

# **DRAFT**

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

Application of  
The Maret School

ANC: 3/4G02

### **STATEMENT OF THE APPLICANT**

#### **I. Nature of Application**

This application is made by The Maret School (“**Maret**” or the “**Applicant**”) for special exceptions to use a portion of the property that has an address of 5901 Utah Avenue NW (Square 2319, Lot 832) (the “**Property**”) for athletics programming. Maret proposes to re-purpose one of the existing buildings on the Property to be used as a Fieldhouse and to construct a baseball diamond, a multi-purpose field and parking spaces on the Property (collectively, the “**Athletic Facilities**”). This application requests special exception relief (1) pursuant to 11-U DCMR § 203.1(m) and 11-X DCMR § 104 to permit a private school use in a residential zone district; and (2) pursuant to 11-C DCMR § 710.3 to allow parking spaces within a front yard. The development of the Athletics Facilities will conform to the Zoning Regulations requirements in the R-1-B Zone District in all other respects.

#### **II. Jurisdiction of the Board**

The Board of Zoning Adjustment (“**BZA**” or “**Board**”) has jurisdiction to grant the relief requested pursuant to Subtitle X § 901.1 of the Zoning Regulations (11-X DCMR §901.1).

#### **III. Description of Property and Surrounding Area**

The Property is bound by Nebraska Avenue, NW, 28<sup>th</sup> Street NW, and an alley. The Property is comprised of approximately 5 acres and is located in the R-1-B Zone District.

**Commented [1]:**

This is not an accurate description of the Property boundaries since the property does not extend to 28th Street but only to the residences that face 28th Street. We suggest a more accurate description of the Property or words to indicate that this is roughly the boundary.

Single-family homes are located across Nebraska Avenue, NW from the Property, adjacent to the Property along 28<sup>th</sup> Street, NW, and across the alley from the Property with frontage on Rittenhouse Street, NW and Utah Avenue, NW. The Property currently includes significant topographical changes, with a grade change of approximately 35 feet from a high-point at the northwest corner of the property to a low-point at the southeast corner of the property. The Property currently has a curb cut from Nebraska Avenue, NW and access from the internal alley system in Square 2319.

The Property is currently used as playing fields and open space for the adjacent Episcopal Center for Children (“ECC”) private school, located on Lot 831 in Square 2319 (the “**ECC Property**”). The ECC Property consists of approximately 2.24 acres and includes three buildings that have frontage along Utah Avenue, NW and Nebraska Avenue, NW. The use and potential future operations of the ECC Property are not part of this application.

#### **IV.**

##### **Maret School Background and Athletic Field History**

###### **A. The Maret School**

The Maret School is an independent, coed, college-preparatory day school which was founded in 1911 as a school for international students. Maret has a long tradition of exploring and embracing the unique international culture of the nation’s capital and has its main campus on seven acres in the Woodley Park neighborhood at 3000 Cathedral Avenue, NW. Maret has approximately 650 students in grades K-12, with over 400 of those students residing in the District across all eight Wards. 51% of Maret’s students identify as students of color and approximately 25% of the Maret student body receives need-based financial aid.

###### **B. Athletic Field History and Partnership with the ECC**

Maret is committed to being an exemplary District citizen, "Building Community" is part of Maret's Mission Statement. As evidence of this commitment, Maret has made its existing campus athletic facilities at 3000 Cathedral Avenue, NW (two gymnasiums and a multipurpose athletic field) available to as many community groups as possible. These groups have included Stoddert Soccer (now known as DC Soccer), DC Dynasty Baseball, Horizons of Greater Washington, the DC Metropolitan Police Department and numerous other youth-focused organizations. In addition, Maret's Woodley Park campus is used for the Twin Spring's Farmers Market and Cleveland and Woodley Park Village activities.

While Maret makes extensive use of its Woodley Park campus athletic facilities, the Maret sports programs still require additional field space for athletic practices and competitions. Maret has utilized athletic facilities throughout the District, including: Duke Ellington Field; Wilson High School; Taft Junior High School; Jelleff Recreation Center; and the University of the District of Columbia. In the Fall of 2020, Maret signed a long-term lease (up to 50 years) with the ECC for the Property. Revenue from this lease with Maret will allow the ECC to remain a beneficial presence in the community where it has been for over 80 years, and will also allow Maret to augment its existing athletic facilities and satisfy its programmatic need for field space.

