ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS
MCLEAN GARDENS • WOODLEY PARK

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04-Avram Fechter; 05-Bruce Beckner; 06-Trudy Reeves
07-Sheila Hogan; 08-Catherine May; 09-Nancy MacWood

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September 7, 2005

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D.C. OFFICE OF ZONING
2005 SEP -7 PM 12: 08

By Hand

Mr. Geoffrey Griffis
Chairman, D.C. Board of Zoning Adjustment
441 4th Street, N.W., Suite 210
Washington, D.C. 20001

Re: BZA Application No.17320, St. Albans School,
Findings of Facts and Conclusions of Law

Dear Chairman Griffis and Members of the Board:

Pursuant to the Board of Zoning adjustment's (BZA) instructions at the close of the July 26, 2005 public hearing in the above-captioned matter, Advisory Neighborhood Commission 3C (ANC 3C) submits the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

Property and Surrounding Area:

1. The Applicant, St. Albans School, is located at 3101 Wisconsin Avenue, N.W. (Square 1944, Lot 25) on the Cathedral Close in Ward 3 and is zoned R-1-B.

2. St. Albans school is bordered on the south by Garfield Street and an established residential neighborhood of single family dwellings. On the east the school is bordered by 34th Street and an established residential neighborhood of attached and single family dwellings.

BZA
Case No. 17320
Exhibit No. 53

Board of Zoning Adjustment
District of Columbia
CASE NO. 17320
EXHIBIT NO. 53

3. The school has operated from this site since 1909.

St. Albans School:

1. There are 568 students currently enrolled in the lower and upper schools. St. Albans currently employs 128 full-time and 15 part-time faculty and staff. Hours of the academic day extend from 8:00 AM to 3:30 PM. The afternoon athletic program and extracurricular activities extend to 6:00 PM.

2. Applicant schedules after school events for students and parents, such as, plays, concerts, athletic events, back-to school-nights, lectures series, and dances.

3. Applicant hosts prospective students and parents during the school day, and at evening events.

4. Applicant holds educational programs and performance events in conjunction with the National Cathedral School.

5. Applicant rents its gymnasium and athletic fields during non-school hours. The tennis courts are also used during non-school hours by a school sponsored tennis membership club.

6. Applicant has recently instituted a parking policy to encourage on site parking.

7. Although Applicant currently has 154 parking spaces allotted on the Close, these spaces are undesignated and often not available to St. Albans faculty, students and staff causing them to seek parking on neighborhood streets. This figure also does not take into account an additional lack of available parking for parents and visitors to events.

8. Applicant seeks to build a new Performing Arts Center with a seating capacity of 650 seats (an increase of 325 seats over the current Trapier Theater capacity of 325 seats.)

9. Applicant seeks to reconfigure the current athletic fields and tennis courts located on the southwest corner of the Close bordering on Garfield and 34th Streets to accommodate a regulation competition/practice field surrounded by a regulation track, a press box, bleachers with seating capacity for 600 spectators, a baseball diamond that can convert to two practice fields, and an additional half field for practice.

10. Applicant seeks to build an 18,000 square foot New Wing Extension to add classroom and office space.

11. The Protestant Episcopal Cathedral Foundation, with the participation of St. Albans School has begun construction of an underground garage on the northwest corner of the Close expected to add approximately 300 new spaces. The Parking Study submitted by Applicant concludes that "the development of the Cathedral Foundation garage will ensure that all STA faculty, staff, students, and visitors will be accommodated on the Close in designated parking spaces."

12. Applicant has represented that it does not intend to increase enrollment from 568 students currently enrolled in both the lower and upper schools. Applicant has requested a 2% buffer over the enrollment cap and an increase to 143 full-time equivalent faculty and staff.

Previous Board Orders:

13. St. Albans has appeared before the BZA in 1971, 1976, and 1994 to ask for special exceptions to renovate existing space or build new additions. In each case special exception was approved.

District of Columbia Department of Transportation:

14. On August 2, 2005 DDOT submitted a two page memorandum recommending denial of the application "until St. Albans School prepares a Transportation Management Plan and obtains approval of this plan by DDOT and the Advisory Neighborhood Commission 3C".

