GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

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TO: D.C. Zoning Commission

FROM: Andrew Altman,
Director

DATE: February 21, 2003

SUBJECT: Comments in response to Zoning Commission's Notice of Proposed Rulemaking, Case No. 02-15TA (Text Amendment – Public Recreation and Community Center Use – 11 DCMR).

The Office of Planning submits the following comments on the Proposed Rulemaking, Case No. 02-15TA (Text Amendment – Public Recreation and Community Center Use – 11 DCMR) as published in the DC Register on February 14, 2003.

Consistent with its Supplemental Report dated December 2, 2002, the Office of Planning (OP) continues to recommend to the Zoning Commission's (the Commission) proposed text related to; (1) the Definition of Public Recreation and Community Centers, (2) Lot Occupancy, (3) Height of Buildings or Structures, and (4) Gross Floor Area. OP will also comment on the application of the proposed text amendment in the proposed Waterfront Open Space Zone District.

In formulating its recommendations, OP evaluated the following:

(1) Practices in other jurisdictions;
(2) Department of Parks and Recreation's mandate of constructing new and renovating old facilities;
(3) The existing regulatory framework,
(4) The fact that most of the facilities affected by the text amendments are existing facilities;
(5) DPR's limited opportunities to purchase additional land;
(6) The Commission's concerns related to the preservation of open spaces; and
(7) The demand for recreational facilities by the citizens of the District of Columbia.

OP attempted to minimize adverse impacts on adjacent residential neighborhoods, prevent over-development of recreation space, and allow the Department of Parks and Recreation (DPR) to proceed on schedule with its capital improvements program. OP proposed text based upon the size of the facility and types of activities occurring at the facility to provide a more accurate means of measuring and minimizing adverse impact on surrounding neighborhoods.

ZONING COMMISSION
District of Columbia
Case 02-15TA
Exhibit 54

ZONING COMMISSION
District of Columbia
CASE NO.02-15
EXHIBIT NO.54

1. Definition: Public Recreation and Community Center

OP proposed, and the Commission accepted, a single all inclusive definition for public community and recreation centers. The DPR and OP request that the Commission reconsider their proposed action to exclude the terms "health and wellness," "social," and "cultural" activities from the definition. Both the Commission and OP's proposed definitions are shown below with the differences shown in italicized text.

> The Commission's proposed definition;
> A public recreation or community center is an area, place, structure, or other facility under the jurisdiction of a public agency that is used for community recreation activities. A public recreation or community center may provide a range of cultural and arts and crafts ***activities***, educational classes and services, and may include auditorium, ***multi-purpose room***, gymnasium, meeting space, open space, playground, playing court, playing field, and swimming pool.
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> OP's proposed definition;
> A public recreation or community center is an area, place, structure, or other facility under the jurisdiction of a public agency that is used for community recreation activities. A public recreation or community center may provide a ~~***broad***~~ range of ***health and wellness***, ***social***, cultural, arts and crafts, educational classes and services, and may include but not be limited to, auditorium, gymnasium, meeting space, open space, playground, playing court, playing field, and swimming pool.

OP recommends the inclusion of the *italicized* text from its proposed definition into the final text. In OP's opinion, the Commission is concerned that these terms are too broad and would allow types of activities that should not take place in a recreational facility. However, DPR has stated that recreation and community center activities are broader in response to changing community needs and family composition. OP finds that the types of activities contemplated under these categories to be entirely compatible with DPR's mission and appropriate for recreation facilities. OP submits for the Commission's review the types of activities contemplated by these terms as advertised in DPR's 2002-2003 Fall and Winter Activity Program Guide.

