KATHERINE VAN SICKLE DEMALLIE
4923 Ashby Streeet, NW
Washington, DC, 20007
February 1, 2002

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D.C. OFFICE OF ZONING
2002 MAR 26 A 10: 08

Eleanor Roberts Lewis, Commissioner
Advisory Neighborhood Commission (ANC) 3 D
5034 Dana Place NW
Washington, DC 20016

Subj: St Patrick's Episcopal School Application for Special Exception to Residential Zoning on Ashby Street NW

Dear Commissioner Lewis:

As a resident of Palisades for 18 years, I am writing to express my concern about a proposed use of residentially zoned property at the corner of Ashby Street and MacArthur Blvd., NW for use as a private school for 7th , 8th, and 9th grades. Specifically, I am requesting you to take all possible actions to keep the residential nature of our neighborhood intact. This would include activities to limit this private school expansion with its associated detrimental impacts of increased traffic congestion, noise and other changes that will permanently change the residential character of the location that has existed for decades.

STATUS

St Patrick's Episcopal Day School briefed the Palisades Citizens Association on December 4th 2001 to outline their proposed plan to use the large old residence on Ashby Street and MacArthur (Ashby Property) for 60 adolescent students aged between 12 and 14 years old and about 12 faculty and staff In early January, 2002, St. Patrick's School informed the Palisades Citizens Association Board that the current owner of the property, the Washington Psychoanalytic Society, had accepted and executed a sales contract for the purchase of the property. Recently, St. Patrick's School has filed for a special exception with the Board of Zoning Adjustment.

CHARACTERISTICS OF THE ASHBY STREET PROPERTY AND ITS USE BETWEEN 1963 AND 2002

The Ashby Property consists of three small residential lots that contain a large old private residence (built about 1905). The three residential lots have a total dimension of about 140 feet by 150 feet. The property is located on a corner of Square 1393. Square 1393 is zoned R1B.

The current owner has used the Ashby Property as a post graduate research center for physicians under a special exception granted by the Board of Zoning Adjustment in 1963. The Board noted they granted the special exception because of the "limited use of the premises" including restricted class use of the Ashby Property to Saturday mornings between 8:00am and 12:30pm. Two evenings a month a class of not more than ten students was allowed. No summer classes were allowed. This usage meant that on a daily basis Monday through Friday there were only a few physicians, visitors and staff (all of adult age) on the property working at the house or using the library. The BZA noted that they were granting the special exception based on the fact "In general, the activities of this medical organization are extremely quiet and less than that which occur in many private houses." This limited and specific usage pattern resulted in minimal disturbance to the community for nearly 40 years. In fact the daily population was not far from what could be expected if the house was used as a residence with 3-5 cars daily, and Saturday classes over at noon.

CHARACTERISTICS OF THE SURROUNDING NEIGHBORHOOD AND IMPACT OF ST. PATRICK'S SCHOOL

The surrounding residential lots that complete Square 1393 (see attached map) along 49th Street, W Street and MacArthur Blvd. are home to about 15 families averaging between 2-4 residents per family. The total population of these neighboring lots within Square 1393 are about 38 adults and children The other surrounding blocks around Square 1393 are also zoned R1B and have remained as single family properties for decades. This is a stable neighborhood.

The School's plan calls for daily classes Monday through Friday starting at 8:00am (traffic associated with student drop off starts at 7:30am) and ending in the afternoon. The insertion of this school with 60 adolescent students and 12 faculty and staff on a daily basis on these 3 lots alone would be twice the current population of all other 15 surrounding lots combined. This would bring with it increased traffic, noise, and congestion in a neighborhood with narrow side streets off MacArthur Blvd. If the Ashby Property remained as residential and in keeping with the general population of the surrounding lots, it would be expected to have about 12 residents. The school population of 60 adolescents and 12 faculty and staff would be 6 times that contemplated under residential usage.

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BZA
Case No. 16852
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16852
EXHIBIT NO.40

In looking just at Ashby Street, where the current, and only, entrance to the proposed school is located, the proposed school population would be 3 times the current residential population on the street. Since many of the family homes in this area are on small lots and are located close to the street, the increased noise and traffic pollution coming from school operations can be expected to be aggravating and stressful.

Residents who have driveways on the street or use on-the-street parking will be adversely impacted from increased traffic. St. Patrick's School has noted that most of the 60 students will be dropped off in the am and picked up in the pm by vehicle as well as faculty arrival and departure (70 cars a day at least twice a day) on a street 400 feet long. This will exacerbate traffic patterns that are already complicated by commuter am and pm rush hour. The school itself has acknowledged that "queuing could occasionally occur."

On a daily basis, this proposed increase in student population will not only exacerbate traffic and noise when the students are left off and picked up. There will be associated logistics for students at lunch, and in the afternoon for different activities in other school buildings on Whitehaven and MacArthur Blvd., as well as use of local parks. All these daily activities far surpass anything on that site in the past and would set a terrible precedent.

