

February 17, 2021

D.C. Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 200S  
Washington, D.C. 20001

Re: **The River School – BZA Application for 4220 Nebraska Avenue NW  
(Square 1727, Lots 4 and 5) (the “Property”) – Special Exception  
Application**

Dear Members of the Board:

Please accept for filing the enclosed application of The River School (the “**Applicant**”) for special exception to establish its new campus serving children from birth through 6<sup>th</sup> grade at the Property (the “**Project**”). The Applicant is seeking special exceptions (1) pursuant to 11-U DCMR § 203.1(m) and 11-X DCMR § 104 to permit a private school in a residential zone district; (2) pursuant to 11-U DCMR § 203.1(h) to permit a childhood development center in a residential zone district; and (3) pursuant to 11-C DCMR § 703.2 to allow the 12 tandem parking spaces and six spaces in the pick-up/drop-off loop in the total parking supply to count toward the 52-space parking requirement.

The application package includes the following materials:

- Statement of the Applicant, including the statement of existing and intended use of the Property.
- BZA Form 135, Self-Certification (Exhibit A).
- Authorization Letters authorizing this application (Exhibit B).
- Zoning map with Property outlined in red (Exhibit C).
- Certification of Proficiency (Exhibit D).
- Statement of Public Outreach (Exhibit E).
- Preliminary Transportation Management Plan (Exhibit F).

- List of names and mailing addresses (including mailing labels) of the owners of all property within 200 feet of the boundaries of the Property (Exhibit G).
- Building Plat, prepared by the D.C. Surveyor, showing the footprint of the proposed structures on the Property (Exhibit H).
- Proposed plans for the Project, including photographs of the Property (Exhibit I).

Also enclosed is a check for \$4,810.00, which represents the filing fee in this matter. We believe that the application is complete and acceptable for filing, and we request that the Board schedule a public hearing on the application as soon as possible. If you have any questions, please do not hesitate to contact the undersigned at (202) 721-1138. Thank you for your attention to this application.

Sincerely,

/s/  
Meghan Hottel-Cox

Enclosures

## Certificate of Service

The undersigned hereby certifies that copies of the foregoing document was delivered by electronic mail, first-class mail, or hand delivery to the following addresses by February 17, 2021.

Jennifer Steingasser  
Joel Lawson  
Office of Planning  
[Jennifer.Steingasser@dc.gov](mailto:Jennifer.Steingasser@dc.gov)  
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/s/ \_\_\_\_\_  
Meghan Hottel-Cox

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

Application of  
The River School

BZA Application No.  
ANC: 3E05

**STATEMENT OF THE APPLICANT**

**I.**

**Nature of Application**

This application is made by The River School (the “**School**” or the “**Applicant**”) for special exceptions to locate its child development center/school campus serving children from birth through 6<sup>th</sup> grade (the “**Campus**”) at 4220 Nebraska Avenue NW (Square 1727, Lots 4 and 5) (the “**Property**”). The application requests special exception relief (1) pursuant to 11-U DCMR § 203.1(m) and 11-X DCMR § 104 to permit a private school in a residential zone district; (2) pursuant to 11-U DCMR § 203.1(h) to permit a childhood development center in a residential zone district; and (3) pursuant to 11-C DCMR § 703.2 to allow the 12 tandem parking spaces and six spaces in the pick-up/drop-off loop in the total parking supply to count toward the 52-space parking requirement. The Campus development will conform to the Zoning Regulations in all other respects.

**II.**

**Jurisdiction of the Board**

The 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 located in the Tenleytown neighborhood and is bounded by Nebraska Avenue, Van Ness Street, and 42<sup>nd</sup> Street NW. The Property is comprised of 98,935 square feet of land area, or just over 2.27 acres. The Property is currently improved with a large house



constructed in the 1920s (the “**Historic Building**”) and several other structures (the “**Accessory Buildings**”). The Accessory Buildings at the Property include a gate/guest house near the Nebraska Avenue entrance, a pool house, a garden shed, and a cupola that is located on a brick base. The Property includes significant areas of open space and many large trees. The Property currently has curb cuts on both Nebraska Avenue and 42<sup>nd</sup> Street. The Nebraska Avenue curb cut provides primary access to the Property and a circular driveway adjacent to the Historic Building.

Under Oak, as the Historic Building is known, is the work of two important figures in the history of the development of the District; architect Victor Mindeleff and landscape architect Rose Greely. Mindeleff’s design for the house celebrated the monumental oak tree from which it takes its name, and which was said to be over 250 years old. The Buchanans, the current owners of the Property, took the important step of hiring Rose Greely to design a comprehensive landscape plan for the entire site in 1955. Greely was a pioneering figure in the field of landscape architecture who was involved in the design of several notable sites in the District. For Under Oak, Greely designed a series of terraces, a new rose garden, driveways, and other features. Over the years the site saw a series of alterations including the 1958 construction of the pool and pool house, and the construction of the guest/gate house in the 1970s. In approximately 1960, when the Mount Alto Veterans Administration Hospital was being demolished, the Buchanans saved one of its cupolas, installed it on a brick base, and located it on the grounds.

Nearly one hundred years after its construction, Under Oak has retained its historic integrity, both in terms of the house and the site. In light of this historic character of the Property, the School has worked closely with the Historic Preservation Office (“**HPO**”) regarding the Campus plans even though the site does not have official landmark status. The

Campus is currently undergoing a courtesy review by the Historic Preservation Review Board (“**HPRB**”). The School expects to have comments from the HPRB prior to the Board’s consideration of this application.

The Property is located on an institutional corridor of Nebraska Avenue. The American University’s Washington College of Law is located one block to the north of the Property, and the National Presbyterian School, Child Care Center, and Church are located across Nebraska Avenue and immediately south of the Property. Further to the north is the commercial intersection of Wisconsin Avenue and Nebraska Avenue, and the Property is less than ½ a mile from the Tenleytown-AU Metrorail Station along Wisconsin Avenue. Further to the south along Nebraska Avenue are several non-residential properties, including American University buildings, the Department of Homeland Security, and Restoration Church.

The Property lies between these institutional uses bordering Nebraska Avenue NW and large single-family home neighborhoods to the west and north. The other uses in the square include six large single-family houses. Across Nebraska Avenue to the east is a federal reservation and additional single-family homes. Across Van Ness Street to the south is another federal reservation.

#### **IV.** **School Background and Proposed Program**

The River School was founded to provide an inclusive educational experience for students with hearing loss. The River School is the first school in the United States to educate young children with hearing loss learn alongside their hearing peers right from the beginning. The River School’s mission is to provide a program that challenges each child to work collaboratively, think critically, and develop confidence to take risks, embrace their curiosity, and find their voice. The School provides premier, inclusive education for all students, with a

focus on early language, literacy and social-emotional development; theme-based curriculum; and a wide array of classes in the arts, sciences and physical development. The School uses a unique co-teaching model that pairs a master's level educator and a speech-language pathologist full time in each classroom, a unique and effective combination that optimizes child development and allows for personalized education for each child. The School was founded in 1999 in Washington, DC, and has grown into an international model school. The School prepares all students to thrive within general school populations upon graduation from the School.

Consistent with the School's mission, approximately 18 % of the current student population have hearing loss, and the School also includes a clinic for children with hearing loss. The clinic primarily serves the School population, including alumni, and is also open to children in the surrounding community. The clinic provides diagnostic and audiology services, hearing aid and cochlear implant programming, occupational therapy, speech therapy, auditory-verbal therapy and psychological assessment and treatment as an ancillary service that furthers the mission of the School. The clinic also provides a vital service as one of only two facilities in the District that accepts Medicaid for its diagnostic services. Finally, in serving its mission, the School operates a summer camp for low-income children with hearing loss. Currently sixty percent of children with hearing loss enrolled at The River School receive financial aid.

The School currently serves 210 students from birth through third grade and has 72 faculty and staff members. The existing School campus is located on MacArthur Boulevard, and the School's growth and operation are constrained by the size and outdated nature of the facilities. The School's relocation to the Property presents a unique opportunity for the School to further its mission on an institutional corridor that is Metro accessible while respecting the surrounding residential community. The School's relocation to the Property will allow the

School to expand its offering to provide education for students from birth to 6<sup>th</sup> grade. As part of this expansion, the School seeks to increase its maximum enrollment to 350 students and its faculty and staff to 90.

The Campus plan that will facilitate this growth makes use of the existing Historic Building, respects the overall natural features of the Property, and locates all new construction away from the nearby single-family houses. The interior of the Historic Building will be renovated while the exterior will remain intact. The Historic Building will provide space for offices and some of the School's youngest students. The guest/gate house and the pool house will be used for accessory space for the School. The Applicant has coordinated with HPO to determine which elements of the Historic Building and Accessory Structures should be maintained, as reflected in the Campus plans attached as Exhibit I (the "**Plans**").

The Plans also show that all new construction is concentrated away from the neighboring homes. The new buildings on the Campus will be located along Nebraska Avenue and Van Ness Street in three separate pavilions. The main building will be located at the south end of the site at the intersection of Nebraska Avenue and Van Ness Street. This main pavilion will be three full stories with a partial, set-back fourth story. It will house space for classrooms, student gatherings, School offices, and below-grade activities, including a gym. A smaller two-story pavilion will be attached to this main building extending toward the west which will provide additional classroom space. A final pavilion will be constructed along Nebraska Avenue to the north of the main building, which will be two stories high with a gabled roof that will also provide classroom space. Playground space will be located in the center of the Campus between the Historic Building and the new construction.

The Campus site circulation has been designed to take advantage of the existing curb cut along Nebraska Avenue and to minimize the impact on the neighboring properties. The majority of parking will be located below-grade. The Applicant will close the curb cut on 42<sup>nd</sup> Street allowing all School-related traffic to enter and exit via Nebraska Avenue NW. Traffic will enter the School from Nebraska Avenue via the existing curb cut, widened to accommodate emergency vehicle access, if required, at the northern end of the site. The below-grade parking garage will be accessed via a parking ramp at the northern end of the Property. Based on conversations with the adjacent neighbors to the north who have resided in their home for almost thirty years, this parking ramp will be enclosed and covered to minimize its impacts. The historic cupola is proposed to be relocated to the top of this ramp enclosure to further enhance the attractiveness of the design. Vehicles accessing the site for pick-up/drop-off operations will pass by the entrance to the garage and enter a newly constructed loop road between the Historic Building and the new pavilion along Nebraska Avenue. Pick-up/drop-off operations will occur in this central location and vehicles will then exit back on to Nebraska Avenue through a new curb cut to the south. Some ancillary parking spaces will be located in the existing drive circle and driveway adjacent to the Historic Building. The loading facilities will be located adjacent to the north pavilion building. All of the surface drive, parking, and loading areas will be screened from adjacent properties with plantings. In addition, the existing guest/gate house will act as a buffer.

Upon completion, the total gross floor area of the Campus will be 66,691 square feet, including 12,603 square feet of existing development and 54,088 square feet of new development. Therefore, the total Campus will have a floor area ratio (“**FAR**”) of 0.67. The maximum height of the tallest new building will be 50 feet. The building will be set back 10 feet from the Property line along its street frontage and the fourth story, beginning at 38 feet in

height, will be set back an additional 17 feet. The Campus will have a lot occupancy of less than 30% and will provide over 50% of the Property as pervious surface.

**V.**  
**Description of Relief Requested**

Pursuant to 11-U DCMR § 203.1(m), the Board may grant a 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. The Applicant proposes to locate its new Campus at the Property located in the R-1-B Zone, and therefore requests special exception relief pursuant to 11-U DCMR § 203.1(m) and 11-X DCMR § 104.

Pursuant to 11-U DCMR § 203.1(h), the Board may grant special exception relief to allow daytime care use, including childhood development centers, in the R-1-B Zone, subject to certain conditions. The proposed Campus will include a significant portion of students between birth and three (3) years of age. That portion of the use will occupy 20,058 square feet of GFA of the Campus and will constitute the childhood development center (“CDC”) portion of the use. Therefore, the Applicant requests special exception relief pursuant to 11-U DCMR § 203.1(h).

Finally, pursuant to 11-C DCMR § 703.2, the Board may grant special exception relief to reduce the number of required parking spaces, subject to certain conditions. Here, the Campus includes 42 zoning-compliant parking spaces, 12 tandem spaces and six pick-up/drop-off spaces, for a total of 60 spaces, which the Applicant and its transportation expert have determined are sufficient to address the vehicular parking demand for the Campus. However, under the Regulations, 52 fully compliant spaces are required.<sup>1</sup> Therefore, the Applicant requests special

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<sup>1</sup> The required parking spaces are based on the following calculations: (1) based on 63 faculty/staff allocated to the private school use, 42 parking spaces are required for the education use, and (2) based on 20,058 square feet of CDC use, 10 parking spaces are required for CDC use.

exception relief pursuant to 11-C DCMR § 703.2 to allow the tandem and pick-up/drop-off spaces to be counted toward the requirement.

All of 11-U DCMR §§ 203.1(h, m), 11-X DCMR § 104, and 11-C DCMR § 703.2 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.

## **VI.**

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

The Campus satisfies all of the specific standards for the three areas of special exception relief requested, as detailed below in Sections A-C, as well as the general special exception standards, as detailed in Section D.

#### **A. Private School Use**

The private school use of the Campus covers the School programming for children ages three (3) and older. This includes the Pre-K classes through 6<sup>th</sup> grade and constitutes the majority of the Campus' proposed use. As detailed below, the Campus has been designed to be compatible with the historically significant Property and the surrounding homes, while complementing the existing institutional corridor along Nebraska Avenue.

##### **1. *The Campus Will Not Create Objectionable Impacts on Neighboring Properties***

The Campus is not likely to create objectionable impacts on neighboring properties due to noise, traffic, the number of students, or otherwise objectionable conditions. The Campus is proposed to have a maximum of 350 students and 90 faculty and staff. The unusually large site can easily accommodate the School population without negatively impacting neighboring properties. The School has concentrated both new development toward the southeast end of the site, further away from the neighboring residential properties.

By concentrating new development and the School population within the center and southeast portion of the Property, the Plans also minimizes any potential noise impacts on adjacent properties. The outdoor play space will be located centrally within the Campus, providing noise barriers through the buildings and landscaping around the Property. Additionally, the Campus will have minimal noise impacts on the neighboring properties due to the age of the student population. Because the School will only serve students up through 6<sup>th</sup> grade, there are no large playing fields or late-evening outdoor events that will have noise impacts on the neighborhood. Finally, the Campus will include significant landscaping, including several trees, as well as screenings and vertical plantings to mitigate views and sounds from the immediately adjacent residential properties.

Finally, regarding traffic, the Campus will not cause adverse impacts, as detailed here and below. With the increase in people coming to the Property, the School is aware of the important traffic considerations and will adopt a Transportation Demand Management Plan (“**TDMP**”) to reduce vehicular traffic and ensure that appropriate protocols are in place to accommodate the pick-up/drop-off operation in a safe and efficient manner. The School will utilize the existing driveway (with a widened curb cut to accommodate emergency vehicle access, if required) and will add only one curb cut along Nebraska while closing the curb cut on 42<sup>nd</sup> Street. The design of the loop road coupled with the implementation of the TDMP will ensure the School is able to accommodate all queueing on site and the Campus provides, as detailed below, ample parking for the School.

In addition, the School has engaged Wells + Associates, a traffic engineering firm, which will produce a comprehensive transportation review (“**CTR**”) in consultation with the District Department of Transportation (“**DDOT**”) that will be submitted to the Board in advance of the



public hearing. The CTR will account for the maximum proposed number of students and faculty/staff at the Property and will include details of the TDMP and recommendations for other improvements that may be necessary to mitigate the impact of the Project, as determined by the results of a traffic impact analysis. Accordingly, the proposed number of students and faculty/staff at the Property in conjunction with the TDMP will not cause adverse traffic impacts on the neighborhood. Attached as Exhibit F is a Preliminary Transportation Management Plan (“PTMP”) prepared by Wells + Associates. The School expects to continue refining the PTMP based on feedback from the neighbors, the ANC, and DDOT and will submit a final TMP prior to the hearing.

2. *The Campus Includes Ample Parking*

The Campus provides ample parking for the School’s demands. The private school use itself will require 42 parking spaces, which the Campus provides, including 40 spaces within the parking garage and two spaces in front of the existing Historic Building. However, the School is requesting, as detailed below, a special exception from the total required 52 parking spaces once the CDC use is factored into the parking requirement. The Campus provides an additional six spaces in the loop connecting the two curb cuts along Nebraska Avenue NW. While these spaces do not count for zoning purposes because they are not always accessible (they will not be utilized for parking during the pick-up/drop-off period in the mornings and afternoons) they will serve the overall use on Campus. Additionally, the parking garage will include 12 tandem spaces, increasing the usable parking spaces on Campus to 60 spaces. Further, these six pick-up/drop-off spaces and the 12 tandem spaces are uniquely suited for the Campus given the predictable nature of drivers and the need for temporary spaces during the day for the School use.

