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November 14, 2002

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BY HAND DELIVERY

Ms. Carol J. Mitten
Chairperson
Zoning Commission
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

RE: Zoning Commission Case No. 02-15; Text Amendment to Provide Matter-of-Right Use in the R-1 Zone District for Public Park and Recreational Uses

Dear Ms. Mitten and Members of the Zoning Commission:

As you know, this firm represents the Department of Parks and Recreation (Department), petitioner in the above-referenced proceeding. On behalf of the Department, this letter responds to, and provides additional information with regard to, several issues raised by the Zoning Commission in its deliberations on September 9, 2002 regarding Case No. 02-15. The issues, as we understand them, are as follows:

(a) whether the proposed definition of "public community centers" should be revised (i) to distinguish between a "recreation center" and a "community center" and (ii) to authorize small kitchen facilities in the centers;

(b) whether the lot occupancy standard should be reduced and, if so, in what manner;

(c) whether BZA review should be required for facilities above a certain size; and

ZONING COMMISSION
District of Columbia
Case 02-15
Exhibit 45

ZONING COMMISSION
District of Columbia
CASE NO.02-15
EXHIBIT NO.45

(d) whether the proposed parking standards should be revised to account for the use of play fields or outdoor athletic facilities.

The Department's responses to these items is set forth below. Where appropriate, we offer revised text language in bold underlined print.

A. Whether the proposed definition of "public community centers" should be revised (i) to distinguish between a "recreation center" and a "community center" and (ii) to authorize small kitchen facilities in the centers?

The Department believes the definition should be revised in order to (i) more appropriately define the nature, scope and type of Department facilities that are being regulated, (ii) to make it clear that the definition encompasses "recreation" and "community" centers and (iii) to authorize small kitchen facilities in the facilities. We do not believe it would be beneficial to separately define a "recreation center" and a "community center."

The Office of Planning (OP) in its memorandum to the Zoning Commission dated June 26, 2002 proposed the following definition:

"Community Center, Public:

A building owned and operated by the District of Columbia Department of Parks and Recreation. A public community center offers programs with emphasis on community supporting activities such as classes, arts and crafts activities, gathering spaces and some accessory athletic facilities."

We have reviewed this proposed definition against the types of facilities currently operated by the Department and new facilities that are planned or under construction. We agree that minor revisions to the proposed definition would better describe the types of Departmental programs and facilities that currently exist or are proposed or under construction. We also agree that the definition should make it clear that such definition includes a "recreation" and "community" center. Finally, we suggest that the definition should specifically authorize small "pantry type" kitchen facilities in recreation centers. With respect to kitchen facilities, a pantry

is not a commercial kitchen, but is a smaller facility with limited food storage and preparation areas for limited use by staff and small numbers of children and seniors.

The Department recommends that the definition not be revised to distinguish between a "recreation center" and a "community center." In the Department's view, (i) there is no real functional difference between a "recreation center" and a "community center", (ii) the Department and the public uses these two terms interchangeably and (iii) the Department believes it would be confusing to the public, as well as artificial and unnecessary, to draw a distinction between these types of facilities. For your information with respect to the types of services community groups have requested at the new or renovated centers, please see the enclosed list of community input and comments. (Enclosure "A")

The Department's recommendation for clarifying revisions to the definition is as follows:

"Community or Recreation Center, Public:

A facility, customarily consisting of a building and passive or active outdoor recreation or athletic facilities, owned and operated by the District of Columbia Department of Parks and Recreation and used primarily for community, recreation, athletic, education and related purposes. Such a facility may include a building containing classrooms, meeting space, arts and crafts facilities, auditorium, community center and/or a gymnasium and out-of-doors facilities including open space, passive recreation areas, playground, playing court, playing field, swimming pool and/or accessory athletic facilities. Program activities may include a broad spectrum of health and wellness, social, cultural and adult educational classes and services for children, adults and seniors. Such facilities may have pantry type kitchen with limited food storage and preparation areas but shall not have commercial kitchen facilities that are of a size customarily used to serve meals for large numbers of persons on a regular basis."

B. Whether the lot occupancy standard should be reduced and, if so, in what manner?

An issue was raised by the Zoning Commission as to whether there should be some threshold over which a recreation center would be required to have Board of Zoning Adjustment special exception review. One commissioner apparently mentioned the possibility of a 50,000 gross square footage threshold for BZA review and another commissioner mentioned the possibility of a 40% lot occupancy threshold in residentially zoned districts.