#### **V. Development Proposal**

The development of the Athletic Facilities on the Property presents a unique opportunity for Maret to enhance and simplify its athletic field needs, while also providing a significant community benefit in the form of athletic fields and open space that can be utilized by local schools, youth sports organizations, and residents of the surrounding community.

A. Athletic Fields

Maret proposes to develop a baseball diamond and a multi-purpose field that will be used for baseball, football, soccer, and lacrosse. The development of these fields will require regrading of the Property to provide appropriate playing surfaces, and the relocation of a handful of Heritage Trees. Small areas of bleacher seating are proposed along the first and third base lines adjacent to the baseball diamond and a seating area is proposed in the northwest corner of the Property for fans/guests/visitors watching games on the multi-purpose field. The baseball diamond and the multi-purpose field will be ringed by unobtrusive netting and support posts to keep balls from exiting the playing area. A scoreboard, with a height of approximately 18-25 feet above the adjacent finished grade, is proposed to be located on the northern end of the Property. This scoreboard will only be used for Maret games, and will not be used during any youth sports organization games. Various materials depicting the Athletic Facilities, are provided on pages \_\_ of Exhibit A.

The siting, screening, and layouts of the athletic fields have been carefully studied in order to accommodate the significant grade change on the Property and to minimize any potential impacts on the adjacent properties. A significant landscape screening buffer is proposed (see pages \_\_\_ of Exhibit A) and the Applicant has agreed that the athletic fields will not include any lights.

B. Fieldhouse

The former ECC Media Center will be renovated in order to serve as the Fieldhouse for the Property. No additions are proposed to the former Media Center building, but interior renovations will be undertaken in order to provide locker/changing rooms for visiting teams, office space for Maret coaches and Athletic Department Staff, storage space, and restrooms for

**Commented [2]:**  
This needs a better definition. "Unobtrusive" is purely subjective, and it may not be considered "unobtrusive" to neighbors. Is there a specific material that can be specified? Will the netting have any foliage, e.g., ivy?

**Commented [3]:**  
This is a large range, and the difference between 18 and 25 feet could be significant for neighbors.

players/coaches/staff/fans/visitors to the Property. A new entrance to the Fieldhouse will be provided on the side of the building that faces the athletic fields.

C. **Proposed Field Usage**

The proposed development of athletic fields on the Property presents a unique opportunity for Maret to enhance and simplify its athletic field needs, while providing a wonderful benefit and amenity to the surrounding community. The intended use for the Athletic Facilities will be for both Maret and other youth sport organizations consistent with Maret's policies at the 3000 Cathedral Avenue, NW property. During the school year, the Athletic Facilities will not be utilized by Maret prior to 2 pm. This presents an opportunity for ECC students or students from nearby schools to use the Maret Athletic Facilities during portions of their school day. In addition, Maret anticipates that there will be ample opportunity for structured neighborhood use of the Property on weekends and in the early evenings throughout the year.

Maret anticipates five different "seasons" of activity on the Property. The anticipated uses of the Athletic Facilities and the Property during those seasons are provided in detail below.

Pre-Season (Mid-August – Labor Day)

Maret teams will be using the Athletic Facilities Monday – Friday during the hours of 8:00 am – 6:00 pm (generally in three-hour blocks). Coaches and players will arrive at the Property via bus, with 50-60 coaches and players expected at any one time. Maret anticipates that the Property will be made available for structured neighbor access on the weekends and

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The five seasons description portrays a very heavy usage load at the facility, with consequent impacts not only to adjacent neighbors but on the larger area in terms of traffic flow and roadway safety, noise, etc. For four "seasons" a year, there could be a minimum of 50-60 kids and coaches combined every weekday at the site, and 100 or more when they have full games of different sports. This raises a question of whether such intensive use is appropriate. Additional uses by non-Maret groups on weekends, or summer evenings till 8 pm suggests that this field may operate 8 to 10 hours a day, or more, with no respite on weekends.

For the local residents this could be a major change from the quiet, bucolic current status. Considerations of noise and traffic come to the fore with such heavy, intense use.

Maret should consider limiting non-Maret uses until there is some experience to assess the impact on the neighborhood. There needs to be a balance between the needs of the neighborhood and Maret's interest in maximizing use of the facility and revenues.

