

**SUBSTANTIAL BURDENS ON THE RELIGIOUS EXERCISE OF THIRD  
CHURCH OF CHRIST, SCIENTIST (THIRD CHURCH) CAUSED BY  
LANDMARKING THEIR EDIFICE AT 16<sup>TH</sup> AND I STREETS, NW,  
WASHINGTON, DC**

Third Church has been serving the community for the last 89 years, having been located within six blocks of its current location the entire time. The membership's commitment is clearly evidenced by the Mission Statement in its current by-laws which states in part, "This Church ministers to the world of downtown Washington, D. C. and to those for whom the downtown is important to their lives. It strives to embrace the world of government and business, of hotels and offices, of residents, commuters, visitors, and those who make their home on District streets. This Church strives to demonstrate that prayer uplifts the health of all aspects of our community, including the health of city families and children, and the health of the government." Moving out of our community is therefore not an option for us and would in all probability result in disbanding.

To satisfactorily carry out our religious practices, Third Church must have a place to worship that accommodates directly or indirectly the activities spelled out in the *Church Manual*, e.g., Sunday and Wednesday services, Sunday School, Public Lectures, a Public Reading Room, Christian healing, etc., or as more generally stated on page 17 of the *Church Manual*, "...a church designed to commemorate the word and works of our Master, which should reinstate primitive Christianity and its lost element of healing." Such a place of worship first and foremost must exist, and by our religious standards, would have to be available, welcoming, comfortable, and permit the full range of theological activities. Our edifice currently does not meet this criteria and, based on the Silman structural engineering report, it has been determined that the edifice, due to its monolithic reinforced concrete and interdependent construction, can not be modified inside or outside to meet our criteria.

Specifically:

1. HVAC System.

The boiler and chilled water plants furnishing the heating and cooling medium to the church heating and air conditioning (HVAC) systems are located in an adjacent building owned by ICG Properties, owners of the ground under Third Church. ICG has advised that if the Third Church structure is landmarked, they will exercise their rights under current agreements with Third Church to withdraw from any further development with Third Church. Such action, while giving Third Church ownership of the land under the church, would require Third Church to install, on and in its premises, a new independent boiler and chiller for its HVAC system.

The land around the structure, that would be owned by Third Church, is not large enough to house the chiller plants and cooling tower(s); hence the only possible location for such new mechanical plant would be the roof of the structure. However, from the Silman report it is evident that the roof would require reinforcing to accommodate the added load which would make the interior unusable and unsightly since "If

reinforcement is considered, the added load would need to be followed down through the various transfer levels” and terminate at the foundation. The alternative would be to locate the new equipment inside the building which would also destroy its functionality, if in fact it could be done at all.

Boilers are normally located in the basement of a building but the basement would be so small it is doubtful that a suitable arrangement could be worked out especially given that it will become even smaller when a new underground entrance must be constructed for access. Even if it could, this would be at the expense of the much needed parking area.

It appears that even if there were unlimited financial resources there is no feasible engineering solution and therefore *more* than a substantial burden is placed on the religious exercise of Third Church – *it cannot exist at all* as summer temperatures would exceed 100° F and winter temperatures would approach 32° F.

## 2. Concrete Deterioration.

The Silman report states, “The load bearing walls that are exposed on the exterior of the building and used as the exterior architectural expression are beginning to show signs of deterioration. Moisture penetration and related deterioration of concrete and structural reinforcement has initiated and will continue over the life of the building. Repairs are necessary to maintain the structural integrity of the building and to prevent life safety hazards from falling debris into the open plaza areas below. All repairs would require specialty contractors and methods to assure that the quality of the workmanship was matched with the appropriate aesthetic treatment given the highly visible nature of these surfaces.”

Even under the best of conditions, repairs will give a “splotchy” appearance detracting substantially from its exterior presentation. It is also considered that imposing such an extraordinary and unique maintenance requirement on Third Church places a substantial burden on the religious exercise of Third Church.

## 3. The Building's Physical Constraints on Third Church's Religious Worship

In Scripture we read, “For I was an hungered, and ye gave me meat: I was thirsty, and ye gave me drink: I was a stranger, and ye took me in:... .. And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.” (See Matt. 25:31-46) Mary Baker Eddy, the founder of Christian Science, refers in the *Church Manual*, to the Sunday lesson read in the church each Sunday as “... a lesson on which the prosperity of Christian Science largely depends.” The members of Third Church have long felt that the below features of their edifice, individually and together, have imposed a substantial burden on their religious exercise to meet the above and other Scriptural and *Church Manual* requirements.

- a. The door is hidden from three of the four directions from which one approaches the building. This location conveys the erroneous impression that we are not open to strangers or newcomers, which directly impinges on our religious mission and practice.
- b. The massive exterior walls with no windows or doors on the sides facing the streets and sidewalks, give a forbidding appearance to the average passerby.
- c. The plaza terminates in a high, gray, plain, vertical reinforced concrete wall that offers no interest to the passerby.
- d. The walkways in the plaza in front of the church, and the plaza design itself, direct eye and foot to the office building not the church.
- e. The cavernous auditorium seating 400, is 250 more than needed and presents a dark enclosed environment which is not lessened by two skylights and one window which never give enough light to conduct a service, and depending on the time of day and position of the sun, may go completely unnoticed. (Certainly not consistent with “he that followeth me shall not walk in darkness, but shall have the light of life.” See John 8:12)
- f. The electric lighting which fully covers the ceiling and must be used for services, further detracts from a feeling of communion with God or man.
- g. At times there is a smell of dampness in the auditorium and it has been impossible to control the space’s temperature. We have been advised that both effects are a product of the concrete. Concrete is a porous material allowing water to penetrate its exterior surface propagating thus the deterioration of its reinforcement and causing continued spalling of the concrete and eventually structural weakening of the main bearing walls. The same porous quality is responsible for the poor insulation and radical changes of temperature through loss of heat in the winter and cooling in the summer. The HVAC systems must operate 24-7 to maintain a comfortable temperature within the building. When ICG Properties, the new landlord, operated the systems based on normal hours of operation for buildings, the system was unable to cool or heat the space. This situation results not only in discomfort to the congregation but in unconventionally high heating and cooling bills, which is environmentally irresponsible, and certainly not in keeping with requirements of the *Church Manual*, “God requires wisdom, economy, and brotherly love to characterize all the proceedings of the members...”

Some might say that these conditions have existed some 36 years, why are they just now becoming a burden. The fact is that they have always been a burden. The design of the structure came after many long years of searching for a site and an architect that the members would be comfortable with. The choice of Araldo Cossutta, who originally wasn’t interested in the project, became a more reluctant choice as his design vision

unfolded and ended in significant compromises in the final design. With a few years of distance from the harsh, almost bunker, mentality that existed in downtown Washington at the time of the church construction, the members realized more fully the limitations of exercising their religious activities. They began to look for opportunities to change that would meet their religious exercise needs, open their outreach to the community and be affordable. Two or three opportunities did appear, but none warranted pursuing until the most recent opportunity with ICG.

Additionally, to meet accreditation standards for a church, each local Christian Science Church must operate a Reading Room open to the public. (See Matt: 25:31-46 above and Matt. 10:8, "Heal the sick, cleanse the lepers, raise the dead, cast out devils: freely ye have received, freely give.") There is no guarantee that our current Reading Room located in the building across the plaza can be retained by us in the future. With the inability to modify the rigid concrete shell of the building either inside or outside and with no land to expand to, there would be no place to locate our reading room on our only property which offers an effective and efficient location for a reading room. This is a substantial burden on Third Church's religious exercise.

November 30, 2007 (JDK Final)