15. On September 2, 2005 DDOT submitted a two page memorandum following its meeting with representatives of both St. Albans and ANC 3C and review of supplemental information submitted by St. Albans including a Traffic Management Policy. DDOT concluded that the new parking garage, coupled with the TMP will address most of the parking generated by the Performing Arts Center. DDOT also made the following recommendations to minimize impact of parking on neighborhood streets:

    a. All parking related to events at the new performing arts center should be accommodated in the new garage or in the other surface spaces located on the Close.

b. Access from the garage should be limited to the Wisconsin Avenue exit for events scheduled to end after 10 PM to minimize late evening traffic on residential streets.

c. Coordinate scheduling of various events including performances; recreation activities, and other events within the Cathedral Complex during after school hours so that major traffic generating events are not concentrated on the same evening.

District of Columbia Office of Planning:

16. In a memorandum dated August 16, 2005, the Office of Planning (OP) observed that the new performing arts center will encourage larger attendance at some of the performances. With regard to the athletic field, OP observed that although the number of activities will not change, it is likely that attendance to some of the activities will increase.

17. In the same memorandum, OP expressed concern that visitors with Zone 3 parking stickers would first park on neighborhood streets and recommended a parking policy the would strongly encourage parking on the Close and discourage parking on neighborhood Streets.

18. In the same memorandum, OP expressed concern that St Alban's parking policy was "very generalized" and did not detail how parking policies would be enforced. OP agreed with DDOT's recommendation for a Traffic Management Plan and concluded that since St. Albans has submitted that all parking can be accommodated on the Close, all users should be "deterred" from parking off-site.

Parking and Traffic Issues:

19. Neighbors of St. Albans School, particularly those residing on Garfield Street along the south border of the school and on adjacent streets, have long complained about lack of street parking caused by St. Albans students, staff and visitors. These complaints have been registered in the form of phone calls, letters, and emails to St. Albans School, the Protestation Episcopal Cathedral Foundation, and ANC 3C.

20. At the BZA public hearing on July 26, 2005 four residents of the immediate neighborhood offered verbal testimony describing the difficulty with parking experienced by the neighborhood. Concerns expressed included:

a. An increase over the years in students who have their own cars

b. An exemption from residential parking restrictions on Saturday and Sunday
c. An increase in school activities and outside use
d. A lack of enforcement of existing parking restrictions by the District of Columbia government
e. An inability to find an open parking space within one block of home
f. Having to park in illegal spots and receiving parking tickets
g. Heavy outside use of the facilities involving adult sports leagues from Maryland causing congestion and competition for street parking
h. Having no place to park when they arrive home from work or grocery shopping (BZA July 26 108-159)

The testimony of these neighbors was supported by the testimony of ANC 3C08 Commissioner who had observed some conditions described in the neighbors' testimony and the testimony of the Chair, ANC 3C.

21. The Parking and Traffic Study prepared by Grove/Slade Associates dated May 24, 2005 (STA Traffic Study) concludes that "the increase in the capacity of the performing arts facility will generate significant additional traffic coming to the Close." STA Traffic Study at 10.

22. The STA Traffic Study also concludes that "the development of the Cathedral Foundation garage will ensure that all STA faculty, staff students, and visitors will be accommodated on the Close in designated parking spaces. There will be adequate parking capacity on the Close to ensure that these designated spaces are always available for STA parkers." STA Traffic Study at 10.

Applicant's Traffic Management Plan:

23. In its Traffic Management Plan (TMP) dated August 17, 2005, St. Albans proposes that students, faculty and staff who do not have Zone 3 Residential Permit Parking (RPP) stickers park on the Close or in unrestricted street parking spaces and that those with Zone 3 RPP stickers try to park on the Close before resorting to on-street parking. This provision will allow an unpredictable number of students, faculty, and staff to continue to park on neighborhood streets.

24. Applicant will maintain its current allotment of 154 parking spaces during construction of the PECF garage by constructing 12 new parking spaces on Pilgrim Road and leasing 40 spaces from St. Sophia's Church located at the corner of Garfield and 36th Street across from the southwest corner of the Close. While this plan may address the parking requirements for faculty, students, and staff, it does not address the parking demand caused by parents and other visitors to school events.

25. The parking policy encourages employees to participate in a "Commuter Rewards" program. There is no provision for students to participate in such a plan.

26. Beginning in September 2005 St. Albans will require students, faculty, and staff who drive to school to register his or her vehicle. Students who violate the parking policy will be subjected to unspecified disciplinary action.

