

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen J. Mordfin, AICP, Case Manager
 JL Joel Lawson, Associate Director Development Review

DATE: January 5, 2016

SUBJECT: BZA Case 18400A, 6045 16th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area variances:

- § 403.1, Lot Occupancy (40 percent required, 43.87 percent proposed);
- § 2101.1, Off-Street Parking (48 required, 8 compliant and 28 tandem proposed); and
- § 2201.1, Loading (30 foot berth, 100 SF platform and 1 service/delivery space required, none proposed).

OP recommends **approval** of the following special exceptions:

- § 206, Public and Private Schools; and
- § 411.11, Roof Structures (one permitted, two proposed).

Subject to the following conditions:

1. Enrollment shall not exceed 350 students.
2. Faculty and staff combined shall not exceed 72.
3. The applicant implement the recommendations contained within the Transportation Impact Study submitted by the applicant and dated December 21, 2015.
4. A minimum of 25 off-site parking spaces be provided to faculty and staff, enabling those employees to carpool to the school, with reserved or preferential parking provided on-site.
5. Provision of a minimum of 16 bicycle racks for use by students, faculty or staff, and shower facilities for use by faculty and staff that bike to work.

II. LOCATION AND SITE DESCRIPTION

| | |
|------------------------------------|---|
| Address | 6045 16 th Street, N.W. |
| Legal Description | Square 2726, Lots 825 and 831 |
| Ward | 4A |
| Lot Characteristics | Unusually shaped lot with steep topography and frontage on four streets |
| Zoning | R-1-B: low density residential R-5-A: moderate density residential |
| Existing Development | Two-story private school building with a rear accessory parking lot and a secondary accessory building |
| Adjacent Properties | North: Across Fort Stevens Drive, high-rise apartment house South: Across Military Road and 16 th Street intersection, one-family detached dwellings East: Mid-rise apartment buildings West: A one-family detached dwelling. Across 16 th Street, Rock Creek Park |
| Surrounding Neighborhood Character | Moderate density residential |

III. HISTORY

On September 25, 2013 the Board approved BZA Application No. 18400 for a:

- Variance to reduce off-street parking to 24 zoning compliant spaces with stacked parking to accommodate a total of 45 vehicles on-site; and
- Special exception to expand a private school by increasing the maximum student enrollment from 275 to 300 and to increase the maximum number of faculty and staff from 56 to 72;

Subject to the following conditions:

1. Enrollment shall not exceed 300 students.
2. Faculty and staff combined shall not exceed 72.
3. No more than 65 students shall be permitted at one time on the play area adjacent to the residential property on the southern property line.
4. Use of the play area as part of the School's program shall be limited to Monday through Friday to the hours of 10:00 a.m. - 2:30 p.m. and 3:30 p.m. - 4:30 p.m.
5. The School shall publish its programmed use of the play area for both the School and the summer camp.
6. The play area shall be set back an average of 15 feet from the south property line and landscaped as approved in Application No. 17700-A.
7. No permanent play equipment shall be permitted on the play area.

8. The School shall maintain the transportation demand management program dated September 11, 2012.
9. The Applicant shall provide 24 zoning-compliant and 21 stacked parking spaces at the subject property, as well as 25 additional parking spaces at a satellite location, with bus and carpool transportation available between the satellite location and the school for faculty and staff. Reserved parking shall be available for these carpools at the school.
10. The Applicant shall construct a 10-foot high fence along the common lot line with Dr. Welsing's residence, as shown on sheets 1 and 2 of the plans prepared by MJCI, Inc., and dated December 12, 2012, (Exhibit No. 41, tab C). If the adjacent property owner does not sign the fence permit application within 60 days of the final date of this Order, this condition shall expire.
11. The Applicant shall implement a noise mitigation plan to ensure that noise impacts of the private school use on the abutting residence shall not exceed the levels permitted under the D.C. Code (currently 60 dBAs during the day and 55 dBAs at night) based upon the normal industry standard. The Applicant shall measure the noise level at the abutting property quarterly during the first year of the implementation of the noise mitigation plan, and if the noise exceeds levels permitted by law, the Applicant shall put forth additional remedial measures sufficient to reduce the level of noise on that property.