Please be aware that the Department is dedicated to a policy of preserving open space and does not have the resources to purchase properties abutting its properties to increase lot size. Based on the current list of centers being proposed under the Department's capital budget program, the largest center in terms of lot occupancy in a residential district is the Takoma Recreation Center which has a 29% lot occupancy. The building at the Takoma Recreation Center also has the largest gross square footage (i.e., 51,000 sq. ft GFA). Capitol East Natatorium is the largest center, as far as we know, in a commercial zone district, with 52% lot occupancy.

In response to the Zoning Commission's concerns, the Department recommends that (a) the original proposal contained in the advertised text amendment be reduced from 60% lot occupancy to 40% lot occupancy in Residential zone districts and (b) a new provision be added to allow a 60% lot occupancy in Commercial zone districts. In addition, we suggest that such standards can be exceeded upon approval by the Board of Zoning Adjustment by means of a special exception. Under this proposal, BZA approval would be required if a proposed recreation center or an addition to an existing center exceeds 40% lot occupancy in a Residential zone district or exceeds 60% lot occupancy in a Commercial zone district.

You will recall that the original proposal for a 60% lot occupancy was based on the matter of right use of schools in R-1 and other residential districts. Our review of Department facilities indicates that a 40% lot occupancy standard would be workable in Residential zone districts. However, in order to allow for more intensive uses in the few facilities operated by the Department on land that is zoned Commercial, we suggest that the original 60% lot occupancy standard be adopted for recreation facilities located in such commercial zone districts.

If this recommendation is accepted, the Department recommends that the following revisions be made to the proposed text amendment:

Amend section 403, PERCENTAGE OF LOT OCCUPANCY (R), as follows:

Add a new subsection 403.2, and renumber subsection 403.2 as subsection 403.3, as follows:

403.2 A Public Community or Recreation Center may occupy the lot upon which it is located in excess of the permitted percentage of lot occupancy prescribed in §403.3 if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3104 of Chapter 31 of this title, subject to the provisions of this section below:

a. The Public Community or Recreation Center shall be so located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of users or otherwise objectionable conditions; and

b. Ample parking space, but not less than that required by chapter 21 of this title, shall be provided to accommodate the users of the facility who are likely to come to the site by automobile.

Amend section 772, PERCENTAGE OF LOT OCCUPANCY (C), as follows:

Revise section 772.1 by adding, after the words "devoted to a", the phrase "Public Community or Recreation Center or a".

Add a new subsection 772.2 as follows:

772.2 A Public Community or Recreation Center may occupy the lot upon which it is located in excess of the permitted percentage of lot occupancy prescribed in §772.1 if approved by the Board of Zoning Adjustment in accordance with the conditions

specified in §3104 of Chapter 31 of this title, subject to the provisions of this section below:

a. The Public Community or Recreation Center shall be so located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of users or otherwise objectionable conditions; and

b. Ample parking space, but not less than that required by chapter 21 of this title, shall be provided to accommodate the users of the facility who are likely to come to the site by automobile.

Please note that the special exception standards recommended above are essentially identical to the special exception standards that apply to a "private school" in a Residential zone district.

C. Whether BZA review should be required for the facilities above a certain size?

With respect to a concern raised by a member of the Zoning Commission as to whether BZA review should be required for facilities above a certain size, the Department believes that the proposed limits on floor area ratio (FAR), together with the stricter standards for lot occupancy recommended above, provide adequate and appropriate limitations on the bulk and density of new buildings or additions. Therefore, the Department believes that no new limits should be imposed. The proposed text amendment that was adopted by the Zoning Commission on an emergency basis imposed restrictions of 0.9 FAR in R-1 and R-2 districts, 1.8 FAR in the R-3,R-4, R-5-A and R-5-B districts and 3.0 for all other Residential (and Commercial) zone districts. These restrictions, we believe, are sufficient.

As a related matter, the Department is committed to a public participation process to ensure that all of its facilities, whether allowed as a matter of right under the proposed rules or subject to relief from the BZA, will be thoroughly vetted through a public process. A description of this process is enclosed. (Enclosure "B")

D. Whether the proposed parking standards should be revised to account for the use of play fields or other outdoor athletic facilities or larger indoor facilities?

A concern was apparently raised by a member of the Zoning Commission with respect to the use of playing fields and buildings by large groups or teams which might necessitate the need for additional parking.

All of the Department's recent recreation centers, whether constructed or planned, are designed to provide parking in accordance with the existing provision for "PLACES OF PUBLIC ASSEMBLY (EXCEPT HOTELS)...Recreational building or use: All districts". This parking provision requires "1 [parking space] for each 2,000 sq. ft. devoted to the building or use".

