is Ruthanne Miller. I'm the Chair of the BZA.

To my right actually is Mr. Anthony Hood. He is the Chair of the Zoning Commission. He is sitting with us today on the BZA. Mr. Marc Loud, who is our Vice Chair, will not be with us today.

To my left is Ms. Mary Oates Walker and Shane Dettman who are also Board members. Ms. Lori Monroe from the Office of Attorney General. Ms. Beverley Bailey from the Office of Zoning. Mr. Clifford Moy will be joining us shortly and he is with the Office of Zoning.

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1 Copies of today's hearing agenda
2 are available to you and are located to my
3 left in the wall bin near the door. Please be
4 advised that this proceeding is being recorded
5 by a court reporter and is also webcast live.
6 Accordingly, we must ask you to refrain from
7 any disruptive noises or actions in the
8 hearing room.

9 When presenting information to the
10 Board, please turn on and speak into the
11 microphone first stating your name and home
12 address. When you are finished speaking
13 please turn your microphone off so that your
14 microphone is no longer picking up sound or
15 background noise.

16 All persons planning to testify
17 either in favor or in opposition are to fill
18 out two witness cards. These cards are
19 located to my left on the table near the door
20 and on the witness tables. Upon coming
21 forward to speak to the Board, please give

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1 both cards to the reporter sitting to my
2 right.

3 The order of procedure for special
4 exceptions and variances is as follows: (1)
5 Statement and witnesses of the applicant; (2)
6 Government reports including Office of
7 Planning, Department of Public Works, DDOT,
8 etc.; (3) Report of the Advisory Neighborhood
9 Commission; (4) Parties or persons in support;
10 (5) Parties or persons in opposition; (6)
11 Closing remarks by the applicant.

12 Pursuant to Sections 3117.4 and
13 3117.5 of the Zoning Regulations the following
14 time constraints will be maintained. The
15 applicant, persons and parties, except an ANC
16 in support, including witnesses, 60 minutes
17 collectively. Persons and parties except an
18 ANC in opposition including witnesses, 60
19 minutes collectively. Individuals, three
20 minutes.

21 These time restraints do not
22 include cross examination and/or questions

1 from the Board. Cross examination of
2 witnesses is permitted by the applicant or
3 parties. The ANC within which the property is
4 located is automatically a party and a special
5 exception or variance case. Nothing prohibits
6 the Board from placing reasonable restrictions
7 on cross examination including time limits and
8 limitations on the scope of cross examination.

9 The record will be closed at the
10 conclusion of each case except for any
11 materials specifically requested by the Board.
12 The Board and the staff will specify at the
13 end of the hearing exactly what is expected
14 and the date when the persons must submit the
15 evidence to the Office of Zoning. After the
16 record is closed no other information will be
17 accepted by the Board.

18 The Sunshine Act requires that all
19 public hearings on each case be held in the
20 open and before the public. The Board may
21 consistent with its rules of procedure and the

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1 Sunshine Act enter into executive session
2 during or after the public hearing on a case
3 for the purposes of reviewing the record
4 and/or deliberating on a case.

5 The decision of the Board in
6 contested cases must be based exclusively on
7 the public record. To avoid any appearance to
8 the contrary the Board request that persons
9 present not engage the members of the Board in
10 conversation. Please turn off all beepers and
11 cell phones at this time so as not to disrupt
12 the proceeding.

13 The Board will now consider any
14 preliminary matters. Preliminary matters are
15 those which relate to whether a case should be
16 heard today such as request for a continuance,
17 postponement, or withdrawal, or whether proper
18 and adequate notice of the hearing has been
19 given.

20 As far as the schedule goes today,
21 however, we have two cases that appear to be
22 requesting postponement and we have one case

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1 ahead of both of them which is a pretty
2 straightforward case. Instead of taking
3 preliminary matters at this time, which we
4 often do, if the parties are here what the
5 Board would like to do is just proceed with
6 the agenda.

7 Ms. Bailey, I would suggest that
8 all individuals who wish to testify today
9 please rise and Ms. Bailey will take your
10 oath.

11 MS. BAILEY: Would you please
12 raise your right hand. Do you solemnly swear
13 or affirm that the testimony you will be
14 giving today will be the truth, the whole
15 truth, and nothing but the truth?

16 WITNESSES: I do.

17 MS. BAILEY: Thank you. Madam
18 Chair, the first case is Application No. 17760
19 and it is of Alton and Janet Penz, pursuant to
20 11 DCMR 3104.1, for a special exception
21 allowing an addition to the side of an
22 existing one-family dwelling under Section

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1 223, not meeting the side yard requirements,
2 Section 405. The property is located in the
3 R-1-B District at premises 6343 Utah Avenue,
4 N.W. (Square 2352, Lot 73).

5 BZA CHAIR MILLER: Good morning.
6 Would you like to start with identifying
7 yourselves for the record, please?

8 MR. PENZ: Yes. I'm Alton Penz.

9 MS. PENZ: And I'm Janet Penz.

10 BZA CHAIR MILLER: And your home
11 address?

12 MR. PENZ: 6343 Utah Avenue, N.W.,
13 Washington, D.C.

14 BZA CHAIR MILLER: Okay. The
15 Board has read the file in your case and as I
16 was saying in my preliminary statement, it's
17 pretty straightforward. Basically you are
18 seeking a special exception because you are
19 decreasing a nonconforming side yard. Also it
20 appears that your property is nonconforming
21 with respect to width and area. Is that
22 correct?

1 MR. PENZ: Actually, in a sense we
2 will increasing the side setback. What is
3 existing now is about three to six inches
4 further closer to the lot line than what we
5 are proposing to have instead so we will be
6 increasing the setback just marginally.

7 BZA CHAIR MILLER: Okay.

8 MR. PENZ: The basic thrust of it
9 is replacing a steel staircase with a half
10 bath. The half bath need not come out as far
11 as the existing structure.

12 BZA CHAIR MILLER: Okay. What
13 you're saying is that your addition is going
14 to project less into the side yard than what
15 is existing there now. Is that correct?

16 MR. PENZ: That's correct.

17 BZA CHAIR MILLER: Okay. In any
18 event it still is nonconforming?

19 MR. PENZ: That's correct.

20 BZA CHAIR MILLER: Okay. The
21 other thing I just wanted to clarify was you
22 changed your plans in the middle with respect

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1 to the powder room and the closet. Could you
2 just address the scenario there, the timing
3 there, and when you showed the plans to the
4 ANC which you indicated that they have seen
5 the new plans.

6 MR. PENZ: Yes, yes.

7 BZA CHAIR MILLER: Let me just
8 check. Is anybody here from the ANC? No.
9 Okay.

10 MR. PENZ: Yes. Just literally
11 three days before the ANC hearing we realized
12 that our original proposal, which was to put
13 the half bath in a closet interior to the
14 house and then use this proposed addition as
15 the replacement closet would not work because
16 the building code had been changed in the last
17 year or so and the closet was not large enough
18 to convert to a half bath.

19 We changed that and said let's
20 just do the half bath on the side of the house
21 and leave the closet where it is. Two ANC
22 commissioners came by before the hearing and

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1 we showed them the change in plans. They saw
2 what we were proposing to do.

3 At that hearing we explained very
4 clearly what we were actually applying to do
5 in terms of the half bath on the side of the
6 house. Slight change in the dimensions of it
7 but not much there. They were in agreement on
8 it.

9 BZA CHAIR MILLER: You made a
10 presentation to the whole ANC?

11 MR. PENZ: Yes.

12 BZA CHAIR MILLER: And it was the
13 plans that we're seeing or not?

14 MR. PENZ: Yes, it's about the
15 plans that you have in front of you.

16 BZA CHAIR MILLER: Okay. I have
17 one other question. The deck and stairs that
18 are being taken down now, how high are they?
19 Do you know?

20 MR. PENZ: The side lot slopes so
21 the deck is probably at eye level as you walk
22 by it on the side of the house. Actually the

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1 stairs that go up onto the deck -- the deck
2 comes off the first floor and so the stairs go
3 up to that deck. There is another little
4 stairs that goes down underneath that into a
5 door into the basement so it's almost like a
6 split level stair if you will.

7 BZA CHAIR MILLER: Okay.

8 MR. PENZ: That's why it's at eye
9 level as you walk by it.

10 BZA CHAIR MILLER: Any other
11 questions, Board members? Okay. This is very
12 straightforward. All right. Why don't we go
13 to the Office of Planning then. By the way,
14 do you have a copy of the Office of Planning's
15 report?

16 MR. PENZ: I just spoke with them.
17 I haven't seen the report, no.

18 BZA CHAIR MILLER: Okay. Maybe we
19 can make a copy for you. Can we do that, Ms.
20 Bailey?

21 MR. PENZ: Yes, Madam Chair.

1 BZA CHAIR MILLER: It's certainly
2 supportive of your case but you should have a
3 copy of it.

4 MR. PENZ: Okay. Thank you.
5 That's what we understand.

6 BZA CHAIR MILLER: Okay.

7 MR. RICE: Thank you, Madam Chair.
8 Good morning. My name is Steven Rice with the
9 D.C. Office of Planning. The Office of
10 Planning does support the application for
11 special exception pursuant to Section 223. As
12 noted, the addition is relatively modest in
13 size and scale. It shouldn't cause any
14 privacy issues, light and air issues.

15 I just spoke with the applicant
16 prior to the hearing and the addition will not
17 include any windows that would face the south
18 abutting or adjacent property but it would
19 perhaps have two windows that face the front
20 and rear of the property but it shouldn't
21 cause any undue impacts.

1 As far as visual intrusions, it's
2 small in nature. It shouldn't be any concern
3 from the street, the public, or the alley in
4 the back. We did receive a letter of support
5 from one of the neighbors and also a petition
6 from several of the neighbors including the
7 neighbor to the south who signed off on the
8 petition that was submitted.

9 We did not receive an ANC report
10 but the applicant has indicated that the ANC
11 is in support of the newly revised plans. So
12 the Office of Planning does believe the
13 applicant has met the burden of proof and we
14 support the request and we are open for
15 questions.

16 BZA CHAIR MILLER: Thank you. Was
17 the petition after the revision?

18 MR. RICE: I'm not sure. Perhaps
19 that's a question for me to ask.

20 BZA CHAIR MILLER: Why don't we
21 just turn to the applicant for a minute.

22 Do you know?

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1 MR. PENZ: I'm sorry. The
2 question is --

3 BZA CHAIR MILLER: The petition,
4 was that signed after the revised plans?

5 MS. PENZ: Which petition?

6 MR. RICE: The one signed by the
7 neighbors.

8 BZA CHAIR MILLER: It's our
9 Exhibit No. 9. The dates begin October 26th
10 and go to November 2nd.

11 MR. PENZ: I'm guessing that some
12 signed it before and some after because it was
13 in middle of the process of getting those
14 signatures that we discovered we had to make
15 the change so as soon as we did that as we
16 went around the neighborhood explaining it we
17 explained the change in the plan.

18 We know definitely that we went to
19 the neighbors to the south, southeast
20 actually, the immediately adjacent house, and
21 told them about it and made sure that they had
22 absolutely no problem with it.

1 BZA CHAIR MILLER: Is there a date
2 when you revised the plan?

3 MR. PENZ: I submitted the
4 modifications formally to you on April 2,
5 2008.

6 BZA CHAIR MILLER: I guess this is
7 for the Office of Planning since you are
8 testifying now but if you can't answer it,
9 maybe the applicant can. The Salvation Army
10 seems to be the neighbor that's most affected.
11 Is that a residence or not a residence?

12 MR. RICE: I'm not sure how it
13 functions.

14 MR. PENZ: I can describe that.

15 BZA CHAIR MILLER: Back to you.

16 MR. PENZ: The house to the
17 immediately southeast of us is a residence.
18 It's owned by the Salvation Army. It's been
19 owned by the Salvation Army since it was
20 constructed in the '30s.

21 It is the house that is occupied
22 by the commanding officer for about a four-

1 state region so it rotates. For that reason
2 when we initially approached them before we
3 did any other consideration of a petition to
4 make sure they were comfortable with what we
5 are proposing to do.

6 Because it's a rotating position,
7 first the occupant can't sign off on it and
8 that occupant is the commander for this region
9 so they took it to Atlanta to the national
10 headquarters essentially and they signed off
11 on it as well. That was the reason for the
12 more elaborate procedure there to make sure
13 they were in agreement and were comfortable
14 with what we were proposing to do.

15 BZA CHAIR MILLER: Okay. I have
16 one other question for the Office of Planning.
17 I think perhaps the applicant when he was
18 saying there was a decrease in the
19 nonconformity maybe was referring to the
20 change in plans because I'm looking at your
21 chart and you said that the existing side yard
22 is roughly six feet and the proposed side yard

1 is 3.5. Is that correct? That would be a
2 smaller side yard.

3 MR. RICE: Yes, it would be.
4 Roughly six feet, yes. The original plan I
5 think was that the stairway that was proposed
6 was slightly wider than what is proposed now.
7 Either way the eight-foot minimum would not be
8 met. I'm not sure what the question is.

9 BZA CHAIR MILLER: Well, the
10 question is I read your chart where they are
11 increasing the nonconformity because they are
12 decreasing the side yard as it exist now to
13 the proposed plan which would be a smaller
14 side yard.

15 MR. RICE: Yes, it would be.

16 BZA CHAIR MILLER: Okay. I just
17 wanted to clear that up. I believe that the
18 applicant, which you were saying before, was
19 that it's a larger side yard than it would
20 have been under your first plan but it's still
21 a smaller side yard than exist now so you

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1 still are decreasing the side yard from what
2 exist now.

3 MR. PENZ: That's correct. We are
4 decreasing it but we are not decreasing it as
5 much as when we planned just to have the
6 closet there.

7 BZA CHAIR MILLER: Exactly.

8 MR. PENZ: We had to go out
9 another six inches in order to accommodate the
10 minimum width on the half bath.

11 BZA CHAIR MILLER: Right.

12 MR. PENZ: So we are decreasing it
13 but not as much as in the original petition.

14 BZA CHAIR MILLER: Right. Okay.
15 But the reason you're here is because you are
16 decreasing the side yard from what exist now.

17 MR. PENZ: Actually, it depends on
18 which way you're going here. I guess we are
19 increasing the side yard from what it was.
20 The staircase that's there now is out three
21 feet, nine inches. I've got it in here
22 somewhere.

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1 BZA CHAIR MILLER: Do you have a
2 copy of the Office of Planning's report now in
3 front of you also?

4 MR. PENZ: Yes.

5 BZA CHAIR MILLER: So you can know
6 what I'm looking at. On page 2 there's a
7 chart, the second chart, which has zoning
8 requirements and it has side yard at the
9 bottom.

10 MR. PENZ: Um-hum.

11 BZA CHAIR MILLER: It says
12 existing 6, required 8, proposed 3.5.

13 MR. PENZ: That's correct. That's
14 correct.

15 BZA CHAIR MILLER: Okay.

16 MR. PENZ: Actually, let me -- I'm
17 sorry. What gets confusing here is whether we
18 are talking about coming out from the house or
19 we're coming in from the side yard. If the
20 existing side yard is 6 -- no, it's going to
21 be -- no, that's a different dimension.

1 The side yard is -- I guess the
2 issue here is the 6 refers to the distance
3 from the existing stair to the lot line or
4 from the house other than the stair to the lot
5 line. That's my question.

6 BZA CHAIR MILLER: How did the
7 Office of Planning calculate the existing 6
8 feet?

9 MR. RICE: From the exterior wall
10 of the house to the property line. I think
11 that total is 6 feet.

12 MR. PENZ: Yes.

13 MR. RICE: If I'm correct.

14 MR. PENZ: Yes.

15 MR. RICE: Okay.

16 MR. PENZ: Yes.

17 BZA CHAIR MILLER: Okay.

18 MR. PENZ: And so then in terms of
19 the proposed here, that is correct as well.
20 That comes out from the side wall of the house
21 3 feet, 5 inches. What is existing there now
22 that is 3 feet 6 inches, 3.5 feet. What comes

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1 out now is 3 feet 9 inches. The existing
2 stair comes out from the side of the house 3
3 feet 9 inches.

4 BZA CHAIR MILLER: Right. Right.

5 MR. PENZ: What we're proposing is
6 come out 3 feet 5 inches.

7 BZA CHAIR MILLER: Right, but
8 we're calculating from the wall.

9 MR. PENZ: From the wall of the
10 house.

11 BZA CHAIR MILLER: Right. Okay.
12 It's fine. It doesn't actually really affect
13 your relief in any event. I just wanted to
14 make sure we all knew what we were talking
15 about. Hopefully we do. Okay. Any other
16 questions for Office of Planning from the
17 Board? Do you have any questions, the
18 applicant, for the Office of Planning?

19 MR. PENZ: I don't believe so.

20 BZA CHAIR MILLER: Okay. I
21 already asked if the ANC were present and they
22 are not. Anybody else here to testify either

1 in support or opposition to this application?
2 Not hearing from anybody.

3 You can make any final closing
4 remarks that you would like then at this
5 point.

6 MR. PENZ: We certainly appreciate
7 your consideration for it and hope you will
8 grant us the petition. We are looking forward
9 and hopefully we will be able to have a half
10 bath on the first floor. Thank you.

11 BZA CHAIR MILLER: Okay. I think,
12 as I said before, this is a very
13 straightforward case even though we often ask
14 a few questions to mess it up a little bit --
15 no.

16 Anyway, I think at this point I
17 would move approval of Application No. 17760
18 of Alton and Janet Penz for special exception
19 relief to allow an addition to the side of an
20 existing one-family dwelling under Section 223
21 not meeting the side yard Section 404

1 requirements of premises 6343 Utah Avenue,
2 N.W.

3 I would just note that 223 should
4 also cover the fact that they are
5 nonconforming as to width and area. They are
6 not increasing that at this point. Do I have
7 a second?

8 MEMBER DETTMAN: Second.

9 BZA CHAIR MILLER: Okay. This
10 basically is a straightforward special
11 exception. We have a nonconforming property
12 and the only change that is being made is an
13 increase in the nonconformity with respect to
14 the side yard in order to put a powder
15 bathroom there where steps and a deck
16 currently are.

17 These plans have been shown to the
18 ANC and shown to the abutting neighbors as
19 well as other neighbors and we discussed that
20 the abutting neighbors most affected is the
21 Salvation Army and they support it as does the
22 ANC as does the Office of Planning.

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1 There is no impact on light and
2 air to neighboring property. It's just a
3 little bump on the side. It does not affect
4 the privacy, use, and enjoyment of any
5 neighboring property.

6 It's modest in size and scale and
7 other properties apparently in the area have
8 similar types of extensions and bump-outs
9 according to the Office of Planning. The
10 Office of Planning has said it will not be
11 inconsistent with the character, scale, and
12 pattern of surrounding houses in the area.

13 We did have a petition in support.
14 We weren't sure exactly when all these
15 signatures came in as the plans were revised
16 but I don't think they were revised
17 significantly to probably change the opinion
18 of the signers. I think it meets the
19 requirements most importantly of 223. Are
20 there other comments on this?

21 Not hearing any, all those in
22 favor say aye.

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1 ALL: Aye.

2 BZA CHAIR MILLER: All those
3 opposed? All those abstaining? Would you
4 call the vote, please?

5 MS. BAILEY: Madam Chair, the vote
6 is recorded as four zero one to grant the
7 application. Mrs. Miller made the motion, Mr.
8 Dettman seconded, Mrs. Walker and Mr. Hood
9 support the motion. Board Member Loud is not
10 present at this time.

11 BZA CHAIR MILLER: Thank you.
12 This can be a summary order as there are no
13 parties in opposition. That means that you'll
14 get your order very quickly. Probably this
15 week. Okay. Thank you very much.

16 MR. PENZ: Thank you.

17 BZA CHAIR MILLER: Okay. We're
18 ready for the next case when you are, Ms.
19 Bailey.

20 MS. BAILEY: Application No. 17761
21 of Harry L. Belin, on behalf of the Evermay
22 Society, pursuant to 11 DCMR 3104.1 for a

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1 special exception to allow a non-profit
2 organization under Section 217. The property
3 is located in the R-1-B District at premises
4 1623 28th Street, N.W., Square 1285, Lot 815.)
5 As you indicated, Madam Chair, previously
6 there was a request for postponement of this
7 application.

8 BZA CHAIR MILLER: Thank you.
9 Good morning.

10 MR. COLLINS: Good morning.

11 BZA CHAIR MILLER: Would you
12 identify yourself for the record?

13 MR. COLLINS: Surely. My name is
14 Christopher Collins with the law firm of
15 Holland & Knight. Seated to my right is Mr.
16 Hywel Davies with the Evermay Society.

17 BZA CHAIR MILLER: We have some
18 applications for party status in the record
19 and I'm wondering if any of those individuals
20 are here today. Please come forward. Is the
21 ANC here today? Okay. You can come forward
22 and identify yourself for the record.

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1 MS. STEURY: My name is Ellen
2 Steury.

3 BZA CHAIR MILLER: You can sit
4 down.

5 MS. STEURY: I live at 2800 R
6 Street, N.W.

7 BZA CHAIR MILLER: Okay. Right.
8 I have your application before us. Okay.
9 Let's discuss this issue just to begin with.
10 If all the applicant's were here we would have
11 considered probably party status applications
12 which would rise to the level if granted of
13 participating as a full party in the case.

14 At this point you're the only one
15 that's here. There is a request for
16 postponement so I might be inclined to suggest
17 that we consider the party status application
18 when the case is continued. I would like to
19 hear your response since you are here today.

20 MS. STEURY: I'm not opposed to
21 the continuance and that would be fine if we
22 considered the party application status later.

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1 BZA CHAIR MILLER: Okay. Fine.
2 That would be the consensus of the Board I
3 would think then. All right. Thank you. So
4 I guess at this point then I would turn to the
5 applicant with respect to the request for
6 postponement.

7 MR. COLLINS: Thank you. We filed
8 the application last year. In the fall Mr.
9 Belin did community outreach asking for an
10 opportunity to meet with neighbors and groups.
11 He did speak to some people. There are some
12 that are in opposition we understand. Mr.
13 Belin was not able to -- did not hear back
14 from them.

15 We went to the ANC on April 29th
16 and at the conclusion of that presentation
17 there was also people, I think the same people
18 in opposition there who had not come forward
19 previously. They spoke in opposition at the
20 ANC. The ANC asked us to postpone our
21 application and, therefore, we filed the next
22 day our request for postponement.

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1 I note also in the record there is
2 a letter from the Office of the Attorney
3 General asking the Board to grant expedited
4 treatment on this application. We have
5 postponed in good faith with another
6 opportunity to see if we could schedule a
7 meeting with the opposition. It's been two
8 weeks since the ANC meeting and we have not
9 heard from anybody in opposition. We have
10 asked for that but we haven't heard back.

11 I do understand that there is an
12 open date on the afternoon of July 15th and we
13 would request that date for continuance. That
14 gives two months -- a little over two months
15 from today for a discussion and we believe
16 that is sufficient.

17 MS. STEURY: May I speak?

18 BZA CHAIR MILLER: Yes.

19 MS. STEURY: I just want to
20 correct the record. There was a meeting in
21 November where Mr. Belin met with the
22 neighbors who were in opposition. The

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1 opposition was very clearly stated at that
2 meeting. I don't know if Mr. Collins was
3 there or not. I just wanted to make that
4 clear. It's not that the neighbors have not
5 expressed their opposition repeatedly every
6 time this has come up.

7 The other thing is that as we
8 understood it, and I was standing there after
9 the meeting at the ANC when the ANC indicated
10 they were likely to vote negatively if it went
11 forward that night and they recommended
12 postponement so that the neighbors could get
13 together with Mr. Belin and perhaps mutually
14 arrive at a better resolution.

15 Mr. Belin left it that he would
16 get in touch with the ANC commissioner about
17 setting up a date. I heard late last week
18 from the ANC commissioner that Mr. Belin was
19 reaching out. The ANC commissioner asked me
20 to get in touch with my neighbors. I have not
21 completed that process.

1 People are traveling right now and
2 trying to identify a date. It is not always
3 the easiest thing to do when you are dealing
4 with six or seven busy households so there is
5 no dilatory action on our part. At the ANC
6 meeting we were advised that it would likely
7 be September before this would go forward
8 again.

9 I personally think that there is a
10 lot of work to be done that would have to be
11 reduced to writing before there could be some
12 compromise put before this Board. I think
13 July might be too early given travel schedules
14 and holidays and things like that.

15 MR. COLLINS: Madam Chair, if I
16 could just respond to that. Since the
17 November meeting Mr. Belin has tried to reach
18 out and to have the follow-up meetings we just
19 mentioned and nothing happened. We went to
20 the ANC meeting and then we are told at that
21 point to go out in the corridor and schedule a

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1 meeting. Nothing has happened since that
2 time.

3 If we continue to postpone, it
4 will just get longer and longer and longer.
5 We need to set a date to get everyone focused
6 on this issue either to support or not to
7 support but I think the two-and-a-half months
8 since the ANC postponement is plenty of time.

9 BZA CHAIR MILLER: Okay. I was
10 just going to note that we do have a filing by
11 the Office of the Attorney General with
12 respect to, I believe, holding off on
13 enforcement action, I think, until July or
14 something like that. July 4th? I know there
15 are a lot of considerations to be made. I
16 think dates do prompt people either coming
17 together or not coming together.

18 Deadlines are deadlines and
19 unfortunately this deadline has been passed.
20 We actually have an earlier date and I don't
21 know whether the -- this is the applicant's

1 motion. I mean, the applicant goes forward at
2 their own risk at this point.

3 If they make an earlier day and
4 you're saying it's not enough time, then to me
5 it's basically the applicant's risk. It's the
6 applicant's motion so I'm pretty much
7 directing my questions to the applicant but
8 it's useful to hear from someone who is in
9 opposition.

10 We do have a date, June 10th,
11 which I know is before the deadline that was
12 put forward by the Office of the Attorney
13 General. I just want to throw that out as a
14 possibility because we've had a withdrawal of
15 one case in the afternoon.

16 MR. COLLINS: We appreciate the
17 offer but I do believe that July 15th is
18 probably better for a number of reasons.
19 There has been some further action with the
20 Attorney General's Office.

21 Since the letter came to you there
22 are three additional events that he agreed to

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1 schedule at the request of those participants
2 and they are going to occur in the later part
3 of the summer so I am confident that there
4 would be no enforcement action until those
5 were done because that was at his behest.
6 Therefore, in respect to the neighbors to give
7 them adequate opportunity we think July 15th
8 is a better date than June 10th.

9 BZA CHAIR MILLER: Okay. That's
10 great then. That covers all the bases then.
11 Are you available July 15th?

12 MS. STEURY: I am.

13 BZA CHAIR MILLER: Okay. All
14 right. That's what we'll do. We'll schedule
15 it for July 15th.

16 MR. COLLINS: Thank you very much.

17 BZA CHAIR MILLER: Let me just see
18 whether we know whether that's in the morning
19 or the afternoon while you're here.
20 Afternoon. Okay.