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What are Maret's projections for fees that will be derived from all non-Maret uses? We are concerned that this be primarily a Maret athletic field, not that it is a revenue generator for Maret. The usage agreement that was provided indicated a \$1000 rental for one day for the Maret gym. Similar fees for this property would provide a substantial revenue stream for Maret.

**Commented [6]:**

What does this mean? How will it be "structured"? Will fees be charged? Given the heavy use of the property by Maret and its authorized users, how much time will be available for "structured neighbor access"?

during the early evening hours. No Maret related activities are anticipated over the Labor Day weekend.

Fall Season (After Labor Day through Thanksgiving)

On weekdays (Monday – Thursday) in the Fall, Maret expects to utilize the Athletic Facilities after school from 3pm - 6 pm, with Wednesday practices and games starting at 2:00 pm. Practices during these times will normally consist of 50-60 players and coaches who will be bused from Maret’s Woodley Park campus to the site. Weekday games during these times are expected to include approximately 40 players and coaches along with 50-60 spectators for each game. Friday afternoon/early evening games and Saturday games (from 1 pm – 6 pm) will occur approximately five times during the Fall season and are expected to draw up to 100 spectators and approximately 40 players and coaches. A couple of these games are “rivalry” games that could result in up to 200 spectators.

**Commented [7]:**  
These are larger than the 50 spectators that were discussed at the ANC meeting. Will the spectator stands be sufficient to accommodate such crowds? Will parking be sufficient? How much noise will be created by 200 spectators? Will food trucks be permitted for any events?

Maret expects to make the Athletic Facilities available for youth sports organizations on Saturdays from 9 am – 1 pm and on Sundays from 10 am – 5 pm. Structured neighbor access is anticipated on the weekends when the Property is not being used for the activities described above. No Maret related activities are anticipated over the federal holiday weekends of Indigenous People’s Day and Thanksgiving.

**Commented [8]:**  
What about Veteran’s Day, which is a federal holiday but no longer necessarily on a weekend.

Winter Season (Thanksgiving through mid-February)

During the winter months, Maret does not expect to utilize the Athletic Facilities. Maret intends to make the Athletics Facilities available to youth sports organizations on Saturdays from 10 am – 5 pm, on Sundays from 9 am – 5 pm, and during the week from 3 pm – 7 pm. Structured neighbor access is anticipated on the weekends when the Property is not being used

for the activities described above. No Maret related activities are anticipated on Christmas Day, New Year's Day, and the federal holiday weekends of Martin Luther King, Jr. Day and Presidents Day.

Spring Season (Post Presidents Day to Memorial Day)

When the Spring seasons start, Maret's use of the Athletic Facilities will look very similar to the Fall season, with some additional times due to the lengthening days. Maret expects to utilize the Athletic Facilities after school from 3pm – 7 or 8 pm, with Wednesday practices and games starting at 2:00 pm. Practices during these times will normally consist of 50-60 players and coaches who will be bused from Maret's Woodley Park campus to the site. Weekday games during these times are expected to include approximately 40 players and coaches along with 50-60 spectators for each game. Friday afternoon/early evening games and Saturday games (from 10 am – 5 pm) will occur approximately six times during the Spring season and are expected to draw up to 100 spectators and approximately 40 players and coaches. A couple of these games are "rivalry" games that could result in up to 200 spectators.

**Commented [9]:**  
This is later than presented at the ANC meeting and will run into the dinner hour for nearby residents. Is that necessary? Why not end at 5, as with the rest of the year?

**Commented [10]:**  
Same comments as above.

Maret expects to make the Athletic Facilities available for youth sports organizations only on Sundays from 10 am – 6 pm. Structured neighbor access is anticipated on the weekends when the Property is not being used for the activities described above. No Maret related activities are anticipated over the federal holiday weekend of Memorial Day.

Summer Season (Early June – Mid August)

Maret does not anticipate utilizing the Athletic Facilities during the Summer months, but does anticipate making the facilities available to outside groups who can appropriately use the facilities, while also providing a benefit to the wider community. Potential Summer uses during

the week could include sports/day camp between 9 am and 3 pm. Maret currently partners with Horizons of Greater Washington for such a day camp use at the Woodley Park campus. Participants in these camps are expected to be dropped off in the morning and picked up in the afternoon.

