

Testimony of Ellen M. McCarthy

Zoning Commission Cases: 09-17, 09-17A

Francis Gregory Neighborhood Library

December 3, 2009

Good evening, Chairman Hood and members of the Commission. My name is Ellen McCarthy. I am the Director of Planning and Land Use at Arent Fox, LLP, and I am here today to testify on the planning and zoning issues involved in this case, a request by the D.C. Public Library for zoning relief necessary to construct a new full-service neighborhood library on Alabama Avenue, SE, replacing the existing structure of the Francis Gregory Library. In terms of my qualifications, I have over thirty-five years of planning experience, including five years spent at the DC Office of Planning as the Deputy Director for Development Review and Historic Preservation, and an additional two years as the Director of that office, in addition to more than 10 years as a zoning consultant. I live in the District, and my office is at 1050 Connecticut Avenue, NW.

The Site

The site of the proposed new library is currently occupied by the existing library, which is located at 3660 Alabama Avenue SE, just south of the intersection with Pennsylvania Avenue.

The site is on land owned by the National Park Service, under a transfer of jurisdiction from 1958, and measures approximately 15,322 sf. It is separated by a small strip of parkland from Anne Beers Elementary School, which is also federal land, previously transferred to the District of Columbia for school purposes. Across Alabama Avenue is a residential area comprised of townhouses and small apartment buildings.

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Slightly further north of the residential buildings are two small shopping centers, which straddle Pennsylvania Avenue. To the west and north of the site is the remainder of US Reservation 518, part of the circle of forts which were part of the Civil War defenses of Washington.

The site is currently unzoned, having been constructed during a period in which D.C. Government facilities did not require zoning. However, in 1990, the Zoning Commission adopted §106.5 of the Zoning Regulations, which mandates that all D.C. Government facilities outside of the Central Area are subject to zoning. Since the proposed redevelopment of the Francis Gregory Library will require new construction, it is therefore necessary to pursue an amendment to the Zoning Map, in the instant application.

I. THE PROPOSED MAP AMENDMENT

A. Standards Governing Map Amendments

Section 6-421.01 of the D.C. Code indicates that the purposes of the Zoning Regulations are to “promote the health, safety, morals, convenience, order, prosperity or general welfare of the District of Columbia and its planning and orderly development as the national capital.” It requires that the zoning maps “shall not be inconsistent” with the Comprehensive Plan.

Section 101.2 of the Zoning Regulations further requires that the Zoning Maps respect the character of the district, and its suitability for the uses permitted in each district. It also indicates that the zone classification should encourage the stability and land values of the district.

B. Proposed Zoning

This application proposes to amend the zoning map to classify the site as R-5-A. The R-5-A is clearly appropriate for this location. Section 350.1 of the Zoning Regulations describes the R-5 districts as follows:

The R-5 Districts are General Residence Districts designed to permit flexibility of design by permitting in a single district . . .all types of urban residential development . . . **The R-5 Districts shall also permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses** and that are excluded from the more restrictive Residence Districts. (Emphasis added.)

Although libraries are permitted in more restrictive residence districts, they are certainly consistent with the type of buildings contemplated in this zone description, and definitely compatible with the adjoining residential areas. In addition, the fact that it is very close to Beers Elementary School which is already classified as R-5-A (separated by only a small strip of National Park Service land), and is a similar type of use, generally permitted in the same zone districts, supports extending the same zoning classification to the Library parcel as well.

C. Evaluation of the Proposed Map Amendment and How it Complies with the Standards Governing Map Amendments

1. The Map Amendment Meets the Purposes of Zoning

Adopting this proposed amendment to apply the R-5-A classification to the subject site is necessary to permit the construction of a new full-service neighborhood library. This is clearly consistent with requirement in the DC Code to promote the “general welfare”, since a library is an important neighborhood facility that improves the quality of life for the residents and provides a valuable local service. At the same time, the R-5-A classification is completely consistent with the scale and character of development in the neighboring area, permits a library use quite suitable to the

neighborhood which definitely contributes to stability and maintaining or improving property values.

