

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Paul Goldstein, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** January 7, 2014

**SUBJECT:** BZA Application #18663 – Request for special exception relief pursuant to §§ 206 and 3104 and area variance relief pursuant to §§ 2101 and 2201 at 4759 Reservoir Road NW

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**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends approval, subject to conditions, of this application to construct additions to the Lab School of Washington campus and to repurpose some parking and loading space. The following relief is required:

- §§ 206 & 3104, special exception for additions to a private school,
- § 2101, area variance relief from minimum parking, and
- § 2201, area variance relief from minimum loading

**BOARD OF ZONING ADJUSTMENT**  
District of Columbia

CASE NO. 18663

EXHIBIT NO. 28

OP's approval is conditioned on adopting the following

- 1) The continuation of conditions of approval found in BZA Order No. 18237 (Lab School of Washington, 2011),
- 2) New conditions proposed in the Applicant's December 26, 2013 pre-hearing submission, as may be further refined in continuing discussions with the ANC, and
- 3) Any DDOT suggested conditions

OP encourages the Applicant to present a complete list of proposed conditions of approval at the hearing

**II. AREA AND SITE DESCRIPTION**

|                      |                                                                                                                                                                                                                                                                                                                                           |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address              | 4759 Reservoir Road NW                                                                                                                                                                                                                                                                                                                    |
| Legal Description    | Square 1372, Lot 25 (hereinafter, the "Property" or "Campus")                                                                                                                                                                                                                                                                             |
| Ward/ANC             | 3/3D                                                                                                                                                                                                                                                                                                                                      |
| Lot Characteristics  | The lot is irregular in shape and measures a total of 163,567 square feet in lot area. It has frontage on both Whitehaven Parkway NW and Reservoir Road. The Property slopes downward toward Reservoir Road. The school also uses an additional 5,000 square foot lot (Square 1374, Lot 840), which is located across Whitehaven Parkway. |
| Zoning               | R-1-B low density residential                                                                                                                                                                                                                                                                                                             |
| Existing Development | The Property is developed with several buildings, including an administration building, gymnasium, and two classroom buildings, among others. Across Whitehaven Parkway, the Applicant uses a single family dwelling for administrative purposes.                                                                                         |
| Historic District    | N/A                                                                                                                                                                                                                                                                                                                                       |
| Adjacent Properties  | The Property abuts St. Patrick's Episcopal Day School to the east, Fire Engine House No. 29 to the west, and single family dwellings to the south and east.                                                                                                                                                                               |

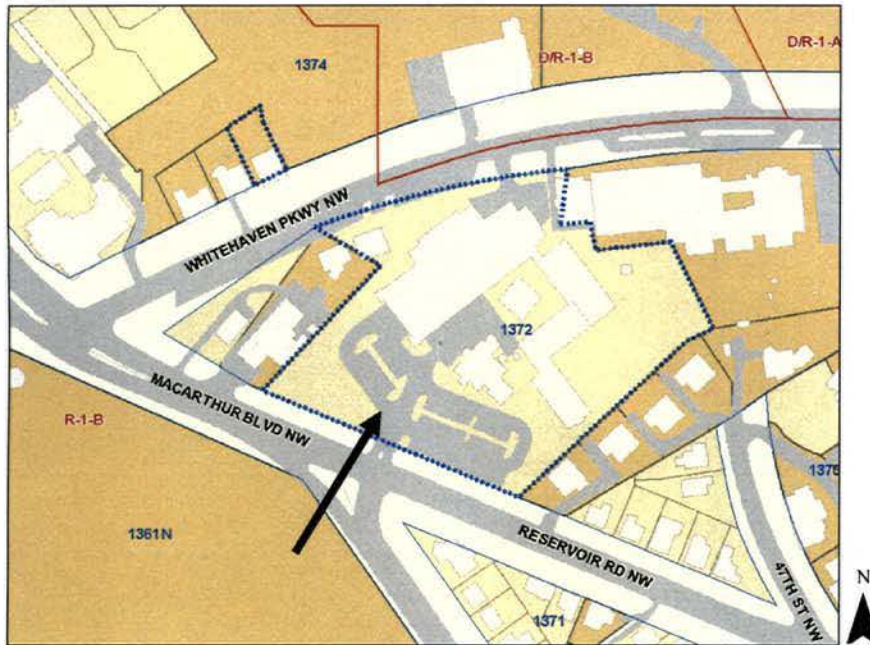
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| Surrounding Neighborhood Character | The immediate area consists of a mix of residential and institutional uses. Detached dwellings generally characterize the area south of the Property. Further east is an underground reservoir and the Embassy of the Federal Republic of Germany. St. Patrick's Episcopal Day School's gymnasium, the George Washington University's Mount Vernon Campus, and the Our Lady of Victory Church and School are located across Whitehaven Parkway from the School. |
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### III. PROJECT DESCRIPTION IN BRIEF

