BEFORE THE
DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT
WASHINGTON, D.C.

Application No. 16554

PRE-HEARING STATEMENT OF JAMES H. EDMONDS AND JULIE P. EDMONDS IN SUPPORT OF THEIR APPLICATION FOR SPECIAL EXCEPTION REVIEW AND APPROVAL OF STUDIO HOUSE SCHOOL OF THE ARTS 2306 MASSACHUSETTS AVENUE, N.W.

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OFFICE OF ZONING
DISTRICT OF COLUMBIA

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FILED: 16 FEBRUARY 2000
HEARING DATE: 1 MARCH 2000

Board of Zoning Adjustment
District of Columbia
CASE NO.16554
EXHIBIT NO.32A1

PRE-HEARING STATEMENT OF APPLICANTS
JAMES H. AND JULIE P. EDMONDS IN SUPPORT OF THEIR
APPLICATION FOR SPECIAL EXCEPTION REVIEW AND
APPROVAL OF STUDIO HOUSE SCHOOL OF THE ARTS
2306 MASSACHUSETTS AVENUE, N.W. (Application No. 16554)

This statement will supplement the Applicants' Statement that was submitted in December 1999 as Exhibit 3 to this application for special exception review and approval to permit the Studio House School of the Arts (the "School") to occupy and use the residential dwelling at 2306 Massachusetts Avenue, N.W. (Square 2507, Lot 4) and the carriage house on the premises (Square 2507, Lot 5) as a private school in a D/R-3 Zone District. A copy of that statement is attached for the Board's convenience. The Applicants' request for special exception review and approval is made pursuant to Sections 206 and 3104.1 of the District of Columbia Zoning Regulations, 11 D.C.M.R. (Zoning)(1999)(the "Zoning Regulations").[1] Approval of the application will allow the School to offer a program of music and art instruction to the community.

The Applicants' Statement explains in detail why the Applicants have met their burden of demonstrating that the School would not be objectionable on the basis of noise, traffic, number of students and other factors and would be in harmony with the purpose and intent of the Regulations and Maps. This submission will focus on additional factors that buttress the Applicants' case.

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[1] The Board has approved applications for a private school in residential areas less dense than the D/R-3 zone, where Studio House is located. For example, the Board recently approved a private school with a more intense propose use in an R-2 District. Application No. 16421 of Howard University/Metropolitan Day School, Inc. (decided 21 April 1999). The Board's decision is attached as Exhibit 10.

I. THE ALICE PIKE BARNEY HOUSE

As the Applicants' Statement outlines in detail, the proposed school would be located in the Alice Pike Barney Studio House, a semi-detached, four-story residential dwelling with two basement levels that is on the southwest side of Sheridan Circle. The Studio House is listed in the National Register of Historic Places, and two interior floors are listed in the D.C. Inventory of Historic Sites. Immediately to the west near Studio House is a two-story accessory carriage house. A special exception in this D/R-3 District is sought to permit the use of Studio House for music lessons and recitals and the upper level of the carriage house for art instruction and music instruction for young children. The open areas of Lot 5 and the lower floor of the carriage house would be used for parking, with one space in the carriage house and eight other spaces on the lot for off-street parking by faculty and students. The school would not be the only use of Studio House if the application is granted, inasmuch as the Edmonds family will occupy the top two floors as their personal residence, as did Mrs. Barney when Studio House first opened. We thus deal with a proposal for a mixed use of the property, consistent with its original and historic use.[2]

The history of Studio House is set out more fully in the initial filing. To that

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[2] We wish to clarify one point here. The Applicants' Statement suggests that the Edmondses had made Studio House their residence at the time the application was filed in December 1999. Although they had listed their current house with a realtor and had begun moving in when the application was filed, they have decided to defer completion of that process until after this case is resolved.

we add an excerpt from a book published by the Commission of Fine Arts entitled MASSACHUSETTS AVENUE ARCHITECTURE (Vol. I, 1973)(Exhibit 11), which demonstrates the mixed-use character of the building. The Commission notes how the building, "which includes studio and stage facilities, was designed as a private cultural center for artistic pursuits and informal entertaining." *Id.* at 381. The Commission also indicates that tenants over the years after Mrs. Barney moved out of the House included the Peruvian Embassy (1925-26), the Columbian Legation (1936-38), the National Capital Film Laboratories, Inc. (1939-40)." *Id.* at 381-82. The building was either vacant or had no telephone listing associated with the house for a number of years until the Smithsonian acquired the building in 1960.

The mixed use proposed by the Edmonds compares favorably with the proposed use that the Smithsonian considered in the mid-1990s. Exhibit 12 consists of relevant portions of a 1994 proposal prepared by the Friends of Alice Pike Barney Studio House (the "Friends"). This document was prepared three years after the Smithsonian closed Studio House to the public in 1991, and the Friends proposed a public-private partnership to raise the funds necessary to reopen Studio House to the public.

The Friends' proposal contemplated the renovation of Studio house for "the mixed uses of National Museum of American Arts office occupation on the first, fourth and fifth floors, and for public programs, tours and related use on the second and third floors." *Id.* at 7. The fourth and fifth floors are the ones Mrs. Barney used as her residence and that the Edmondses would use as their residence. The

second and third floors are the performance areas that were subsequently listed in the D.C. Inventory of Historic Sites. *Id.* at 7. The Friends added its belief that:

> . . . at this point in its life, Studio House has a limited range of viable uses, and that it is uniquely suited to the Institution-proposed plan for exhibition/performance space and low-level office and/or residential use. The organization feels that because of its limited square footage and unique room arrangements, *the building no longer lends itself to full-scale residential occupancy*, and that commercial use of the house is not practical.

Id. at 7 (emphasis added). The Smithsonian never proceeded with this proposal, and the property was sold to the Edmondses in 1999.

II. THE PROPOSED STUDIO HOUSE SCHOOL OF THE ARTS

The proposed use as a school for music and the arts is thus consistent with the uses for which Studio House was built and initially used. The Applicants have recently incorporated Studio House School of the Arts as a Delaware non-profit corporation, and the articles of incorporation appear as Exhibit 13. They intend to seek recognition of the School as a tax-exempt educational institution under section 501(c)(3) of the Internal Revenue Code.

Table 1 of the Applicants' Statement, reproduced below, summarizes how the School's operations would be staggered throughout the day to minimize noise, traffic and the number of students on the premises at any one time. By staggering class times, the maximum usage for lessons at any one time would be 17 students (nine music and eight art) and 10 teachers (nine music and one art) during a one-hour period (7 to 8 P.M.) on Mondays through Thursdays, when music lessons in the Studio House and a group art

TABLE 1: PROPOSED LESSON SCHEDULE

	WEEKDAYS
10 A.M.- 12 (Mon.-Fri.)	Up to 8 music students (ages 4-6) plus 1 instructor (carriage house)
3 - 8 P.M.	Up to 9 music students (individual lessons) plus 9 instructors (Mon.- Thurs.; Fri. classes will end at 6 P.M.)(Studio House)
7 - 9 P.M.	Up to 8 art students (group class) plus one instructor (Mon.-Thurs.)(carriage house)
	WEEKENDS
9 A.M. - 2 P.M.	Up to 9 music students (individual lessons) plus 9 instructors. (Sat. only; no Sun. lessons)(Studio House)

Maximum proposed usage on-site during lessons:
17 students (9 music and 8 art) plus nine instructors (8 music and 1 art) between 7 and 8 P.M. on Monday through Thursday evenings.

class in the carriage house would occur at the same time.

Recitals, whether by students or outside musicians, would be scheduled on Friday evenings (a day when scheduled lessons would end two hours earlier at 6 P.M. and no art lessons would be scheduled), as well as on Sunday afternoons from 2 to 4 P.M. Student recitals would generally consist of a single teacher presenting approximately 15 of his or her students to an audience of parents and friends.

Recitals from professional musicians give students the opportunity to

hear works performed by professional musicians and to interact and learn from professionals. These recitals would be limited to small groups, most likely trios or quartets, particularly in light of the small and intimate size of the performance spaces in the Studio House.

Both student and professional recitals would occur on Friday evenings and Sunday afternoons. As to student recitals, it is anticipated that there would be a total of 20 instructors, each of whom would want one recital in the spring and one in the fall. The School would thus hold a maximum of 20 student recitals per semester for a total of 40 annually. With a limit of two recital times per week, there are at most 26 slots available for recitals during each of the 13-week spring and fall seasons, 20 of which would be used for these student recitals.

Recitals by guest performers would also be limited to this Friday and Sunday schedule with no more than 24 such recitals annually. In this way, the Applicants would have some flexibility to offer such recitals at various times of the year.

TABLE 2: PROPOSED RECITAL SCHEDULE

Applicants propose up to 40 student recitals and 24 guest performer recitals a year according to the following schedule:

Fall Season (13 weeks)	Spring Season (13 weeks)
Student recitals:	Student recitals:
Up to 10 on Fridays (7-9 P.M.)	Up to 10 on Fridays (7-9 PM)
Up to 10 on Sundays (2-4 P.M.)	Up to 10 on Sundays (2-4 P.M.)
Guest performer recitals:	Guest performer recitals:
Up to 3 on Fridays (7-9 P.M.)	Up to 3 on Fridays (7-9 P.M.)
Up to 3 on Sundays (2-4 P.M.)	Up to 3 on Sundays (2-4 P.M.)

Winter and Summer Seasons
No student recitals.
Up to 12 guest performer recitals, assuming that six such recitals are offered in the fall and six in the spring in the time slots not used for student recitals in those seasons. The actual number of summer/winter recitals could be higher -- subject to the overall cap of 24 -- if fewer such recitals are offered in the fall and spring.

III. TRANSPORTATION AND PARKING ISSUES.

The application contained as Exhibit 6 a preliminary traffic report by Dr. Everett C. Carter, a professor emeritus of civil engineering at the University of Maryland. Dr. Carter will testify as the applicants' transportation expert. Based on consultations with neighborhood groups and citizens, and in an effort to respond to specific concerns raised about the

traffic and parking impacts of the School on the neighborhood, Dr. Carter has conducted additional analysis and research, and his supplemental report appears as Exhibit 14.