Additionally, Wells + Associates has agreed that the parking provided is sufficient to address the anticipated typical peak demand at the Campus. While there will be a portion of the population that will require parking based on the current and proposed enrollment and employment, the proposed TDMP, referenced above, will work to decrease vehicular trips to the Property by incentivizing non-auto modes of transportation. As detailed above, the ample parking, coupled with the circulation at the Property and the TDMP, will prevent the Campus from having an adverse traffic impact on the surrounding community.

B. Child Development Center Use

The CDC use encompasses the students at the School who are newborns up to three (3) years of age. Under 11-U DCMR § 203.1(h), the review standards for the Board to approve a CDC use are similar to those of a private school use. As demonstrated above, and further detailed below, the proposed Campus satisfies these conditions for approval of the CDC use.

1. *The Campus Will Not Create Objectionable or Unsafe Traffic Conditions*

As detailed above, the Campus has been designed to mitigate traffic conditions on the surrounding community. Vehicular access to the Campus will be from Nebraska Avenue, and all queueing and parking for the School will be on the Property. Finally, as detailed above, the School's expert transportation consultant, Jami Milanovich with Wells + Associates, is studying the overall Campus and will submit a full transportation analysis, including the final TMP, which will include both a Transportation Demand Management Plan and an Operations Management Plan to minimize transportation impacts and promote safe conditions as part of the Campus development.

2. *There is No Off-Site Play Area*

The School will not provide an off-site play area for the CDC use. As discussed above, there will be a playground for the School on Campus, which the CDC students will be able to use.

3. *The Campus is Designed to Protect Neighboring Properties*

As significantly detailed above, the proposed Plans and the Campus operations have been highly designed with the protection of the neighboring properties in mind. The buffering between the Property and most of the adjacent neighbors, the limitations of disturbance or new construction on the north side of the Property, and the enclosing of the parking ramp all illustrate the level to which the Applicant has gone to protect neighboring properties.

4. *The Campus' Impact Has Been Assessed Together with Existing Conditions, Including National Presbyterian Child Care Center*

The impact of the Campus, including the CDC use, has been assessed based on the existing conditions within the neighborhood, including other CDC uses. Within 1,000 feet of the Property, there are three other daytime care uses for children: (1) National Presbyterian CDC, (2) St. Albans CDC, and (3) Broadcasters CDC. With the transportation analysis conducted by Wells + Associates discussed above, the existing conditions that includes transportation to these other uses will be included. Therefore, the total impact of the Campus will be assessed together with the other CDC uses within 1,000 feet of the Property.

C. Parking Spaces

As detailed above, the Campus will provide 42 fully-compliant parking spaces where 52 are required. The Property is affected by several conditions that limit the ability to provide the required parking, as detailed below. However, the Campus provides 18 additional parking spaces that will serve the population even though they cannot be counted for zoning purposes. Finally,

the Property is well-served by transit and is providing the needed parking to adequately serve the School community.

1. *The Campus Cannot Provide All Required Parking Spaces Due to Physical Limitations, Heritage Trees, and the Historic Building, but the Campus Has Limited Parking Needs and is Well Served by Mass Transit*

There are numerous factors about the Property itself that limit the ability to provide parking. The Historic Building, original garden and Accessory Buildings limit the ability to take advantage of the full Property for parking, both on the surface and below grade. Additionally, the Historic Building limits the areas of below grade construction that can be completed without risking damaging the structure. Further, the Property's many trees include six (6) heritage trees. These trees limit the areas of disturbance where parking can be located. Finally, given the adjacency of neighboring residents, the School is concentrating new construction and surface parking as much as possible on the center or the south end of the Property.

While there are site limitations to providing the required parking, the Property is also well-served by public transit. Due to its location in the R-1-B Zone, the Property is not eligible for an automatic 50% reduction in parking spaces, but the Property is only 0.3 miles from the Tenleytown-AU Metrorail station and less than 0.25 miles from the Wisconsin Avenue/Pennsylvania Avenue Priority Corridor Network Metrobus Route (Route 31). Given this proximity, in addition to proposed incentives offered by the School, the School anticipates many faculty/staff will take public transit. The Property is also well served by the bicycle network and is very walkable, increasing the non-automotive transit options for families, faculty, staff, and visitors.

Finally, as will be detailed further in the comprehensive transportation analysis to be provided by Wells + Associates, the zoning-compliant parking provided at the Property is sufficient to serve the School's needs, particularly when supplemented by the tandem and surface

spaces. Therefore, the Campus is eligible for a parking reduction special exception from the Board.

2. *The Relief Requested Only Applies to Spaces Unable to be Provided on Campus*

The School is requesting relief for 10 spaces because the Property is physically unable to accommodate those additional spaces as required by the zoning regulations. As detailed above, this is due to the limitations of the existing Historic Building, site configuration, and the heritage trees on the Property. Further, the Campus includes 18 additional parking spaces that are not zoning compliant. Six of those spaces are within the pick-up/drop-off loop, and therefore are not accessible at all times, as required by the zoning regulations. Additionally, 12 tandem spaces are located in the parking garage. While not zoning compliant, these spaces will be functional for the specific needs of the School, with the tandem spaces used by faculty and staff who typically leave latest and the surface spaces used by short-term visitors.

3. *The School Shall Provide a Transportation Demand Management Plan*

As detailed above, the Applicant has engaged Wells + Associates as the transportation expert for the Campus planning and will provide a full transportation analysis, including a TDMP, prior to the hearing. Attached as Exhibit F is the PTMP providing an initial TDMP. Further, the TDMP will specifically address the amount of parking provided on Campus and how it will adequately meet the needs of the School community.

D. The Campus is in Harmony with the General Purpose and Intent of the Zoning Regulations

The proposed special exception is in harmony with the general purpose and intent of the Zoning Regulations, as it balances the needs of the School with the surrounding community. The Campus plan, as discussed, will not adversely affect neighboring property from noise, traffic,

design, or other conditions, and the Project provides adequate parking, so the requested special exceptions for school and CDC use will satisfy the standards stated in the Zoning Regulations.

Additionally, as detailed thoroughly above, the proposed parking relief is consistent with the purpose and intent of the Regulations given (1) the extensive transportation-related conditions the Applicant will provide as part of the TDMP, (2) the Metro accessibility of the Property, and (3) the additional spaces provided that, while not part of the zoning-compliant spaces, will provide needed parking for those coming to the Campus.

Therefore, the approval of the Campus will be consistent with the general purpose and intent of the zoning regulations.

## **VII.**

### **Community Outreach**

The School has already engaged in significant community outreach regarding the Campus proposal and will continue working with the neighbors, community, and Advisory Neighborhood Commission (“ANC”) regarding the Campus. The School thoughtfully conducted neighborhood outreach by starting reaching out to the immediate neighbors early on in the process. These included the immediately adjacent neighbors and other property owners within the square. Feedback from these immediate neighbors shaped the overall Campus design. After the initial neighbor outreach, which included site visits with the neighbors, the School sent letters to all neighbors within 200 feet alerting them to the Campus plans. The School held a community-wide virtual meeting in December of 2020. The School has also invited members of the broader community for walk-throughs of the Property to discuss the Plans. Exhibit E includes a detailed list of the community meetings held regarding the Campus.

Finally, the School has conducted regular outreach with the ANC and has met with the Office of Planning and DDOT to discuss the Campus. Most recently, the Applicant team

presented at the ANC's monthly meeting on February 11, 2021. The Applicant team is committed to continuing dialogue and discussions with the neighbors, community, ANC, and government agencies including crafting conditions on the operation of the Campus to address community and agency concerns.

**VIII.**  
**Conclusion**

For all of the above reasons, the Applicant is entitled to the special exception relief requested in this case.

Respectfully submitted,

\_\_\_\_\_  
/s/  
Allison C. Prince

\_\_\_\_\_  
/s/  
Meghan Hottel-Cox

# EXHIBIT A





BEFORE THE BOARD OF ZONING ADJUSTMENT  
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)
4220 Nebraska Avenue NW	1727	4, 5	R-1-B
Single-Member Advisory Neighborhood Commission District(s):		3E05	

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is requested from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	<input type="checkbox"/> X § 1000.1 - Use Variance	<input type="checkbox"/> X § 1002.1 - Area Variance	<input checked="" type="checkbox"/> X § 901.1-Special Exception
Pursuant to Subsections			U-203.1(h,m); C-703.2

Pursuant to 11 DCMR Y § 300.6, the undersigned agent certifies that:

- (1) the agent is duly licensed to practice law or architecture in the District of Columbia;
- (2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
- (3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment (BZA) does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the BZA.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this form is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.  
(D.C. Official Code § 22 2405)

DocuSigned by: Helen Hilliard		Owner's Signature		Owner's Name (Please Print) RUTH H. BUCHANAN REVOCABLE TRUST DATED MAY 25, 2006, AS AMENDED	
79B14149A850475... DocuSigned by: John Todd Trainor, Trustee		Agent's Signature		Agent's Name (Please Print)	
Date FDF4F7C078AE409...	D.C. Bar No.		or	Architect Registration No.	



BEFORE THE BOARD OF ZONING ADJUSTMENT  
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)

Single-Member Advisory Neighborhood Commission District(s):

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is requested from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	<input type="checkbox"/>	X § 1000.1 - Use Variance	<input type="checkbox"/>	X § 1002.1 - Area Variance	<input type="checkbox"/>	X § 901.1-Special Exception
Pursuant to Subsections						

Pursuant to 11 DCMR Y § 300.6, the undersigned agent certifies that:

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- (2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
- (3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment (BZA) does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the BZA.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this form is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.  
(D.C. Official Code § 22-2405)

Owner's Signature		Owner's Name (Please Print)	
Agent's Signature		Agent's Name (Please Print)	
Date	D.C. Bar No.	or	Architect Registration No.

**INSTRUCTIONS**

**Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.**

1. All self-certification applications shall be made on this form. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 - Application for Variance/Special - Exception to the Office of Zoning, 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
<b>Lot Area</b> (sq. ft.)					
<b>Lot Width</b> (ft. to the tenth)					
<b>Lot Occupancy</b> (building area/lot area)					
<b>Floor Area Ratio (FAR)</b> (floor area/lot area)					
<b>Parking Spaces</b> (number)					
<b>Loading Berths</b> (number and size in ft.)					
<b>Front Yard</b> (ft. to the tenth)					
<b>Rear Yard</b> (ft. to the tenth)					
<b>Side Yard</b> (ft. to the tenth)					
<b>Court, Open</b> (width by depth in ft.)					
<b>Court, Closed</b> (width by depth in ft.)					
<b>Height</b> (ft. to the tenth)					



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

# EXHIBIT B

Board of Zoning Adjustment  
441 4<sup>th</sup> Street NW  
Suite 200-S  
Washington, D.C. 20001

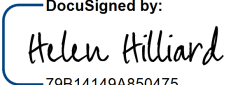
**Re: Board of Zoning Adjustment Application**  
**4220 Nebraska Avenue NW (Square 1727, Lots 4 and 5)**

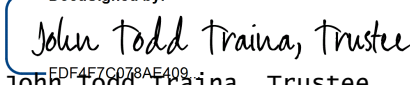
Honorable Members of the Board:

As the owner of the above-referenced property, the purpose of this letter is to authorize The River School to file and process a Board of Zoning Adjustment application regarding the property and to authorize the law firm of Goulston & Storrs, PC to file a zoning application for the Property and appear at all proceedings before the Board of Zoning Adjustment.

Sincerely,

RUTH H. BUCHANAN REVOCABLE TRUST DATED MAY 25, 2006, AS AMENDED,  
HELEN MATHESON HILLIARD AND JOHN TODD TRAINA, TRUSTEES

DocuSigned by:  
  
By: Helen Hilliard  
Name: Helen Hilliard  
Title: Trustee

DocuSigned by:  
  
John Todd Traina, Trustee  
Trustee



Board of Zoning Adjustment  
441 4<sup>th</sup> Street NW  
Suite 200-S  
Washington, D.C. 20001

**Re: Board of Zoning Adjustment Application**  
**4220 Nebraska Avenue NW (Square 1727, Lots 4 and 5)**

Honorable Members of the Board:

As the applicant for a project at Square 1727, Lots 4 and 5 (the “**Property**”), I hereby authorize the law firm of Goulston & Storrs, PC to file a zoning application for the Property and appear at all proceedings before the Board of Zoning Adjustment on behalf of the undersigned applicant concerning the above-referenced application.

Sincerely,

The River School

By:

  
Nancy Mellon, Head of School

# EXHIBIT C

**Exhibit C - Zone Map Excerpt**  
(Property Outlined in Red)





# EXHIBIT D

### CERTIFICATION OF PROFICIENCY

I hereby certify that I have read the Rules of Practice and Procedure of the D.C. Board of Zoning Adjustment (“**Board**”) as set forth in Subtitle Y of Title 11 of the District of Columbia Municipal Regulations (“**2016 Zoning Regulations**”), and I am able to competently represent the applicant and owner in proceedings before the Board.

  
Meghan Hottel-Cox

# EXHIBIT E

## **STATEMENT OF PUBLIC OUTREACH**

The River School (the “**School**”) has already engaged in significant community outreach regarding the campus proposal (the “**Campus**”) and will continue working with the neighbors, community, and Advisory Neighborhood Commission (“**ANC**”) regarding the Campus. The School thoughtfully conducted neighborhood outreach by starting reaching out to the immediate neighbors early on in the process. These included the immediately adjacent neighbors and other property owners within the Square. Feedback from these immediate neighbors shaped the overall Campus design.

After the initial neighbor outreach, which included site visits with the neighbors, the School sent letters to all neighbors within 200 feet alerting them to the Campus plans. The School held a community-wide virtual meeting in December of 2020. The School has also invited members of the broader community for walk throughs of the Property to discuss the Plans. Listed below are all of the community meetings that have occurred to date.

Finally, the School has conducted regular outreach with the ANC and has met with the Office of Planning and DDOT to discuss the Campus. Most recently, the Applicant team presented at the ANC’s February 11<sup>th</sup> monthly meeting. The Applicant team is committed to continuing dialogue and discussions with the neighbors, community, ANC, and government agencies including crafting conditions on the operation of the Campus to address community and agency concerns.

### **River School – Neighbor Meeting List**

<b>Meeting Date</b>	<b>Attendees</b>	<b>Platform</b>
08/05/20	Adjacent Neighbor	Site Meeting
10/13/20	Adjacent Neighbor	Site Meeting
11/20/20	Adjacent Neighbor	Site Meeting
11/23/20	Adjacent Neighbor	Site Meeting
12/16/20	Adjacent Neighbor	Virtual Meeting
12/17/20	Larger Neighbor Meeting	Virtual Meeting
12/19/20	Larger Neighbor Meeting	Site Meeting
12/22/20	Area Neighbor	Virtual Meeting
01/07/21	Adjacent Neighbor	Virtual Meeting
01/15/21	Area Neighbor	Site Meeting

\_\_\_\_\_/s/\_\_\_\_\_  
Meghan Hottel-Cox

# EXHIBIT F

## THE RIVER SCHOOL PRELIMINARY TRANSPORTATION MANAGEMENT PLAN

To help facilitate ingress to, egress from, and the flow of traffic on campus and to reduce the impact of the proposed development, the River School (the School) will implement a Transportation Management Plan that will consist of: 1) a Transportation Demand Management (TDM) Plan, 2) an Operations Management Plan, and 3) a Monitoring Plan. Each plan is summarized below:

### Transportation Demand Management

#### Overview

Traffic and parking congestion can be solved in one of two ways: 1) increase supply or 2) decrease demand. Increasing supply requires building new roads, widening existing roads, building more parking spaces, or operating additional transit service. These solutions are often infeasible in constrained conditions in urban environments and, where feasible, can be expensive, time consuming, and in many instances, unacceptable to businesses, government agencies, and/or the general public. The demand for travel and parking can be influenced by Transportation Demand Management (TDM) plans. Typical TDM measures include incentives to use transit or other non-auto modes of transportation, bicycle and pedestrian amenities, parking management, alternative work schedules, telecommuting, and better management of existing resources. TDM plans are most effective when tailored to a specific project or user group.