The location of the property entrance on Ashby Street presents an especially difficult impact and that is the loss of parking spaces. Ashby Street is 400 feet long with stop signs at either end (where it joins MacArthur Blvd at one end and 49th Street at the other). Since there are regulations regarding how close one can park to a stop sign and how close one can park to driveways, as well as the existence of a fire hydrant beside the street, the practical number of current parking spaces for the whole street is approximately 18. The school has noted that it is their "understanding-not yet confirmed by the DC government-that the space immediately alongside the property on Ashby Street, would by law, have to become a no parking zone, always free of traffic during school hours in the event emergency vehicles were summoned to the site." The number of spaces impacted by this would be 5-6 spaces -- over 30 percent of spaces currently available to residents and neighbors. For the people who do not have driveways or those with two cars, this appropriation of public parking spaces for private school use would be very detrimental. Further, if the pattern of the St. Patrick's Whitehaven Blvd. afternoon pick up of students is replicated on Ashby Street, there will be a number of parked cars in the neighborhood waiting in advance of school closing time that will also aggrivate congestion.

St. Patrick's School plans to have a science laboratory at the Ashby Property site also raise the issue as to the type of materials and chemicals that will be used and disposed of at the site.

ST PATRICK'S USE OF RESIDENTIAL PROPERTY FOR A SCHOOL-REGULATORY HURDLES

St Patrick's School has gone to the Board of Zoning Adjustment to obtain a special exception to use the residentially zoned property as a school. The intent of DC regulations regarding residentially zoned property is clear, "to stabilize and protect quiet residential areas for family life."

Further, in obtaining a special exception, the burden will be on St Patrick's to show that the use of the property as a private school "is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions."

Recent statements by St. Patrick's School (as reported in the Northwest Current) that their proposal is "modest" and a "simple extension" of the use of the property are wrong. I believe that the data noted above shows that the proposed use is a vast departure from the past forty years and that the neighborhood will be irretrievably changed for the worse.

I am not alone in my views that this move is a bad idea. Neighbors have attended PCA meetings and have sent letters to the Editor of the Northwest Current which have been published. I am sending these as an attachment. Please vote to keep the Palisades neighborhood intact.

Sincerely,

Katherine Van Sickle DeMallie

Katherine Van Sickle DeMallie
4923 Ashby Street
Washington, DC, 20007
202-965-0480

February 9, 2002

RECEIVED
D.C. OFFICE OF ZONING
2002 MAR 26 AM 10: 09

Eleanor Roberts Lewis, Commissioner
Advisory Neighborhood Commission (ANC) 3 D
5034 and1/2 Dana Place, NW
Washington, DC 20016

Subject: St. Patrick's School Proposed Use of 4925 MacArthur Blvd and Ashby Street NW

Dear Commissioner Lewis:

Thank you for calling me about my letter of February 1, 2002. I also want to thank you and the other ANC Commissioners for affording the neighbors time to present other facts and opinions about the proposed use of the 4925 MacArthur and Ashby Street NW property (MacArthur/Ashby property) as a private school at the ANC meeting on February 6.

In listening to Mr. Barrett, Head of St. Patrick's Day School, discuss the traffic patterns that would be associated with St. Patrick's proposed school for 7th , 8th and 9th grades at the MacArthur/Ashby property and more specifically, the plan to have the parents of these 7th , 8th and 9th graders leave off their children on St. Patrick's School Whitehaven Campus, I wondered if this traffic pattern would be in keeping with the grant of special exception issued in December 1999. After raising this point orally at your ANC meeting, I decided to go and get the 1999 Board of Zoning Adjustment file for the Special Exception granted to St. Patrick's School and see what the caps were. The official file was not immediately available at the BZA, but it should be back in a few days. However, I was able to obtain the oral transcript of the hearing on which the BZA decision was made. I am enclosing it for your review.

TESTIMONY AT THE ORAL HEARING IN FRONT OF THE BZA BOARD DEC 8, 1999

On December 8, 1999 in oral arguments in front of the Board of Zoning Adjustment (the oral transcript), the representatives of St. Patrick's noted that they provided education to approximately 440 students in grade levels from child development through grade 6. (page 439) They also noted that they were not seeking any change in the cap of 440 students. Mr. Barrett discussed the proposed gymnasium and noted it was "a gymnasium that will enable us to meet the needs of our current student body."(page 442) His comments imply that the gymnasium will only be used by children through grade 6 since that was the "current" student body he described as of December 1999.

Mr. Barrett additionally noted that the "campus plan seeks no increase in the number of students who attend St. Patrick's and no change in the grade levels we offer." (page 443) Later on that same page, Mr. Barrett reiterated "No additional grade levels, no additional students, no additional teachers, no additional cars. Just a school that with a creative mix of new construction and renovation of existing space is better able to meet the needs of its current students."

