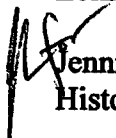



 RECEIVED
 D.C. OFFICE OF ZONING

2009 NOV 23 PM 6:31

MEMORANDUM
TO: Zoning Commission for the District of Columbia

FROM:  Jennifer Steingasser, Deputy Director
 Historic Preservation and Development Review

DATE: November 23, 2009

SUBJECT: OP Report - ZC 09-17A – Text Amendment Related to Public Libraries with a maximum density of 2.0 FAR

RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission approve the proposed amendments to §§ 402.4, 403.4, 404.3, 405.10, 2104.1, 2401.2 and 3104.1 of the Regulations to accommodate public libraries in the R-5-A and R-5-B districts.

- A. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, § 402, Floor Area Ratio (R), is amended as follows:
1. By amending the chart appended to § 402.4 to insert specific FAR limitations for public libraries as follows:

ZONE DISTRICT AND STRUCTURE	MAXIMUM FLOOR AREA RATIO (FAR)
R-1-A, R-1-B, R-2, R-3, R-4	None prescribed
R-5-A <u>Public libraries</u>	<u>2.0</u>
All <u>Other</u> Structures	0.9
R-5-B <u>Public libraries</u>	<u>2.0</u>
All <u>Other</u> Structures	1.8
R-5-C All structures	3.0
R-5-D All structures	3.5
R-5-E Apartment house and hotel	6.0
Any other structure	5.0

 ZONING COMMISSION
 District of Columbia

CASE NO.

EXHIBIT NO.

2. By adding a new § 403.4 to read as follows:

403.4 **A public library may be permitted a lot occupancy in excess of that allowed by § 403.2 if approved by the Board of Zoning Adjustment, pursuant to § 3104.1.**



3. By amending § 404.3 to insert the phrase “public library” as follows:

404.3 In the case of a lot proposed to be used by a **public library**, public school or a public recreation center that abuts or adjoins along the rear lot line a public open space, recreation area, or reservation, the required rear yard may be reduced or omitted.

4. By adding a new § 405.10 to read as follows:

405.10 In the case of a lot in an R District proposed to be used by a public library that abuts or adjoins along one (1) or both side lot lines a public open space, recreation area, or reservation, the required side yards may be reduced or omitted.

- B. Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended as follows.

1. Section 2104, EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NEAR METRORAIL STATIONS, is amended as follows:

- (a) Subsection 2104.1 is amended by striking the phrase “Except as otherwise provided in § 2104.2.”

2104.1 ~~Except as otherwise provided in § 2104.2, t~~**The Board of Zoning Adjustment is authorized to reduce the number of parking spaces required under § 2101.1 for a nonresidential building or structure located within a radius of eight hundred feet (800 ft.) of a Metrorail station entrance may be reduced by up to twenty-five percent (25%); provided.**

- (b) Subsection 2104.2 is repealed.

~~2104.2 The Board of Zoning Adjustment is authorized to reduce the number of parking spaces for a public library located within a one-half mile radius of a Metrorail station by fifty percent (50%), if the Metrorail station is currently in operation or is one for which a construction contract has been awarded.~~

2. Subsection 2108.2 is amended by inserting the phrase “for a public library may be reduced by up to 100%, but for all other uses” as follows:

2108.2 The amount of required parking spaces **for a public library may be reduced by up to 100%, but for all other uses** shall not be reduced by more than twenty-five percent (25 %); provided, that for a use that is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).

- C. Chapter 34, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, Section 3104, Special Exceptions, is amended by inserting alphabetically the following new special exception into the chart appended to 3104.1.

TYPE OF SPECIAL EXCEPTION	ZONE DISTRICT	SECTIONS IN WHICH THE CONDITIONS ARE SPECIFIED
<u>Public library with a lot occupancy in excess of that permitted by § 403.2.</u>	<u>Any R District</u>	<u>§ 403.4</u>

BACKGROUND

The District of Columbia (DCPL) operates twenty-five neighborhood libraries, all of which are located on land owned by the District or by the Federal Government. The DCPL, under their “21st Century Capital Projects” program has recently begun a major upgrading of its neighborhood libraries with demolition and reconstruction, or renovations and upgrades to make them into more modern facilities. The standards for size, technology, and services have significantly changed. DCPL is currently in the process of renovating or replacing six neighborhood libraries including the Francis A. Gregory Neighborhood Library. The existing library locations are limited in size and generally predate development in the surrounding area with no additional land available for acquisition. Many of the libraries were built prior to the current Zoning Regulations and are non-conforming to side and rear yards, lot occupancy, and floor area ratio requirements.

In 2003, Zoning Commission Order 03-10 defined three types of libraries operated by DCPL as follows:

“Public Library – a facility that falls into one of the following categories:

- a) Full-Service Neighborhood Public - A District of Columbia Public Library housed in a permanent structure that may include meeting rooms, staff work rooms, kitchen facilities and book overflow space. It contains space for a variety of activities, such as children’s story hour, film showings and book talks, to occur simultaneously.
- b) Community - A District of Columbia Public Library housed in a portable structure and that may include a small staff and minimal space for activities; or.
- c) Kiosk - A District of Columbia Public Library housed in a portable structure with no space for activities.”