2. The Map Amendment Is Not Inconsistent with the Comprehensive Plan

As stated above, the site is currently zoned GOV; it is shown on the Future Land Use Map in the “Parks, Recreation and Open Space” category. However, as the map notes in the legend for the “Local Public Facilities” category, because of the scale of the map, libraries and similar uses on land smaller than one acre may not be shown. The site, at 15,322 sf, is considerably smaller than one acre.

It is adjacent to Anne Beers Elementary School, at the corner of Alabama Avenue and 36th Place, SE, which is designated as a “Local Public Facility” on the Future Land Use Map and is zoned R-5-A. The Generalized Policy Map does recognize that the library site is not part of Parks and Open Space. It is shown as a Neighborhood Conservation Area, the same as Beers Elementary School, which is currently zoned R-5-A. Immediately across Alabama Avenue, the land is designated “Moderate Density Residential” on the Future Land Use Map, and features low-scale, garden apartments and townhouses. *See* Exhibit C hereto. It is zoned R-5-A. Approximately one-tenth of one mile to the northeast, is the Fairfax Village Shopping Center and across Pennsylvania Ave, is the Ft. Davis Shopping Center. They are shown on the Policy Map as neighborhood commercial centers, and are zoned C-2-A.

Thus, the proposed zoning classification is not inconsistent with the Comprehensive Plan Land Use Map designations. In addition, because the Transfer of Jurisdiction is limited to library use, there is no reason to believe that the parcel will be used for anything other than a public library.

The Comprehensive Plan contains guidance regarding public facilities that is quite consistent with the proposed use. It calls out the importance of good design in new public facilities:

UD-3.3 The Design of Public Buildings and Infrastructure

The District should lead the way to good urban design in the way it designs and builds its own public facilities. The design of civic structures should reinforce the District's image as a forward-looking city that respects historic context while embracing change and innovation. Each library renovation, fire station addition, school modernization, recreation center construction project and the like should be viewed as an opportunity to create a great civic building and character-defining public space. 10 DCMR § 915.1

The Plan further defines this goal:

Policy UD 3.3.2 Design Excellence in Public Buildings

Require design excellence for all public buildings and public space, with government leading by example to create a more attractive environment in the city and its neighborhoods. Important civic places, such as schools and libraries, should be individually designed to foster community identity and neighborhood character. 10 DCMR § 915.4

The proposed project is definitely consistent with these goals, having been individually-designed by an internationally-acclaimed architect, with a design that has won praise from the community and the Commission of Fine Arts as well.

With respect to public facilities, the Community Services and Facilities Element of the Plan calls for the provision of high quality facilities for all the citizens of the District. In particular, regarding libraries, the Plan observes:

As one of the world's leading centers of information and knowledge, the District of Columbia must have a state-of-the-art public library system. A revitalized library system must combine high quality physical buildings with new technology, an expanded Internet presence, inviting public spaces for meetings and gatherings, and programs and collections that meet the needs of all citizens. Our libraries should help children succeed in school, help adults improve their reading skills, and support career advancement and life enrichment goals. The District should aspire to nothing less than greatness as it creates a library system that demonstrates

the city's commitment to meeting the educational and life-long learning needs of all of its residents. 10 DCMR § 1109.1

Specifically with regard to branch libraries, the Plan notes:

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. 10 DCMR § 1130.11

The proposed project, with its proximity to the local elementary school, as well as shopping and recreation opportunities, is not only consistent with this goal, but also makes a major contribution to improved quality of life for the residents of Far Northeast and Southeast.