Later on page 458, BZA Board member Gilreath raised a question to assure that there was no increase in the personnel of the students and was answered by BZA Chairman Reid that there was not. On page 460, Ms. Prince, legal counsel representing St. Patrick's School, noted that there was no change in the cap—it was 440. Chairman Reid noted that the hours of operation remained the same—no change. Additional comments about the gymnasium and school keeping under the caps were made on pages 465 and 466. Ms. Prince noted (page 464) that "given the lack of change in enrollment and all the numerous conditions that have been agreed to by applicant, we would request a bench decision and summary order." The bench decision was made at the end of the oral arguments. The decision granted the special exception that

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BZA
Case No. 16852
Exhibit No. 40A

allowed St. Patrick's School to proceed with the renovation of St.Patrick's Whitehaven Campus, construction of the school gymnasium on the north side of Whitehaven Blvd. and an addition to their existing building on the south side of Whitehaven Blvd.

APPLICATION OF THE BZA ORDER IN 1999 TO ISSUES RELATED TO ST.PATRICK'S ESTABLISHMENT OF A SCHOOL FOR 7TH, 8TH AND 9TH GRADES AT 4925 MACARTHUR AND ASHBY STREETS NW

It would appear, unless other decisions have been made in this case since the decision in 1999 (which I will be checking into next week), that establishing St. Patrick's proposed school at the Macrthur/Ashby property will have IMPACTS THAT WILL RESULT IN NONCOMPLIANCE WITH THE BZA ORDER OF 1999.

The first issue of noncompliance is associated with the increase in traffic from St. Patrick's proposal to have parents drop off and pick up sixty 7th , 8th and 9th graders at St. Patrick's Whitehaven campus. This increase in grade levels, number of students on the campus and additional traffic would put them beyond the arrangements that the representatives of St. Patrick's School themselves identified at the 1999 BZA hearing. These arrangements also appear to go beyond anything contemplated by the two ANC's relevant to the 1999 BZA decision as well as BZA Board members when the Board issued its 1999 Order. While using St. Patrick's Whitehaven Campus would seem to ameliorate some of the traffic problems associated with St. Patrick's proposed school on the MacArthur/Ashby property, it would exacerbate the situation on Whitehaven Blvd. This additional strain on Whitehaven Blvd. is even more undesirable now because, since the time of the 1999 BZA Order, both the Mt. Vernon campus of George Washington University and the Field School campus are increasing traffic loads in the area.

The second issue relates to the use of the gymnasium by 7th, 8thand 9th graders that was not contemplated under the BZA Order of 1999. St. Patrick's has identified that they will use the gymnasium for the 7th and 8th grades (see "Defining Our Program for Grades 7 and 8 at 4925 MacArthur Blvd", January 22, 2002 page 5 under the heading "Where will they have athletics"). Additionally, since the time of that document, St. Patrick's has filed with the BZA for special exception to establish the proposed school and specifies 7th, 8th and 9th grades in their request. Since the proposed establishment of St. Patrick's School on the MacArthur/Ashby property is conditioned on the use of the gymnasium by 7th, 8th and 9th graders as well as the playing field outside, there needs to be a review of the use of the gymnasium and field by these new grade levels (7th, 8th and 9th) that were not in existence at the time of the BZA Order. When Mr. Barrett made his presentation in oral arguments to the BZA Board in 1999 he specifically noted the gymnasium was to meet the "needs of our current student body". As mentioned above the "current student body" in 1999 only went through 6th grade.

The third issue relates to use of any other part of St. Patrick's Whitehaven Campus by the 7th, 8th, and 9th graders associated with the student's different activities and programs. For example, it is not clear from the material provided by St. Patrick's in their document "Defining Our Program" where the Thursday after school drama and music electives will occur. I did not understand from prior briefings that music and drama was to be at the proposed school at the MacArthur/Ashby property, so one may be led to believe that it may occur at St. Patrick's Whitehaven Campus. Of course, if the Thursday music and drama program is at an entirely different site, this will itself be an additional logistical problem.

Any decision regarding the establishment of St.
Patrick's proposed school for 7th, 8th and 9th grades at the MacArthur/Ashby property should be put on hold until there is (1) clarification regarding the total extent of linkages to St. Patrick's Whitehaven Campus and (2) a complete assessment of any noncompliance with the 1999 BZA Order deriving from establishment of the proposed school. Likewise, any decision on the establishment of St. Patrick's proposed school at the MacArthur/Ashby property should be halted until all ANC's relevant to St. Patrick's Whitehaven Campus and party to the 1999 BZA Order have had a chance to review and vote on the proposed new use of St. Patrick's Whitehaven Campus.