In brief, Dr. Carter concludes that Sheridan Circle traffic moves smoothly at a Standard Level of Service "B" or better from 5 to 6 P.M., and the several trips generated by the School would not alter this fact. In response to neighborhood concerns that there are congestion problems during the Friday evening 7 P.M. to 9 P.M. period when recitals would take place, Dr. Carter performed an additional analysis on a recent Friday evening and found that traffic moved at Standard Level of Service "A" during that off-peak time. Other key findings in his analysis are as follows:

-- The School will not operate during morning rush hours, when traffic is headed southbound along Massachusetts Avenue, directly in front of the Studio House, towards the Downtown area.

-- By staggering the hours of operation and the classes, traffic congestion as a result of School activity is highly unlikely. Moreover, music instructors are likely to arrive and depart almost simultaneously, *i.e.*, shortly before classes start at 3 P.M. and shortly after classes end at 8 P.M., thus making ingress and egress from the parking lot fairly straight-forward during these non-rush hour periods.

-- Through traffic is unlikely to be slowed by the arrival of vehicles picking up or dropping children off at the School. A curb lane immediately in

front of the Studio House allows cars easily to pick up or discharge a student. This drop-off area is generally not used for parking because there are two curb cuts relatively close to each other west of the Studio House, one of them providing access to the Studio House's parking. Moreover, there are diplomatic parking spaces immediately to the east of the Studio House in front of the Turkish Embassy, which are often occupied by parked vehicles. As a result, parents dropping off or picking up students will be able, without impeding traffic, to pull in and stop behind vehicles parked in these spots in front of the Turkish Embassy. Also, because traffic on Sheridan Circle is one-way, vehicles stopping at the Studio House will only experience the normal difficulty rejoining the flow of traffic.

– As for queuing, a worst case scenario would involve nine students arriving and nine departing simultaneously at each hour and half-four during the 3 P.M. to 8 P.M. lesson period, thus creating the potential for up to 18 vehicles being at the site at the same time. This scenario seems unlikely for several reasons. First, not all lessons will be for one-half hour, but may be 45 minutes in length. Second, it is Mr. Edmonds' experience from operating music schools that parents will not wait at the site. In addition, the applicants plan to retain a parking attendant/security guard whose job will include escorting children to and from their cars, thus reducing the need for parents to park and the amount of time a car would be stopped. Third, experience suggests that not all vehicles arrive at a location at exactly the

same time. Finally, there are steps that can prevent queuing, such as instructing parents to drop children off five to ten minutes before a lesson and picking them up a few minutes after the scheduled end point.

– No difficulty is anticipated with respect to parked vehicles backing out of the Studio House lot onto Sheridan Circle. During lesson periods, parking will involve predominantly faculty cars, who will leave at the off-peak hour of 8 P.M., when lessons are over. To the extent they back out of the lot, they will be backing into a curb lane in an area where parking is not allowed. In addition there is a stop light at 24th Street, which limits access to Sheridan Circle for certain periods of time.

-- On-street parking is available during anticipated periods of usage. The Studio House is located on the south side of Massachusetts Avenue, where some embassy parking restrictions exist, some of which are removed after 6:30 P.M. Because the predominant use of Massachusetts Avenue in this area is for embassies and chanceries, which is a form of office use, there is less demand for parking during the post-6:30 period and the weekend periods when the Studio House would be simultaneously offering its music and art courses or offering recitals. In addition, during the recent analysis of traffic and parking patterns on a Friday evening, when recitals would take place, Dr. Carter surveyed parking in neighborhood blocks and found 30 curb spaces available on four separate canvasses of the neighborhood.

-- Public transportation is available. The Dupont Circle Metro station

on the Red Line is located three blocks away at the corners of 20th and Q Streets, N.W. In addition, several major bus lines operate in both directions along Massachusetts Avenue, and 44 buses enter Sheridan Circle between 3 P.M. and 8 P.M. on weekdays.

Parking was also analyzed in both the preliminary and follow-up studies. Section 206 of the Zoning Regulations states:

> § 206.2: The private 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 other objectionable conditions.
>
> § 206.3: Ample parking, but not less than that required in chapter 21 of this title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile.

The Schedule of Requirements for Parking Spaces set forth in section 2101.1 of the Zoning Regulations requires a private school in all districts other than C-4 or C-5 to have the following number of parking spaces:

> For each building: 2 for each 3 teachers; plus either 1 for each 10 classroom seats or 1 for each 12 stadium seats or 1 for each 10 auditorium seats, whichever is greater, except as provided in § 2106 [which applies only to universities and colleges].

In this case the Schedule of Requirements is subject to 11 D.C.M.R. § 2100.5, which states when, as here, the use of a building is changed, "[n]o additional parking spaces shall be required for a historic landmark or a building or structure located in a historic district which is certified by the State Historic Preservation Officer as contributing to the character of that historic district."

During the 39 years that the Smithsonian owned Studio House, the Smithsonian was not subject to the Zoning Regulations, and thus there is no requirement for on-site parking. Nonetheless the Applicants plan to operate the school with eight on-site parking spaces plus one space in the garage, for a total of nine on-site spaces, the number required under the Zoning Regulations for the one hour on weekday evenings that music and arts classes would be operating simultaneously. During the other times of the afternoon lesson periods, a total of seven spaces would normally be required and are being provided. We note that the Smithsonian laid out the area for nine spaces, so the proposed parking usage is no more intense than the prior use.

In meetings with the Advisory Neighborhood Commission and neighborhood groups, a concern was raised that despite the Applicants' compliance with zoning standards, the level of operations – particularly during recitals, when there could be up to 90 people at the School – might be too intensive. Using the benchmark in the Zoning Regulations of one parking space per ten people, the nine on-site spaces would be the number of spaces required during recitals. Nonetheless, in an effort to respond to this concern, the applicants have a written commitment from the Westin Fairfax hotel, located two blocks away at 21st Street and Massachusetts Avenue, to provide an additional ten spaces during the Friday evening and Sunday afternoon recitals, for a total of 19 spaces. The hotel's letter is attached as Exhibit 15. We respectfully submit that 19 spaces are more than ample to

meet any parking demands during periods when there may be 45 students and relatives on the site for student recitals and up to 90 individuals on the site for guest recitals, particularly when one considers the excellent bus and subway transportation that is also available at this location.[3]

IV. PUBLIC BENEFITS TO THE DISTRICT

Approval of this application would offer important benefits to the community.

The Applicants have conferred with the Friends of the Alice Pike Barney House and offered to make the house available for public functions, such as the Dupont Circle Museum Tour and similar activities, thus allowing members of the public to visit and appreciate this special and historic landmark. The Applicants also plan to establish an advisory committee which would include members of the Friends organization and other individuals interested in fostering the educational and related mission of the School.

Moreover, the Applicants have a record of service that benefits the children and residents of the District of Columbia, which commitment would increase if they are allowed to open a well-regarded arts school in the

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[3] One other issue deserves comment. At the Advisory Neighborhood Commission meeting in February 2000, the applicants were asked if they had contacted the Secret Service, which provides protective services at the Turkish Embassy two doors away. The applicants have presented that issue to the Secret Service (Exhibit 16) and invited comments from that agency.

District. That level of commitment is demonstrated by Mr. Edmonds' prior work bringing music to children.

-- In 1997 Mr. Edmonds received a Certificate of Appreciation from the Fillmore Arts Center in the District, based on his donation of musical instruments and a cash gift to the Center. The award was presented to him by the noted trumpeter Wynton Marsalis. See Exhibit 17.

-- Several years ago, Mr. Edmonds took part in a joint project to bring music to children at the Adams School on 19th Street. The Levine School (which supports the present application) donated the time of its teachers to give lessons, and Mr. Edmonds donated 20 flutes for the use of students who were economically disadvantaged and could not afford a musical instrument.

-- As recounted in the Applicants' Statement, the School plans to engage in outreach to the community. The School will award ten annual scholarships to disadvantaged District of Columbia school children (*i.e.*, who qualify for the D.C. Public Schools free lunch program), who are identified by teachers as having merit or potential.

V. WITNESSES

At the present time the Applicants plan to offer live testimony from:

1. James P. Edmonds, the co-owner of the property.

2. George H.F. Oberlander, AICP, an expert on planning and land use issues.

3. Dr. Everett C. Carter, an expert on transportation issues.

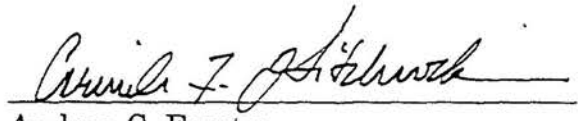
Resumes of Mr. Oberlander and Dr. Carter are attached as Exhibit 18.

CONCLUSION

Approval of this application will allow the School to pursue its educational mission, preserve a National Register residential property, and help make the city of Washington a richer community culturally.

The Studio House School of the Arts' proposed use as residence and private school satisfies the criteria for obtaining special exception approval in a D/R-3 mixed-use zone. For these reasons, the Applicants respectfully request approval of this application, which would allow them to maintain this very special landmark.

Respectfully submitted,



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February 2000

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16421 of Howard University/Metropolitan Day School, Inc., pursuant to 11 DCMR 3108.1 for special exceptions under Sections 205 and 206 to renovate an existing structure and to establish and operate a private school for 220 students and 24 staff, a child development center for 20 children and 2 staff, and a before and after-care school program located in an R-2 District at premises 1240 Randolph Street, N.E. (Square 3923, Lot 25).

HEARING DATES: January 20, 1999; March 3 and 31, 1999
DECISION DATE: April 21, 1999

ORDER

PRELIMINARY MATTERS:

1. On January 20, 1999, the Board of Zoning Adjustment ("the Board") postponed/continued the public hearing in this application at the request of the Advisory Neighborhood Commission (ANC) 5A and with the agreement of the Applicant. The Board postponed/continued the hearing until March 3, 1999, and set the case as the last item on its afternoon public hearing agenda.

On March 3, 1999, the Board of Zoning Adjustment again continued the public hearing in this application at the request of the Advisory Neighborhood Commission 5A, based on the ANC's representation that its traffic consultant was unable to appear. The continuance was granted over the initial objection of the Applicant. The Board determined that the hearing would occur on March 31, 1999 at 9:30 a.m. and that a decision in the case would be rendered on April 21, 1999, at a Special Public Meeting scheduled for 9:00 a.m. Additionally, the Board determined that the only parties to the application are the Applicant, ANC-5A and Concerned Citizens About the Metropolitan Day School.

