

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, AICP, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** September 18, 2012  
**SUBJECT:** BZA Case 18400, 6045 16<sup>th</sup> Street, N.W.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following variance relief:

- § 2101, Off-Street parking (48 spaces required, 24 spaces proposed, plus 21 stacked spaces).

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- § 206, Private Schools
  - Students (increase from 275 to 300);
  - Faculty and Staff (increase from 56 to 72); and
  - Expand the campus to include Lot 825.

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 (play area).*
4. *Use of the play area as part of the School's program shall be limited Monday through Friday to the hours of 10:00 am – 2:30 pm and 3:30 pm to 4:30 pm.*
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 15 feet from the south property line and landscaped in accordance with BZA Order 17700-A that includes an open lawn, a 4-foot grade change between the play area and the adjacent property, and a buffer of evergreen trees between the play area and the adjacent property.*
7. *No permanent play equipment will be permitted on the play area.*
8. *The School shall maintain the transportation demand management program as outlined in the Transportation Impact Study dated September 11, 2012.*

**II. LOCATION AND SITE DESCRIPTION**

|                     |  |
|---------------------|--|
| Address             | 6045 16 <sup>th</sup> Street, N.W.                             |
| Legal Description   | Square 2726, Lots 825 and 831                                  |
| Ward                | 4  |
| Lot Characteristics | Unusually shaped lot with steep topography and no alley access |



|                                    |  |
|------------------------------------|--|
| Zoning                             | R-1-B – high density one-family detached dwellings<br>R-5-A- low density general residence   |
| Existing Development               | Two-story school building with accessory parking and one-family detached dwelling  |
| Adjacent Properties                | North: Across Fort Stevens Drive, high-rise apartments<br>South: One-family detached dwellings.<br>East: Mid-rise apartment buildings<br>West: Across 16 <sup>th</sup> Street, Rock Creek Park |
| Surrounding Neighborhood Character | Residential  |

### III. HISTORY

- March 24, 1948: Appeal No. 2069 granted to establish a private school at the subject property.
- February 23, 1949: Appeal No. 2320 granted to renew permission to establish a private school at the subject property.
- December 2, 1949: Appeal No. 2561 granted to renew permission to establish a private school at the subject property.
- 1950: Hebrew Academy of Washington constructs school building for 350 students. The building was later occupied by the Owl School.
- 2002: Jewish Primary Day School of the Nation’s Capital (JPDS) purchases and occupies the subject property, eventually expanding to kindergarten through sixth grade.
- February 19, 2008: BZA 17700 granted approval for JPDS to increase the number of students to 275 and faculty and staff to 56, and a variance to allow stacked parking, subject to the following conditions:
  1. *Enrollment shall not exceed 275 students.*
  2. *Faculty and staff combined shall not exceed 56.*
  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 (play area).*
  4. *Use of the play area as part of the School’s program shall be limited Monday through Friday to the hours of 10:00 am – 2:30 pm and 3:30 pm to 4:30 pm.*
  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 15 feet from the south property line and landscaped in accordance with the attached landscaping plan (Exhibit 40(B)) that includes an open lawn, a **4-foot** grade change between the play area and the adjacent property, and a buffer of evergreen trees between the play area and the adjacent property.*
  7. *No permanent play equipment will be permitted on the play area.*
  8. *The School shall implement and maintain a transportation demand management program that maintains a trip generation level 10% lower than what existed at the time of the filing of this Application. Applicant shall identify clearly these figures on a yearly basis in its transportation demand management program which shall be available to the ANC and the community upon request.*
- April 25, 2012: JPDS files subject application.

#### IV. APPLICATION IN BRIEF

The applicant proposes to expand the school to include pre-K through eighth grade, and to provide pre-kindergarten through first grade at a second location (see BZA Application No. 18399). The subject property would house the second through eighth grades. The application also requests to expand the area of the campus to include an adjacent property to the south that the applicant recently purchased, Lot 825. This lot is improved with a one-family detached dwelling proposed to be used as office space for five employees of the school and capable of accommodating four off-street parking spaces within its driveway, two of which would be stacked. A pedestrian path would be constructed between the existing school property and this new property, to the east of the remaining one-family dwelling.

