GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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OFFICE OF PLANNING
DISTRICT OF COLUMBIA

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: March 8, 2000

SUBJECT: BZA Application 16556

APPLICATION

Application of Jewish Primary Day School of the Nation's Capital, pursuant to 11 DCMR 3104.1, for a special exception from the provisions of Section 206 to establish a private school for 215 students and 32 teachers and staff in the R-1-A District at 7712 16th Street, N.W., (Square 2745-D, Lot 802) and in the R-1-B District at 7701 16th Street, N.W. (Square 2739, Lot 804). The applicant seeks approval on a temporary basis for a three-year term.

SUMMARY RECOMMENDATION

The Office of Planning recommends that this application be approved, with conditions.

BACKGROUND

The Jewish Primary Day School (JPDS) is an independent co-educational community Jewish day school with a dual curriculum of general and Judaic studies for students in kindergarten through sixth grade. It is the only Jewish day school in the District of Columbia. JPDS has been located at Adas Israel Synagogue on Quebec Street, N.W. since it was established with 18 kindergarten students in 1987. It became an independent institution in 1999 and currently has an enrollment of 180 students in grades kindergarten through six. However, its lease in the Adas Israel synagogue cannot be extended beyond June of 2000. The lengthy approval and construction process associated with a new site will not allow for the immediate relocation of the school. Thus, in December of 1999, JPDS began discussions with Ohev Sholom and Tifereth Israel Synagogues for temporary use of a portion of their facilities on 16th Street and filed an application with the Board of Zoning Adjustment (BZA) toward a September opening in the new location. JPDS has indicated a strong desire to remain in the District.

BZA
Case No. 16556
Exhibit No. 240

Board of Zoning Adjustment
District of Columbia
CASE NO.16556
EXHIBIT NO.240

SITE AND AREA DESCRIPTION

The site on the west side of 16th Street, at 7712 16th Street, N.W., is located on the southwest corner of the intersection of 16th and Jonquil Streets and currently houses the Ohev Sholom Talmud Torah Congregation. The two-story structure houses the sanctuary, administrative spaces and a classroom. The lower level houses eight classrooms. There is a small fenced outdoor play area on the south side of the site. The 15-foot wide alley at the rear provides access to the current unstriped parking lot. The site is bounded on all sides by single family detached residential dwellings. The Tifereth Israel synagogue is located almost directly across 16th Street to the east. In addition, the Lowell School is located just to the northwest on the former Gallaudet University north campus.

The half-acre site on the east side if 16th Street, at 1701 16th Street, N.W., is located on the northeast corner of the intersection of 16th and Juniper streets and currently houses the Chevorah Tifereth Israel Synagogue. The two-story structure houses the normal synagogue activities along with a child development center on the second floor for 65 children and 13 employees. (A Hebrew school for 85 students is conducted on the site now and will continue, with sessions on Sunday mornings and from 4:00 to 6:00 on Wednesdays.) There is a small fenced play area on the Juniper Street side of the site. The 15-foot wide alley at the rear provides access to the current number of five lined slanted parking spaces. The site is bounded on all sides by single family detached residential dwellings. The Ohev Shalom synagogue is located almost directly across 16th Street to the west. In addition, the Alexander Shepherd Public School (elementary school) is located just to the northeast.

APPLICANT'S PROPOSAL

The applicant proposes to establish a private school for 215 students and 32 teachers and staff in the R-1-A District at 7712 16th Street, N.W., (Square 2745-D, Lot 802) and in the R-1-B District at 7701 16th Street, N.W. (Square 2739, Lot 804). The applicant seeks approval on a temporary basis for a three-year term while preparing to move to a permanent site in the District.

Student Enrollment and Staffing

Fall enrollment will include children in grades kindergarten through six. Grades kindergarten through three will be housed at the Ohev Sholom synagogue on the west side of 16th Street, and no more than 120 students will be enrolled over the three-year period. There will be 18 teachers and staff associated with this lower grades school component. Grades four through six will be housed at the Tifereth Israel synagogue on the east side of 16th Street, and no more than 85 students will be enrolled over the three-year period. There will be 14 teachers and staff associated with this upper elementary grades school component. The total number of students in both facilities will be 215 (the applicant actually expects no more than 205), 32 teachers and staff and 6 part time specialists. According to the applicant, approximately one-half of the students reside in the District.

Hours of Operation

The core school hours will be from 8:25 a.m. to 3:30 p.m. The after school program will operate until 6:30 p.m. Teachers will arrive at approximately 7:00 a.m. The applicant notes that these hours have been coordinated with the operating hours of Shepherd Elementary School and the Lowell School to minimize the adverse impact on morning and afternoon traffic. Currently, 25 students attend the after school program, with few of these students remaining until 6:30.