2. On March 31, 1999, as a preliminary matter, the Board allowed the Applicant's representative to read a statement into the record regarding the appropriateness of her appearance before the Board as the Representative of the Applicant.

3. On March 31, 1999, the Board also determined that a Motion to Dismiss the Application, filed by Concerned Residents Association-Ward 5 was not properly before the Board because the movant is not a party to the application, and therefore, does not have standing to file the motion.

4. On April 21, 1999, the Board denied the motion of Citizens Concerned About the Metropolitan Day School to strike the letter from Mr. Gerald Henning, or to reopen the proceeding to permit cross examination of Mr. Henning. The Board noted that it provided all parties an opportunity to adequately respond to all post hearing submissions.

SUMMARY OF EVIDENCE:

1. The property which is the subject of this application is identified as Lot 25 in Square 3923. It is located on the northwest corner of Randolph and 13th Streets N.E. The premise address is 1240 Randolph Street, N.E. The subject site is zoned R-2 and is located in the Brookland neighborhood of Ward 5.

2. The site contains 29,891 square feet of land area, with a frontage of 142 feet along 13th Street to the east and 210.5 feet along Randolph Street to the south. The property abuts a 16-foot wide public alley to the north.

3. The site is developed with a vacant, three-story, plus lower level, masonry institutional building, containing 27,787 square feet of gross floor area. The site is the former location of the Howard University School of Religion. The Metropolitan Baptist Church, on behalf of the Metropolitan Day School, Inc., is the lessee of the property.

4. The subject site is located in an R-2 District which permits matter-of-right development of single-family detached and semi-detached dwellings with a minimum lot area of 3,000 square feet, a minimum lot width of 50 feet, a maximum lot occupancy of 40 percent, and a maximum height of three stories/40 feet. A private school and a child development center are allowed in an R-2 District with special exception approval by the Board of Zoning Adjustment.

5. The site is bounded on the north by single-family detached dwellings; on the west by single-family detached and semi-detached dwellings; on the south, across Randolph Street, by single-family detached and semi-detached dwellings; and on the east, across 13th Street, by single-family semi-detached and row dwellings (three-unit cluster dwellings). The Turkey Thicket Recreation facility is located less than two blocks to the southwest of the site.

6. The Applicant is requesting special exception approval to establish the Metropolitan Day School, a private school and child development center with before and after care, at the site. A private school is permitted in an R-2 District with Board of Zoning Adjustment approval pursuant to 11 DCMR 206. A child development center and a before and after care program are permitted in an R-2 District with Board of Zoning Adjustment approval pursuant to 11 DCMR 205.

7. The Metropolitan Day School officially opened in September 1998 with 29 students in pre-kindergarten through the third grade. The Day School currently operates at the Monument Building of the Metropolitan Baptist Church at 1225 R Street, N.W. The proposed use of 1240 Randolph Street, N.E. for the Metropolitan Day School represents the continuation of the educational use of the subject site which existed when Howard University used the site as its School of Religion.

8. The Rev. Dr. H. Beecher Hicks, Jr., Chairperson of the Board of Governors of the Metropolitan Day School, testified that Metropolitan Baptist Church has always had an active interest in the education of children and that in 1977 and prior, the church sponsored pre-school care for children at a day care facility called Kiddie Kollege. The facility was inadequate for the

need and the church closed Kiddie Kollege in 1978. Since that time, Metropolitan Baptist Church has held a continuous vision to restore quality elementary education as part of a significant outreach to the Washington community.

Dr. Hicks testified further that the Metropolitan Day School is a co-educational institution that will eventually enroll students in grades pre-kindergarten through the eighth. The purpose of the Day School is to teach and model a Christian life that clearly distinguishes between right and wrong, reflecting moral values. It teaches children to appreciate their cultural heritage and to respect persons from ethnic and cultural backgrounds different from their own. The Day School program demands excellence and is preparing children to succeed in a global society.

9. The Applicant provided expert testimony and evidence related to the requirements of 11 DCMR Sections 205 and 206. Members of the project team were recognized by the Board as experts as follows: Mrs. W. Irene Woodard, the principal of the Metropolitan Day School, was recognized in the area of school operations and administration; Mr. Outram Hussey, the project architect, was recognized in the areas of architecture and design; Mr. Bruce Mitchell was recognized in the area of construction management; Mr. Osborne George was recognized in the area of traffic and transportation; and Ms. Madeline Petty was recognized in the area of community relations.

10. Mrs. W. Irene Woodard provided testimony on the day-to-day operation and management of the Metropolitan Day School. She testified that registration at the Day School is open to all students in the Washington metropolitan area. She testified that the educational philosophy of the Day School is shaped by five core principles: It is Christ centered, it is Afro-centric, it emphasizes academic excellence, it develops the whole child and it requires family and community involvement.

The enrollment for September 1999 will include up to 150 students in grades pre-kindergarten through sixth, that approximately one grade will be added each school year thereafter until the maximum enrollment of 240 students in grades pre-kindergarten through eighth is attained. The pre-kindergarten students will be taught in an environment that meets the standards and regulations for child development programs in the District of Columbia. The application for a license to operate a child development center has been submitted.

Staffing. At maximum enrollment, the Day School staff will total 25 as follows:

Principal	1
Classroom teachers	10
Class room assistants	3
Librarian	1
Counselor	1
Part time special subject teachers	5
Full time administrative staff person	1

Part time administrative staff person	1
Part time extended day program assistants	2

Operating Hours. The operating hours of the Metropolitan Day School will be from 7:00 a.m. to 6:00 p.m., including the before and after care program. School hours are 8:30 a.m. to 3:00 p.m. The Before Care program will operate from 7:00 a.m. to 8:30 a.m. and the After Care program will operate from 3:00 p.m. to 6:00 p.m.

Student Drop-off and Pick-up. In accordance with the recommendations of the traffic consultant and the Department of Public Works, the Day School will request signage to extend the restricted parking in front of the school on Randolph Street so that parents can pull directly to the curb to dropoff and pickup students. Younger students will be greeted at the curb by staff members and escorted into the building. Two to three off-street parking spaces on the Randolph Street parking area can be reserved during the a.m. and p.m. peak periods for the school so that younger children and those needing special care can be pickedup and dropped off on-site. Staff will be available to assist students being dropped off in the parking lot area as necessary, this provides a short-term parking area for parents who have to accompany their children into the school building. All pick-up and drop-off policies will be provided to all parents and care givers in writing and explained at the beginning of each school year, and at any time a new student is enrolled. The drop-off and pick-up area will be strictly monitored and the plan will be enforced.

Scheduled Recess. Mrs. Woodard testified that the outdoor play area will be used by the students on a scheduled basis, and that at no time will more than 40 students (two classes) occupy the play area for recess at any one time. She further testified that during inclement weather, physical activities will take place in the multi-purpose room. She also testified that Turkey Thicket, a nearby public recreation facility, is available for additional physical activity and that students will be escorted by staff to the recreation center which is one and one half blocks away. Staff will ensure that students cross at intersections that have traffic signals.

Food Service. Metropolitan Day School will provide a lunch program for the students and will provide snacks as appropriate for all programs of the Day School. Lunches and snacks will initially be catered and will be delivered to the school daily. Delivery trucks will use the alley access from 13th Street for deliveries to the rear of the building.

Noise Levels. Metropolitan Day school will maintain an effective, orderly learning environment. The noise level in the school will be appropriate for an academic environment and will be contained within the building by the masonry construction of the building. Children are required to use quiet indoor voices while in the building. The noise level in the play area will be appropriate for the age levels of the students and the activities in which they are engaged. Students will be supervised at all times. The play area is closed-in on three sides, by at least one-level of the building, with a low masonry wall on the east side of the play area. The masonry wall is proposed to be increased to seven feet with wrought iron gating to fully enclose the play area. The Applicant also provided information on acoustical panels for the seven-foot wall

that would further reduce play area noise. An acoustical expert has determined that the noise generated by traffic is more than that generated by 40 children in the play area, and that the noise reduction of the barrier will ensure that playground noise levels will not have an adverse impact on the surrounding community.

Meetings and Special Events. The special events and meetings during the year include parent orientation, Back-to-School night, five parent/teacher conferences, and three student performances for a total of approximately ten activities. Parking for such activities will be at the Howard University School of Divinity parking lot with shuttle service to the Day School. The record of the case contains a letter of authorization from Howard University for use of the lot.

11. The architectural plans were prepared by Mr. Outram Hussey and are contained in the record of the case as Exhibit No. 5. The exterior of the building will be slightly altered by the addition of an elevator to allow accessibility to all floors and to comply with the Americans with Disabilities Act. The exterior materials of the shaft will be brick and match the existing building materials. Additionally, an enclosure over the existing interior court will provide the additional space for the library. The other changes to the building will include the reconfiguration of the interior space to allow for three classrooms on each floor for a total of 12 classrooms, teachers' lounge, library, multi-purpose room, kitchen, dining area/cafeteria, administration areas and toilets.

Five parking spaces will be added to bring the total to 19 on the site, which represents two spaces in excess of the zoning requirements. Landscaping will include supplemental planting of shrubs and other seasonal ground cover. Metropolitan has already planted new ground cover along the front of the building. There are two fairly mature holly trees at the edge of the property along the 13th street side that will be retained if possible.

The Day School, as proposed, is capable of meeting all applicable code and licensing requirements. The child development center licensing application for 1240 Randolph Street is pending before the D.C. Department of Health. This Board's approval is required before the license can be issued. The Day School filed for a building permit and was denied because of the need to seek special exception approval from this Board. Other requirements will be addressed and complied with during the licensing and permitting processes.

There are no other child development centers within Square 3923. There is one child development center within 1,000 feet of 1240 Randolph Street, N.E. The Day School taken in conjunction with the existing center at 3809 12th Street, N.E. will not have an adverse impact on the neighborhood. The center at 3809 12th Street is in the center of an active commercial zone (C-1) and the noise, traffic, operations and other factors from that center are contained within the commercial area and do not additionally impact the residential area around the Day School. Therefore, the cumulative impact of the two sites are not adverse to the neighborhood. The 3809 12th Street site is defined by its commercial neighbors and not by the residential area around the Day School.

