

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review

DATE: October 28, 2014

SUBJECT: BZA Case 18850 - Parkmont School
4842 16th Street, NW

I. OFFICE OF PLANNING RECOMMENDATION

The Parkmont School is seeking Special Exception approval pursuant to § 3104.1 and § 206 and variance from the parking requirements of § 2101.1, 2 spaces per 3 teachers or 8 spaces. The Applicant proposes to provide 3 spaces on site. The proposal is for renewal of a special exception and variance which have been approved multiple times for the school at 4842 16th Street, NW. The Office of Planning (OP) recommends **approval** with the following conditions, similar to the current conditions, except the applicant has requested no time limit.

1. Operation of the school shall be limited to the Parkmont School.
2. The number of students shall not exceed 65 and the number of faculty shall not exceed eight.
3. There shall be no non-school-related activities on the subject premises.
4. Landscaping shall be in accordance with the site plan marked as Exhibit No. 44 A of the record of BZA application No. 13985, as detailed by the letter marked as Exhibit No.44 of record.
5. Three parking spaces shall be provided on the site.
6. There shall be no enlargement of the existing paved area on the site.

II. LOCATION AND SITE DESCRIPTION

Address	4842 16 th Street, N.W.
Legal Description	Square 2654, Lot 34
Ward/ANC	4/4C
Lot Characteristics	Irregularly shaped lot has an area of 8,673 square feet and is bounded by 16 th Street and Blagden Avenue.
Zoning	R-1-B – detached and semi detached single family dwellings.
Existing Development	The Lot is developed with the Parkmont School, permitted in this zone by Special Exception.
Historic District	Not within a historic district.

Adjacent Properties	To the south are single family detached homes; to the northwest are single family detached homes and the Zion Baptist Church; to the east and northeast are single family detached homes and the Church of the Latter-Day Saints church.
Surrounding Neighborhood Character	The surrounding neighborhood is predominantly single family detached homes interspersed with institutional uses such as churches.

III. APPLICATION IN BRIEF

The Applicant is seeking a renewal of a previously approved special exception and variance for the continued operation of the Parkmont School. The Applicant does not propose any changes.

IV. HISTORY

The Parkmont School has been the subject of multiple Board of Zoning Adjustment (BZA) approvals as shown on the table below:

YEAR	CASE NUMBER	REQUEST	BZA DECISION
November 14, 1983	BZA 13985	SE for the establishment of a school for 65 students and 8 teachers and variance from parking requirements.	Approved for 5 years with conditions
August 16, 1991	BZA 15176	SE for the establishment of a school for 65 students and 8 teachers and variance from parking requirements.	Approved for 5 years with conditions
July 27, 1999	BZA 16473	SE for the continuation of a school for 65 students and 8 teachers and variance from parking requirements.	Approved for 5 years with conditions.
October 15, 2004	BZA 17209	SE for the continuation of a school for 65 students and 12 teachers and variance from parking requirements,	Approved for 5 years with conditions.

V. ZONING REQUIREMENTS and RELIEF REQUESTED

The site is zoned R-1-B. Pursuant to Sections 205 and 206, a private school can be permitted as a special exception use in this District if approved by the Board of Zoning Adjustment. The Applicant also requests a reduction in the number of parking spaces required by § 2101.1, (2 spaces per 3 teachers or 8 spaces required, 3 spaces provided).

VI. OFFICE OF PLANNING ANALYSIS

Private School

Special Exception relief pursuant to § 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 property is within the R-1-B district which allows private schools if the requirements of § 206 are met.

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 application states that the school is operating with minimal impact on the surrounding community.

Noise

The students, faculty and staff will be accommodated within the existing facilities. School hours are between approximately 8:00 am and 4:00 pm and after school and evening programs are generally not offered. School related events are limited to a maximum of 5 events annually. The school does not rent or allow use by outside organization for non-school activities. Noise from the site is controlled and has not affected the community over the years.

Traffic

Since there is no change in the student enrollment or expansion of the campus, traffic management in the immediate vicinity of the school, including parking, drop-off and pick up, and over-flow parking for special events should not change from its current level. The Applicant has indicated that to date, there have been no complaints of “spillover” or overflow parking into the residential neighborhood. Since its inception, the Applicant has worked with the community to address any concerns with respect to parking in the neighborhood.

Number of Students and Faculty and Staff

The school currently has 65 students and eight faculty members as conditioned in previous orders. To OP’s knowledge, the school’s program has not exceeded its enrollment.

Other Objectionable Conditions

No issues objectionable to its immediate neighbors due to traffic, noise, number of students and faculty or any other conditions in the course of its existence have been raised to date.

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’s submission indicated that three parking spaces are provided on site and extra parking spaces are supplied by the Carter Barron’s parking lot approximately 800 feet from the school. In addition, previous orders have conditioned that no further paving to increase parking is allowed on-site. While OP understands that there is no official lease agreement, there is an agreement between the school and Carter Barron to accommodate the school’s needs. OP is not aware of any objection by the community to the continued use of the off-site parking location.

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 school has received previous variance relief from the parking requirements of Section 206.3 and 2101.1 from the Board.

b. Variance Relief from § 2101.1

i. Exceptional Situation Resulting in a Practical Difficulty

Review of the earlier Board decisions determined that the request for parking relief constituted an area variance. It was decided that the practical difficulty arose due to the irregular shape of the lot, the slope of the site and the location of the building in relation to the then existing and mature trees and other landscaping on the lot, which restricted the number of on-site spaces. Therefore, to maintain the green spaces on the lot, the Board conditioned the approval to state that only three spaces were to be provided and the existing paved area should not be enlarged.

OP contends that the material facts upon which the previous decision was made has not changed with respect to the lot's condition. In addition, OP has no recorded information of adverse impacts on the neighborhood due to parking, in order to assess the actual impact of the school since it has been in operation. OP acknowledges and supports the school's relationship with the immediate community to mitigate any adverse impacts that may arise due to parking on neighborhood streets by staff and students. Therefore, OP has no objection to the variance relief and continued use of off-site parking by the school.

ii. No Substantial Detriment to the Public Good

OP does not anticipate any negative impacts if the school retains only 3 parking spaces on-site and utilize off-site parking arrangements.

iii. No Substantial Harm to the Zoning Regulations

OP believes that the school has and will continue to operate in harmony with the general intent of the Zoning Regulations and Map.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

OP has not received any comments from other agencies. The DDOT report will be submitted under separate cover.

VIII. COMMUNITY COMMENTS

Under previous applications the ANC was within ANC-4C. However, with redistricting, the property is now within ANC-4A. The Applicant has made presentation to both ANC's. According to the Applicant, both ANC's were supportive of the request.

IX. CONCLUSION

The Applicant has requested that the time limit imposed on all the other approvals be removed. OP is supportive of this request as the school has operated at this location for approximately 31 years and has consistently abided by the conditions of approval. OP does not believe that the removal of the time limit for the order will be detrimental to the surrounding community. OP therefore recommends that the conditions be revised as follows:

1. ~~Approval shall be for five years from the date of this order. The Applicant shall reapply to the Board prior to expiration of the approval granted herein for evaluation of the parking situation and for permission to provide parking as set forth in this order.~~
2. Operation of the school shall be limited to the Parkmont School.
3. The number of students shall not exceed 65 and the number of faculty shall not exceed eight.
4. There shall be no non-school-related activities on the subject premises.
5. Landscaping shall be in accordance with the site plan marked as Exhibit No. 44 A of the record of BZA application No. 13985, as detailed by the letter marked as Exhibit No.44 of record.
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7. There shall be no enlargement of the existing paved area on the site.