21 MS. STEURY: Is it possible to
22 know when on the agenda in the afternoon?

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1 BZA CHAIR MILLER: Not exactly
2 because the Board has the flexibility really
3 that day. Basically we would be sliding it in
4 for second right now. There is already
5 another case on the agenda but we make an
6 assessment basically as to sometimes which
7 case might go very quickly. If there is a
8 case that will quickly we put that first.
9 This doesn't look like a quick case at this
10 point but you never know. Okay.

11 MS. STEURY: Thank you.

12 BZA CHAIR MILLER: All right.
13 Thank you.

14 We're ready for the next case when
15 you are, Ms. Bailey.

16 MS. BAILEY: Madam Chair, that's
17 Application 17758 of McKendree Simms Brookland
18 United Methodist Church, pursuant to 11 DCMR
19 3104.1, for a special exception for a
20 community center under Section 209. The
21 property is zoned R-1-B and it's located at

1 2411 Lawrence Street, N.E., Square 4290, Lot
2 802.

3 BZA CHAIR MILLER: Good morning.

4 MR. MOY: Excuse me, sir. Could
5 you turn your microphone on, please, for the
6 record.

7 MR. ARNESS: Good morning, Madam
8 Chair and members of the Board. My name is
9 John Arness, Arness and Associates. I'm here
10 on behalf of the applicant McKendree Simms
11 Brookland United Methodist Church in
12 connection with their request for a special
13 exception for continuance of use at 2411
14 Lawrence Street, N.E. for a community outreach
15 community services center.

16 The applicant has submitted a
17 motion for continuance of the hearing date
18 which was filed, I believe, approximately
19 April 27th or 28th. The reason for the
20 request is that for a number of years I've
21 been assisting the applicant with some of the
22 legal issues.

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1 Historically I've been dealing
2 with Mary Harris who is the Chair of the Board
3 of Trustees. As you can imagine, with the
4 church they rely on volunteers and appointed a
5 volunteer Board of Trustees. She had some
6 health problems.

7 The board experienced some
8 turnover. A new chair has come in. Because
9 of that they sort of restocked the volunteer
10 staff. Essentially due to travel schedules
11 and coordination issues we are not able to
12 coordinate a meeting with the ANC as we had
13 hoped. My office and the church had put in
14 calls to the ANC and there was just
15 communication issues.

16 This community outreach center has
17 been in operation since 1996 at this property.
18 It is our hope that with the proper sort of
19 summary outreach to get those interested in
20 this application focused on it that it will
21 provide a more efficient hearing and we'll be
22 able to adequately demonstrate the support

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1 that we believe exist for granting the
2 application.

3 I don't know unfortunately what
4 sort of flexibility there is in the scheduling
5 but I know from the number of people that I
6 need to sort of get coordinated in the travel
7 schedules, if there were an opening again on
8 that July 15th date on the previous case, I
9 believe that would be sufficient.

10 There is another ANC meeting
11 scheduled for May 28th, I believe. We hope to
12 be on the agenda there. It still provides a
13 little bit of cushion time after that in case
14 the ANC desires any follow-up. If that is
15 agreeable to the Board, that would be the
16 applicant's request.

17 BZA CHAIR MILLER: Okay. Give us
18 a minute to look at that. I know we had one
19 opening. I'm not sure if we can fit two that
20 day. Basically is it your preference that it
21 not be before July because obviously I was
22 saying we have some openings in June.

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1 MR. ARNESS: My only concern I
2 know you mentioned the June 10th. If there
3 were a later date in June, I think that would
4 be sufficient as well. I'm a little leery of
5 the 10th being only ten days past plus with
6 the summer schedules and kids out of school
7 and that kind of thing. I'm dealing with
8 families and church volunteers with many
9 responsibilities.

10 BZA CHAIR MILLER: Also, we don't
11 sit in August so would September be too late
12 for you if we don't fit you in?

13 MR. ARNESS: Well, I think it's
14 probably preferable for everyone that it be
15 before but if there is no opening, that's fine
16 as long as -- well, we've got the application
17 pending. I don't want anything to happen to
18 the operations of the church and this outreach
19 ministry in the interim.

20 BZA CHAIR MILLER: How about July
21 29th?

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1 MR. ARNESS: I'll make sure
2 everyone is available. July 29th.

3 BZA CHAIR MILLER: That would be
4 in the afternoon.

5 MR. ARNESS: Very well.

6 BZA CHAIR MILLER: If that's a
7 problem, we can look further.

8 MR. ARNESS: I believe that's
9 fine. I will try to poll the chair but I
10 think it's far enough out so that hopefully
11 they would be able to rearrange schedules even
12 if it were a problem. I appreciate the
13 curtesy.

14 BZA CHAIR MILLER: Okay. I'm just
15 double checking out list before we finalize
16 this.

17 MR. ARNESS: Certainly.

18 BZA CHAIR MILLER: Okay.
19 Basically we are just looking at this. We
20 were trying to fit you in before September
21 which July 29th is the last possible date.

22 MR. ARNESS: Okay.

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1 BZA CHAIR MILLER: You would be,
2 as of now, third in the afternoon so we could
3 go late but it would be done before the
4 summer.

5 MR. ARNESS: Well, I'll use my
6 best efforts to put it all in a nice package
7 for you in the hopes it won't last too long.

8 BZA CHAIR MILLER: Okay. You said
9 you had to check with the chair?

10 MR. ARNESS: Well, I believe since
11 it's this far out that they can change their
12 schedule around. I don't have any basis for
13 concern over the date but I do want to report
14 back on the date to them. I would notify the
15 Board this afternoon if there were any
16 problems.

17 BZA CHAIR MILLER: Okay. It still
18 looks like our best date in July at this
19 point.

20 MR. ARNESS: Very good.

21 BZA CHAIR MILLER: Okay. That's
22 when it will be, July 29th in the afternoon.

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1 MR. ARNESS: Thank you.

2 BZA CHAIR MILLER: Okay. Thank
3 you.

4 MR. ARNESS: Have a good day.

5 BZA CHAIR MILLER: Ms. Bailey, do
6 we have anything else on the agenda for this
7 morning?

8 MS. BAILEY: No, Madam Chair.

9 BZA CHAIR MILLER: Okay. Then I'm
10 going to adjourn the hearing and we'll return
11 at 1:00.

12 (Whereupon, at 10:22 a.m. off the
13 record for lunch to reconvene at 1:00 p.m.)
14

15 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

16 1:15 p.m.

17 BZA CHAIR MILLER: Good afternoon.
18 This hearing will please come to order. This
19 is the May 13, 2008, public hearing of the
20 Board of Zoning Adjustment of the District of
21 Columbia. My name is Ruthanne Miller. I'm
22 the Chair of the Board.

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1 To my right actually is Mr.
2 Anthony Hood. He is the Chair of the Zoning
3 Commission and he is sitting with us today on
4 the BZA. To my left is Ms. Mary Oates Walker
5 and Shane Dettman, Board members. Mr.
6 Clifford Moy from the Office of Zoning, Lori
7 Monroe from the Office of Attorney General,
8 and Beverley Bailey from the Office of Zoning.

9 Copies of today's hearing agenda
10 are available to you and are located to my
11 left in the wall bin near the door. Please be
12 advised that this proceeding is being recorded
13 by a court reporter and is also webcast live.
14 Accordingly, we must ask you to refrain from
15 any disruptive noises or actions in the
16 hearing room.

17 When presenting information to the
18 Board, please turn on and speak into the
19 microphone first stating your name and home
20 address. When you are finished speaking
21 please turn your microphone off so that your

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1 microphone is no longer picking up sound or
2 background noise.

3 All persons planning to testify
4 either in favor or in opposition are to fill
5 out two witness cards. These cards are
6 located to my left on the table near the door
7 and on the witness tables. Upon coming
8 forward to speak to the Board, please give
9 both cards to the reporter sitting to my
10 right.

11 The order of procedure for special
12 exceptions and variances is as follows: (1)
13 Statement and witnesses of the applicant; (2)
14 Government reports including Office of
15 Planning, Department of Public Works, DDOT,
16 etc.; (3) Report of the Advisory Neighborhood
17 Commission; (4) Parties or persons in support;
18 (5) Parties or persons in opposition; (6)
19 Closing remarks by the applicant.

20 Pursuant to Sections 3117.4 and
21 3117.5 of the Zoning Regulations the following
22 time constraints will be maintained. The

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1 applicant, persons and parties, except an ANC
2 in support, including witnesses, 60 minutes
3 collectively. Persons and parties except an
4 ANC in opposition including witnesses, 60
5 minutes collectively. Individuals, three
6 minutes.

7 These time restraints do not
8 include cross examination and/or questions
9 from the Board. Cross examination of
10 witnesses is permitted by the applicant or
11 parties. The ANC within which the property is
12 located is automatically a party and a special
13 exception or variance case. Nothing prohibits
14 the Board from placing reasonable restrictions
15 on cross examination including time limits and
16 limitations on the scope of cross examination.

17 The record will be closed at the
18 conclusion of each case except for any
19 materials specifically requested by the Board.
20 The Board and the staff will specify at the
21 end of the hearing exactly what is expected
22 and the date when the persons must submit the

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1 evidence to the Office of Zoning. After the
2 record is closed no other information will be
3 accepted by the Board.

4 The Sunshine Act requires that all
5 public hearings on each case be held in the
6 open and before the public. The Board may
7 consistent with its rules of procedure and the
8 Sunshine Act enter into executive session
9 during or after the public hearing on a case
10 for the purposes of reviewing the record
11 and/or deliberating on a case.

12 The decision of the Board in
13 contested cases must be based exclusively on
14 the public record. To avoid any appearance to
15 the contrary the Board request that persons
16 present not engage the members of the Board in
17 conversation. Please turn off all beepers and
18 cell phones at this time so as not to disrupt
19 the proceeding.

20 The Board will make every effort
21 to conclude the public hearing as near as
22 possible to 6:00 p.m. If the afternoon cases

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1 are not completed at 6:00, the Board will
2 assess whether it can complete the pending
3 case or cases remaining on the agenda.

4 The Board will now consider any
5 preliminary matters. Preliminary matters are
6 those which relate to whether a case will or
7 should be heard today such as request for a
8 continuance, postponement, or withdrawal, or
9 whether proper and adequate notice of the
10 hearing has been given. If you are not
11 prepared to go forward with a case today, or
12 if you believe that the Board should not
13 proceed, now is the time to raise such a
14 matter.

15 Does the staff have any
16 preliminary matters?

17 MS. BAILEY: Madam Chair, good
18 afternoon. The only preliminary matter the
19 staff may have is the order is the cases.

20 BZA CHAIR MILLER: Okay. Why
21 don't we have you swear in the witnesses and

1 then we'll talk about which case will be
2 coming first.

3 MS. BAILEY: Thank you.

4 BZA CHAIR MILLER: Would all
5 individuals wishing to testify today please
6 rise to take the oath.

7 MS. BAILEY: Would you please
8 raise your right hand. Do you solemnly swear
9 or affirm that the testimony you will be
10 giving today will be the truth, the whole
11 truth, and nothing but the truth?

12 WITNESSES: I do.

13 BZA CHAIR MILLER: Okay. Now,
14 with respect to the agenda we have two cases
15 on the agenda for this afternoon. In
16 reviewing the cases it's the Board's
17 assessment that 17762, the second case on the
18 agenda, appears to be a case that would go
19 much more quickly than 17759 so if the parties
20 are here for 17762, the Board would like to
21 proceed with that case first.

1 MS. BAILEY: Yes. Please have a
2 seat at the table. Are you the applicant of
3 that case? Okay. Please have a seat. Is the
4 applicant here for District-Properties.com
5 LLC?

6 Madam Chair, the applicant doesn't
7 appear to be in the room at this time. Do you
8 want for us to try to locate him if he's on
9 the floor or what is your preference?

10 BZA CHAIR MILLER: No, I don't
11 think so. We were going to do that -- well,
12 let me hear from them we are going to do that
13 for the convenience of the parties but if the
14 party isn't here on time, I don't see how we
15 can do that.

16 I see someone sitting at the
17 witness table. Do you want to identify
18 yourself?

19 MS. SUGGS: My name is MyShel
20 Suggs and I own the property at 2235 Ridge
21 Place. Mr. Sikder bought the lot at 2237
22 Ridge Place and he is requesting to build

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1 properties in that particular area. The
2 property that is right next to my home that I
3 least to a tenant it's too small to build a
4 house as a matter of the right-a-way.

5 BZA CHAIR MILLER: Okay. We can't
6 get into that merits of the case because he's
7 not here. We can't do that without him.

8 MS. SUGGS: I have taken off work
9 today so what is it that we can do?

10 BZA CHAIR MILLER: Well --

11 MS. SUGGS: First of all, I didn't
12 even get a letter from the Board of Zoning in
13 regards to this at all. The sign was posted
14 six days ago from Mr. Sikder so I need to know
15 what we can do because I cannot keep taking
16 off my job to come down here if he's not here
17 or if I don't receive proper documents to come
18 down here for a hearing, which I didn't.

19 BZA CHAIR MILLER: Okay. I'm not
20 sure where Mr. Moy is. I think that people
21 have seen him in the area and if he actually
22 is, we could take a couple minutes if he's

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1 right here to see if we can locate him because
2 I think there is a -- if there is a question
3 with posting, it would mean that we wouldn't
4 go forward with the hearing today in any event
5 if there was inadequate posting. I would hate
6 to have you sit here all day while the other
7 case proceeds.

8 MS. SUGGS: Okay. So --

9 BZA CHAIR MILLER: But if we can't
10 locate him in the next few minutes, we're
11 going to have to call the other case.

12 MS. SUGGS: Okay. So when I
13 called to the Board of Zoning to advise them
14 that there was no sign posted and I did not
15 receive any documentation, did they know at
16 that time since I didn't receive any
17 documentation that I didn't have to come down
18 here today?

19 BZA CHAIR MILLER: You would have
20 had to come down here today.

21 MS. SUGGS: Regardless?

1 BZA CHAIR MILLER: Regardless.
2 You had to put that on the record here today
3 so --

4 MS. SUGGS: Since he's not here,
5 every time I show up if he doesn't show up I
6 still have to come each time or how many times
7 do I have to come down here if he doesn't show
8 up? I mean, I don't understand.

9 BZA CHAIR MILLER: Okay. Let me
10 just explain briefly. We understand that he
11 is around and that the agenda has the case as
12 being second and so he probably was under the
13 assumption that he would be second and it
14 would take awhile to do the first case and
15 that is why he's not here at this time.

16 If there is a problem with
17 posting, then the Board -- we are not making
18 that conclusion at this point. He is not
19 here. We are not here to hear from him yet
20 about that.

21 But if the Board were to decide
22 that, then it would be set for another hearing

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1 in which case you would come down if you
2 wanted to participate in the case. Why don't
3 you wait around a little bit if you can and
4 we'll see if we can locate him.

5 MS. SUGGS: Okay.

6 MS. BAILEY: Madam Chair, just
7 five minutes.

8 (Whereupon, at 1:24 p.m. off the
9 record until 1:25 p.m.)

10 BZA CHAIR MILLER: You're not on
11 the record but I heard your question, do you
12 have to be here if it's too small a lot. The
13 answer to that is if you want to challenge the
14 application, you should be here unless you
15 submit something in writing. We can't give
16 you legal advice but it would be a
17 determination that we would be making.

18 Okay. The agenda has 17762
19 scheduled second and we were going to try to
20 switch them around for the convenience of the
21 parties but as the applicant is not here in
22 17762, I think we will proceed with 17759.

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1 When Ms. Bailey returns we are going to call
2 the case.

3 MR. MOY: Madam Chair, I can read
4 this. The application is Application No.
5 17759. This is the application of Protestant
6 Episcopal Cathedral Foundation of the District
7 of Columbia pursuant to 11 DCMR 3104.1 for a
8 special exception to permit additions to an
9 existing private school under Section 206.
10 This is in the R-1-B and R-5-D Districts at
11 premises 3609 Woodley Road, N.W. This is in
12 Square 1922, Lot 17.

13 BZA CHAIR MILLER: Good afternoon.

14 MS. BROWN: Good afternoon, Madam
15 Chair, members of the Board. My name is
16 Carolyn Brown with the law firm of Holland &
17 Knight with Whayne Quin. We are very pleased
18 to be here this afternoon with the support of
19 the community and the Office of Planning for
20 consideration of this special exception
21 application to renovate the Woodley North
22 Campus of the National Cathedral School.

1 BZA CHAIR MILLER: Ms. Brown.

2 MS. BROWN: Yes.

3 BZA CHAIR MILLER: Before you get
4 into your case, could you introduce who else
5 is here and then I have a preliminary
6 statement I would like to make.

7 MS. BROWN: Yes. To my right is
8 Kathy Jamieson, Head of School for National
9 Cathedral School. We have Frank Gordon who is
10 head of the building committee. We have Kate
11 Cullen with the Foundation, Lou Slade, our
12 traffic consultant, and Gail Douglass from
13 Hartman-Cox Architects.

14 BZA CHAIR MILLER: Thank you. I
15 see that Nancy MacWood is here on behalf of
16 ANC-3C. I just want to make a preliminary
17 statement for the record. I think that all
18 the parties are aware of this but, for the
19 record, I want to note that nine years ago in
20 my official capacity as ANC commission for
21 ANC-3C-09 I was involved in the BZA decision
22 No. 16433 and my name is referenced in the

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1 order. I think it's public information.
2 Because of that I think the community is aware
3 of that.

4 I also want to disclose that six
5 years ago I was on a liaison committee for
6 implementation of the usage agreement for the
7 athletic center as the representative of the
8 Cleveland Park Historic Society on that
9 committee. I don't believe this is grounds
10 for recusal. I have not heard anything
11 outside the four corners of the BZA file or
12 hearing room with respect to this particular
13 case.

14 I don't have any personal interest
15 or bias or conflict of interest in this case.
16 However, I did want to disclose it and see if
17 anybody had any concerns they wanted to raise
18 before we proceed further on the case or any
19 questions that would be pertinent to this.

20 MS. MacWOOD: Madam Chair, Nancy
21 MacWood, ANC-3C chair. The ANC has no
22 objections and is not requesting recusal. If

1 the facts of the application were somewhat
2 different, we might have considered it but
3 under these facts, no.

4 BZA CHAIR MILLER: Okay. Thank
5 you.

6 Anybody else? Any Board member
7 have any concerns? Okay. Then why don't you
8 proceed, Ms. Brown.

9 MS. BROWN: Thank you. For the
10 record we have no objection either. As I was
11 saying, we are very pleased to have the
12 support of the community and the Office of
13 Planning. We are not aware of any opposition
14 at all, in fact.

15 As a result we, therefore, propose
16 to make our presentation very short. We would
17 conclude very briefly with conditions and
18 minor clarifications to the one's proposed by
19 the Office of Planning and the ANC. For the
20 most part we are in full agreement with the
21 conditions that they propose.

1 The key elements of this
2 application as our witnesses will describe are
3 as follows. One, we want to establish a firm
4 cap on student enrollment at 585 students. We
5 want to establish a firm cap on faculty and
6 staff at 150 full-time equivalent employees.
7 We want to implement the third and final phase
8 of the 1990 master facilities plan to renovate
9 the Woodley North Campus.

10 We are very pleased to have a
11 positive traffic report from Gorove/Slade
12 Associates. It's the first one, in fact, that
13 has been completed since the new garage has
14 been opened up on Cathedral ground which
15 provide spaces to about 830 cars.

16 The garage is working extremely
17 well and has virtually eliminated all the
18 issues associated with parking congestion on
19 the surrounding neighborhood streets. The
20 level of service at the various intersections
21 is also very good. They all operate at level
22 C or better.

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1 Our submission is very complete.
2 I don't know how much testimony you would
3 actually like or whether you would just like
4 to ask questions. What we could do is call
5 two witnesses for about two to five minutes
6 each and see if that's sufficient and then we
7 could answer questions and then conclude with
8 the minor clarifications to the conditions.

9 There's one point I would like to
10 clarify now as an introduction to our first
11 witness, Kathy Jamieson. NCS is one of three
12 schools on the Close that are part of the
13 Protestant Episcopal Cathedral Foundation.
14 The foundation owns the land and, in fact, is
15 the applicant today on behalf of the school.

16 They are not separate entities. I
17 know there is an issue raised in the OP report
18 and I just wanted to clarify that they are the
19 applicant and they are binding itself and the
20 school.

21 With that I would like to turn it
22 over to our first witness, Ms. Jamieson.

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1 MS. JAMIESON: Good afternoon,
2 Madam Chair, and members of the Board. I'm
3 Kathleen Jamieson, head of National Cathedral
4 School and trustee of the foundation. I'm
5 pleased to address you today on behalf of NCS.

6 We are coming to you today with
7 the support of neighbors and the Advisory
8 Neighborhood Commission 3C. Our outreach to
9 our neighbors began last fall and included e-
10 mail updated, community meetings, and flyers
11 hand delivered within a several block radius
12 of the Woodley North Campus.

13 We met and discussed our plans
14 with the NCS athletic center liaison
15 committee, the Cleveland Park Citizens
16 Association, the Cleveland Park Historical
17 Society, and the ANC. We are also pleased
18 with the support of the Office of Planning.

19 Since 1900 National Cathedral
20 School has educated girls and young women in
21 grades 4 through 12 and our historic mission
22 is dedicated to the intellectual, spiritual,

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1 and emotional growth of students in the
2 greater Washington area.

3 Diversity enhances and strengthens
4 our community. Our student body includes 29
5 percent students of color. Twenty percent of
6 our faculty and staff are people of color.
7 Forty-five percent of our students are D.C.
8 residents. Others travel to D.C. from
9 Virginia and Maryland.

10 This year 8 percent of our
11 applicants were from other states or other
12 countries. Fifteen percent of NCS students
13 are currently receiving financial aid grants
14 averaging \$19,292 annually.

15 The Woodley North campus
16 renovation that we are here today about is the
17 third and final phase of the school's master
18 facilities plan. In 1992 we completed the
19 renovation of Whitby Hall which houses grades
20 four through six. In 2002 we completed the
21 underground athletic center which has given

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1 our girls athletic facilities commensurate
2 with the calibre of the program.

3 This Woodley North project
4 designed by Hartman-Cox Architects is the
5 final piece of that master plan and it will
6 renovate the 40 to 50-year-old buildings on
7 the north side of Woodley Road.

8 In an environmentally conscious
9 way including recent board approval for
10 geothermal treatment, the renovations will
11 include creating a clear identity and entrance
12 for our middle school which is grades seven
13 and eight that gives a central space for
14 middle school administration and the student
15 commons area.

16 We will develop seven new state-
17 of-the-art science labs which is a renovation
18 of five and an addition of two and new
19 classrooms. We will create a new library in
20 existing gym space and that will offer work
21 for student group work and multi-media
22 classrooms.

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1 Of course, we'll upgrade existing
2 infrastructures for fire and life safety
3 systems, heating ventilation and cooling,
4 telephone, data and video wiring and ADA
5 compliance and overall energy efficiency.
6 Gail Douglass is here from Hartman-Cox to give
7 you a detailed presentation on the
8 renovations.

9 In 1992 the Board of Zoning
10 established an enrollment objective of 546
11 students and an employment limit of 105 full-
12 time-equivalent faculty and staff. NCS
13 returned to the BZA in 1999 but did not
14 request increases in those numbers.

15 The NCS administration in place
16 during this time frame used that enrollment
17 objective as the base point from which
18 admission applications received would vary
19 from year to year. The methodology they used
20 to calculate FTEs was not documented.

21 When I became head of NCS I felt
22 that it would benefit everybody to have a

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1 clear cap on student enrollment rather than an
2 ambiguous objective and likewise a clear
3 methodology for calculating those FTEs.

4 Since then we've worked with the
5 PECF to develop and adopt a common methodology
6 that is now used at each of the three schools
7 on the Close. Today NCS enrolls 577 girls and
8 employs 132 FTEs. The NCS board and I believe
9 that NCS is currently the right size to
10 achieve its mission now and going forward.

11
12 However, we would like to request
13 a modest margin above the current enrollment
14 number to accommodate the dynamic acceptance
15 process in terms of who accepts our invitation
16 for admission and a modest increase in the FTE
17 number to enable us to bring back some in-
18 house out-sourced functions such as
19 housekeeping which were previously carried as
20 employees of the foundation on the Close as
21 well as to retain a margin to accommodate

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1 future evolutions in pedagogy and
2 instructional technologies.

3 With this application we are
4 seeking an enrollment cap of 585 and an FTE
5 cap of 150 which, as previously indicated, are
6 supported by the ANC. To mitigate potential
7 impacts on our neighbors we have developed a
8 student drop-off and pick-up that has been
9 evaluated by our transportation experts.

10 On March 31st we implemented a new
11 student drop-off and pickup protocol that
12 takes advantage of the under-utilized off-
13 street resources. We view this as beginning a
14 cultural change for our population and we are
15 approaching that communications in a multi-
16 pronged long-term way.

17 In addition to a special mailer
18 that you will receive a copy of here that we
19 sent to every family and is also handed out at
20 school, we use regular electronic
21 communications and parent meetings and our
22 website to reinforce this pickup and drop-off

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1 program. Lou Slade is here from Gorove/Slade
2 to describe the transportation impact study,
3 the process, and its results.

4 As part of our planning NCS has
5 developed a set of neighborhood construction
6 guidelines modeled on the successful
7 guidelines used for the PECF parking garage
8 and St. Albans School Centennial Hall.

9 We will finalize these guidelines
10 with our neighborhood liaison committee once
11 we have established one and when the general
12 contractor is engaged. Our goal is to begin
13 construction in March 2009. Therefore, we
14 would expect to convene the construction
15 liaison committee no later than February of
16 2009.

17 Since 2002 NCS has met regularly
18 with neighbors on the athletic center usage
19 liaison committee. The meetings have been
20 productive and a very positive experience for
21 both the school and the neighborhood.
22 Although limited in scope to the athletic

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1 center, this group has provided a
2 communication channel between the school and
3 our neighbors through the informal social
4 networks of the Close and Cleveland Park.

5 NCS hosted four neighborhood
6 meetings on the Woodley North renovation
7 project and contacted each household between
8 Woodley Road, 38th street, 34th Street, and
9 Newark Street with hand delivered flyers
10 describing the project and providing telephone
11 and electronic contact information for
12 neighborhood feedback or input.

13 Through the PECF listserv NCS has
14 kept subscribing neighbors informed on key
15 developments and will continue to throughout
16 the project. NCS has met with the Cleveland
17 Park Historical Society, the HPRB, the
18 Cleveland Park Citizens Association, and the
19 ANC. All of these groups or bodies have
20 either endorsed the project or expressed no
21 opposition.

1 In closing, I want to thank the
2 Board of Zoning for the opportunity to address
3 you today. I request your earliest approval
4 of this important project that will enhance
5 the Cathedral Close, the community, and the
6 city. Thank you.

7 MS. BROWN: If there are no
8 questions, we'll proceed to our next witness.

9 BZA CHAIR MILLER: Maybe we'll
10 have some questions first. As a preliminary
11 matter because I and other Board members might
12 want to refer to the Office of Planning
13 report. It was submitted late so I would just
14 suggest that the Board waive the rules for the
15 time for submittal of the OP report and accept
16 it into the record.