Health and Wellness

- Proper techniques for stretching, strengthening and toning muscles.
- Fitness and Aerobics for Adults: stretch, toning, flexibility, stamina with high/low impact. Ages 18+
- Weight training and nutrition for 18+
- Exercise based on Chinese practices to help students develop self-care techniques to promote health and longevity.
- Slimnastics
- Aerobics for youth

- Tumbling, balance for Ages 3-7
- Adult Basketball 21+
- Co-ed Volleyball
- Health Fairs and Expos
- Taekwondo, Ages 10+
- Dancersize: slim down and relax with posture alignment exercises. Ages 18+
- Pilates: Body conditioning; exercise core muscle groups. Strengthen and stretch, slim, correct bad posture, realigns the body while eliminating tension and stress. Ages 21+
- Qi Gong: Exercise based on ancient Chinese practice helps students develop self-care techniques to promote health and longevity. Ages 18+Yoga: Course emphasizes physical fitness through breathing correctly, good posture and flexibility. Ages 18+
- Adult Sports Leagues: basketball, softball, volleyball

Cultural

- Chinese Cooking
- Japanese Doll Making
- Spanish: introduction to grammar and idioms in an effort to understand and communicate in Spanish.
- Conversational Spanish
- Ballet and Tap for ages 3-9
- Multicultural Harvest Festival
- Piano instruction
- China Painting
- Introductory French

Social

- Music Together: Parents and children participation.
- Photography for Ages 7 and up
- Ballroom Dancing, 18+
- Community Computer Access: use of adapted software and an adapted keyboard to learn basic instructions on using the mouse; creating and saving documents; pointing files; how to navigate and use Windows and the Internet
- Youth gardens: comprehensive indoor and outdoor gardening and environmental education program involving 300 inner-city youth between 9 and 13 years of age.
- Before and after School Care. Ages 4-12 (Riggs-LaSalle)
- Day Care and Head Start. Ages 2-5 (Bald Eagle, Banneker)
- Computer Access Centers. All ages (Banneker, Kennedy, Parkview, Kenilworth, Bald Eagle, Fort Davis, Kennedy - these are the centers in this round of projects; however, computer centers are operated at over 30 centers, citywide).
- Outreach Services for Teens; Roving Leader Program; Jr. Roving Leader Program
- Supreme Teen Clubs
- Domestic Violence Seminars
- Senior Fall Harvest Dances

- Cooperative Play - 9:00-5:00, Ages 2-5. Young children are introduced to a structured play setting with activities that engage the whole child - mentally, socially, physically and emotionally - in preparation for entering the formal educational system.

In addition to the above activities, DPR has an entire program devoted to Leisure life skills. These are self-help activities that provide participants with opportunities to gain self-understanding. self-development, and self-expression. Examples include money management, personal grooming, cooking, travel training, planning leisure activities and field trips. OP continues to recommend that the Commission include these types of activities within the definition.

2. Percentage of Lot Occupancy

The Commission has proposed a 20% lot occupancy as a matter-of-right and a 30% lot occupancy if approved by the Board of Zoning Adjustment (BZA) in all zones. Initially, OP recommended a 40% lot occupancy as a matter of right for public facilities in all residential zones. OP further recommended that the city's recreation facilities have the same development flexibility as other uses within commercial zone districts and that no special lot occupancy apply.

After careful consideration and consultation with DPR, OP finds that 20% lot occupancy would be unduly restrictive and does not provide the flexibility DPR needs to accomplish its mission. Thus, OP and DPR continue to support a 40% lot occupancy in residential districts. However, OP now recommends that a 60% lot occupancy should apply in all other zones. OP believes that because commercial districts allow lot coverage up to 100%, a reduction to 60% is a reasonable compromise between DPR's physical needs and development policies as well as the Commission's concerns about preservation of recreation space. In the alternative, OP would support the Commission's 30% cap on lot occupancy as long as no cap is imposed for special exception relief.

OP considered the fact that the standard lot occupancy for low-density residential districts such as R-1, R-2, and R-5-A is 40%. OP felt that the maximum 40% lot occupancy would maintain the same proportionate scale of building to land as is allowed for other building within these low-density, primarily single family zones. In the moderate- and high-density residential zones of R-3 through R-5-E, where the residential lot occupancy increases to 60% and 75%, OP concluded through discussion with DPR that 40% continues to be an appropriate figure because in these zones where the typical residential density is higher and the recreational center can serve to balance that with a low-density level of recreation space.

