GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman, Director

DATE September 21, 2004

SUBJECT: BZA Application 17209
4842 16th Street, N.W. – **Parkmont School**

APPLICATION

The applicant is seeking a renewal of a previously approved special exception and variance, BZA Order #16473 (July 21, 1999) for the continued operation of the Parkmont School. The applicant is also requesting an increase in the number of faculty members, which would result in a change in the condition limiting the number of faculty outlined in Condition 3 of the order. The previously approved order is conditioned 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.
6. Three parking spaces shall be provided on the site.
7. There shall be no enlargement of the existing paved area on the site.

The applicant's request for an increase in staff would modify Condition 3 as follows:

3. The number of students shall not exceed 65 and the number of faculty shall not exceed **twelve (12)**.

BZA
Case No. 17209
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17209
EXHIBIT NO. 27

SUMMARY RECOMMENDATION

The Office of Planning **recommends approval** of the special exception and variance to continue operation of the school subject to the following conditions:

1. Approval shall be for five (5) 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 sixty-five (65) and the number of faculty shall not exceed **twelve (12).**
4. There shall be no non-school-related activities on the subject premises.
5. Landscaping on the premises shall be maintained as approved in BZA Order #13985 and in a healthy growing condition.
6. Three parking spaces shall be provided on the site.
7. There shall be no enlargement of the existing paved area on the site.

BACKGROUND

The Parkmont School is located on a triangular shaped lot bounded by 16th Street and Blagden Avenue, N.W. The lot is improved with a large four-story structure of 8,700 square feet and a paved area to the south and rear of the property, which provides three (3) on-site parking spaces. The building was constructed as a private dwelling and was subsequently occupied by a church, which in turn sold the property to the Somerset School (previously located in Chevy Chase) in 1983. BZA Order 13985 (1983) granted a special exception and variance from the parking requirements to Somerset School to permit operation of the school at this location. The order was conditioned for a period of five years, after which Orders #15176 and #16473 granted the continued operation of the school with the same conditions for 5 years each, which expired in 1996 and 2003 respectively. Findings of Fact in the original order (#13985) recorded opposition to the school's establishment at this location on anticipated negative impacts on property values and adverse impacts due to noise, traffic, debris, and pollution. However, since its establishment, subsequent orders recorded no opposition to its continued operation. The school changed its name from Somerset to Parkmont in the early 1990's.

PROJECT DESCRIPTION

The Parkmont School is seeking a special exception and variance to permit its continued operation at its current location. The application also involves a change in a condition of its previous orders to reflect an increase in faculty from eight (8) staff persons to twelve (12). There is no requested change to the existing structure or for an increase in the student enrollment.

ZONING REQUIREMENT

The site is zoned R-1-B. Pursuant to Sections 205 and 206, a private school is a special exception use in this District if approved by the Board of Zoning Adjustment. The request for a special exception to modify the order is submitted pursuant to Section 3104.1 of the Zoning Regulations that states …
"Pursuant to authority contained in the Zoning Act, the Board is authorized to grant special exceptions, as provided in this Title, where, in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning regulations and Zoning Maps and will not tend to affect adversely the use of the neighboring property in accordance with the Zoning Regulations and Zoning Maps…"

ANALYSIS

Special Exception

The table below summarizes the original conditions, existing situation, and the requested relief.

Condition	Granted Approval	Existing Situation	Requested Relief
Student Enrollment	65	65	No Change
FTE	8 Staff	8 Staff	Increase to 12 FTE
Parking Spaces	3	3	No Change

Table 1

The request for a staff increase is reviewed according to its operations and traffic management.

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. The applicant and OP discussed the request for the staff increase.

Parkmont has effectively anticipated and controlled student enrollment during its decade and more of operation and wishes to improve the quality of offerings. The intention is to assign additional staff to administer similar courses. This increase would improve the student staff ratio in support of the school's academic offerings.

OP has no objection to the modification of the original order for a faculty increase. OP believes that Parkmont's management has a better understanding of the requirements for optimal class sizes, since it has been in operation for over a decade.

Traffic Management
Since there is no change in the student enrollment or expansion of the campus, OP does not believe that traffic management in the immediate vicinity of the school, including parking, drop-off and pick up, and over-flow parking for special events would 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 agreed to work with the community to address any concerns with respect to parking in the neighborhood.

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[1], the school submits that the Carter Barron lot has 336 spaces, six of which are used by Parkmont staff and students. OP's review of the latest transcript and most recent Board decision did not reflect objection by the community to the continued use of the off-site parking location.

While a DDOT report relative to this request has not been received, OP believes that four additional staff persons are unlikely to create objectionable traffic conditions in the neighborhood. In addition, while no information has been provided on the mode of access by new staff persons, OP notes that the school's location is well served by public transportation (Metrobus) and the school should encourage use of public transportation.

Based on the requirements of Section 206.2[2], OP believes that the school has not become objectionable to its immediate neighbors due to traffic or noise in the course of its existence. However, the school has received previous variance relief from the parking requirements of Section 206.3 and 2101.1[3] from the Board.

Variance Relief (Parking Requirement)
Review of the earliest Board decision 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.

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[1] According to the Findings of Fact #21 as recorded in Order 13985,... "the National Park Service could not provide the school with a perpetual lease agreement to make its spaces available."
[2] **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.
[3] **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.

COMMUNITY COMMENTS

According to the applicant, ANC 4C held its regularly scheduled meeting on September 14, 2004 and had no objections to the school's request.

CONCLUSION

The Office of Planning does not anticipate any negative impacts if the school is allowed the flexibility to increase its faculty from 8 to 12 within the stated hours of operation and in conformance with the other conditions in the previous BZA Order #16473. The requested increase and resulting modification of the condition of the order is sought to improve the student teacher ratio for the school's academic programs. OP believes that the requested increase in staff is minimal and should not have an adverse impact on the use of neighboring property.

The school currently operates in conformance with the remaining conditions. The applicant is not requesting a change in the overall hours of operation. The Office of Planning is satisfied that modification of the previous order will not change the material facts upon which the Board made its earlier decisions by allowing the school to operate.

OP believes that the school has operated in harmony with the general intent of the Zoning Regulations and Map. Therefore, OP **recommends approval** of the special exception and variance request by the Board of Zoning Adjustment for the continued operation of the school subject to the following conditions:

1. Approval shall be for five (5) 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.
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