The Department does not believe that the existing standard should be changed. It also believes that the addition of additional parking lots and driveways would lesson the amount of open/green space, passive recreational areas, playgrounds and athletic facilities that the Department could otherwise provide. Open space, recreation space, playgrounds and outdoor athletic facilities were requested by the various neighborhoods in the planning processes that resulted in the Department's plans for each recreation center. In addition, there is less "green" space as a result of the construction of new facilities (with parking, as described above) because the centers were not previously subject to the Zoning Regulations and thus had no parking requirement (and typically did not provide much or any parking). Many of the new recreation centers have added parking spaces where none previously existed which has resulted in less green space.

Because the Department's recreation centers are located in and primarily serve residential neighborhoods throughout the District of Columbia, most of the citizens who use the Department's existing facilities arrive at the centers on foot or by bicycle or, in the case of senior citizens and young children, are dropped off. Most teams or groups who use indoor courts or playing fields arrive by van or bus. All of the Department's recreation centers are also serviced by nearby Metrobus stops.

The Department recommends that the parking standard be clarified so that it specifically applies to the building constituting the recreation center, not playgrounds, athletic facilities, passive recreation areas or other out-of-doors facilities. Thus, we recommend that the Commission adopt the following provision:

"**Amend section 2118, RULES OF INTERPRETATION, as follows:**

Add a new subsection 2118.11 as follows:

2118.11 In computing the number of parking spaces required for a Public Community or Recreation Center, the gross floor area or cellar floor area contained in the principal building (exclusive of storage sheds and small ancillary facilities) shall be included and the areas devoted to playgrounds, passive recreation areas, playing fields and other outdoor recreation and athletic facilities shall be excluded."

We hope this information, together with our recommendations for additional revisions to the zoning text amendment, addresses the concerns raised by several members of the Commission at its September meeting and is helpful to the Zoning Commission in its deliberation of this case.

Sincerely,

GREENSTEIN DELORME & LUCHS, P.C.

By: Jacques B. DePuy

By: Lyle M. Blanchard

Enclosures

cc: Mr. Neil Albert
Mr. Andrew Altman
Mr. William Highsmith

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A

DC Department of Parks and Recreation

Community Input: Comments from Residents, Community Center Programming

The following list itemizes concerns raised and programming recommendations which were made, regarding the rehabilitation and/or new construction activities to be incorporated into new community recreation centers as a part of the District's Capital Improvement Initiative. This memo tracks those comments expressed at the numerous community meetings held throughout the city on the various projects. The comments shared below are taken from community meetings for the Emery, Takoma, King Greenleaf, Georgetown Volta, Riggs-LaSalle, and Mitchell Park recreation centers.

- Showers should include full size lockers.
- Vending machines should be located on the premises, dispensing juice and water.
- There should be an interior and exterior entrance to the community rooms, with a porch/balcony. Rooms should have appropriate storage and counter space for various usage, e.g., art projects, coffee servings at meetings. A sink would be nice.
- Community rooms should have an abundance of natural light in as many of the smaller "classrooms" and meeting rooms as possible.
- Basketball courts should be able to be "switched" to have "adult/larger" court are and "children/small" court area.
- If pool area is to be reworked, they would like to entertain the idea of a pool for younger children.

- For Riggs-LaSalle, the main goal is to develop a facility that matches the look and aesthetic qualities of the community.
- Shirleta Settles, ANC Commissioner for Single Member District 4B10, said that there should be more programs for youth because if those programs were created, then maybe some of the restless behavior and crime would be curtailed.

Recommended Programming and Space Plan for the New Recreation Center:

- Basketball courts, possibly inside and outside
- Outdoor tennis courts
- Satellite station for police officers
- Multi-purpose room
- Computer lab
- Exercise room
- Weight room
- Card tables
- Pool tables

- Arcade or video game room (possibly equipped with an X-Box and large television set such as at Fort Stevens Recreation Center)
- Exercise pool
- First aid office
- Track, possibly inside and outside
- Ping-Pong table
- Projection room

Other related concerns:
- A constituent was concerned about senior programs during the day, and Mr. Rodgers explained that DPR definitely wants not only to promote senior programs, but also family-oriented and community-centered facilities that are transgenerational.

- A constituent raised a question about the possibility of either an indoor or outdoor swimming pool. Mr. Rodgers said that an indoor or outdoor pool would be approximately $9 million over the budgeted amount for the planned facility.