12. Mr. Bruce Mitchell testified that the trash dumpster will be located at the rear of the

building and that trash collection will occur twice a week at the rear of the building. All deliveries of supplies will be made to the rear of the building where there is direct access to the kitchen and the lower level.

Construction will begin as soon as all approvals and permits have been obtained. Construction hours for the project will be 7:00 a.m. to 4:00 p.m. The construction hours may need to be extended from time-to-time to meet the construction schedule. Typically, those hours are extended no more than two additional hours. Therefore, extended hours would be from 7:00 a.m. to 6:00 p.m. In those cases, the community will be notified. Construction workers will be directed to use the on-site parking spaces. Construction related deliveries will occur at the rear of the building with the exception of specific materials or components that need to be delivered through the front of the building. The construction will take between five and six months.

13. The Applicant's traffic and transportation consultant, Mr. Osborne George, prepared a comprehensive traffic and transportation report that is part of the record of this case. Mr. George testified that the proposed use of the site as the Metropolitan Day School will not create traffic and parking conditions that are objectionable to the community residents and users of the adjacent properties. The study area used for the traffic study was developed in conjunction with the Department of Public Works (DPW). The site is favorably located because it is located within a couple of blocks of a major arterial roadway. The site is convenient relative to the route of the daily commute to work. Both 12th and 13th Streets are collector streets, the only portion of the road network which is part of the local street system is the section immediately adjacent to the site, that is the 1200 block of Randolph Street.

Mr. George testified that currently all intersections within the study area operate at acceptable levels of service using DPW standards. Traffic projections for the site were as conservative as possible. Because the site is adjacent to a major artery, a significant percentage of trips are already on the road for the commute to work. The traffic study did not adjust for the commuters already on the road or for the typical absentee rate of similar schools. The traffic study used 1.4 children per vehicle and not the 1.7 that DPW advised. The peak hour generation of vehicles to the site in the morning will be approximately 140 entering and leaving the immediate area of the site. Traffic in the evenings will be gradual because of the after care program which extends to 6:00 p.m.

Traffic along the 1200 block of Randolph Street is very light, traffic counts showed less than 50 cars during peak hour in both directions. Faded signs dating back to Howard's use of the site show no parking 8:00 a.m. to 4:00 p.m. in front of the site on the north side of Randolph. With DPW's approval, the parking can be restricted along the front of the site, from 13th Street to the edge of the entrance to the parking, allowing for approximately eight cars to pull up and dropoff and pickup students. If additional space is needed, the parking lane along 13th Street can potentially be used for drop-off and pick-up. There is an entrance to the building from 13th Street. The parking areas within the site can be restricted or reserved for use by parents dropping off younger children. The approximate time required to drop a child off with supervised

assistance is 10 to 15 seconds. Given eight spaces on Randolph Street for drop off and assuming up to a 30 second drop off time, close to 100 percent of the time there will be a space available to accommodate a vehicle wishing to park.

Mr. George showed pictures of the 1200 block of Randolph Street and 13th Street adjacent to the site taken on March 25, 1999, at about 8:00 a.m. and the roadways were virtually empty of traffic. About eight to ten cars were parked along Randolph Street and no cars were parked along 13th Street, N.W.

Mr. George presented several other pictures of similar-sized roadways adjacent to other private schools in the city, indicating similar-sized roadways servicing larger facilities efficiently.

Mr. George testified that the proposed use of the site as compared to the previous use by Howard University will not have the parking concerns that the community complained of related to students parking throughout the community and will not have residents on-site who have vehicles to park. Day school students will be dropped off and picked up. Arrangements are in place to utilize the Howard University School of Divinity parking lot for special events and meetings. Parking in the community will not be adversely affected.

With the proposed use as Metropolitan Day School on the site, all intersections except one will operate at acceptable levels. The intersection at 13th and Taylor Streets is projected to operate marginally below the city standard by the year 2003, with or without the Day School present. Minor changes to the timing of the signal will produce an acceptable level of service at that intersection.

14. Ms. Madeline Carol Petty, Chairperson of the Community Relations Committee of the Metropolitan Day School, was unable to appear before the Board and her testimony was presented by Dr. Freddie Vaughns, a member of the committee and trustee of the Metropolitan Baptist Church. Dr. Vaughns presented testimony that the Board of Governors of Metropolitan Day School sought to establish a dialogue with the community through the single member district representative of ANC-5A06, as early as April 1998, to discuss the school's plans for the Randolph Street property and to address the community's concerns. At the beginning of the process, the Metropolitan Day School Board believed the Day School could be developed on the site under the existing zoning exceptions granted to Howard University. The Metropolitan Day School Board still reached out to the community and participated in three single member district meetings. Ms. Mary Currie, the single member district representative for Advisory Neighborhood Commission 5A06, was asked by the Metropolitan Day School Board to establish a committee to work with the Day School Board through the community concerns. Although a committee was established, Metropolitan Day School was never permitted to join, even after many requests. (By the time it was learned on September 1, 1998, of the need to seek a special exception, the Day School Board had presented at the joint meeting of the Brookland Civic Association and the single member district ANC 5A06 on May 12, 1998; held open house on June 6th, discussed plans at the July 8th single member district ANC 5A06 meeting and shared information at the August 6th single member district ANC 4A06 meeting. Metropolitan Day School continued to ask for the appointment of a committee with no response. On December 23,

1998, the Day School hand delivered copies of the history and description of the Metropolitan Day School and a draft preliminary traffic and transportation report to each ANC 5A commissioner and requested space on its January 27, 1999 agenda to make a formal presentation.

On February 5, 1999, the Metropolitan Day School mailed to more than 1,000 households in single member district ANC 5A06, a letter which provided a status report, a chronology of community outreach efforts and frequently asked questions about the Metropolitan Day School proposal. The Metropolitan Day School has not been successful in establishing a dialogue with the community, but consistent with past BZA experience and what represents the best interests of the school and its neighbors, the school wishes to establish a community liaison committee that meets quarterly to monitor the school and community relationship.

The students will also be involved in landscaping and other community enhancement and improvement programs.

15. The record of the case contains a number of petitions and letters in support of the Metropolitan Day School proposal, including a petition done within a two-block radius of the site showing support of the project.

16. Eight persons in support of the application testified during the hearing, including one neighbor, Ms. Virgie Jones, who, with her husband and her 92-year old mother, live adjacent to the proposed site across the alley at the rear of the site.

17. The Office of Zoning referred this application to the following District government agencies for review and comment:

a. Office of Planning
b. Department of Public Works
c. Department of Health/Services Facility Regulation Administration

18. The Office of Planning did not submit a report in this application.

19. The Department of Public Works submitted a report to the Board in support of the application. The DPW report indicated that from a transportation point of view, the proposed use can be accommodated by the existing transportation system in the area, that the drop-off and pick-up plan is adequate with the proper restrictive signage at the front of the site. Therefore, DPW has no objection to the proposal.

20. Advisory Neighborhood Commission 5A submitted two reports in this case, dated January 7, 1999 and March 1, 1999, in opposition to the proposed Day School. In testimony presented at the hearing and in its written reports the ANC expressed the following as reasons for its opposition:

a. The large number of students proposed for the site
b. The impact of construction activities on the community
c. The impact of deliveries to the school on the neighboring properties

d. Trash, loitering, litter and noise
e. Inadequate parking
f. Unsafe traffic conditions for students, staff and visitors, including drop-off and pick-up of students
g. Increased traffic in the community and on the subject block with cars double-parked and unattended
h. Adequate security and lighting
i. Supervision of students
j. Monitoring and enforcement of all BZA conditions
k. Provision of notice if the building is sold.

21. Concerned Citizens About the Metropolitan Day School (Concerned Citizens) presented testimony as a party in opposition to the Day School. Concerned Citizens presented a panel of witnesses made up on one expert witness in the area of traffic operations, transportation planning and traffic engineering and 13 lay witnesses. The issues raised by Concerned Citizens are the same raised by the ANC 5A with the addition of testimony that there are three child development centers within 1,000 feet of the site, and that there are enough schools in the area.

22. As required by the Board, the Applicant's post hearing submission was timely filed and contained an acoustical plan for noise abatement from the outdoor play area, a screening plan for the dumpster, a determination of the number of parking spaces at the Howard University School of Divinity, and a map showing that only one child development center is within the 1,000-foot radius of the subject site. The parties in opposition to the application filed timely responses to the Applicant's submission. The parties in opposition state that the Applicant's acoustical plan was inadequate and that there are three child development centers within 1,000 feet of the site. The Office of Zoning's technical staff, using the Baist's Map and an engineering scale, determined that the Applicant's representations regarding the 1,000-foot radius of the site and the included child development centers are correct.

FINDINGS OF FACT:

Based on the evidence of record, the Board finds as follows:

1. The increase in traffic, due to the facility, will likely be minimal because most parents will drop their children off on their way to work.

2. The key intersections within the area of the subject site will remain at acceptable levels of service when the Day School has obtained full enrollment in the Year 2003, except that the intersection at 13th and Taylor Streets will operate marginally below city standards, with or without the Day School at 1240 Randolph Street, N.E.

3. The staff assistants will be trained to receive and deliver children during drop-off and pick-up periods.

4. Pick-up and drop-off of students will occur in a safe manner at the front of the site on Randolph Street and on-site in the parking area on the west side of the site.

5. The Applicant will provide 19 on-site parking spaces for teachers, staff and visitors.

6. Special event parking will occur on the Howard University School of Divinity parking lot and shuttle service will be provided to the attendees.

7. The outdoor play area is adequate for the number of students expected to be in the area at any one time.

8. The site, as presented on the plans, is adequate for the number of students proposed.

9. The interior noise at the site will be contained within the building because of the masonry construction. The addition of the wrought iron fencing and the dense planting in front of the wall will eliminate any adverse impact of noise from the play area.

10. There is no other child development center in Square 3923.

11. There is one child development center within 1,000 feet of the site, located in the C-1 zone. The impacts of that site are disbursed into the commercial area, and the cumulative impact of the sites are not adverse to the neighborhood.