In fact, the Far Northeast and Southeast Element notes that 27% of the residents in this area are under 18, compared with only 20% citywide, and the area also has a disproportionately large population of individuals over 65 years of age. These are two major user groups for libraries. With regard to Planning and Development Priorities for this area, the Element points out the importance of upgrading public facilities including libraries. The Element goes on to observe, "Additional facilities and services for children and youth are needed in the Far Northeast/Southeast Area." The expanded and greatly improved sections of the library for children and for youth are completely consistent with these Comprehensive Plan priorities. The Plan also strongly recommends locating facilities such as libraries in proximity to elementary schools and recreation facilities, as is the case here.

3. The Map Amendment is Consistent with the Character of the Area and Will Not Have an Adverse Impact on the National Park Service or Neighboring Property

The proposed map amendment does not change the use of the property, or its scale in any substantial way. The property has been used as a library since 1961. It is currently two stories and a basement, similar to the new building. The proposed new library will make a substantial improvement in environmental quality, as it is designed to meet the standards articulated in the DC Green Building Act of 2006, which requires DC public buildings to meet at least a LEED Silver standard. The scale is consistent with the two story buildings across the street, and with its neighbor, Anne Beers Elementary School.

II. THE PROPOSED AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS

A. Need for Proposed Text Amendment

The District of Columbia Public Library currently operates 25 neighborhood libraries and a main branch in downtown Washington, D.C., all of which are located on land owned by the government of the District of Columbia or the United States. The Library's 21st Century Capitol Projects initiative is transforming neighborhood branches, with significant upgrades and renovations and/or demolition and reconstruction of new, modern library facilities. However, while the current standards for size, accommodations, technology, and other library services are significantly greater than the standards to which the existing libraries within the District of Columbia Public Library system were constructed, the amount of land available for these new libraries generally can not be increased.

In fact, virtually all of the older libraries were constructed before the requirement that they had to abide by the zoning code, so even these older, smaller branches are

nonconforming as to area requirements such as lot occupancy and setbacks, in addition to parking. Even the relatively new zoning regulations for libraries that were adopted in 2003 have become obsolete in some respects, due to the higher standards adopted in DCPL's current modernization initiative, particularly the enhanced program requirements that call for increasing the average size of a full-service neighborhood branch library from approximately 15,000 sf to 20-22,000 sf. The need for increased floor area only exacerbates nonconforming conditions and the number of new facilities which would, without the text amendments proposed in this application, have to seek a variance or variances.

B. Zoning Rationale. These zoning text amendments are proposed in this case rather than in a separate multi-variance case at the Board of Zoning Adjustment ("BZA") for several reasons. First and foremost is speed. This relief is being sought late in the design review and approval process because of erroneous advice the Library had received when it first sought to determine the relief necessary. Having been advised at that point that no relief was necessary, nor was any map amendment required, the Library's construction schedule and possible funding availability could be severely negatively impacted by a lengthy process of having to sequentially go to the Zoning Commission to have the R-5-A zoning applied to the site, and then going to Board of Zoning Adjustment for numerous variances, which could possibly be difficult to justify given the relatively rectangular site.

In addition, the library has more facilities to be modernized, some of which might require similar relief, given the limited size of their sites. The additional delay and expense of having to obtain variances for those facilities are not in the public interest, particularly given the likelihood that the District will be operating in a constrained fiscal situation for the next several years.

Secondly, with this text amendment, the DC Public Library is merely seeking consideration equivalent to that provided for other similar public facilities, such as schools and recreation centers, permitted as a matter of right in the Residence Zones; these are treated separately for purposes of maximum floor area ratio, side yard setbacks, rear yard setbacks, and/or percentage of lot occupancy. The Zoning Regulations have recognized that, although these facilities are complementary to, and compatible with, residential areas, they should not be expected to conform to the same dimensions. Public libraries are currently subject to the same restrictions on lot area, buildable envelope, and floor area ratio as residential structures.