- A constituent suggested that when planning out this recreation center, the needs of the community have to be taken into consideration, particularly with having a swimming pool. Councilmember Fenty explained that it is hard to spend more than $4.5 million on a new recreation center, which may include a pool, when the space does not allow for that to be built.

- Similar to Lamond Recreation Center, a pool would possibly take up the field space at LaSalle, which Fenty, DPR, and the community would ideally want to preserve. He noted that the new Takoma Recreation Center (scheduled for construction beginning later this year) will house the only Olympic-size pool in the District and will be in close proximity to the Riggs-LaSalle community.

- A constituent wanted to know where the Lamond-Riggs Athletic Association would fit into the new facilities and the possibility of having space and resources for teams. Councilmember Fenty said that once the necessities of the new facility are met, then meeting more of the needs of the Lamond-Riggs Athletic Association could occur.

- Two constituents suggested modeling Riggs LaSalle's new facility and programs after those at Rolling Crest since Rolling Crest is not utilized during the day, whereas Riggs LaSalle could be.

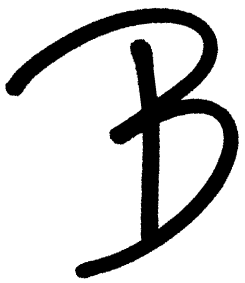
- A constituent suggested that spaces should be more enclosed around the new facility and Councilmember Fenty explained that security issues are something that the architects can take into consideration.

- A constituent suggested that when the new facility is erected, more presence from the urban park rangers and the Fourth District Police Department should be a priority to prevent any drastic occurrences from happening. Councilmember Fenty said that he is

very interested in seeing which is more effective, urban park rangers, roving leaders, or the people who manage the recreation centers.

- A constituent made a suggestion that the recreation center is used as a learning center, particularly where people from the community can provide programs that help out the neighborhood in such things as job preparation and life skills.

- A constituent wanted to obtain information concerning summer programs for young children.
- There should be multi-functional classrooms, which could be used as training, game and general meeting rooms. These rooms should be equipped with tables, desks, and chairs.
- There should be a library/study/reading room – an area where neighborhood children could come to work on homework assignments. This space(s) should contain desks, tables, chairs and computer terminals.
- There should be a food warming area, with refrigerator, microwave, sink, cabinets and counter space. It should be centrally located to the game and meeting rooms.
- All shower area should contain lockers.
- There should be adequate space dedicate to equipment storage.
- The basketball court area should be a multipurpose space, with bleachers.
- There should be an exercise/physical fitness room, with exercise equipment.
- There should be an administrative office, with desk, chairs and computer terminal(s).
- The facility needs one room dedicated to arts and crafts.
- One space/classroom needs to be dedicated to Senior Citizens.
- There needs to be a pantry, with counters, cabinets and sink.
- Residents would like to see a weight training/fitness room.
- There needs to be a team meeting room or "ready room" to be used by teams prior to swim meets.
- Residents would like to see a concession area on site.
- Classroom/training/computer center space is needed.
- There needs to be a multipurpose room for meetings and community activities



DC Department of Parks and Recreation
Capital Improvement Initiative
Community Participation

Before any DPR community/recreation center restoration or new construction development project starts, a thorough and comprehensive community outreach and participation process is undertaken. The community, through its respective Councilmember, ANC Commissioners, and various community groups (i.e., Friends of Takoma Park), are involved at every aspect of concept design, project development, and program offerings and hours of use.

For all current capital improvements underway, there has been an agreed upon community participation process. It commences with an information gathering meeting with all appropriate community members, including the elected officials and community groups listed above, as well as neighborhood citizens. This meeting then is followed by a presentation of schematics, in the form of a concept plan to which the community is encouraged to respond. It is during this concept plan phase that parking areas and locations; the approximate square footage of the building itself, as well as ancillary/support buildings; circulation and access routes, and site amenities are discussed, in an open forum.

The next stage is the revised plan which then requires another community meeting of all stakeholders. This is the final meeting before drawings are put into permit ready format, unless there are particular issues that require discussion. It is important to note that even once a specific site's development plan has community buy-in on design, the community input and participation process does not end. The community remains engaged from concept to grand opening and ribbon cutting, at all levels, including input on program, equipment, site amenities and site configuration. Such is the case with the Emery Community Center, now under construction. The community has overwhelmingly approved the site plan. However, at a community meeting scheduled for November 7, the Emery community will receive a briefing on the current progress of construction as well as meeting to select the playground equipment to be used on the grounds. The community also will continue to provide input on the center's programming, such as types of classes, extra-curricular activities to be offered to residents who will use the center on a regular basis.