27. Visitors to school events who do not have valid Zone 3 RPP stickers will be required to park on the Close to the extent that parking is available. Buses will be required to park on the Close or in designated off-street parking.

28. St. Alban's traffic plan acknowledges an increase in traffic and parking demand. The plan depends on the construction of the new parking garage to address the increase in parking demand and to decrease or eliminate existing parking problems in the neighborhood. The current proposal does not contain procedures to ensure that students, faculty, staff, and visitors attending on campus events will use the proposed garage or other on Close parking or be dissuaded from parking on neighborhood streets. It does not contain any provision for directing traffic or managing traffic flow.

29. The TMP does not describe how visitors to athletic events or the Performing Arts Center will be induced to park in the parking garage or other sites on the Close when neighborhood streets are seen as more convenient. The TMP does it describe a traffic management plan to direct traffic to on Close or other off-street designated parking.

Facility Use Issues:

30. At the BZA public hearing on July 26, 2005 immediate neighbors of the athletic fields described to the Board the following concerns:

    a. Sudden, jarring noises such as air horns disturb the peace, a condition not taken into account by the Area Noise Survey of December 13, 2004, which established an average measure of noise that did not include the noise peaks.

    b. Extensive use of the athletic fields and the indoor facilities, including the gyms, beyond the normal school hours, specifically on evenings and weekends often gives them no respite from constant activity, noise, and trash and can interfere with the enjoyment of their homes.

    c. Recent increase in activity by outside users during the summer deprives them of respite. A recent basketball tournament was cited as an example of outside activity. The tournament extended across

several weeks and brought a particularly burdensome increase in traffic congestion, parking problems and increased weekend and late evening noise and trash.(BZA July 26, 2005 108-159)

31. The increase in seating capacity in the proposed Performing Arts Center of 325 seats coupled with the athletic field seating capacities of 600 at the football/lacrosse stadium, 200 at the baseball diamond and 50 at the tennis courts will increase the parking demand.

32. The elimination of overlapping fields by the creation of separate football and baseball fields, and the addition of a full size practice field will increase activity on the fields by allowing multiple uses.

33. St. Albans proposes to permit 100 days of performances. One hundred performances could permit a performance every three or four days throughout the year. The proposal to permit Friday and Saturday performances to continue until 12 midnight could subject the neighborhood to late night exiting traffic from the parking garage and noise from event goers who parked on neighborhood streets potentially every weekend throughout the year. The proposal also does not account for the cumulative effect of simultaneous events scheduled at the Performing Arts Center and at other venues on the Close.

34. Current summer program hours run from 8:00 AM to 3:30PM, with provision for some extended day campers and a single 2-week lacrosse clinic from 5:00 PM to 7:00 PM.

35. St. Alban's Proffer of conditions is so worded that it would be possible to have non-St. Albans activity on a field every day of the week throughout the year. During the summer the fields could be used until 9PM six days a week, and during the school year there is no beginning or ending hours on the use of the fields for non-St. Albans activities. Noise from those activities could interfere with neighbor's own outside activities and their right to enjoyment of their property.

Advisory Neighborhood Commission 3C (ANC 3C):

36. ANC 3C and representatives of the Cleveland Park Citizens Association, the National Cathedral Citizens Association, the Woodley Park Community Association and residents of the immediate neighborhood bordering Garfield Street met on several occasions with representatives of St. Albans School and the Protestant Episcopal Cathedral Foundation. The purpose of the meetings was to negotiate a Parking and Use Agreement. St. Albans withdrew from

negotiations shortly before submitting to the BZA their Proffer of July 26, 2005.

37. At a special meeting of ANC 3C on June 5, 2005, the Commission unanimously approved a resolution 2005-037 to withhold support for St. Albans' special exception application. The resolution included a provision that allowed the ANC to reconsider its position if a satisfactory agreement could be reached with the School on parking and use issues. ANC 3C requested that St. Albans delay their appearance before the BZA so that negotiations on an agreement could continue because ANC 3C felt both parties were close to an agreement.

38. At a Special Meeting of ANC 3C on August 29, 2005 the Commission voted 4 to 2 to support a resolution supporting an attached list of conditions necessary to remove ANC 3C's opposition to the application and noting that ANC 3C did not consider the Traffic Management Plan because it lacked many of the elements of a TMP including traffic patterns for events, numbers expected to attend by various modes of transportation, etc.