APPLICATION OF THE BZA DECISION IN 1999 TO CURRENT PRACTICES BY ST. PATRICK'S SCHOOL

It is my understanding that St. Patrick's School currently uses the gymnasium for its 7th grade following dismissal of the elementary school. This current use for 7th grade also seems to suggest noncompliance with the 1999 Order and needs to be reviewed. Of particular interest in addition to the question of the 7th grade using a facility that was ostensibly for use by elementary to 6th grades, is the additional aspect of whether St. Patrick's is allowed to "double shift" the population on the campus. Does a cap of 440 students mean one set of 440 students before 3 pm and another different set of 440 students after 3 pm in the afternoon?

As I mentioned, I will be looking into whether there were any other decisions beyond the 1999 BZA Order which would allow an extended use of the property. Do you remember if the issue of the double shift was contemplated when the ANC reviewed the case or was explicitly identified in their plan? Likewise was there any discussion as to whether there would be 7th grade use of the premises for gym or related activities? None appears from the oral testimony record. Clearly double shifting could vastly increase the traffic associated with the school.

I will keep you apprised of what I find out and look forward to discussing these issues in the future.

Sincerely

Katherine Van Sickle DeMallie

Katherine Van Sickle DeMallie
4923 Ashby Street, NW
Washington, DC 20007

February 19, 2002

RECEIVED
D.C. OFFICE OF ZONING
2002 MAR 26 PM 4:10

Mr. Peter Barrett
Head of School
St. Patrick's Episcopal Day School
4700 Whitehaven Parkway, N.W.
Washington, DC 20007-1586

Dear Mr. Barrett:

Thank you for holding the meeting February 11, 2002 to discuss the plans of St. Patrick's to establish a school for 7th, 8th and 9th grades at 4925 MacArthur Blvd.

The conversation covered a number of issues including the current and future use of St. Patrick's school on Whitehaven Parkway. These issues had also been raised at the ANC meeting on February 6, 2002. I am seeking clarification of these issues to better identify the impacts of the proposed school at 4925 MacArthur—especially since the activities of the proposed school will be linked to St. Patrick's Whitehaven campus in a number of ways.

ISSUE 1 WHAT IS A STUDENT CAP? DO MORE THAN 440 ST. PATRICK'S STUDENTS VISIT OR ATTEND ST. PATRICKS'S WHITEHAVEN CAMPUS EACH DAY? WHAT IS THE CURRENT TOTAL PRE 3PM STUDENT POPULATION? WHAT IS THE CURRENT TOTAL POST 3PM STUDENT POPULATION? ARE THESE DIFFERENT SETS OF STUDENTS? IS ST. PATRICK'S DOUBLE SHIFTING THE SCHOOL?

ISSUE 2 WHAT IS A GRADE CAP? WHAT GRADES ARE CURRENTLY USING ST. PATRICK'S WHITEHAVEN CAMPUS EACH DAY? DO 7TH GRADERS FROM ST.PATRICKS'S 4880A MACARTHUR SITE USE ANY OF ST. PATRICK'S WHITEHAVEN SCHOOL BUILDINGS AND FACILITIES? IS THIS USE IN KEEPING WITH BZA ORDERS?

From presentations that St. Patrick's has made before neighborhood groups where school representative have noted some pre 3 pm and post 3 pm activities at St. Patrick's Whitehaven campus, I am not quite clear on the concept of student cap that is being used by St. Patrick's. In a recent conversation I had with Mr. Toye Bello, Acting Zoning Administrator, Mr. Bello made the distinction between "total maximum student population" and "total number of students present at any time." Mr. Bello noted that the distinction was a critical because the actual number of students allowed on a school property could be higher depending on the definition that was followed. He noted that "rotation" of students under the concept of "total number of students present at any time" could actually increase the number of students using a location and pose additional adverse impacts from increased traffic etc. One analogy that comes to mind is the seating capacity of a restaurant. The restaurant could say it had a maximum seating cap of 440 patrons but actually serve 880 in two shifts.

<u>1999 BZA Order Regarding St. Patrick's Whitehaven School and Issue of Caps</u>

I have read through several of the previous BZA case files and transcripts related to special exceptions granted to St. Patrick's. BZA Order 16517 dated December 8, 1999 granted a special exception to St. Patrick's school for construction of a new gym and other improvements of St. Patrick's school on Whitehaven Parkway. Testimony both by Ms. Prince (St. Patrick's counsel) and Mr. Peter Barrett regarding conditions and operation of St. Patrick's Whitehaven school were included in oral and written testimony. Ms. Prince noted that "The school was established on the site in 1976. It provides education for approximately 440 students in grade levels ranging from child development center through grade 6." (page 439 of the oral transcript) Later, Ms. Prince said that "currently there's an enrollment cap of 440." (page 441) A little later in the same hearing (page 443), Mr. Barrett noted "no additional grade levels, no additional students, no additional teachers, no additional cars. Just a school that with a

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BZA
Case No. 16852
Exhibit No. 40B

creative mix of new construction and renovation of existing space is better able to meet the needs of its current students." Additionally, in discussing the new gymnasium Mr. Barrett noted it would be "a gymnasium that will enable us to meet the needs of our current student body more effectively." (page 442) Presumably this is the so called current student body of 440 students and grades up through grade 6 that would have been in existence at the time of the BZA Order in 1999.