Maret expects to make the Athletic Facilities available for youth sports organizations in the weekday afternoons from 4 pm – 8pm. Structured neighbor access is anticipated on the weekends. No Maret related activities are anticipated over the federal 4<sup>th</sup> of July holiday.

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This is a new use that was not discussed at the ANC meeting. How many campers could use the fields? What will be the impact on traffic for pickup and dropoffs? What is Maret's expected income from these uses?

**Commented [12]:**  
Again, it will impact the dinner hour for residents. Will this be M-F every day during the summer? What fees does Maret project from this use?

**Commented [13]:**  
What about non-Maret activities? Will the fields be leased to others for holidays?

**Commented [14]:**  
There are two Sections V. Section numbering should be corrected.

## **VI.** **Description of Relief Requested**

Pursuant to 11-U DCMR § 203.1(m), the Board may grant special exception relief to allow private schools in the R-1-B Zone, subject to certain considerations. Pursuant to 11-X DCMR § 104, the Board may grant a special exception for general education use by a private school, subject to similar considerations. As described above, Maret requests special exception relief pursuant to 11-U DCMR § 203.1(m) and 11-X DCMR § 104. In addition, pursuant to 11-C DCMR § 710.3, the Board may grant special exception relief regarding the location of required parking spaces, subject to certain conditions. The Applicant is requesting special exception relief to locate the parking spaces in the front yard of the Property, adjacent to the Nebraska Avenue, NW entrance.

All of 11-U DCMR §§ 203.1(m), 11-X DCMR § 104, and 11-C DCMR § 710.3 set forth the standards for consideration of a special exception and are discussed in more detail below. 11-X DCMR § 901.2 also sets forth additional standards for all special exceptions, which are also detailed further below.

## **VII.**



### **Satisfaction of Standards for Relief**

The proposed development and use of the Athletic Facilities satisfies all of the standards and conditions for the special exception relief requested, as detailed below in Sections A and B, as well as the general special exception standards, as detailed in Section C.

#### A. Private School Use

The proposed development of the Athletic Facilities and the use of those facilities by Maret is consistent with the definition of private education in the Use Categories of Subtitle B, §200.2, which defines “Education, Private” use as:

- (1) An educational, academic, or institutional use with the primary mission of providing education and academic instruction that provides District or state mandated basic education or educational uses.
- (2) Above uses may include, but are not limited to: accessory play and athletic areas, dormitories, cafeterias, recreational, or sports facilities; and
- (3) Exceptions: This use category does not include uses which more typically would fall within the daytime care, public education or college/university education use category. This use category also does not include the home schooling of children in a dwelling by their parent, guardian, or private tutor.

#### 1. *The Campus Will Not Create Objectionable Impacts on Neighboring Properties (Subtitle U, §203.1(m)(1) and Subtitle X, 104.2).*

The use of the Athletic Fields is not likely to create objectionable impacts on neighboring properties due to noise, traffic, the number of students, or otherwise objectionable conditions.

##### a. *Noise*

The design of the Athletic Facilities will include significant landscaping to mitigate views and sounds from the immediately adjacent residential properties. A significant landscape screening buffer will be established along the perimeter of the Property, as depicted on pages \_\_ of Exhibit A.

As noted above in the discussion of the proposed field usage, no late-evening outdoor events that have the potential to create objectionable noise impacts on the neighborhood will be

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It is a legitimate question whether Maret’s use of the ECC property is properly an “accessory” use. The first examples given in the regulations are dormitories and cafeterias (as well as sports). This context suggests that it could apply only for facilities which are close by or adjacent to the base educational school – e.g., dorms and cafeterias are not three miles from the base school. The application should address how the ECC property qualifies as an “accessory” since it is significantly distant from Maret’s home campus. A DC boarding school or day school might access a neighboring open lot, or even buy some neighboring houses and tear them down for a dormitory or a cafeteria or other “accessory” purpose. A recreational open space for recess is part of the school day educational routine. But the distance from Maret to ECC raises questions about the validity of the exception Maret is seeking. The applications should explain how the ECC property qualifies as an “accessory” use.

permitted. The Applicant has agreed that it will not propose, nor will it allow the installation or use of any lights to illuminate the athletic fields. Any lighting provided on the Property will solely be down-lit security lighting necessary to provide a safe environment.