12. The Applicant will meet all code and licensing requirements applicable to the proposed uses.

13. The Applicant will not control sale of the site.

14. Students will be supervised at all times.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and evidence of record, the Board concludes that the Applicant is seeking special exception relief to establish a private school, a child development center and a before and after care program in an R-2 District. The granting of the relief requested requires a showing through substantial evidence that the relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations, and that it will not adversely affect the use of neighboring property. The Applicant must also meet the requirements of 11 DCMR 205 and 206 regulating child development centers and private schools.

The Board concludes that the Applicant has met the burden of proof. The Board concludes that the child development center and the before and after care program are capable of meeting all applicable code and licensing requirements. The Board is of the opinion that with the installation of restrictive signage along the front of the site and the use of trained staff to

assist during the drop-off and pick-up of children, the location and design of the Day School will not create objectionable traffic conditions or unsafe conditions for picking up or dropping off children.

The Board concludes that the 19 parking spaces provided at the site will be sufficient to meet the reasonable needs of teachers, other employees, and visitors.

The Board concludes that the increase in height of the masonry wall and the installation of acoustical materials is unnecessary to mitigate noise emanating from the play area, and finds that wrought iron fencing on top of the existing masonry wall, with dense planting in front of the wall and fencing will buffer adjacent and nearby properties from objectionable impacts due to noise, activity or other objectionable conditions.

The Board concludes that the cumulative effect of the one child development center within 1,000 feet of the site and the proposed Day School will not have an adverse impact on the neighborhood due to traffic, noise, operations or other similar factors because the location of the center on 12th Street is in the center of an active commercial zone and the impacts will not carry over into the residential community within which the Day School will be located.

The Board concludes that the off-site recreation center in the area that will occasionally be used by the Day School is located so as not to result in endangerment to the students traveling by foot to the site and supervised by staff.

The Board concludes that the Applicant has met the highest standard of proof in this matter by providing expert testimony and evidence related to the Day School as a whole and not just the private school component, the before and after care component or the child development center component. The Applicant has met the standards of 11 DCMR Sections 205 and 206 for the entire Day School.

The Board is of the opinion that the application is in harmony with the general purpose and intent of the Zoning Regulations and that the use will not tend to adversely affect the use of the neighboring property.

The Board is of the opinion that the Metropolitan Day School should be phased onto the site. Based on the Applicant's testimony of its intent to enroll up to 150 students during the first academic year, the phasing should begin at an enrollment of 150 students for a two-year period. In two years, the Applicant may return to the Board to request to be increased up to a maximum of 240 students. Should the Applicant not choose to request the increase, the enrollment at 150 shall remain valid. The Board concludes that the request for an increase in the enrollment after the two-year period is not a new application and the Applicant need only present testimony and evidence related to traffic, parking and noise.

The Board concludes that it has accorded ANC 5A the "great weight" to which it is entitled. In light of the foregoing, the Board ORDERS that the application be **GRANTED, SUBJECT** to the following **CONDITIONS:**

1. The number of students shall not exceed 150. In two years, the Applicant may request an increase in the number of students up to a maximum of 240 by providing sufficient evidence that the traffic, parking and noise associated with the school will not affect adversely the use of surrounding and neighboring properties. The number of staff shall not exceed 26.

2. The hours of operation shall be between 7:00 a.m. and 6:00 p.m., Monday through Friday.

3. The applicant shall provide 19 on-site parking spaces.

4. Outdoor play time shall be staggered so that no more than 40 children will be in the play area at one time.

5. Drop-off and pick-up of children shall occur in front of the building on Randolph Street and in the parking area on the west side of the site. Staff shall be available at the curb of Randolph Street and at the parking area to receive and deliver small children.

6. Parking for meetings and special events shall occur on the Howard University School of Divinity parking lot and attendees shall be shuttled to the Day School.

7. Deliveries to the site shall be made to the rear of the building between 8:00 a.m. and 6:00 p.m., except that the U.S. Postal Service and similar service shall be made through the front of the building.

8. Trash removal shall occur at least twice per week from the rear of the site.

9. The Applicant shall insure that construction on the site related to the renovation of the building shall occur between the hours of 7:00 a.m. and 4:00 p.m., in the event the hours are required to be extended to ensure completion of the renovation by September 1999, the Applicant shall notify the community; however, the hours shall not exceed 7:00 a.m. to 6:00 p.m.

10. The Applicant shall work with the Department of Public Works to have restrictive parking signs placed in front of the building on the north side of Randolph Street.

11. The renovation to the building shall be in accordance with plans marked as Exhibit No. 5 of the record.

12. The Applicant shall install wrought iron fencing on top of the existing masonry wall. The wall and fencing combined shall be seven feet in height. The applicant shall install matching seven-foot high wrought iron gates on each side of the wall and fenced area. The Applicant shall plant arbor vitae in the area between the wall and the sidewalk. The plantings shall be eight feet high and four feet on center.

13. The Applicant shall maintain all landscaping on the site in a neat and healthy growing condition and shall keep the property free of refuse and debris at all times. The outdoor trash storage container shall be located at a sufficient distance from the alley so that the swinging doors do not open onto the alley right-of-way and shall be screened as described in Exhibit No. 90 of the record.

14. The Applicant shall establish and maintain a community liaison program consisting of representatives of the facility, the ANC, and the neighborhood. The applicant shall conduct meetings of the community liaison members at least four times a year. Notice of the meetings shall be given to the ANC and the owners of all property within 200 feet of the site. The Applicant shall be responsible for keeping minutes of all meetings and providing quarterly reports of its activities.

VOTE: **3-0** (Jerry H. Gilreath, Sheila Cross Reid and John G. Parsons to grant; Betty King not voting, not having heard the case).

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

ATTESTED BY: Sheri M. Pruitt-Williams
SHERI M. PRUITT-WILLIAMS
Interim Director

MAY 24 1999

Final Date of Order: _____

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THE ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ORD16421/POH

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16421

As Interim Director of the Office of Zoning, I hereby certify and attest that on_____ a copy of the order entered on that date in this matter before the Board of Zoning Adjustment was mailed first class, postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Madeliene H. Dobbins, Esquire
Arter and Hadden
1801 K Street, N.W., Suite 400K
Washington, D.C. 20006

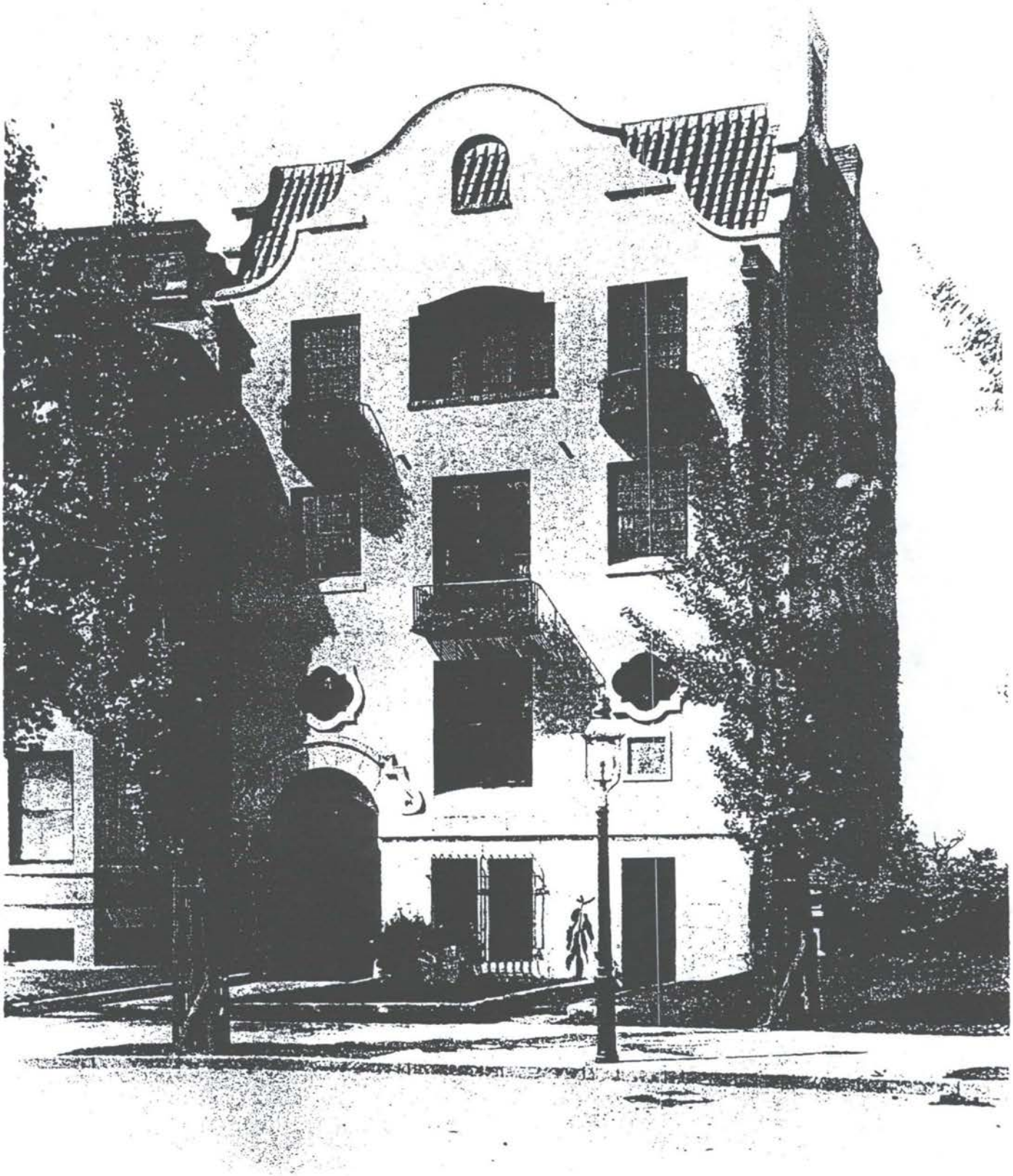
Andrea C. Ferster Esquire
For Concerned Citizens for the Day School
1100 17th Street, N.W., Tenth Floor
Washington, D.C. 20036

Joseph Bowser, Chairperson
Advisory Neighborhood Commission 5A
Slowe School Demountable
14th & Irving Streets, N.E.
Washington, D.C. 20017