#### Proposed Components of TDM Plan

In order to more effectively reduce school-generated traffic volumes, the School's TDM plan will be enhanced. The TDM Plan is intended to be flexible in order to respond to changes in school demographics, technology, transportation services, and various mitigation options available. Accordingly, it is envisioned that over time new approaches in addition to those listed below will be identified and programs developed to respond to these changes. The River School proposes the following strategies as part of their TDM "toolbox":

#### *General Strategies:*

1. Designate a TDM coordinator who will be responsible for organizing, marketing, and accomplishing the tasks in the TDM plan and who will act as a liaison with DDOT and the community. The TDM coordinator position may be part of other duties assigned to the individual.
2. Create a transportation section on the School's website with up-to-date information regarding all transportation options available to students, parents/guardians, and employees, including but not limited to public transportation (Metrobus and Metrorail), biking facilities and amenities (including campus bicycle parking).
3. Hold quarterly meetings with the community to garner feedback on traffic and parking related issues for the length of the performance monitoring program.

4. Provide a bike maintenance facility and bicycle parking in the garage or other easily accessible area for students and faculty/staff.
5. Make showers and lockers available to students and faculty/staff who jog or bike to school.
6. Provide one 200V electric vehicle charging station in the proposed parking garage.
7. The updated TDM plan will be incorporated into the student contract. The following procedure will be followed for multiple infractions:
  - 1<sup>st</sup> Infraction – Email from Director of Operations
  - 2<sup>nd</sup> Infraction – Phone call from Director of Operations
  - 3<sup>rd</sup> Infraction – Meeting with Director of Operations
  - 4<sup>th</sup> Infraction – Meeting with Head of School
  - 5<sup>th</sup> Infraction – Probation from school for up to 10 days
  - 6<sup>th</sup> Infraction – Dismissal; contract revoked

*Strategies for Students:*

Rideshare

1. Establish a mandatory carpooling program that requires parents dropping off or picking up students by automobile to have at least two students per vehicle, with the following exceptions:
  - Pre-K and younger students are not required to carpool and
  - On a case-by-case basis, students who demonstrate a hardship based on special transportation needs are not required to carpool with prior approval.
2. Provide carpool matching assistance for parents to increase the Average Vehicle Occupancy (AVO) for the School. Assistance programs could include:
  - Creation of an online, interactive map for parents to see what other River School families live near them and are interested in carpooling, as well as provide contact information.
  - Register with and promote Commuter Connections School Pool Program to assist parents in finding other parents in their neighborhood to form carpools, walking groups, or biking groups.
3. Actively promote carpooling by providing links to the carpool matching website on the School's Homepage and by providing fliers, emails, and/or other informational pieces at least once per semester.

Incentives

4. Provide transit/alternate commute incentives to encourage students to use non-auto modes of transportation to travel to school. Incentives would include:
  - Encourage District of Columbia students/families to take advantage of the WMATA's Kids Ride Free program, which allows students who live in DC to ride free on Metrorail and Metrobus;

### Outreach and Education

5. Provide outreach and education events to stress the importance of using non-auto modes of transportation and make information more readily available. Outreach and educational events could include:
  - Hold a “Transportation to School” event at the beginning of each school year, stressing the importance of public transportation, carpooling, biking, etc.;
  - Participate in DDOT’s Safe Routes to School Program – The program encourages students and their parents to walk and bicycle to school by examining conditions around schools and conducting projects and activities to improve safety and accessibility. The program also provides pedestrian and bicycle safety training in the classroom;
  - Establish inter-class and inter-grade competitions with incentives and prizes for the classes that take transit, walk, and bike the most.
  - Host four Walk to School/Bike to School Days each year;
  - Promote walking/biking in communications with parents.
6. Add bicycle education into the general physical education curriculum.

### *Strategies for Faculty/Staff:*

#### Rideshare

1. Provide carpool matching assistance for faculty/staff to increase the Average Vehicle Occupancy (AVO) for the School. Assistance programs could include:
  - Creation of an online, interactive map for faculty/staff to identify other River School employees who live near them and are interested in carpooling, as well as provide contact information.
  - Register with Commuter Connections and promote Commuter Connections’ Ride-matching Service.
  - Parking passes for the proposed garage will be distributed first to faculty/staff who carpool, then to faculty/staff who live more than one mile from the School and more than one mile from a red-line Metro station.

#### Incentives

2. Provide transit/alternate commute incentives to encourage faculty/staff to use non-auto modes of transportation to travel to school. Incentives would include:
  - a. Provide \$135 monthly SmarTrip cards for faculty/staff who take public transportation;
  - b. Allow employees to set aside \$255/month in pre-tax funds (or current amount legally allowed under Federal law) through their paycheck for transit or vanpool expenses;
  - c. Enroll in Guaranteed Ride Home, which provides employees who regularly take transit, vanpool, carpool, walk, or bike to work with a reliable ride home when an unexpected emergency arises; and



- d. For faculty/staff who do not drive or take public transit to school, provide \$20 in monthly subsidies to those who bike (or current amount allowed tax-free under Federal law) OR provide bikeshare memberships.

#### Outreach and Education

3. Provide training for the faculty/staff at the beginning of each year to implement and enforce the TDM Plan.

#### **Operations Management Plan**

In addition to the TDM plan, the River School will implement an Operations Management Plan to ensure that drop-off/pick-up procedures do not adversely impact the surrounding neighborhood. The following are the components of the plan:

1. Establish a clear drop-off/pick-up protocol for parents. The protocol will be as follows:
  - a. Prior to the beginning of the school year, parents/guardians who will be dropping off and picking up students via automobile will be assigned 15-minute drop-off and pick-up windows to ensure the PUDO area on campus does not exceed capacity (pick-up windows do not apply to students in after care).
  - b. Drop-off will occur between 8:00 and 9:00 AM. Pick-up will occur between 12:00 and 12:30 PM for half-day students, between 2:45 and 3:45 PM for full-day students, and between 4:00 and 6:00 PM for students in the after school program.
  - c. Drop-off/pick-up traffic will enter the campus via the northern curb cut on Nebraska Avenue and will exit via the southern curb cut on Nebraska Avenue.
  - d. Under no circumstances will drop-off/pick-up be permitted on 42<sup>nd</sup> Street or Van Ness Street.
  - e. All parents who must leave their vehicle to drop-off/pick up students during regular drop-off/pick-up times, must park in a designated, on-campus parking space (three spaces will be designated in the garage for drop-off/pick-up). Parents using the drop-off/pick-up lanes must remain in their vehicles and will drop-off/pick-up their student(s) when they stop in front of the School.
  - f. Fourteen vehicles can load/unload students at a time. Staff members will direct traffic within the PUDO area to ensure queued vehicles backfill the loading/unloading area in a safe and efficient manner.
  - g. Parents/guardians will be given a tag with students' names which will be placed in the vehicle and visible through the windshield. A member of staff will radio the names back to the School as the vehicles enter campus. Staff at the School then will shepherd the appropriate students to the awaiting vehicles once they stop. This process may be replaced with an app-based system or other, similar system depending on available technology.
  - h. Students who have a yearlong exemption from mandatory carpooling will have a special tag to display in the windshield of their car.

- i. School staff members will be stationed at the PUDO location to assist students in getting from vehicles into the School in the morning and from the School into the appropriate vehicles in the afternoon.
2. Loading
  - a. Deliveries (except parcel deliveries via UPS/FedEx/Amazon and mail delivery) and trash/recycling pick-up will be scheduled such that they do not coincide with pick-up/drop-off activities.
  - b. All vendors will be notified that they must use the on-campus loading facilities for deliveries.
  - c. All vendors will be notified that deliveries must be made in box trucks (i.e. no tractor trailers will be permitted on-campus).

### Monitoring Plan

To ensure that the TDM and Operations Management plans are functioning as intended, the River School will conduct annual monitoring studies, which will be submitted to DDOT and ANC 3E.

- Elements of the Monitoring Study:
  - The number of vehicle trips generated by the School during the AM peak hour, PM School peak hour, and PM Commuter peak hour will be determined.
  - Traffic counts shall be conducted when the River School, DC Public Schools, and Congress are in session.
  - Counts shall be conducted during the Fall Semester at the driveways to the School on a typical weekday from 7:30 AM to 9:30 AM and from 2:30 PM to 6:30 PM. Counts shall be conducted on days when no adverse weather impacts travel conditions.
  - The number of trips generated by the School shall be determined as follows:
    - AM peak hour shall be determined by selecting the single highest hourly inbound plus outbound volume (for all driveways combined) between 7:30 AM and 9:30 AM.
    - PM School peak hour shall be determined by selecting the single highest hourly inbound plus outbound volume (for all driveways combined) between 2:30 PM and 4:30 PM.
    - PM Commuter peak hour shall be determined by selecting the single highest hourly inbound plus outbound volume (for all driveways combined) between 4:30 PM and 6:30 PM.
  - Vehicle occupancy counts (number of students per vehicle) will be conducted at the PUDO location to determine the average vehicle occupancy (AVO). The vehicle occupancy counts will be conducted during the same timeframes as the trip generation counts indicated above.
  - A queue study will be conducted at the PUDO location to determine the length of the queues and to ensure that the queues do not spillback onto Nebraska Avenue.
  - A mode split survey (conducted during the Fall Semester) to determine the mode of transportation for students and faculty/staff.

- A list of TDM measures in effect at the time the study was conducted.
- The number of students enrolled, and faculty/staff employed at the time the study was conducted.
- Notes from ANC 3E and/or other community meetings documenting traffic issues.
- Trip Generation Goals:
  - The River School will establish a goal of reducing peak hour vehicular traffic generated by the School (from what would otherwise be generated without a TDM plan) by 15 percent through implementation of a TDM plan. The vehicular trip thresholds are provided in Table 1.
  - The established AM and PM Peak Hour Trip Thresholds shall be a goal for Years 1-4 and a binding cap thereafter (where “Year 1” is defined as the first school year commencing upon the initial opening of the new School).

Table 1  
The River School Trip Generation

Trip Type	AM			PM School			PM Commuter		
	In	Out	Total	In	Out	Total	In	Out	Total
Trips without TDM Plan	249	233	482	100	100	200	40	78	118
Trips with TDM Plan <sup>+</sup>	212	198	410	85	185	170	34	66	100
- An increase in carpooling (from an average of 1.35 students/vehicle based on current number of siblings to an average of 1.43 students/vehicle) - An increase in student non-auto modes of transportation from 10% to 20% - An increase in faculty/staff non-auto modes of transportation from 15% to 30%									

- Sequencing of Monitoring Studies
  - Beginning Year 1, the monitoring study shall be conducted during the Fall Semester each year. If the Trip Thresholds are not met during the Fall Semester, a second study must be conducted during the Spring Semester of that year. If the School fails to meet the Trip Thresholds in the Spring Semester, it shall work with DDOT and the ANC to identify remedial revisions to the TMP necessary to promote compliance and shall implement such measures.
  - Beginning in Year 5 through Year 17, the School shall arrange to monitor compliance with the Trip Thresholds triennially in the Fall Semester (i.e. four times between Year 5 and Year 17). If the School fails to meet the Trip Thresholds during the Fall Semester, the School shall be required to monitor again in the Spring Semester of such year and shall thereafter resume annual monitoring studies until such time as the annual monitoring study demonstrates that the School has met the Trip Thresholds for two consecutive years. At such time, triennial studies shall resume until Year 17 or until such time as two consecutive triennial studies demonstrate compliance, whichever is later.
  - Beginning Year 5, in the event the School fails to comply with the applicable Trip Threshold, the School shall implement mandatory carpooling and require all vehicles dropping off or picking up students to have at least two students per vehicle.

# EXHIBIT G

**NAME AND MAILING ADDRESS OF THE OWNERS OF ALL PROPERTY WITHIN 200 FEET IN ALL DIRECTIONS FROM ALL BOUNDARIES OF THE PROPERTY INVOLVED IN THE APPLICATION**

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
1681	5	4300 42ND ST NW	GREGORY FERENBACH & VICTORIA RUTTENBERG 4300 42ND ST NW WASHINGTON DC 20016-2126
1682	17	4217 VAN NESS ST NW	LEO & INGRID WOLLEMBORG ACG FRANKFURT 4217 VAN NESS ST NW WASHINGTON DC 20016-2127
1682	20	4246 WARREN ST NW	JOSE A CUESTA & FABIOLA K VELASQUEZ 4246 WARREN ST NW WASHINGTON DC 20016-2145
1682	21	4234 42ND ST NW	JOAN M SILVER LOWE 4234 42ND ST NW WASHINGTON DC 20016-2124
1682	23	4205 VAN NESS ST NW	C PHILIP MITCHELL & SUSAN A MITCHELL 4205 VAN NESS ST NW WASHINGTON DC 20016-2127
1682	24	4222 42ND ST NW	TRUSTEE OF THE LAWRENCE J GIANINNO 2012 IRREVOCABLE TRUST 63 COMMONWEALTH AVE APT 1 BOSTON MA 02116-2326
1682	802	4200 42ND ST NW	RUTH M WIMER & RUTH M WIMER 4200 42ND ST NW WASHINGTON DC 20016-2124
1682	818	4210 42ND ST NW	MICHELLE F MILLER & MICHAEL K MILLER 4210 42ND ST NW WASHINGTON DC 20016-2124
1683	6	4120 42ND ST NW	MICHELE T BOND TRUSTEES & CLIFFORD G BOND TRUSTEES 4120 42ND ST NW WASHINGTON DC 20016-2722
1724	805	4120 - 4124 VAN NESS ST NW	NATIONAL PRESBYTERIAN CHURCH INC 4101 NEBRASKA AVE NW WASHINGTON DC 20016-2735
1725 1726	800 800	NEBRASKA AVE NW 41ST ST NW	DISTRICT OF COLUMBIA 2000 14TH ST NW 8TH FLOOR WASHINGTON DC 20009-4487

1727	12	4110 WARREN ST NW	WM W BAUM ROMAN CATHOLIC ARCHBISHOP OF WASHINGTON RESIDENCE PO BOX 29260 WASHINGTON DC 20017-0260
1727	14	4240 NEBRASKA AVE NW	GEOFFREY F ARONOW TRUSTEE & MELINDA J HALPERT TRUSTEE 4240 NEBRASKA AVE NW WASHINGTON DC 20016-2130
1727	15	4231 42ND ST NW	SARAH WILLIAMS & JEREMIAH WILLIAMS 4231 42ND ST NW WASHINGTON DC 20016-2123
1727	16	4233 42ND ST NW	GEORGE C NIERLICH III & CAITLIN R SULLIVAN 4233 42ND ST NW WASHINGTON DC 20016-2123
1727	17	4124 WARREN ST NW	JON T LARRANAGA & ELYSSA H LARRANAGA 4124 WARREN ST NW WASHINGTON DC 20016-2136
1727	20	WARREN ST NW	ELIZABETH L NOTTINGHAM
1727	21	4120 WARREN ST NW	4120 WARREN ST NW
1727	22	WARREN ST NW	WASHINGTON DC 20016-2136
1727	23	4256 NEBRASKA AVE NW	JONATHAN C HAMILTON 4256 NEBRASKA AVE NW WASHINGTON DC 20016-2130
1787	9	4027 VEAZEY ST NW	MAURICIO J BALCAZAR & ALEXANDRA CARMEN SANCHEZ-DE-LOZADA 4027 VEAZEY ST NW WASHINGTON DC 20016-2121
1787	10	4225 41ST ST NW	MELISSA B MODELL & JEFFREY G MODELL 4225 41ST ST NW WASHINGTON DC 20016-2144
1787	11	4233 NEBRASKA AVE NW	JOHN A RUSS IV & THOMAS E SHARP 4233 NEBRASKA AVE NW WASHINGTON DC 20016-2129
1787	23	4022 VEAZEY ST NW	RALPH D EDWARDS & B A EDWARDS JR 4022 VEAZEY ST NW WASHINGTON DC 20016-2122
			ANC 3E C/O LISNER-LOUISE-DICKSON-HURT HOME 5425 WESTERN AVE NW WASHINGTON DC 20016

JONATHAN MCHUGH  
ANC 3E05  
4524 VAN NESS ST NW  
WASHINGTON DC 20016

ANC 3D  
P.O. BOX 40846 PALISADES STATION  
WASHINGTON DC 20016

# EXHIBIT H



DISTRICT OF COLUMBIA GOVERNMENT  
OFFICE OF THE SURVEYOR

Washington, D.C., December 8, 2020

Plat for Building Permit of: SQUARE 1727 Lots 4 - 5

Scale: 1 inch = 50 feet

Recorded in Book 73 Page 100

Receipt No. 21-01411 Drawn by: A.S.