17 I just have a question so that I
18 understand the separation here between the --
19 you know, the athletic center is not part of
20 this application. That's clear. You made
21 reference to a new library where the existing

1 gym is. There is another gym on the site. Is
2 that it?

3 MS. JAMIESON: On Woodley North.
4 Proctor Gym.

5 BZA CHAIR MILLER: And so is that
6 being replaced by the library? What's
7 happening with what was in that gym?

8 MS. JAMIESON: As part of the
9 master plan the new athletic center was
10 developed in order to move all athletic
11 activity there. The only athletic activity
12 that is there now is rental space but we
13 anticipate that in our renovation will be a
14 library with a mezzanine inserted and Gail
15 will describe that project. It will no longer
16 be a gymnasium.

17 ZC CHAIR HOOD: Ms. Jamieson.

18 MS. JAMIESON: Yes.

19 ZC CHAIR HOOD: Good afternoon.
20 Let me ask you a question about the master
21 plan. How long was the master plan for?

1 MS. JAMIESON: My understanding is
2 that it went through this final project and it
3 was meant to be the final facilities plan.

4 ZC CHAIR HOOD: I understand it's
5 the last phase but apparently it started in
6 1990. Was it a 20-year plan or 10-year --
7 well, it wasn't a 10-year plan obviously. A
8 25-year plan? How long was it for?

9 MS. JAMIESON: There may be others
10 who would want to respond also to that but my
11 understanding is that it was a three-phase
12 plan dependent upon our ability to raise the
13 funds for each of those three pieces.

14 ZC CHAIR HOOD: So it wasn't a
15 time certain. It wasn't a 20-year plan, 25,
16 it was when the funds were available. Do you
17 anticipate -- this is not really germane to
18 this case but do you anticipate pursuing
19 another plan, another 20 -- well, another
20 plan, master plan?

21 MS. JAMIESON: Not that's come to
22 my attention.

1 ZC CHAIR HOOD: Okay. Thank you,
2 Madam Chair.

3 BZA CHAIR MILLER: Can you
4 elaborate on what you refer to as a
5 methodology for calculating FTEs? I think we
6 did refer in the St. Albans order two FTEs
7 but, for the most part, the Board has been
8 trying to get away from that so that we can
9 actually know how many bodies are using
10 parking spaces, etc. Can you address that
11 question further?

12 MS. JAMIESON: I think I should
13 defer to Kate Cullen because she has really
14 shown leadership among the three schools on
15 the Close to do this in a consistent way.

16 MS. CULLEN: Good afternoon. I'm
17 Kathleen Cullen from Protestant Episcopal
18 Cathedral Foundation. The methodology that we
19 established for use in calculating full-time-
20 equivalent employees is based on two things.
21 One is for faculty. Those in teaching
22 positions a full-time faculty member is one

1 who teaches at four sections at a minimum so
2 we use that as our basis.

3 If a faculty member is hired to
4 teach one or two sections, then they would be
5 25 or 50 percent FTE if that's clear. Then
6 for non-faculty we use a 40-hour work week and
7 we base our FTE calculation based on how much
8 that person is hired to do. If they are hired
9 for a half-time position, it would be 20 hours
10 a week.

11 BZA CHAIR MILLER: How do you tie
12 it to your parking spaces, or don't you?

13 MS. CULLEN: I really don't know
14 how. We allocate spaces among the
15 institutions based on their need and then it's
16 up to the institutions to distribute their
17 parking passes. If there is a case where
18 there are part-time employees, it's possible
19 that they might share a parking allocation but
20 it's not described in any kind of formal way
21 from the foundation. It's up to the
22 institutions.

1 BZA CHAIR MILLER: Do you know how
2 many total faculty and staff you have,
3 individuals including part-time and full-time?

4 MS. CULLEN: On the Close, on the
5 Cathedral Close?

6 BZA CHAIR MILLER: No. Just NCS.

7 MS. CULLEN: Oh, NCS? The head
8 count, I'll have to think for a second because
9 I know we did that analysis.

10 BZA CHAIR MILLER: You can come
11 back with it.

12 MS. CULLEN: Okay. Thank you.

13 BZA CHAIR MILLER: I have a
14 question -- did you want to say something?

15 MS. BROWN: Only to the extent
16 that the parking spaces that we counted for
17 zoning purposes obviously were under the
18 formula for a private school requiring one
19 space for every -- two spaces for every three
20 faculty and staff and then one parking space
21 for every 10 seats and the largest space so
22 for the zoning requirement we've got the

1 calculation at 140 is the actual zoning
2 number.

3 BZA CHAIR MILLER: You're looking
4 at 2100?

5 MS. BROWN: 2100.6, yes.

6 BZA CHAIR MILLER: We haven't
7 dealt with this issue for a while. It says
8 two for each three teachers and other
9 employees but it doesn't get into the question
10 of whether you can divide it by three or a
11 third. You know what I'm saying? We just
12 wanted to get an idea.

13 Even if you counted all your
14 employees including part-time are you still
15 under because you have a lot of parking here.
16 It's just a question of fact that we'd be
17 interested in knowing. If you're not under,
18 then you can address why it's adequate.

19 MS. CULLEN: I can answer your
20 question about the total head count. We did
21 an analysis and the total head count for NCS
22 was 183. It was either 183 or 185. The

1 maximum number of employees present, that
2 would be faculty or staff present at any one
3 time was 162 because we chose a particular
4 hour on a particular day of the week and did a
5 head count.

6 BZA CHAIR MILLER: And then what's
7 the math on that? How many spaces?

8 MS. CULLEN: I would also just
9 point out that a number of our employees take
10 advantage of our commuter rewards program so
11 they walk, bike, or take public transportation
12 to school. They don't all drive.

13 MS. BROWN: Madam Chair, we did
14 just did a quick calculation and that would
15 come to 148 the number of spaces required
16 based on Ms. Cullen's testimony.

17 BZA CHAIR MILLER: Does NCS
18 provide that?

19 MS. CULLEN: Yes, NCS provides 176
20 parking spaces and there are other spaces that
21 are available as well for visitors.

1 BZA CHAIR MILLER: And students.
2 Right?

3 MS. CULLEN: Yes.

4
5 BZA CHAIR MILLER: Okay. We'll
6 get into that, I know, with Mr. Slade or
7 whatever. Right? Okay.

8 I have a question about the
9 student enrollment. How long -- we can only
10 have one mic on at a time. Okay. How long
11 have you been at 577? That's the current
12 enrollment?

13 MS. JAMIESON: That's the current
14 enrollment. I have been at NCS for five years
15 and it's been constant since that time. It's
16 been 577, 578 over the last seven or eight
17 years.

18 BZA CHAIR MILLER: Okay. The
19 change that has occurred within the five-year
20 period has been the garage, the big garage?

21 MS. JAMIESON: There hasn't been a
22 change in enrollment.

1 BZA CHAIR MILLER: Right. Right.
2 If you're looking at the impact on the street
3 of this number of students, there's been a
4 change in five years, right? That's the only
5 change. Constant enrollment but the parking
6 garage.

7 MS. JAMIESON: It has improved the
8 situation on the Close, yes. And the
9 neighborhood, yes.

10 BZA CHAIR MILLER: Right. Okay.
11 I don't know if Mr. Slade is going to get into
12 this. Probably so. You made reference to a
13 new drop-off and pickup plan. Is that a
14 permanent guideline or is that something
15 you're just experimenting with now or what is
16 that?

17 MS. JAMIESON: We spent a fair
18 amount of time working on it and had
19 Gorove/Slade come and assess it and make
20 recommendations to us for how we should --
21 what should be the key components of it and
22 how we should communicate it to our parents so

1 the communications office has been involved in
2 developing these materials and sending them
3 out in a regular communication plan.

4 We've had senior administrators,
5 myself included, of the school out on the
6 corners with help of the PECF police to
7 communicate the seriousness not only of the
8 traffic flow but the safety of the children.
9 Parents have been responsive and I've been
10 pleased to see the communication plan keeping
11 up, that it's not once a year or twice a year.

12 It's part of weekly bulletins.
13 Not every week but on a rotating basis. This
14 is held out as a model for parents to follow.
15 We have reminders for the students who are in
16 many ways helpful in supporting their parents
17 to make the right turns and avoid the wrong
18 ones. We have continued to have Gorove/Slade
19 taking a look at it on a periodic basis to see
20 how we're doing.

21 BZA CHAIR MILLER: Okay. This is
22 my last question. I think you made reference

1 to NCS' parking policy but we don't have it in
2 the record. This is something, this new
3 pickup and drop-off, is something that changes
4 your policy, right? Is that policy something
5 that is shared with the community or worked
6 out with the community at different times or
7 what? Or is it just an internal NCS policy?

8 MS. JAMIESON: Within the NCS
9 community. Both our school and St. Albans
10 have similar plans for their parent
11 constituencies. We have communicated this to
12 our neighbors. We have had some feedback from
13 neighbors about things they want us to take a
14 look at so that when Gorove/Slade came we
15 specifically asked them to look at corners
16 that the neighbors have pointed out.

17 BZA CHAIR MILLER: Thank you. Any
18 other Board questions?

19 MS. BROWN: Madam Chair, if I
20 could just point out that this policy that is
21 listed on the card that was handed out is
22 going to be part of the conditions.

1 BZA CHAIR MILLER: Thank you.

2 Okay.

3 Ms. MacWood, would you like to ask
4 questions right now? Okay.

5 ZC CHAIR HOOD: Madam Chair.

6 BZA CHAIR MILLER: Yes, go ahead.

7 ZC CHAIR HOOD: I may have missed
8 something. This is already in effect. How
9 long has it been in effect?

10 MS. JAMIESON: We had a little
11 trial run before March 31st and then March
12 31st was the official start so we did a little
13 training before we actually got going.

14 ZC CHAIR HOOD: Okay. All right.
15 Thank you.

16 BZA CHAIR MILLER: Okay. Then I
17 guess we're ready for your next witness.

18 MS. JAMIESON: Thank you. Our
19 next witness is Gail Douglass from Hartman-
20 Cox.

21 MS. DOUGLASS: Madam Chairwoman
22 and Board members, I also want to thank you

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1 for your time this afternoon. My name is Gail
2 Douglass and I'm a senior associate with
3 Hartman-Cox Architects. I'm also the project
4 architect for the Woodley north campus
5 renovation.

6 While this project is not
7 specifically located on the Cathedral Close,
8 this project has nevertheless been subject to
9 review also by the Cathedral Foundation. Last
10 year we presented it at the Buildings and
11 Grounds Architectural Review Committee and
12 received concept approval from this Board.

13 The site is also located within
14 the Cleveland Park historic district as we
15 have talked about and, as such, we have made
16 several presentations to the ANC and its
17 associated committees.

18 In December of '07 we presented to
19 the Cleveland Park Historical Society and
20 received unanimous approval for this project.
21 This was followed in January of '08 by a
22 presentation to and approval by the Cleveland

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1 Park Zoning Committee. Later in January we
2 made a formal presentation to the ANC Board
3 where we received concept approval.

4 Finally, at the January 24th
5 meeting of the Historic Preservation Review
6 Board we presented and received concept
7 approval for the project with the notation
8 that we were to continue to develop the
9 project with the oversight by the HPRB staff.
10 We have been and will continue to be on
11 contact with the staff throughout the duration
12 of the design phase of this project.

13 In addition to the formal review
14 process, as Kathy stated, we have made several
15 informal presentations to the neighborhood.
16 Participants that I have spoke with seem to be
17 pleased by the direction of the project.

18 The site of the Woodley North
19 campus is directly north on the adjacent lot
20 bordered by Woodley Road and Lowell Street.
21 As stated by Mr. Jackson, it is a split zone
22 with an R-5-D portion on Wisconsin Avenue and

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1 an east portion which borders the residential
2 neighborhood as R-1-B.

3 This project actually straddles
4 that zoning line. We received each portion of
5 the project in relation to its associated
6 zone. Both portions of the project meet all
7 the zoning requirements for their associated
8 zone so no zoning variance for the
9 construction portion of the project is
10 anticipated.

11 This lot is the site for both the
12 lower and middle schools. The lower school
13 occupies three buildings on the east side.
14 The middle school is housed in three buildings
15 on the west portion of the site. These three
16 buildings Proctor, Founders, and Scott Hall
17 were all built in the '50s and '60s.

18 The goals of the project are
19 basically four fold. We want to fully update
20 these '60s buildings which includes bringing
21 the buildings into life safety and
22 accessibility compliance, updating the HVAC,

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1 electrical, and fire protection systems, and
2 complying with current mandates regarding
3 energy consumption and building efficiency.

4 Two, we want to create a clear
5 identity entrance and integrated facility for
6 the middle school. Three, we want to combine
7 the upper school math and science with the
8 middle school math and science creating a
9 science and math hub which supports their
10 teaching methodology at the National Cathedral
11 School.

12 Foremost, we want to create an
13 appropriate campus image that is more
14 sympathetic to the existing Whitby Center and
15 Whitby Hall and to the adjacent Cathedral
16 Close.

17 This goal involves modifying the
18 existing buildings when practical, cleaning
19 and simplifying the courtyard, softening the
20 landscape, and combining security functions
21 which are currently housed in disparate
22 locations including a lovely guard shack on

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1 the south side of Woodley Road into an entry
2 pavilion at the entrance to the courtyard
3 space. If I get up and talk and point to
4 drawings, how would you like me to proceed?

5 BZA CHAIR MILLER: We need to keep
6 you on record but I think we have a portable
7 microphone.

8 MS. DOUGLASS: Would you like me
9 to stay seated and just kind of band of
10 whitish?

11 BZA CHAIR MILLER: Whatever works
12 for you except that I think Mr. Moy went to
13 see if you could --

14 MS. DOUGLASS: I'm sorry I didn't
15 ask sooner.

16 BZA CHAIR MILLER: That's okay.
17 I'll start with Proctor Hall which is up on
18 the easel right now. It is currently the old
19 gymnasium. It has two floors above grade, one
20 basement floor. The second floor where the
21 gymnasium is is a two-story open space.

1 Partially due to its central location on the
2 courtyard, we developed Proctor into the face
3 of the middle school.

4 We added a traditionally detailed
5 porch here in front flanked by an academic
6 tower and tried to incorporate -- right now,
7 as you can see, there's kind of these pre-cast
8 spins so we filled in that space with brick
9 in-fill, kept the windows back to create kind
10 of an arched portico along the bottom to try
11 to make it reach the ground a little bit
12 nicer.

13 The library space, which will take
14 place in this area here, has a mezzanine
15 across the center portion which allows the
16 perimeter space to be still these wonderful
17 two-story spaces and those will be the reading
18 and study areas of the library.

19 In order to visually support that
20 use, we've cut some large window openings into
21 both the south and north face of Proctor Hall.
22 Some of these windows we've pulled out

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1 slightly so that they are slight projecting
2 bays.

3 Even though on the sides right now
4 there's these kind of low stumpy little kind
5 of stair towers. We have also raised those up
6 and re-elevated those not only to provide
7 access to the mezzanine level but in an
8 attempt to create better proportions for this
9 building.

10 Even though we think we have made
11 a fairly striking change at the existing
12 building, the net increase for the floor area
13 because a lot of this is already recessed ends
14 up being about 300 square feet so it ended up
15 being a pretty economical thing to do.

16 Founders Hall, which turns the
17 corner both on Lowell Street and Wisconsin
18 Avenue, that is this building. We are
19 basically renovating the interior to provide
20 the academic meat for the middle school. We
21 won't be doing any exterior work to it except
22 for HPRB actually had some good suggestions.

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1 They suggested decreasing the
2 contrast of the existing pre-cast fins by
3 painting them maybe obviously not probably a
4 brick color but maybe a deeper buff or gray or
5 dark brown. Then we'll be replacing the
6 window systems.

7 We had anticipated because we
8 weren't doing much work to this basically
9 replacing the window systems in kind but
10 comments from the Historic Review Board was
11 that may be a last opportunity.

12 While we don't necessarily want
13 to, I use the term, drag queen but maybe
14 that's not appropriate, but we don't want a
15 contrast between fancy windows in kind of a
16 '60s building but maybe there is a happy
17 medium between the two so we are still working
18 with HPRB studying those windows.

19 Scott Hall, which is on the corner
20 of Wisconsin Avenue and Woodley Road right now
21 is one story above grade and one story below
22 so it falls away at the corner. Our project

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1 has added a floor to scott aligning it and
2 tieing it in exactly with the adjacent
3 founders building so that it turns the corner
4 appropriately.

5 The general support student space
6 is on the main level and on the second floor
7 where it ties in with the second floor of
8 Founders that is where the upper school math
9 and upper school science kind of hub is
10 scheduled to be.

11 On Scott we are taking advantage
12 of this extra floor to do some more re-
13 elevating on this building so, again, these
14 pre-cast fins we are actually taking advantage
15 and covering them with brick which not only is
16 a better material, a better contrast, but it
17 also helps improve the proportion of those
18 fins anyway.

19 We are also in-filling some of
20 these window openings and creating a more
21 punched and more traditional kind of
22 fenestration pattern. This picks up on the

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1 arched windows next door in Whitby Hall and
2 Whitby Center so we feel like it's starting to
3 at least have a dialogue. While it doesn't
4 match exactly Whitby, it at least starts to
5 have a dialogue with traditional elements and
6 similar shapes.

7 This also shows the original
8 concept proposal for that kind of security
9 gazebo courtyard entrance. We had taken down
10 sort of this dense shrubbery stuff. We wanted
11 that to be removed to provide greater
12 visibility in and out of the courtyard and we
13 replaced it with a light metal picket and
14 brick pier fence similar to other areas on the
15 Close. This was the first study for the
16 gazebo.

17 Working with HPRB the gazebo is
18 slowly morphing into more of a garden
19 structure. We have lowered the fence a little
20 bit down to about five feet to still create a
21 security line and a clean line but still
22 provide visual access both in and out of the

1 courtyard. Here is the security gazebo entry
2 pavilion as it is right now which is more like
3 a garden structure and that is what we're
4 working with.

5 Additionally, we are looking at
6 removing the dense shrubbery, taking
7 everything down, much softer landscape, more
8 ground covers. Then in back of the line would
9 be a line of ornamental lacy open kind of
10 trees so that you still get a wonderful
11 feeling inside and outside the courtyard.

12 Again, we have taken this through
13 the neighborhood and we will continue to do
14 so. We started working with Steve Calcott at
15 the HPRB which is actually quite fun and we
16 will continue to do that.

17 I would be more than happy to
18 answer any questions.

19 MS. BROWN: Madam Chair, for the
20 record, this new drawing was just submitted to
21 you today for the record. You have all the

1 other drawings in the packets previously
2 submitted.

3 BZA CHAIR MILLER: How about to
4 the ANC?

5 MS. BROWN: Today.

6 BZA CHAIR MILLER: Today. Okay.
7 I'm not clear what you mean about what's going
8 to happen at that garden structure/security
9 gazebo.

10 MS. DOUGLASS: On the other side
11 of the street -- I'm not sure where the
12 existing site plan is. I'll use this one. On
13 Woodley Avenue there is a security shack right
14 here which basically provides cover for the
15 crossing guards during inclement weather.
16 Right now the program for this is (1) to give
17 them a space we can take down the hill and
18 basically camp out in a slightly enclosed area
19 on the side.

20 It also right in here right now in
21 Proctor is a security desk with a couple of
22 monitors. The idea is the way the courtyard

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1 functions right now is that if students go up
2 the existing stairs -- it doesn't show on
3 here. They go up the existing stairs and then
4 once they are in the courtyard, all of the
5 doors in the courtyard are locked so you don't
6 get kind of a crisscrossing of students going
7 to class.

8 There is only one door at Proctor
9 that they can go in and out of. What we would
10 like to do with this gazebo is by having a
11 security person here once anybody passes
12 through, then this becomes really what it
13 should be which is an open vibrant courtyard
14 where students can go back and forth between
15 the buildings easily, where parents who come
16 through can pick up kids easily.

17 We can actually have classes out
18 here. We started developing areas for some
19 outdoor classrooms. This area is also
20 currently used kind of as a secondary recess
21 area at times so it tries to keep some sense
22 of security while still maintaining the garden

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1 aspect of the courtyard. Does that clarify
2 it?

3 BZA CHAIR MILLER: Yes. Thank
4 you. Are there other questions? This is
5 really basic but basically all these additions
6 are not in any way near a residence so that
7 they would interfere with the privacy of any
8 of the residences?

9 MS. DOUGLASS: The conversations
10 that we've had with HPRB -- I mean, exactly.
11 The one thing that we are working with local
12 neighbors about and we have talked to HPRB
13 about is the amount of glass on Lowell Street
14 and how that started to affect the quality of
15 life there.

16 Whether it's any worse than a
17 blank brick building, you know, we are working
18 to try to develop that. What we know we need
19 to do in a library obviously is have shades
20 anyway to try to block the light going out and
21 just as a comfort level for the people inside.

22 Then the HPRB wanted us to take

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1 another look at this lower level of glazing
2 here which they felt even though we are
3 basically matching the amount of glazing that
4 is there, they said that it's now a nice time
5 to take an opportunity that maybe some
6 solidity can work its way into these two
7 levels which will probably decrease the light
8 to the neighbors also.

9 I guess the answer to your
10 question is while there is not construction
11 adjacent to people, there are issues that we
12 are aware of that might affect neighbors and
13 we are working closely with those neighbors.

14 BZA CHAIR MILLER: So there are
15 some new impacts on the residences from the
16 addition that you're doing?

17 MS. DOUGLASS: There are window
18 and paddle windows.

19 BZA CHAIR MILLER: Is this a
20 window replacement or is this an addition that
21 you're referring to? You're doing different
22 things in different buildings. Right?

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1 MS. DOUGLASS: Right. There is no
2 additional footprint on this side. It does
3 not project out on this side. It is
4 subtracted.

5 BZA CHAIR MILLER: But this is a
6 new situation where they didn't have the
7 impact of light from windows before?

8 MS. DOUGLASS: They had impact
9 from light from two stories of windows and
10 then these are new. Just these bottom ones
11 are new here. These top ones were always
12 there.

13 BZA CHAIR MILLER: Okay. Is there
14 an issue as to whether the rooms are light to
15 a certain hour of night or anything like that?
16 Did that come up?

17 MS. DOUGLASS: That's what came up
18 and we talked about how, of course, we are
19 going to have blinds and shades and things
20 like that.

21 BZA CHAIR MILLER: Okay. Thank
22 you.

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1 Ms. MacWood, do you have any
2 questions? Okay. Are there any other Board
3 questions? All right. I see a hand going up.
4 We don't really take questions from people in
5 the audience necessarily but is there
6 something we ought to know? You need to be on
7 the record.

8 MS. MITROVICH: My name is Milica
9 Mitrovich. I'm a neighbor that lives directly
10 across the street from this elevation and
11 through some problem never received
12 notification of the neighborhood meetings that
13 were taking place at the Cathedral so I am
14 here because the neighbor informed me that
15 this meeting was taking place.

16 BZA CHAIR MILLER: I think you
17 probably walked in after we went through our
18 procedures but basically you'll have an
19 opportunity to testify when we get to that
20 point in the hearing. We go through the
21 applicant and the Office of Planning.

22 MS. MITROVICH: Thanks.

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1 BZA CHAIR MILLER: Okay.

2 ZC CHAIR HOOD: Madam Chair, I
3 don't know if this is the appropriate time.
4 If not I'll wait but I wanted to ask about
5 this car. I wanted to know is it working and
6 is it in response to what I'm reading here
7 from the ANC's resolution, the pickup and
8 drop-off plan that reduces the amount of
9 pickup and drop-off from public streets and
10 routes in the north row where there is a new
11 signal to accommodate the school traffic, and
12 on and on.

13 Is this the result of
14 conversations about that or is it something --
15 or has this not been addressed for what they
16 mention in their resolution?

17 MS. JAMIESON: We've had various
18 ways of communicating with our parents about
19 how we wanted them to park. At the beginning
20 of the year there is always an orientation.
21 This is a little more dramatic in terms of the
22 visual than we've had before but there has

1 been an ongoing plan how to communicate with
2 our parents about what we wanted.

3 What was particularly helpful was
4 having Gorove/Slade involved especially as the
5 garage was finished because that offered us
6 some new opportunities and really did demand
7 of parents that they pay attention to some new
8 better parking loops than they have had access
9 to before the garage was there.

10 This is just part of a desire to
11 keep doing better than we were doing before
12 and the good news is that Gorove/Slade has
13 given us good periodic reports that suggest
14 parents are picking up on the new patterns and
15 spreading themselves out a little bit around
16 the Close to let their children off there and
17 at the prescribed places around the Woodley
18 North building.

19 ZC CHAIR HOOD: So is this a
20 mandate? What happens if I don't follow this?

21 MS. JAMIESON: You get hauled into
22 the head of school's office. We're attaching

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1 it to expectations of parents in the
2 enrollment process.

3 ZC CHAIR HOOD: So it's your
4 testimony this is working?

5 MS. JAMIESON: It's working with
6 the disciplinary action for people who don't
7 pay any attention.

8 ZC CHAIR HOOD: Have you had many?

9 MS. JAMIESON: Not since we
10 started this particular card but at this point
11 we anticipate as part of the condition it will
12 become a formalized part of the enrollment
13 process and we will manage it the way we
14 manage other infractions whether it's a
15 student or a parent. There are warnings and
16 then school response.

17 ZC CHAIR HOOD: And we haven't had
18 any accidents?

19 MS. JAMIESON: We haven't had
20 accidents. We have a lot of support from the
21 PECF police as well as our own teachers who
22 are involved.

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1 ZC CHAIR HOOD: Okay. Thank you.

2 BZA CHAIR MILLER: Are the
3 disciplinary actions and these types of
4 requirements in an enrollment contract?

5 MS. JAMIESON: It is not at the
6 moment but as part of this condition we built
7 it into it.

8 BZA CHAIR MILLER: When was this
9 card sent out?

10 MS. JAMIESON: This was sent out
11 around the time of spring break with a March
12 31 implementation date.

13 BZA CHAIR MILLER: Okay. Any
14 other questions right now? You have another
15 witness. Right?

16 MS. JAMIESON: Mr. Slade is
17 available to answer questions. He wasn't
18 going to make a formal presentation but I
19 would like him to come up now if you have
20 questions for him.

21 MS. BROWN: Mr. Slade, if you
22 could introduce yourself for the record.

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1 MR. SLADE: This is Louis Slade.
2 Good afternoon, Madam Chair, members of the
3 Board.

4 BZA CHAIR MILLER: Do you just
5 want to take questions? Is that it?

6 MR. SLADE: Whatever you would
7 like. Of course, I heard some of the
8 questions you had. Would you like me to talk
9 about the parking and calculations and so
10 forth?

11 BZA CHAIR MILLER: Sure. I have a
12 general question and you will probably go
13 there but we were asking about the faculty and
14 staff and the FTEs and how the maximum number
15 of faculty and staff at one time was 162. I
16 think we heard the number of 176 spots
17 designated. When you get into this, I mean, I
18 would want to know is that in the garage that
19 176 are designated? What is with the student
20 parking? Where is that?

