4469/001

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16189 of the Washington International School, pursuant to 11 DCMR 3108.1, for a special exception under Section 206 to increase a private school's enrollment from 350 to 425 students and to construct an athletic and arts/music center on an existing private school campus in an R-1-A District at premises 3100 Macomb Street, N.W., (Square 2084, Lot 837).

HEARING DATE: January 8, 1997
DECISION DATE: February 5, 1997

ORDER

SUMMARY OF EVIDENCE OF RECORD:

1. The subject site, known as 3100 Macomb Street, N.W., consists of approximately six acres of a 20.7 acre estate known as the Tregaron Estate. The Tregaron Estate is an historic landmark which is bordered to the north by Macomb Street, to the east by Klingle Road, to the south by Klingle and Woodley Roads and to the west by private property. The School parcel is substantially set back from surrounding residential properties on Macomb Street and Klingle Road and is buffered by both the balance of the Tregaron Estate (which is undeveloped) and, to the east, by park land. The School site comprises the top of the otherwise steeply sloped tract. The site is located in an R-1-A District.

2. Uses surrounding the site include the Twin Oaks' Estate owned by the Republic of Taiwan to the west, single family detached residences to the north and south and Klingle Valley Park to the east. The Cleveland Park and Zoological Park Metro station is located on Connecticut Avenue approximately three blocks east of the site.

3. Pursuant to BZA Order No. 12576, the site has been used as a private school by the Washington International School since 1978.

4. The Washington International School is a private day school with an enrollment of 655 students on two campuses (the subject site and a second campus on Olive Street, N.W.). The School offers classes from nursery school through the twelfth grade. The School currently employs a professional faculty and staff of 70 at the subject site.

5. Access to the site is provided via Macomb Street and Klingle Road, N.W. Students are transported to the School via automobile, school bus and public transportation (Metro bus and subway). The primary circulation pattern is ingress via Macomb

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Street from the north and egress to Klingle Road towards the south. The School employs off-duty police personnel to direct traffic into the site during the morning rush hour in order to prevent congestion on Macomb Street.

6. The original development plan approved by this Board in 1978 in BZA Order No. 12576 provided for the construction of a multipurpose building that would provide both a gymnasium and classroom space. However, the School, in BZA Order No. 14523 dated December 17, 1986, sought and was granted permission to (i) revise the concept of a single unified, multipurpose building and (ii) plan for the construction of two separate buildings. One building was to be a classroom building (which was approved pursuant to BZA Order No. 14523). The construction of the second building, a gymnasium, was to be pursued at a later date. This conceptual change resulted from a determination by the School that one building large enough to accommodate both a gymnasium and a large number of classrooms was not as appropriate for the site as two structures in different locations and, furthermore, that two smaller buildings would be more compatible with the historic Tregaron Estate.

7. Pursuant to BZA Order No. 16054, dated June 21, 1995, the School was granted a special exception to allow a temporary classroom trailer as an addition to the campus.

8. By the subject application, the School proposes to construct an athletic and arts/music center on the site and to increase its maximum enrollment from 350 students to 425 students.

9. The proposed building will be constructed in the northwestern portion of the site. The site for the new facility is in the same area as depicted on documents filed with the BZA since 1978. This location retains the existing play field which is the only remaining undeveloped, level area of the School's site.

10. The athletic center will consist of a gymnasium, a platform, locker rooms, weight room, training room, accessory offices and storage facilities. The gymnasium, which will be located on the north side of the new building, will have retractable bleachers and a seating capacity of 220 persons. The portion of the building located on the south side will house the music space and classrooms for choral and instrumental music, practice facilities, a departmental office and instrumental storage space. The arts facility will consist of classrooms, a kiln room, darkroom, a departmental office and storage facilities.