Furnished to: DIANA HERNDON

"I hereby certify that the dimensions and configuration of the lot(s) hereon depicted are consistent with the records of the Office of the Surveyor unless otherwise noted, but may not reflect actual field measurements. The dimensions and configuration of A&T lots are provided by the Office of Tax and Revenue and may not necessarily agree with the deed description(s)."

\_\_\_\_\_  
Surveyor, D.C.

I hereby certify that on this plat on which the Office of the Surveyor has drawn the dimensions of this lot, I have accurately and completely depicted and labeled the following:

- 1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, and any existing face-on-line or party wall labeled as such, well as projections and improvements in public space - with complete and accurate dimensions;
- 2) all proposed demolition or raze of existing buildings duly labeled as such; all proposed buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, any existing face-on-line or party wall labeled as such, as well as projections and improvements in public space and the improvements used to satisfy pervious surface or green area ratio requirements - with complete and accurate dimensions, in conformity with the plans submitted with building permit application \_\_\_\_\_; and
- 3) any existing chimney or vent on an adjacent property that is located within 10 feet of this lot.

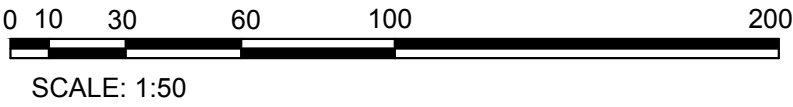
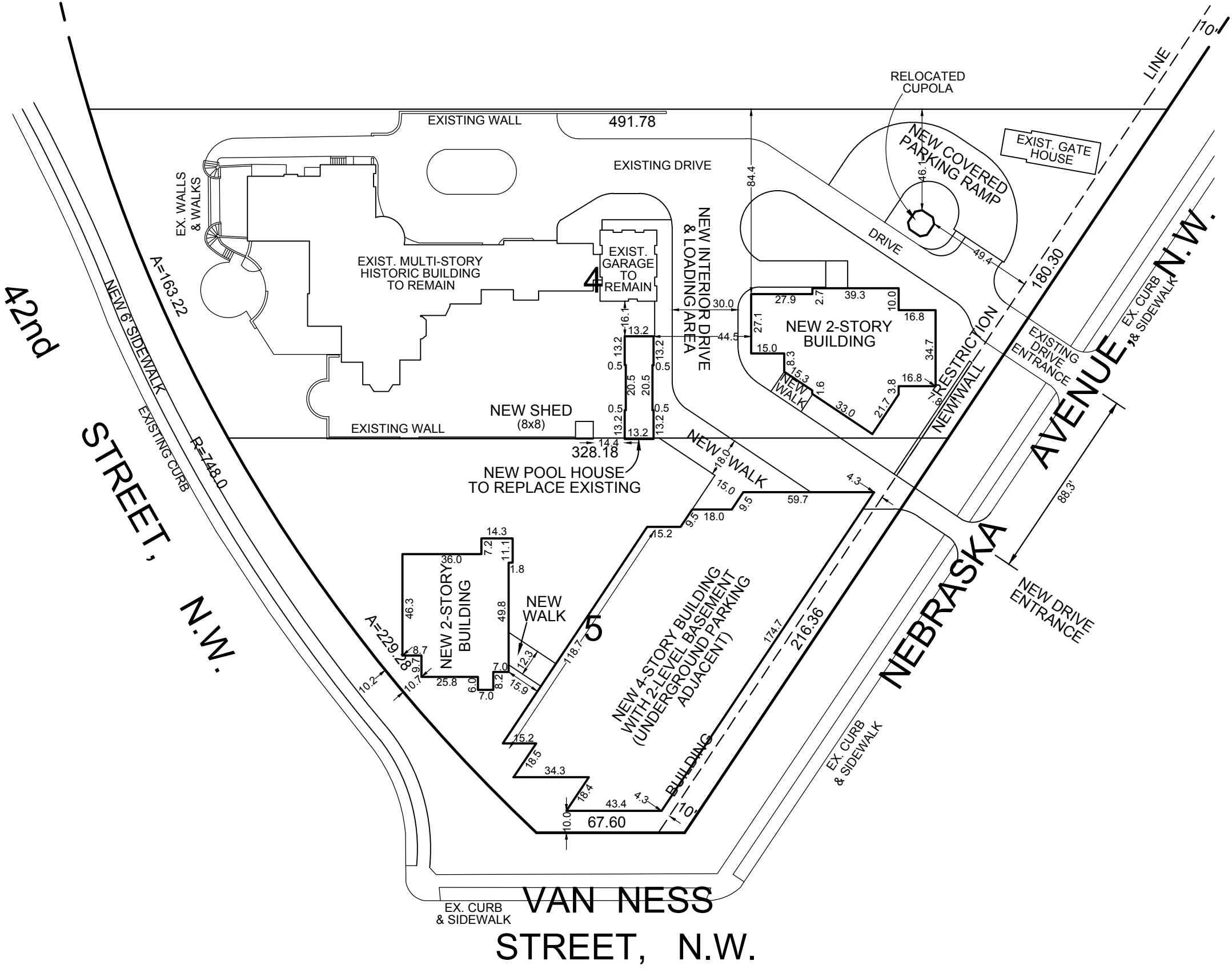
I also hereby certify that:

- 1) my depiction on this plat, as detailed above, is accurate and complete as of the date of my signature hereon;
  - 2) there is no elevation change exceeding ten feet measured between lot lines; or if so, this elevation change is depicted on a site plan submitted with the plans for this permit application;
  - 3) I have/have not (*circle one*) filed a subdivision application with the Office of the Surveyor;
  - 4) I have/have not (*circle one*) filed a subdivision application with the Office of Tax & Revenue; and
  - 5) if there are changes to the lot and its boundaries as shown on this plat, or to the proposed construction and plans as shown on this plat, that I shall obtain an updated plat from the Office of the Surveyor on which I will depict all existing and proposed construction and which I will then submit to the Office of the Zoning Administrator for review and approval prior to permit issuance.
- The Office of the Zoning Administrator will only accept a Building Plat issued by the Office of the Surveyor within the two years prior to the date DCRA accepts a Building Permit Application as complete. I acknowledge that any inaccuracy or errors in my depiction on this plat will subject any permit or certificate of occupancy issued in reliance on this plat to enforcement, including revocation under Sections 105.6(1) and 110.5.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of D.C. Law 4-164 (D.C. Official Code §22-2405).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Relationship to Lot Owner: \_\_\_\_\_

If a registered design professional, provide license number \_\_\_\_\_ and include stamp below.



# EXHIBIT I

# RIVER SCHOOL

4220 NEBRASKA AVE. NW  
WASHINGTON , DC

## BOARD OF ZONING ADJUSTMENT

February 17, 2021

CONTRACT PURCHASER:  
PROJECT MANAGER:  
ARCHITECT:  
LAND USE COUNSEL:

RIVER SCHOOL  
JM ZELL PARTNERS, LTD.  
SHALOM BARANES ASSOCIATES  
GOULSTON & STORRS

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ZONING TABULATIONS

SQUARE: 1727  
LOT: 4 and 5  
ZONE: R-1-B  
SITE AREA: 98,935 SF  
ADDRESS: 4220 Nebraska Avenue, NW

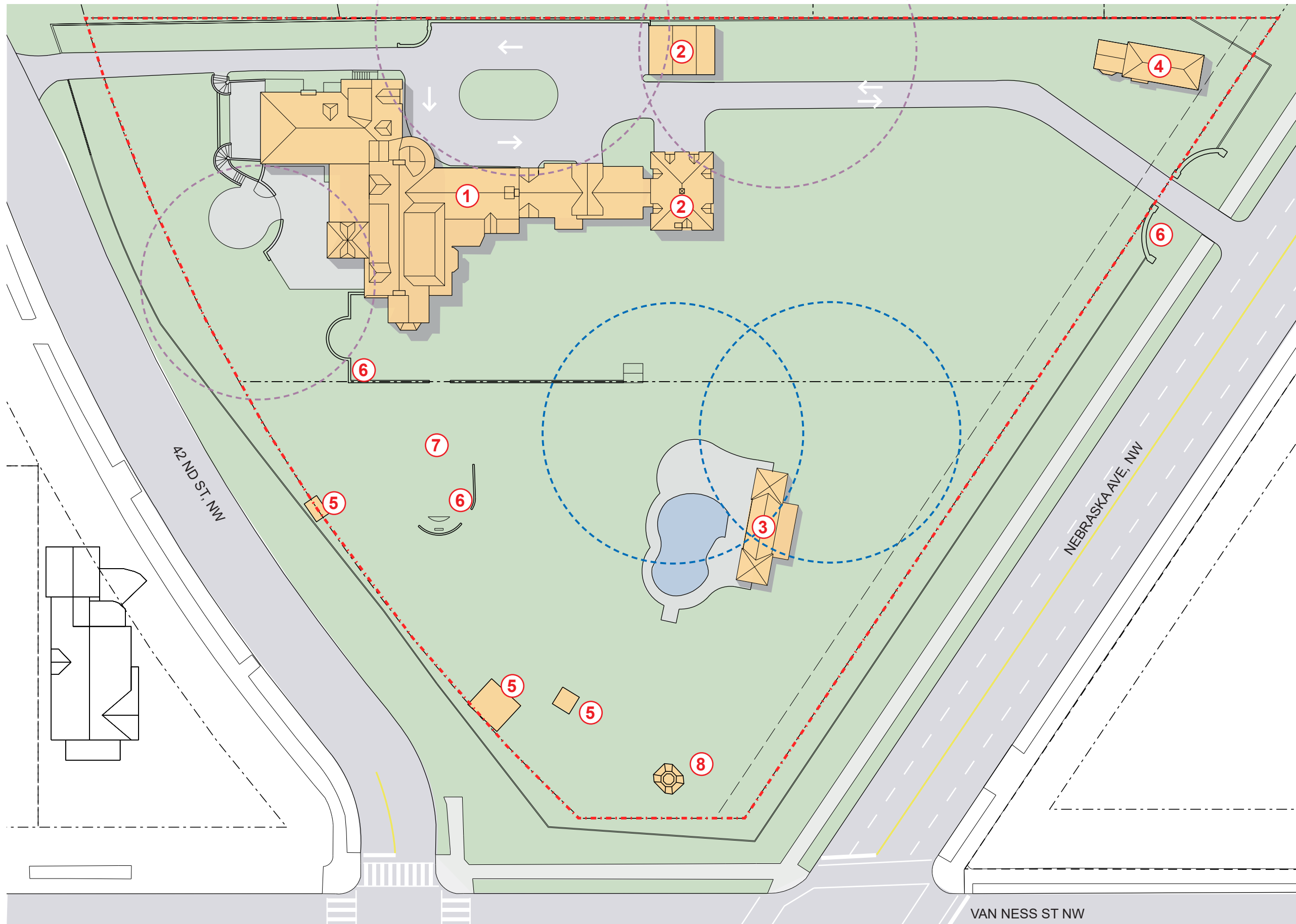
Development Standard	Requirement	Provided
LOT AREA	5,000 minimum	98,935 square feet
HEIGHT	90 feet if setback 1:1 over 40 feet	50 feet/ 4 stories (set back at least 10 feet from all lot lines)
LOT OCCUPANCY	40%	30.77%
PERVIOUS SURFACE	50%	58.16%
VEHICULAR PARKING	52 spaces required	40 garage spaces, 2 surface spaces (totaling 42 zoning - compliant spaces) 12 tandem spaces, 6 pick-up/drop-off spaces*  *Not counted for zoning purposes; relief requested
BICYCLE PARKING	Long Term: 1 space per 7,500 square feet Short Term: 1 space per 2,000 square feet	66,691/7,500= 9 Long Term Spaces 66.691/2,000= 33 Short Term Spaces
LOADING	30,000 - 100,000 sf: 1 loading berth, 1 loading platform, 1 delivery space	1 loading berth, 1 loading platform, 1 delivery space

Gross Floor Area	
Existing Square Footage	13,154 square feet
Existing Square Footage to Remain	12,603 square feet
New Square Footage	54,088 square feet
Total Square Footage	66,691 square feet
FAR	0.67

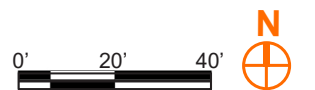








- ① UNDER OAK
- ② GARAGE
- ③ POOL HOUSE
- ④ 2 STORY GATE HOUSE
- ⑤ SHED
- ⑥ BRICK WALL
- ⑦ ROSE GARDEN
- ⑧ CUPOLA
- ⊖ HERITAGE TREE ROOT ZONE
- ⊖ HERITAGE TREE WILL BE RELOCATED