The applicant did not obtain a certificate of occupancy for 300 students and therefore never increased enrollment beyond 275.

Conditions 3, 4, 5, 6, 7 10 and 11 refer to the outdoor play area that is now proposed to be relocated away from Dr. Welsing's residence and are therefore no longer applicable. Conditions 1, 2, 8 and 9 have been modified and included in the list of recommended conditions on page 1.

IV. APPLICATION IN BRIEF

The applicant proposes to modernize and expand the existing school facility constructed in 1950, including the addition of 7th and 8th grade classes. Permitted enrollment would increase from 300 (275 current actual) to 350 students, but the number of staff would remain at 72.

The existing all-purpose room on the south end of the building would be demolished and a regulation-sized gymnasium constructed in its place. Atop the gym, an outdoor play field would be constructed to replace the outdoor play field now located on the ground between the south wall of the building and the dwelling on Parcel 87/102. A small addition would be added to the north side of the building along the Fort Stevens Drive frontage, also expanding the existing footprint of the building to the property line on all floors, including a new third floor atop the existing two-story section and providing for a new stairwell.

A three-story addition would be constructed out from the east side of the building towards Rock Creek Ford Road, aligning with the second and third floors of the building. The first floor of this addition would be used as covered parking for fifteen spaces, fourteen of which would be tandem and the last a handicapped accessible space, all accessible from the existing parking lot on the east side of the property. The remainder of the existing parking lot would be striped to provide six standard parking spaces and one additional handicapped accessible space, for a total of eight conforming parking spaces. An additional fourteen tandem spaces would also be provided. A small

portion of the existing lot extending beyond the property line and into public space would be removed. All vehicular access would continue to be from Rock Creek Ford Road.

The center of the building would be reconstructed to include a chapel area, topped with a roof embellishment, and a formal entrance from 16th Street. The roof of this central area would be approximately three feet higher than the roof over the three-story classroom section on the north side of the building, resulting in two separate roof structures concealing mechanical equipment.

V. ZONING REQUIREMENTS and RELIEF REQUESTED

| R-1-B & R-5-A | Regulation | Existing | Proposed | Relief |
|--------------------------|-------------------|------------------|-----------------------------|-----------------|
| Height § 400 | 40-foot max. | < 40 feet | 40 feet | None required |
| Lot Width § 401 | 50 feet | > 50 feet | > 50 feet | None required |
| Lot Area § 401 | 5,000 SF. min. | 69,205 SF | 69,205 SF | None required |
| Lot Occupancy § 403 | 40 % max. | < 40% | 43.87% | Required |
| Rear Yard § 404 | 25 feet | > 25 feet | 25 feet | None required |
| Side Yard § 405 | 10-foot min. | >10 feet | 10 feet, 8 inches | None required |
| Parking § 2101 | 48 spaces | 38 (0 compliant) | 36 (8 compliant; 28 tandem) | Required |
| Loading § 2201 | | | | |
| -Berth | 1 @ 30 feet | None | None | Required |
| -Platform | 1 @ 100 SF | None | None | Required |
| -Service Delivery Space | 1 @ 20 feet | None | None | Required |

VI. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 403.1, Lot Occupancy

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is unusually shaped with steep topography. The applicant proposes building additions to modernize and expand the facility. The location of the existing facility, constructed in 1950, and the former single-family detached dwelling to the south that is a part of the subject property, contribute to the lot occupancy and constrains the options available to the applicant.

ii. No Substantial Detriment to the Public Good

Much of the building would not be visible to surrounding properties due to the topography to the east and the layout of the site, impacting the ability to see into the property. In addition, although the applicant proposes an increase to lot occupancy, the student load would be no greater than what the building was originally designed

to accommodate on what was then a smaller property, due to an increase in space requirements necessary to accommodate modern educational methods.

iii. No Substantial Harm to the Zoning Regulations

The increase in lot occupancy would allow the applicant to permit the modernization of an existing purpose-built private school building to continue to operate as a private school in the 21st century, as permitted by R-5-A and R-1-B zones.