The proposed text amendments seek to provide greater flexibility to accommodate library uses on residentially-zoned property. This petition builds in a safeguard, however, that such flexibility be subject to the requirements and standards for granting a special exception, pursuant to 11 DCMR § 3104.1. Thus, the BZA and the public will have an opportunity to review in detail the Library's proposal and to ensure that there is no adverse impact on surrounding properties, or to the integrity of the Zone Plan or the Zoning Regulations.

Third, because branch libraries are designed to serve the neighborhoods in which they are located, with the majority of patrons walking, it appears that the parking regulations currently prescribed for these branches require an excessive number of parking spaces. Given the Library's program requirements, a typical new full-service neighborhood library facility would require 20-21 off-street parking spaces. The average size of the property on which a full-service neighborhood library sits is between 15,000 and 25,000 square feet. Thus, in almost every case, in order to accommodate 22,000 square feet of gross floor area and 20 parking spaces, the Library must either construct

underground parking, in limited site area and at significant cost, or seek a variance from the Board of Zoning Adjustment.

Finally, the burden associated with variance relief, having to meet the tests for uniqueness and serious practical difficulty, is significant, onerous, and often unwarranted in the case of government facilities. Most branch libraries are located in the midst of highly developed neighborhoods. That makes them convenient to residences and schools. Unfortunately, it also makes it generally impossible to expand the land area for a new facility. It seems that obtaining a determination from the Board of Zoning Adjustment that there is no adverse impact on surrounding properties or to the integrity of the Zoning Regulations and Zone Plan is sufficient to protect surrounding property owners and the citizens of the District of Columbia, and that there is neither a need nor a public benefit to analyze public facilities under the requirements for a variance. Nearly all libraries are similarly situated, on limited land area and with nearly identical program requirements—therefore, they are unique as compared to other land uses, but similarly situated when viewed as a distinct group, making the first prong of the variance test difficult to satisfy in most cases.

C. Proposed Text Amendments

The Zoning Text Amendments proposed in this Petition provide special regulatory controls and flexibility for library facilities on government-owned property. The proposed amendments are as follows, together with commentary in italics after each:

A. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, § 402, Floor Area Ratio (R), is amended by inserting a new subsection as follows:

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 ratio is approved by the Board of Zoning Adjustment, pursuant to § 3104.1

Comment: Although the R-1, R-2, R-3, and R-4 Zone Districts do not prescribe a maximum floor area ratio, the effect of restrictions on lot occupancy (40%) and maximum height in terms of stories (3) combine to limit the floor area ratio for all structures other than a church, public school, or public recreation and community center to 1.2 FAR. Churches and public schools are permitted 60% lot occupancy, which allows an effective FAR of 1.8. The public libraries currently in development by the Library are generally 22,000 square feet and are on properties between 9,000 and 29,000 square feet in land area. Thus, the Library submits that an effective FAR of between 1.8 and 2.0 FAR should be sufficient to permit most of its structures as a matter of right, and that such structures will not adversely impact surrounding properties, as they will be similar in bulk to other similar institutional uses, namely, churches and public schools.

B. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, § 403, Percentage of Lot Occupancy (R), is amended by inserting a new subsection as follows:

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.

Comment: This proposed amendment would allow an increase in the maximum permitted lot occupancy by special exception. Review by special exception ensures that there is no adverse impact to the surrounding properties or to the integrity of the Zoning Regulations or Zone Plan, and involves a significant public hearing process. The Library submits that variance relief is difficult to obtain because many libraries are similarly situated and therefore cannot meet the first requirement for variance relief under 11 DCMR § 3103.2. In order to provide flexibility without the onerous requirements of filing for variance relief, a special exception is an appropriate mechanism to review, on a case-by-case basis, requests for increase in lot occupancy above that which is currently permitted for a library. In the alternative, the Library proposes that full-service neighborhood libraries have their own lot occupancy, as is the case with churches and public schools, and be entitled to up to 80% lot occupancy in the R-1 through R-5-A Zone Districts.

C. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA AND DENSITY REGULATIONS, § 404.3 is amended 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.