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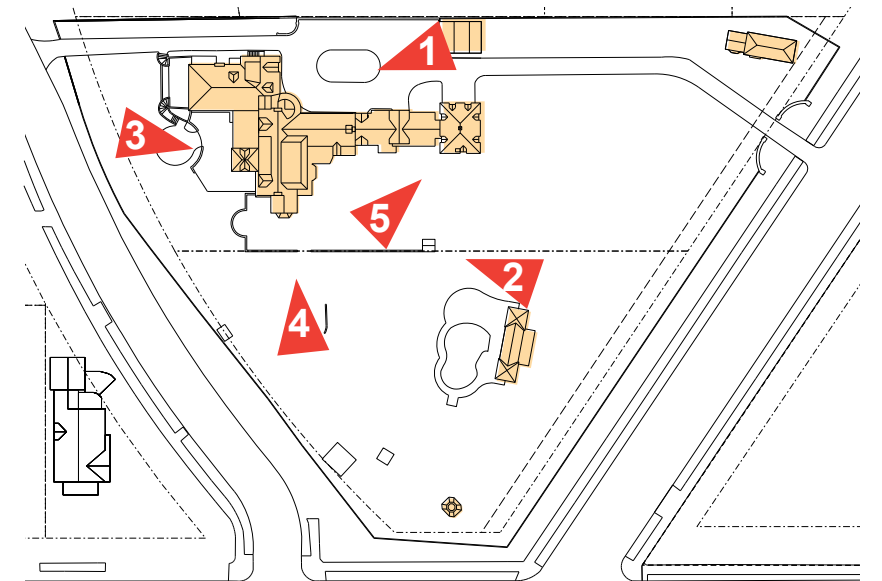
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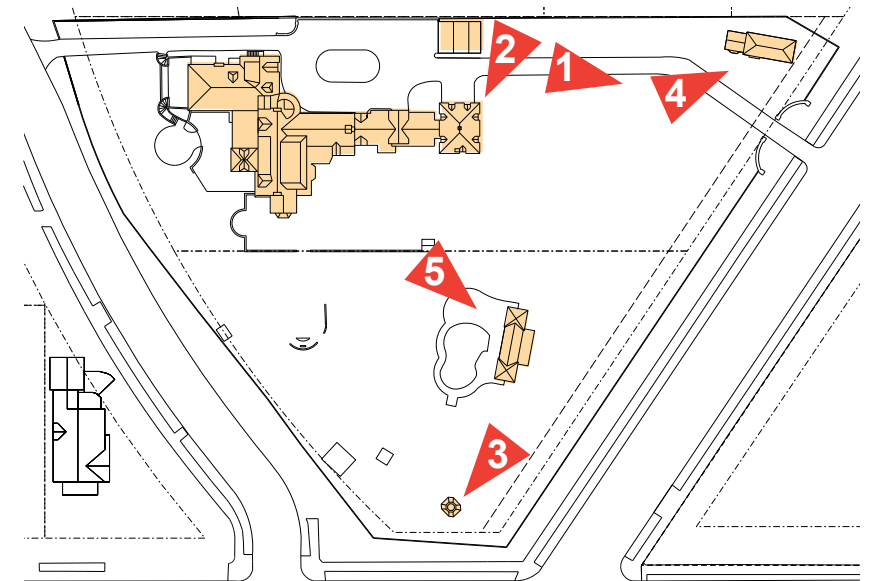
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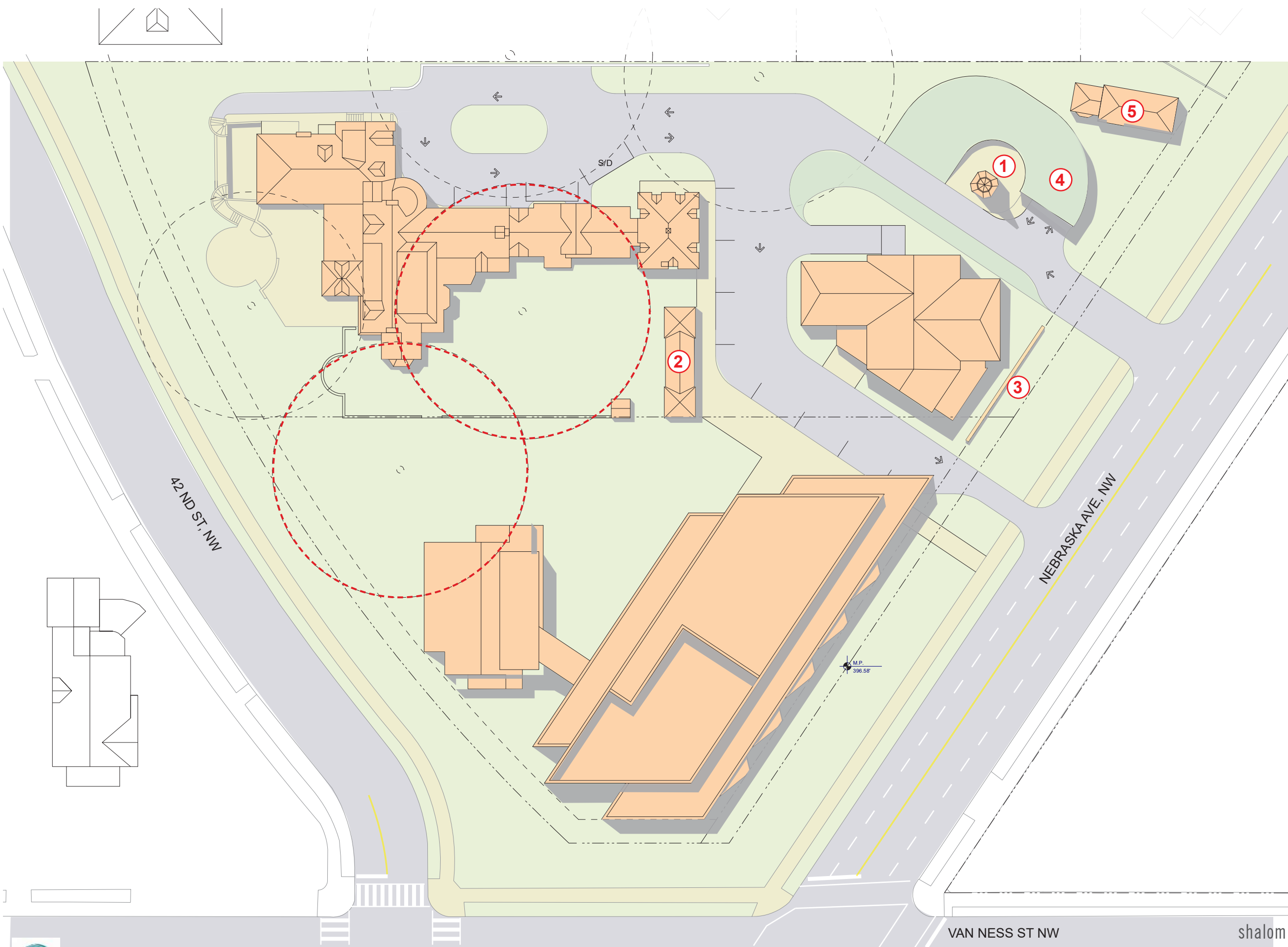
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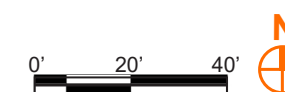
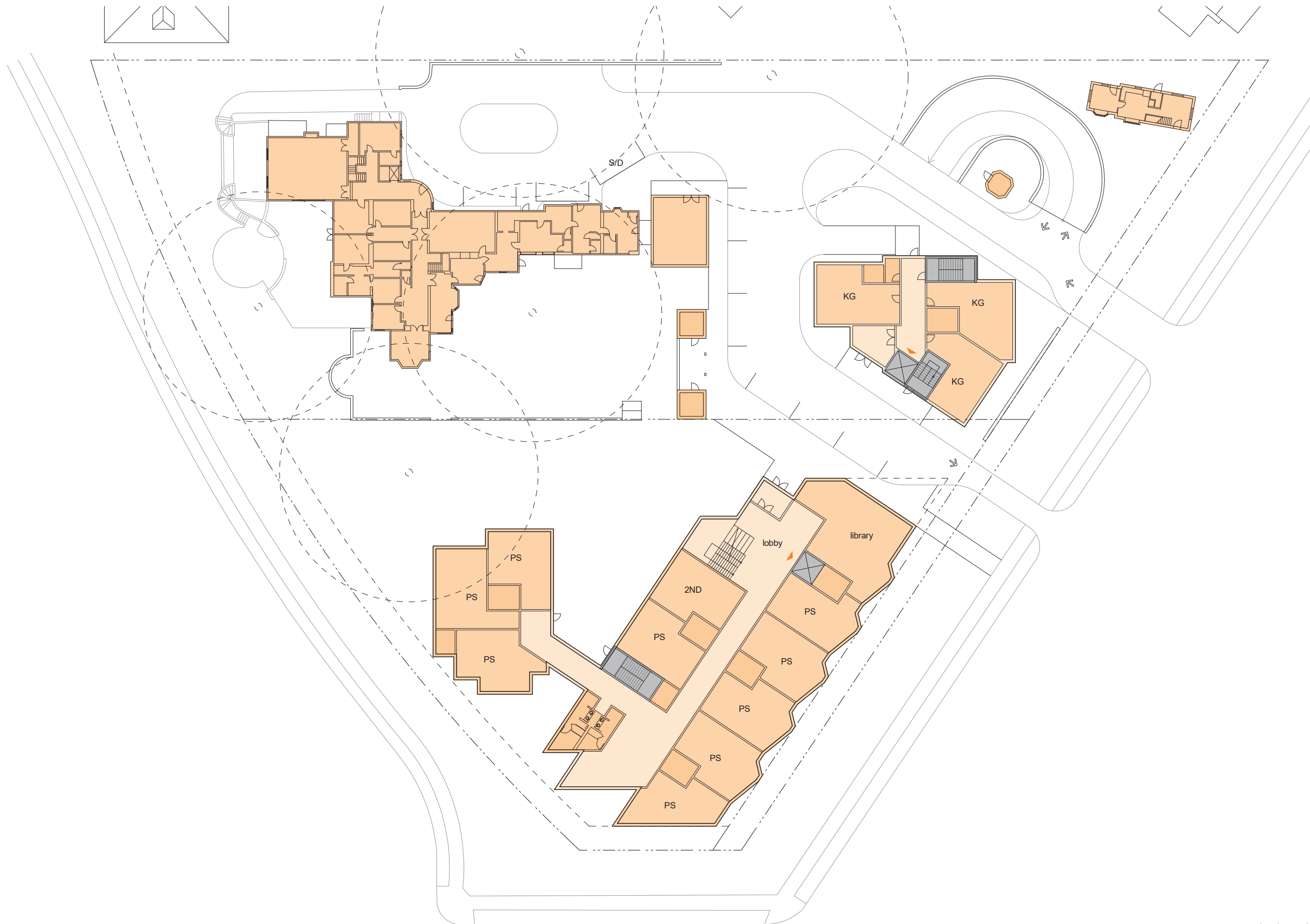
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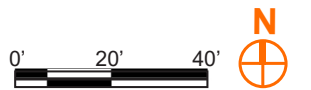
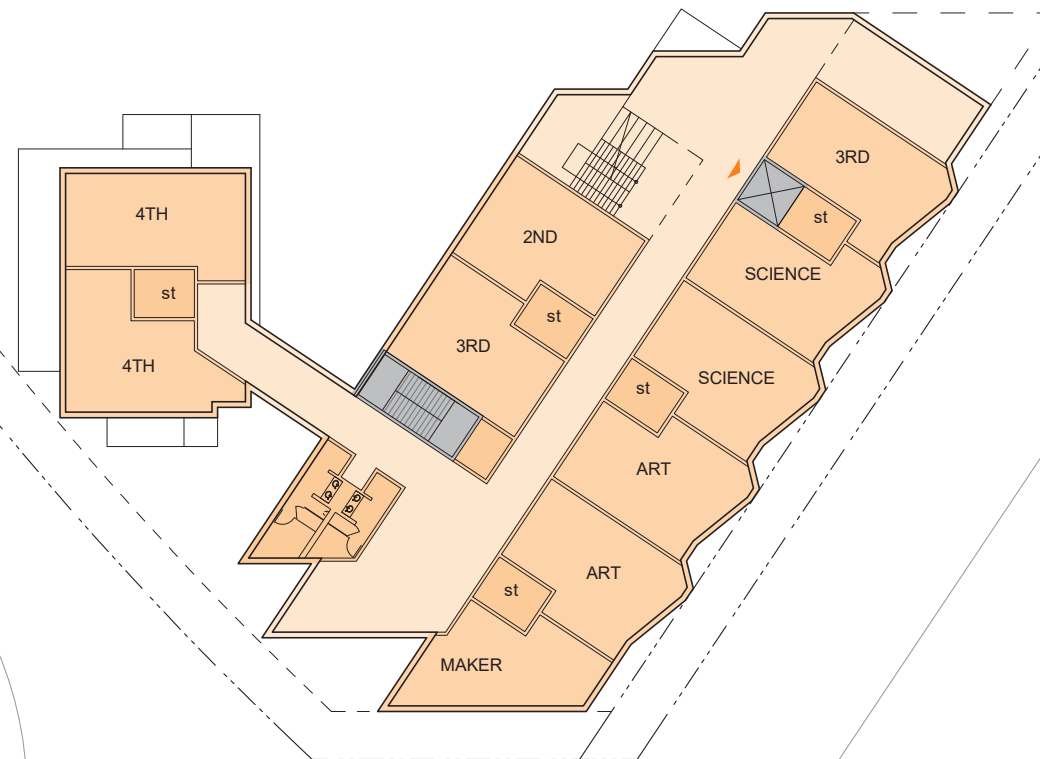
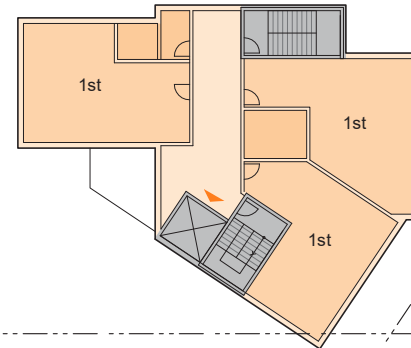
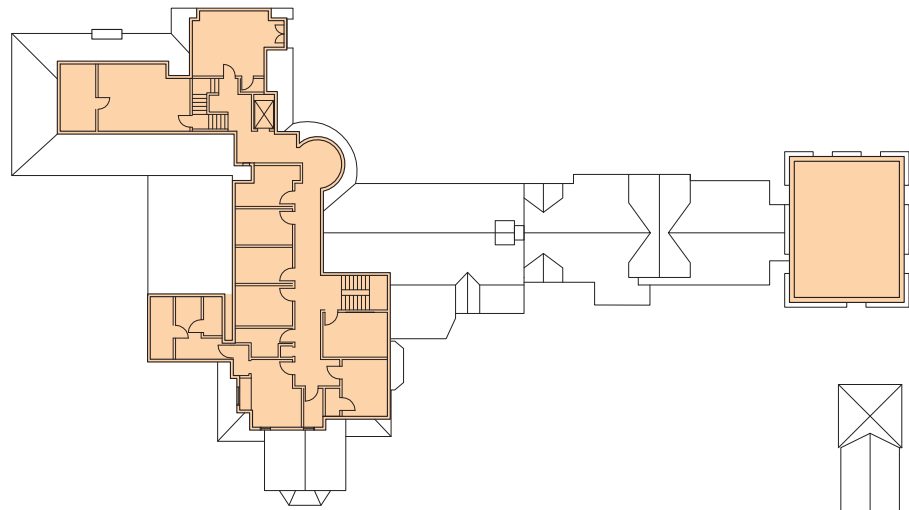
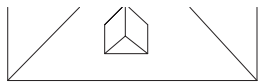