b. Variance Relief from § 2101.1, Off-Street Parking

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is affected by steep topography and the location of the existing building, affecting possible locations for on-site parking and vehicular access to the rear of the structure. Although additional on-site parking could possibly be provided on the south side of the lot, access could only be provided from 16th Street, a major arterial roadway, not a desirable alternative.

ii. No Substantial Detriment to the Public Good

The applicant proposes to provide eight zoning compliant parking spaces, less than the 48 required by the Zoning Regulations. The applicant is able to accommodate an additional 28 vehicles on site, but in tandem spaces only, and provide an additional 25 spaces at an off-site location in Montgomery County. Faculty and staff that would park at the off-site location would then carpool to the school and a space would be reserved for these carpools on-site.

iii. No Substantial Harm to the Zoning Regulations

Adequate off-street parking would be provided to accommodate the needs of the school. The school would manage the on-site parking, including the tandem spaces as it currently does to ensure that all vehicles have access to the street as necessary, and that sufficient room would be available to accommodate pick-up and drop-off operations. The additional twenty-five off-site parking spaces would enable the applicant to meet its off-street parking needs.

c. Variance Relief from § 2201.1, Loading

i. Exceptional Situation Resulting in a Practical Difficulty

The existing facility has no loading facilities and due to the shape of the lot, the topography and the location of the existing improvements and the lack of alley access.

ii. No Substantial Detriment to the Public Good

Granting of this variance would allow this school property to continue to operate in the manner in which it has since it was constructed more than sixty-five years ago.

iii. No Substantial Harm to the Zoning Regulations

The subject property, which pre-dates the adoption of the Zoning Regulations, has never had loading facilities. A private school without loading facilities has existed on the subject property since 1950 and the applicant proposes to continue that existing situation.

d. Special Exception Relief pursuant to § 206, Public and Private Schools

i. 206.2 The school 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.

206.3 Ample parking space, but not less than that required in chapter 21 of this title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile.

The subject application includes a variance to off-street parking, including the provision of off-site parking to ensure that the applicant is able to meet off-street parking needs. Assuming the Board grants this request, ample parking would be provided.

The outdoor play area, currently located on the south side of the building, would be relocated to the roof of the new building addition, minimizing the impact of this play area on the adjacent residence.

The applicant would continue to make available bus service to and from school for students, as described in the applicant's Transportation Impact Study. The applicant would also continue to monitor pick-up and drop-off of students at the school through the rear parking lot.

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal would allow for the continued operation of a private school within two residential zones, each of which permits private schools by special exception.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

Neighboring properties would not be adversely affected. The school would continue to be separated from most of the nearby properties by either steep topography or public streets. The one adjacent property fronting 16th Street, improved with a one-family detached dwelling currently located to the south of the existing playground proposed to be relocated to the roof of the new addition, would be less impacted as a result of the changes to this outdoor play area.

e. Special Exception Relief pursuant to § 411.11, Roof Structures

- i. Where impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable, the Board of Zoning Adjustment shall be empowered to approve, as a special exception under § 3104, the location, design, number, and all other aspects of such structure regulated under §§ 411.3 through 411.6, even if such structures do not meet the normal setback requirements of §§ 400.7, 530.4, 630.4, 770.6, 840.3, or 930.3, when applicable, and to approve the material of enclosing construction used if not in accordance with §§ 411.3 and 411.5; provided, that the intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.*

Two roof structures are proposed for the building, each above the third floor. However, the height of the roof is different for each of these sections by approximately three feet, making the consolidation of the roof structures difficult. Consolidation of these two roof structures would result on one larger and taller roof structure, increasing the appearance of the structure as seen from the street.

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The roof structures, although each atop a portion of the third-floor of the building, are located at different elevations. Therefore, OP finds that the proposal is in harmony with the general purpose and intent of the Zoning Regulations.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The provision of two smaller roof structures, rather than one larger one, would not adversely affect the use of neighboring properties. As two smaller roof structures they would lessen the impact on neighboring property.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VIII. COMMUNITY COMMENTS

ANC 4A was scheduled to review the application at its regularly scheduled meeting of January 5, 2016.

No other comments were received.

Attachment: Location Map