39. A list of the conditions necessary for ANC 3C to remove its opposition to the application along with the accompanying Adverse Impact and Rationale are attached. (Attachment A)

CONCLUSIONS OF LAW

Applicable Law-Special Exception

1. The Board of Zoning Adjustment is authorized to grant special exceptions where, in the Board's judgment, a special exception would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and would not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. DC Official Code Section 6-641.07 (g) (2); 11 DCMR Section 3104.1.

2. The applicant is seeking a special exception pursuant to 11 DCMR 3104 and the special conditions specified in Section 206 to continue the operation of a private school located at 3101 Wisconsin Avenue, N.W.

3. Section 206.2 states that a private school in an R-1 District shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions. Both the Office of Planning (OP) and the District Department of Transportation (DDOT) stated that the proposed schedule for the Performing Arts Center and the expanded athletic fields would result in an increased level of activity that would impact St. Albans nearby and adjoining

neighbors. Applicant has requested an expanded use of the performing arts space to accommodate no increase in their current school events, but rather to accommodate unspecified events by other Protestant Episcopal Cathedral Foundation (PECF) entities. ANC 3C has requested a limit of 50 large events and no limit on those that would fill the PAC to 75% of capacity. Since this is a special exception application for a school it is reasonable to limit the evening and weekend events to those that are consistent with the operation of a school. In this case, the school is owned by the PECF, which has its own schedule of activities and its own venues for those activities, but it is reasonable to expect that some of these events might be scheduled in the new PAC. The Board's foremost concern, however, is to avoid likely objectionable conditions and evening and weekend events several times each week that attract more than 500 persons and have the likelihood of creating objectionable conditions for the residential neighborhood. The Board finds that the limits, including the closing hour, proposed by ANC 3C are reasonable.

Applicant has requested that the Board approve the reconfiguration of the athletic fields and that conditions allowing the use of the fields for non-school activities be included in the Order. Neighbors testified that the regular school activities on the fields were objectionable at times and deprived them of parking and peace and quiet, as did many of the non-school events and activities. The Office of Planning did not make any recommendation on additional use of the fields for non-School activities, but ANC 3C did recommend that there should be limits on the amount of non-School use of the fields and that any summer program or contract use should require on-Close parking. There are currently no limits imposed on non-school use of the athletic fields other than field capacity. The reconfiguration of the athletic fields creates the possibility of greater non-school use. Increased non-school use would aggravate conditions which the neighbors and ANC 3C find objectionable. Therefore, the Board finds that the ANC 3C recommendations for continuing current summer program use with some allowance for offering the fields to limited numbers of users, and restricting the time that the fields can be used for non-School program use year-round is appropriate and will curtail the current objectionable to 7PM.

The Office of Planning recommendations that amplification be allowed only for game announcement and that no lighting be permitted on the fields would continue the current practices. However, some neighbors remain concerned that the erection of bleacher seating for 600 in addition to altering the orientation of the bleachers so that they face Garfield Street will increase the noise generated by athletic events. ANC 3C concurs with OP that sound systems should be designed to avoid unnecessary noise conditions that will be objectionable to neighbors. Applicant has recommended a condition to address this issue. The ANC also recommends that there be no lighting on the fields, which Applicant has stated it has no intention of doing. Noise and lighting are two obvious and significant issues that lead to objectionable conditions for nearby and adjoining neighbors and therefore, the Board finds that the ANC recommended condition should be incorporated into the Order. Also of concern is street noise generated by traffic circling looking for parking spaces on neighborhood streets. The number of proposed events and the proposed 12 midnight ending for Performing Arts Center weekend events will also result in traffic noise on neighborhood streets, often late at night. Also

objectionable is the incidence of trash on neighborhood streets caused by visitors to large athletic events. The reconfigured athletic fields and the new performing arts center are likely to draw larger crowds and thus cause an objectionable increase in traffic even if there were to be no increase in the frequency of events.