Play Areas

According to the applicant, students will utilize the existing on-site play areas for outdoor play, with the likelihood that nearby park areas will also be used and the possibility that the Shepherd playing fields will be used also. The application does not address the means of getting children safely (and quietly) to these areas for outdoor play, but the applicant has said that a van will be used where safety considerations dictate. Typically, outdoor time is scheduled for the lunch period, and at the beginning of the school year it may occur for a short period in the morning.

Food Service

Students will bring their own lunches, except that twice-monthly pre-cooked hot lunches will be delivered by van and served.

Trash Collection and Pickup

According to the applicant, trash will be collected in a dumpster at each site, to be located where there is no conflict with parking, and will be picked up by a private contractor during non-drop off or pickup hours. Trash pickup occurs now twice weekly at Tifereth Israel and once weekly at Ohev Sholom.

Meetings and Special Events

Only three evening events will be held annually. Other events bringing parents to the school will be held during the daytime, with parking allowed and generally available along 16th Street. The applicant notes that additional parking is available at the Howard University School of Divinity parking lot located on 14th Street, N.W.

Daily Visitors

The few parents who might park and visit the school during the day will be able to utilize the 13 non-JPDS parking spaces on site and can also park along 16th Street. Three to four parents come to the school each day, on average, to pick up their children early. Two parent volunteers are usually in attendance (at each site), and can be scheduled to arrive during non-peak periods. Special consultants (or speakers) visit on occasion.

Noise Levels (Inside and Outside)

Noise levels stemming from indoor use of the schools should not be a problem because it would likely be contained. Outdoor noise from use of the play areas would be that normally associated with young children at play. However, because of the academic thrust of the JPDS program, the applicant believes that use of the play areas will be quite limited.

Building Renovations

The applicant expects no exterior renovation on either site. There will be some interior renovation stemming from the need to reconfigure the existing spaces into the required number and size of classrooms.

Drop-Off and Pickup of Students

Students will be dropped off and picked up in the alley behind each of the synagogues. (In the case where a car carries students for both facilities, they will both be dropped off at Ohev Sholom (lower grades) and the older child or children taken by shuttle to Tifereth Israel. It is not clear from the application what happens with "dual facility children" requiring pickup in the afternoon.)

The system planned for each of the synagogues is a one-way right turn only system to or from 16th Street. Morning queues are expected to average no more than three vehicles at either site and will be contained within the alley. School personnel will monitor the process for each school and ensure that queuing vehicles move immediately ("circle the block") if they are blocking a resident's access or egress. During the afternoon, the maximum queue is expected to be ten vehicles in the alley for the Ohev Sholom site (any more than that would extend onto Jonquil Street, which would create a problem due to the street's narrow 24-foot width). Monitors are planned to ensure compliance. At the Tifereth Israel site, the afternoon queue is expected to be no more than seven vehicles along the north side of Juniper Street (adjacent to the synagogue between 16th Street and the alley). Accordingly, the queue would not extend into the alley. Both afternoon queues are expected to last no more than 20 minutes.

Traffic

The key intersections within the area operate at acceptable levels of service during the morning and afternoon peak hours, with the exception of Juniper and Jonquil streets at 16th Street. According to the applicant, the school's impact on the existing level of service will be minimal due to the relatively small traffic increases generated by the school. The neighborhood A.M. peak hour runs from 7:45 to 8:45 a.m., and the projected JPDS peak hour, which is almost identical, will run from 8:00 to 9:00 a.m. The neighborhood P.M. peak hour runs from 5:00 to 6:00 p.m., whereas the JPDS peak hour will run from 2:45 to 3:45 p.m. The school will stagger school start times and provides after school activities to disperse drop off and pickup traffic.

EXISTING ZONING AND RELIEF REQUESTED

The site is located in the R-1-A and R-1-B zone districts. (The boundary is 16th Street, with R-1-A zoning on the west and R-1-B zoning on the east.) The R-1-A and R-1-B zone districts permit matter-of-right single family detached dwellings with a maximum lot occupancy of 40 percent and a maximum height of 3 stories/40 feet. The two districts permit, with the approval of the BZA, private schools so long as their location does not result in objectionable impacts on the neighborhood. The applicant seeks approval from the Board for a special exception from the provisions of Section 206 for a three-year period.

ANALYSIS

Section 206 permits a private school use in an R-1-A or R-1-B zone district if approved by the Board of Zoning Adjustment as a special exception in accordance with the provisions of Subsection 3104.1. It must also be so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students or otherwise objectionable conditions; and ample parking must be provided.