21 MR. SLADE: When the garage was
22 contemplated and planned and designed and cost

1 estimates were being done by the construction
2 company and so forth, there was a lengthy
3 process where all of the entities on the Close
4 were involved to determine some way to
5 allocate the cost of the garage.

6 The National Cathedral School pays
7 a major portion and all the others pay
8 portions of the cost of that garage. That
9 apportioning of cost is based on parking
10 demand. We were not participants in NCS'
11 determination of their need of 176 spaces but
12 it was -- I don't know who in this room was
13 there. I don't think Ms. Jamieson was there,
14 were you?

15 MS. JAMIESON: I wasn't in the
16 meeting but I was part of ensuring that --

17 MR. SLADE: There was a
18 calculation process so it's a very real number
19 because they wanted to keep it small enough to
20 keep their cost-sharing formula. They didn't
21 want to pay a disproportionate share of the
22 cost of the garage but it also had to be

1 realistic to serve the needs so 176 is a real
2 demand figure regardless of what zoning
3 requires and so forth.

4 Then on top of that, the other
5 part of your question was where are those
6 spaces. They are not all in the garage. Some
7 are in the garage and others are in various
8 locations some of which are adjacent to NCS
9 buildings and others are elsewhere on the
10 Close, on the surface roads within the Close.

11 That was probably part of the
12 allegation process, too, that we were not
13 involved in but it's all done to make it
14 convenient for the different entities and to
15 have a sharing formula for the cost of the
16 garage.

17 BZA CHAIR MILLER: They are all on
18 the Close though. Correct?

19 MR. SLADE: Yes.

20 BZA CHAIR MILLER: Dare I mention
21 the athletic facility? I know they have a

1 garage there. Does NCS use that for the
2 faculty and staff?

3 MR. SLADE: Yes.

4 BZA CHAIR MILLER: Okay. So it's
5 divided between that garage and the garage on
6 the Cathedral grounds and then the surface
7 area.

8 MR. SLADE: I think there are a
9 couple spaces on the north campus. Aren't
10 there? There's a couple spaces on the north
11 side of Woodley on that campus and other
12 convenient locations.

13 BZA CHAIR MILLER: But does that
14 figure in the need and include student parking
15 or just faculty and staff?

16 MR. SLADE: It does. It does
17 include student parking.

18 BZA CHAIR MILLER: If we were
19 given a number -- oh, the 162 maximums staff
20 and faculty on the premises at one time
21 doesn't equate to 162 parking spaces that are
22 needed for faculty and staff. Does it?

1 MR. SLADE: Maybe Kate can --

2 BZA CHAIR MILLER: I'm just asking
3 what about the other needs. Are you
4 considering student parking? Are you
5 considering visitors?

6 MS. CULLEN: I would like to
7 attempt to respond to your questions about
8 that. The process by which all the spaces
9 were allocated on the Close included the
10 expectation that a certain number would be
11 kept available for the public because the
12 garage is there to serve visitors to the
13 Close, visitors to our institutes and to the
14 Cathedral.

15 The NCS number of 176 spaces
16 provides for parking for the students who
17 drive in the main car garage so that is where
18 they are assigned. I'm trying to think what
19 else you were asking about.

20 BZA CHAIR MILLER: Is that a
21 number of spaces allocated for student
22 drivers?

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1 MS. CULLEN: In the main garage
2 there are 149 spaces that are allocated to
3 NCS. I can't remember exactly how many of
4 those spaces are given to students but I'm
5 going to just take a guess and say
6 approximately 60.

7 MS. JAMIESON: Any student who
8 registers a car. We have not denied any
9 student a parking place.

10 BZA CHAIR MILLER: How do you
11 determine your need?

12 MS. CULLEN: May I answer?
13 Students who drive typically are juniors and
14 seniors and they are instructed to report to
15 one of the offices in the school to register
16 their cars and to register for a parking pass
17 so that they can get a hang tag that will
18 allow them to park on the Close and a
19 proximity card to get them in and out of the
20 garage.

21 BZA CHAIR MILLER: My question is,
22 you know, you have a certain number of faculty

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1 and you have certain number of juniors and
2 seniors and then visitors, I guess, are a
3 different category. We have the formula
4 certainly that is in the regs so if you need
5 that, that's one thing.

6 As far as being assured that you
7 actually have adequate parking and can plan,
8 it just always works out because there are a
9 certain number of junior and seniors and it
10 just always works out you have enough spaces
11 in the garage?

12 MS. JAMIESON: I think we were
13 probably conservative in picking a big number
14 because we didn't -- after we went to all the
15 trouble to build this garage, we didn't still
16 want to have neighbors who were unhappy with
17 the neighborhood situation. Originally we
18 were talking about just seniors and then we
19 decided we don't want to be making that
20 distinction.

21 Any student who is going to show
22 up here with a car we want them in the garage.

1 We validate all parent parking for a limited
2 amount of time. We validate all candidates
3 coming for hiring interviews, any visitors,
4 any speakers. We have really been very
5 conservative in giving ourselves room for
6 margin of error.

7 BZA CHAIR MILLER: How many years
8 has the garage been open?

9 MS. CULLEN: It opened in April of
10 2007.

11 BZA CHAIR MILLER: So since the
12 garage has opened, though, you have always had
13 a parking spot for your employees and your
14 students who are driving?

15 MS. JAMIESON: Last year we turned
16 away about five juniors and this year we
17 changed that and allowed juniors to also have
18 a spot because we had run out of spaces. We
19 added more spots this year in response to the
20 demand.

21 BZA CHAIR MILLER: So what
22 happened to them when they were turned away?

1 Could they not drive to school or what
2 happened?

3 MS. JAMIESON: I don't know
4 exactly what those five did. Actually, I
5 think we adjusted it in the middle of the
6 year. I think we changed it in response to
7 that increased number.

8 BZA CHAIR MILLER: And visitors?
9 Do they ever have a problem parking on the
10 Close?

11 MS. JAMIESON: If we know that
12 visitors are coming, for instance, an
13 invitation candidate, we tell them that there
14 is parking in the garage and their ticket will
15 be validated. Anyone that we have the
16 opportunity to tell about the garage we tell
17 about the garage.

18 BZA CHAIR MILLER: So that --

19 MS. JAMIESON: Yes.

20 BZA CHAIR MILLER: Okay.

1 MS. JAMIESON: As a matter of
2 fact, if there are enough empty spots, feel
3 free to use it whenever you like.

4 BZA CHAIR MILLER: Do you charge
5 for those, though? Do you charge your
6 visitors? Do you charge your students? How
7 does that work? Your faculty

8 MS. CULLEN: No. The visitors are
9 validated for a certain period of time and the
10 students are not charged. Your question is
11 there always parking available for a visitor,
12 I would have to say no, not always because
13 occasionally there will be a huge funeral in
14 the Cathedral, let's say, during the day so
15 people might arrive at 10:00 for a 10:30
16 funeral.

17 They might take up all the spaces
18 that are available for visitors. Then if an
19 NCS visitor were to come before the funeral
20 attenders left, they might not find a space.
21 Generally speaking, yes, we have more than
22 adequate parking for our visitors.

1 Bear in mind, too, that parking on
2 the surface roads of our campus is open and
3 available to anyone after 3:30 p.m. Monday
4 through Friday and it's always available on
5 weekends so they can park there if they choose
6 to.

7 MEMBER WALKER: If I may, Madam
8 Chair, this parking question is a little
9 elusive for me. So what you're saying then is
10 that the spaces that are allocated to NCS are
11 not for the exclusive use of NCS?

12 MS. CULLEN: There's 414 spaces in
13 the parking garage and NCS has about 149 of
14 them. No, they are not reserved exclusively
15 for NCS but they are always available unless
16 there is a huge event that comes in and brings
17 in an influx of visitors.

18 MEMBER WALKER: So how do you
19 track who is using the NCS space?

20 MS. CULLEN: There's a automated
21 system and everyone from NCS is given a
22 proximity card so when they enter the garage

1 they swipe their card and the card tracks who
2 is coming and going. We are able to look at
3 those reports and see what the utilization is,
4 either by people in NCS or from the Cathedral
5 or the general public so that is how we know
6 how many people are using it and who they are.

7 MEMBER WALKER: So you disseminate
8 a certain number of these passes at the
9 beginning of the year?

10 MS. CULLEN: Yes.

11 BZA CHAIR MILLER: Mr. Slade, can
12 you explain what is changing with the drop-off
13 and pickup?

14 MR. SLADE: Yes. This past fall,
15 early winter we were brought onto this team to
16 look at that specific problem and the school
17 had through its regular meetings with the
18 community had a list of concerns the community
19 had where there was traffic congestion and
20 illegal parking and so forth that appeared to
21 be related to the school.

1 We had a list. Mr. Hood was
2 asking about that. We had a list of problem
3 areas and we would be there mornings when
4 parents were dropping off and afternoons when
5 parents were picking up to make observations.
6 We observed a variety of just operational
7 problems that weren't anyone's fault.
8 It was just the way that people happen to do
9 things. I'll give you a couple of examples.

10 I know you know the neighborhood
11 well. 36th Street is adjacent to the school
12 and it's a narrow street and people were using
13 -- NCS parents were using 36th Street both
14 southbound and northbound. We thought that if
15 we just had them use it southbound they would
16 be dropping the kids off on the school side so
17 the kids wouldn't have to cross the street.

18 We wouldn't have cars on either
19 side of the street when someone tried to get
20 through because it was very narrow and so
21 forth. That was one type of problem. Someone
22 was coming from one direction and found going

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1 northbound to be convenient. Now they have to
2 go around that block or use another facility.

3 Hurst Hall, which is the upper
4 school of NCS, is on the south side of Woodley
5 and before the garage construction there was a
6 roadway in front of Hurst Hall and a lot of
7 people dropped off and picked up there. That
8 got shut down during the garage construction.
9 Parents sort of forgot about it.

10 Now we have a brand new
11 beautifully landscaped and well-designed
12 facility that takes you down in the garage and
13 out from the garage or around the garage
14 entrance onto the curb space where you can
15 drop off and pick up passengers.

16 We have to re-educate the parents
17 to remember that was there and begin using
18 that to move some of the traffic that's on
19 Woodley Road and the other perimeter streets
20 around the school back up to that facility and
21 that's working. We are trying to disperse the
22 traffic and for those who it's convenient for

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1 to remember that it's there to use this off-
2 street facility.

3 Then the other small problem was
4 this crossing guard at the major crossing
5 between the two sides of the NCS campus and
6 he's very concerned about the children's
7 safety and from time to time would stop
8 vehicular traffic to let the children cross.

9 It was offset with when the
10 traffic signal was at a certain mode so we did
11 a little training with him so he would keep
12 one eye on that while he was watching the kids
13 and not stop the cars at the crosswalk and
14 have traffic backing up into the intersection
15 of Wisconsin Avenue.

16 Those are three examples and then
17 that card illustrates all of the directions
18 that the school wanted to give the parents
19 when they come to the school to drop off and
20 pick up children. I think of it as an ongoing
21 process that we are trying these.

1 We are making observations. We
2 are seeing improvement. If we see other
3 problems, maybe there will be another postcard
4 in the fall with the orientation of new
5 student's parents who come to the school.
6 It's the kind of thing I think you have to
7 watch and monitor because people fall into bad
8 habits.

9 Everybody is really busy and
10 dropping kids off quickly and heading to work.
11 From the standpoint of the impact on the
12 neighborhood streets and the safety of the
13 kids it's important for the school to just
14 keep an eye on us once in a while. It's
15 certainly a huge improvement.

16 We met this morning in preparation
17 for today and I remember very well last time I
18 was here on behalf of the school before the
19 garage when there were probably not just NCS
20 but all the entities on the Close couldn't all
21 park on the Close. The garage has a net
22 increase of over 350 spaces so there were a

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1 lot of cars vying for parking spaces in the
2 neighborhood that's diminished or disappeared
3 completely.

4 BZA CHAIR MILLER: Did you see a
5 problem with parking spaces in the
6 neighborhood?

7 MR. SLADE: While we were doing
8 observations we were checking to see where
9 people were parking. I'm sure there are still
10 some people who are going to NCS and they are
11 parking on the street. It's more convenient.
12 They are only going to be there for a short
13 period of time. It's not worth the time to go
14 into the garage and so forth. The effort the
15 school is making to manage all that has to be
16 ongoing.

17 We did surveys of on-street
18 parking in the neighborhood before the garage
19 and after and there was clearly more vacant
20 parking spaces on neighborhood streets. It
21 gets a little tighter when you get closer to
22 the Close because people are still parking on

1 the street and walking to the Close.

2 Nonetheless, all the way up to Macomb
3 and from 34th to Wisconsin we have seen a
4 reduction in demand for parking on the streets
5 in general. I mean, these are just cars in
6 general. I don't know if they are resident's
7 cars or visitor's cars or school related
8 traffic but there are more vacant spaces.

9 BZA CHAIR MILLER: Do you see
10 vacant spaces or do you see parking spaces
11 filled?

12 MR. SLADE: We just were out there
13 in the last couple weeks at 7:00 a.m., 10:00
14 a.m., 2:00 p.m., 4:00 p.m., something like
15 that. Almost through that entire period of
16 time in that area I just mentioned about half
17 the spaces were available. Half of the legal
18 spaces were available overall in general.
19 Some streets had more available and some had
20 less.

1 BZA CHAIR MILLER: Do you think
2 the people who were parking there that are
3 related to the school are visitors?

4 MR. SLADE: Some have school
5 stickers so they are parents or children and
6 some are probably visitors and some are the
7 public in general. There are a lot of home
8 maintenance plumbers, electricians and so
9 forth, a tremendous amount of that traffic. I
10 have a house that is sort of the same vintage
11 and I know how frequently you have to do that.

12 BZA CHAIR MILLER: I don't know
13 what the present policy is but can students
14 park there who have -- these streets are
15 residentially zoned parking. Correct? I'm
16 not sure if they all are but --

17 MR. SLADE: I'm not sure how far
18 north that goes but close to the school
19 they're all RPP, yes.

20 BZA CHAIR MILLER: Okay. Maybe
21 this is a questions for -- you may know it,
22 Ms. Jamieson, but students who live in that

1 residence district can they park on the
2 street?

3 MS. JAMIESON: Students who have a
4 registered spot are expected to park in the
5 garage. For example, I happen to live right
6 on the corner of 36th and Lowell so I
7 occasionally will spot students who zips up
8 and parks right there and they will have a
9 warning and risk losing privileges and having
10 disciplinary action if they don't park where
11 they are supposed to park.

12 BZA CHAIR MILLER: So the students
13 are required to park on the Close or on the
14 school property?

15 MS. BROWN: We do have one
16 exception that if they do have a residential
17 parking permit for Ward 3, based on this
18 Board's order in St. Albans that they still
19 would be allowed to continue their rights and
20 privileges under that parking permit.

21 BZA CHAIR MILLER: Okay. That's
22 what I was wondering. Okay.

1 MS. MONROE: Madam Chair, can I
2 ask a question? This is kind of weird, I
3 know, but I'm trying to figure this out. I
4 want to make sure I get this parking straight.
5 According to the applicant's brief or
6 submission you need 140 spots. That's fine.

7 There's 414 in the garage and 176
8 are available at the school. If none of those
9 spots are exclusively allocated to the school,
10 then how do you have any parking? I'm trying
11 to understand. Couldn't they always be used
12 by somebody else, those 176?

13 MS. JAMIESON: The garage isn't
14 fully occupied at this point.

15 MS. MONROE: At anytime.

16 MS. JAMIESON: Again, I think as a
17 foundation we were very conservative in being
18 sure that we were going to build this thing
19 and it would take care of or exceed need and
20 that's where we are right now.

21 MS. MONROE: So you can be pretty
22 certain that there 140 spots available at

1 pretty much any given time and that would be
2 available for the school's use?

3 MS. JAMIESON: I have never had
4 anyone come and say, "This isn't working. I
5 have a proxy card and I couldn't get a spot in
6 the Cathedral."

7 MS. MONROE: Because you mentioned
8 the funeral and I'm thinking does that mean
9 all of a sudden one day there are no spots
10 available and then what happens or there's
11 only 20 available and you're supposed to have
12 140 at all times? I want to make it clear.

13 MS. JAMIESON: Kate may have more
14 to say about this but my experience when there
15 are funerals or things like that the
16 foundation works with the community and
17 encourages all of us to walk. We increase the
18 number of shuttles we have. We give benefits
19 for using the Metro or other public
20 transportation.

1 MS. MONROE: Does the school have
2 a transportation management plan or anything
3 laid out --

4 MS. JAMIESON: Yes. It's actually
5 PECF wide.

6 MS. CULLEN: I would just like to
7 make one comment related to that. If there is
8 an occasion when there is a funeral that is
9 very large, brings in a lot of people,
10 typically those people don't arrive until well
11 after the school day has started and so the
12 teachers and students are already in place.

13 BZA CHAIR MILLER: Okay. They're
14 in place but as a curtesy they are often asked
15 not to drive. Okay. That PECF parking policy
16 that's in place is the same then for St.
17 Albans and for NCS and Beavoir?

18 MS. CULLEN: It's a little
19 different because our students don't drive
20 yet. It goes up to third grade but the
21 policy --

22 BZA CHAIR MILLER: But I'm --

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1 MS. CULLEN: The policy for
2 faculty and staff, yes. It's all the same.

3 BZA CHAIR MILLER: But you have
4 drop-offs and pickups that are particular to
5 the school. Is that right?

6 MS. JAMIESON: Yes.

7 BZA CHAIR MILLER: Where is that
8 codified or whatever? It's not just on this
9 card. Right? Is it somewhere? Is there a
10 policy about that?

11 MS. JAMIESON: It's in the
12 materials that we sent to parents as part of
13 our summer mailing. It becomes part of their
14 regular newsletters from the administrations
15 of the divisions and as part of these
16 conditions it becomes part of the next
17 enrollment contract period that we have in
18 February of next year.

19 BZA CHAIR MILLER: Okay. So if
20 this Board wanted to know what is the policy
21 other than what's on this card, it's not in
22 our records. Right? Is there a reason we

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1 shouldn't know that? It seems to me we're
2 trying to get a sense of the big picture.

3 MS. BROWN: No, I believe it is in
4 the record. Not explicitly stated as those
5 points but I think it is in our statement and
6 we have conditions that we can submit for the
7 record that detail that so it is part of your
8 record.

9 BZA CHAIR MILLER: You'll be able
10 to point that out to us and I was under the
11 impression that the conditions you're
12 recommending, etc., are new. They are add-ons
13 to a policy that you have that we don't have.
14 Is that not right? It's all here? Do you
15 know what I'm saying?

16 I assume that the school has been
17 operating and that's what Ms. Monroe was
18 asking like what kind of traffic plan do you
19 have, management plan, parking policies. That
20 is the backdrop for what you propose here.
21 This is on top of your normal policies. Is

1 that not correct? There's nothing more than
2 what is in the statement?

3 MS. CULLEN: I think I understand
4 the question. What's on the card is new.
5 March 31st is when we inaugurated that so that
6 is very new. The school has had an existing
7 policy for students that they must register
8 their cars with a particular person in a
9 particular office, that they are to drive
10 respectfully and safely and they are not to
11 park illegally, drive illegally, etc.

12 I'm sorry but I can't recall
13 whether that was part of this package as one
14 of the exhibits or not but we have had that.
15 I believe it's shown on the school's website
16 but I can't swear 100 percent. I just think
17 it is.

18 MEMBER WALKER: I've heard you
19 make reference to stickers on student's cars.
20 Is it the case that once they register the car
21 they are issued some sort of sticker?

1 MS. CULLEN: Yes, ma'am. They
2 are. They put that on their car and then they
3 also receive a hang tag for use when they park
4 in the garage or in one of the other spaces
5 that they are instructed to use. If they are
6 assigned to park in the garage, which students
7 are, they are given a proximity card which
8 lets them go into the garage and exit the
9 garage.

10 BZA CHAIR MILLER: I guess my
11 point is we need to be evaluating the impact
12 of the increase in enrollment and faculty and
13 traffic and other objectionable conditions in
14 the neighborhood. Therefore, it seems to me
15 it would be useful for the Board to have the
16 whole picture of how you handle the cars and
17 the parking.

18 For instance, what you're saying
19 about the stickers and the registering, I
20 don't think that was in the record, except
21 it's now in the record that you said it but
22 for us to really look at it I think it would

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1 be useful to have the document in the record
2 that shows that.

3 MS. BROWN: Madam Chair, maybe
4 it's helpful if I hand out our proposed
5 conditions which does have each and every one
6 of those elements that you're referring to for
7 you to review and consider.

8 BZA CHAIR MILLER: Okay. Two
9 questions. One, does the ANC have a copy of
10 that?

11 MS. BROWN: I'm going to give them
12 a copy.

13 BZA CHAIR MILLER: When we see
14 this, is that going to be all the conditions
15 that govern the drivers or is it just new?

16 MS. BROWN: It's what's in place
17 now and what is being implemented as of March
18 31st and the two minor additional
19 recommendations from the traffic consultant.

20 BZA CHAIR MILLER: Okay. Great.

21 ZC CHAIR HOOD: Can I ask Ms.
22 Brown a question? This is not particularly --

1 just wanted your opinion, Ms. Brown. With
2 everything that's going on on this site, would
3 you suggest that -- I know our regulations do
4 not require it now. Would you suggest that we
5 treat something of this magnitude like we
6 treat a campus plan?

7 MS. BROWN: No, it's been treated
8 as a private --

9 ZC CHAIR HOOD: I know how it's
10 been treated and I know how we've been doing
11 it in the past but I'm saying you, or maybe
12 Mr. Quin, would you just suggest -- I know he
13 may want to comment at a later time but I'm
14 just saying would you suggest this be treated
15 like we treat campus plans? I know our
16 regulations do not require this right now but
17 I'm just asking.

18 MS. BROWN: I think there is a key
19 difference in that the college campus plans
20 are dealing with adults who drive who have
21 different schedules. The matriculation is
22 much different. The goals are quite different

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1 from a secondary education where it's just
2 juniors and seniors who drive to the campus.
3 I think that is one element that is very
4 different and doesn't necessary suggest that a
5 campus plan should be the appropriate
6 mechanism for this.

7 ZC CHAIR HOOD: I was not
8 particularly talking about driving. I'm
9 talking about overall. You just site that as
10 an example?

11 MS. BROWN: Yes.

12 ZC CHAIR HOOD: Okay. Thank you.
13 Just wanted your opinion.

14 BZA CHAIR MILLER: Okay. I
15 haven't had a chance to look at the spec here
16 but this is one of my general questions. It
17 seems to me that when we have a specific
18 condition in a BZA order, for instance, "Drop-
19 off shall be on North Road," you can't really
20 change that without coming to the BZA.

21 Whereas sometimes we have seen with
22 schools that they have a traffic policy

1 document and it can be changed. I just want
2 you to think about that with respect to these
3 drop-off and pickup issues.

4 If that is what is being proposed,
5 I guess I would ask Mr. Slade is that
6 something that -- you know how you say you
7 come back, you visit, you fine tune, whatever.
8 I assume you have seen these conditions but
9 I'm not sure. Are these something that you
10 know for the long haul are going to be
11 appropriate?

12 MR. SLADE: When I read them I
13 hadn't thought of them in those terms. I did
14 feel that they defined a plan for drop-off and
15 pickup, though, that we know is working well
16 and that was the intention when the garage was
17 designed with the Hurst Hall, North Road or
18 Hurst Hall Circle.

19 At least with regard to that one
20 but I would have to look at them again to
21 respond to you. You're saying that, on the
22 other hand, a policy document that becomes a

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1 condition has a little bit more flexibility.

2 I think that is the school's decision.

3 ZC CHAIR HOOD: Madam Chair, are
4 some of these conditions already in place like
5 I was reading one of the orders of the liaison
6 committee.

7 BZA CHAIR MILLER: That's a good
8 question and I was going to ask, for instance,
9 there are certain conditions here and I guess
10 they have been tested out but I don't know for
11 how long like the one lane down 36th Street,
12 for instance. How long has that been in place
13 so that you know that it actually -- I mean, I
14 understand what you're saying, Mr. Slade.

15 It sounded like it does make sense
16 and better to have them just dropped off on
17 one side of the street. It's safer, etc.
18 Then the down side is maybe cars have to
19 circulate on other blocks or other streets in
20 the neighborhood because they can't come up
21 36th. They've got to go around so they can
22 come the other way or something.

1 Has it been tested out long enough
2 so that we know that is not a problem? I
3 mean, we are going to air it here. I'm sure
4 we are going to hear from the ANC, etc., but
5 that is just our concern. How long have these
6 conditions been in place and tested out so
7 that you are certain this is something that
8 should be a condition in a BZA order?

9 MS. JAMIESON: Part of this design
10 is intuitive based on where students start
11 their day so that it spreads them out around
12 these various entrances. For example, trying
13 to have people avoid going north on 36th where
14 a parent might open a car door and let a girl
15 shoot across a lane of traffic which isn't
16 safe. The parent is now more likely to
17 continue up towards Wisconsin and let the girl
18 off at the courtyard at Whitby where there is
19 also an entrance to the lower school.

20 I think that is part of what's
21 happened as we focus on the safety of this
22 where parents have paid attention to where the

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1 daughter's first class is and it spread them
2 out into the openings that avoid any one drop-
3 off point being too heavily trafficked.

4 BZA CHAIR MILLER: So, as a
5 follow-up, though, to Mr. Hood's question,
6 there are previous Board orders other than the
7 athletic center one that have had -- did they
8 have drop-offs and pickup provisions in them
9 or not? I guess we could all take a look at
10 the orders real quickly but I see Mr. Quin
11 coming to the table.

12 MR. QUIN: The orders have been
13 quite varied. Some have provisions where
14 drop-off is but the majority of them do not.
15 Really the question under the ordinance, of
16 course, is whether we meet the test of is
17 there an adverse impact on the neighborhood.
18 What happens is when the Board considers those
19 factors it has to go to a certain level of
20 detail.

21 Beyond that there's a whole level
22 of detailed details which you never get into.

1 At least normally you don't. I think what is
2 happening in this case and with the assistance
3 of the ANC, Ms. MacWood, and the Close with
4 Kate Cullen here they have tried to go to the
5 details.

6 To some extent we may be
7 submitting more than we really should be
8 submitting. In fact, that occurred in the St.
9 Albans case. You may remember that when we
10 tried that case we had a whole series of
11 details and the Board was very careful. "Tell
12 us why we need this condition." We submitted
13 each condition with an explanation of how it
14 related to the standard.

15 In this list that Carolyn has
16 prepared we tried to take the basic provisions
17 that would meet the test of the ordinance and
18 go no further. The ANC and the Office of
19 Planning have both submitted conditions. Our
20 conditions essentially follow both of those
21 with very minor exception.

1 BZA CHAIR MILLER: Okay. If you
2 are looking at parking policy and
3 registration, are we to assume that some of
4 the conditions such as north bound traffic is
5 prohibited along 36th Street between Woodley
6 Road and Lowell during peak drop-off and
7 pickup times? There is no reason given for
8 that. Are we to assume that it's a safety
9 reason?