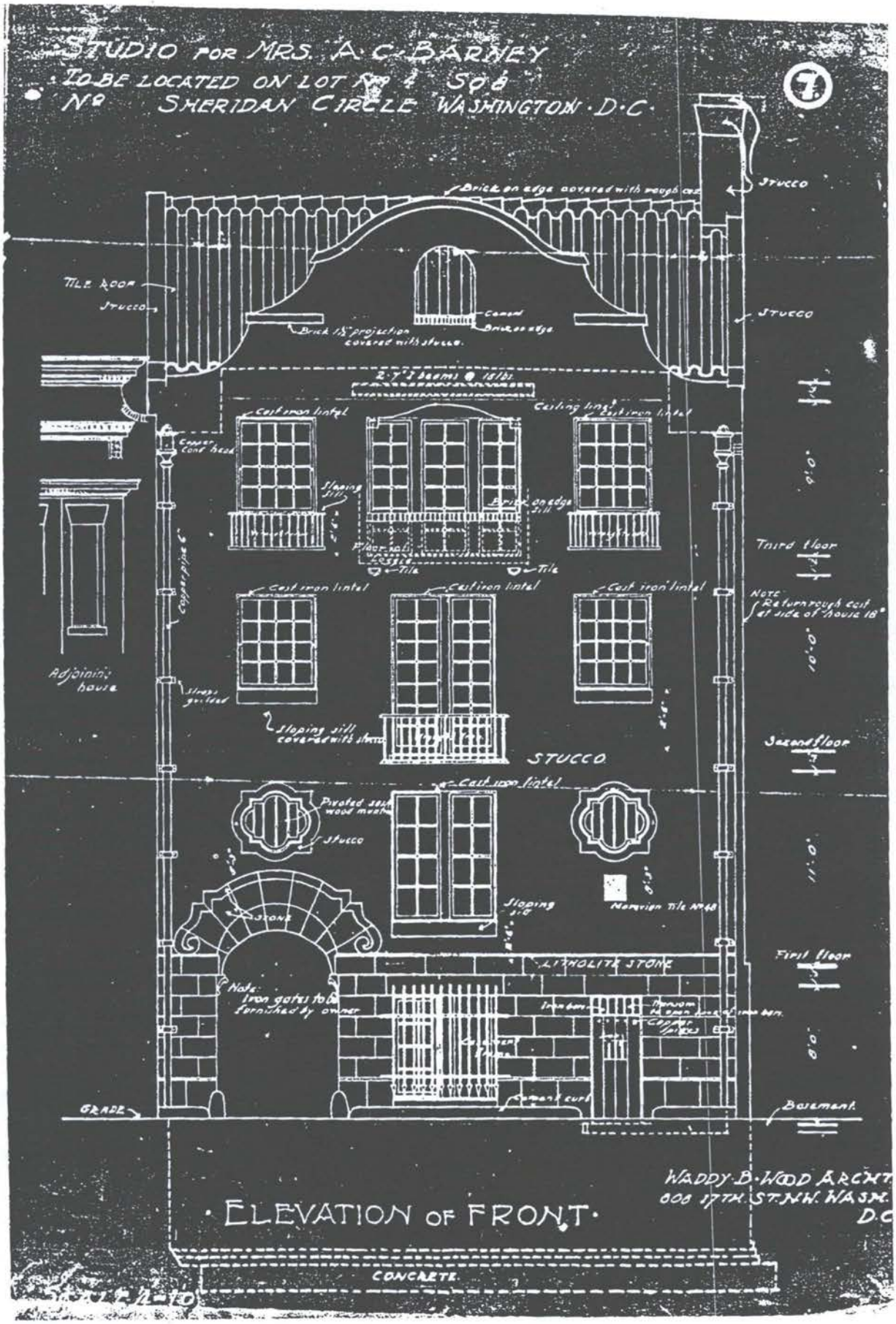
Attested By: Sheri M. Pruitt-Williams
SHERI M. PRUITT-WILLIAMS
Interim Director

Date of Approval: MAY 24 1999

attest/ljp



Before 1911
Courtesy of National Collection of Fine Arts
Smithsonian Institution

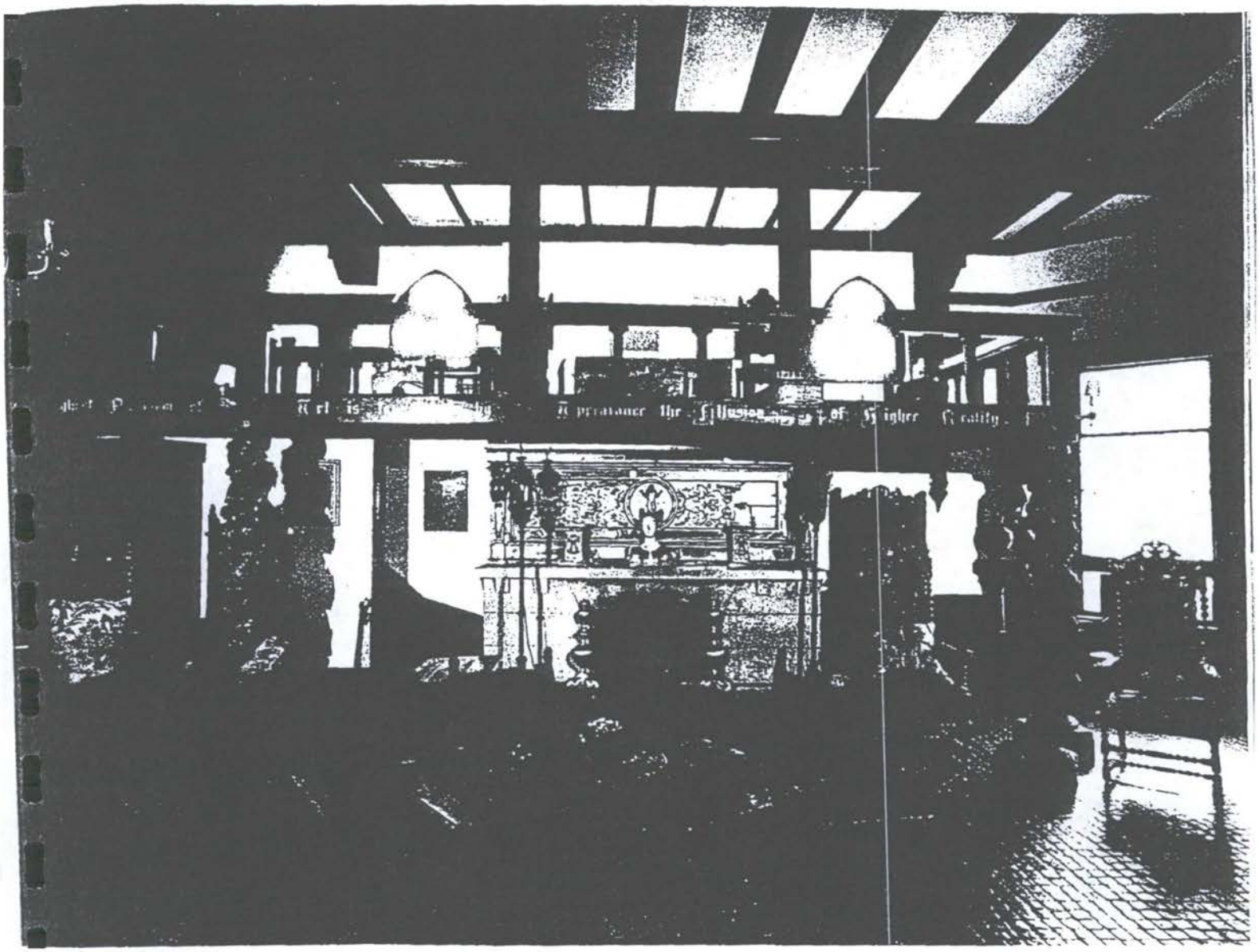


D.C. Government, Bureau of Licenses and Permits

508-114 O - 73 - 26



Third Floor Studio, ca. 1963
Courtesy of National Collection of Fine Arts
Smithsonian Institution



Third Floor Studio, ca. 1963
Courtesy of National Collection of Fine Arts
Smithsonian Institution

FRIENDS OF
ALICE PIKE BARNEY
STUDIO HOUSE, INC.

A Proposal for a Working Relationship between the Friends of Alice Pike Barney House, Inc. and the Smithsonian Institution

Submitted
29 July 1994

FRIENDS OF
ALICE PIKE BARNEY
STUDIO HOUSE, INC.

OFFICERS

Wanda Corn
National President
Teresa Grana
President
Howard S. Berger
Vice-President
Sally Berk
Secretary
Dwight Tate
Treasurer

July 28, 1994

Ms. Constance Berry Newman
Under Secretary
Smithsonian Institution
Washington DC 20560

Dear Ms. Newman:

We are pleased to submit our proposal for a fundraising campaign for the restoration of Alice Pike Barney Studio House. We hope this submission marks the beginning of a fruitful collaborative relationship between the Smithsonian Institution and the Friends of Alice Pike Barney Studio House.

The document represents the committed efforts of concerned local citizens and experts who have come together to save a unique historic, architectural and cultural treasure. The discoveries we have made about Alice Pike Barney and Studio House in the course of writing this proposal, added to the enthusiastic response we have received from those anxious to be a part of this exciting project, have deepened our commitment to what we believe is an activity of significant importance to our city and the Smithsonian Institution.

We look forward to meeting with you, and with the new Secretary, at your early convenience, to discuss the proposal's implementation.

Respectfully submitted,

Wanda Corn Teresa C. Grana Howard S. Berger

Sally Berk Roberta Weiner Ruth C. Kainen

PO BOX 42086 WASHINGTON D.C. 20015-0686 202/363-2340

When she began to plan for her Studio House in Washington, D.C., in the early years of the century, Alice Pike Barney had in mind an environment that would make this absorption into art an easy reality. Every aspect of the place, from its architecture to its many-layered furnishings, led the mind systematically away from the mundane and expected, to revel in memory and the exploration of artistic delights. Studio House was built less as a place for creating art than as a place of artistic enjoyment, as a place in which one might live artistically.

To be sure, Mrs. Barney was an accomplished painter, not simply an amateur of artistic places, yet for her, art was not to be confined within a frame. With missionary zeal and with slight regard for social conventions, she carried her belief in the rewards of art to as broad a community as she could reach through theater, music and exhibitions, with never a doubt that goodness and beauty were other than inseperable. Art for her was a manner of being, and she might well be remembered as one of Washington's first and most expressive proponents of creative tranquility.