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| Applicant     | Lab School of Washington ("Applicant" or "Lab")                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Proposal      | <p>The Applicant proposes to construct building additions intended to enhance the educational facilities, as well as to repurpose parking and loading areas for additionally greenery and pedestrian paths.</p> <p>First, Lab proposes a new building dedicated to high school operations, programming which currently shares classroom space with middle school students on the Campus. The high school would contain approximately 18 classrooms and new multi-functional space and measure 23,000 gross square feet (gsf). Two existing administrative buildings on the site, totaling about 5,000 gsf, would be demolished to make way for the new high school building. Lab also proposes a 5,000 gsf expansion to the existing arts building which would accommodate new studios and space for theater programming. Overall, approximately 29,000 gsf would be constructed for a net increase of approximately 23,000 gsf on the Campus (for a total of 108,000 gsf). The additions would be no more than 40' and 3-stories tall as demonstrated in the pre-hearing submission, Exhibit A ("Elevations and Sections"), and the resulting lot occupancy would be 34%.</p> <p>Concomitant with the new construction, Lab also would reduce paved parking area to increase green space and sidewalks. The conversion would reduce the number of zoning compliant parking spaces by 20 to a total of 67 parking spaces, although 4 additional stacked spaces would be added in the resulting parking reconfiguration. An existing loading area near the Castle administrative building also would be eliminated.</p> <p>The Applicant intends for the enrollment cap, as well as other conditions of approval specified in the previous BZA approval (Case No. 18237 (2011)), to remain in effect and be incorporated in the latest order.<sup>1</sup></p> |
| Relief Sought | <p>§§ 206 &amp; 3104, use as a private school (special exception)</p> <p>§ 2101, relief from minimum required parking (area variance)</p> <p>§ 2201, relief from minimum required loading (area variance)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

### IV. IMAGES AND MAPS

<sup>1</sup> OP notes the presence of several additional past BZA orders related to the subject use, including 15642 (1992), 16273 (1997), 17838 (2006), 17383-A (2007), and 17383-B (2007). The maximum enrollment permitted is 330 students, and the maximum number of faculty, staff, and administrative personnel, including part-time employees, is 182 (Order No. 18237). The traffic management plan, provided in Exhibit B of the pre-hearing submission, indicates that the existing enrollment is approximately 270 students and 170 faculty/staff members.



Aerial view of the site (highlighted)



View of the subject block looking north across Reservoir Road  
(Property identified, Bing Maps)

## V. ZONING REQUIREMENTS

In R-1-B zones, private schools are permitted as a special exception under §§ 206 and 3104. Area variance relief is needed pursuant to §§ 2101 and 2201 when fewer parking and loading spaces are provided than zoning requires. Each area of relief will be examined below.

### Section 206

*206.1 Use as a public school that does not meet the requirements of chapter 4 of this title or as a private school, but not including a trade school, and residences for teachers and staff of a private school, shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

The application proposes to continue an existing private school in an R-1-B zone.

*206 2 The private 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*

Lab should not be objectionable to adjoining and nearby properties. The additions would generally be consistent in scale with existing school facilities and would be located along the northern section of the site, proximate to Whitehaven Parkway and other institutional uses such as the Palisades Fire Station and St Patrick's Episcopal Day School. No new noise impacts are anticipated. Student activities would occur indoors, and the existing population cap on students and faculty would be maintained. The repurposing of some paved areas should improve interior pedestrian circulation and safety and accommodate additional greenery. Concerning vehicular traffic, the Applicant has historically implemented an ambitious Traffic Management Plan (TMP) and proposes to continue to implement robust strategies. Such measures have included a shuttle-bus program to certain Metro stations and to locations in Virginia and Maryland, Metrocheck benefits to incentivize employees riding public transportation, and a commitment to no trip generation beyond 165 morning peak hour inbound trips, among others. OP anticipates that the Department of Transportation (DDOT) will provide an analysis of the latest TMP under separate cover.

*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*

OP anticipates that there should be ample parking to accommodate the Applicant's needs, based on the TMP proposed and the Applicant's commitment to reducing parking demand.