1990 BZA Order Regarding St. Patrick's Whitehaven School and Issue of Caps

An earlier order specifically addressed the cap of 440 students. BZA Order No 15374 dated October 17, 1990 granted a special exception to the Vestry of St. Patrick's to increase the size and population of its existing school on Whitehaven Parkway. The Order noted that "at the public hearing, the applicant (St. Patrick's) amended the application for a maximum number of students of 440 and 60 staff." Condition 2 of the BZA Order granting the special exception noted "the number of students shall not exceed 440."

In oral testimony recorded in the transcript for the hearing October 17 1990, Ms. Prince (legal counsel for St. Patrick's) said "St. Patrick's is seeking an increase in enrollment from 390 students to an absolute cap of 440 students." Later, Ms Prince added, "St. Patrick's is also seeking an increase to an absolute maximum staff and faculty of 60." (BZA Hearing Transcript, October 17, 1990, page 53) Toward the end of the oral arguments at the BZA hearing October 17,1990 Board member Parsons noted "the need to have some conditions, such as a maximum of 440 students, and a maximum staff of 60." (BZA Hearing Transcript, October 17, 1990, page 81) As noted above these conditions were incorporated into BZA Order 15374.

The written application for the October 1990 BZA hearing submitted by Mr. Whayne S. Quin and Ms. Allison C. Prince of Wilkes, Artis, Hedrick and Lane, on behalf of St. Patrick' noted that the school included levels from pre school through grade 6. (page 1) On page 4 of this written application, it noted the "the expansion of the facility is not related to an attempt to substantially increase enrollment at the school." This written testimony also cited a maximum of 440 students.

From a review of these documents, I have several questions about the enrollment cap and conditions of use of St.Patrick's Whitehaven campus.

The first question is whether St. Patrick's enrollment cap was based on "total maximum student population" or "total number of students present at any time." This clarification would be helpful in assessing current and future impacts from school operation. Was this distinction made in your campus master plan or other documents related to the 1999 BZA Order? Is St. Patrick's double shifting the school? Are the students who use the Whitehaven campus after 3pm the same set of students that used it before 3pm?

The second question is the degree to which the 1999 BZA Order contemplated the use of St. Patrick's gymnasium on Whitehaven Parkway for grades beyond grade 6. Will St. Patrick's need to get a modification of the BZA Order issued in 1999 to provide for any current use of St. Patrick's gymnasium by 7th graders at St. Patrick's school at 4880A MacArthur Blvd that was established in September of 2001?

ISSUE 3 WHAT IS A FACULTY AND STAFF CAP? HOW DOES IT RELATE TO NUMBER OF EMPLOYEES?

The number of faculty are also unclear. BZA Order 15374 of 1990 identified that the number of *staff* should not exceed 60. However, on page 5 of the written application to BZA submitted by W. Quin and A. Prince it notes "the *faculty and staff* will not exceed 60." Likewise, in oral testimony at the BZA hearing October 17, 1990 that resulted in the bench decision on the same day, Ms. Prince said "St. Patrick's is also seeking an increase to an absolute maximum *staff and faculty* of 60." (Page 53 of the Oral transcript, BZA Order 15374) It would seem that given the bench decision right after oral statements in this case and the specifics of the oral testimony by Ms. Prince, that the BZA would have thought they were granting a *staff and faculty* cap of 60.

The faculty and staff cap again came up in BZA Order 16517 on December 8,1999. Mr. Barrett provided written and oral testimony that indicated there would be "no additional teachers, no additional cars." (page 443 of the Oral Transcript, BZA Order 16517) However, Ms. Prince in oral testimony at the same December 8 1999 hearing noted

"There is a maximum permitted *staff* number of 60 and because the specifics of the earlier orders governing the property, *there is no faculty cap. We only have a staff cap.*" (page 441 of the Oral Transcript, BZA Order 16517). Were there other BZA Orders beyond that of 1990 that provided the interpretation of faculty staff caps? How do you resolve the apparent inconsistency in what the cap actually refers to?