Joshua C. Taylor
Director, National Museum of American Art (1970-1981)

I. Background

A. Statement of Purpose

This proposal will define the framework for a partnership between the Smithsonian Institution and the *Friends of Alice Pike Barney Studio House, Inc.* that ensures that Studio House will be restored and made accessible to the public.

The *Friends* proposes to develop a long-term relationship with the Institution in order to create and sustain a national grass-roots advocacy organization that will help support the costs of property rehabilitation and educational programming for Studio House. The *Friends* hopes to see Studio House re-established as an exhibition, performance and educational center whose programs celebrate the contributions of women such as Mrs. Barney to the arts and culture in our nation's history, and reflect her mission of forging strong cultural links between the federal city and its residents. The *Friends* is commited to the future use of this unique setting for activites to introduce members of Washington's diverse communities, whether schoolchildren, young artists or patrons of the arts, to their rich cultural heritage.

Working with the Institution, the *Friends* will launch a national fundraising campaign to support a significant portion of the cost of restoring the exterior and interior of the building; adapt the building's public spaces in order to bring them into compliance with the *Americans with Disabilities Act*; and initiate educational programs for the public.

This document will serve as the basis for a Memorandum of Understanding between the *Friends* and the Institution to formalize the obligations and commitments of both parties in an effort to raise funds and restore and reopen Studio House.

B. Establishment of the *Friends of Alice Pike Barney House, Inc.*

The *Friends of Alice Pike Barney Studio House, Inc.* was organized in June 1993. By the end of that year, the *Friends* was incorporated and an application for non-profit status [501(c)(3)] was filed with the Internal Revenue Service. The 501(c)(3) was

[1] As of the date of this report, four meetings between the *Friends* and Smithsonian Institution officials have taken place; June 16, 1993; November 8, 1993; February 16, 1994; April 11, 1994.

approved in July 1994. (Articles of Incorporation and 501(c)(3) certification are in Appendix 1). As early as June 1993, the *Friends* initiated meetings with staff members at the National Museum of American Art and the Institution.[1] The *Friends* believes that the Institution should retain ownership of the property and continue to administer and maintain Studio House as a memorial to Alice Pike Barney. The organization advocates retaining Studio House's furniture and art *in situ*, and the reopening of its significant public spaces for exhibitions and performances. It is the hope of the organization that the restoration of the house will serve as a memorial to the late Dr. Joshua C. Taylor, former director of the National Museum of American Art (1970-1981). It was under his direction that the house was originally restored and opened to the public as an historic house museum and exhibition and performance space.

The founding members of the *Friends* represent a cross-section of diverse Washington communities, and include historic preservationists, artists, academics, architects, civic and political activists and museum professionals. Many have expertise in areas that can enhance the Friends' effectiveness in addressing the complex issues in this project. (For a list of current officers, founding board members, and supporters, see Appendix 2.)

C. **Alice Pike Barney**

In 1889, Alice Pike Barney (1857-1931), member of a wealthy Ohio family, moved to Washington. In 1901, she began construction of Studio House, which served as the cornerstone of a quarter-century of active dedication to her dream of making a provincial government town into a cosmopolitan center for the arts. To that end, she lobbied for legislation that enabled works of art to be imported to the United States duty-free. Without that effort, many of the great collections we now enjoy in our public museums might never have been established.

Barney opened her "studio house" for the public performance of plays, concerts, lectures, poetry readings and dance recitals. Her efforts were instrumental in the creation of Rock Creek Park, and the establishment of the Sylvan Theater on the Washington Monument grounds (the first federally-supported outdoor theater). She also endowed Neighborhood House, which offered training in arts and crafts to poor

[2] Among Mrs. Barney's visitors at Studio House were Anna Pavlova, who performed a ballet written for her by Mrs. Barney, Sarah Bernhardt, Ruth St. Denis, and G.K. Chesterton. Presidents William Howard Taft and Theodore Roosevelt, and Franklin and Eleanor Roosevelt were among the many government and political leaders who were also guests. (*Alice Pike Barney - Her Life and Art*, Jean L. Kling, Washington, DC: Smithsonian Institution Press, 1994.)

youth, skills that could be used in non-art related jobs. (Barney Neighborhood House still exists today and is the largest social service agency serving youth in the District of Columbia).

Alice Pike Barney was also a prolific and widely exhibited painter. Writing was another passion, and she eventually gave up painting to further her work as a playwright. At Studio House, she also entertained the political, intellectual and artistic leaders of her day.[2] An activist for social causes and women's rights as well as the arts, Alice Pike Barney was a founding member of the Women's Party and the Women's Peace Party, and her life should be celebrated as a model for the generations of independent women who have succeeded her.

According to author Jean L. Kling, Barney was "never just another wealthy Washington woman who dabbled in the arts...her life in the nation's capital was spent, in one way or another, prodding, cajoling, and challenging the people to make their city a cultural showplace. In the process, she left Washington four legacies: Studio House ...; Barney Neighborhood House...; the National Sylvan Theater...; and her paintings... Her gifts to the city also included the idea that the arts should be available to all."[3]

D. **Studio House -- 2306 Massachusetts Avenue, N.W.**

Alice Pike Barney Studio House is both architecturally and historically significant as a rare example of a studio house -- a nineteenth century building type based on English and European models and popularized by artists of the Aesthetic Movement, that integrated living, working and performance space. Studio House is both representative of its type and unusual in its American and urban setting. Its Mission style exterior and exuberant Arts and Crafts-influenced interior make the house unique in Washington. In addition, it is one of only two such studio houses remaining in the United States designed for and worked in by a woman artist.[3]

The property is of further importance because it contains furniture and objects designed and purchased specifically for the house, as well as the artist's original works. While many of the individual furnishings and objects have importance because of their designers or provenance, they are most significant as an ensemble, reflecting both their period and the highly artistic and luxurious taste of Alice Pike Barney.

[3] Jean L. Kling **Alice Pike Barney: Bringing Culture to the Capital** *Washington History* Spring 1990 (Historical Society of Washington, D.C.), p. 68

[4] A studio house built for Elisabet Ney (1833-1907) still stands in Austin, Texas. The studio was built between 1892 and 1902, and the property has been publicly operated as a museum since 1911.

As Kling describes it

> There is still an aura of higher reality today about Studio House...The rooms to each side of the center core are of differing levels and geometric shapes. Floor-to-ceiling mirrors and shaped interior windows enhance and augment a sense of light and space. Doorways are of varying sizes and ceilings of differing heights. Large rooms are divided by raised levels or unexpected alcoves. The soaring, two-story space of the Studio Room with its musicians' balcony, further emphsizes the imaginative spatial design of Studio House.
>
> It was the perfect setting for for the eclectic and eccentric furnishings chosen by Barney to fill every corner. With total elan, she combined the decorative styles of Art Nouveau, Arts and Crafts, and Neo-Gothic for a highly intentional aestheticism. Displayed on every available surface were bibelots...and studio props, including a complete suit of armor, plaster busts and architecutral fragments. She had oriental rugs woven in England especially for the house...What brought these divergent and often clashing styles together was the singlemindedness with which she followed John Ruskin's dictum: "Have nothing in your houses that you do not know to be useful, or believe to be beautiful."[5]

Studio House is also significant within the context of Washington's residential development pattern during the early years of the twentieth century. One of the earliest houses to be built on Sheridan Circle, N.W., it contributed to the establishment of a high architectural design standard along that portion of Massachusetts Avenue which today is known as Embassy Row.

It is also important as one of the earliest commissions of Washington architect Waddy B. Wood, whose forty-year career signficantly influenced the architectural character of the City early in this century. Wood designed the Georgetown Car Barn, the Masonic Temple (now the National Museum of Women in the Arts), the Department of the Interior, the Columbia Hospital for Women, and other important public buildings. His notable commissions also include approximately sixty prominent private residences, such as the Woodrow Wilson House, in the neighborhood surrounding Studio House.

E. **The Smithsonian Institution's Stewardship of Studio House**

At the death of Alice Pike Barney in 1931, Studio House was left to her daughters, Natalie and Laura. who, in 1960, donated it to the Institution as a memorial to their mother. Their intention was that it should be used as an arts and cultural center.

[4] Jean L. Kling Alice Pike Barney: Bringing Culture to the Capital op. cit., p. 79

They stipulated that its architectural details be maintained and, where possible, its original furniture, objects and paintings be displayed. The Institution was left a sizable trust by the Barney family for the maintenance of the house and its furnishings.

At the outset, much of the income from the trust was used to conserve and restore Barney's paintings, but over time, its principal has been substantially depleted. For the last several years, there have been insufficient funds in the trust to underwrite the substantial repairs the building requires, and in 1991, as a response to deterioration, Studio House was closed to the public.

F. **Status of Landmark Designations**

The architectural and historical significance of Studio House and its place in the cultural history of the Capital have, to date, been only partially recognized. Studio House is a contributing building in the Massachusetts Avenue Historic District listed in the D.C. Inventory of Historic Sites in 1973. The same Historic District was listed in the National Register of Historic Places in 1974.[6] The locally designated Historic District provides for review of proposed changes only to the exterior of the building and its site.

The interior features of the building are not currently protected by the District of Columbia Historic Preservation Ordinance. A District of Columbia landmark application for the significant interior spaces of Studio House is currently near completion by the Institution's Office of Architectural History and Historic Preservation. The *Friends* enthusiastically support this effort to further protect the character of Studio House. The contents of Studio House— its non-permanent fixtures, furniture, objects and paintings—are, unfortunately, ineligible for protection through this mechanism.

Along with support for the interior landmark application, the Friends advocate that the property be designated as a National Historical Landmark, the highest form of recognition the Federal government can provide.

[6] Under the provisions of Section 106 and Section 110 of the National Historic Preservation Act of 1966, as amended, the National Register listing of Studio House imposes certain respoonsibilities on the Smithsonian Institution. Designation of the property as a National Historic Landmark would add further protections to the building as an historic structure..

