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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 18399, 4715 16th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 2101, Off-Street Parking (17 feet required, 7 proposed).

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

- § 206, Private Schools
 - Students (increase from 125 to 130);
 - Faculty and Staff (increase from 15 to 26)

Subject to the following conditions:

1. The number of students shall not exceed 130.
2. The number of faculty and staff shall not exceed 26.
3. The hours of operation of the school shall not exceed from 8:30 A.M. to 6:00 P.M., with students, faculty and staff permitted to arrive prior to the start of school.
4. Use of the on-site play area shall be limited to small groups of children to minimize impacts from the noise of children at play.
5. Seven off-street parking spaces shall be provided.
6. Drop-off and pick-up of children shall be from the existing driveway on Decatur Street. Bus pick-up and drop-off shall be from the driveway on 16th Street.
7. Parking for large extracurricular events shall occur at the Carter Baron Fringe parking lot, with shuttle service provided to the subject property.

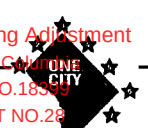
II. LOCATION AND SITE DESCRIPTION

Address	4715 16 th Street, N.W.
Legal Description	Square 2707, Lot 33
Ward	4
Lot Characteristics	Corner lot fronting on three streets with no alley access
Zoning	R-1-B – high density one-family detached dwellings
Existing Development	One-family detached dwelling converted to a school

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18399

EXHIBIT NO. 28



Adjacent Properties	North: Across Decatur Street, a church South: One-family detached dwellings East: Across Piney Branch Road, one-family attached and detached dwellings West: Across 16 th Street, one-family detached dwellings
Surrounding Neighborhood Character	Low density residential, including churches and schools

III. HISTORY

1923: Building constructed as a one-family residence. The building was later used as an embassy and a combination church and multi-family dwelling.

March 2, 1989: BZA Application No. 14919 granted by the Board to permit the use of the building by the Lowell School as a private elementary school for kindergarten through third grade with a 25 percent reduction in the number of the required parking spaces and a variance to the minimum size of a parking space, subject to the following conditions:

1. *Construction shall be in accordance with the plans marked as EXHIBIT No. 81C of the record.*
2. *The number of students shall not exceed 125. The number of faculty and staff shall not exceed fourteen.*
3. *The hours of operation shall not exceed from 8:30 A.M. to 6:00 P.M.*
4. *Use of on-site play area shall be limited to small groups of children to minimize impacts from the noise of children at play.*
5. *Off-street parking shall be provided in accordance with the plans marked as Exhibit No. 81C of the record.*
6. *Drop-off and pick-up of children shall be from Decatur Street. The dimensions and locations of the driveway, access to parking spaces and circulation patterns shall be coordinated with the D.C. Department of Public Works.*
7. *Parking for large extracurricular events shall occur at the Carter Barron Fringe parking lot and/or the parking lot of the Church of Christ.*

1999: British School of Washington uses the building as a private school.

2008: Washington Latin Public Charter School uses the building for ninth and tenth grades, with 135 students and approximately twenty staff.

April 25, 2012: Jewish Primary Day School files the subject application.

IV. APPLICATION IN BRIEF

The applicant purchased the subject property and proposes to locate its Early Childhood Center, or pre-kindergarten through first grade, at the site. The applicant proposes to continue the existing private school use with some modifications, including increasing the number of students from 125 to 130, and increasing the number of faculty and staff from 15 to 26. The applicant would also make minor modifications to the building, including the addition of exterior stairwells on the eastern and southern sides of the building to provide greater egress out of the building. The applicant also proposes to reduce the number of required on-site parking spaces from 17 to seven. The remainder of the school, second through eighth grades, would be located at the school's main campus at 6045 16th Street, N.W. (See BZA Application No. 18400).

A shuttle bus would operate between the two campuses, permitting parents to drop off their children at either campus without the need to drive to both locations.

The school day would begin at 8:30 A.M. and end at 3:30 P.M. on Mondays, Wednesdays and Thursdays, at 4:30 P.M. on Tuesdays and at 2:15 P.M. on Fridays. All afterschool activities would take place at the main campus, with the students arriving via the shuttle bus. The school-operated bus would access the site from 16th Street. It would enter from the south only as the median in 16th Street prevents vehicles from directly accessing the site from the north.

Seven parking spaces would be available on-site. Four would be located on the north side of the atelier, and three would be located on the south side of the building and accessed from the existing driveway on 16th Street, as was approved by the Board under the previous application in 1989. The remainder of the rear yard, screened from view by a six-foot high wooden fence, would be used for outdoor play. A 1,900 square foot active play area would be installed in the southeast corner of the property. Additional shrubbery would be added to the lot line adjacent to the property to the south and also along the lot line with Piney Branch Road, to provide additional buffering of the outdoor play area.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

R-1-B Zone	Regulation	Existing	Proposed	Relief
Parking § 2101	17 spaces	7 spaces	7 spaces	Required

VI. OFFICE OF PLANNING ANALYSIS

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

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property was developed as a one-family detached dwelling in the 1920's. It was not designed as a school and was not constructed to accommodate the amount of parking required for a private school by the Zoning Regulations. The lot is less than one-half acre in size, measuring approximately 0.43 acres. The interior of the lot needs to be preserved for outdoor play, limiting the area that could be used for parking and limiting parking to the periphery of the site.

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 building, for those choosing to bike to work. The Transportation Impact Study submitted as a part of the application, dated September 11, 2012, concluded that the "increase in site trips is negligible," with an increase of six trips in the AM, seventeen in the school PM peak and a decrease of 29 during the PM peak. Parking for extracurricular activities, such as evening parent meetings, would continue to be located at the Carter Baron Fringe Parking Lot, as required under the existing Order, and the applicant would provide shuttle service between the school and the Carter Baron lot. Therefore, there would be no substantial detriment to the public good.

iii. No Substantial Harm to the Zoning Regulations

The applicant proposes to provide alternative means of transportation, including a bus service to and from school, run a shuttle bus between campuses and make shower facilities

available to its employees to reduce the number of trips to and from the site. Therefore, there would be no 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 applicant proposes to continue to operate the school pursuant to the approval granted by the Board in 1989 with minor changes. The number of students would increase by five, or four percent, a modest amount. Additional shrubbery would be installed along the southern property and along the Piney Branch Road frontage to aid in the absorption of sound from the outdoor play area. The new active play area, to be located in the southeast corner of the site, would be to the front of the adjacent residential property to the south, preserving the privacy of the rear yard of that dwelling.

A shuttle bus would operate between the two campuses, shower facilities would be made available to faculty and staff for those that choose to bike, a student bus service would be made available, and the TIS concluded that the increase in the number of trips to and from the school was negligible. Therefore, the school is not likely to become objectionable to adjoining and nearby property as a result of the increase in the number of students, faculty or staff.

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 applicant has requested relief from the number of required off-street parking spaces as a part of this application and has proposed a number of measures, described in the application and outlined in this report, to provide efficient access to the facility.

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

The proposal would allow for this existing school property to continue to be used as a private school as permitted by the Zoning Regulations within a residential zone.

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

The applicant proposes to increase the amount of shrubbery on-site along its eastern and southern property lines to buffer noise from the outdoor play area, and to provide alternatives to the use of the private automobile for students, faculty and staff in an attempt to minimize the number of vehicular trips to and from the site. Therefore, the proposal would not affect adversely the use of neighboring properties.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VIII. COMMUNITY COMMENTS

ANC 4C, at its regularly scheduled meeting of August 8, 2012, voted to support the application.

Attachment: Location Map

