Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3-D
P.O. Box 40846
Palisades Station
Washington, D.C. 20016

May 6, 2004

Mr. Geoffrey Griffis
Chair
Board of Zoning Adjustment
441 4th Street, NW, Suite 210S
Washington, DC 20001

RE: Application #17164 of St. Patrick's Protestant Episcopal Church, pursuant to 11 DCMR § 3104.1, for a special exception limited to the modification of approved private school plans (last approved by BZA Order No. 16852) to allow the use of a portion of the basement for classroom purposes under § 206 (no change in the governing cap on student and staff is proposed) in the R-1-B District at premises 4925 MacArthur Boulevard, NW (Square 1393, Lot 17, (823)).

Dear Chairman Griffis:

Advisory Neighborhood Commission 3D held its regularly scheduled monthly meeting on Wednesday, May 5, 2004, at Sibley Memorial Hospital's Ernst Auditorium. A quorum was present (4) at all times. Proper notice was given more than seven days in advance of this meeting in the Northwest Current newspaper, around the neighborhoods, on our web site (www.anc3d.org) and by fax and phone.

The Commission invited presentations from representatives of St. Patrick's School and its architect, David Konapelsky. Statements from the neighbors and one St. Patrick's parent were also considered.

The school proposed that it would like to use the basement for classroom space and a music room as well as a space that would support its musical theatre production course. Mr. Konapelsky explained that the egress path and second egress stair is a code requirement, whether or not the space is used only for utility space. He explained that the excavation of the basement for sheeting and shoring purposes, removal of the original basement slab, and other related site work led to the creation of an egress path that resulted in a 320 sf. room with a 7'6" ceiling height suitable for classroom space.

In rebuttal to the architect's presentation, and based on his *Preliminary Design Review Meeting Minutes* dated February, 25, 2002, the drawings submitted to the BZA throughout the hearings and the April 2, 2002, *Statement of the Applicant,* an argument was made that the school was aware prior to the first BZA hearing of what would be required to change the basement from utility space to useable space. As a registered architect, with expertise in school design, Mr. Konapelsky should have known code requirements for the use of the basement as habitable space.

BZA
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Exhibit No. 27

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The neighbors argued that the school knowingly violated its BZA Order by creating habitable space in the basement and should not be rewarded for its actions.

A motion was presented by a member of the Commission that it is premature to move forward at this time on a decision because in so doing the trust of the neighbors would be lost. Instead, the Commission deferred to a substitute motion and voted 3-2 to support the following: "The Commission believes no public purpose is served by preventing such use and also discerned no objectionable effects (s)." The Commission also asked the school to consider alarming the new egress door on Ashby Street to prevent its use for other than emergencies.

For the above reasons, the Commission requests that the BZA give the Commission's decision the "great weight" to which it is entitled.

Sincerely,

Alma H. Gates

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Chair