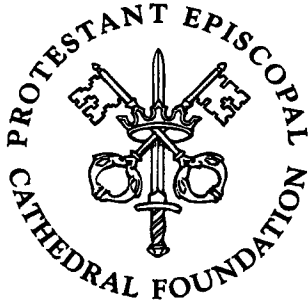




To: District of Columbia Zoning Commission

From: Kathleen Cullen, Executive Director Community Relations,
Protestant Episcopal Cathedral Foundation

Date: December 10, 2008

Re: Proposed Amendments to Zoning Regulations – Campus/Institutional

Background

The Protestant Episcopal Cathedral Foundation of the District of Columbia (PECF) respectfully requests consideration of its concerns on the proposed changes to the zoning regulations as they will affect campus and institutional users. We appreciate the comprehensive process the Commission has created and hope our input is taken into account as the new zoning regulations are formulated. Although the draft recommendations from the DC Office of Planning may in part address some concerns, there are two major issues that we feel strongly should be reflected in the new regulations:

1. Ensure continued access to the zoning process through the “special exception” procedures for all independent schools, and
2. Continue to allow churches to operate by right, free from the burden of meeting complicated zoning requirements.

History

Protestant Episcopal Cathedral Foundation (PECF) was established in 1893 to promote the causes of religion, education, and charity through the creation of a cathedral church and affiliated educational institutions. In addition to its Cathedral, as part of its overall mission, PECF includes three independent but affiliated educational institutions.

- Washington National Cathedral is the cathedral for the Episcopal Diocese of Washington. Construction of the cathedral began in 1907; it has been conducting religious services daily since 1912. In 2007, it conducted approximately 1,800 worship services and welcomed over 400,000 visitors.
- National Cathedral School began holding classes for young women in 1900; today it enrolls up to 585 girls in grades four through twelve.
- St. Albans School began educating young men in 1909; today it enrolls up to 579 boys in grades four through twelve.
- Beauvoir School began teaching the youngest boys and girls in 1933; today it enrolls up to 400 children in pre-kindergarten through third grade.

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All of our schools have advanced and extensive programs to assure ethnic and economic diversity. The Cathedral's outreach is heavily focused on the needs of local underserved communities, with a particular emphasis on children enrolled in D.C. public schools. Financial sustainability and controlling costs in all operational endeavors are urgent concerns for our schools and the Cathedral.

Governance Structure and Institutional Operations

PECF's institutional and educational components are co-located on 59 acres in the northwest quadrant of the city; however, each unit's mission, governance, and budget are independent. The physical relationships of these institutions, together with the charter and bylaws of the PECF, describe a community of persons and educational institutions sharing a common heritage and vision, each engaging in distinctive missions guided by separate governing boards possessing considerable delegated powers from the PECF. These volunteer bodies set institutional priorities, establish annual goals, raise their own annual operating funds, determine annual operating budgets, and oversee the work of their institutional staffs.

Long range planning for PECF is complicated by strict and separate institutional operating budgets, and the dynamic, sensitive cycles of fundraising to support daily operations and future initiatives. Strategic planning on an individual institutional basis is necessary; these efforts are not directed or financially sustained by PECF, although they are ultimately reviewed and approved by PECF.

DC Zoning Experience

Since the 1960's, when National Cathedral School first obtained a special exception for adding a dining room and academic amenities to its Woodley North campus, each private school on the Cathedral grounds, independently and separately, has proceeded with a special exception process before the Board of Zoning Adjustment as needs have been identified, plans developed and funds raised. This system has been constructive, efficient, manageable, and most important, cost-effective for PECF and each school.

In a period of almost 50 years, changes in the enrollment, employment and physical additions/changes have been very limited in number. Each BZA application came about because of an identifiable need that could not have been foreseen more than a year or two before the application. Unlike academic institutions of higher learning (colleges and universities) that maintain large residential components in addition to academic/athletic facilities and physical plants, the frequency and ability to foresee independent school changes requiring review are limited. Unlike colleges and universities, independent school enrollments are relatively small and the magnitude of the issues is similarly limited in scope.

The current BZA process works well for the PECF schools and the community. Discreet issues that arise from an individual school's uses and needs can be addressed with particularity rather than through a generic, "one-size-fits-all" campus plan approach. Neighbors have ample opportunity to make their views known. PECF and each school has established good working relationships with neighbors and each has worked diligently with the community on issues of common concern. Whether through individual interactions or committees, we have partnered with neighbors for productive and creative solutions for a multitude of issues, many of which went beyond the standards outlined in the special exception process.

Office of Planning Proposed Approach to Zoning

With respect to the Office of Planning recommendations for Campus/Institutional uses, PECF is supportive of the intention to have rational, clear and up-to-date requirements, however in light of the presumed

longevity of the resulting regulations, we think it is wrong to force a universal template on hundreds of institutions that do not have universal economic, cultural and mission requirements. PECF strongly disagrees with the presumption that one approach is appropriate for institutions that may share one or two common factors such as square feet of gross floor area and location in a residential zone.

Specifically, nursery, kindergarten, primary and secondary schools are totally different from colleges and universities. Unlike a college or university, very few PECF students live on the campus (up to 32) and nearly ninety percent of the students enrolled are below driving age. Second, the relative scale is completely different. Number of students, ages of the students, school uses and size of physical plant for our smaller educational facilities are far more indicative of potential impacts than the size of the buildings. The BZA special exception process is well-suited and has been effective in analyzing and protecting against any of the adverse effects on nearby residents.

The expected costs and long-lead-time required to achieve a Campus Master Plan would be unnecessary and unaffordable when compared to the costs and lead time involved in the current process of a special exception. The necessary hiring of consultants including planners, architects, landscape architects, traffic consultants, likely economic consultants and attorneys for each campus plan would incur far greater expense than for a specific change or addition to a single specific enrollment or physical change. This financial burden would inevitably reduce funds available for activities essential to our core missions.

