The Sheridan Kalorama Neighborhood Council
2136 Leroy Place, NW
Washington, DC 20008

February 15, 2000

To: Government of the District of Columbia
Board of Zoning Adjustment

Re: Application Number 16554, Special Exception for a Music and Art School at 2306 Massachusetts Avenue, NW

The Sheridan Kalorama Neighborhood Council ("Council") wishes to appear and participate as a party in the above referenced Board of Zoning Adjustment ("Board") hearing scheduled for March 1, 2000.

The Council's address is 2136 Leroy Place, NW, Washington, DC 20008.

The Council will appear as an opponent of the referenced application.

The Council will appear through the following legal counsel:
Richard B. Nettler, Esquire
Robins, Kaplan, Miller & Ciresi L.L.P.
1801 K Street, NW, Suite 1200
Washington, DC 20006

The Council has appeared before the BZA on previous occasions and was given party status with regard to matters within its area. The Council has, as its members, property owners who live within 200 feet of the subject premises and their property values will be adversely affected by the relief sought. In addition, the rights of the Council's members to the quiet enjoyment of their property will be adversely affected and, therefore, the Council should be given party status as an Association.

Sincerely yours,

Alan S. Hays II
Authorized agent for the Sheridan Kalorama Neighborhood Council

'00 FEB 15 P3:41

BZA
Case No. 16554
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO.16554
EXHIBIT NO.23

Mr. and Mrs. Alan S. Hays II
2234 Q Street, NW
Washington, DC 20008

February 15, 2000

DISTRICT OF COLUMBIA
OFFICE OF ZONING
'00 FEB 16 P3:17

To: Government of the District of Columbia
Board of Zoning Adjustment

Re: Application Number 16554, Special Exception for a Music and Art School at 2306 Massachusetts Avenue, NW

We, Donna S. and Alan S. Hays II oppose the granting of a special exception to the zoning of the Alice Pike Barney House Located at 2306 Massachusetts Avenue, NW on Sheridan Circle. We live at 2234 Q Street, NW, Washington, DC 20008, a very short 1½ blocks away. Our reasons for opposing the granting of an exception are as follows:

1. The Sample Used in the Traffic Study Is Seriously Flawed.

a. The traffic study is incomplete and cannot be used to assess traffic patterns in Sheridan circle. The study was made on December 9, 1999, long after the Q Street bridge had been closed for repairs in September 1999. A major route from downtown offices to homes in Georgetown is Northwest on Mass Ave, around Sheridan Circle past the Alice Pike Barney House, right on 23rd Street, then right onto the Q Street bridge at the traffic light heading into Georgetown. I have observed this traffic backing up into Sheridan Circle during busy periods. This traffic was not observed during the traffic study because the Q Street bridge was closed in December 1999. Application of James H. And Julie P. Edmonds for Special Exception Review and Approval of Studio House School of the Arts, December 1999 ("Application"), Exhibit 3, page 15, Exhibit 8.

2. The Traffic Study Ignores Serious Safety Issues

a. The traffic study does not address safety issues. We run a substantial risk of witnessing serious accidents, perhaps even deadly, when children are dropped off or picked up in front of the Alice Pike Barney House.

b. There is only one parking space at the curb in front of the Alice Pike Barney House. The space in the southeast direction from the Alice Pike Barney House parking space to the corner of 23rd Street is blocked by large concrete anti-terrorist security barriers. It is impossible to get from the street to the sidewalk through these barriers. The space to the northwest are two driveways and the Korean Chancery. This means that every music class "shift change" will require as many as 18 "Music Moms" plus an additional 8 "Art Moms" at certain times to discharge or pick up a child at this single parking place. Common sense suggests that these "Music and Art Moms" will either park illegally, perhaps as far back as Massachusetts Avenue, or worse yet double park, or drive around and around Sheridan Circle waiting for an opportunity to get into that one spot.

c. It is downhill from the 24th Street light and into Sheridan Circle. Traffic moves quickly on this stretch.

d. Cars already in the circle (perhaps going to Georgetown via 23rd Street) have the right-of-way over cars entering from Massachusetts Avenue. Drivers entering the circle are looking to the left for and at cars having the right-of-way. As they swoop into the circle, often at relatively high speeds, their attention refocuses on traffic in front of them just as they approach the Alice Pike Barney House. What will their reaction time be if a "Music or Art Mom" decides to dart back into traffic at that moment or is double parked in front of the Alice Pike Barney House? It seems to me common sense suggests that this traffic situation during the evening rush hour, every weekday, creates a substantial risk of a serious accident.