At a February 9, 2002 meeting with the neighbors, St. Patrick's representatives noted that they had about 80 full time employees and 20 part time employees. Does this include faculty and staff? How does this fit with your caps? This suggests that there may be as many as 100 employee cars per day going to the Whitehaven Campus. This appears to be more than 40 more than were contemplated in 1990 if the cap of 60 was applied to faculty and staff. Of additional interest is how you count part time employees. Do these part time employees count toward any cap? The question of the faculty and staff cap is important, because St. Patrick's has indicated there may be additional hires including 2 traffic police and a facility engineer under the plans to expand St. Patrick's to 4925 MacArthur Blvd. Will these new employees count against the current cap?

ISSUE 4 TRAFFIC IN 1990, 2002, AND IN THE FUTURE AT ST. PATRICK'S AT WHITEHAVEN—HOW 120 VEHICLES USED TO BRING STUDENTS TO SCHOOL IN 1990 TURNED INTO 340 VEHICLES IN 2002, AND WILL INCREASE TO ALMOST 400 IF THE PROPOSED SCHOOL AT 4925 MACARTHUR BLVD IS APPROVED. ADDING IN FACULTY AND STAFF VEHICLES WILL INCREASE THE TOTAL TO ABOUT 500 VEHICLES A DAY

Traffic in 1990

One of the benefits of reading old files is that one is able to gain perspective on the basis for which decisions were made. The 1990 file for BZA Order 15374 is a case in point. Robert Morris Inc. of Maryland performed a traffic study as part of the application by St. Patrick's to increase its student enrollment from 390 to 440 students in 1990. In this report there is a very complete identification of student modes of travel, statistics on the student vehicle ratio and general traffic patterns on Whitehaven Parkway. The main findings of the traffic study noted that of the 390 students at the campus in 1990, 1 percent of students came by metro, 15 percent used vanpooling (at 12 students per van) and 84 percent came by auto. There was a fairly high ratio of students per vehicle (3.2 students per vehicle).

To identify the total number of vehicles needed for all 440 students in 1990 (see attached) one can use the same data on mode of travel and student per vehicle ratios and apply it to the 440 students. As can be seen from the table the number is about 122 vehicles. The Department of Public Works cited the 1990 traffic study provided by St. Patrick's in its recommendation for approval to the Board of Zoning Adjustment to grant the increase in students in 1990.

Traffic in 2002

As of 2002, St. Patrick's Whitehaven school had about the same number of students (440), but the increase in traffic over the 1990 period is staggering. St. Patrick's written material to the community in December notes that most children arrive by car or carpool. On February 11, 2002, St. Patrick's representatives noted at a meeting on their traffic plan, that the student vehicle ratio was now about 1.3 students per car. Van pooling which had represented 15 percent of students in 1990 does not appear to be active at this time. Accordingly, using the 440 student base in 2002 and applying the student to vehicle ratio of 1.3 indicates there are about 340 cars being used to bring the current student body of 440 students to school. 340 + 55

Clearly, there can be fluctuations in the estimates, but the magnitude of change between 1990 and 2002 is significant. The apparent cause of the large change is the significant decrease in the student per vehicle ratio. It is hoped that the study by Marty Wells will be as complete and detailed as the study done in 1990.

When one adds in the apparent growth in vehicles from faculty and staff which was about 60 in 1990 and as many as 100 today, the estimated number of vehicles associated with students, faculty and staff at the school goes from an 180 in 1990 to 440 in 2002. This was about 2.4 times the amount of traffic the BZA thought was going to be on Whitehaven in 1990.

Traffic in the Future-Impact From Shuttle Service from St. Patrick's Whitehaven Campus to 4925 MacArthur and Ashby Streets

The proposed use of St. Patrick's campus on Whitehaven will add another large number of cars to the already overburdened Whitehaven Parkway. Using the same 1.3 student ratio, the addition of 60 students in grades 7, 8 and 9 will increase the traffic by 46 more vehicles. Adding in other extra traffic police, facility engineer and other staff will likely bring the level to an additional 50 vehicles per day or a total of nearly 500 vehicles a day.

Given the apparent inability of the BZA to control the amount of traffic on Whitehaven Parkway through a student cap, it may be appropriate to investigate initiating a cap on vehicles. This would force the school to take much more seriously, their responsibility to the community and their stewardship of a public thoroughfare.

The written statement of St. Patrick's school in its application to the BZA in 1990 seems ludicrous in hindsight. In 1990 (page 7) they asserted "Through continued efforts to encourage carpooling and the use of the van service, the number of cars travelling to the site each day will be further reduced." In fact the number of cars was never was reduced, the number only increased. This historical experience does not bode well for any confidence that traffic will be mitigated in the future or that shuttle bus service will hold up in the long term.

ISSUE 5 IMPACT OF ST.PATRICK'S PROPOSED SCHOOL FOR GRADES 7, 8 AND 9 AT 4925 MACARTHUR BLVD AND ITS RELATED USES OF ST.PATRICK'S WHITEHAVEN CAMPUS. WILL BZA ORDERS REGARDING THE CURRENT CAPS AND CONDITIONS AT ST.PATRICK'S SCHOOL AT WHITEHAVEN NEED TO BE MODIFIED? WHAT OUTREACH IS BEING DONE WITH ST. PATRICK'S WHITEHAVEN NEIGHBORSS TO INFORM THEM OF THESE PENDING CHANGES?