Any public address sound system or buzzers associated with the use and operation of the Athletic Fields will be designed to minimize noise. Maret also agrees to prohibit the use of any artificial noisemakers, such as cowbells or airhorns, by fans/visitors who are watching a game or practice on the athletic fields. For these reasons, the Applicant believes that the proposed development and use of the Athletics Facilities will not create objectionable impacts due to noise.

*b. Traffic*

Maret will implement a Transportation Management Plan to help facilitate the flow of traffic in and out of the site and mitigate any traffic impacts that may result from the application.

The Transportation Management Plan will consist of: (i) a Transportation Demand Management (TDM) Plan; and (ii) an Operations Management Plan. A Preliminary Transportation Management Plan is attached as Exhibit B. Highlights of the preliminary TDM Plan include:

- Enhancement of bicycle infrastructure to encourage non-auto modes of travel (Maret will provide a minimum of nine short-term bicycle racks (18 spaces) in public space abutting the Property or on the Property);
- Designation of a bus drop-off/pick-up zone on Nebraska Avenue, NW adjacent to the Property that is sufficient in length to accommodate two full size buses (subject to DDOT approval);
- Requirement that all Maret students and coaches travel to and from the Property by bus for practice (except for students who live in the neighborhood, who will be allowed to walk or bike to/from practice); and
- Requirement that all Maret students and coaches, and all visiting team students and coaches, travel to and from the Property by bus for games (except for students who live in the neighborhood, who will be allowed to walk or bike to/from games).

Highlights of the preliminary Operations Management Plan include:

**Commented [16]:**

This is too subjective. Can there be an objective standard — e.g., maximum decible levels? Can Maret have an audio engineer arrange a simulation of the expected noise from 40 players, 150 fans, and any speaker systems?

**Commented [17]:**

The Transportation Management Plan needs to be much more detailed than the one provided to us. A typical transportation management plan begins with a description of the current conditions — traffic counts at various times of day, available parking spaces. It then makes projections for the amount of traffic that will be created by the planned facilities and its impact on traffic and parking. None of that data is included in the current TMP.

**Commented [18]:**

This will require a public space permit. Why does the parking lot have to be in public space?

**Commented [19]:**

Will this space be sufficient to accommodate Maret and visiting team buses? Where will the buses park between dropoff and pickup? Will the drop-off and pick-up zones be available for private vehicle parking on Nebraska or will they be permanently reserved for buses at all times?

- Providing notice to Maret parents, visiting teams, and all outside users of the Athletic Facilities that:
  - When the on-site parking lot is full, they are to park only in legal on-street parking spaces (i.e. do not block driveways or park in alleys) and obey all parking restrictions; and
  - They are to obey all traffic laws when traveling to/from the Property.
- Providing event flaggers in the parking lot to direct traffic to available spaces in the parking lot during events in which the parking lot is expected to be at, or near capacity; and
- Trash and recycling will be picked up via the alley with primary trash and recycling receptacles located off the alley at the northwest corner of the Property.

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Will Maret support a prohibition on parking for athletic events on the south side of Nebraska?  
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In addition, the Applicant will prepare a comprehensive transportation review (“CTR”) that will provide a detailed analysis of the traffic and parking impacts of the application. The CTR and the final Transportation Management Plan will be provided to DDOT, the BZA, ANC 3/4G, and other community stakeholders at least 45 days in advance of the public hearing in this case.

**Commented [21]:**  
Can this be provided sooner? Is there an analysis of projected traffic flows?

*c. Number of Students*

Maret’s use of the Property for Athletic Fields will not result in an increase in the number of Maret students. The maximum number of Maret students practicing or playing on the Athletic Facilities at any one time is not expected to exceed \_\_\_\_\_. This level of student activity is not expected to generate objectionable impacts on neighboring properties.

*d. Other Objectionable Conditions*

The development and use of the Athletic Facilities will not create any other objectionable conditions. The Applicant’s design team have undertaken significant efforts to minimize the impact of the development on the environment and have taken steps that will help improve the current conditions of the Property that negatively impact adjacent property owners.

The development of the baseball diamond and multi-purpose field will include the relocation of Heritage Trees to the north and northwest portions of the Property. The Applicant has prepared a tree relocation plan which will allow for the successful relocation of those trees. In addition, the design and layout of the Athletic Facilities has been carefully undertaken in order to reduce any potential impact on the 12 significant trees (sometimes referred to as the Apostle Trees) that are located on the ECC Campus adjacent to the Property.