11. The School anticipates that its annual athletic program will include one girls' volleyball game per week during early

September through late October, four to five boys' and girls' basketball games per week from the end of November through early March, plus four to six Saturday games, and one boys' varsity basketball game per week during April through early May. All weekday sporting events would end by 6:00 p.m. In addition, the School will have approximately fifty-three non-athletic events per year, including back-to-school nights, international dinners, musicals, plays/productions, alumni gatherings, drama festivals, sports award ceremonies, proms, Board of Trustee meetings and Parent Association meetings. Pursuant to an agreement between the School and a neighborhood association (the Friends of Tregaron), the School may increase the above-referenced number of athletic and non-athletic events by no more than ten percent in the aggregate.

12. Anne-Marie Pierce, Head of the Washington International School, testified regarding the purposes and design of the new building and the School's efforts to work cooperatively with the surrounding neighbors in planning and mitigating any adverse effects of the new facility. Ms. Pierce testified that, in response to issues raised by neighbors and ANC 3-C regarding visual impact, the School moved the proposed location of the new building away from Macomb Street by twenty-five feet. In addition, the School redesigned the new building to save a significant number of mature trees.

13. The applicant's traffic consultant, who was recognized by the Board as an expert in transportation analysis and planning, testified that the physical and programming changes proposed for the site would not have appreciable adverse traffic impacts and that the changes might result in some marginal improvements in traffic operational conditions due to likely reduction in vehicle trips to and from the site during both peak and off-peak weekday periods. The traffic consultant testified that the elimination of grades four and five offered at the campus would likely result in some reduction of "drop-off" traffic catering to the need of younger children, because these grades would be relocated to the School's new Reservoir Road campus, and would also likely result in an increase in public transit usage by the increase in the number of older students. The traffic consultant further testified that providing athletic facilities within the Tregaron campus would eliminate the current need for external shuttle trips between the campus and the Jelleff facility.

14. In conjunction with new and existing facilities on campus, 72 parking spaces are required by the Zoning Regulations and such number of spaces are and will continue to be provided on-site. The School also issues a limited number of student parking permits in order to control on-site parking.

15. An environmental impact assessment prepared by the applicant's civil engineering firm indicated that the proposed

development would have no substantial adverse impacts on the environment. The environmental assessment report also stated that there would be no potential adverse environmental conditions that might result from construction-related activities.

16. The project architect testified that the proposed athletic and arts/music building would be of Georgian Revival design and would be compatible with similar buildings on the historic estate. The new building will have a cross-gabled roof and red brick and precast trim facades. The proposed size of the gymnasium section of the structure was reduced by twenty percent in order to make it less visible from Macomb Street. The gymnasium will be partially-buried into the hill and will use a mansard roof to lower the sight line of the eave. The music and arts classrooms will be on the uphill side of the site and will be screened from view from Macomb Street by the gymnasium and existing and proposed landscaping.

17. By a report dated January 8, 1997, the Office of Planning ("OP") recommended conditional approval of the application. The OP report stated that the applicant had met its burden of proof relative to the zoning relief sought in this case and that the construction of the athletic and arts/music center complied with the conditions specified in Section 206 of the Zoning Regulations. OP further found that the new facility would not result in adverse impacts on the surrounding neighborhood or impair the intent and purpose of the Zoning Regulations. OP's approval of the application was conditioned upon the following:

a. the School operating from 8:00 a.m. to 6:00 p.m., Monday through Friday;

b. a maximum number of students not to exceed 425;

c. a total number of support staff not to exceed 70;

d. the grounds of the School being maintained at all times;

e. landscaping to be provided as indicated on the applicant's plans;

f. the maintenance of a liaison with the community;

g. adherence to the recommendations of the School's transportation consultant.

18. ANC 3C, by a resolution adopted on December 16, 1996 and by testimony by Phil Mendelson, supported the application to construct an athletic and arts/music center and to increase the maximum enrollment from 350 to 425 students. The ANC also

supported the adoption of an agreement between the School and the Friends of Tregaron. There were no issues and concerns stated in the resolution.

19. Bonnie LePard, President, Friends of Tregaron, testified with respect to the organization's mission of preservation of the Tregaron Estate and the residential nature of the neighborhood, the concerns which the association previously had regarding the potential effects of the new building and the successful negotiation and execution of an agreement between the School and the Friends of Tregaron. Ms. LePard submitted a copy of the executed agreement for the record.