10 MS. CULLEN: Yes, that's a safety
11 reason. I just wanted to respond belatedly to
12 the question you posed earlier and Mr. Hood
13 posed of the proposed conditions which are
14 existing. Item No. 3, parking management
15 activities, we've been conducting those
16 activities since about 2005. Item No. 4,
17 parking policy and registration, NCS has been
18 registering faculty, staff, and student cards
19 since approximately 1999.

20 BZA CHAIR MILLER: Again, that
21 still kind of goes to our question. It says
22 here you are going to institute a parking

1 policy but you already have a parking policy
2 that goes to registration, etc., right? This
3 might be a little bit different than what you
4 have?

5 MS. CULLEN: It is a little bit
6 different and it's not tied to the enrollment
7 contract which now it will be.

8 MS. BROWN: Madam Chair, if I
9 could just point out as well that in preparing
10 these conditions we followed very closely what
11 was done in St. Albans so we could make it
12 very easy for the Board and for everyone to
13 understand what these conditions were based
14 on. They do mirror St. Albans and what was
15 adopted by the Board.

16 BZA CHAIR MILLER: So we did drop-
17 off and pickup in that one?

18 MS. BROWN: That was prior to the
19 garage being completed so, yes, there were
20 some very specific conditions on where
21 students would park and the pickup conditions
22 and drop-off.

1 BZA CHAIR MILLER: These
2 conditions have been tested out for a few
3 months. I understand a lot of them are pretty
4 basic or intuitive or whatever but, as far as
5 you know, where the drop-off is or the one way
6 on 36 or things like that.

7 MR. SLADE: That was all
8 implemented right around March 31st so it's
9 really only been a few weeks, four weeks, five
10 weeks.

11 BZA CHAIR MILLER: Is it working
12 well?

13 MR. SLADE: It's working, yes. I
14 mean, there are still occasional problems but
15 we think it's much better.

16 BZA CHAIR MILLER: Are there any
17 problems that we should be concerned about?

18 MR. SLADE: I wish more people
19 would come up and use Hurst Circle.

20 MS. CULLEN: I would like to just
21 point out that when we launched our
22 communication efforts to educate the parents,

1 many of them responded with e-mails thanking
2 the school for pointing this out because it
3 just hadn't occurred to them that they could
4 use these alterative locations. My office is
5 lose by the North Road circle and I
6 immediately noticed more traffic in the
7 morning and afternoon on that circle.

8 BZA CHAIR MILLER: Okay. Do Board
9 members have any other questions for Mr.
10 Slade? Okay.

11 MS. MacWOOD: I only have a couple
12 of questions which I think may help to clarify
13 what some of the Board's questions have been
14 so far.

15 Mr. Slade, I got this addendum to
16 the traffic report yesterday. Did the Board
17 get this or am I the only -- I know it was
18 directed to the Department of Transportation.

19 MR. SLADE: We didn't distribute
20 it to the Board.

21 MS. MacWOOD: The previous -- I'm
22 not sure what the answer to this is because I

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1 haven't thoroughly reviewed the old orders
2 with this in mind but my recollection is that
3 the 1995 BZA order stipulated where the
4 parking spaces to satisfy the zoning
5 requirement were to be and that they were to
6 be marked spaces.

7 Was that overruled or changed by a
8 subsequent order? There is an exhibit in the
9 1995 order as I recall that clearly shows
10 where the spaces are and it indicated they
11 were to be marked spaces.

12 MR. SLADE: I'm sorry. If that's
13 directed at me, I have no idea.

14 MS. MacWOOD: Okay. All right. I
15 think that is the case. Several of the
16 parking space I believe you are using to
17 satisfy the requirement or to indicate where
18 this 176 spaces would be, two of them I
19 believe are up on Beavoir Circle.

20 MR. SLADE: This information was
21 give to us by the school so I think the

1 questions that you're asking should be
2 directed to the school.

3 MS. MacWOOD: Okay. Then I'll
4 change it to Ms. Jamieson.

5 MS. BROWN: Kate should.

6 MS. CULLEN: I believe those
7 spaces are ones that are used for school buses
8 that are visiting the athletic center.

9 MS. MacWOOD: On Beavoir Circle?

10 MS. CULLEN: Yes.

11 MS. MacWOOD: But, again, I'm
12 operating on recollection. I recall that the
13 last Beavoir zoning order also had an exhibit
14 indicating where their parking spaces were to
15 be and I believe it was 28 spaces with most of
16 them on the circle in marked spaces. Those
17 spaces parallel to the curb all pull in
18 spaces. They were to be used to satisfy
19 Beavoir's parking requirements so has that
20 been changed or additional spaces?

21 MS. CULLEN: The parking inventory
22 on the Cathedral campus changed dramatically

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1 when the two garages opened, the bus garage
2 and the car garage. Yes, a lot was changed.

3 MS. MacWOOD: Was that done via a
4 BZA order?

5 MS. CULLEN: No.

6 MS. MacWOOD: Thank you.

7 BZA CHAIR MILLER: Ms. MacWood,
8 were you referring to another order other than
9 15691 which talks about 80 parking spaces
10 being marked and striped?

11 MS. MacWOOD: Madam Chairman, I'm
12 sorry. I don't know. I can't recall the
13 numbers of the various zoning orders but I
14 believe it was 1995 order that authorized the
15 renovations to Whitby. There was an exhibit
16 there.

17 As I said, I'm not trying to make
18 a big deal out of this. I'm just trying to
19 help the Board because you had some questions.
20 This is always an issue because there are
21 three different schools and each one has
22 parking requirements and there is a real issue

1 about whether these spaces are being used by
2 more than one school to satisfy the parking
3 requirement. I think that is why the Board in
4 1995 required that these be marked to indicate
5 they were for NCS.

6 BZA CHAIR MILLER: Okay. The
7 applicant attached some orders to your
8 application so the one that I see, which is on
9 point to what you're saying, is application
10 15691. The decision day was 1992. I assume
11 this goes to NCS to allow a two-story
12 addition.

13 I'm not sure the Beavoir order
14 would be relevant here today but the NCS order
15 would be. Ms. Cullen, I guess you want to
16 address this. Perhaps you can address that
17 the circumstances have changed? I guess Ms.
18 MacWood is saying you don't have a BZA order
19 yet that allows you to park in an unmarked
20 spot. Is that what you are suggesting?

21 MS. CULLEN: I was asking for
22 clarification whether there had been a

1 subsequent BZA order that had changed the
2 parking requirements. There are exhibits in
3 these orders. The reason I brought up Beavoir
4 one is because I received a parking plan
5 showing where NCS was gathering all the
6 different spaces and two of the spaces were
7 marked. What my recollection is they were
8 required to be used by Beavoir.

9 BZA CHAIR MILLER: Okay. Do we
10 have in our record a plan showing where all
11 the spaces are that she is referring to?

12 MS. BROWN: No, not in our
13 submission.

14 BZA CHAIR MILLER: Okay.

15 MR. QUIN: Madam Chairperson, I
16 think I maybe can be helpful in this. The
17 Foundation has always maintained that as long
18 as you are providing separately the required
19 number of spaces for each of the schools that
20 they could be located in different places.

21 We did furnish for NCS at one
22 point a labeling of where the spaces were then

1 intended to go but there was never a
2 representation that they could only be located
3 in those places. Clearly there can be no
4 duplication. In other words, you can't use
5 the Beavoir spaces for the St. Albans and vice
6 versa. When all of this came together was
7 when we were seeking the approval of the bus
8 parking area and the new garage.

9 We were required by the zoning
10 administrator to prove that we continued to
11 meet the requirements of all BZA orders and we
12 submitted for the record two the then acting
13 zoning administrator Denzil Noble and received
14 a letter approving that where we outlined
15 where each -- that all the spaces were met but
16 we have never maintained and the foundation
17 has never maintained that you had to locate,
18 for example, 85 spaces just as a number in a
19 specific 85 area.

20 With the garage it's even more
21 difficult because you drive into a garage and
22 as long as those spaces are allocated and

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1 those spaces are there to serve all the
2 schools, we have always maintained that the
3 requirements were met. That was true of St.
4 Albans as well.

5 You may recall that in St. Albans
6 we show the areas in which the school
7 preferred to have its location of those
8 parking spaces. I don't know whether that's
9 helpful or not but there has never been, and
10 we do not intend to say that there are spaces
11 that can be used by both schools. It is a
12 separate allocation. 176 are allocated to
13 NCS. I have forgotten the numbers for St.
14 Albans and I think it was 24 for Beavoir
15 -- 28 for Beavoir.

16 Those were all independently
17 approved by the BZA as the allocation of
18 spaces on the Close. There always have been a
19 much larger number of spaces than legally
20 required but with the new garage we added 350
21 more spaces net above those spaces net above
22 those spaces. I think there now is a total of

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1 830 spaces on the Close including the garage
2 spaces. I hope that is helpful

3 BZA CHAIR MILLER: Okay. But you
4 did submit orders and I'm looking at the
5 orders and I think Ms. MacWood has a point
6 that we can revisit this in this hearing. I
7 mean, you are before the Board and she has
8 asked if it has ever been changed and I
9 haven't seen it yet.

10 What I see is 15691 says,
11 Condition No. 6, "Eighty parking spaces shall
12 be provided for school use as shown on Exhibit
13 No. 95A of the record. All 80 spaces shall be
14 marked and striped." Then there is another
15 order 14282 that says, "A minimum of 80
16 parking spaces shall be provided on site.

17 Those spaces shall be clearly
18 designated as for the exclusive use of the
19 school during its hours of operation." I
20 think that is what she is referring to. I
21 understand your point that the new garage now
22 and maybe they don't need to be specifically

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1 allocated. We are talking about more than 80
2 spaces at this point. Is that something that
3 we should revisit in this case?

4 MR. QUIN: Even this order No.
5 15691 was superseded by parking by a later
6 order. The next order that came out was 16455
7 which dealt with parking as well because there
8 was a parking statement. I'll have to find
9 the paragraph but there is a paragraph in
10 there that deals with parking. It did not
11 require striping of the spaces and that was a
12 subsequent order.

13 BZA CHAIR MILLER: Okay. So your
14 response is, yes, there has been an order that
15 has superseded it.

16 MS. MacWOOD: Madam Chair, that
17 order had to do with the athletic center
18 authorization. It had nothing to do with
19 enrollment or changing the existing orders
20 regarding student and faculty parking. That
21 order dealt with additional parking that will

1 be required because they were building a new
2 largest gathering place, if you will.

3 It required additional parking but
4 as far as I know it did not change the
5 previous orders requiring parking for student
6 and faculty to satisfy the zoning requirement.

7 BZA CHAIR MILLER: Are you
8 referring to 15433 or is there another order?

9 MS. MacWOOD: I believe 16433 is
10 the order authorizing the athletic center.
11 That's the last order. The most recent order.

12 BZA CHAIR MILLER: And somewhere
13 in this order there are parking requirements?
14 It's not at the end.

15 MS. MacWOOD: Additional parking
16 as a result of the building of the athletic
17 center but it didn't change the basic parking
18 requirements for students and faculty. I
19 think you'll find in the order previous to
20 that one that there were exhibits submitted
21 which my understanding is that is part of the

1 order showing where the marked spaces would be
2 for parking.

3 MR. QUIN: You may want to refer
4 to page 5 of the order which says NCS is
5 providing 53 parking spaces in addition to the
6 85 already on site for use in conjunction with
7 the facility. The 85 on the surface were
8 marked at that point.

9 MS. CULLEN: I would just like to
10 make one comment that is relevant to this.
11 That is that all the spaces on the surface are
12 marked with signs for every institution they
13 are assigned to. That is not in the garage
14 but on the surface they are.

15 BZA CHAIR MILLER: Okay. So are
16 you saying there are 80 on the surface that
17 are assigned to NCS?

18 MS. CULLEN: I would have to do
19 the math first and then I can tell you.

20 BZA CHAIR MILLER: You are before
21 the BZA and this is a condition that we might
22 want to look at unless it's a question about

1 notice which I don't think so. We will hear
2 whether or not there is a reason that the
3 spaces should be designated or they don't need
4 to be designated.

5 MS. MacWOOD: Madam Chair, the ANC
6 has a recommendation of a condition that I
7 think will solve your problem if you choose to
8 accept it.

9 BZA CHAIR MILLER: I don't have a
10 problem. We haven't heard from the ANC yet
11 and we will. You haven't had a chance to make
12 your case at all at this point so we are kind
13 of jumping around but we were talking about
14 parking and traffic. We were on your cross
15 examination. That's where we are.

16 MS. MacWOOD: I don't have any
17 further questions.

18 MS. CULLEN: I would like to add
19 one other point that clarifies this a little
20 bit. When we began construction for the
21 garage we lost 105 surface parking spaces that
22 many of those, if not most of them, were

1 identified for National Cathedral School.
2 They were marked for the National Cathedral
3 School. We temporarily relocated them on the
4 Close to a tennis court. We converted a
5 tennis court to a temporary parking lot.

6 When the garage opened we took
7 that temporary parking lot and turned it back
8 into a tennis court and now the NCS people are
9 parking in the garage but I think that is why
10 there aren't the marked spaces on the surface
11 that there used to be.

12 BZA CHAIR MILLER: Can you tell us
13 why the Cathedral doesn't mark the spaces, for
14 instance, for the different institutions like,
15 okay, these spaces are allocated to NCS, these
16 spaces are allocated to St. Albans, etc.? Is
17 there a reason?

18 MS. CULLEN: On the surface they
19 are marked. In the garage they are not. It's
20 just a matter of aesthetics, if you will, but
21 I don't think there is any objection to

1 marking the spaces for NCS if that's what the
2 Board wants.

3 BZA CHAIR MILLER: Then the next
4 question is is there a reason that they should
5 be marked? Are they working out the way it is
6 that NCS is betting all its parking spaces
7 without them being specifically designated?

8 MR. SLADE: To the second part,
9 yes. The reason you don't want to do it is a
10 couple things. You go down into this garage
11 so the later you arrive the further you have
12 to come up the elevator. If we designated
13 somebody to be in a sub-basement, it would be
14 difficult.

15 The real reason is you don't need
16 to in the garage now. The garage has more
17 than enough capacity to handle the allocations
18 to the different entities on the Close. The
19 garage was built with more capacity than the
20 total Close demand to anticipate growth in
21 FTEs, for example.

1 There's more than enough capacity
2 now. Maybe some day there will have to be an
3 allocation to ensure everybody gets their
4 parking space but right now it's ensured and
5 it's that transponder card that is your
6 insurance. That's your parking place.

7 MS. JAMIESON: Also, in terms of
8 our planning of events on the close we
9 schedule them so that we are not offering all
10 kinds of things at the same time. If I have
11 an NCS event, then people can come in and use
12 both the NCS. They can come in and use any
13 spots so it keeps it more flexible rather than
14 people coming in and seeing that they are STA
15 spaces that they can't use and then they go
16 looking for spaces elsewhere.

17 BZA CHAIR MILLER: And that's been
18 going on now then for three years. Correct?
19 Is that how long it's been in operation?

20 MS. CULLEN: No, the garage opened
21 just in April 2007 so the garage was under
22 construction for almost two years before then.

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1 BZA CHAIR MILLER: Okay, but you
2 know it's working. I mean, you are able to
3 see that it's meeting all the needs. Okay.

4 MEMBER WALKER: With what
5 frequency do you have these special events
6 where there are visitors that use your garage
7 that displace your faculty and students?

8 MS. CULLEN: There are events
9 every day on the Close, on the Cathedral
10 Close, but in terms of the second part of your
11 question, displacing NCS faculty and students,
12 I would say that's very rare. It might be
13 three times a year.

14 You know, it's very rare that
15 something like that happens. When we know
16 something is going to happen and we anticipate
17 it, we try to make arrangements for remote
18 parking with shuttles or step up our metro
19 shuttle.

20 MEMBER WALKER: So you provide
21 remote parking to your faculty?

1 MS. CULLEN: We have on occasion
2 when there was a very large event that was
3 going to use all the parking on the Cathedral
4 Close.

5 MEMBER WALKER: And where is that
6 remote parking?

7 MS. CULLEN: It depends on where
8 we can find it. We sometimes get parking from
9 St. Sophia's Greek Orthodox Church, Temple
10 Micah, Fannie Mae. It's just on an ad hoc
11 basis. We also do that for visitors for large
12 events if it seems it would make sense, that
13 people will be driving and they would use a
14 remote parking.

15 BZA CHAIR MILLER: Okay. We're
16 almost done with this, I think. I just was
17 taking a look at the ANC resolution and I just
18 want to ask you, Ms. Jamieson, whether you
19 receive a lot of complaints about traffic and
20 parking. The ANC resolution says that they do
21 or have.

22 MS. JAMIESON: I have not.

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1 BZA CHAIR MILLER: Any other
2 questions? Do you have any other witnesses?

3 MS. BROWN: No, we don't have any
4 other witnesses. What I might suggest that
5 might help clear things up is that we submit a
6 list of what's existing conditions and what
7 traffic mitigation measures are in place now,
8 which ones are new so you have a better
9 understanding of what we're instituting to
10 help alleviate any minor issues that may have
11 come up and that are associated with this new
12 application. We can submit that to the record
13 within a week.

14 BZA CHAIR MILLER: Okay. Just in
15 general the problems. I mean, there are
16 always -- not always. I mean, there are often
17 problems throughout the course of the school
18 life or whatever but you focused, I assume, on
19 these corners or whatever because of the
20 application? Did that cause you to take a
21 careful look at these to make changes or what
22 prompted the changes like March 31st?

1 MS. JAMIESON: As long as I've
2 been there every year we've done it a little
3 differently in order to try to make it better.
4 We've had challenges in those times with
5 construction. We've been anticipating the
6 Woodley North renovation and what that will
7 mean in terms of patterns. Again, as part of
8 our annual planning for the year, we are
9 looking out for the safety of the girls. It
10 just seemed like an appropriate way to make it
11 more visually appealing.

12 By appealing I mean people would
13 notice it to do this card and then to keep it
14 as a mantra the parents are paying attention
15 to. It's an easy thing to refer to and that
16 our administrators are involved with it as
17 well as the PECDF police and our crossing
18 guard.

19 BZA CHAIR MILLER: Okay. With
20 respect to your proposal about what was
21 existing and what is different, I think it
22 also would be useful if we saw the document

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1 you rely on whether it's a parent handbook or
2 what it is. The reason I say it is just
3 because just to kind of see what might change.

4 We want to give you the
5 flexibility to change and improve and not be
6 locked in to something that looks like a good
7 idea right now. What you should be locked
8 into are things that you are really certain
9 this is always going to be a good idea.

10 The cross guard should always be
11 at the crosswalk or whatever. That's not
12 going to change. That is why it would be
13 useful for us just to see what you have in
14 place that you now can change.

15 Anything else from the Board?

16 MS. BROWN: We will make a brief
17 conclusion. We do have some minor differences
18 in the proposed conditions between the ANC and
19 OP and if you would like me to go over those
20 very quickly now or we can do it later.

21 BZA CHAIR MILLER: I don't think
22 so. I think it would be useful to hear from

1 OP and hear from the ANC and then maybe look
2 at it later.

3 MS. BROWN: Thank you.

4 BZA CHAIR MILLER: Okay. Thank
5 you.

6 Mr. Jackson.

7 MR. JACKSON: Madam Chair and
8 members of the Board, my name is Arthur
9 Jackson. I'm a development review specialist
10 from the District of Columbia Office of
11 Planning. We submitted a report on this
12 application which is before you. I'm sure you
13 are familiar with the recommendations so we'll
14 rest on the record and you can ask any
15 questions you would like of our report. At
16 this point we don't see any reason to change
17 the recommended conditions.

18 One of the things we do think is
19 lacking in this case, though, is there is no
20 clear minimum number of parking spaces related
21 to a maximum number of persons on site at any
22 one time.

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1 I think for the sake of sufficient
2 information to make a determination if the
3 applicant can provide an actual maximum number
4 of students, faculty, and staff on site at any
5 one time how that relates to a minimum parking
6 requirement and how much they want to propose
7 to provide beyond that requirement. I think
8 that would be useful for your deliberations.

9 Also given the give and take about
10 where spaces are and how they should be
11 allocated, we would, again, reiterate our
12 recommendation that there be some
13 documentation or some statement that the
14 minimum spaces or the number of spaces that
15 they say will be required will be provided on
16 site as opposed to --

17 I don't think it's clear at this
18 point what numbers actually will be provided
19 and where they will be. Again, a little more
20 clarity would be useful. With that we'll
21 conclude our statement and wait for your
22 questions.

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1 BZA CHAIR MILLER: Mr. Jackson,
2 are you of the opinion that additional relief
3 is required pursuant to 2116.5 because the
4 parking is in the underground parking lot as
5 opposed to where the school buildings are that
6 are affected here? What is your rationale for
7 that?

8 MR. JACKSON: In looking at this
9 virtually all the required parking is off
10 site. It's across the street so it would
11 appear that there should be a special
12 exception to allow for all the required
13 parking to be on another lot.

14 Now, we understand that in
15 previous cases related to this that the Board
16 hasn't taken that action but we would just
17 observe this special exception doesn't appear
18 to cover the upper school of the same building
19 which is across the street such that there
20 seems to be some discontinuity between the
21 special exceptions that exist and what they
22 cover such that the overlapping requirements

1 of each one cannot be adjusted if there is a
2 change in the requirement here or the location
3 of parking spaces for another application that
4 is necessitated by the change here. There is
5 no way to easily make the adjustments in the
6 other orders.

7 Understanding that this process
8 has been intuitive and that each component of
9 the -- each school has come forward with their
10 need to make changes and asked for special
11 exceptions on an individual basis, there seems
12 to be -- there needs to be a mechanism that
13 brings them all together so that the school
14 doesn't find itself asking for one thing that
15 changes another order that then can be
16 challenged later on. Mr. Hood made reference
17 to the campus plan but our campus plan is
18 probably an elephant going after a rabbit in
19 the patch.

20 We will probably need to just
21 somehow bring this whole arrangement between
22 the Close and all the schools and the

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1 Foundation and all the different
2 administrations so that it can be viewed in a
3 holistic manner as opposed to just being one
4 part of the pie and not knowing how to face
5 the other part of the whole site.

6 ZC CHAIR HOOD: Piggy back on
7 that. Mr. Jackson, in other words, even
8 though the campus plan may not be the tool,
9 you would agree that we need to have something
10 similar to how we treat the campus plan.

11 MR. JACKSON: Well, in this case
12 it really would make sense because the Close
13 itself operates like a campus with an
14 engineering school and an architectural school
15 but instead of having individual schools of
16 study you would have actually individual
17 training centers that are all private schools
18 but they are all interconnected in terms of
19 the resources they use and the access that
20 they have to the site and the impact they have
21 on the community.

1 Somebody to coordinate this unique
2 situation would be useful. At a minimum that
3 we have some way of determining how the
4 resources that are available to support these
5 institutions are being allocated and managed.

6 BZA CHAIR MILLER: Okay. I want
7 to address the point that you made in your
8 report on page 3 about special exception
9 relief may also be required per 2116.5. I
10 don't think it is and I would be happy to hear
11 from others. My understanding is we looked at
12 this question with respect to the lab school
13 in application No. 17383 but, in essence, we
14 treat the Cathedral Close as one lot or one
15 site, that the rule isn't limited to a lot of
16 record.

17 I'm not even sure if the whole
18 thing is one lot of record. Regardless, when
19 we have parts of the school across the street
20 from each other they have been treated as one
21 site. I don't believe that we have a problem

1 with off-site parking. Do you want to address
2 that, Ms. Brown?

3 MS. BROWN: Yes, please. In a
4 previous order for NCS 15691 the Board did
5 address that issue and it's on page 13 of that
6 order. It talks about how parking spaces are
7 located on the Woodley North campus and also
8 on the main Close so that's one area where
9 it's been dealt with that it is appropriate to
10 have them spread on the north campus in the
11 main Close.

12 Again, in BZA order 16433 on page
13 9 there is an issue about -- there is a
14 question in that case about the athletic
15 facility being an accessory use for the
16 various lots that make up the National
17 Cathedral School and the Board concluded that
18 it was fine to have them on different sites.

19 BZA CHAIR MILLER: Ms. MacWood,
20 did you want to address that issue?

21 Is the Board satisfied with that
22 issue or do you have any other concerns?

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1 MEMBER WALKER: The page number
2 you referenced in order 15691 was what?

3 MS. BROWN: Page No. 13 in 15691,
4 paragraph 7. It's underlined as parking.

5 BZA CHAIR MILLER: I just want to
6 add I was referring to this before. Obviously
7 it is very useful to point to the Board's
8 decisions on this specific property but it is
9 consistent with other Board decisions about
10 buildings being across the street or in other
11 locations.

12 Actually it was upheld that the
13 Georgetown Residence Alliance case in 2003
14 when they were looking at Georgetown
15 University the court upheld a building which
16 was in a residential neighborhood and not on
17 the main campus as being part of the
18 university's lot in that context. Okay. Any
19 other questions for the Office of Planning?

20 Mr. Jackson, did you consult with
21 the Department of Transportation about the

1 traffic and parking problems, if there are
2 any?

3 MR. JACKSON: I referred the
4 report to the Department of Transportation and
5 they indicated they would make their comments
6 directly to the Board so if you haven't
7 received any comments, I guess they didn't
8 have any.

9 BZA CHAIR MILLER: Okay. Thank
10 you. Any other Board questions?

11 Ms. Brown, do you have any
12 questions?

13 MS. BROWN: No questions.

14 BZA CHAIR MILLER: Do you have a
15 copy of the Office of Planning report?

16 MS. BROWN: I do. We've read it
17 and we are appreciative of their support.

18 BZA CHAIR MILLER: Ms. MacWood,
19 any questions for the Office of Planning?

20 MS. MacWood: No questions.

21 BZA CHAIR MILLER: Do you have a
22 copy of the report?

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1 MS. MacWOOD: No.

2 BZA CHAIR MILLER: No?

3 MS. MacWOOD: We have the Office of
4 Planning report but not the DDOT report.

5 BZA CHAIR MILLER: We don't have a
6 DDOT report either.

7 I think we are ready now for the
8 ANC case presentation.

9 MS. MacWOOD: Madam Chair, could I
10 suggest that the Board might hear from the
11 neighbor before you hear from the ANC if the
12 parties don't have any objection because she
13 has to pick up a child.

14 MS. BROWN: No objection.

15 BZA CHAIR MILLER: Go ahead then.

16 MS. MITROVICH: As I stated
17 before, my name is Milica Mitrovich. I live
18 at 3607 Lowell Street which is directly across
19 the street from what will become the library
20 of the middle school of NCS. I again want to
21 repeat that through oversight we never
22 received any notice of neighborhood meetings

1 with the Cathedral or any opportunity that we
2 might have to engage in the process that the
3 Cathedral was running to hear from the
4 neighborhood.