Second, the 30% cap on lot occupancy would require DPR to apply for variances for several pending projects such as Takoma Recreation, Capitol East Natatorium, and possibly Kenilworth Recreation Center.[1] Variance relief would also be required for additions or renovations to existing facilities such as Chevy Chase Community Center or Banneker Recreation Center, which exceed the 20% limit and are at or near the 30% cap. As the Commission is aware, variance relief is a much more difficult standard to meet. OP believes that special exception relief is more appropriate for these types of publicly operated facilities because the potential adverse impact does not warrant

[1] It should be noted that because several of DPR's project are in the design stage and the exact building dimensions are not yet known.

the type of burden variance relief would impose. OP recommends that the Commission consider other mechanisms to minimize adverse impact such as additional parking requirements and limits on Floor Area Ratio. It must be noted that most citizens in the District of Columbia want recreation centers in their neighborhood. As such, public recreation centers are not an obnoxious or undesirable use and should not be unduly regulated.

Finally, OP found that DPR's policy of maintaining the maximum amount of open space as possible, a very extensive community engagement process, and limited options to purchase additional land in order to meet new development standards support more flexibility than the Commission has proposed. After considering all these factors, OP is reluctant to establish a cap on lot occupancy that would unduly restrict the flexibility of DPR to develop public recreation centers.

3. ***Height of Buildings or Structures***

The Commission has proposed to restrict all recreational facilities to a 40 foot building height maximum in all residential zones. OP continues to recommend a building height maximum of 45 feet in residential zones. OP feels that the 45 foot height limit is compatible with the low-density of the R-1 and R-2 zones and provides openness in the moderate and high-density zones where the height of buildings can reach 90 feet as a matter-of-right. OP notes that the height limit for public schools is 60 feet in R-1 and R-2 districts and 90 feet in all other residential. As public schools are similar in nature to public recreational facilities, OP can find no rationale to limit the maximum allowable height for recreation centers. OP also believes that the 40 foot limit would create instances of non-conformity. Finally, several pending DPR projects, Emery and Takoma, could exceed this height limit by a mere 2-4 feet. DPR and OP seek to avoid needless delays in moving forward on these capital projects and overly regulating a highly desirable use. Should the Commission continue to oppose heights in excess of 40 feet, OP would support a 2% discretionary flexibility on recreational structures over 40 feet as a viable alternative.

4. ***Gross Floor Area***

The Commission recommended that all buildings with gross floor area in excess of 40,000 square feet be approved by the BZA. DPR and OP support no additional limit on building square footage. OP believes that the Commission's concerns related to open recreation space and minimizing adverse impact can be adequately addressed without a limit on building area. OP acknowledges that larger facilities have greater impact on neighborhoods in the immediate vicinity of these facilities. Typically, the impact results from events that attract large crowds such as sporting events. In these instances, OP finds that the primary impact is on parking. OP finds that a more appropriate method to control such adverse impact is through appropriate parking standards.

OP believes that the Commission's concerns about the preservation of recreational open space are addressed because lot occupancy and FAR serve to limit the relative size of a potential structure in relation to the size of a lot. OP believes that requiring BZA approval for facilities that exceed the FAR and facilities with area for large assembly is the appropriate means of minimizing impact. Therefore, OP recommends that lot occupancy and FAR serve as the threshold for BZA review.

Waterfront Districts

As the Commission is aware, on October 2, 2002 OP recommended the creation of a new W-O zone for open space along the waterfront be set down for a public hearing. The proposed Zoning Regulation text and map amendments are intended to promote an overall low density of development, including a variety of desirable active and passive public recreational opportunities, on lands along the waterfront, to provide a "public back yard" amenity for adjacent neighborhood residents, workers and visitors, and for all District residents. The new zone will provide a low density, low intensity zone which permits waterfront open space parks as of right, as well as a number of waterfront related recreation, retail, and cultural uses by Special Exception. The Commission will consider this matter on March 13, 2003.

Based on the instant proposed text amendments, OP will amend its W-O application to include public recreation and community center use as a special exception classification and subject to all other development standards applicable to the proposed W-O district.

AA/vr