Long before the recent economic crisis that is devastating the nation and the world, our schools struggled to meet operating costs with a delicate balance between tuition increases and endowment earnings so as to keep a first rate education affordable for all families. Excellent education demands excellent faculty and physical plants, all of which require an increasingly larger percentage of tuition dollars to sustain as endowments have been severely diminished. To significantly increase the expense of applying to the city for a change in zoning status places an unnecessary financial burden on PECF's schools.

If a "campus master plan" were required to be developed for any of PECF's institutions, the city and the neighboring communities would not receive any additional benefits than what is currently achieved through the special exception process. In fact, there would be less flexibility for responsiveness to evolving neighborhood concerns or desires, and the need to hold onto funds for the planning process would leave some valuable initiatives on the "wish list" rather than on the "to do list." Financially vulnerable outreach programs and community amenities provided by the PECF institutions separately and collectively would suffer.

Our schools have always presented information beyond that required by the special exception requirements, and we generally support inclusion in the new special exceptions regulations filing requirements that are proposed by the Office of Planning.

A campus plan approach for private schools is simply an added burden and is unnecessary. We believe it would have an adverse affect on our independent schools, one that would unnecessarily burden limited financial resources of institutions that are dependent on endowments, many of which have been substantially depleted during our current economic crisis. Treating our schools in the same manner as colleges and universities is not needed. Aside from the requirement of another layer of costs for a campus plan, the timing of the process would be increased – not just in the preparation of a plan but in the approval process by the Zoning Commission. The decisions of independent schools are more immediate and specifically focused than those of colleges or universities which have larger and longer range visions. The BZA has effectively dealt with specific buildings and enrollments over a period of time where those are

known. For example, in our recent case for St. Albans , the BZA approved three different components (academic, arts and sports facilities) for implementation over a 10 year period.

The community has no less of an input with a BZA special exception process than it does with a campus plan of an academic institution of higher learning. Yet, the BZA process is far less costly and complicated for the school making it more feasible to respond to suggestions from the community.

PECF's projects have been consistent with zoning and sound precepts of planning for its entire existence. As times change, so do our attempts to improve our facility for the betterment of our society and community. Prime examples of this are our below grade parking garage and our below grade bus facility which remove thousands of cars each month, and every tour bus visiting the cathedral from neighborhood streets. Some other recent examples are the restoration of Olmsted Woods and outdoor amphitheater, installation of a geothermal HVAC system, and incorporation of a "green" roof on a new building under construction. These initiatives would not have been possible if PECF institutions were required to coordinate planning, budgeting and funding in a single process of developing a Campus Plan similar to the process that universities must engage in. By necessity, PECF deals with issues on a current basis and therefore the requirement of a campus master plan for our use would be counter-productive.

DC Zoning Issues: Washington National Cathedral

Historically churches have located and operated by right in residential zones. In fact, the Land Use Elements of the Comprehensive Plan recognize that churches and other religious institutions are an important part of the fabric of the city's neighborhoods. The Cathedral's congregation and social outreach is local though its profile is national. Many thousands of visitors to the city incorporate a visit to the Cathedral in their plans. The Cathedral's outreach to city residents has taken many forms over the years, a few notable examples are:

- The Cathedral Scholars Program for high potential, at-risk rising 10th through 12th graders is a summer academic and enrichment program that incorporates paid work experience for up to 45 D.C. public school students each summer since its founding in 1997.
- The Education for Excellence Program, entering its third year, serves up to 45 low-income rising 7th through 9th graders in summer enrichment program designed to engage students creatively and engender a love of and discipline for learning.
- The Cathedral Literacy Volunteer program has trained and placed hundreds of volunteer tutors and worked with thousands of adults and young people since its founding in 1986.
- DC Schools Program brings in over 3,600 DC public school children and teachers every year for educational and enrichment tours. Prior to 2008, the Cathedral provided free transportation as well as free tours to each DC public school group. In the 2008, the Cathedral had to curtail its transportation budget and is now only able to provide free enrichment tours.

These and other programs are dependent upon funding required to provide staff support, training, academic instruction, job supervision, meeting space, enrichment materials, meals etc.

The Cathedral is a source of spiritual guidance for District residents and visitors alike, and has been a neighborhood anchor since its founding. It is unclear why such a stabilizing community force would be in need of further oversight, anymore than the surrounding residential neighborhood it serves. Houses of worship and single-family dwellings go hand-in-glove, and imposing another layer of review on churches would be unduly burdensome and would effectively restrict, directly and indirectly, religious services and

programs. First, the special exception process would inappropriately divert funding from religious and charitable programs to the costs associated with processing a zoning application. Second, the discretionary nature of the zoning process may result in denial of spiritual programs that are necessary and important to the Cathedral's mission and religious practices, which would run counter to the mandates of the Religious Freedom Restoration Act, the Religious Land Use and Institutionalized Persons Act and the Establishment Clause of the First Amendment. Third, the uncertainty of the zoning review process can severely hinder fundraising efforts. Why should donors contribute to a program if it may not get approved? Houses of worship and other non-profit organizations have very limited financial resources and rely heavily on interest income from endowments. It would be patently unfair to burden religious institutions, which are the anchors of our neighborhoods, with a discretionary approval process that could severely compromise religious missions and deprive our neighborhoods, our city and its visitors of the spiritual guidance they seek and deserve.

We urge you to reconsider the proposal now before and allow houses of worship to continue as a matter-of-right under the zoning regulations and only subject private schools to the special exception process that has worked so well.