



May 15, 2019

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

**Re: Department of General Services - BZA Case No. 20024
Applicant's Prehearing Statement**

Chairperson Hill and Honorable Members of the Board:

On behalf of the Applicant, the District's Department of General Services (the "Applicant"), please find enclosed the Prehearing Statement for the above-referenced case. The application is scheduled to be heard before the Board of Zoning Adjustment on June 5, 2019.

Thank you for your attention to this matter.

Sincerely,

COZEN O'CONNOR

Samantha Mazo

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**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
DEPARTMENT OF GENERAL SERVICES**

**BZA CASE NO. 20024
HEARING DATE: JUNE 5, 2019**

APPLICANT’S PREHEARING STATEMENT

I. SUMMARY OF RELIEF SOUGHT AND PROJECT

This Prehearing Statement is submitted on behalf of the District’s Department of General Services (the “Applicant”), the operator of the Property known as Hearst Park at the intersection of 37th, Quebec and Rodman Streets NW (Square 1905, Lot 802) (the “Property”). The Applicant requires special exception relief pursuant to Subtitle C § 703 from the requirement to provide three parking spaces for a pool house associated with the Applicant’s long-planned, outdoor pool (the “Project”).¹ For the reasons set forth in the Applicant Statement in the record at BZA Exhibit No. 4, the special exception relief is appropriate because the Applicant cannot provide parking spaces on the Property due to the Property’s physical constraints – namely the surrounding heritage trees, sidewalk, and 15’-20’-grade change.

In support of the Application, the Applicant provides the following brief supplement.²

II. CURRENT PLANS

Since filing, the Applicant has slightly updated the plans to include a material lift (the “Material Lift”) that will be used to bring trash and material to the Quebec Street level because the 15’-20’ grade change makes it impossible to route a truck to the pool level. A copy of the updated

¹ Pursuant to the formula set forth in the January 29, 2018 zoning determination letter from the District’s Zoning Administrator, the pool house requires three parking spaces. This is because pursuant to Subtitle C § 701.5, a parks and recreation facility requires 0.5 parking spaces per 1,000 sq. ft. of gross floor area. The Applicant proposes a pool house with 5,749 s.f. of gross floor area, which results in three parking spaces $[5,749 \text{ g.s.f. of the new pool house} / 1000] \times .5 = 2.87$, which rounds up to 3 spaces). A copy of the January 29, 2018 Zoning Determination Letter is attached here at **Tab “A”**.

² The Project is part of a larger renovation of the Hearst Park complex that includes redeveloped tennis courts, walking paths and an upgraded soccer field. Following submission of an EISF, the District’s Department of Energy and the Environment has approved plans for the pool/park project.

plans are attached at **Tab “B”**. Further, the landscape plans, illustrating the Project’s 21 bike racks (14 at the 37th Street entrance and another seven racks at the Idaho Ave entrance to the park) and other various landscape components, are attached as **Tab “C”**. Finally, Project renderings are attached as **Tab “D”**. Overall, the Project is thoughtfully-designed into the natural grade contours and meets the requirements of the Property’s R-1-B zone, but for the three parking spaces which cannot be located on site and for which relief is requested.

III. ANTICIPATED POOL OPERATIONS

Pool patrons will enter through the new pool house on 37th Street. The proposed pool will only be open during the summer. Between Memorial Day weekend and the last day of the D.C. Public School (“DCPS”) regular school schedule, the pool would only be open on the weekends from 12:00 PM to 6:00 PM. Once DCPS closes for the summer through Labor Day, the pool will be open weekdays from 11:00 AM to 8:00 PM, and Saturdays and Sundays from 12:00 PM to 6:00 PM. Also, the pool will be closed one day a week, and the District will decide the day. The pool is expected to have three to four staff, including lifeguards.

IV. PROPOSED TRANSPORTATION DEMAND MITIGATION MEASURES

Hearst Park is a neighborhood-serving park, and, therefore, the Applicant’s transportation consultants have determined that “vehicular traffic to the site is expected to be minimal.” *See BZA Exhibit No. 26*. Further, as discussed in the Applicant’s Statement, the Property is well-served by public transportation. Indeed, there are several bus stops within one to two blocks of the Property, including lines 30N, 30S, 31, 33, 37, 96, H3, H4, D32 and W47.³ The Van Ness Metrorail Station is approximately ½ of a mile from the Property, and the Cleveland Park Metrorail Station is less than ¾ of a mile from the Property. There is a Capital Bikeshare station at Wisconsin

³ Bus routes 31 and 37 are “priority” bus routes, although the Property is not entitled to the 50% exemption from parking under Subtitle C § 702.1(c) because it is in the R-1-B zone.

and Newark Street NW, which is three blocks from the Property. A second Capital Bikeshare station is located approximately 0.3 miles away at Wisconsin Avenue and Veazy Street NW.

