

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 18233 of Protestant Episcopal Cathedral Foundation, on behalf of the National Cathedral School for Girls (“NCS”), pursuant to 11 DCMR § 3104.1, for a special exception under § 206 to allow an increase in the number of faculty and staff at an existing private school in the R-1-B and R-5-D Districts at 3600 and 3609 Woodley Road, N.W., (Square 1944, Lot 25 and Square 1922, Lot 17).

HEARING DATE: July 19, 2011
DECISION DATE: July 19, 2011

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 3C, and to all owners of property within 200 feet of the site. The subject property is located within the jurisdiction of ANC 3C, which is automatically a party to this application. ANC 3C submitted a letter expressing no objection to the application. The Office of Planning (“OP”) submitted a report in support of the application. The District Department of Transportation (“DDOT”) submitted a report stating that it did not disagree with the special exception application.

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for special exception relief under § 3104.1 for an increase in the number of faculty and staff at an existing private school under § 206 of Zoning Regulations. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board closed the record at the conclusion of the hearing. Based upon the record before the Board, and having given great weight to the ANC and OP reports, as well as consideration to the

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DDOT report filed in this case, the Board concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 3104.1 for a special exception under § 206, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirements of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT to the following CONDITIONS:**

1. NCS' student enrollment shall not exceed 585 students. NCS shall employ no more than 165 full-time equivalent faculty and staff.
2. The Applicant shall maintain 176 parking spaces on the Cathedral Close or the Woodley North campus for use by NCS faculty, staff, students, and visitors.
3. NCS shall require faculty, staff, and students who drive to the school to park on the Close in off-street parking allocated to NCS.
4. NCS shall continue to participate in parking demand management activities sponsored by the Protestant Episcopal Cathedral Foundation ("PECF") to reduce parking demand generated by students, faculty and staff. These measures include: encouraging the use of public transportation; making available reduced fare Metro passes; offering credits for bicycle commuters; and other measures as may be provided by PECF from time to time such as remote parking and shuttle service between the Close and nearby Metrorail stations.
5. NCS shall continue to require faculty, staff, and students who drive to school to register their vehicles with the school and to display an identifying sticker on each vehicle so as to facilitate compliance with the parking policy. NCS shall require each parent to agree to the parking policy when that parent signs each year's enrollment contract, including a requirement that individuals who violate the parking policy will be subject to disciplinary action by the school.
6. Visitors who drive to school events and activities shall be directed to park on the Close in off-street parking allocated to the NCS to the extent parking is available. NCS shall inform all visitor schools in writing of the location of visitor parking.
7. NCS shall maintain a neighborhood liaison committee composed of NCS staff and neighbors for the purposes of coordinating and discussing traffic and parking

issues, and for yearly reporting in December on the actual number of students and the number of faculty and staff employed by the school. NCS shall provide a contact telephone number and e-mail address for persons who wish to report any failure to comply with the conditions adopted in this Order.

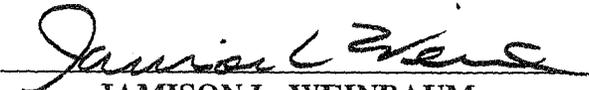
8. NCS shall continue its current parking policy addendum established March 31, 2008, but shall have the flexibility to amend any provision after consideration of the proposed change by the liaison committee.
9. The Applicant shall have the flexibility to modify its parking policy and vary the location of parking spaces.

VOTE: 5-0-0 (Meridith H. Moldenhauer, Nicole C. Sorg, Lloyd J. Jordan, Jeffrey L. Hinkle and Michael G. Turnbull to Approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

ATTESTED BY:


JAMISON L. WEINBAUM
Director, Office of Zoning

FINAL DATE OF ORDER: AUG 27 2011

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

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PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THEREOF, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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As Director of the Office of Zoning, I hereby certify and attest that on AUG 27 2011, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail or delivered by electronic mail in the case of those ANCs and SMDs that have opted to receive notices thusly, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

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ATTESTED BY:

A handwritten signature in black ink that reads "Jamison L. Weinbaum".

JAMISON L. WEINBAUM
Director, Office of Zoning

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