FINDINGS OF FACT:

Based on the evidence of record, the Board finds as follows:

1. The proposed athletic and arts/music center is so located on the site as to assure compatibility with other buildings on the site and residential dwellings in the neighborhood and in order to minimize potentially adverse negative impacts. The gymnasium portion of the center will be partially-buried into the hill and will use a mansard roof to lower the sight line of the eave. The classroom function will be on the uphill side of the site and will be screened from view from Macomb Street by the gymnasium. The entire building will be heavily screened by existing and new landscaping.

2. The architectural design of the project will enhance the features of the site and the vicinity in which it is located.

3. Vehicular ingress and egress to the site and traffic circulation in the immediate vicinity of the site will not be adversely affected by either the construction of the athletic and arts facility or the increased enrollment. The location of an athletic facility on the campus, as well as the removal of grades four and five to another campus, may decrease vehicular traffic levels.

4. The landscape plan of the Applicant will adequately buffer the new building and the site from nearby residential properties.

5. There will be no adverse impact due to the bulk or height of the proposed athletic and arts/music building. The proposed building is designed to be compatible with the character of the buildings on site and will not adversely affect surrounding or nearby properties.

6. The applicant has provided sufficient parking for the daily operation of the School, as well as for athletic and other

events to be held at the School. Ample off-street parking is provided for students, faculty and visitors.

7. Advisory Neighborhood Commission (ANC) 3C, through a resolution and by testimony at the public hearing, supported the subject application. The resolution of support was conditioned upon the execution of an agreement between the School and Friends of Tregaron and such agreement was executed by the parties and submitted in the record of this proceeding.

8. The Board finds that the proposed physical changes to the site, as well as the increase in maximum student enrollment, will have no adverse impact on surrounding or nearby properties. The amount of new construction to be added to the site is relatively small when considering the context of the six acre site, allowable lot occupancy and other density requirements of the Zoning Regulations. Furthermore, there are substantial setbacks from all surrounding lot lines and, as a result, the proposed athletic and arts/music building is sited in such a way as to be unobtrusive to nearby properties.

9. The Board finds that the Applicant's architect and traffic consultant, as well as the environmental report, present sound, credible and irrefutable evidence that the project will not have negative impacts with respect to architectural, environmental and traffic issues.

10. Support for the application was given in the form of testimony at the public hearing by Friends of Tregaron, a community organization which consists of residents of Macomb Street, Klingle Road and other nearby streets.

11. The Office of Planning supports the application and recommends that the Board condition its grant of the application upon specific requirements.

12. There was no testimony in opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and evidence of record, the Board concludes that the applicant is seeking a special exception under Section 206 of the Zoning Regulations to construct an athletic and arts/music facility and to increase the maximum enrollment from 350 to 425 students. A special exception must meet the criteria set forth in Section 3108.1 of the Zoning Regulations, which requires that the application be in harmony with the general purpose and intent of the Zoning Regulations and Map and not tend to adversely affect the use of neighboring property. In addition, the Board must find that the applicant has complied with Section 206 of the Zoning Regulations.

The Board concludes that the applicant has met its burden of proof. The site is a six acre tract of land which has been used by the Washington International School as a private school since 1978. The proposed gymnasium and arts/music building is appropriately located on the site. The proposed facility will have no adverse impact on the traffic network or on parking in the neighborhood. There will be no objectionable conditions with respect to the size, height, mass or lot occupancy of the new building. Adequate and appropriate landscaping, existing and new, is provided so that there will be no adverse visual effects from the new building. The increase in student enrollment will not adversely affect neighboring properties. The Board concludes that the new facility will be located so that it is not likely to become objectionable to adjoining or nearby property because of noise, traffic, number of students, or other objectionable conditions, and that ample parking is provided to accommodate students, teachers and visitors likely to come to the site by automobile.

The Board concludes that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map. Additionally, the proposed use will not adversely affect surrounding uses or the zone plan for the area.