5 I don't know why or how that
6 happened. I happened to get a notice of this
7 particular hearing from one of our next door
8 neighbors who received it in the mail so we
9 didn't get a flyer. We didn't get letters
10 from the Cathedral's representatives or from
11 the Cathedral, although we do happen to appear
12 on some of their documents. I'm not sure what
13 happened. Clearly we have --

14 BZA CHAIR MILLER: Did you give
15 your address for the record?

16 MS. MITROVICH: I did.

17 BZA CHAIR MILLER: What is it
18 again?

19 MS. MITROVICH: 3607 Lowell.

20 BZA CHAIR MILLER: Okay.

21 MS. MITROVICH: Our property is
22 directly across the street from a large

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1 mechanical box which is on the back of Proctor
2 Hall facility that is going to be the library
3 and it's currently the gym.

4 I just wanted to ask the Board's
5 indulgence as a result of all of this to put a
6 couple of things on this record for what they
7 are worth and that's that we had -- I was able
8 to have a conversation with a couple of the
9 representatives from the Cathedral including
10 Ms. Douglass, the architect, who explained
11 some details about the proposed plan, the
12 renovation plan for what is currently the gym
13 and will be the library.

14 Is it Proctor? Okay, Proctor
15 Hall. I appreciate that very much. I just
16 want to state what we talked about for the
17 record. First, I had a question about what
18 would happen to the landscaping in the
19 mechanical box that is directly across from
20 our property with a direct sight line from our
21 front door which is on the back of Proctor
22 Hall.

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1 She stated that would not be
2 affected by the new plan, that the landscaping
3 that's there is going to stay in place and
4 that the mechanical box or electrical box
5 that's there isn't going to be affected by the
6 renovation.

7 I asked her whether the garbage
8 structure that is directly to the left of that
9 mechanical box and landscaping would be
10 affected and she said she didn't think so but
11 that she was willing to hear from us if we had
12 any ideas about how we could make that garbage
13 structure less unsightly and I appreciate
14 that.

15 We talked briefly about the
16 windows that she mentioned the neighborhood
17 board had a concern about with respect to the
18 glare reflecting back onto the neighbor
19 properties on Lowell Street. I mentioned that
20 one thing that I thought would alleviate both
21 the look of the structure and this issue of

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1 glare was an attention to landscaping on
2 Lowell Street along the elevation.

3 Although we agreed that there
4 isn't a tremendous amount of space there for
5 relandscaping that things could be done within
6 a landscaping plan to both alleviate the
7 monolithic look of the structure and
8 potentially soften the potential glare that
9 might come from those windows. She agreed
10 that she was willing to hear from us on that
11 and I appreciate that very much.

12 Finally, we specifically discussed
13 the light -- the exterior lights that are
14 currently on the bottom section of Proctor
15 Hall and the architect thought that those were
16 probably there for purposes of security. I
17 also mentioned that I thought they were
18 unsightly and she agreed that she would look
19 into whether the extent to which that might be
20 addressed as part of the renovation project.

21 The one thing that we didn't
22 address that I have learned as a result of

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1 this hearing is that there would be a
2 mezzanine level in the library. My one
3 concern, and it may be addressed by simply
4 answering a question by the architect, is
5 especially the three proposed new windows on
6 what is now flat brick structure are going to
7 look directly into my second story.

8 I have two bedrooms on that story
9 and a sitting room so one question is whether
10 standing on the mezzanine level people can
11 look directly into my window from those
12 windows.

13 MS. DOUGLASS: I would not know
14 off hand but we certainly could lay out the
15 sight lines.

16 BZA CHAIR MILLER: You should get
17 on the record.

18 MS. DOUGLASS: Sorry.

19 BZA CHAIR MILLER: You would need
20 to speak into the microphone.

21 MS. DOUGLASS: This is Gail
22 Douglass again. We haven't looked into that

1 but we certainly could check sight lines for
2 the neighbor and see what we can do to
3 mitigate any sight line problem.

4 BZA CHAIR MILLER: Can you just
5 give an idea what could you do? I mean, just
6 hypothetically what you might be able to do.

7 MS. DOUGLASS: We know we're going
8 to have blinds of some sort there whether they
9 are actually mini blinds like slats or whether
10 they are more of a mecho shade. With a mecho
11 shade while you can kind of read objects
12 outside, you can't necessarily see them
13 clearly so maybe those windows will be
14 controlled in a couple of different manners.

15 I don't think you necessarily,
16 especially in an historic neighborhood, want
17 to do anything with tinting glass or anything
18 like that. I think that is inappropriate for
19 an historic neighborhood so I think it really
20 should be done as something on the inside.

21 MS. MITROVICH: One can imagine
22 there is a level of frustration with respect

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1 to this. At this point there's not much we
2 can do about this plan but I would appreciate
3 very much the cooperation of the Cathedral and
4 the architect to alleviate our concerns and to
5 take our concerns into consideration.

6 BZA CHAIR MILLER: Okay. I would
7 say before you go I just want to explain that
8 this is a key time because in granting a
9 special exception we can -- we need to look at
10 whether there are adverse impacts on
11 neighboring properties and if you have a real
12 adverse impact with respect to privacy, I
13 would say now is the time to work with the
14 architect before we make our decision and to
15 see whether or not we would need to consider a
16 condition with respect to that to mitigate
17 against that impact.

18 MS. MITROVICH: Do you want to
19 give me some guidance as to what level of
20 working with the architect we are talking
21 about?

1 BZA CHAIR MILLER: Okay. I heard
2 from Ms. Brown. She was suggesting we are not
3 going to decide this today. We are going to
4 leave the record open and that conditions
5 would be submitted for our consideration with
6 respect to traffic or parking or whatever.

7 What I mean is -- I mean, we can't
8 make anybody do anything but it usually would
9 work out that if you have a concern and you
10 want to talk to the architect, maybe she would
11 be able to work out a solution and you can let
12 the Board know that the architect has agreed,
13 for instance, that they will have these
14 certain kinds of blinds and that will
15 alleviate the impact on your privacy. I don't
16 know.

17 MS. MITROVICH: Happily we will
18 work with the architect to try to alleviate
19 the problems that I perceive are likely given
20 this plan.

1 BZA CHAIR MILLER: I mean, you may
2 or may not be able to come to agreement. I
3 don't know.

4 MS. MITROVICH: I understand.

5 BZA CHAIR MILLER: I'm saying now
6 is the time within the next week or so
7 depending on when we close the record.

8 MS. MITROVICH: Okay.

9 BZA CHAIR MILLER: Okay. Thank
10 you.

11 MS. MITROVICH: I will absolutely
12 follow up. Thank you.

13 BZA CHAIR MILLER: Are there any
14 other questions from the Board? Thank you.

15 I just want to ask the architect a
16 question while we are on this point. I don't
17 know how far away the neighbor's window is
18 from the mezzanine window. Is that something
19 you can address now or address later with
20 respect to what kind -- what degree of privacy
21 we should be looking at? What could actually

1 be seen? I don't know the distance or
2 anything like that.

3 MS. DOUGLASS: You know, I'm not
4 sure how exactly to answer that. I guess if I
5 was going to leave here and was tasked with
6 trying to figure out a solution, I think my
7 first thought would be to try to model it in a
8 3-D program and really plot a person standing
9 on the mezzanine and plot her second floor,
10 you know, the front of her house and plot it.

11 Then also take some pictures and
12 see kind of what kind of resolution you get
13 with that kind of view angle. Then, again,
14 probably look at what the blinds would be
15 whether it is a mecho shade just to kind of
16 cut down on glare or exterior views a little
17 better, control exterior views and exterior
18 light or whether it is actually a shade.

19 You know as well as I do that when
20 you do those shades they can be basically
21 locked into place and you can't see anything
22 out your bedroom. I would imagine we could

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1 fairly easily determine what that angle would
2 be and come to a reasonable decision without
3 having to remove windows or something like
4 that.

5 BZA CHAIR MILLER: Okay. I mean,
6 our first task would be to determine is there
7 a real privacy issue or is it just a feared
8 privacy issue.

9 MS. DOUGLASS: Most definitely.

10 BZA CHAIR MILLER: The distance is
11 so great that maybe nobody could really see
12 something.

13 MS. DOUGLASS: Right. I'm
14 certainly not willing to step on that with no
15 thought.

16 BZA CHAIR MILLER: Right.

17 MS. DOUGLASS: The first thing I
18 would do is look into it and see what it was.

19 BZA CHAIR MILLER: Thank you. I
20 also want to note that our records show that
21 we have a roster of properties within a 200
22 foot radius that we are given to provide

1 notice to. 3607 Lowell is on it but it was
2 addressed to John B. Missing Trustee, your
3 husband? You're not being picked up on the
4 record. I don't know. I just wanted to let
5 you know I don't know what went wrong but the
6 address is listed to receive notice. Okay.

7 MS. DOUGLASS: My intern architect
8 over there did want to point out, and this is
9 something again we would look into with a 3-D
10 model, is that interior mezzanine is set back
11 probably 10 to 12 feet from that exterior wall
12 so I think your thoughts about whether it's an
13 actual privacy issue or perceived one is a
14 good thought and we would certainly check into
15 that.

16 BZA CHAIR MILLER: Okay. I guess
17 we are ready for Ms. MacWood unless there are
18 any other neighbors that have to rush out of
19 here. Okay.

20 MS. MacWOOD: Good afternoon. I'm
21 Nancy MacWood, Chair of ANC-3C. Do you want
22 me to give my address?

1 BZA CHAIR MILLER: Yes, please.

2 MS. MacWOOD: 3417 Woodley Road.

3 Before I begin my testimony I just wanted to
4 comment on the discussion that you just had
5 about the windows on Lowell Street. The ANC
6 did include comments about those windows in
7 our HPRB resolution.

8 We were, indeed, concerned because
9 the Lowell Street facade is built on the lot
10 line. It's right at the sidewalk if you will.
11 Those vertical windows are new windows. All
12 the other windows are existing. We were
13 concerned about the glare and the amount of
14 light that would be emanating from those
15 windows.

16 When we considered the BZA
17 application we asked Mrs. Jamieson during our
18 public meeting if the school was prepared to
19 mitigate that either by not using any kind of
20 florescent lighting or bright nonresidential
21 type lighting and also by installing some kind
22 of shades that would both block the light and

1 increase privacy. She indicated to us that
2 the school was prepared to do that.

3 Okay. At a noticed public meeting
4 of the ANC-3C on April 21st at which a quorum
5 was present the Commission considered the
6 special exception application of the
7 Protestant Episcopal Cathedral Foundation on
8 behalf of the National Cathedral School. The
9 application was prompted by renovations and
10 additions that NCS plans to make to the middle
11 school buildings located on a through lot
12 bordered by Woodley Road, Wisconsin Avenue,
13 and Lowell Street.

14 NCS also proposes to increase the
15 student enrollment and the staff and faculty
16 positions. ANC-3C determined by unanimous
17 vote that we had no objection to the granting
18 of the special exception for the improvements
19 to the school and the changes in the caps if
20 certain conditions were included in the zoning
21 order.

1 First we urge the BZA to respond
2 to NCS enrolling students and hiring staff in
3 excess of BZA ordered limits. A 1994 BZA
4 order changed the language describing the
5 enrollment and faculty and staff cap set for
6 NCS in a 1985 BZA order.

7 The description for the enrollment
8 limit of 546 students included objective there
9 the previous order had used cap. The
10 description of the staff and faculty limit was
11 changed to allow the cap of 105 to apply to
12 full-time equivalents. A 1998 BZA order did
13 not address these levels since they were not
14 part of the application but in the findings of
15 fact the BZA restated the levels and described
16 them as not to exceed levels.

17 Currently NCS states that it
18 enrolls 577 students and by this application
19 the school seeks to raise the authorized
20 number of enrolled numbers to 585, an increase
21 of 39 students over the cap set in 1985.
22 There are currently 144 faculty and staff FTEs

1 and the school seeks to increase this number
2 to 150 which is an increase of 45 FTEs over
3 the 1994 limit.

4 ANC-3C asks the BZA to consider
5 the applicant's compliance with the enrollment
6 and staff and faculty limits in considering
7 any conditions that you may think are
8 appropriate to apply to an order issued
9 pursuant to this application. 3C specifically
10 request that a firm cap be applied and the
11 school be required to report annually to the
12 ANC on the actual levels.

13 For many years our ANC has
14 expressed strong concern about some private
15 schools exceeding their BZA ordered enrollment
16 and faculty and staff limits. I would just
17 note that we have probably off the top of my
18 head at least five private schools that are
19 subject to special exceptions within our ANC.

20 While the ANC is not objecting to
21 the new levels sought by the school, we want
22 conditions applied to ensure the integrity of

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1 the order and to protect the community from
2 objectionable impact.

3 Second, ANC-3C conditions its no
4 objection to the application on inclusion of a
5 condition that would require the school to
6 reduce the amount of pickup and drop-off
7 traffic on public streets and to route it to
8 on-site North Road which intersects with
9 Wisconsin Avenue and where there is a new
10 traffic signal on Wisconsin to accommodate
11 school traffic, and a new on-site pickup and
12 drop-off facility which Mr. Slade discussed.

13 NCS has one on-site and three
14 public street pickup and drop-off locations.
15 The applicant's traffic study submitted to the
16 BZA focused on only two of these pickup and
17 drop-off points.

18 The lack of analysis of how the
19 pickup and drop-off points work in tandem or
20 are geared to separate student populations
21 left the ANC with no way of determining how
22 the other two locations may help, worsen, or

1 have no effect on the traffic at the two on-
2 street pickup and drop-off locations.

3 The on-site location at the upper
4 school is one of the sites omitted from the
5 study, yet it is repeatedly mentioned by the
6 consultant as improving the general traffic
7 impacts associated with the school. It should
8 be greatly utilized and we are recommending
9 greater utilization since on-site pickup and
10 drop-off is preferable to blocking public
11 streets.

12 We point out that there is no data
13 to support how it works to improve the other
14 on-street pickup and drop-off locations
15 whether it is being utilized to its maximum
16 capacity or whether it is providing the same
17 level of drop-off and pickup that pre-existed
18 the enhancements.

19 The consultant also emphasizes in
20 his report that much of the afternoon pickup
21 of upper school students occurs in the evening
22 at the athletic center which is located on

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1 Woodley Road and 35th Street. Yet, this
2 intersection was also not included in the
3 study.

4 The traffic study asserts that
5 steps have been taken in recent years to
6 minimize the impact of NCS traffic on the
7 neighborhood. The steps are listed as new
8 underground parking garage and approved auto
9 drop-off and pickup facility at the upper
10 school and the installation of a new traffic
11 signal at Wisconsin Avenue driveway entrance
12 to the upper school. Again, none of these
13 changes which became operational last year
14 were evaluated in the study.

15 The consultant is asking the BZA
16 to accept his conclusions without any data or
17 analysis to evaluate his conclusions. The
18 parking garage has certainly been welcomed by
19 the neighborhood but the consultant for
20 whatever reason decided not to study its
21 impact on parking, traffic generally, or the
22 specific school traffic.

1 This was included in the traffic
2 report. The primary, lower, and middle school
3 pickup and drop-off points are on the north
4 side of Woodley Road between 36th Street and
5 Wisconsin Avenue where there is no parking or
6 standing and on the west side of 36th Street
7 between Woodley Road and Lowell where there is
8 no parking from 7:00 a.m. to 4:00 p.m.

9 Traffic Consultants report attests
10 to the amount of cars accessing this area each
11 day in the morning and afternoon.
12 Transportation demand management plan, which
13 was implemented at the end of the school
14 spring break this year, prohibits pickup and
15 drop-off on the east side of 36th Street,
16 allows cars to stand in a no parking zone on
17 Lowell Street near its intersection with 36th
18 Street, and requires cars to stop on Woodley
19 Road only for immediate pickup and drop-off.

20 There is no information on how NCS
21 intends to implement the no drop-off or pickup
22 on the east side of 36th Street which, after

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1 all, is a public street but if successful it
2 would facilitate an improvement in traffic
3 flow. But these parents or care givers who
4 are being rerouted won't disappear so
5 presumably they will add to the drop-off and
6 pickup traffic at another location.

7 Stopping on Lowell will only
8 accommodate a few cars. It has always been
9 illegal for cars to stop on Woodley Road so it
10 is unclear how continuing to allow cars to
11 stop to pickup and drop-off students at the
12 high levels that currently occur will improve
13 traffic.

14 The ANC recommends that the BZA
15 require NCS to reduce the amount of on-street
16 stopping and picking up and dropping off by
17 diverting more of this activity on site.
18 According to the DDOT Wisconsin Avenue
19 Corridor Transportation Study published in May
20 2005, the level of service for a.m. peak on
21 Woodley Road at Wisconsin the first

1 intersection after cars drop off students on
2 Woodley is D.

3 The school's traffic consultant
4 rates the intersection during a.m. peak at LOS
5 B which is consistent with the DDOT study
6 since the intersection rating is an average of
7 the Wisconsin Avenue LOS A and Woodley Road
8 LOS D.

9 The same DDOT study concluded that
10 Wisconsin Avenue LOS will deteriorate
11 depending on the level along the corridor. At
12 a minimum we are anticipating a major
13 reconstruction and expansion of the density in
14 the Wisconsin Avenue commercial area one block
15 north of NCS. A 10-story nursing home two
16 blocks north of the school is now vacant and
17 expected to be redeveloped.

18 While it is difficult to
19 anticipate how these developments will
20 increase traffic, where the impacts will be
21 felt, the ANC believe that a school with on-
22 site drop-off and pickup capabilities and

1 operating under a special exception in the
2 neighborhood and seeking authorization for
3 more students and staff should route as much
4 of its drop-off and pickup as possible to its
5 on-site location. Thus, we conditioned the
6 Commission's no objection to this application
7 on a condition in the order that would require
8 this.

9 Third, ANC-3C asks the BZA to
10 require NCS to create a parking policy for
11 student, staff, and visitors that requires
12 parking on the Cathedral Close. Currently NCS
13 has a parking policy that allows students and
14 others to park on any public street. Parking
15 has been a long-standing issue for the
16 neighborhood.

17 The PECF under the leadership of
18 Bishop Chane responded by building an
19 underground garage on its property. During
20 consideration of that project of paramount
21 concern was whether it was large enough to

1 accommodate all the parking needs of its
2 institutions including NCS.

3 The ANC has continually been
4 assured that surface plus underground parking
5 could accommodate not only the existing needs
6 but the future needs such as the BZA approved
7 but still unbuilt St. Albans School Performing
8 Arts auditorium. The assurances about the on-
9 site parking capacity continue with this
10 special exception application.

11 The traffic consultant who has
12 been involved with all the NCS development
13 projects for over a decade states in the
14 traffic study that parking is provided on the
15 Cathedral Close for all NCS students and FTEs
16 who drive and all visitors including visiting
17 teams and spectators for athletic events. The
18 problem is that there is a disconnect between
19 assurances that there is parking available for
20 NCS needs and NCS requiring that it be used in
21 lieu of on-street parking.

1 There is no question that NCS can
2 meet its zoning minimum parking requirement.
3 The issue is whether the school should be
4 required to do more than the minimum. With
5 additional private development looming near
6 the school and DDOT already indicating that it
7 wants to decrease even the zoning required
8 parking allotment for the Giant development.
9 Should NCS be allowed to choose public parking
10 when it has available on-site parking?

11 This issue was illustrated
12 recently when DDOT proposed a visitor pilot
13 program for any restrictive residential
14 parking blocks in our area. Every residential
15 block near NCS as petitioned has been approved
16 for restrictive residential parking with the
17 exception of the 3500 block of Woodley Road
18 where the Cathedral owns a majority of the
19 houses and the non-Cathedral residents have
20 approached me about trying to get RPP parking
21 but they haven't been successful in getting a
22 petition.

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1 The discussion about that visitor
2 parking program revealed how angry residents
3 were that they needed to install RPP in order
4 to preserve some close-by parking spaces. The
5 down side of that program is that visitors
6 including household workers or relatives and
7 friends also are limited in how long they can
8 park.

9 Part of the discussion focused on
10 the need for RPP because of the private school
11 related parking and the fear that visitor
12 passes might be sold to students and other who
13 find it convenient to park on neighborhood
14 streets.

15 While this discussion did not
16 isolate NCS, it is instructive of the degree
17 of frustration felt by residents who cannot
18 park near their homes. In the past 3C
19 considered an HPRB application, actually just
20 a few months ago, from a resident on Lowell
21 Street near the school, who argued that they

1 needed a new garage because the school took
2 all the parking on the street.

3 The point isn't whether the
4 perceptions are current or wrong. The issue
5 is whether a school locating by special
6 exception and asserting that they can park on
7 their own campus should receive authorization
8 for more student and staff when they are
9 permitting the staff and students and visitors
10 to forego the on-site parking in favor of
11 using neighborhood street parking the amount
12 of blocks approved for RPP and the certainty
13 of new development suggest that we can no
14 longer support NCS having the option of using
15 street parking for such on-site parking.

16 3C asks the BZA, therefore, to
17 condition any order pursuant to this
18 application on requiring NCS to stop using
19 street parking and to instead create and
20 enforce a policy of on-site parking only.

21 Finally, ANC-3C conditions its no
22 objection to the application on assurance from

1 NCS that it would implement the draft
2 construction management agreement presented to
3 the Commission on April 21st.

4 Thank you very much for your time
5 and attention and for giving the views of ANC-
6 3C as expressed in our resolution on this
7 matter great weight.

8 BZA CHAIR MILLER: Thank you. I
9 think I might differ with you with respect to
10 it doesn't matter whether the perception is
11 right or not. I think it does matter. I
12 think we have to look at whether or not there
13 are real adverse impacts with respect to
14 parking per se and what is the evidence.

15 Mr. Slade says only 50 percent of
16 the parking spaces are occupied when he's
17 looked at them. I guess I want to ask you is
18 there really a parking problem or is this just
19 a perception?

20 MS. MacWOOD: I think probably
21 there's not an easy answer to that. I think
22 it probably depends on the day and time and

1 what may be going on on any particular day. I
2 am sure that you could walk the blocks on a
3 particular morning during the week and you'll
4 find some of them have parking spaces
5 available and you'll have others that don't
6 have parking spaces available.

7 I think what the ANC is hoping
8 that you will consider is that we are looking
9 at new development and I just don't think we
10 have the luxury any longer of using the
11 residential -- having so many competing
12 demands for the residential parking that is
13 very limited.

14 A lot of people in our
15 neighborhood don't have garages. They don't
16 have driveways. They are dependant upon
17 street parking. We have an aging population.
18 We also have young families. You can well
19 imagine if somebody with a stroller and a
20 couple of toddlers trying to find a parking
21 space or an elderly person who has gotten
22 groceries and they can't park in front of

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1 their house, it's a frustration. And we know
2 for a fact that we have development coming
3 into the neighborhood so there is going to be
4 more pressure.

5 BZA CHAIR MILLER: How does the
6 development coming into the neighborhood
7 affect the parking?

8 MS. MacWOOD: Oh --

9 BZA CHAIR MILLER: For instance --
10 well, go ahead. Traffic moves around the
11 neighborhood streets but specifically with
12 respect to the two developments, I think one
13 was the Giant that you talked about and the
14 other was the nursing home which I don't know
15 if you know what that's going to transform
16 into. I don't know.

17 MS. MacWOOD: No, I don't know
18 either. All I know is --

19 BZA CHAIR MILLER: It's kind of
20 far away. Isn't Giant going to have it's own
21 parking?

1 MS. MacWOOD: The Giant
2 development is one block from the school, one
3 block north. The nursing home is two blocks
4 north. What Giant is contemplating doing is
5 merely doubling the square footage of the
6 store and building a mixed use building that
7 would completely occupy the north block of
8 that development. It's a two-block
9 development. They are talking about 144 new
10 housing units.

11 If that is not going to increase
12 traffic and parking, I don't know what will
13 but, at the same time, DDOT has indicated to
14 us they would like to see even though we are
15 not within half a mile or even a quarter of a
16 mile of the Metro station that they would like
17 to see reduced parking below what zoning would
18 require for the amount of new retail and
19 commercial space that Giant is proposing.

20 I don't think there is anyone in
21 the neighborhood that isn't concerned that we
22 are going to have -- this is going to be

1 undoubtedly a very nice development. We are
2 already a destination because of a lot of
3 restaurants. This will only exacerbate that.

4 BZA CHAIR MILLER: Are you aware
5 that NCS has more space on its grounds for
6 drop-off and pickup that it's not using? I
7 mean, I think the resolution talks in terms of
8 like reducing pickup and drop-off on the
9 public street and doing more on the Close or
10 their grounds. Can you be more specific about
11 that?

12 MS. MacWOOD: I think we heard Mr.
13 Slade testify this afternoon that he wishes
14 more parents would utilize the Hurst Circle,
15 the upper school circle, where the entrance to
16 the parking garage is. I think that is one of
17 the omissions in the traffic report is we
18 don't know what the capacity there is and
19 whether what's currently being utilized is
20 exactly what was being utilized before because
21 there was always a drop-off circle there.

1 Also, there is a new parking
2 garage there and I don't know whether they
3 have the ability to have students dropped off
4 there but I would note Sidwell Friends school,
5 which is a few blocks north, built a new
6 parking garage and we work with them and they
7 organized it such that they could get the
8 drop-offs off the street for the most part and
9 have the drop-offs occur in the parking
10 garage. I think there are a lot of creative
11 ways to do this on site. I just don't know
12 whether they have been explored sufficiently.

13 ZC CHAIR HOOD: Commissioner
14 MacWood, can I ask you about this card? I
15 guess you've heard us going back and forth
16 about this nice full-color process card. I
17 know that this has just been implemented but
18 are you aware of this? I think in your
19 testimony you pointed out a few flaws with
20 this, at least the way I interpreted it. Is
21 this working?

1 Besides the few flaws that you
2 pointed out here, for example, "Stopping on
3 Lowell will only accommodate a few cars. It
4 has always been illegal for cars to stop on
5 Woodley Road so it's unclear how to continue
6 to allow cars to stop, pickup, and drop-off
7 students at the higher levels that currently
8 occur will improve traffic."

9 MS. MacWOOD: I am aware of that
10 card. The ANC Commissioners were given a copy
11 of that card both at our Planning and Zoning
12 Committee meeting and at the public meeting
13 where we considered the BZA application in
14 April. You know, I think the implementation
15 of some of those -- let me go into a little
16 detail here because I know this area so well.
17 I had children that went to the school and I
18 live just up the street from the school.

19 The majority of the drop-off and
20 the pickup at NCS for the lower and the middle
21 school is on the west side of 36th Street
22 where there is no parking during the school

1 day. The school actually requested that. We
2 supported it, DDOT supported it, and they got
3 it signed so that there is no parking there.
4 That is an area where cars can pull up and
5 drop off students.

6 The notion about eliminating the
7 right turns on Woodley onto 36th Street and
8 just allowing drop-offs on the east side of
9 36th Street, you know, I don't know, No. 1,
10 how you could enforce that because how can you
11 stop -- how can you determine who can turn
12 right on a public street and who can't turn
13 right on a public street.

14 I just don't know how you do that.
15 Certainly in the afternoon particularly you
16 will -- there used to be double parking there.
17 If the school is able to somehow eliminate
18 that, as I said in my testimony, that would
19 probably be a plus.