As noted above, the proposed traffic plan that uses St. Patrick's Whitehaven Campus for arrival and departure of the 60 students in grade 7, 8 and 9 will add a number of students, vehicles and shuttle buses to the Whitehaven campus. Likewise, St. Patrick's gymnasium and playing field on Whitehaven Parkway also figure in St.Patrick's expansion plans and are proposed to be part of the athletic program for grades 7, 8 and 9. There is also the future use of St. Patrick's Whitehaven school for other activities such as drama and music once the 4880A MacArthur site is vacated.

Will St. Patrick's need to obtain a modification of the 1999 BZA Order to provide for any future uses of St. Patrick's Whitehaven facilities? Will St. Patrick's notify the surrounding neighbors of the change in use or additional uses of the Whitehaven campus before it applies to the BZA for any modifications, or submits a new application regarding St. Patrick's Whitehaven campus?

I look forward to hearing from you on this matter and thank you in advance for your clarification.

Sincerely,

Katherine Van Sickle DeMallie

CC: Rt. Rev. Jane Holmes Dixon,
Rev. Elizabeth S. McWhorter
ANC 3 D Commissioners
Erik Gaull, Palisades Citizens Association

EXCERPT: ROBERT L MORRIS INC, "TRAFFIC ANALYSIS ST. PATRICK'S EPISCOPAL SCHOOL, OCT 1990" CASEFILE BZA ORDER 15374 OCT 17 1990

School Operations

The expansion, to a maximum of 440 children, from the current enrollment of 390 children, would result in 50 more children coming to the site each day. There would be a phased-in staff increase:

2 persons in 1990
1 person in 1991
3 persons in 1992
2 persons in 1993

for a total of eight additional staff members in four years.

The following modes of travel are currently used by children attending the school.

1% by Metro and walk
15% in vans, at 12 per van
84% by auto, at 3.2 per car

Assuming the same mode split for the 50 additional children, there would be 14 additional vehicles coming to the site. Adding eight more vehicles for the increased staff, there would be a total of 22 vehicles arriving, and 14 vehicles departing during the morning rush hours. (The school's operation does not affect evening rush hours.)

The current trip orientation, during times of

ST. PATRICK'S
1990 TRAFFIC LOADING ON WHITEHAVEN

STUDENTS IN 1990	MODE OF TRAVEL		STUDENTS BY MODE	STUDENT PER VEHICLE	NUMBER OF VEHICLES
440	METRO	1%	4	NA	0
440	VAN	15%	66	12/VAN	6
440	AUTO	84%	370	3.2/CAR	116
TOTAL NUMBER OF VEHICLES					122

Source for mode of travel percentages and student per vehicle information taken from "Robert L. Morris Inc., Traffic Analysis, St Patrick" Episcopal School, October, 1990."

ShawPittman LLP

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ALLISON C. PRINCE
202.663.8853
allison.prince@shawpittman.com

March 6, 2002

Mrs. Katherine Van Sickle DeMallie
4923 Ashby Street, N.W.
Washington, DC 20007

Dear Mrs. DeMallie:

Peter Barrett sent me your letter dated February 19, 2002. Given the technical nature of many of the issues that you have raised, he requested that I respond. I would also be pleased to meet with you to review your questions if that would be helpful.

Issue One

What is a student cap? Do more than 440 St. Patrick's students visit or attend St. Patrick's Whitehaven campus each day? What is the current total pre-3 p.m. student population? What is the current total post-3 p.m. student population? Are these different sets of students? Is St. Patrick's double shifting the school?

St. Patrick's has a cap of 440 students in pre-school through grade six on the Whitehaven campus. The BZA orders governing the school do not regulate the total number of students present at any time. They regulate the total number of students who can be enrolled. St. Patrick's operates in full compliance with the cap. There is no double-shifting at the school.

Regarding activities before 3 p.m., students are in nursery through grade six. Grade seven students have attended chapel on the Whitehaven campus and special events such as lectures by visiting authors.

Regarding afternoon activities, St. Patrick's has extended day, after-school activities and after-school sports daily on the Whitehaven campus, after most students have departed. Almost all of the post-3 p.m. students are in nursery through grade six. Thirteen grade seven students came to play soccer on the Whitehaven campus in the fall and eleven grade seven students come to play basketball in the winter.

Issue Two

What is a grade cap? What grades are currently using St. Patrick's Whitehaven campus each day? Do seventh graders from St. Patrick's 4880A MacArthur site use any of St. Patrick's Whitehaven school buildings and facilities? Is this in keeping with BZA orders?