4. 11 DCMR 206.3 requires that ample parking space be provided to accommodate students, teachers, staff and visitors arriving at the school by automobile. Neighbors testified that school related parking in the neighborhood is a continual problem and objectionable. They provided descriptions of illegal parking, lack of available legal parking spaces, and hardships associated with these conditions. The applicant has not satisfied Section 206.3 which requires the provision of ample parking to accommodate teachers, students, and visitors likely to come to the site by car. Both OP and DDOT recommended that parking by St. Albans students, faculty and staff should be limited to on-site parking. Advisory Neighborhood Commission 3C concurred. The Board finds that the testimony of neighbors and the ANC 3C is persuasive that a parking problem exists in the neighborhood and that St. Albans is a prime contributor. The Board also finds that there will be adequate parking on the Close and that indeed the purpose of the parking garage is to remove the demand for neighborhood parking. According to St. Alban's Parking and Traffic Study, "all of the parking demand generated on the Close, including STA parkers, will be accommodated on the Close". Thus, we find that the objectionable conditions caused by the use of neighborhood streets can be resolved by requiring that St. Albans students, faculty, staff, and visitors park on the Close or other designated off-street parking.

5. The Board further finds that the enrollment increase, described by the applicant as a "buffer," does not raise concerns under Section 206.2 as long as the parking issues are addressed. There was no testimony or submissions that objected to the numbers of students or the number of faculty, although ANC 3C did recommend that the Board raise the enrollment cap rather than institute an acceptable percentage overage. The Board, therefore, will condition the Order on an enrollment cap of 578 students and a staff of 143.

Respectfully submitted,

CMayMD

Catherine S. May, M.D.
Commissioner, ANC 3C08

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RESOLUTION No. 2005-052
St. Albans School BZA Application for a Special Exception

Whereas St. Albans School has submitted conditions that address enrollment, parking, and use to the Board of Zoning Adjustment (BZA) pursuant to Application No. 17230; and

Whereas the BZA requested that Advisory Neighborhood Commission 3C (ANC), a party in these BZA proceedings, submit proposed conditions notwithstanding that the ANC approved and submitted a resolution (No. 2005-037) opposing this application; and

Whereas the ANC 3C scheduled a Special Meeting on August 29, 2005 that was noticed and at which a quorum (at least 5 of the 9 members) was present in order to consider conditions to the application; and

Whereas the ANC has formally called upon St. Albans to commit to an enforceable parking policy and to develop a facilities use agreement with the neighborhood:

Be It Resolved that the ANC 3C supports the attached list of conditions, which are explained with both the adverse impact that they address and the rationale as to how each will resolve that adverse impact per the request of the BZA, and

Be It Resolved that the ANC 3C has not considered the TMP submitted by St. Albans to the District Department of Transportation (DDOT) pursuant to DDOT's request in their revised report to the BZA because the TMP does not include the elements of a TMP, namely, how many people will be driving to the school, how many taking alternative transportation, how many events and how many people anticipated to attend, the traffic patterns for events, etc. The TMP presented to the ANC is essentially the proffer that was submitted to the BZA by St. Albans School at the hearing on July 26, 2005; and

Be It Further Resolved that St. Albans School's willingness to comply with this set of conditions will remove ANC 3C's opposition to this application; and

Be It Further Resolved that the Chair or the ANC 3C08 Commissioner are authorized to represent the Commission on this matter.

Attested by Nancy J. MacWood **Chair, on September 6, 2005**

Nancy J. MacWood

This resolution was approved (4-2-0) at a special meeting held on August 29, 2005, which was noticed, and at which a quorum (6 of the 9 members) was present.

ATTACHMENT A

CONDITIONS

1. Adverse Impact: The number of students and faculty and staff of a private school located in a residential neighborhood can present issues of noise, lack of parking, and traffic congestion. Neighbors of St. Albans School have complained for many years to Advisory Neighborhood Commission 3C (ANC 3C), the Cathedral, and St. Albans School that students and staff are occupying the limited parking spaces in the neighborhood, leaving residents to park some distance from their homes and at times resulting in residents parking illegally.

Mitigating Condition: Enrollment shall not exceed 578 students; faculty and staff shall not exceed 142 persons on the Cathedral Close at any time during the school day. St. Albans School is required to submit to ANC 3C annually by November 1, an enrollment count by grade and a list of full and part time faculty and staff for that academic year.