Maret has designed the Athletic Facilities to mitigate stormwater runoff and actually improve the current stormwater runoff conditions<sup>1</sup>. As shown on pages \_\_ of Exhibit A, the proposed turf system that will be constructed on both the baseball diamond and the multi-purpose field will facilitate the infiltration of water into the soil, thus creating a pervious surface consistent with Subtitle C, § 502.1(b). This system provides for both retention and detention of stormwater. Maret will coordinate its stormwater management plan with the District Department of the Environment (“DDOE”). The Athletics Facilities will comply with all relevant DDOE stormwater management regulations (enumerated in Chapter 5 of Title 21 of the District of Columbia Municipal Regulations) and will satisfy the requirements of the District’s Municipal Separate Storm Sewer System (“MS4”) permit issued by the U.S. Environmental Protection Agency under the Clean Water Act.

*2. Ample parking space, but not less than that required by this title shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile (Subtitle U, §203.1(m)(2)).*

<sup>1</sup> Currently, the Property includes no stormwater management infrastructure. Members of the Applicant’s design team have met with adjacent property owners on 28<sup>th</sup> Street and have learned about the issues that those property owners currently have with stormwater flowing onto their properties.

**Commented [22]:**  
Is Maret using the terms “retention” and “detention” to mean that any system designed with an underdrain or outlet that slowly releases the water downstream is a detention system, while a system that is designed to permanently retain water onsite, typically via infiltration, is a retention system? Both will likely be needed.

A private high school use is required to provide two parking spaces for every three teachers or employees and one parking space for every ten seats in the largest auditorium, gymnasium, or area usable for public assembly, whichever is greater (see Subtitle C, §701.5). Based on the maximum number of Maret teachers/employees/coaches/staff that are expected to be on the Property at any one time, and the largest number of seats provided adjacent to the Athletics Facilities, the Zoning Regulations require approximately 20 parking spaces **[final number still to be determined]** on the Property. The Applicant is proposing to include approximately 50 parking spaces on the Property.

3. *After hearing all evidence, the Board of Zoning Adjustment may require additional parking to that required by this title (Subtitle U, §203.1(m)(3)).*

The Applicant believes that the 50 parking spaces provided on the Property will be sufficient to address the demand for parking generated by the proposed use of the Athletics Facilities. The CTR and the final Transportation Management Plan that will be submitted prior to the public hearing in this case will address this issue in greater detail.

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Maret apparently does not believe that 50 parking spaces will be sufficient. Elsewhere in the application, there are provisions “when the on-site parking lot is full,” and for “events in which the parking lot is expected to be at, or near capacity.”

4. *The development standards for a private school shall be those of the zone in which the private school is located. (Subtitle X, §104.3).*

The proposed Athletic Facilities satisfy all of the development standards of the R-1-B Zone District.

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What are these “development standards”?

5. *In calculating density, the land area shall include not include public streets and alleys, but may include interior private streets and alleys within the school boundaries. (Subtitle X, §104.4).*

No public streets or alleys are included within the boundaries of the Property.

B. Location of Parking Spaces Adjacent to Nebraska Avenue, NW

As noted above, the Applicant is requesting that it be able to locate the parking spaces adjacent to the Nebraska Avenue, NW entrance to the Athletic Facilities. This area is considered to be the front yard of the Property. The Applicant is requesting Special Exception relief from the parking space location restrictions of Subtitle C, §710.2, pursuant to the enumerated standards of Subtitle C, § 710.3. Subtitle C, §710.2 prohibits locating surface parking spaces on a portion of a lot that is between a building restriction line and a front lot line, and within a front yard.

As noted above, the Athletic Facilities will provide approximately 50 parking spaces located on the portion of the Property that is adjacent to Nebraska Avenue, NW. The Property and the proposed Athletics Facilities are affected by several conditions that limit the ability to provide the parking spaces anywhere on the Property, other than the proposed location adjacent to Nebraska Avenue, NW.