#### V. ZONING REQUIREMENTS and REQUESTED RELIEF

|                | Regulation | Existing  | Proposed  | Relief   |
|----------------|------------|---|---|----------|
| Parking § 2101 | 48 spaces  | 22 standard spaces;<br>19 stacked spaces<br>TOTAL: 41 | 24 standard spaces;<br>21 stacked spaces<br>TOTAL: 45 | Required |

#### VI. OFFICE OF PLANNING ANALYSIS

a. **Variance Relief from § 2101, Off-Street Parking**

i. **Exceptional Situation Resulting in a Practical Difficulty**

The original school site and parking lot were constructed in 1950, prior to the adoption of the Zoning Regulations. The existing lot is not of sufficient size or adequate shape to accommodate additional parking. Although the area of the subject property was expanded in 2008 and is proposed to be expanded again under the subject application, the applicant is still unable to expand the existing lot due to topographical constraints between the original lot and the additional lots to the south that were subsequently purchased.

ii. **No Substantial Detriment to the Public Good**

The applicant proposes to continue to operate its bus system, which would bring students to and from school, and would also operate a shuttle system between the school campuses, reducing the number of trips to the school. This shuttle would enable parents with students at both locations to make only one pick-up/drop-off at either location without the need to drive to both sites. The school would also make available to faculty and staff shower facilities within the recently acquired building, for those choosing to bike to work. The Transportation Impact Study (TIS) submitted as a part of the application, dated September 11, 2012, concluded that the “*increase in site trips is negligible,*” with an increase of twelve trips in the AM, four in the school PM peak and two in the PM peak. The TIS further notes that as a result of the school’s bus system, the trip generation would be less than it was in 2007, when enrollment was capped at 225 students.

The stacked parking spaces are for use by employees in attendance at the school for the entire day, reserving the standard spaces for visitors or those that need to come and go during the day. Therefore, the granting of a variance to the number of parking spaces would not result in a substantial detriment to the public good.

iii. **No Substantial Harm to the Zoning Regulations**

The applicant provides alternatives to its students, faculty and staff to the use of the private automobile, reducing the need for on-site parking. Therefore, the granting of a variance to the number of parking spaces would not result in substantial harm to the Zoning Regulations.

**b. Special Exception Relief pursuant to § 206, 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.”*

The additional fifty students would be housed within the existing building, and would not have access to the one-family dwelling at 6017 16<sup>th</sup> Street, which would serve as office space for five adult employees only. No changes to the maximum number of students that may use the existing outdoor playground, including the days and hours during which it may be used, are proposed. The increase in students, and the increase in all but the five faculty members proposed to work out of the building at 6017 16<sup>th</sup> Street, would be accommodated by the existing school building, originally designed to accommodate 350 students. Students would not have access to the new building, minimizing the impact of the acquired property to the existing adjoining dwelling to the east.

The applicant would continue to make available a bus service to bring students to and from school. A shuttle service would be provided to allow parents to drop their children off at either campus, without the need to drive to both campuses, and shower facilities would be made available to school employees wishing to bike at the new building. Therefore, the school is not likely to become objectionable to adjoining and nearby property.

*“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 an area variance request, discussed above, to reduce the number of on-site parking spaces from 48 to 24, plus 21 stacked parking spaces. The applicant has proposed a number of measures, described in the application and outlined in this report, to provide access to the facility.

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

The proposal would facilitate the continued operation of an existing private school as permitted within residential zones.

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

The applicant proposes to continue to use the existing school building and outdoor play area as previously approved by the Board. No students would be permitted to access the recently acquired building, minimizing the impact on the neighboring property to the east. It would be used as office space, a quiet use. Therefore, the proposal would not tend to affect adversely the use of neighboring property.

**VII. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments were received from other District agencies.

### VIII. COMMUNITY COMMENTS

The applicant informed the Office of Planning that ANC 4A voted to support the application.

Attachment: Location Map