20 Is it going to have a profound
21 impact on any of the pickup and drop-off
22 experience? I doubt it. I don't think there

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1 were that many people who were doing it. As I
2 said, there was often double parking so there
3 was not much incentive to be doing that.

4 Allowing a couple of cars to stop
5 on Mull Street, which is something else that
6 they are suggesting, which is an area that has
7 no parking right now just between the corner
8 and the driveway there might be room for maybe
9 three cars now maybe. I would imagine that
10 cars are already stopping there and picking up
11 children at the lower school. Again, I don't
12 think that is going to have a great impact.

13 On Woodley Road, which has always
14 been a problem area because it is also used by
15 commuters. You will note that on the traffic
16 report where you've got the traffic numbers,
17 rights and left turns and all that sort of
18 thing. The school traffic isn't segregated
19 from those numbers so some of those are
20 commuters, people who are just using the
21 neighborhood streets to get around.

1 My experience, even since this
2 traffic management plan has been implemented
3 which, as Mr. Slade said, it's only been a few
4 weeks and we've had problems there for years,
5 is the parents are doing exactly what they're
6 always done which is they pull up and they
7 park on Woodley until their children comes
8 out. As soon as the child comes out, then
9 they move on. It's very dependent on the
10 child appearing when the parent appears.

11 ZC CHAIR HOOD: So in the few
12 weeks that this has been implemented, you
13 haven't really seen a change, or it hasn't
14 been long enough for the track record to set
15 in, or is it just the same that you have
16 always experienced I guess is what I'm trying
17 to get to.

18 MS. MacWOOD: I don't want to
19 overstate my impression of it because I
20 frankly haven't gone up there and observed it
21 on an ongoing basis. I have driven by there
22 several times and at least my impression is

1 that on the few times I have done that it
2 seems very much the way it has always been.

3 ZC CHAIR HOOD: Okay. The only
4 other question I have is not really the
5 traffic. I think you heard we ask a question
6 about how the regulations we do with campus
7 plans now. This is actually a good time to
8 discuss this and is not necessarily germane to
9 this case.

10 Would you think a tool, so to
11 speak, of that magnitude would help out with
12 this particular situation we have here with
13 the different schools? Not necessarily the
14 same campus plans but come up with another
15 tool.

16 MS. MacWOOD: Absolutely. The
17 unequivocal answer is yes. It is very
18 difficult both from a neighborhood
19 perspective, community organization, ANC
20 perspective to adequately express to the BZA
21 when we have these special exception
22 applications the overall impact of the

1 schools, not to mention the Cathedral which,
2 of course, doesn't have to have any sort of
3 special exception.

4 There are an enormous number of
5 outside activities. We've got the parking
6 issues. We've got the traffic issues, the
7 various pickup and drop-off points. There are
8 a lot of impacts on the neighborhood on
9 different sides.

10 What happens with these special
11 exception application is it isolates just one
12 part of the neighborhood and one school and it
13 would be enormously helpful if the Board could
14 get, as Mr. Jackson suggested, a more holistic
15 impression of what is going on. Rather than
16 isolating one school or one entity of the
17 Cathedral really applying the same standards
18 and conditions to all of the entities.

19 ZC CHAIR HOOD: Okay. Thank you.

20 Madam Chair, I will tell you we've
21 been asking a lot of questions about this
22 drop-off and pickup. I'm real troubled by the

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1 testimony out here. I don't know how we'll
2 deal with it. I'll just put on the record I'm
3 real troubled when I hear for three weeks, or
4 however long it's been, at least from what we
5 were hearing, not to have -- you should see
6 some kind of change.

7 I know it doesn't have a long
8 track record but we should see some kind of
9 change at some point to where this is being
10 improved. Right now I'm really troubled.
11 Thank you.

12 BZA CHAIR MILLER: Mr. Hood, what
13 exactly is it that you are troubled about? I
14 haven't heard a lot of evidence in the case
15 about problems that rises to a level -- I
16 don't know. I mean, we've heard that Ms.
17 MacWood represents some on behalf of the ANC
18 but it's not like we have a parade of
19 witnesses saying there are real problems.

20 There are no accidents. I'm not
21 sure exactly. I mean, we've heard about
22 parking. We've heard two different things.

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1 Mr. Slade is saying there are 50 percent
2 spaces all the time and Ms. MacWood is saying
3 sometimes in the day there are and sometimes
4 there aren't.

5 Then it's like, okay, what is the
6 problem with the drop-off and pickup? Is it
7 taking up parking spaces and/or is it there is
8 some danger to children because they are being
9 dropped off on the street instead of on the
10 property? I'm not sure what the problem is.

11 ZC CHAIR HOOD: My point is
12 obviously -- I'm not as familiar, that's why
13 I'm asking the questions, as some people are
14 with the area. I don't frequent it so to
15 speak. The issue is I think that if we put a
16 drop-off and pickup in place, there obviously
17 have been some problems in the past.

18 I mean, I don't know the magnitude
19 that the room will be full. I don't know but
20 there have obviously been some problems in the
21 past. For them to present this to the parents
22 and teachers -- I mean, the parents and those

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1 who attend the school, and a very nice
2 brochure, they obviously are trying to sell a
3 point the way I'm perceiving it.

4 I don't want to put Ms. MacWood on
5 the spot but her testimony was I think for
6 this to be to this magnitude in two weeks or
7 three weeks, I think you should see some --
8 well, a month, I'll give it a month, you
9 should see some improvement. Her testimony
10 said that she didn't really see a difference.

11 She said she didn't frequent --
12 she didn't get up there recently a lot but she
13 doesn't see any improvement so I'm troubled.
14 I think that we should see some instant
15 improvement. That's where I am.

16 BZA CHAIR MILLER: I guess I'm not
17 sure what the baseline is to see the
18 improvement. I also want to ask, and I'm not
19 super well versed in necessarily all the old
20 NCS orders but I believe one of these orders
21 there was the case that they were going to
22 have a driveway on the property for drop-off

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1 and pickup but the neighbors across the street
2 opposed it. Then that moved the drop-off and
3 pickup to the street. Is that correct?

4 MS. MacWOOD: That is certainly
5 before my time with the ANC because I've read
6 all the orders at one time or another. I
7 think you may be correct about that.

8 I think there was -- this is
9 completely recollection so I hope you will go
10 back to the order to -- the record to
11 investigate but I think the Lowell Street
12 residents were very concerned about the amount
13 of traffic that would be directed to their
14 residential street if there was a lower school
15 pickup and drop-off there but I certainly
16 don't know any of the details about what was
17 presented or proposed.

18 BZA CHAIR MILLER: What is the
19 problem though exactly? What is the problem?
20 Is it a queuing that occurs on 36th or Lowell?

21 MS. MacWOOD: The situation is
22 that if you are driving -- let me get my

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1 directions correct. If you are driving west
2 on Woodley, oftentimes what happens in both
3 the morning and the afternoon -- it's usually
4 worse in the morning, frankly, than in the
5 afternoon from my experience -- there is a
6 stop sign there. It's a three-way stop at
7 that intersection. You often are stuck there.
8 You can't move because there is no place to
9 move to.

10 BZA CHAIR MILLER: This is Woodley
11 and what?

12 MS. MacWOOD: 36th Street.

13 BZA CHAIR MILLER: 36th. Okay.

14 MS. MacWOOD: In the past --
15 again, I'm putting this in the past because I
16 don't want to say anything terribly dramatic
17 about the new traffic management plan because
18 I don't feel I have observed it sufficiently
19 but if you wanted to turn right onto 36th
20 Street you would often encounter, as I said,
21 double parking or car doors opening.

1 People in the neighborhood have
2 learned both at 35th Street during the Beavoir
3 drop-off because 35th Street is completely
4 blocked and you can't go either direction --
5 in fact, if you make the mistake of getting
6 into that queue, you are stuck there.

7 Most people in the neighborhood
8 know they've got to circumvent all of this but
9 sometimes you simply can't. Those streets get
10 bottled up. You will even occasionally have
11 people -- this is very occasional -- going
12 eastbound and a parent will stop.

13 This usually happens more after
14 the general pickup time when the crossing
15 guard isn't there, you'll have somebody park
16 on the south side of Woodley which completely
17 stops traffic. Fortunately that doesn't
18 happen very often but it is primarily the
19 westbound traffic. You get stuck.

20 I want to add I don't think -- the
21 school has a cross guard out there at all
22 times. I don't think the school is doing a

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1 bad job. I think it's simply the reality of
2 the physical situation. In fact, these are
3 narrow streets and there is also a traffic
4 light at the end of it.

5 There are stop signs and middle
6 school kids come out when they feel like it.
7 They often have activities that go late.
8 Parents get stuck there. I'm sure that a lot
9 of them if they have the capability of just
10 pulling up having a child come in and taking
11 off, they would do it but that simply isn't
12 the reality of the situation.

13 BZA CHAIR MILLER: Okay. Is it
14 basically that there is a queuing that occurs
15 on the street and that your suggestion is that
16 why can't they have the queuing occur within
17 their grounds?

18 MS. MacWOOD: I think more of it
19 should be diverted to their grounds, yes.

20 BZA CHAIR MILLER: Okay. Do you
21 have an opinion about the FTE question,
22 whether the employees should be characterized,

1 specifically the number of employees total,
2 part-time, full-time, or whether the FTE
3 equation works fine?

4 MS. MacWOOD: Well, I would
5 applaud the BZA if you can sort that all out.
6 I think it definitely ought to be sorted out.
7 There ought to be some actual numbers that can
8 be relied upon. I have to say as an ANC, as I
9 said, we go through a lot of these special
10 exception applications.

11 We have learned to pick and choose
12 our issues. We would like to get the parking
13 off the street. If there is no longer any
14 parking, the fact that there are 150 FTEs
15 versus 144 FTEs our concerns are greatly
16 diminished.

17 BZA CHAIR MILLER: Do you have a
18 construction management agreement with NCS?

19 MS. MacWOOD: NCS wrote a
20 construction management agreement. They
21 didn't ask us to agree to it. They presented
22 it to us and as an ANC we made a couple of

1 suggestions. As far as I know, I believe they
2 are incorporating those into the construction
3 management agreement. We haven't seen a final
4 agreement so it's not really an agreement.
5 It's not really an agreement, it's a plan.

6 BZA CHAIR MILLER: All right. Any
7 other questions by the Board at this time?

8 Ms. Brown.

9 MS. BROWN: No questions.

10 BZA CHAIR MILLER: Okay. Thank
11 you very much.

12 Is there anybody here in the
13 audience who wishes to testify in support of
14 the application? Anybody who wishes to
15 testify in opposition? Okay. Not hearing
16 from anyone.

17 Ms. Brown, do you want to respond
18 at all to the issue of whether there is more
19 room to handle pickup and drop-offs on the
20 property?

21 MS. BROWN: Yes, I would like to
22 call Mr. Lou Slade to address those issues.

1 BZA CHAIR MILLER: You can come to
2 the table to be on record.

3 MS. SUGGS: I have children I have
4 to pick up like the lady did that you all made
5 special provisions for to come up here. How
6 long is it going to be because my kids are all
7 the way out in Upper Marlboro and I have to be
8 there at 5:30.

9 BZA CHAIR MILLER: Okay. How long
10 does it take you to get there?

11 MS. SUGGS: With traffic I'm sure
12 it's going --

13 BZA CHAIR MILLER: I know. We are
14 approaching the end of this case but --

15 MS. SUGGS: When you say
16 approaching, how long?

17 BZA CHAIR MILLER: It's very hard
18 to be sure. I don't know how long your
19 witness is going to be in cross examination.
20 I don't know. I don't know. Leave when you
21 have to leave. If you want to put something
22 on the record in the other cases, that's the

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1 point. If you can wait longer, it would be
2 better.

3 MS. SUGGS: But how long?

4 BZA CHAIR MILLER: I don't know.
5 Why don't you tell us when you get to the
6 point if we haven't called the case yet that
7 you have to go and we'll see how we can
8 accommodate you.

9 MS. SUGGS: Okay.

10 MS. BROWN: Mr. Slade, if you
11 could go ahead and respond to some of the
12 issues that were raised. I may direct your
13 attention to certain questions as you go
14 through.

15 MR. SLADE: Yes. I'll start with
16 the Hurst Circle that you asked about, Madam
17 Chair. There is more capacity at Hurst
18 Circle. Hurst Circle is at the upper school
19 which is on the south side of Woodley Road.

20 The lower middle schools are on
21 the north side of Woodley Road so we don't
22 want to have all the drop-off on the south

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1 side of Woodley Road because then we would
2 have small children crossing the street and
3 that would block traffic on Woodley more than
4 the queuing of automobiles.

5 What we are seeking with the blue
6 and purple power is to work toward a good
7 balance, a good equilibrium where people are
8 dropping their kids off in a way that doesn't
9 cause a lot of pedestrian crossings of the
10 children, it's safe, minimizes the impact on
11 the neighborhood and keeps things moving on
12 all the roads including Woodley.

13 We have made extensive field
14 observations with school administration. We
15 would literally be outside watching traffic
16 dropping off in the morning and picking up in
17 the afternoon with the school administration.

18 The kinds of incidents that Nancy
19 MacWood testified to are very accurate but I
20 don't want you to have the misconception about
21 the frequency of the problem. When you are
22 out there for much of the time -- I'll go on.

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1 BZA CHAIR MILLER: Okay. Why
2 don't you take a minute. We do have a problem
3 with the woman who has to go with respect to
4 the other case. Hold on a second. I think
5 that we ought to, if you all don't mind, I
6 think it would be fairly quick if we could
7 take her testimony in the other case and then
8 get back to you. You can take a break. How
9 about that? Okay.

10 Mr. Moy, do you want to get her
11 and tell her that we'll briefly call the other
12 case for her testimony?

13 MR. MOY: Yes, I can. Just to let
14 you know also that the woman is also filing
15 party status, too, as well just so the Board
16 is aware of that.

17 BZA CHAIR MILLER: I appreciate
18 the NCS parties for allowing us this
19 indulgence.

20 (Whereupon, at 4:23 p.m. off the
21 record until 4:25 p.m.)

1 MS. BAILEY: Madam Chair, as you
2 indicated, the Board is about to take up
3 Application No. 17762 of the District-
4 Properties.com LLC, pursuant to 11 DCMR
5 3103.2, for a variance from the lot area and
6 lot width requirements under Section 401, a
7 variance from the lot occupancy requirements
8 under Section 403, and a variance from the
9 side yard requirements under Section 405 to
10 construct a new one-family detached dwelling
11 in the R-2 District of premises 2237 Ridge
12 Place, S.E., Square 5624, Lot 59).

13 BZA CHAIR MILLER: Thank you. We
14 are just going to do just a portion of this
15 case so we'll see where we go. Why don't you
16 introduce yourselves for the record, please.

17 MS. SUGGS: My name is MyShel
18 Suggs. I own the property at 2235 Ridge
19 Place, S.E.

20 ZC CHAIR HOOD: Turn your
21 microphone one.

1 MR. SIKDER: Good afternoon, Madam
2 Chair and Board members. My name is Mohammed
3 Sikder and I own this property 2237 Ridge
4 Place, S.E.

5 BZA CHAIR MILLER: Okay. I just
6 want to say for background that this case was
7 on the agenda for second in the afternoon and
8 that we originally tried to move it to first
9 in the afternoon because we had another case
10 on the agenda that we expected to be more
11 lengthy which is was lengthy.

12 Ms. Suggs has indicated that she
13 was here at 1:00 but now she needs to leave
14 very shortly to pick up her child so we are
15 doing an unusual thing by opening this case in
16 the middle of the other case.

17 Ms. Suggs, I understand that you
18 want to apply for party status. Is that
19 right? Is that right or not right? I was
20 given that impression by staff.

1 MS. SUGGS: I'm really not sure at
2 this time because I have to educate myself
3 about party status.

4 BZA CHAIR MILLER: Okay. Let's
5 just start. Let's do our preliminary. We
6 have some preliminary issues with respect to I
7 think posting. I don't believe that you have
8 to have party status to participate in that so
9 why don't we get to the issue, the preliminary
10 issue.

11 I think there are two questions.
12 One is when was it posted? The other is was
13 the right property posted? The Board has
14 looked at the pictures of the posting and we
15 can't tell if it --

16 MS. SUGGS: It was posted May 5th,
17 Monday.

18 BZA CHAIR MILLER: Okay. Let's
19 get to the timing. That's what you have some
20 knowledge about. Was it posted on the right
21 property that you know of?

1 MS. SUGGS: Yes, it was posted on
2 the right property but Sunday night on May 4th
3 I went to pick up my rent from my tenant and
4 the sign was not there. That's when my tenant
5 advised me that there were snakes and stuff
6 coming out of the grass because the grass was
7 this high.

8 I took pictures of that but when I
9 dropped them off at CVS to get them copied,
10 the machine was down this morning when I went
11 to pick up the pictures. I contacted Mr.
12 Sikder to cut the grass several times. I
13 haven't been past my property to see if the
14 grass had been cut but my tenant has children
15 and they were playing and snakes and stuff
16 came out of the grass because the grass was
17 this high.

18 BZA CHAIR MILLER: Okay.

19 MS. SUGGS: Also, I received a
20 letter from Mr. Sikder saying, "Our vacant lot
21 is too small to build a house as a matter of
22 right. However, you can purchase this vacant

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1 lot which might be useful for you." Now, if
2 you can't build on it, how would it be useful
3 for me?

4 BZA CHAIR MILLER: We can't get
5 into that right yet. The posting is a
6 preliminary matter so I want to get to that.
7 Your testimony is that it wasn't posted until
8 what date?

9 MS. SUGGS: It was posted May 5th.

10 BZA CHAIR MILLER: May 5th. Okay.

11 MS. SUGGS: If it was posted,
12 excuse me, Sunday night, it was after 10:30 at
13 night after I left my tenant's property
14 because I got off work at 9:30 and I got there
15 quarter to 10:00.

16 BZA CHAIR MILLER: Mr. Sikder, did
17 you post the property yourself or did somebody
18 else post it?

19 MR. SIKDER: Somebody else posted
20 it.

21 BZA CHAIR MILLER: Speak into the
22 mic, please.

1 MR. SIKDER: I talked to my
2 people. They say they posted it on Friday and
3 they took the pictures.

4 BZA CHAIR MILLER: Friday what
5 date?

6 MS. MONROE: Madam Chair, can I
7 make a recommendation here? I have kids and I
8 know how you feel. I would go out of order
9 and I would just take Ms. Suggs' statement if
10 you are willing to do that because you're
11 really tight.

12 BZA CHAIR MILLER: I understand
13 that but if it hasn't been posted in a timely
14 fashion, we would continue the hearing all
15 together.

16 MS. SUGGS: I just spoke to my
17 husband and he said he'll do it. I was out
18 there fussing because he's very upset. He
19 said he'll get the kids.

20 BZA CHAIR MILLER: He's picking up
21 the kids.

1 MS. MONROE: Okay. Fine. Because
2 this is kind of unnecessary to go through all
3 the preliminary stuff.

4 MS. SUGGS: I appreciate it.

5 BZA CHAIR MILLER: Okay. I just
6 want to go through the preliminary stuff
7 because -- if your husband is going to pick up
8 the children, we were just about to finish up
9 another case so we may just finish up the
10 other case and start a whole new case.

11 MS. SUGGS: He has to come all the
12 way from Vienna so we are both in a really
13 tight situation right now. I thought I would
14 be out of here so I was outside talking to him
15 on the phone because he's just as upset as I
16 am because he has to leave his job to go get
17 the kids and then go back to work.

18 BZA CHAIR MILLER: Let's just go
19 through this preliminary matter and see if we
20 have another problem with time or not. We
21 have an affidavit of posting. I can't tell
22 who signed that affidavit by the signature.

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1 MR. SIKDER: I signed it.

2 BZA CHAIR MILLER: You signed it
3 but you didn't post it.

4 MR. SIKDER: I didn't go -- I
5 mean, I didn't go there myself. I sent some
6 other people and they took the pictures and
7 then I signed it.

8 BZA CHAIR MILLER: When do you say
9 it was posted?

10 MR. SIKDER: On Friday.

11 BZA CHAIR MILLER: Friday what
12 day?

13 MR. SIKDER: I think the 1st of
14 May. May 1st I think.

15 BZA CHAIR MILLER: Did you go see
16 it on Friday, May 1st? Friday is the 2nd.
17 Did you go see it?

18 MR. SIKDER: They took the
19 pictures and I saw the pictures.

20 BZA CHAIR MILLER: You saw the
21 pictures when?

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1 MR. SIKDER: I saw the picture on
2 Monday.

3 BZA CHAIR MILLER: Monday, May 5th
4 you saw a picture of the posting?

5 MR. SIKDER: Yeah, but they post
6 it on a Friday, though.

7 BZA CHAIR MILLER: And you know
8 that because somebody told you?

9 MR. SIKDER: Yes, my people told
10 me they posted it on Friday.

11 MEMBER DETTMAN: Excuse me, Madam
12 Chair. I just have one question.

13 When you say they posted it on
14 Friday, are you saying Friday May 5th? I just
15 need to know the date of what Friday means.

16 MR. SIKDER: Friday should be --

17 MEMBER DETTMAN: Friday would be
18 May 2nd?

19 MR. SIKDER: May 2nd, yes.

20 MEMBER DETTMAN: May 2nd. That is
21 the date that the sign was actually installed?

22 MR. SIKDER: Yes.

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1 MEMBER DETTMAN: I'm looking at
2 your affidavit of posting which you signed and
3 dated -- you signed and dated May 5th.
4 However, it says that the property was posted
5 on April 28th which would be exactly 15 days
6 before today. I'm picking up a little
7 discrepancy. The affidavit of posting says
8 that you posted on April 28th but I'm hearing
9 you say right now that it was posted on May
10 2nd.

11 MR. SIKDER: Actually I do not
12 remember date wise but, I mean, physically I
13 don't go there myself but my representative
14 did it two weeks prior to the hearing. When
15 they give me picture then I look at that and
16 then I sign it. I mean, if she certifies that
17 she didn't see it, I mean, Madam Chair, if you
18 want to reschedule the case, that's fine with
19 me. Or if you want to go forward, that is
20 also fine with me. Either way.

21 BZA CHAIR MILLER: Ms. Suggs, you
22 live next door?

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1 MS. SUGGS: My tenant lives next
2 door. My tenant who I rent to lives next
3 door.

4 BZA CHAIR MILLER: Your tenant
5 lives next door.

6 MS. SUGGS: Yes.

7 BZA CHAIR MILLER: You were on the
8 property May 5th? Is that what you said?

9 MS. SUGGS: On Sunday night when I
10 went to pick up the rent on the 4th, Sunday.

11 BZA CHAIR MILLER: Okay. And you
12 did not see it posted?

13 MS. SUGGS: The sign was not there
14 unless they put it there Sunday after 10:30
15 when I left.

16 BZA CHAIR MILLER: Okay. I think
17 that there is a question about posting here
18 and we should reschedule. Before we do that,
19 I want to are you aware of -- we have an
20 Exhibit 21 in which Mr. Sikder sent a letter
21 to the Board saying that he talked to you and
22 that you don't have an objection to building

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1 the house as long as the construction does not
2 disturb and interfere with your house or your
3 tenant.

4 MR. SIKDER: No.

5 BZA CHAIR MILLER: No what? I'm
6 reading from your letter.

7 Do you have a copy of that letter?

8 MS. SUGGS: I never gave him a
9 letter saying that. I spoke to him on the
10 telephone Sunday the 4th when I found out
11 about all of this. I called my tenant to tell
12 her I was coming to pick up the rent and she
13 said, "By the way, this guy left a notice in
14 the door," and that's this letter right here.
15 I said, "What letter?" That's when she gave
16 me this information and I called him on Sunday
17 the 4th and went over this with him. I didn't
18 get this letter --

19 BZA CHAIR MILLER: What is that
20 letter that you are referring to for the
21 record?

22 MS. SUGGS: It says --

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1 BZA CHAIR MILLER: Is it in our
2 record? Does it have an exhibit number or
3 anything like that on it?

4 MS. SUGGS: No.

5 BZA CHAIR MILLER: Okay.

6 MS. SUGGS: No, it's a personal
7 letter.

8 BZA CHAIR MILLER: A personal
9 letter that you got -- that you saw May 4th.

10 MS. SUGGS: Yes.

11 BZA CHAIR MILLER: Okay. That's
12 okay.

13 MR. SIKDER: Just to affirm that
14 is the right letter. When I talked to her
15 initially she got, I mean, somehow angry why
16 you are building this. I explained that we
17 cannot build a house here. She said, "Yes. I
18 have no problem as long as if during the
19 construction nothing gets harmful to my tenant
20 or to my property. If something happens, I'm
21 going to sue you."

1 MS. SUGGS: Yes, because you told
2 me --

3 BZA CHAIR MILLER: Wait.

4 MS. SUGGS: Excuse me. You told
5 me regardless if I showed up at this hearing
6 or not the Board was going to approve you
7 regardless.

8 MR. SIKDER: I --

9 MS. SUGGS: That's when I got
10 upset.

11 BZA CHAIR MILLER: Okay, stop.

12 MS. SUGGS: That's when I got
13 upset because I felt that maybe you had some
14 sort of inside connection or something like
15 that so, yes, that's when I got upset.

16 MR. SIKDER: That is a very fat
17 lie. I never talked like that. I don't lie.

18 BZA CHAIR MILLER: Okay.

19 MS. SUGGS: You have no reason to.

20 MR. SIKDER: I explained very
21 clearly that this is a small lot.

1 BZA CHAIR MILLER: We don't want
2 to get into this right now. We are not
3 getting into the merits. We are probably
4 going to reschedule this. I thought she
5 should be aware of the representation that was
6 made about her. I think what you should do if
7 you have time at some point is review the file
8 which is in the Office of Zoning. It's a
9 public file.

10 MS. SUGGS: That's what Mr. Moy
11 told me.

12 BZA CHAIR MILLER: Okay. And you
13 can do that. Mr. Sikder has also indicated he
14 has trouble contacting the ANC. If you want
15 to bring this to the attention of the ANC, you
16 can do that as well. I think we can get into
17 the question of party status next time when
18 you are not under pressure to leave.

19 Basically if you are more impacted than
20 someone in the general public, you could be
21 eligible for party status which allows you to
22 fully participate and cross examine witnesses

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1 and things like that. Again, the Office of
2 Zoning, Mr. Moy in particular, would be able
3 to answer any questions that you might have
4 about these proceedings.

5 Is it the consensus of the Board
6 that we will reschedule given the questions
7 about the posting? Okay. Let's look for a
8 date then at this point.

9 MS. SUGGS: Excuse me. I just
10 need to know, because I have two children,
11 when you come down here this takes like hours?
12 It can take the whole day?

13 BZA CHAIR MILLER: Okay. Let me
14 say this. You should be here for an afternoon
15 proceeding at 1:00 because we didn't think
16 this case was going to take a long time in
17 comparison to the other case which is much
18 more complicated and we were prepared to take
19 you at 1:00. If the parties aren't here at
20 1:00 in which case you have to wait for the
21 other cases if they are ahead of you.