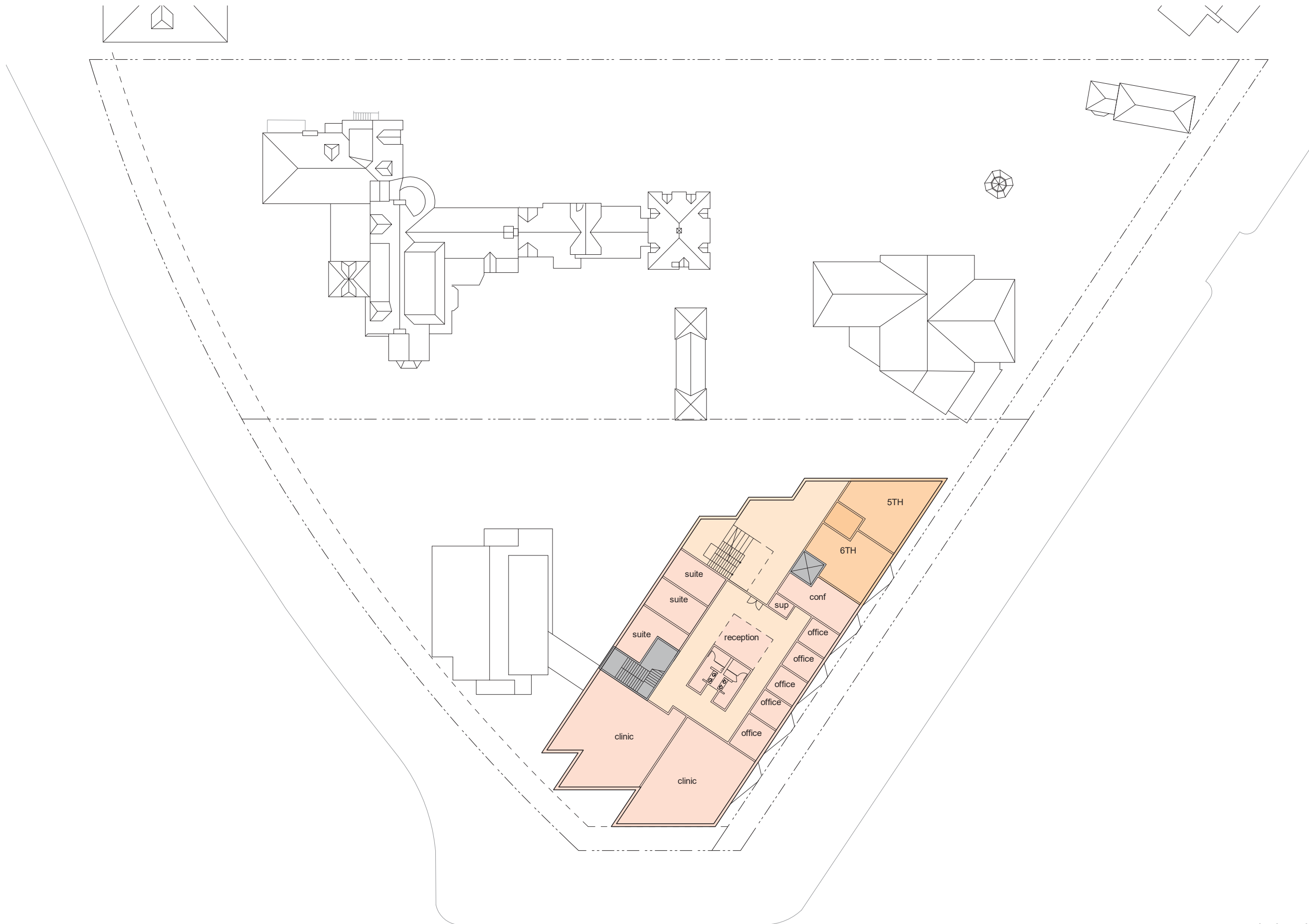


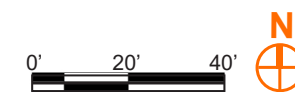
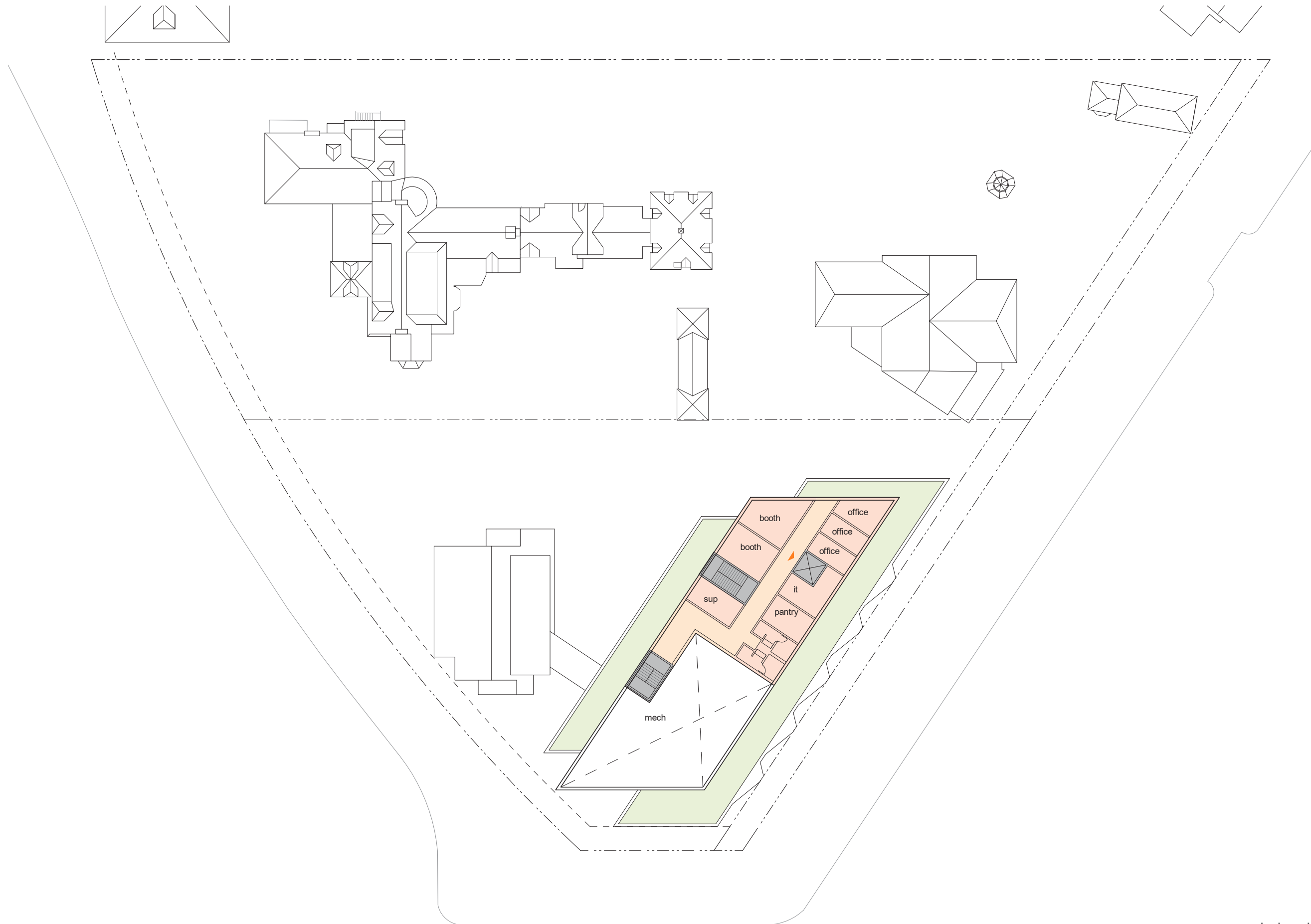


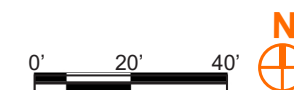
- ① RELOCATED CUPOLA
- ② RELOCATED POOL HOUSE (BICYCLE PARKING)
- ③ FEATURE WALL
- ④ COVERED PARKING RAMP
- ⑤ GATE HOUSE
- RELOCATED HERITAGE TREE

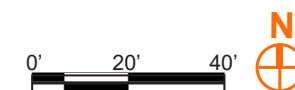
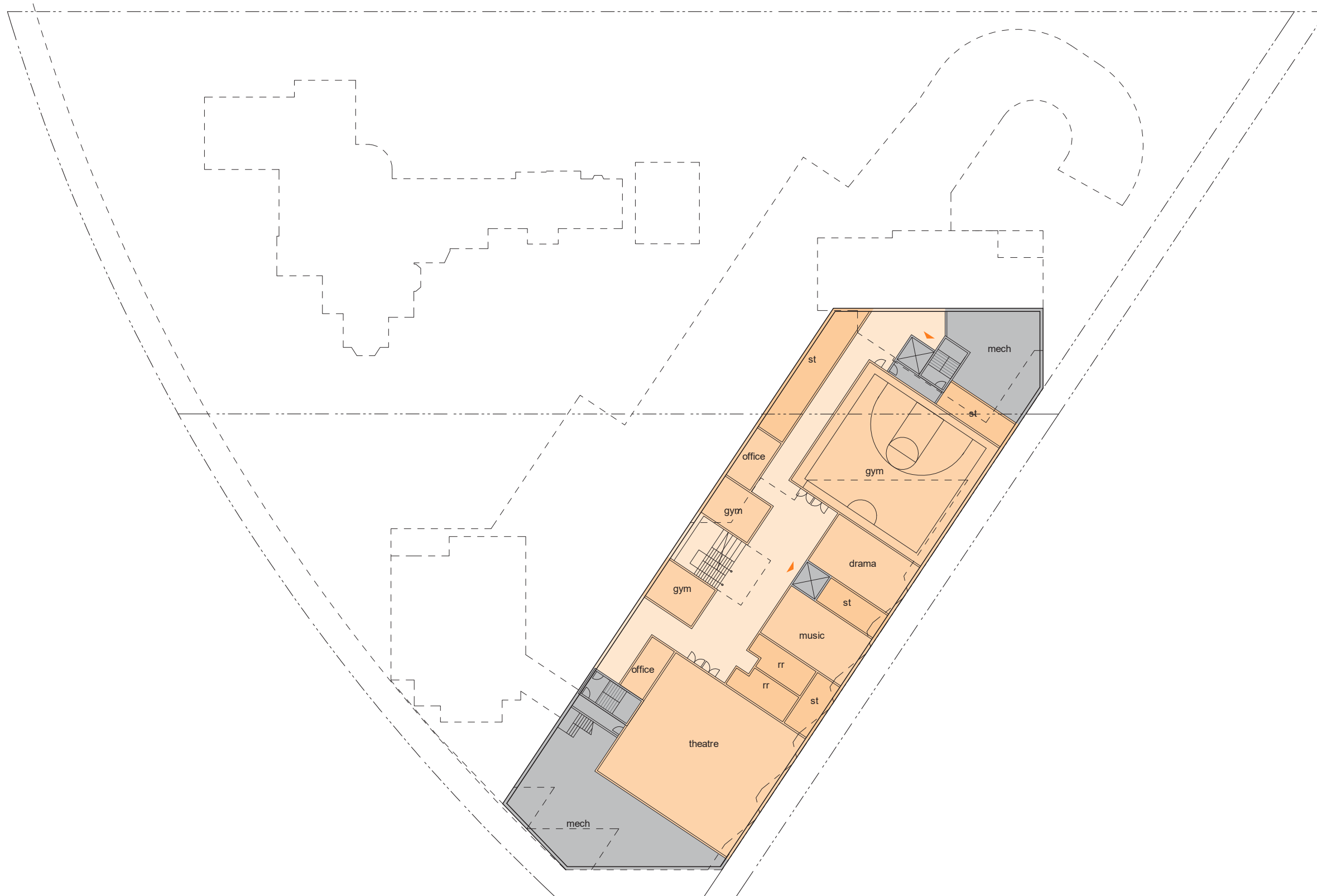




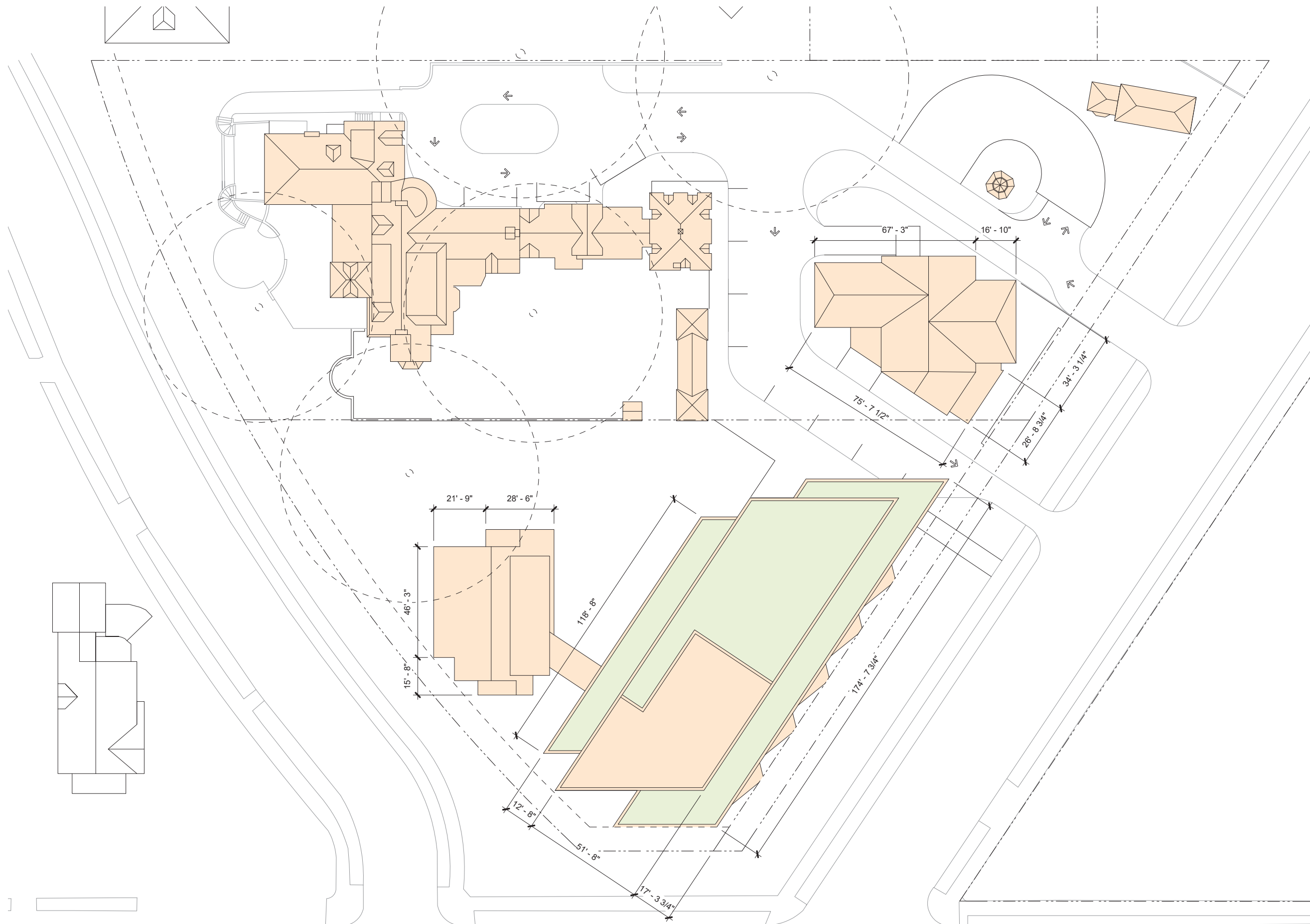




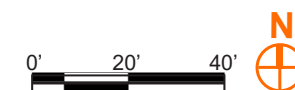
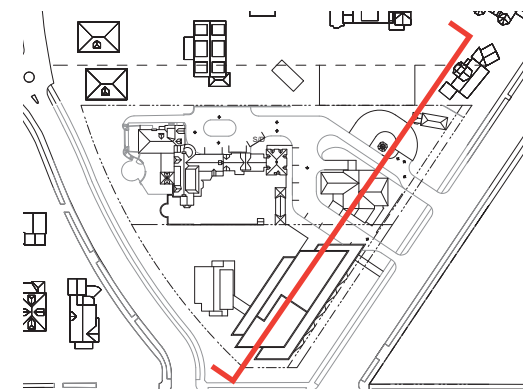
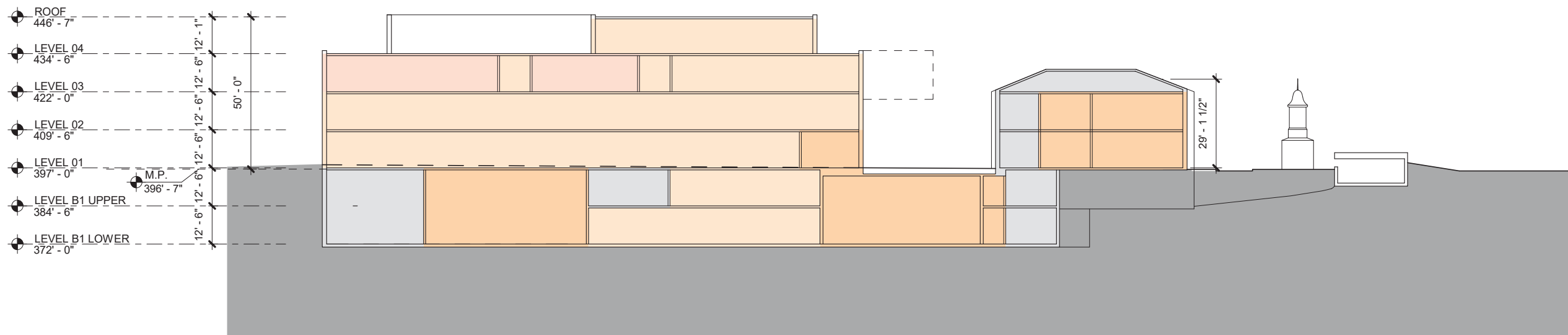




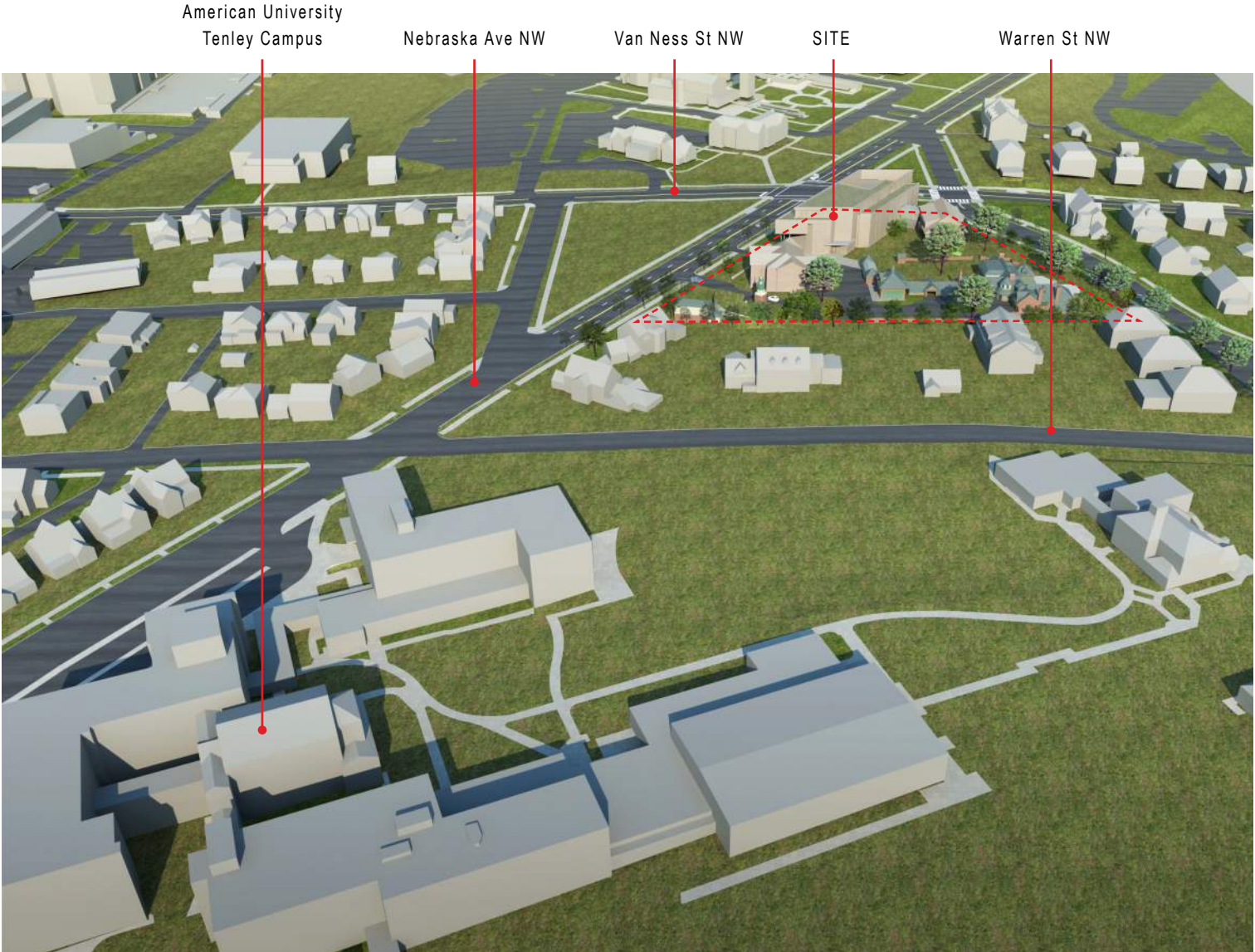








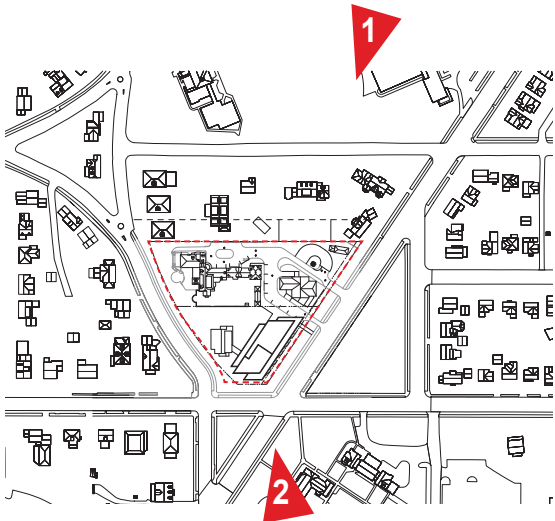




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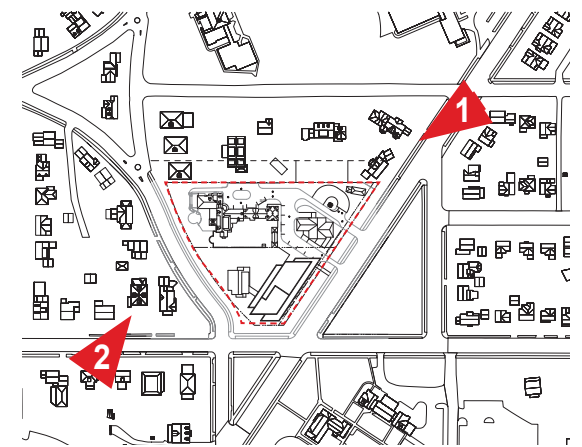