Rationale: An enrollment and staff cap will prevent numbers of students and staff from increasing to unmanageable numbers. This condition should be coupled with a parking condition to ensure that the current parking issues are not worsened, and, in fact, are constructively addressed. This condition also allows St. Albans to increase enrollment by 2%, which represents the "buffer percentage" they have requested. ANC 3C does not endorse percentage buffers because we believe that schools must live within an actual cap, and conduct their admissions process so as to comply with the cap.

2. Adverse Impact: Pursuant to Section 206.3 a school located in a residential neighborhood is required to provide ample parking for students, staff, visitors, and others driving to the school. St. Albans is located on the 57 acre Cathedral Close where there are hundreds of surface parking spaces. The number of these spaces will increase when a new underground parking garage, currently under construction, is completed. Despite available on-site parking, St. Albans has not instituted a parking policy that would require students, faculty and visitors to park on-site rather than parking in neighborhood parking spaces, thus making it difficult for residents to find convenient and legal parking near their homes. Neighbors have complained for many years that they cannot find parking spaces near their homes because the parking is used by St. Albans students, staff, and visitors.

Mitigating Condition: Once the car parking garage on the Close is constructed, St. Albans School shall institute an enforceable policy to prohibit students, faculty and

staff who regularly drive to school from parking on neighborhood streets and require them to park on the Close or in designated off site parking.

Rationale: The new parking garage was presented to the community and ANC 3C as adequate to handle peak daily parking needs of the Cathedral Close, including St. Albans School. The parking garage capacity was based on information received from all the Cathedral institutions, including St. Albans, about their share of the parking demand. Cathedral representatives, as well as the St. Albans traffic expert, have asserted that the combination of the garage spaces and surface spaces are adequate to handle the demand. Thus, St. Albans can provide ample parking on-site and remove the negative effect on the neighborhood of allowing students and staff to park in the neighborhood.

3. Adverse Impact: Neighbors have experienced illegal parking problems, including blocked driveways and restricted site lines resulting from vehicles being parked too close to an intersection.

Mitigating Condition: Beginning in September 2005, St Albans School shall institute a parking policy for students, faculty and staff that shall require each student, faculty and staff member who regularly drives to school to register his or her vehicle with the school and obtain a sticker which shall be displayed on that vehicle.

Rationale: This condition will allow St. Albans to self-enforce a no-parking policy on neighborhood streets. Anyone noticing a vehicle with a St. Albans parking sticker parked on a nearby street, legally or illegally, can notify the School to have the car moved to a parking space on the Close.

4. Adverse Impact: School buses transporting students to activities at St. Albans have parked on Garfield Street rather than parking on the Cathedral Close. It is a violation of DC law when a bus parks in front of a residence. A bus parking on a neighborhood street also removes multiple parking spaces where residents could park.

Mitigating Condition: Buses shall park on the Close or in designated off street parking. St Albans School shall notify in writing all schools and organizations that participate in events at St Albans informing them of this policy.

Rationale: This condition will prevent buses from idling while waiting for students, or parking illegally on neighborhood streets. It will also ensure that multiple parking spaces are not eliminated from the parking supply.

5. Adverse Impact: Visitors, including St. Albans parents, attending St. Albans events or activities often park in the neighborhood rather than park on the Close which may be farther from the event. Many of the athletic events occur in the late afternoon and extend into the evening, which means that residents returning from work often cannot find legal, convenient parking near their homes. Thus, St. Albans is not providing ample parking for its visitors.

Mitigating Condition: Through its parking policy, St. Albans School shall regularly remind all participants and attendees of school events of that policy. Summer program contracts and any outside user contracts shall require participants and any spectators they attract to park on the Close or in designated off street parking.

Rationale: With the parking garage and surface parking spaces, there is adequate parking on the Close to accommodate parents and visitors to events and activities. Nonetheless, the experience of the neighbors is that parents and visitors will park wherever it is most convenient for them, which is usually in the neighborhood. A St. Albans policy that continually discourages this practice and that counters it with similarly convenient on-site parking would relieve this problem.

6. Adverse Impact: Neighbors have asserted that the intensity of the St. Albans programs, including athletic programs, has been difficult for them in terms of noise, parking, and traffic. They report that this situation was often lessened during the summer when there was little activity, but that in recent years the summer activity has been similar or even more extensive given longer days of daylight. With the intensity of use, neighbors find if difficult to enjoy fully their properties and to have an expectation of peace and quiet that they are entitled to have.