The Order established zone districts in which public libraries are permitted, and set standards regarding parking requirements. Subsequent changes in policy and standards for libraries by DCPL have made various of these area related standards no longer attainable. The new policy calls for libraries to house various other services such as space for public meeting rooms, increased computer access, and increased shelving space to accommodate a growing collection. With these new services, the recommended size of neighborhood libraries has been increased from approximately 15,000 square feet up to 25,000 square feet.

PROPOSAL

The District of Columbia Public Libraries (DCPL) requested the following text amendments:

- 402.8 A public library located on government-owned land in any R District shall not exceed 2.0 floor area ratio, except where additional floor area is approved by the Board of Zoning Adjustment pursuant to § 3104.1.
- 403.4 A public library located on government-owned land may be permitted a lot occupancy in excess of that permitted by § 403.2 if approved by the Board of Zoning Adjustment, pursuant to § 3104.1.
- 405.10 In the case of a lot in the R District proposed to be used by a public library that abuts or adjoins one (1) or more side lot lines a public open space, recreation area, or reservation, the required side yard may be reduced or omitted.
- 2108.3 In the case of a public library on government-owned property, the amount of required parking spaces may be reduced or eliminated as prescribed by the Board of Zoning Adjustment, pursuant to § 3104.1.

ANALYSIS

The proposed text amendments are to treat libraries similar to other public facilities and give some flexibility to accommodate this public use in residential districts. The amendments are to recognize the public purpose and special circumstances of this important government facility. The conditions relative to government lands are often different to private sector development, in that the project is funded by public money often on a tight timeline; the land is publically owned, often by the federal government; and the building is unable to effectively expand to respond to modern standards.

Other public facilities are permitted in residential zones where it is recognized that public facilities when permitted in residential districts should not be held to the same standards as single or multifamily residential structures. Therefore, libraries should be permitted as a matter-of-right in residential districts but treated separately as it pertains to FAR, side and rear yard setbacks, and lot occupancy.

The proposed amendments, while granting flexibility, are subject to the requirements and standards for granting a special exception pursuant to Section 3104.1. The Board of Zoning Adjustment and the public would have an opportunity to review the proposals to assess potential adverse impacts on the surrounding neighborhood.

Neighborhood libraries are designed to serve the communities in which that are located and it is anticipated that most patrons would walk to the facility within their community. The current parking regulations for neighborhood libraries in a residential district require 1 space per 1,000 square feet of gross floor area in excess of 2,000 square feet. The applicant states that the average size of the property on which full service neighborhood libraries are located is between 15,000 and 25,000 square feet. In most cases, a 22,000 square feet library would require 20 parking spaces which would require the construction of costly underground parking or seek a variance from the BZA.

DCPL has ten other libraries which are to be modernized. At this time, DCPL has not made a decision regarding which would involve demolition and new construction. However, all of these libraries are currently on small sites and would likely need some relief under the current regulations for parking, side yard setbacks, lot occupancy, and / or FAR.

Of the ten libraries, two are located close to parkland.

- (1) Woodridge Library which is located at 1801 Hamlin Street, NE and is adjacent to Langdon Park; and
- (2) Southwest Library which is located at 900 Wesley Place, SW and is adjacent to park land recently transferred from the National Park Service to the District of Columbia pursuant to the Federal and District of Columbia Government Real Property Act of 2006.

These two libraries are located on limited land area, with nearly identical program requirements. Satisfying the standard for the variance test could be onerous. Since these are public facilities which are necessary for the community, an assessment of adverse impacts on the surrounding neighborhood, on the integrity of the Zoning Regulations and the Zone Plan is sufficient to protect the neighborhood.

TEXT AMENDMENTS

Subsequent to the setdown of the proposal by the Zoning Commission, the proposed language was reviewed in conjunction with the Office of the Attorney General (OAG) changes were made to more appropriately address the relevant sections of the Regulations as follows. (New text is shown in **Bold and Underline** and deleted text is shown with ~~strikethrough~~)

- A. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, § 402, Floor Area Ratio (R), is amended as follows:
1. By amending the chart appended to § 402.4 to insert specific FAR limitations for public libraries as follows:

ZONE DISTRICT AND STRUCTURE	MAXIMUM FLOOR AREA RATIO (FAR)
R-1-A, R-1-B, R-2, R-3, R-4	None prescribed
R-5-A <u>Public libraries</u> All <u>Other</u> Structures	<u>2.0</u> 0.9
R-5-B <u>Public libraries</u> All <u>Other</u> Structures	<u>2.0</u> 1.8
R-5-C All structures	3.0
R-5-D All structures	3.5

R-5-E Apartment house and hotel	6.0
Any other structure	5.0

2. By adding a new § 403.4 to read as follows:

403.4 A public library may be permitted a lot occupancy in excess of that allowed by § 403.2 if approved by the Board of Zoning Adjustment, pursuant to § 3104.1.