This question is largely answered in the previous response. The Whitehaven campus accommodates grades pre-school through six consistent with the BZA approvals. The highly limited use of the Whitehaven campus by a small number of seventh graders does not constitute a violation of the BZA order. The order clearly contemplates the use of the gym for school and church purposes and by non-profit 501(c)(3) organizations. Current seventh graders and future seventh and eighth graders will attend classes and the vast majority of their activities at their own campus. The limited current and proposed use of the Whitehaven campus by these students does not constitute a violation of the BZA order.

Issue Three

What is a faculty and staff cap? How does it relate to the number of employees?

St. Patrick's approval for the Whitehaven campus contains a cap on only staff and not faculty. Staff includes non-teacher employees. As you noted from your review of the transcript in BZA Application No. 16517, we clearly reminded the Board in 1999 that there is no faculty cap but rather only a staff cap. At that time, the Board did not opt to include a faculty cap. St. Patrick's is in full compliance with the staff cap of 60.

Any new hires related to 4925 MacArthur Boulevard will be subject to whatever conditions are placed in that BZA order. The school expects and will comply with a reasonable cap on faculty and staff for that campus.

Issue Four

Traffic in 1990, 2002 and in the future at St. Patrick's at Whitehaven - How 120 vehicles used to bring students to school in 1990 turned into 300 vehicles in 2002 and will increase to almost 400 if the proposed school at 4925 MacArthur Boulevard is approved. Adding in faculty and staff vehicles will increase the total to about 500 vehicles a day.

At the time of the approval of the gym in 1999, only three years ago, the Board of Zoning Adjustment had an opportunity to review traffic issues associated with the existing use and the proposed gym. That case provided an opportunity to review any changes in traffic patterns since 1990. At that time, the Board determined that there were no adverse traffic impacts associated with the use and included no conditions governing traffic in the BZA order. Based on our current traffic report, which relies on counts conducted at the carpool lane driveway, there is a student-to-vehicle ratio of 1.39. Further, the report notes that there are approximately 220 cars being used to bring children to the school in the sixty minute period between 7:45 a.m. and 8:45 a.m.. Most of the nursery school students arrive later because of their 9:00 a.m. start time. There has been no significant change in the student-to-vehicle ratio since 1999.

The addition of approximately 43 vehicles daily to Whitehaven will not have a significant impact on the existing condition, particularly given the proposed improvements to the operation of the carpool.

Issue Five

Impact of St. Patrick's proposed school for grades seven, eight and nine at 4925 MacArthur Boulevard and its related uses of St. Patrick's Whitehaven campus. Will BZA orders regarding the current caps and conditions at St. Patrick's school at Whitehaven need to be modified? What outreach is being done with St. Patrick's Whitehaven neighbors to inform them of these pending changes?

St. Patrick's has applied for school use of the existing building at 4925 MacArthur Avenue. This building will be the campus for the St. Patrick's grades seven and eight and will be regulated separate and apart from the main campus. In the interest of minimizing traffic impacts on the Ashby Street neighbors, St. Patrick's concluded that the shuttle operation between Whitehaven Parkway and MacArthur would be desirable. The plan greatly reduces the number of vehicles that will arrive at the MacArthur site daily. St. Patrick's has also taken the opportunity to overhaul its existing drop-off and pick-up procedures on Whitehaven to minimize any traffic impacts. We are confident that this proposal represents the opportunity for a "win-win" situation.

We have no question that a modification of the 1999 BZA order would be required if St. Patrick's sought to locate its seventh and eighth graders on the Whitehaven campus. The addition of two grades to that campus would exceed the scope of that order. St. Patrick's has opted to instead create a separate campus for grades seven and eight that will be separately regulated by the BZA. The proposed highly limited use of Whitehaven

Parkway as a drop-off and pick-up location combined with the use of the gym for a small fraction of the week and during after school hours does not constitute a violation of that order. While we agree that the seventh and eighth grade students cannot spend their entire days on the Whitehaven campus absent a modification of the BZA order, we also believe that the order cannot be reasonably interpreted to ban such students from the campus at all times.

Further, if for any reason these students are unable to use the gym for drop-off and pick-up and for the limited athletic use that is proposed, the school will use another neighborhood location for drop-off and pick-up and alternative and scattered locations for its athletic program, as it does currently. I hope you agree that there are significant traffic benefits associated with the proposed consolidated approach.

Since you are an Ashby Street neighbor, I would expect your concerns to center on the impact of the proposed use on your home. We have designed the shuttle arrangement to address the numerous articulated concerns about traffic impacts on Ashby Street. While we appreciate your input on the main campus, we would hope that you appreciate that we have devised this arrangement for the benefit of you and your neighbors on Ashby Street. We welcome any suggestions about alternative arrangements that you may find preferable.

Very truly yours,

Allison C. Prince

Allison Prince