Noise

The very limited size of each site and the academic emphasis of the school should result in little outside activity and thus little noise produced outdoors. Actually, relative to the noise produced now by the currently permitted 65 children at the Tifereth Israel child development center, the proposed 85 fourth through sixth graders will probably have a reduced noise impact on the neighborhood. Clearly there will be some noise impact at Ohev Sholom, where there is no children's activity now, but the impact should be limited again by the extremely limited size of the outdoor play area and anticipated limited outdoor activity. Noise produced indoors should be contained, and thus not a problem.

Traffic and Parking

The Office of Planning has reviewed the traffic report and proposed mitigation measures from the applicant, and provides its analysis below. However, OP does not have extensive traffic expertise in-house, so we have requested an analysis from the Department of Public Works. DPW plans to provide a report by the date of the public hearing.

The applicant is proposing a number of mitigation measures as part of the proposed Traffic Management Plan to reduce traffic and parking impacts. They include:

- Reducing school traffic volume to the lowest possible level through:
  - Additional carpooling to reduce the morning peak hour drop off volume from 102 vehicles anticipated at 2 students per car to 82 vehicles at 2.5 students per car;
  - Off-site van shuttle (two vans with a total capacity of 30 students) to reduce the morning peak hour vehicles from 82 to 70; and
  - The afternoon peak hour pickup vehicle number is anticipated to be only 37;

- Required fixed routes on major thoroughfares (including Eastern, Georgia and Alaska avenues), with "right-turn only" restrictions to or from 16th Street;
- School hours coordinated with the nearby Lowell and Shepherd Elementary schools; and
- "Right turn only" queuing as noted above for pickup and drop-off, with the assistance of traffic monitors.

Stacked parking spaces for 26 cars will be provided behind the Ohev Shalom building and 7 lined spaces will be provided behind the Tifereth Israel building. Only 24 full size spaces are required and only 20 are expected to be needed, so it appears as though staff parking will not have an adverse impact on the community, and that there will be some visitor parking available beyond the parking requirements of the two synagogues.

It appears that the Traffic Management Plan and parking proposal for the JPDS project will result in the school having only a marginal impact on 16th Street, due to the small increment of traffic it will be adding, and that stacked parking should work, although it needs to be monitored. If there is a problem, it is in the use of the alley system for queuing for pickup and drop-off of students. The alleys are narrow and must provide other uses as well, including access to residents' parking and trash pickup for adjacent residents The proposed system of right turns and monitors and the efforts to limit queue length are all necessary to the success of the system, but there is not a lot of room for error. The monitors will have to do their part to keep cars moving and ensure that residents' use of the alley is not impeded. If residential trash pickup should occur while cars are queuing, the monitors will have to have the cars circle around behind the trash truck. If anything disrupts the normal functioning of the system, the monitors will have to be resourceful in dealing with the problem. Parents will have to learn and follow the established driving patterns. Snow and ice will have to be removed in the alleys, and critical street segments will have to be plowed for the system to work. After a few weeks to work out the bugs at the beginning of the school year, the system will have to function like "clock work" for it to be a true success and not have an adverse impact on the affected neighborhoods. In its favor is the short length of time each day that queuing is necessary.

Number of Students

At Tifereth Israel, the existing child development center with a maximum of 65 children will close by fall 2000 and be replaced by 85 JPDS students, resulting in relatively similar impacts on the area. At Ohev Sholom, the anticipated 120 students will bring the potential for new impacts. However, given the fact that the educational program is to be largely focused inside the building, the potential impacts on the neighborhood will b primarily drop-off and pickup traffic, as noted above. These impacts will be limited to a relatively short time period in the morning and afternoon.

Other Objectionable Conditions

Trash

- As community residents have noted, there is a potential conflict between residential trash pickup and student drop-off queuing in the morning. While this could be a problem if not

addressed, the student pickup system is designed to have monitors immediately facilitate movement of the queued cars so as not to impede trash pickup.

- Increased activity brings with it the possibility of increased litter. JPDS can resolve this problem by having a staff member walk the perimeter of each site at least once a day to pick up all liter, no matter what the source.
- It is critical that JPDS manage its own trash so that it does not become a problem to neighbors. Concern has been expressed by the community that the stacked parking arrangement will conflict with JPDS trash pickup. The system of trash collection and pickup can and must be managed properly. Detailed information on the solution, including a site plan, was not available at the time that this report was written.

Safety

- JPDS child safety will be enhanced by having fenced outdoor play areas, the use of an extensive system of staff monitors and the use of those monitors to accompany children when off site. The applicant has indicated that children will not be allowed to cross streets, even with monitors, during peak traffic hours.
- Neighborhood child safety will be enhanced by the use of structured vehicle routes, the proposed system of right turns and queues (as well as the extensive system of monitors) and the short time periods proposed for student drop-off and most pickups.

Compliance with Section 3104.1

The BZA must find that approval of the special exception will not bring with it "substantial detriment to the public good" and that it will not impair the intent, purpose and integrity of the Zoning Regulations and Map.