The Board concludes that it accorded ANC 3C the "great weight" to which it is entitled. Accordingly, it is hereby ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. The School shall conduct its regular educational and athletic activities between 8:00 a.m. and 6:00 p.m., Monday through Friday.

2. The maximum number of students shall not exceed 425.

3. The total number of faculty and support staff shall not exceed 70.

4. The grounds of the School shall be maintained at all times.

5. Landscaping shall be provided as indicated on the plans identified as Exhibit "27 (A)".

6. The School shall maintain an on-going liaison with the community of the type contemplated by the agreement with Friends of Tregaron or by equivalent means.

7. The School shall develop and implement a traffic management plan which shall include the following:

a. Identification and encouragement of alternative transportation modes by means of the School's publication of information materials and in conjunction with its recruitment processes;

b. Designation of a campus transportation coordinator who will have overall responsibility for dissemination of information promoting transit usage and encouraging ride-sharing and alternative transportation means; and

c. An examination of means to further enhance the efficiency of the morning drop-off and after-school pick-up operations, to include designation of back-up personnel to address contingency situations that may arise.

8. The School shall provide one-way treatment of the access drive at all times, which shall be clearly marked and maintained as one-way. Except as specifically provided below in paragraph 15(a) with respect to construction activities, the driveway to Macomb Street shall serve as an entrance route only and the driveway to Klingle Road shall serve as an exit route only. The School shall install and maintain signs indicating such one-way system and enforce the one-way flow of traffic at all times (except during construction).

9. The School shall limit to five (5) the number of living mature trees to be removed in conjunction with construction of the new building.

10. The School shall install and maintain a stormwater collection quality and quantity control system.

11. The parking lots shall be planned and constructed in a manner that will not result in any increased lighting that could adversely impact neighboring properties. All parking lots shall be designed and/or landscaped to prevent the head lights of any vehicles which park on the site from shining upon, or in the direction of, Macomb Street properties.

12. The School shall limit its athletic events to a number consistent with the number of such events in its 1996-97 athletic calendar and shall limit non-athletic events during the evening hours to fifty-three per year, provided, however, that the School may increase its current schedules of such events by no more than ten percent in the aggregate.

13. Air conditioning condensers shall be placed on the roof of the gymnasium and shall at all times be hidden from view.

14. The School shall require that all students transported to and from the site be dropped off or picked up only on School grounds.

15. With respect to construction activities related to the gymnasium and arts/music building:

    a. During construction, all trucks with a gross vehicle weight of approximately five (5) tons or more shall use Klingle Road for the purpose of ingress and egress to the Property;

    b. Ample parking will be provided for construction workers on the School's property or on Klingle Road;

    c. No construction workers, material supplies or waste containers shall park or be located on or within seventy-five feet of Macomb Street and any construction dumpster(s) or construction sheds/containers shall be so located as to be screened from view from Macomb Street; and

    d. Construction activities shall not commence before 7:00 a.m. and will be concluded by 7:00 p.m.

VOTE: 3-0 (Angel F. Clarens and Susan Morgan Hinton to grant; Laura M. Richards to grant by absentee vote; Sheila Cross Reid not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Madeliene H. Dobbins
MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: FEB 24 1997

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16189

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on FEB 24 1997 a copy of the order entered on that date in this matter was mailed first class, postage prepaid to each person who appeared and participated in the public hearing concerning this matter, and who is listed below:

Jacques B. DePuy, Esquire
Greenstein, DeLorme and Luchs, P.C.
1620 L Street, N.W., Suite 900
Washington, D.C. 20036-5605

Anne-Marie Pierce, Head
Washington International School
3100 Macomb Street, N.W.
Washington, D.C. 20008-3324

Mr. Phil Mendelson, Chairperson
Advisory Neighborhood Commission 3C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

Bonnie LePard
3101 Macomb Street, N.W.
Washington, D.C. 20008

Madeliene H. Dobbins

MADELIENE H. DOBBINS
Director

DATE: FEB 24 1997