Mitigating Condition: St Albans School will continue its existing summer program from 8 a.m. through 3:30 p.m. with expected modest use of the athletic fields by the extended day program and occasional small, time limited clinics, not expected to exceed total field use of 100 persons. All field use will end by 7 PM.

Rationale: St. Albans has a current summer program that runs from the end of June to the beginning of August (7 weeks) and begins at 8AM and ends at 3:30PM. They also schedule one 2-week lacrosse camp that runs from 5 to 7PM during this period. This is a typical private school summer program that mimics the academic school hours and one that has been relatively stable at St. Albans for many years. This condition would continue the current practice and allow for an extended care program and occasional low-intensity use of the fields.

7. Adverse Impact: Activities and events at the Performing Arts Center (PAC), with its seating capacity of 650, have the potential for attracting twice as many persons as can currently attend a St. Albans performance held in Trapier Theatre. Parking for these events could overwhelm any parking supply in the neighborhood and could eliminate any available parking for residents. The number of events and the hours that these events end may affect the peace and quiet normally expected to occur in a residential neighborhood in the evenings and on weekends.

Mitigating Condition: There shall be not more than 50 days of events or performances held in the Performing Arts Center which are scheduled to occur beyond the normal academic school day and which would be anticipated to fill the facility to above 75% of capacity. All events at the Performing Arts Center shall end by 11 PM. St. Albans

School shall provide free parking for all participants and attendees either on the Close or at designated off site locations. As a standard operating procedure, all exiting traffic from the garage after 10 PM shall be from the Wisconsin Avenue exit. After the parking garage and the PAC are completed, the school and the ANC commit to meet with representatives from the neighborhood on an ongoing basis to address use issues.

Rationale: St. Albans School has not demonstrated that it has a current schedule of performances and events that are scheduled outside the school day that exceeds about 27 days, which is the number of performances listed in St. Albans' 2004-05 school calendar. A limit of 50 days of events or performances as described above would permit the use of the PAC by other Protestant Episcopal Cathedral Foundation (PECF) groups. A review of a Sidwell Friends School's performance schedule for 2004-05 lists approximately 33 days of performances or events, and it should be noted that Sidwell is a comparable independent school, is located a few blocks from St. Albans on Wisconsin Ave., has a theatre that seats a smaller percentage of its student body than the new PAC would (using the combined population of Saint Alban's School and National Cathedral School for comparison) and has an excellent reputation for its performance arts program. With no performances scheduled currently to begin after 7:30 or 8PM, there appears to be no need to have them end after 11PM. It will take patrons of these events time to get to their cars in the parking garage and exit that facility so realistically it will be 11:30 or 11:45PM before the traffic clears from the neighborhood. It is inappropriate to have a large number of cars traveling through the neighborhood late at night when the residents have an expectation of peace and quiet in the evenings. To help alleviate the noise associated with large amounts of traffic and the comings and goings of event patrons and participants, all cars exiting the parking garage after 10 PM should exit from the Wisconsin Avenue exit. This exit will have a new traffic light installed on Wisconsin Ave. at the garage exit to move traffic quickly from the garage and it can be adjusted to allow a continual flow of cars onto Wisconsin Avenue after large performances. The use of the garage by patrons of events must be stressed and there should be no disincentive (parking fees) created to cause drivers to seek neighborhood street parking rather than on-Close parking.

8. Adverse Impact: St. Albans sponsors an extensive athletic program that includes at least a dozen competitive sports and often 3 competitive level teams (varsity, junior varsity, freshmen) per sport at the high school level. The athletic director has stated that St. Albans frequently schedules Saturday league games on the athletic fields. The intensity of their program and the traditional support shown by the attendance of parents and students at the games has an impact on parking, traffic, and noise. The result is a disruption in the peace and quiet of the neighborhood residents.

Mitigating Conditions: St. Albans will not schedule simultaneous varsity scrimmages or games with other schools on its athletic fields, with the following exception: tennis matches, and make up games cancelled due to inclement weather and other similar unanticipated events. Any tournaments held at the school, either indoors or

on the athletic fields can only be held if all associated parking is on the Close or in designated off site parking.