A private school is permitted as a special exception in both R-1-A and R-1-B zone districts with BZA approval. The Jewish Primary Day School in the proposed location provides a good fit with the existing synagogues that have apparently lost many of their congregants, and would find that increased use would also lead to ready maintenance solutions. It is the only Jewish day school in the District. It could, and should with a continuing focus on the details of a plan to mitigate or eliminate adverse impacts, be an asset to the surrounding community and the District. Finally, it can be a neighborhood facility, not just a facility in a neighborhood.

COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map designates the general area surrounding the two synagogues for low-density residential uses. Schools and churches are considered to be part of the fabric of a residential community. As the Comprehensive Plan notes in Subsection 102.3, "Many city neighborhoods also include integral commercial and institutional uses that contribute to their character. Neighborhood businesses, schools, park and recreational facilities, churches and other public facilities all add to the livability of our communities. These uses must be protected, stabilized and improved."

COMMUNITY COMMENTS

Community members hold essentially opposing views on this application. Proponents describe the proposed JPDS use as a logical extension of the existing synagogues, celebrate the quality of the JPDS educational programs and believe that the school's presence on 16th Street will enhance the area. Opponents focus on the limited size of the site(s) and are concerned about objectionable traffic and safety conditions, including congestion in the alleys, on Jonquil and Juniper streets and on 16th Street and an adverse impact on parking for neighbors. They also cite previous traffic-related problems associated with the normal operation of the synagogues, including the blocking of neighbor's garages facing the alley(s).

Advisory Neighborhood Commission (ANC) 4A voted on March 7, 2000 to oppose granting of the requested special exception.

AGENCY COMMENTS

No agency reports have been received as of the time that this report was written. However, the Department of Public Works has agreed to provide a report by the date of the public hearing (3/15/00).

RECOMMENDATION

Proponents state that "the presence of our school at these locations is a natural extension of the use and purpose of these congregational facilities, and our location to the neighborhood will enhance rather than detract from the character of that portion of 16th Street." Opponents state that "if this zoning is approved, this school will not enrich this diverse and solid community, but instead lay at our feet the burdens associated with placing a school where there is not sufficient space to run it safely, both for the students of the school and the Shepherd Park community."

Who is right? Probably both sides, from their individual vantagepoint. As the opponents note, the small size of the sites is problematical. The fact is that if all the mitigation measures work as designed, the "burdens" on the community will probably be acceptable over the three year life of the school at that location. However, if the school and parents begin to relax in their efforts to be good neighbors, the impacts, both perceived and real, will rise in significance. The school will quickly become one more institutional use on 16th Street, adding to the "oversaturation of school, secular and non-secular activities by a number of unrelated groups."

There is too much at stake here for JPDS to fail in the successful integration of its educational program into the community. The school can be a positive part of the fabric of the community. It can revitalize the existing synagogues. It can provide the community with the shared use of its facilities and programs. It can be viewed as a community asset. But given the limited size of the site(s), there is little room for error, and the conditions set on its approval must be set very high.

In short, the Office of Planning recommends approval of the JPDS application because the opportunity for and likelihood of success outweighs the risk of failure. Our recommendation, however, is conditioned on the following:

1. The number of students shall not exceed 205;
2. The number of faculty and staff shall not exceed 32, and an additional 6 part time specialists;
3. The school's hours of operation shall not extend beyond 8:15 a.m. to 6:30 p.m., recognizing that staff may will arrive as early as 7:00 a.m. and that the core program ends at 3:30 p.m.;
4. There shall be parking spaces for 33 vehicles on site, nine of them full size spaces;
5. JPDS shall fully implement the provisions of its Traffic Management Plan, including:
   - Fixed routes;
   - Extensive use of monitors;
   - Car and van pooling to result in no more than 70 morning peak hour cars;
   - After school programs to extend afternoon pickup; and
   - Continued coordination of school hours with those of nearby schools;
6. Snow removal and salting of alleys and critical segments of Juniper, Jonquil and 16th streets shall be undertaken by JPDS, as needed;
7. JPDS personnel shall pick up litter daily around the perimeter of the two sites;
8. Any additional lighting of parking shall not be obtrusive to neighbors;
9. JPDS shall undertake community outreach programs to include:
   - Cultural exchange programs with Shepherd Elementary School;
   - Adult courses and lectures aimed at neighborhood residents; and
   - An ongoing community, JPDS and synagogue laison committee to meet at least once every three months (monthly for the first six months) to discuss and resolve issues of mutual interest; and
10. The initial length of approval shall be for only one year, with the applicant to return prior to that time for an additional two-year approval. The intent is to ensure that the existing conditions are being met and that they are appropriate for the mitigation of all significant impacts. Additional conditions may be imposed at that time, as necessary.

AA/dc