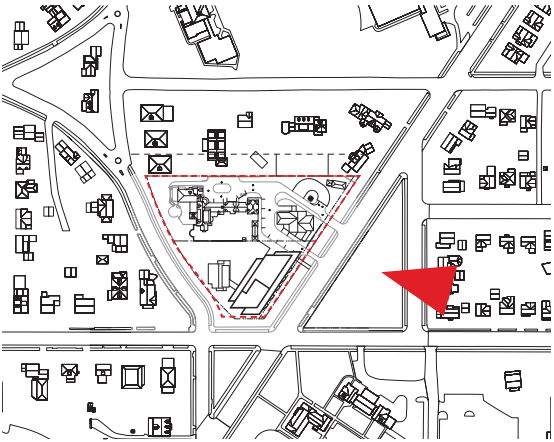
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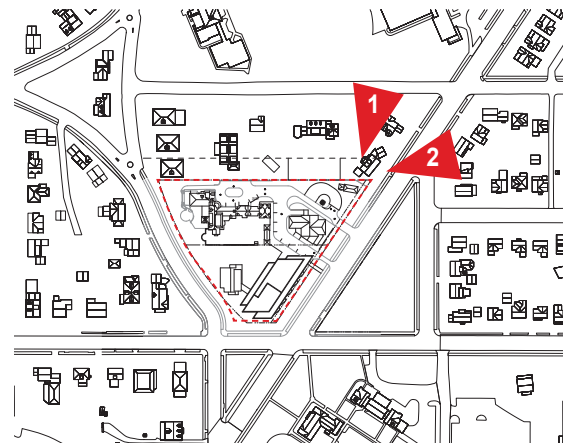




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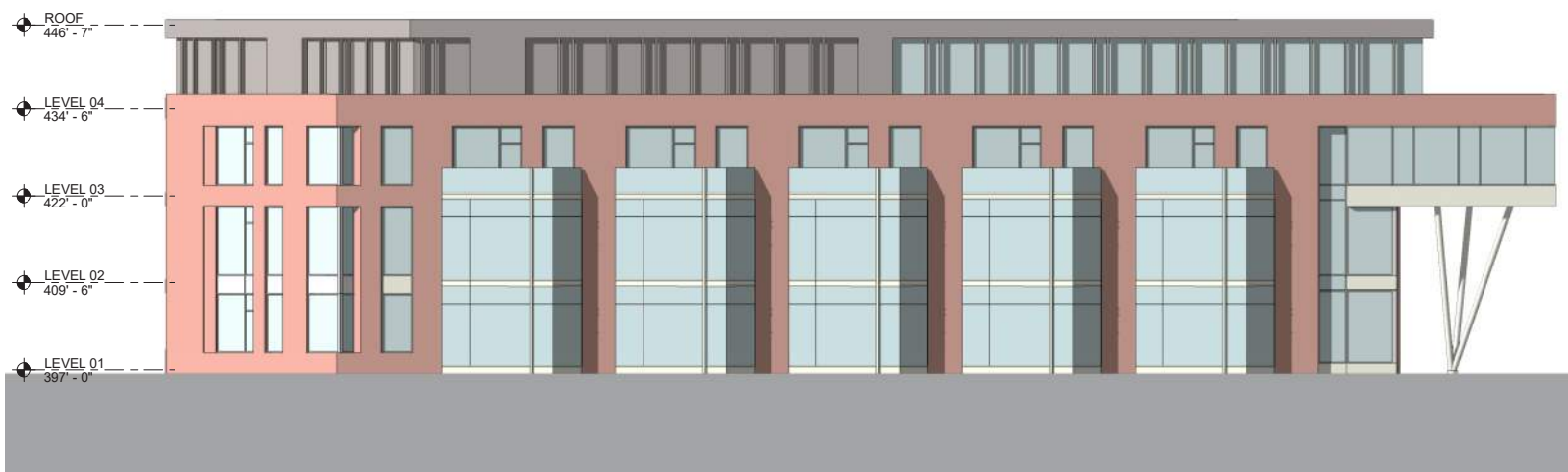




SOUTH PAVILION WEST ELEVATION



SOUTH PAVILION NORTH ELEVATION



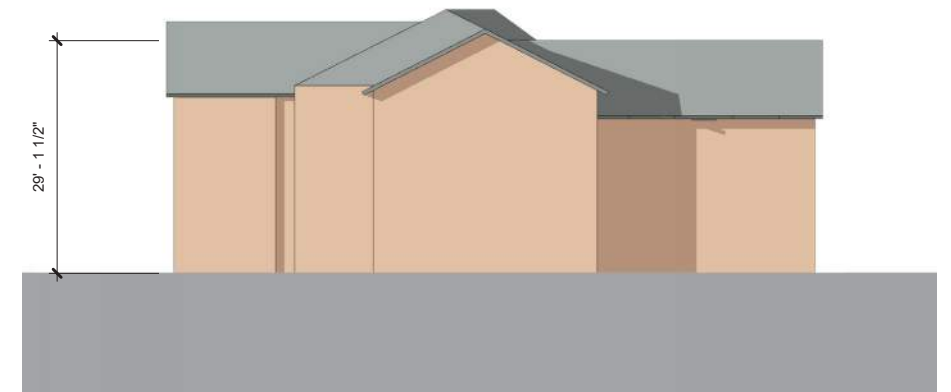
SOUTH PAVILION EAST ELEVATION



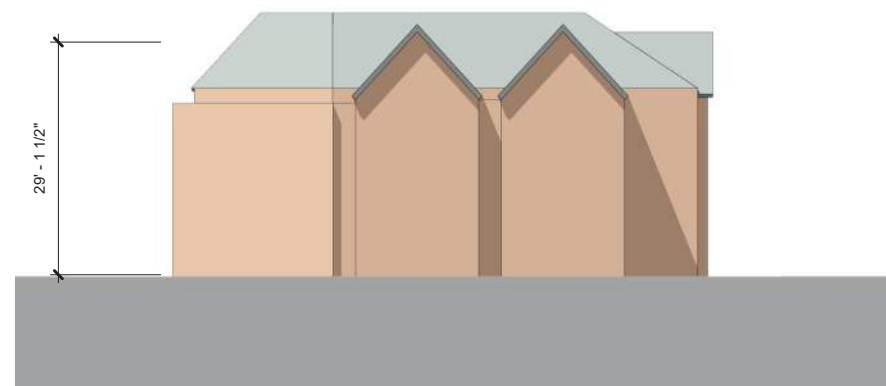
SOUTH PAVILION SOUTH ELEVATION



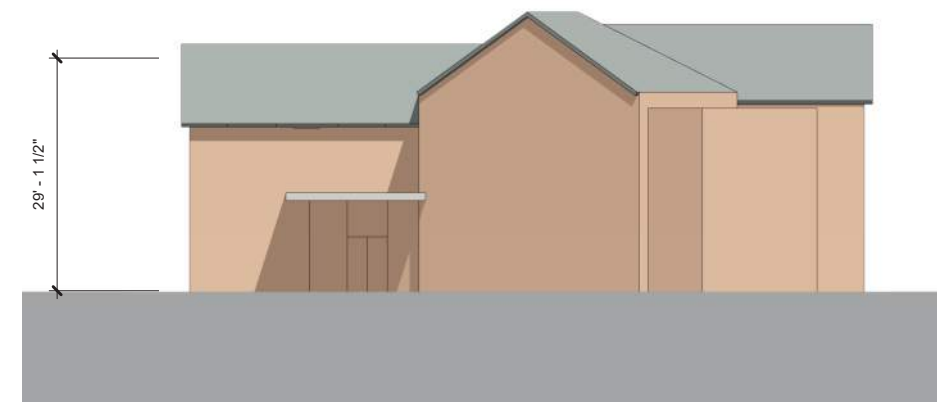
NORTH PAVILION WEST ELEVATION



NORTH PAVILION NORTH ELEVATION

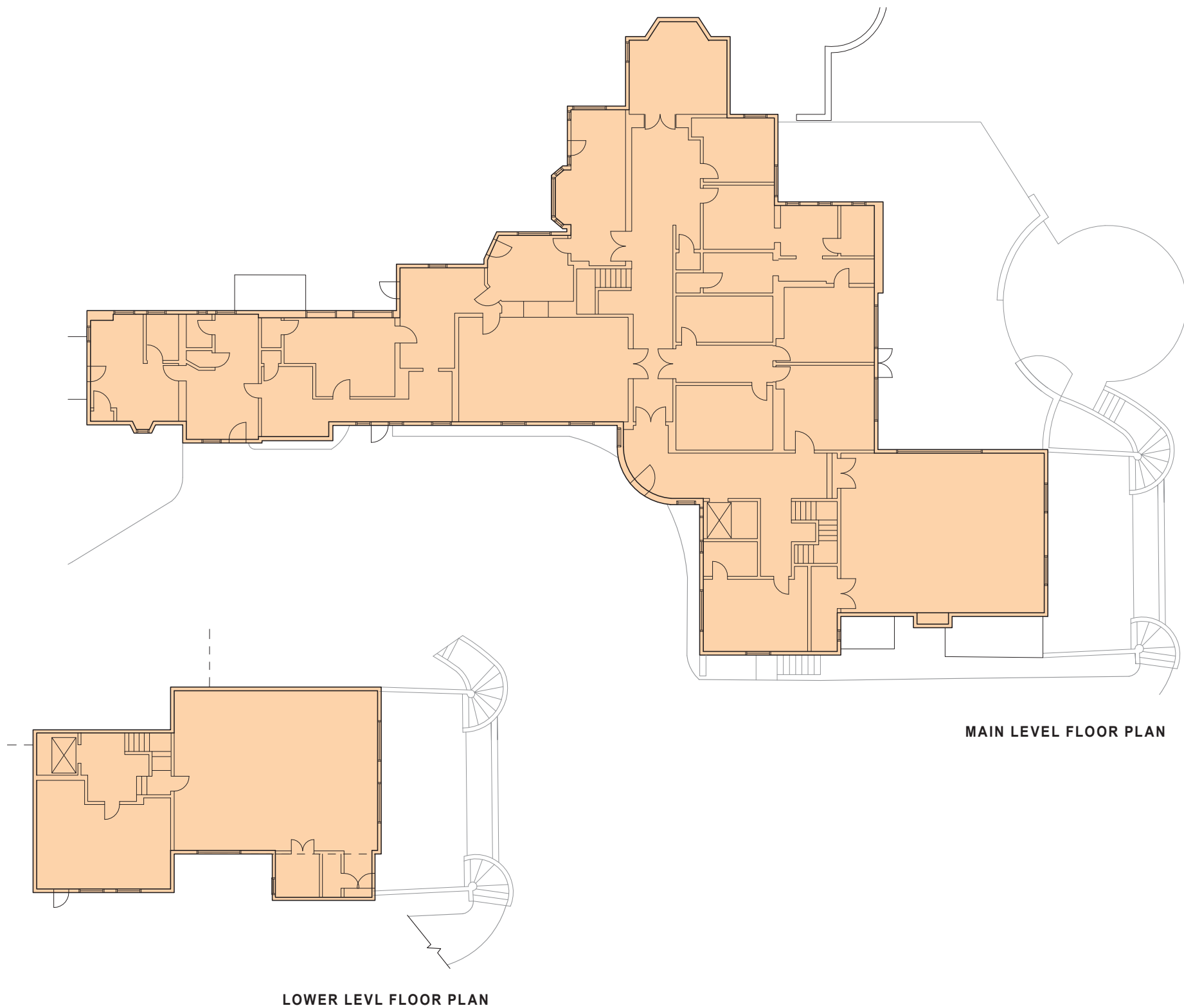


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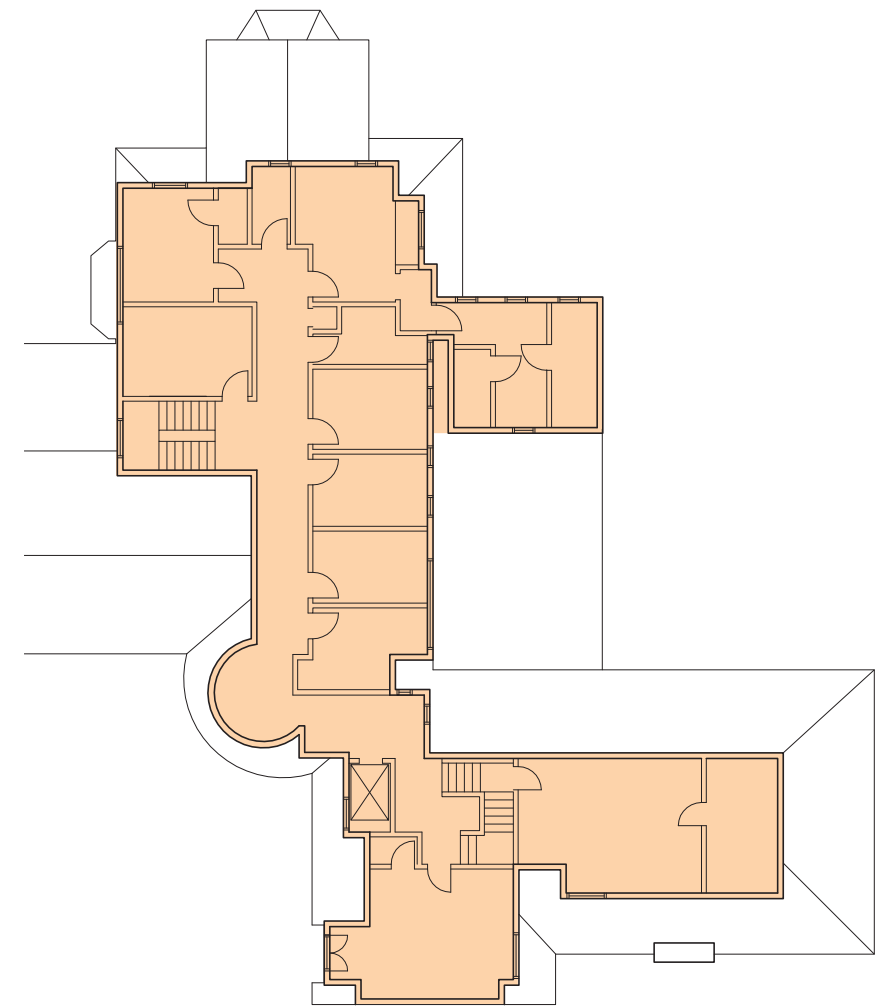