Should patrons drive, there is ample on-street parking nearby. Also, as shown in Figures 2 and 3 of the April 18, 2019 Curbside Management Plan filed in the record at BZA Exhibit No. 26, and the May 14, 2019 Curbside Management Plan, which is attached here at **Tab “E”** (the “Curbside Management Plan”),⁴ the on-street parking is time-restricted along both sides of 37th Street NW. On the north-bound side, parking is limited to four hours, and on the south-bound side parking is limited to two hours. Likewise, there is two-hour restricted parking on Quebec Street NW.

As to loading and deliveries, all trash pick-up and any larger-size deliveries will be made curbside on Quebec Street, utilizing the proposed material lift shown on the plans.

As part of the Application, the Applicant has worked with DDOT to propose the following transportation demand and loading management measures, as detailed in the Curbside Management Plan:⁵

- Short term bike spaces: There will be 21 short-term bike spaces in total. This includes 14 bike spaces at the 37th Street entrance and another seven spaces at the Idaho Ave entrance to the park. The Project exceeds the zoning requirement by 15 bike spaces, because only six bike spaces are required pursuant to Subtitle C § 802.1. The bike spaces will be “loop bike racks” as shown on Sheet L 207 included in **Exhibit “C”**.
- Signage: The Project will incorporate way-finding signage directing patrons to the nearest Metrorail Stations. Two Metrorail stations are located approximately 0.7 miles of the Property, as discussed above.
- No loading or pick up during school pick-up and drop-off hours drop-off hours: The Curbside Management Plan establishes that there will be no deliveries or trash pick-up during school drop-off or pick-up hours to limit the number of vehicles near the schools during peak pick-up/ drop-off hours.

⁴ On May 14, 2019, the Applicant submitted an updated Curbside Management Plan to DDOT to remove previous references to a “Service Space”, following a determination that loading activity would be minimal, and so no service space was necessary. The updated plan is included here at **Tab “E”**.

⁵ No loading is required for the Project because the pool house is less than 30,000 square feet in size.

- Trash Collection limited to area in front of the Material Lift: Trash collection will employ curbside pickup along the southern frontage of the pool house along Quebec Street utilizing the Material Lift. Any smaller deliveries – such as mail and parcels not requiring the materials lift – would use on-street parking along 37th or Quebec Streets.
- No Idling Trucks: Trucks utilizing the Material Lift area will not be able to idle and must following all District guidelines for heavy vehicle operations including, but not limited to DCMR 20- Chapter 9, Section 900 (Engine Idling); the regulations set forth in DDOT’s Freight Management and Commercial Vehicle Operations document; and the primary access routes listed in the DDOT Truck and Bus Route system.

These mitigation measures satisfy the requirement of Subtitle C § 703.4. Further, these measures coupled with the multiple public transportation options and the fact that the Project is designed to be neighborhood serving will also ensure that the requested special exception relief for three parking spaces will not adversely affect the use of neighboring properties, and, will therefore, satisfy the “general” special exception standards of Subtitle C § 901.2(b).

V. COMMUNITY OUTREACH

As discussed in the timeline attached as **Tab “F”**, the Applicant has engaged in significant and substantial community outreach. For more than two years, the Applicant has been meeting with the community and Advisory Neighborhood Commission 3F (the “ANC”). In all, the Applicant has attended approximately 30 meetings with community members or the ANC. *See Tab “F”*. Further, the Applicant posts information and plans for the Project on a dedicated website: <https://dgs.dc.gov/page/hearst-park-and-pool-improvement-project>, which is kept up to date.


The Applicant and the development team presented the subject Application at the ANC’ April 23, 2019 meeting. During that meeting, the ANC postponed a vote until its May 21, 2019 meeting. The ANC Chair, who is also the Property’s Single Member District (“SMD”) Commissioner, requested a conversation with DDOT staff to discuss the ANC’s concerns about

traffic near the site resulting from this and other, surrounding developments. The Applicant understands that the ANC Chair was able to speak with DDOT Staff about this issue.

VI. CONCLUSION

For the reasons stated above, enumerated in the Applicant's prior filings, as well as to be discussed at the Board's hearing, the Applicant submits that the Application meets the requirements for special exception from the parking requirements. Accordingly, the Applicant respectfully requests that the Board approve the application on June 5, 2019.

Respectfully submitted,
COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read 'Samantha L. Mazo', written over a horizontal line.

Samantha L. Mazo

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of May, 2019, a copy of the foregoing Prehearing Statement was served, via electronic mail, on the following:

District of Columbia Office of Planning
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Advisory Neighborhood Commission 3F
c/o David Dickinson, Chairperson and SMD 3F01
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Samantha L. Mazo