3. By amending § 404.3 to insert the phrase “public library” as follows:

404.3 In the case of a lot proposed to be used by a **public library**, public school or a public recreation center that abuts or adjoins along the rear lot line a public open space, recreation area, or reservation, the required rear yard may be reduced or omitted.

4. By adding a new § 405.10 to read as follows:

405.10 In the case of a lot in an R District proposed to be used by a public library that abuts or adjoins along one (1) or both side lot lines a public open space, recreation area, or reservation, the required side yards may be reduced or omitted.

B. Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended as follows.

1. Section 2104, EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NEAR METRORAIL STATIONS, is amended as follows:

- (a) Subsection 2104.1 is amended by striking the phrase “Except as otherwise provided in § 2104.2.”

2104.1 ~~Except as otherwise provided in § 2104.2, t~~**The Board of Zoning Adjustment is authorized to reduce the number of parking spaces required under § 2101.1 for a nonresidential building or structure located within a radius of eight hundred feet (800 ft.) of a Metrorail station entrance may be reduced by up to twenty-five percent (25%); provided.**

- (b) Subsection 2104.2 is repealed.

~~2104.3 The Board of Zoning Adjustment is authorized to reduce the number of parking spaces for a public library located within a one-half mile radius of a Metrorail station by fifty percent (50%), if the Metrorail station is currently in operation or is one for which a construction contract has been awarded.~~

2. Subsection 2108.2 is amended by inserting the phrase “for a public library may be reduced by up to 100%, but for all other uses” as follows:

2108.2 The amount of required parking spaces **for a public library may be reduced by up to 100%, but for all other uses** shall not be reduced by more than twenty-five percent (25 %); provided, that for a use that is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).

- C. Chapter 34, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, Section 3104, Special Exceptions, is amended by inserting alphabetically the following new special exception into the chart appended to 3104.1.

TYPE OF SPECIAL EXCEPTION	ZONE DISTRICT	SECTIONS IN WHICH THE CONDITIONS ARE SPECIFIED
<u>Public library with a lot occupancy in excess of that permitted by § 403.2.</u>	<u>Any R District</u>	<u>§ 403.4</u>

COMPREHENSIVE PLAN

The subject site is designated Local Public Facilities on the Future Land Use Map, which “*Includes land and facilities occupied and used by the District of Columbia Government or other local government agencies (such as WMATA), excluding parks and open space. Uses include public schools including charter schools, public hospitals, and government office complexes, and similar local government activities.*” Directly across Alabama Avenue from the site, land is zoned R-5-A and is designated Moderate Density Residential on the Future Land Use Map.

The proposed text amendment is not inconsistent with many of the Comprehensive Plan themes, goals, objectives and policies. Major themes of the Plan tend to promote maintaining or improving the character of neighborhoods, as well as enhancing public safety and the effective provision of public services. The proposed amendment would facilitate the construction of a new, full service library and would meet the recommended Policies and Actions outlined in the Community Services and Facilities Element.

Policy CSF-3.1.1: State-of-the-Art Public Library System

Ensure that the District has a state-of-the-art Central Library and branch libraries that meet the information and life-long learning needs of District residents.

DCPL is in the process of renovating or reconstructing libraries to be state-of-the-art facilities that would provide improved library services, as well as being places for gathering and other services to serve the needs of the communities in which they are located.

Action CSF-3.1.B: Branch Libraries

Completely overhaul, upgrade, or re-build each branch library to provide a safe and inviting space that provides services and programs that address the needs of local residents. Each branch library should be designed to provide a minimum of 20,000 square feet of floor space with a clearly visible entrance and an open, inviting and attractive façade.

The new library would be built slightly larger than the existing library and would have an area of 18,500 square feet on two levels above grade levels and --- square feet below grade for a total of --- square feet of space. The proposed library would have a contemporary design with a clearly visible entrance. The library would incorporate views into the adjacent park and would be a landmark in the community.

CSF-3.2 Library Location

The opportunity to modernize or relocate more than two dozen branch libraries creates an exciting opportunity for many District neighborhoods. High-quality public libraries can help anchor neighborhood and corridor reinvestment efforts. Libraries can also support many of the other goals articulated in the Comprehensive Plan, including the creation of space for the arts, job training and literacy programs, and the promotion of high quality civic design.

The construction of a new, state-of-the-art, full service library on the current site of the Francis A. Gregory Library would help DCPL achieve the goal of being a facility that can be utilized by and provide services to all segments of the community.

CONCLUSION

The proposed text amendments would not be inconsistent with the Comprehensive Plan goals and objectives and would serve to allow a quick and orderly construction of public libraries. The Office of Planning recommends approval of the proposed text amendments.

JLS/mbr