Rationale: This condition would allow simultaneous varsity and junior varsity games and freshmen games, which St. Albans states it cannot do currently. It would allow back-to-back varsity games. The intent of the condition is not to limit the St. Albans program, but to acknowledge that the level of use has an effect on the peace and quiet of the neighborhood. Thus, it is reasonable to require that elective events like invitational tournaments that attract multiple teams, many spectators, and often occur over multiple days will not produce any increase in traffic congestion or parking demands on the neighborhood. This condition would not limit St. Albans ability to host league end of season tournaments, which are hosted sequentially by participating schools.

9. Adverse Impact: Any use of the athletic fields beyond the already intense use from the St. Albans athletic program introduces additional issues of trash left on sidewalks and in yards, noise, traffic, and parking. If the fields are used for outside athletic activity beyond the already extensive St. Albans program use, the adjoining and nearby residents are faced with an extended period of impact.

Mitigating Condition: Occasional use of the fields by small groups of less than fifty players and spectators on all fields at all times will be permitted until 5:00 PM. The school will work with the liaison committee in an ongoing fashion to monitor and minimize the impact of these activities on the neighborhood.

Rationale: The condition regarding outside use during the school year should make it clear that there should be limited use of the fields beyond the already extensive school program use because of the heavy traffic, parking, and noise impact that such activity visits on the neighborhood. St. Albans has represented to the ANC that they want to accommodate parents who might have to cancel a soccer team practice if they can't use their regular field for some reason. This condition would allow them to do that. The condition stipulates that there should be no activity in the evenings when residents want to conduct their own outside activities.

10. Adverse Impact: The tennis club is only adversely impacting the neighborhood from a parking standpoint.

Mitigating Condition: The tennis club hours will be 6:45 a.m. to dusk, 7 days a week but courts shall only be available when St. Albans or National Cathedral School are not using the courts. Club rules shall be determined by St. Albans but all parking must be on the Close. St. Albans shall make every effort to provide adequate designated parking for tennis club members near the courts during peak times for matches. The tennis club membership contract shall require members to accept the parking policies.

Rationale: The condition continues the current tennis club hours and addresses the only issue that has been raised about the club, which is the member's practice of parking in the neighborhood. Since Pilgrim Road, which has on-site parking near the courts, is only accessible from Massachusetts Avenue or Wisconsin Avenue, tennis players have to drive away from the courts to enter the Close and work their way back to Pilgrim Road parking. Tennis club members would probably agree to do this if they knew that St. Albans had set aside some spaces for them near the courts. Many of the members are elderly citizens and this seems a very reasonable request to make of St. Albans.

11. Adverse Impact: The intermittent loud cheers, the use of air horns, band music and the amplified commentary by announcers of the athletic games can be disturbing to residents who work at home, or find this uncustomary noise upsetting or jarring.

Mitigating Condition: The sound system on the athletic fields shall be designed to minimize noise carrying into the neighborhood. St Albans School shall make all reasonable efforts to prevent the use of air horns and other such devices during the games. There will be no use of lighting on the athletic fields at any time.

Rationale: The neighborhood accepts that there is a certain amount of noise associated with athletic games, but this condition would give St. Albans School responsibility for limiting the most intrusive noise and the noise that they can control. Since the fields are not to be used at night there is no need to light them and cause unnecessary light pollution or any unwanted effects on nearby residents.

12: Adverse Impact: While the conditions are designed to address most of the negative impacts associated with St. Albans School locating in a residential neighborhood, there are issues that may arise concerning compliance with the conditions. A liaison group that is representative of the adjoining residents, the ANC 3C, St. Albans School and the PECF can address these issues as they occur.

Mitigating Condition: A Use and Parking Liaison Committee (UPLC) shall be established consisting of one representative from St. Alban School, one from the Protestant Episcopal Cathedral Foundation, two ANC 3C Commissioners and four residential property owners from the neighborhood. Procedures for determining the neighborhood representatives shall be set by ANC 3C. The UPLC will elect from amongst its members a chairman who will call at least quarterly meetings until the conditions have been fully in effect for 2 years. Thereafter the committee shall meet at least annually. The school will meet with ANC 3C annually to review compliance with this agreement

Rationale: The Parking and Use Liaison Committee will be comprised of representatives from the neighborhood most affected by the special exception application. The composition of the committee is balanced. This committee provides a mechanism for discussion and resolving issues within the framework of conditions authorized by the BZA.