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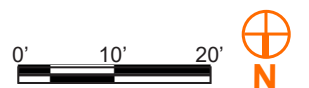


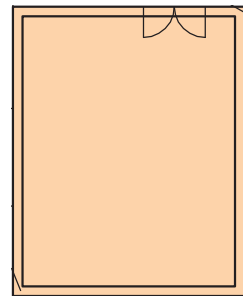


MAIN LEVEL FLOOR PLAN

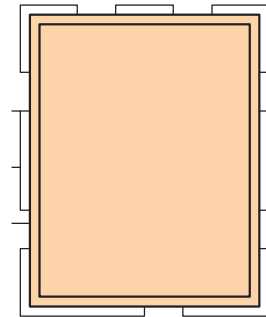


UPPER LEVEL FLOOR PLAN



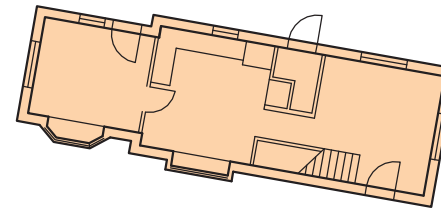


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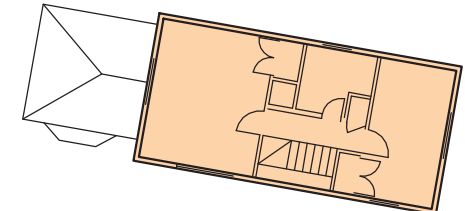


LEVEL 2

BRICK GARAGE

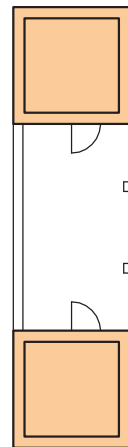


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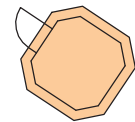


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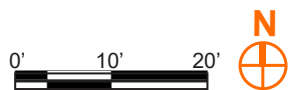
GATE HOUSE



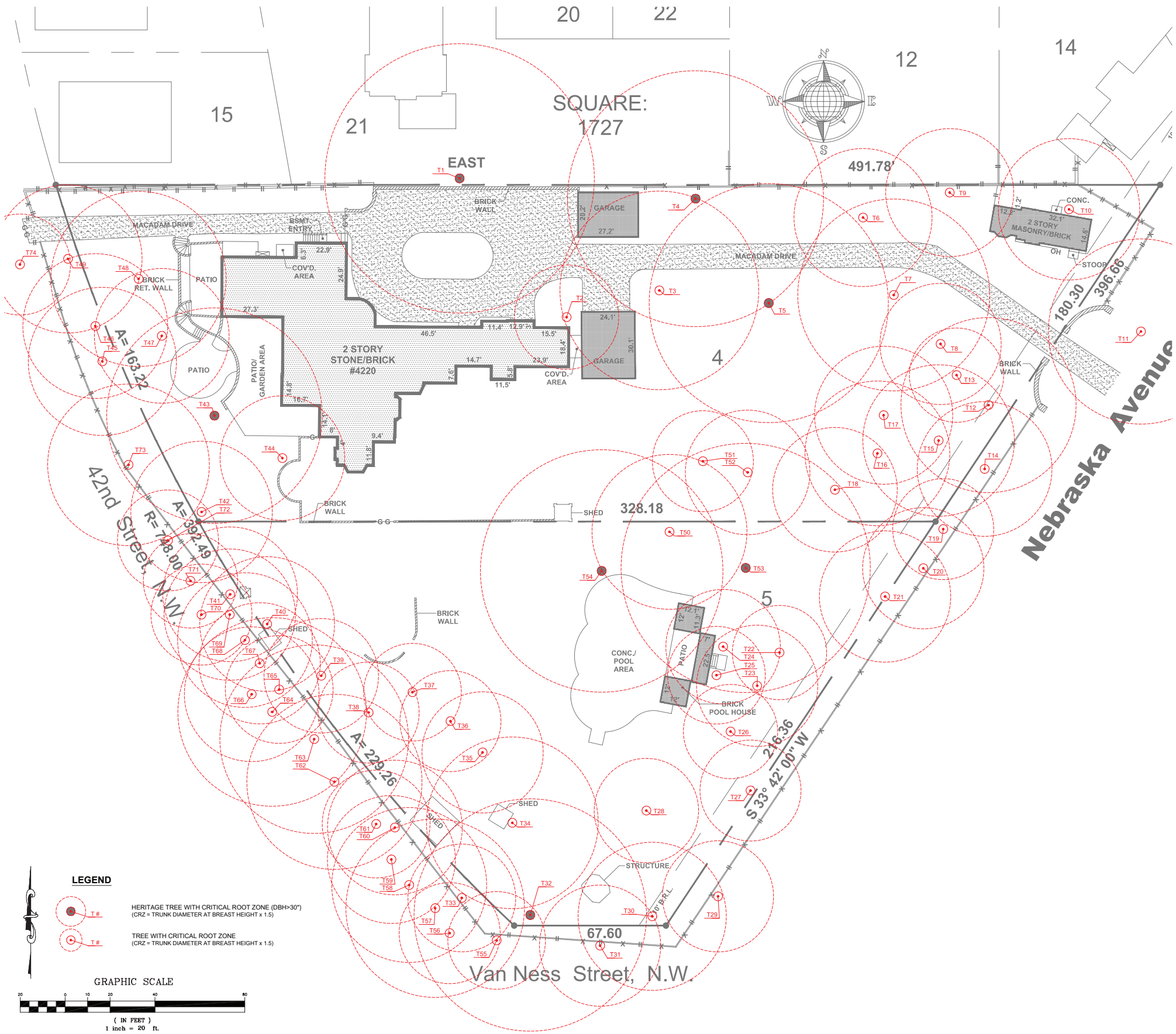
POOL HOUSE



CUPOLA



AMT TREE SURVEY  
JUNE 24, 2020



Project Name: 4220 Nebraska Avenue				Date: June 2020		Hazardous Tree Assessment						
Tree #	Botanical Name	Common Name	DBH	Trunk Circumference	Live Crown Ratio (0-100%)	Probability of Failure (1-4)	Size of Defective Part(s) (1-3)	Probability of Target Impact (1-3)	Subjective Risk Factors (0-2)	Total Risk Rating Score (3-10)	NOTES	
1	<b>Acer saccharinum</b>	<b>silver maple</b>	40.0	125.7	70	2	3	3	1	9	Behind brick wall; compacted root zone (in pavement); twin leader; minor dieback	
2	<i>Juniperus virginiana</i>	Eastern red cedar	15.5	48.7	80	1	1	3	1	6	Beside house; compacted root zone (in pavement); electrical equipment on trunk	
3	<i>Fagus grandifolia</i>	American beech	29.5	92.7	85	1	1	3	0	5	Electrical equipment on trunk	
4	<b>Quercus alba</b>	<b>White oak</b>	<b>38.0</b>	<b>119.4</b>	<b>66</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>5</b>		
5	<b>Fagus grandifolia</b>	<b>American beech</b>	<b>35.5</b>	<b>111.5</b>	<b>90</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>8</b>	Broken leader; electrical equipment	
6	<i>Pinus strobus</i>	Eastern white pine	20.5	64.4	66	2.5	1	2	1	6.5		
7	<i>Fagus grandifolia</i>	American beech	28.5	89.5	85	1	1	2	0	4		
8	<i>Pinus strobus</i>	Eastern white pine	18.0	56.5	60	2.5	1	2	1	6.5	Slightly leaning	
9	<i>Juniperus virginiana</i>	Eastern red cedar	19.0	59.7	50	2	2	3	1	8	Major euontmous vines on trunk and in canopy	
10	<i>Juniperus virginiana</i>	Eastern red cedar	21.0	66.0	45	2	2	3	1	8	Major poison ivy; small canopy	
11	<i>Ulmus americana</i>	American elm	27.5	86.4	60	2.5	3	3	1	9.5	Broken leader; major wound; overhead wires	
12	<i>Pinus strobus</i>	Eastern white pine	26.0	81.7	30	2	2	2	1	7	Broken limbs; dieback; English ivy	
13	<i>Pinus strobus</i>	Eastern white pine	14.0	44.0	70	2	1	2	0	5		
14	<i>Pinus strobus</i>	Eastern white pine	20.0	62.8	66	2	1	2	1	6	Major poison ivy	
15	<i>Cedrus atlantica</i>	Atlas cedar	22.5	70.7	40	1	1	1	0	3		
16	<i>Magnolia grandiflora</i>	Southern magnolia	21.5	67.5	70	1	1	1	0	3		
17	<i>Magnolia grandiflora</i>	Southern magnolia	20.5	64.4	80	1	1	1	0	3	Multiple trunk (7", 11.5", 15.5")	
18	<i>Juniperus virginiana</i>	Eastern red cedar	18.5	58.1	40	2	3	1	1	7		
19	<i>Magnolia grandiflora</i>	Southern magnolia	15.0	47.1	90	1	1	3	0	5	Slightly leaning	
20	<i>Liriodendron tulipifera</i>	tulip poplar	18.0	56.5	45	2.5	2	2	1	7.5	Thin canopy; minor dieback; broken limbs	
21	<i>Liriodendron tulipifera</i>	tulip poplar	19.5	61.3	50	2	2	2	1	7	Thin canopy; minor dieback; broken limbs	
22	<i>Pinus strobus</i>	Eastern white pine	14.0	44.0	40	2	1	2	1	6	Thin canopy	
23	<i>Pinus strobus</i>	Eastern white pine	18.0	56.5	60	1.5	1	2	1	5.5		
24	<i>Cupressus × leylandii</i>	Leyland cypress	17.0	53.4	85	1.5	2	3	0	6.5		
25	<i>Cupressus × leylandii</i>	Leyland cypress	14.5	45.6	75	1.5	1	3	0	5.5		
26	<i>Acer rubrum</i>	red maple	14.0	44.0	66	1	1	1	0	3	Cable bracing for adjacent tree	
27	<i>Juniperus virginiana</i>	Eastern red cedar	15.0	47.1	50	2.5	3	2	1	8.5	Cable bracing for adjacent tree; girdled trunk	
28	<i>Pinus strobus</i>	Eastern white pine	15.5	48.7	60	2	1	1	0	4		
29	<i>Pinus strobus</i>	Eastern white pine	16.5	51.8	30	2	2	3	1	8	Leaning; thin canopy; bamboo	
30	<i>Quercus palustris</i>	pin oak	22.0	69.1	50	1	1	2	0	4		
31	<i>Quercus palustris</i>	pin oak	18.0	56.5	55	1	2	3	0	6	Beside fence	
32	<b>Quercus rubra</b>	<b>Northern red oak</b>	<b>34.5</b>	<b>108.4</b>	<b>15</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>10</b>	Major pruning; fruiting bodies; dieback	
33	<i>Quercus rubra</i>	Northern red oak	16.0	50.3	10	3	2	2	2	9	Major dieback; ivy	
34	<i>Acer rubrum</i>	red maple	25.5	80.1	66	1.5	1	1	1	4.5	Multiple leaders in canopy; minor dieback	
35	<i>Pinus strobus</i>	Eastern white pine	18.0	56.5	66	1.5	1	1	1	4.5		
36	<i>Cupressus × leylandii</i>	Leyland cypress	15.0	47.1	66	3	1	2	1.5	7.5	Leaning; heaving root plate; major ivy	
37	<i>Cupressus × leylandii</i>	Leyland cypress	14.5	45.6	66	2	2	2	1	7	Major ivy	
38	<i>Juniperus virginiana</i>	Eastern red cedar	15.0	47.1	50	1	1	1	0	3		
39	<i>Tsuga canadensis</i>	Eastern hemlock	17.0	53.4	50	2	3	1	1	7	Multiple trunk (8", 10", 11.5"); dieback; thin canopy	
40	<i>Pinus strobus</i>	Eastern white pine	20.0	62.8	55	2	1	1	1	5		
41	<i>Quercus phellos</i>	willow oak	20.0	62.8	20	3	3	1	2	9	Major dieback; major ivy	
42	<i>Juniperus virginiana</i>	Eastern red cedar	21.0	66.0	70	1	2	1	0	4	Electrical	
43	<b>Acer rubrum</b>	<b>red maple</b>	<b>32.0</b>	<b>100.5</b>	<b>75</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>7</b>	Electrical; girdled limb; pruning cuts; thin canopy; minor dieback	
44	<i>Cupressus × leylandii</i>	Leyland cypress	18.5	58.1	80	1	2	3	0	6	Double trunk (10", 15.5")	
45	<i>Pinus strobus</i>	Eastern white pine	22.0	69.1	40	2	2	2	1	7		
46	<i>Pinus strobus</i>	Eastern white pine	21.5	67.5	40	2	2	2	1	7		
47	<i>Juniperus virginiana</i>	Eastern red cedar	20.0	62.8	50	1	1	2	0	4		
48	<i>Pinus strobus</i>	Eastern white pine	26.0	81.7	55	2	2	2	1	7	Major vines; broken limbs	
49	<i>Prunus serotina</i>	black cherry	22.0	69.1	50	2	3	2	1	8	Broken limbs; thin canopy; poor form	
50	<i>Picea abies</i>	Norway spruce	23.0	72.3	30	2	2	3	0	7	Conduit, light, guy wire; bamboo	
51	<i>Prunus serrulata</i>	flowering cherry	15.0	47.1	66	1	1	1	0	3		
52	<i>Prunus serrulata</i>	flowering cherry	18.5	58.1	60	1	1	1	0	3	Electrical	
53	<i>Liriodendron tulipifera</i>	tulip poplar	37.0	116.2	70	1	2	2	1	6	Vines	
54	<b>Juglans nigra</b>	<b>black walnut</b>	<b>36.0</b>	<b>113.1</b>	<b>70</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>7</b>	Wysteria vine; electrical	
55	<i>Quercus rubra</i>	Northern red oak	14.5	45.6	50	3	2	3	1	9	Major dieback	
56	<i>Ulmus americana</i>	American elm	15.0	47.1	70	1	1	3	0	5		
57	<i>Quercus rubra</i>	Northern red oak	26.5	83.3	50	4	3	3	2	12	Major wound at base; leaning	
58	<i>Quercus rubra</i>	Northern red oak	23.0	72.3	50	2	2	3	0	7	Thin canopy	
59	<i>Quercus rubra</i>	Northern red oak	19.0	59.7	50	2	2	3	1	8	Vines; thin canopy	
60	<i>Quercus rubra</i>	Northern red oak	20.0	62.8	40	2	3	2	2	9	Major ivy; thin canopy; dieback	
61	<i>Ulmus americana</i>	American elm	16.0	50.3	45	3	2	1	1	7	Major ivy; leaning	
62	<i>Quercus rubra</i>	Northern red oak	26.0	81.7	50	2.5	2	2	1	7.5	Major vines; minor dieback; thin canopy	
63	<i>Quercus rubra</i>	Northern red oak	28.0	88.0	40	2.5	2	1	1	6.5	Major vines; dieback; thin canopy	
64	<i>Quercus rubra</i>	Northern red oak	28.0	88.0	40	2.5	2	2	1	7.5	Major vines; dieback; thin canopy	
65	<i>Quercus rubra</i>	Northern red oak	16.0	50.3	30	3.5	3	3	1	10.5		
66	<i>Quercus rubra</i>	Northern red oak	20.0	62.8	50	2	2	3	0	7	Double trunk (10", 17.5")	
67	<i>Quercus rubra</i>	Northern red oak	18.0	56.5	40	2	2	3	1	8	Ivy on trunk; thin canopy	
68	<i>Quercus rubra</i>	Northern red oak	20.0	62.8	50	2	2	3	1	8	Leaning	
69	<i>Prunus serotina</i>	black cherry	19.5	61.3	30	3	3	3	1	10	Dieback	
70	<i>Quercus rubra</i>	Northern red oak	15.0	47.1	55	2	2	3	0	7	Dieback	
71	<i>Quercus rubra</i>	Northern red oak	14.0	44.0	40	2	2	3	1	8	Major vines	
72	<i>Quercus rubra</i>	Northern red oak	15.0	47.1	50	2	2	3	1	8	Major vines; dieback	
73	<i>Quercus phellos</i>	willow oak	24.0	75.4	75	1	1	3	0	5		
74	<i>Quercus rubra</i>	Northern red oak	15.0	47.1	25	3	2	3	2	10	Major dieback, vines	
Bold Text Indicates Heritage Trees (≥30" DBH)												

EXHIBIT 1

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