3. **Contrary to Dr. Clark's Unsupported Assertion, Parking Is a Major Problem on the Residential Streets in the Immediate Vicinity of Sheridan Circle.** Application, Exhibit 3, page 17.

a. On-street parking is not easy in this neighborhood. The parking problem is compounded by the Church of the Pilgrims located just a short 1 ½ blocks away from the Alice Pike Barney House. In addition to its normal church sponsored activities, the church rents its meeting halls, one of which can hold about 200 people, to large unaffiliated organizations at least once a week and sometimes more frequently. Cars from these events flood the neighborhood. Finding legal parking spaces while these events are taking place is impossible.

b. The Edmondses propose student recitals with a maximum attendance of 45 students and guests and with no more than 40 recitals a year. In addition, the Edmondses propose up to 24 recitals a year by guest musicians with attendance by as many as 90 people. This is a total of 64 recitals or an average of 2.5 recitals per week if recitals are limited to two 13 week periods as proposed by the Edmondses. The Application suggests that the number might not be more than 2 recitals a week or 52 a year. Twice a week for 6 months every year resident parking will be impossible due to the Alice Pike Barney House musical events. The Application, Exhibit 3, pages 9, 13-14.

4. **There Are Not Enough On-site Parking Spaces to Satisfy Zoning Requirements.**

a. The on-site parking sketch does not appear workable for 9 spots. The plan assumes all relatively small vehicles. Even then, the plan leaves little room to get in or out of cars or walk space around the cars.

b. The on-site parking plan makes no provision for Mr. or Dr. Edmondses cars or school vehicles. This school will be one of three music schools owned and operated by Mr. Edmonds. It is certain that he will need a vehicle to get to his other schools located in Virginia. The on-site parking plan also makes no provision for a car for Dr. Edmonds who presumably needs a car for her job and to run household errands. The Application states that "the Applicants are prepared to meet the Schedule of Requirements for Parking Spaces, which requires two spaces for every three teachers and one space for every ten classroom seats." Ten teachers and 17 classroom seats requires nine parking spaces. If the Edmondses and/or the school need two or three

spaces, then only six or seven spaces are left to satisfy the parking requirements of nine spaces. Application, Exhibit 3, page 14.

5. **A Special Exception for a Commercial Business in this Residential Neighborhood Will Establish a Dangerous Precedent and Could Lead to Objectionable and Unintended Use of the Alice Pike Barney House.**

   a. The Edmondses personal income and revenue to cover their business expenses will come from this and other music school businesses owned and operated by them. A non-profit corporation, as proposed by the Edmondses, does not mean they intend to minimize revenue or not develop other revenue producing activities which could be shoe-horned into the zoning exception. For example, nothing seems to prevent them from renting out the public spaces for a party of up to 90 people with music, wine and hors d'oeurvres under the guise of a "performer recital". This is how H.H. Leonard's mansion on O Street got started, a business which has expanded seemingly without end and ravaged one of our nicest neighborhood residential blocks. "Performer recitals" are not necessary for musical schooling.

   b. Attached is a copy of a letter to the editor which appeared in The Current newspaper, dated February 9, 2000, from Don W. Crockett, Chair, Georgetown Residents Alliance. Describes the impossible parking and noise pollution problems at Tudor House when that museum is rented out on a commercial basis for corporate parties and weddings. The Tudor House problems seem to be directly illustrative of problems that could develop at the Alice Pike Barney House if a special exception is granted under this application.

We oppose the granting of a Special Exception to the zoning of the Alice Pike Barney House located on Sheridan Circle for the foregoing reasons.

Sincerely yours,

Alan S. Hays II

Donna S. Hays

Donna S. and Alan S. Hays II

Tudor Place problems haven't been fixed

In her Jan. 19 letter, Edith Schafer castigated nearby residents for opposing the commercial use of Tudor Place in our otherwise quiet residential neighborhood. As one of those residents categorized as "high dudgeon folks who should be falling on their knees in gratitude for this jewel in our crown," I believe an accurate picture of the Tudor Place controversy is in order.

In the first place, all of the surrounding neighbors fully support the work of the Tudor Place Foundation in operating Tudor Place as a house museum for groups of 15 people or less during its authorized hours of 9 a.m. to 4:30 p.m. each day. That is what Armistead Peter specified in his will, what the foundation is obligated to do, and what is appreciated by the neighbors.

What the neighbors object to is the unlawful rental of Tudor Place on a commercial basis for large corporate parties and wedding receptions in the evenings and on weekends. When those commercial events take place, our neighborhood is suddenly inundated with hundreds of cars searching for scarce parking places while large bands pump unwanted music into our homes. (The argument that Tudor Place needs the extra money is nonsense. The foundation has an $8.9 million endowment and operated very successfully with a staff of seven in its first five years. The $80,000 of "commercial profit" is used only to hire an unneeded staff of 10 to 14.)

Ms. Schafer boldly asserts that the noise and parking problems have been "fixed." Well, they haven't. Indeed, the latest Board of Zoning Adjustment order permits 10 private "events" of up to 500 people, and there is nothing to prevent the participants from hiring the Marine Corps Band to entertain their guests as well as the surrounding neighbors, whether they like it or not. (The BZA order prohibits "amplified" music, but drums, trumpets, saxophones, trombones and most other musical instruments are not amplified.) Moreover, there is nothing whatsoever in the zoning board order to preclude guests who want to park on our residential streets from doing so.

For good measure, the BZA permitted the foundation to host an unlimited number of commercial events for less than 200 people. We, of course, are not thrilled by the prospect of loud wedding receptions any night of the week and, accordingly, are appealing that unlawful order to the D.C. Court of Appeals.

Don W. Crockett
Chair, Georgetown Residents Alliance