The Applicant proposes to reduce the number of vehicle spaces provided on Campus. Presently, Lab provides 107 parking spaces on-site (87 zoning-compliant spaces and 20 stacked spaces), supplemented by 15 spaces leased from the nearby CVS about ½ a block west of the school. The Applicant proposes to repurpose some existing parking areas, which would reduce the number of zoning compliant spaces on-site by 20 for a remaining total of 67 standard spaces. Four stacked spaces, however, would be gained as parking is reconfigured, yielding a total of 24 stacked spaces. The effective result would be a total reduction of 16 on-site parking spaces. Lab also proposes to lease an additional 23 spaces off-campus, for a total of 38 off-site parking spaces. OP understands that most, if not all, of the leased spaces will be located at the neighboring CVS. Forty-three angled spaces located on Whitehaven Parkway, which are not used exclusively by Lab faculty/staff members, are also available but are not counted as part of the off-campus parking supply. Considering both on and off-site parking, Lab would have an effective parking supply of 129 spaces.<sup>2</sup>

Aside from enhancing the already robust TMP measures, the Applicant has made additional pledges to mitigate any adverse parking impacts. Lab has committed to regular parking monitoring and to a maximum parking demand threshold of 129 parking vehicles during the typical weekday peak hour. Should the demand exceed the threshold during any monitoring period, Lab would implement additional TMP measures. If the threshold is exceeded a second consecutive time, the Applicant would return to the Board for its review of the conditions of approval.

#### **Area Variance Relief** (§§ 2101 & 2201)

- **Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions, and does the extraordinary or exceptional situation impose a practical difficulty which is unnecessarily burdensome to the applicant?**

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<sup>2</sup> OP notes that the Applicant proposes to reduce the off-site parking commitment if it is shown not to be necessary, as further described in the proposed conditions of approval.

The Property exhibits specific uniqueness based on several factors. The Property is irregular in shape, has sloping topography, and contains wetlands in its front yard facing Reservoir Road. The existing building footprints and circulation layout, in addition to heightened safety considerations for student movement within the campus, constrain the location of any new facilities and parking and loading areas. The school also has been operating in its present location for more than 30 years and provides a specialized service to students. However, the last major improvement to the facilities occurred in 1999 with the construction of the gymnasium.

These exceptional conditions contribute to a practical difficulty for Lab to provide the minimum number of parking and loading spaces required by zoning. The regulations require a minimum of 130 parking spaces for the site. Based on earlier BZA orders, the school already is legally non-compliant with the minimum parking standard and now proposes to further reduce the on-site parking supply. Additionally, since the proposed expansion of the school would increase the gross floor area above 100,000 square feet, the Applicant is required to provide one 30-foot loading berth, one 55-foot loading berth, a 100 square foot loading platform, a 200 square foot loading platform, and a 20-foot deep loading space.

The application indicates that satisfying the parking and loading minimums would create substantial challenges for Lab as it seeks to enhance its facilities and pursue environmental and safety goals. More specifically, the proposal to remove existing parking and loading space is intended to improve student circulation between classroom space and the gymnasium, minimize pedestrian and vehicular conflicts, and increase campus green space. Other options, such as locating additional parking beneath the new high school, would reduce programming space and add significant costs to the project for little practical gain. Due to the existing building footprints and wetlands on the site, there also are few locations for additional surface parking. Similarly, informal loading space already located at the northern part of the site, which is accessed from Whitehaven Parkway, would fully accommodate the school's loading needs and presents a more desirable location for such activities. The application especially notes that the required 55-foot loading berth would not be necessary.

- **Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?**

Relief can be granted without substantial detriment to the public good. The school's TMP, along with the continued use of the existing loading space at the northern edge of the site, should mitigate potential impacts. The Applicant also has indicated that ANC 3D is supportive of the application.

Granting relief also should not impair the intent, purpose and integrity of the Zoning Regulations and Map. Lab has operated at the site for more than 30 years and has worked to reduce parking demand and to encourage alternative transportation options. Loading would continue to be provided on-site.

## **VI. ANC/COMMUNITY COMMENTS**

The Applicant has indicated that ANC 3D has voted to support the requested relief. To date, OP has not received an official ANC submission, which may reference proposed conditions of approval, or filings from neighbors.

## **VII. AGENCY COMMENTS**

OP anticipates that DDOT will submit comments under separate cover.

JLS/pg

Paul Goldstein, case manager