22 MS. SUGGS: Okay.

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1 BZA CHAIR MILLER: I still think
2 that think that this case is not a complicated
3 one so it wouldn't normally be last in the
4 afternoon but you don't know for sure.

5 MS. SUGGS: I just needed to know
6 for my children.

7 BZA CHAIR MILLER: You just need
8 to plan.

9 MS. SUGGS: I didn't plan. I'm
10 sorry.

11 BZA CHAIR MILLER: Well, you
12 didn't know. That's all right. What we are
13 going to do is now look and see what dates we
14 have available to move this case to and then
15 you can let us know if you are available.

16 MS. SUGGS: Okay.

17 BZA CHAIR MILLER: Okay. Can I
18 have your attention? We have available June
19 10th in the afternoon. Okay.

20 Mr. Sikder, you need to repost
21 this with the correct hearing date.

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1 MR. MOY: Excuse me, Miss. Could
2 you put yourself back on the microphone?

3 MS. SUGGS: I'm not familiar with
4 this process. I do know that in that
5 particular area the water tables are too high
6 to build --

7 BZA CHAIR MILLER: Don't testify
8 now. What I would suggest is that when you
9 have time and don't feel pressed, call Mr. Moy
10 and he will explain to you what you need to
11 do.

12 MS. SUGGS: Okay.

13 BZA CHAIR MILLER: Answer any
14 questions that you have.

15 MS. SUGGS: Okay.

16 BZA CHAIR MILLER: It's not going
17 to be for almost a month at this point so
18 you'll have time.

19 MS. SUGGS: Okay. That's fine.

20 BZA CHAIR MILLER: All right.

21 Thank you very much. June 10th in the
22 afternoon at 1:00.

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1 Okay. The Board needs to take a
2 10-minute break at this point.

3 (Whereupon, at 4:41 p.m. off the
4 record until 5:28 p.m.)

5 BZA CHAIR MILLER: We're back on
6 the record in Case No. 17759 of National
7 Cathedral School. I think we left off with,
8 Ms. Brown, you were going to be asking some
9 questions of Mr. Slade. Is that correct?

10 MS. BROWN: Yes. He was in the
11 middle of his presentation so I'll turn it
12 back over to him. We've used our time wisely
13 and can wrap it up quickly.

14 BZA CHAIR MILLER: Okay.

15 MR. SLADE: This is Lou Slade.
16 One of the questions that had come up quite a
17 while ago had to do with student parking in
18 the garage for the juniors and seniors who
19 drive legally and ask for a parking permit and
20 that number was 60.

21 During the break NCS checked with
22 their records and the number 60 is correct.

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1 Of those 60 students who have parking permits
2 four live in Ward 3 so they would potentially
3 be able to park on the street in RPP with a
4 Ward 3 sticker. They have gotten themselves a
5 permit to park in the garage so hopefully they
6 will use the garage.

7 I think the incident of park on
8 the street is a convenience thing that if you
9 go in the garage you've got a little bit more
10 effort to make even though you park for three
11 so I think that is why we still see some of
12 that.

13 I wanted to make it clear that we
14 did go back after the March 31st document and
15 the postcard was put in the hands of the
16 parents to observe traffic conditions to see
17 how much change had taken place and there has
18 been significant change.

19 When I said I would like to see
20 more parents using the Hurst Circle, which is
21 right at the upper school, there is capacity
22 there but we did a survey two weeks ago up

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1 there and during that morning peak hour 61
2 cars used that circle to drop off students
3 which is a big jump from where we were when we
4 started this earlier in the year and before we
5 put the postcard out when we saw just a few
6 incidental cars up there using it.

7 We were disappointed frankly
8 because it had been designed for that use. As
9 I said, this is just the first year of
10 operation of this garage and this circle. I
11 think during the construction people change
12 their habits and stayed away from that area
13 because of the heavy construction that was
14 going on. It was really closed off up there
15 so you couldn't get anywhere near there with a
16 car.

17 Our initial report, which is the
18 one you have in your record, was limited to
19 the intersections immediately around the
20 school because we wanted to project the
21 maximum impact that the increase in students,
22 faculty, and staff would have on those

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1 immediate intersections because most people
2 were dropping kids off there.

3 We worked with DDOT on the scope
4 and they agreed to the scope to limit it and
5 to not include the other places that Nancy
6 MacWood mentioned. We have gone back and done
7 this supplement. It was just finished late
8 last week. We gave a copy to DDOT. We gave a
9 copy to Nancy MacWood.

10 There we did look at Hurst Circle,
11 61 people used it, and how much traffic is
12 using the garage entrance from Wisconsin
13 Avenue where there is a new traffic signal.
14 It is operating very well at a very good level
15 of service. That makes it a good place to go
16 to to drop off kids because you don't have to
17 go down in the garage.

18 You can stay right up on the
19 surface. You turn left on an arrow off of
20 Wisconsin Avenue, do your drop-off and you go
21 back out and you safely go back out onto

1 Wisconsin Avenue again at a traffic signal so
2 it is a safe entry to Wisconsin Avenue.

3 That used to be unsignalized.
4 It's less congested, frankly, than Woodley
5 because Woodley is carrying a lot of other
6 commuters as well so we are hopeful that the
7 61 number will go up and up but I think it's a
8 slow process to kind of change people's
9 habits.

10 The problems that occur on Woodley
11 and 36th that have been talked about, yes,
12 they do occur but I think you get the
13 impression either as a driver when you get
14 caught in one of those backups that is the way
15 it is all the time. When you hear the
16 testimony and you haven't seen it, you're not
17 sure how frequently this occurs.

18 We have been out there for hours
19 watching traffic. That's what we do. These
20 are incidents that happen due to somebody
21 doing something wrong or not being directed as
22 they are now to do the right thing. For

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1 example, the cars that drop off kids on both
2 the north side and the south side of Woodley,
3 if all those cars get to the curb and drop off
4 the children on the curb side, traffic can
5 still pass in both directions on Woodley Road.

6 But if someone is coming out of a
7 parking space or trying to back into one, that
8 can block traffic moving and that happens
9 occasionally. Particularly when we had
10 everybody trying to be there. Now that we've
11 got 60 of them up on the circle it's gotten
12 much better. The more people that go up to
13 the circle, the better it will get.

14 The other thing that happens there
15 is a metro bus line on Woodley Road and
16 whenever there is a metro bus that causes
17 backups and it takes a little while for them
18 to clear through the traffic signal at Woodley
19 and Wisconsin. There are only a couple of
20 busses that come during the morning student
21 drop-off period. When they two busses come by

1 there is a little bit of additional
2 congestion.

3 Nancy mentioned the problem on
4 36th Street. You used to turn north onto 36th
5 Street and you typically would come into a
6 mess because parents were dropping off on both
7 sides of the street. We've eliminated that,
8 or are close to eliminating that totally. Can
9 we enforce it?

10 NCS can't give a traffic ticket to
11 a parent who makes that turn but once the
12 conditions are made rule of law by the Board,
13 then the school is going to put some teeth
14 into that for the next school year and we'll
15 be able to, as the head of school was
16 describing, be able to follow through with
17 parents who don't follow these rules that we
18 want them to follow.

19 I want to remind you that all of
20 the traffic counts we did at these
21 intersections show good levels of service.
22 Traffic congestion due to too much traffic

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1 trying to get through intersections is not la
2 problem in this immediate area partly because
3 we've got 200 cars pretty much off the street
4 into this garage since it was built. They
5 used to be wondering around in the
6 neighborhood looking for parking places.

7 The protocols that we put on that
8 card were the result of input from the
9 community and then our going out and watching
10 traffic and then coming up with
11 recommendations and it's those protocols that
12 the school is ready to commit to in the formal
13 conditions.

14 The community has asked for them
15 to be committed to and so what we are all in
16 agreement on, I think, is a set of traffic
17 rules for parents that will continue to
18 improve traffic conditions around the lower
19 school and the upper school.

20 That was why we felt very
21 comfortable, first of all, because levels of
22 service are already good and the additional

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1 traffic due to the change in student
2 enrollment and FTEs is not going to have a
3 significant impact on traffic conditions at
4 the intersections and that by making these
5 conditions rules that parents must follow, we
6 are, in fact, improving traffic conditions
7 from what they are today without the
8 increasing student body. All these efforts
9 have come a long way to make things better
10 around NCS and around the Close in general.

11 MS. BROWN: That concludes Mr.
12 Slade's rebuttal testimony. Just a couple
13 quick points. Again, we agree with the
14 conditions from the Office of Planning and the
15 ANC with the exception that we need to have an
16 exemption for the Ward 3 residential parking
17 permit drivers.

18 OP has recommended that we get a
19 separate agreement from the foundation on all
20 these conditions. I think we've heard today
21 that those are there but the application is in

1 the name of the foundation so I don't think
2 it's an issue.

3 Then for the conditions on the
4 purple card, we agree to all those in addition
5 to two more that have been recommended, the
6 training of the cross guard and encouraging
7 drop-off up at Hurst Circle and North Road.
8 With that, we are prepared to summarize some
9 of the post-hearing submissions that we have
10 discussed if you so wish.

11 BZA CHAIR MILLER: I have a
12 question. You have they use Hurst Circle,
13 North Road or the Close parking garage as
14 regular drop-off and pickup points as a
15 general recommendation on the cards. Is it
16 your position that it would be a condition or
17 a general recommendation? Can you hear me?
18 I'll just hold it.

19 My question was on the card it is
20 a general recommendation to be using the
21 Circle and North Road and the Close for drop-
22 off and pickup as a general recommendation.

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1 Are you still of the position that it should
2 be a general recommendation or a condition?

3 MS. BROWN: I think based on what
4 we have heard today we would like to establish
5 a parking policy and build some flexibility
6 into it to respond to current conditions or
7 any changing conditions in the neighborhood.
8 I think that is part of our post-hearing
9 submission that we would update our list of
10 conditions to reflect the flexibility to meet
11 the demand of the current conditions as they
12 fluctuate.

13 BZA CHAIR MILLER: Can't the
14 restrictions have consequences in the
15 enrollment contract? I think we have seen
16 this in other school situations where if the
17 parents don't abide by the traffic policies
18 that there are consequences?

19 MS. BROWN: Yes. In our proposed
20 condition No. 4 as it stands now we say
21 individual who violate the parking policy will
22 be subject to disciplinary action by the

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1 school. We can probably provide portions from
2 the student handbook about what that means.

3 BZA CHAIR MILLER: Another
4 question I have. I think you said you agree
5 with ANC and OP conditions except for what you
6 elaborated. I'm wondering how would you
7 enforce a policy requiring visitors to park on
8 the Close, especially those who live in Ward
9 3? Any visitors actually. They can park on
10 the street for two hours even if they don't
11 live in Ward 3.

12 MS. BROWN: I believe what we did
13 for St. Albans, and I'll have to go back and
14 check, was to direct visitors to park on the
15 Close but it will be difficult to enforce that
16 because that is something that is going to be
17 difficult to identify.

18 BZA CHAIR MILLER: Okay. I think
19 what we've seen in other orders is they have
20 been directed and informed about parking on-
21 site but I don't know how it can be required.

1 I have a question and then others
2 will maybe have any final questions for you
3 all. I'm under the impression that all drop-
4 off and pickup can't be on the grounds, that
5 some of it has to be on the street because you
6 are dropping off some small children on the
7 side of Woodley Road where the school is for
8 those children. Could you address that?

9 MR. SLADE: Your impression is
10 correct. Let's say you could physically or by
11 ruling require everyone to not drop off except
12 on the Close. Then you would have several
13 hundred, I don't know the number, of lower
14 school and middle school children that would
15 have to cross Woodley.

16 Whether it was at a traffic signal
17 or at the current crossing it would be quite a
18 delay to traffic wanting to move up Woodley.
19 We think it's impractical and probably unsafe
20 and not necessary because the streets around
21 the lower and middle school can handle the

1 drop-off. This management plan is getting us
2 to that point.

3 BZA CHAIR MILLER: Could you
4 require drop-off of certain students whose
5 buildings are on the side of Woodley Road
6 where their school is, where their building
7 is? This is for grades five through 12.
8 Correct? NCS five through 12.

9 I don't really know about the
10 drop-off whether it's different buildings
11 where children are being dropped off for
12 younger grades and different buildings for
13 older grades. Can you address that?

14 MR. SLADE: The upper school --
15 the only building on the south side of Woodley
16 is Hurst Hall and that is upper school. There
17 is no middle school or lower school children
18 in Hurst Hall. All the little kids from grade
19 8 down are destined to the buildings on the
20 north side of Woodley. I don't know the
21 numerical break. If every class was equal,

1 you would have four classes on the south side
2 and four on the north side.

3 BZA CHAIR MILLER: I think there
4 are going to be post-hearing submissions so we
5 will go through with what we are interested in
6 but it just comes to my mind I would like a
7 clarification about the employees and how the
8 FTEs should be factored in or whether it can
9 be phrased as a total number of employees.
10 Then there was another figure of total number
11 of employees on site at one time.

12 You just presented Mr. Slade as a
13 rebuttal witness. Is that right? Okay. Do
14 Board members have any questions for Mr. Slade
15 at this point?

16 ZC CHAIR HOOD: Is there anyway,
17 Madam Chair, that we can get a site plan? I
18 know that it's in the submissions behind
19 Exhibit B but for those of us who are not as
20 familiar, is there anyway we can kind of get a
21 site plan? I mean, unless my other Board
22 members -- am I being picked up now? Most

1 people don't want to hear me but thank you.

2 Is there anyway we can get a site plan

3 different from --

4 (Whereupon, at 5:45 p.m. off the
5 record until 5:46 p.m.)

6 ZC CHAIR HOOD: Madam Chair, what
7 I was asking for was a site plan different
8 from what we have here assigned Exhibit B. I
9 think it would help me out. I don't know
10 about my other colleagues but a site plan of
11 the whole -- I know it's not necessary
12 everything before us but if we can see how
13 things are in relationship to each other.

14 MS. BROWN: We do have it in the
15 transportation report but we'll get you a
16 better one for the post-hearing submission.

17 ZC CHAIR HOOD: Okay. Thank you.
18 The other thing is, Mr. Slade, you mentioned,
19 and this is my last comment, you mentioned
20 that once we deal with the conditions the
21 school would be able to enforce it.

1 I think the school actually can
2 enforce it long before that and I think that
3 actually gives a track record of exactly how
4 thing work even before you get down here. I
5 think I heard you say that and I just wanted
6 to make sure if I heard you correctly because
7 I think the school can enforce it long before
8 you even come here.

9 MR. SLADE: I'm not sure the right
10 way to say it. I think with the Board order
11 then the school can go to the parents and say,
12 "We have been ordered to do this and we want
13 to do this." It just gives it extra emphasis.

14 ZC CHAIR HOOD: On the school
15 policy but they can do that before. They can
16 have their own policy and they can institute
17 it. Right?

18 MR. SLADE: I certainly believe
19 so, yes.

20 ZC CHAIR HOOD: Okay.

21 MS. BROWN: We have proposed under
22 the conditions to put it as part of the

1 enrollment contract so that is going to start
2 with the school year. That will give it teeth
3 so while you can tell them to do it now, that
4 will be the teeth.

5 MEMBER WALKER: Madam Chair, let
6 me just echo Mr. Hood's concern about having
7 context here and the need for an overall site
8 plan. Some of us are not familiar with the
9 institution and do not live in Ward 3. I
10 really struggled here to get an understanding
11 of the location of the various institutions
12 and where are the garages and where are the
13 surface parking spaces and so forth.

14 It would be most helpful if on the
15 site plan that Mr. Hood requested that we
16 could have an indication of exactly where the
17 parking spaces are, how many parking spaces
18 exist in each garage and each surface area.
19 Then we need -- in the interest of having the
20 full picture, we need to have a sense of what
21 the required parking and number of parking
22 spaces is for each of your institution.

1 We've been talking about NCS and
2 that there is a requirement or an allocation
3 of 160 some odd spaces. What is it for the
4 other schools and what is your total number so
5 that we can back this out and ensure that you
6 indeed do have an adequate number of parking
7 spaces on the entire campus to meet your
8 requirements.

9 BZA CHAIR MILLER: Ms. MacWood, do
10 you have any cross examination for Mr. Slade?

11 MS. MacWOOD: I don't think this
12 is so much cross examination as I would just
13 like to make a comment. I think the Board
14 from some of the things Mr. Slade said is
15 getting the impression that the lower and
16 middle school students never cross Woodley
17 Road.

18 The cafeteria for the entire
19 school is on the south side of Woodley Road in
20 the upper school building so all students
21 cross Woodley Road to go to lunch. Also, the
22 athletic center, where all the PE classes are

1 held, is a block and a half away on the south
2 side of Woodley Road. The students also cross
3 the street to do that.

4 Some of the middle school students
5 -- I'm not sure what the curriculum is at this
6 point, whether any of the middle school
7 students have classes over in the upper school
8 or at St. Albans. I don't think they do but I
9 just didn't want to leave you with the
10 impression they are sequestered in the north
11 block building.

12 BZA CHAIR MILLER: I just want to
13 clarify, though that my question really went
14 to where would they need to be dropped off and
15 picked up? That is the issue I think we are
16 looking at. Not that they don't ever cross
17 the street but drop-off and pickup seems to be
18 a particular issue where the cars should
19 actually be going so they don't have to cross
20 and create other problems during rush hour in
21 the morning or whatever.

1 Okay. Any other questions at this
2 point?

3 MEMBER WALKER: Ok. One last
4 question for Mr. Slade. You made reference
5 recently to the queue for drop-off being above
6 ground and not having to go into the garage.
7 Is it the case that there is no drop-off at
8 all in the garage?

9 MR. SLADE: I'm glad you asked
10 that question. Parents could go into the
11 garage and drop-off. There is a -- the system
12 allows you to go in, grab a ticket, and come
13 right back out. There is no charge and so
14 forth.

15 They could do that so there is
16 more capacity there. I don't think anyone is
17 using it yet and we haven't pushed it because
18 we don't really think it's necessary yet but
19 that is another fall-back as we go forward if
20 we need to.

21 MEMBER WALKER: And so the plan
22 that you came up with that is reflected on the

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1 purple card that was disseminated at the end
2 of March is preferable? This plan is
3 preferable to having some drop-off under
4 ground?

5 MR. SLADE: I think it is because
6 when you drop-off at the street level or at
7 the ground level you are right at the front
8 door of the school. From the standpoint of
9 convenience it is certainly preferable.

10 You can go down into the garage
11 and drop-off if a student had a lot of things
12 to unload and there was a lot of traffic in
13 that circle and you were in the way, then you
14 could go down into the garage and do that but
15 you would be down at the basement level and
16 you would have to come up on the elevator or
17 climb the stairs.

18 At this point we just didn't see
19 that there was a need to push people down
20 there yet. If we got everybody who wanted to
21 get to the Hurst Hall building onto that
22 circle and we had a capacity problem, then I

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1 think the next year we might remind them that
2 they can go down in the garage and drop-off
3 down there as well. We were taking the first
4 step which is to remind them that the Hurst
5 Circle was available and they should be using
6 that.

7 MEMBER WALKER: Thank you.

8 BZA CHAIR MILLER: Who's at Hurst
9 Hall? Is that the upper school?

10 MR. SLADE: Yes.

11 BZA CHAIR MILLER: What if
12 everybody in the upper school were required to
13 be dropped at the Circle? Would that have an
14 impact on any parking and traffic problems?
15 See, we don't have as good a feel as you all
16 do about what is going on here --

17 MR. SLADE: I understand. I
18 understand.

19 BZA CHAIR MILLER: -- and where
20 the cards are going.

1 MR. SLADE: The only site plan
2 you've got right now is that little diagram
3 and we're going to give you --

4 BZA CHAIR MILLER: Looking at the
5 diagram we don't know how many cars are going
6 where. You said 61 out of how many. I don't
7 know.

8 MS. JAMIESON: The upper school is
9 in both buildings and on both sides of the
10 street. The middle and lower are in the other
11 building with the exception of coming across
12 for meals or use of the book store under
13 supervision.

14 BZA CHAIR MILLER: Also you're not
15 as worried about upper school kids crossing
16 the street as the younger kids. I'm just
17 wondering if that is a possibility. You're
18 saying you like to encourage people to drop-
19 off at Hurst Circle. If you were to require
20 it, would that be a problem? Would that be a
21 good thing or a bad thing?

1 MR. SLADE: I think that it's a
2 bad policy to require something if you can
3 make it work well without requiring it because
4 you are forcing people to make a traffic
5 pattern and go through another intersection or
6 two that they don't really want to or need to
7 anyway.

8 If my daughter wanted to go to the
9 north side of Woodley Road and I could drop
10 her off there easily and head to my job or
11 whatever and you made me go to Hurst Circle, I
12 might have to go through two more
13 intersections and impact those two
14 intersections.

15 As a general policy we are
16 avoiding forcing people to do anything. I
17 think if we had a major problem some place,
18 then we would certainly go to making
19 requirements. I think to answer the question,
20 though, if we made everybody who wanted to
21 land at Hurst Hall in the morning if we made
22 them all go to Hurst Circle, that circle could

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1 handle it, or we would send some of them down
2 in the garage.

3 If you enter the circle and it's
4 too crowded, drive down into the garage
5 because as you come off Wisconsin Avenue, you
6 have those two choices right in front of you.
7 If it seemed congested, go right down into the
8 garage and drop your daughter or car pool off
9 and come back out. I think we are a long way
10 from needed to do that.

11 BZA CHAIR MILLER: I think that is
12 really the first point and maybe you all can
13 just address that a little further in the
14 post-hearing submissions because the first
15 issue is whether there is a problem and, if
16 so, what is it because I do think it's a
17 mistake for the Board to start imposing
18 conditions if perhaps there isn't a problem
19 and then maybe creating other problems.

20 Okay. Any other questions? Do
21 you have a closing?

1 MS. BROWN: No, Madam Chair, no
2 closing because we have post-hearing
3 submissions and we just incorporated in there.

4 BZA CHAIR MILLER: All right. Why
5 don't we discuss what you will be submitting.
6 I'm not sure that it's necessary to do a whole
7 proposed findings and conclusions of law on
8 this unless you feel differently. I think
9 what we can do is try to have you address the
10 questions and issues that have come up in
11 today's hearing.

12 I'm going to start and then others
13 can add in. I don't want to forget that there
14 was a question about the impact on the
15 neighbors on Lowell Street, I think, with
16 respect to the third story or mezzanine
17 windows.

18 I believe a neighbor brought up a
19 question about landscaping perhaps to soften
20 the look of the side and whatever is beside
21 the front. I don't know, the part that is
22 facing the neighbors. And then whether or not

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1 there are real privacy concerns or not, you
2 know, and if there are, what would be done
3 mitigate that.

4 Then we get to -- we just talked
5 about the traffic and parking conditions; are
6 there any problems and what are the real
7 problems, if any; what conditions might be
8 proposed to mitigate any of those problems
9 that might be identified.

10 There is going to be, I guess,
11 addressing the issue of the numbers of the
12 staff and the faculty and the question of FTEs
13 versus counts of individuals and how that
14 affects the parking equation.

15 Mr. Hood asked for a site plan, I
16 think, and I think Ms. Walker did also, to put
17 everything in context of the whole Close
18 including the number of parking spaces that
19 are allocated to the different entities on the
20 Close.

21 We talked about whether or not the
22 parking spaces needed to be specifically

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1 designated. I think that you all responded
2 basically here at the hearing if you have
3 anything else you want to add you could.

4 Okay. Ms. Walker was just making
5 an observation. I don't know whether you all
6 want to address it or not, whether it's
7 necessary. There are various orders with
8 conditions involving this property. Sometimes
9 we try to consolidate all the conditions into
10 one order. I don't see that is appropriate in
11 this case.

12 If there are any inconsistencies
13 or something, you might want to take a look at
14 it. Ms. MacWood noticed before that 80 spaces
15 were supposed to be specifically designated,
16 for instance, so we have addressed that so if
17 there are any other conditions that might be
18 -- you know, if they are clearly inconsistent.

19 Nothing that we would need to have
20 a hearing on at this point, nothing
21 controversial that way. Anything else I'm

1 forgetting? Anything else that you recall
2 that we talked about?

3 MS. BROWN: We had on our list
4 just -- maybe it has been done with Mr.
5 Slade's testimony the conditions before we
6 implemented the measures on the purple card
7 and how the purple card conditions have the
8 result of those conditions. I think Mr. Slade
9 did address that but if he didn't, we can.

10 BZA CHAIR MILLER: You know what?
11 I just thought of another one, though,
12 actually. We were trying to get the context
13 here and we were talking before about what
14 policies do these conditions go with if any.
15 Like do you have a handbook that already says
16 all students have to register their cars who
17 are going to drive. What does that world look
18 like that these are fitting into?

19 MS. BROWN: That was my next one.

20 BZA CHAIR MILLER: Do you have
21 anything else?

1 MS. BROWN: Just that we would
2 update the conditions with, like I said,
3 flexibility in there to respond to current
4 conditions as necessary.

5 BZA CHAIR MILLER: I would also
6 ask because sometimes it's very obvious but I
7 don't think it is based on a hearing today
8 where it's not really, really obvious that you
9 should explain what adverse impact the
10 conditions are being proposed to mitigate.

11 MS. BROWN: We would be happy to
12 do that.

13 BZA CHAIR MILLER: Okay. You
14 didn't think of any others? Okay. Then we
15 just need to schedule this. If we did it
16 around our next decision meeting, which would
17 be June 3rd, I'm not sure if that is enough
18 time.

19 MS. BROWN: Yes, we've already
20 consulted with the ANC and we have some dates.

21 BZA CHAIR MILLER: Oh, good.

1 MS. BROWN: We would be happy to
2 file by May 20th and I believe the ANC is the
3 30th. I'm sorry. The decision would be June
4 3rd and then your response would be due the
5 30th or any day before then if that works for
6 the Board.

7 BZA CHAIR MILLER: So the
8 applicant would file a post-hearing submission
9 May 20th and the ANC would file a response on
10 May 30th?

11 MS. BROWN: Yes.

12 BZA CHAIR MILLER: And the
13 decision would be on June 3rd.

14 MS. BROWN: Right, if that gives
15 it -- if that would --

16 BZA CHAIR MILLER: That's fine.

17 MS. BROWN: By hand delivery.

18 BZA CHAIR MILLER: What day of the
19 week is May 30th?

20 MS. BROWN: It's a Friday so that
21 is the question if it would reach you in time
22 for your decision on Tuesday.

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1 BZA CHAIR MILLER: Okay. That's
2 fine. Okay. May 30th submission would have
3 to be in no later than 3:00 so that it could
4 get to the Board in time. All right. Then I
5 think that concludes this hearing. Thank you
6 all.

7 Ms. Bailey, do we have anything
8 else on the agenda for this afternoon?

9 MS. BAILEY: No, Madam Chair.

10 BZA CHAIR MILLER: Okay. Then
11 this hearing is adjourned.

12 (Whereupon, at 6:06 p.m. the
13 hearing was adjourned.)
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