II. **Proposed Memorandum of Understanding**

In keeping with Vice President Gore's recent statements in the **National Performance Review** *(the Reinventing Government Report), the Federal government will have to—and should—increasingly rely on the type of public-private partnership the Friends is currently proposing. The restoration and reopening of Studio House will be a project requiring a long-term commitment of both the Friends and the Institution. A project of this scope will take several years and countless hours of both volunteer and professional staff time to reach a successful conclusion. Once completed, the restoration and reopening of Studio House will once again fulfill the terms of the Barney family gifts, enhance the Institution's mission as the keeper of our nations's cultural and artistic heritage, and celebrate the vision of the Friends.*

In order to define the responsibilities of each partner in undertaking this project, the *Friends* proposes that a Memorandum of Understanding be drafted defining the responsibilities of each group over a period of time to be specified. The Memorandum of Understanding would include (but not be limited to) the following areas:

- commitment to the completion of a DC landmark nomination for the significant interior spaces of Studio House, and to National Historic Landmark status for the entire property;
- commitment by the Institution to grant access to the *Friends* to certain resources, e.g. - archival documents, mailing lists and photographs, and to the House itself, for use in educational, promotional, and fundraising activities;
- definition of those spaces to be restored for public use, and those to be used by the Institution for functions such as offices and/or housing for scholars-in-residence; commitment by the Institution to contribute sufficient funds to this project, on a *pro-rata* basis, for those spaces to be used exclusively by the Institution;
- the establishment of terms for a Institution-endorsed fundraising campaign, including goals and timetables.
- the establishment of a joint Project Committee comprised of representatives of the *Friends*, the Institution and others with specific expertise needed for a successful completion of the project.

- implementation of an appropriate legal mechanism for reporting expenditures and monitoring the restoration work.

A. **Costs and Scope of Work**

Over the past five years, there have been numerous studies of the condition of Studio House. At a February 16, 1994 meeting with Mr. Richard Siegle and Mr. Tom Myers of the Institution's Office of Facilities Services, representatives of the *Friends* were presented with the Institution's most recent cost estimates. They ranged from $3,430,080 to $4,418,460. (The Institution submission of February 16, 1994 appears in Appendix 3.)

These figures represent the renovation of Studio House for "the mixed uses of National Museum of American Arts office occupation on the first, fourth, and fifth floors, and for public programs, tours and related use on the second and third floors."[7] This renovation would include compliance with *Americans with Disabilities Act* guidelines and other relevant health and safety codes and regulations, as well as the Secretary of the Interior's *Standards for Rehabilitation and Restoration.*

The *Friends* believes that, at this point in its life, Studio House has a limited range of viable uses, and that it is uniquely suited to the Institution-proposed plan for exhibition/performance space and low-level office and/or residential use. The organization feels that because of its limited square footage and unique room arrangements, the building no longer lends itself to full-scale residential occupancy, and that commercial use of the house is not practical.

At an April 11, 1994 meeting with Institution Undersecretary Constance Berry Newman, it was agreed that representatives of the *Friends* and the Institution would visit Studio House in order to develop an updated conditions assessment and an evaluation of the Institution's initial cost estimates. A cost estimator to be retained by the *Friends* would review the existing studies and estimates and inspect the property in order to give a objective estimate of rehabilitation/restoration costs. That site visit took place on April 22, 1994.

Mr. James Peacock, a cost estimator, was retained by the *Friends* and has submitted a report. His estimates have been reviewed by Arthur Keyes, AIA, and Donald Hawkins, AIA. It is the conclusion of these professionals that Mr. Peacock's estimates,

[7] Estimate of costs for the renovation of Studio House, Smithsonion Institution, February 8, 1994

[8] *op. cit.*

considerably lower than those obtained by the Institution, represent costs for a reasonable, historically-accurate rehabilitation encompassing the range of uses defined in the Institution document.[8] Mr. Peacock's base cost estimate for the renovation/restoration of Studio House is $595,000. (For Peacock's report and cost estimates, supporting letters, and relevant *curricula vitae*, see Appendix 4.)

The cost differentials between Mr. Peacock's estimate and the Institution's are attributable to the following factors:

1. Perhaps most significant, Mr. Peacock's estimates do not include the sophisticated and costly program of structural reinforcement that is projected in the Institution's estimate because of concerns that the building's foundations are sinking into non-compacted soil. Mr. Peacock strongly believes that no structural instability is apparent, either in the building's exterior stucco, which is particularly vulnerable to cracks from settlement, or its concrete basement slab, which is also intact. It is his view, in fact, the stucco is in "prime condition."

Mr. Hawkins, who made two inspections of the Studio House foundations, also judged them to be "firm and dependable," and stated that "having searched the exterior walls of the building for every sort of cracking on two separate occasions I can say that no past or present cracks in the Barney Studio House indicate weakness in, or substantial settlement of, the foundations."

The Smithsonian's program is designed not only to secure the house's foundations, but to enable the Great Hall to bear a load of 100 lbs./sq. ft. Our proposal is to provide a load of 40 lb./sq. ft. throughout the house, which is sufficient for the use of the building as a house museum and limited office space.

Mr. James Cutts, who did the original cost studies for the Institution, also states that "it can be said the rear of House has apparently stabilized and has shown no visible signs of downward movement for at least the last seven years...it is our opinion that 40 lbs./sq. ft. should be the prevailing criteria." (The Cutts letter is in Appendix 4)

2. Cost estimates for the renovation of the Studio House garage (carriage house) are not included. in Mr. Peacock's report. While important to the integrity of the property, as a discreet building it can be restored and renovated after the work on the house itself is completed.

3. The Smithsonian's estimate for *Americans With Disabilities Act* modifications are based on standards for new construction. There is a separate, and less invasive, set of standards for historic buildings, on which Mr. Peacock has based his estimate.

4. The estimate does not include design and consultant fees; finance costs; or legal fees.

5. The *Friends* did not specify to Mr. Peacock that the Smithsonian will manage the construction. 15% should be added to the labor costs for the use of union labor.

Selected Comparisons of Peacock and Smithsonian Institution Estimates *

	Peacock	Smithsonian
Carriage House repairs	not included	$ 29,000**
Shoring and underpinning	not included	500,000
Exterior skin	$ 68,851	140,000
Elevator	119,857	500,000
ADA Modifications	25,340	70,000***
HVAC	90,480	130,000
Electrical	21,700	85,000

* In many instances, figures in the two estimates are broken out differently; these figures are based on some areas where direct comparisons are possible
** Figures represent the low estimate in the Smthsonian report
*** Figure is for all items that include ADA modifications, including figure for all new toilet contruction.

B. **Preliminary Fundraising Objectives and Plan**

The *Friends* plans *to* identify a core of 1,000 individuals and organizations who will pledge a minimum of $1,000 over a five-year period, with the goal of raising $1,000,000. While the *Friends* believe that the $1,000 donor strategy will be successful, it does not preclude identifying and targeting both larger and smaller donors, and the organization plans to raise additional funds through activities such as direct mail solicitations, lecture series, receptions, and performances.

Key to the *Friends'* strategy is the services of a professional fundraiser with strengths in managing a national campaign, familiarity with potential donors with interests in historic preservation, womens' history, decorative arts, theater, and local history, and the ability to identify available grant sources and develop proposals soliciting funds for various Studio House-related projects. She/he will work under the *Friends* direction to implement a program to meet the ambitious objectives of this project.

Projected Budget for Five-Year Fundraising Campaign	
Projected Costs for Restoration	
Estimated Restoration Costs	$595,000
Fees (design, legal, etc.) (20%)	120,000
Overruns (20%)	120,000
Labor costs (15%)	12,450
Overhead	150,000
TOTAL	$ 997,450

During the initial six months of the campaign, new board members with substantial financial resources will be recruited in order to strengthen fundraising capabilities as the national campaign is launched.

For the project's first year, September 1994 to September 1995, the *Friends* expects to incur approximately $45,000 in costs for the fundraiser's salary and expenses, and administrative costs of approximately $20,000 which includes such items as telephone, supplies, the rental of mailing lists, postage, promotion and public relations, and Board development activities. The *Friends* anticipates that it will be able to draw on its board members and their colleagues for *pro bono* assistance in areas where their expertise is needed. The expected annual budget for the first year is $65,000.

Friends of Alice Pike Barney House, Inc. Preliminary 1994-1995 Administrative Expenditures	
Fundraising	
Fees and Expenses	$45,000
Mailings, including list rentals and postage	10,000
Events	5,000
Administration	
Equipment, Supplies, etc.	5,000
TOTAL	$65,000

C. **Preliminary Education/public relations campaign**

1. **Brochure/Public Relations**

The *Friends* has already initiated an outreach program to create public awareness of Alice Pike Barney's contributions to our nation's cultural life, the unique nature of Studio House, and its current status, as well as to develop a constituency to support the fundraising and programmatic goals of the *Friends.*

To reach new supporters both in Washington and throughout the country -- among them, artists, art historians, cultural leaders, preservationists, feminists, and generous donors who share a commitment to the goals of the *Friends*— we have produced an educational brochure and devised a plan for its distribution throughout the country. The brochure has already been disseminated at several national conferences of arts professionals, and at the Dupont Circle museum tour in early June. The Historical Society of Washington, as well as many of the museums and galleries in the Studio House neighborhood, are currently displaying the brochure for their visitors. (Brochure is in Appendix 5).

This small initial effort has elicited an enthusiastic response, in enlisting both new members and contributions to the *Friends.* To date, the *Friends* has received more than 50 responses from the brochure alone, most of which have been accompanied by contributions. Additionally, many national and local organizations have endorsed the *Friends'* efforts. (See letters, Appendix 6)

During the next few months, articles on Alice Pike Barney, Studio House and the *Friends* are scheduled to appear in **Historic Preservation**, the bi-monthly publication of the National Trust for Historic Preservation, and in **Metro History News,** the quarterly publication of the Historical Society of Washington. A story for WAMU-FM, a local public radio station, is also in preparation.

2. **Programs and special events**

During the next 3-6 months, the *Friends* will be sponsoring a series of activities to draw attention to the organization and its mission.

The first event will be a book signing to celebrate the recent publication of the new biography of Alice Pike Barney, **Alice Pike Barney— Her Life and Art**, by former Institution curator, Jean L. Kling. This event will be held on September 27th, 1994, at the Historical Society of Washington. We will mail several hundred invitations; among those invited will be members of organizations with sympathetic interests, such as the