

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

**Application of St. John's College High School
2607 Military Road, N.W. (Lots 804-807 in Square 2308)**

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Background

St. John's College High School (the "Applicant") is seeking special exception relief from the Board of Zoning Adjustment ("BZA" or "Board") to permit three small additions to the St. John's College High School, which is located at 2607 Military Road, N.W. (Lots 804-807 in Square 2308) (the "Subject Property"). Square 2308 is bounded by McKinley Place and residential streets to the north, Oregon Avenue to the east, Military Road to the south, and 27th Street and Utah Avenue to the west, all in the northwest quadrant of Washington, D.C. The Subject Property is located within the R-1-A District and contains approximately 1,141,004 square feet of land area.

The proposed project includes the renovation and expansion of the classroom wing and student center of the primary academic building on campus (the "Academic Building"). The Academic Building is located in the southwest corner of the campus and currently occupies approximately 177,576 square feet of gross floor area. The modest expansion will add approximately 15,650 square feet and will include (i) a 2,700 square foot covered student center walk, (ii) a 12,300 square foot classroom addition, and (iii) a 650 square foot boiler storage addition.

The Subject Property is located adjacent to and west of Rock Creek Park and is therefore subject to the Shipstead-Luce Act ("Act"), which requires review by the U.S. Commission of Fine Arts ("CFA"). *See* 40 U.S.C.A. § 8104(b). Thus, this application is simultaneously being reviewed by the CFA.

A. Student Center Walk

As shown on the architectural plans and elevations included in the application (the "Plans"), the proposed student center walk will be located in the north courtyard of the Academic Building. The renovation will replace and expand the exterior concrete path with an enclosed walkway. In the current configuration, students are exposed to the elements when they travel between the classroom wing and the auditorium. Enclosing this pathway will improve the current condition by providing a protected circulation route. The renovation also includes the conversion of the existing choir and band rooms, currently located in the lower level of the Academic Building adjacent to the proposed student walk, into expanded spaces for the campus ministry and the theater program.

B. Classroom Addition

As shown on the Plans, the classroom addition is located on the northernmost portion of the Academic Building's classroom wing and will be set back approximately 57 feet from 27th Street to the west. The program includes the renovation of the existing art studios and construction of a new choir room, orchestra room, band room, and classrooms to support St. John's music program. The existing patio will also be expanded to improve its use and functionality.

C. Boiler Storage Addition

The proposed boiler room storage addition will be located to the north of the existing boiler room, which is located to the north of the auditorium within the Academic Building. The expansion will provide new storage space for mechanical equipment and parts, and will match the existing boiler room's height and exterior materials. Access to the existing electrical transformer will be maintained and screened with new landscaping and a garden wall. The addition will not interfere with pedestrian circulation.

II. Relief Requested

In order to proceed with the proposed project, the Applicant requires special exception relief to allow an addition to an existing private school pursuant to section 206 of the Zoning Regulations. The Plans demonstrate that the proposed project is consistent with the underlying purposes and intent of the Zoning Regulations and Zoning Map.

The Applicant will file its prehearing statement with the Board no less than 14 days prior to the public hearing on this application. In the statement, and at the public hearing, the Applicant will provide testimony and evidence to meet its burden of proof to obtain the Board's approval of the requested special exception and variance relief. The following is a summary indicating how the Applicant will meet its burden of proof.

A. Burden of Proof

Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning district, provided that the specific regulatory requirements for the requested relief are satisfied. In reviewing an application for special exception relief, "the Board's discretion... is limited to a determination of whether the exception sought meets the requirements of the regulations." *First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment*, 432 A.2d 695, 701 (D.C. 1981) (quoting *Stewart v. District of Columbia Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)). If an applicant meets its burden, the Board must ordinarily grant the application. *Id.*

B. Special Exception Per Section 206

Section 206 of the Zoning Regulations authorizes the Board to allow a private school within the R-1-A District in accordance with the requirements of section 3104 for special

exceptions, provided that the standards set forth in sections 206.2 and 206.3 are met. 11 DCMR § 206.1. As discussed below, these standards are satisfied in this case. The Board can therefore grant the requested relief.

1. *Section 206.2 – The school shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions.*

As will be demonstrated more fully at the Board's public hearing on this application, the proposed additions will not result in any increase in noise, traffic, number of students, or other objectionable conditions. The proposed additions will occur completely within St. John's campus, sufficiently removed from all nearby residences and streets, and will be visible only from inside the campus. The proposed additions are intended to better accommodate the existing activities already occurring on the campus and to improve the educational experience for current and future students. All of the proposed renovations will match the height, massing, materials, and architectural design of the existing campus buildings. The renovations will allow St. John's to provide appropriate space for its music, art, and theater programs, as well as to provide a new space for the campus ministry. The renovations will also create a covered walkway for students to travel from their classes to the auditorium, and will provide additional storage space for mechanical equipments and parts.

2. *Section 206.3 – Ample parking space, but not less than that required in chapter 21 of this title, shall be provided to accommodate students, teachers, and visitors likely to come to the site by automobile.*

The existing school complies with the off-street parking requirements of section 2101.1 of the Zoning Regulations, and the proposed additions will not increase the number of parking spaces required under that section. The existing parking facilities on the Subject Property will continue to adequately accommodate the students, teachers, and visitors who are likely to arrive at the site by automobile.

III. Conclusion

The proposed special exception is in harmony with the general intent and purpose of the Zoning Regulations and Zoning Map and will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. The Board should therefore grant the requested relief.