1. *It is not practical to locate the parking spaces in accordance with Subtitle C, §710.2 due to the unusual topography and grades of the Property and the proposed location of the parking spaces results in a more efficient use of the land, better design or landscaping, and safer ingress/egress (see Subtitle C, §710.3(a) (1) and (4)).*

Due to the significant topographical changes in the Property, approximately 35 feet from the high-point of the northwest corner to the low-point at the southeast corner, it is not practical to locate the parking spaces in the northern portion (or rear) of the Property and still provide appropriate areas for the multi-purpose field and the baseball diamond. In order to provide for the most efficient use of the site, the fields have been located in the northern part of the Property which allows for an overlapping of the baseball field onto the multi-purpose field. Providing parking in this northern section of the site would essentially create another constraint to the fields, and lessen the overall areas to be used. Similarly, if the parking spaces were required to

be located on the northern portion of the Property, adjacent to the alley, the significant topographical changes would require extreme grading throughout the site in order to provide the necessary flat areas for the fields, and relocated Heritage Trees. As noted above, the northern area of the Property has been deemed to be an ideal spot for the relocation of the Heritage Trees. The relocation of the Heritage Trees to the northwest corner of the Property further enhances the overall landscape buffering proposed in this application. Finally, the existing alley is only 15 feet wide and is not conducive to the amount of two-way traffic that would be occurring in accessing the 50 parking spaces on the Property. Therefore, the proposed location of the parking spaces provides a safer alternative for ingress/egress to the Property than a scenario in which the parking spaces were located on the northern portion of the Property.

2. *The parking spaces are located on the Property so as to furnish reasonable and convenient parking facilities for Maret students/faculty/staff, guests, and visitors to the Property (Subtitle C, §710.3(b))*

The location of the proposed parking spaces, adjacent to the Athletics Facilities, provide a simple and easy access point from Nebraska Avenue, NW. Allowing access to the parking spaces from Nebraska Avenue, NW, rather than the internal alley system in Square 2319 also mitigates potential adverse impacts on adjacent properties that have frontage on Utah Avenue, NW, Rittenhouse Street, NW, and 28<sup>th</sup> Street, NW and share that alley system.

3. *The BZA may impose conditions as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. (Subtitle C, §710.3(c))*

The Applicant believes that the extensive landscape buffer and screening depicted on pages \_\_\_ in the attached Exhibit A effectively screens views of the parking spaces and it is not necessary for the Board to impose any additional requirements on the Applicant.

**Commented [25]:**

Part of the proposed parking lot is across the building restriction line and in public space. It will be prudent to obtain a Public Space Permit for this use before the BZA hearing. Otherwise, the BZA could approve a parking lot design that the Public Space Committee will not permit.

C. Satisfaction of General Special Exception Criteria (Subtitle X, § 901.2)

The BZA is authorized to grant special exceptions when granting such a special exception:

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Maps;*
- (b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*
- (c) *Will meet such special conditions as may be specified in this title.*

As described throughout this statement, the proposed development and use of the Athletic Fields will not adversely affect neighboring properties due to noise, traffic, or create other objectionable conditions. The Applicant has sited the fields, designed a significant landscape buffer, and agreed to certain prohibitions on operations of the fields (i.e., no lights, no artificial noisemakers, limiting PA and shot clock/buzzer noise) in a concerted effort to minimize any adverse or objectionable impacts on neighboring properties. As discussed above, the Applicant satisfies all of the specific conditions of approval for the proposed private school use and location of the parking spaces. For these reasons, the Applicant has satisfied the standards of Subtitle X, § 901.2.

**VIII.**  
**Community Outreach**

Representatives of the Applicant have already engaged in significant community outreach regarding the Athletic Facilities and will continue working with the adjacent neighbors, community stakeholders, and Advisory Neighborhood Commission (“ANC”) 3/4G as this application approaches the public hearing date before the BZA. Representatives of the Applicant made a presentation at ANC 3/4G’s monthly meeting on September 27, 2021 and received helpful feedback from the 100+ participants in that Zoom meeting. The Applicant is committed



to continuing dialogue and discussions with the adjacent neighbors, ANC 3/4 G, community stakeholders, and DC Government agencies regarding this application.

~~IX.~~  
**List of Exhibits**

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Exhibit A – Plans/materials/pictures of existing conditions/additional information depicting the Athletics Facilities

Exhibit B – Preliminary Transportation Management Plan

~~X.~~  
**Conclusion**

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For all of the above reasons, the Applicant is entitled to the special exception relief requested in this case. The entire Maret Development Team looks forward to continuing to engage with the community and the ANC prior to the Board's public hearing regarding this application.

Respectfully submitted,

        /s/          
Paul A. Tummonds, Jr.