Comment: Public schools and recreation centers are currently allowed to omit rear lot lines where they abut a public reservation of land or open space. In the case of the Francis A. Gregory Public Library, which backs to and abuts park land, it is similarly appropriate to omit rear yard, as the rear yard will remain as open space, presumably in perpetuity.

D. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA AND DENSITY REGULATIONS, § 405, Side Yards (R), is amended by inserting a new subsection 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 on one (1) or more side lot lines a public open space, recreation area, or reservation, the required side yards may be reduced or omitted.

Comment: See Comment to Paragraph C above.

E. Chapter 21, OFF-STREET PARKING REQUIREMENTS, § 2104 is repealed.

Comment: See Comment to Paragraph F below.

F. Chapter 21, OFF-STREET PARKING REQUIREMENTS, § 2108, Reduction of Parking Spaces, Authority of the Board, is amended by inserting a new subsection and renumbering all subsequent subsections as follows:

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, subject to § 3104.1.

~~2108.3-4~~ The Board shall give consideration to the:

- (a) Nature and location of the structure;
- (b) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;
- (c) Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood;
- (d) Quantity of existing public, commercial, or private parking ~~other than curb parking~~, on the property or in the neighborhood that can reasonably be expected to be available when the building or structure is in use; and
- (e) Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area or a ride-sharing program approved by the D.C. Department of Transportation.

~~2108.45~~ If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.

~~2108.56~~ Prior to taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

Comment: The Zoning Regulations currently allow the reduction, by the Board of Zoning Adjustment, for libraries located within one-half mile of a Metrorail Station. This proposed amendment seeks to repeal that provision, in Section 2104.2, and replace it with a new provision in Section 2108 which would allow the reduction or elimination of parking spaces by the Board of Zoning Adjustment, pursuant to § 3104.1, concurrent with the standards enumerated in the existing provisions of § 2108, such as consideration of the nature of the building, availability of parking in the surrounding area, and the amount of traffic congestion in the particular area. As discussed above, neighborhood libraries are designed to serve the neighborhoods in which they are located, and are distributed throughout the District of Columbia in order to facilitate convenient access to all residents. In most cases, it is inappropriate to provide 20 spaces or more for a neighborhood-serving use.

D. Public benefits of the proposed text amendments

There are clear public benefits from the proposed text amendments. By eliminating the need to address the variance tests of uniqueness and serious practical difficulty, the text amendment implicitly recognizes a hard fact which governs site selection and design for public facilities, especially for the library modernization project – that the choice of a site for a new library is largely controlled by the location of existing facilities, and the design is largely driven by a relatively uniform program. Practically speaking, in a city as densely developed as ours, large tracts of vacant land are at a premium, especially those located convenient to neighborhood centers, schools and public transportation, as is the case for most current library sites. The library generally must redevelop in the existing location, and, as is pointed out earlier in this application, since the new library facilities are larger, but the sites are the same size as the old libraries, that generally requires relief from a number of area requirements.

The proposed approach saves time and energy for the Library and the Board of Zoning Adjustment, by avoiding the need to deal with the variance tests, but it still provides a review of any adverse impacts on neighboring property or on the integrity of the Zone Plan or Zoning Regulations that might be caused by the zoning relief sought.

Moreover, it also allows the architects to adopt the most innovative new sustainability provisions, such as canopies over what would otherwise be required yards, or courts or other design techniques to bring in more natural light or to reduce regrading and soil disturbance and minimize stormwater runoff. The public benefits from more sustainable approaches and a reduced carbon footprint.

III. SPECIAL EXCEPTION RELIEF

A. Relief Sought

This application seeks special exceptions allowing an increase in the maximum permitted lot occupancy (pursuant to proposed 11 DCMR § 403.4) and approving the elimination of all off-street parking spaces (pursuant to proposed 11 DCMR § 2108.3).

B. Special Exception Criteria

The Board is authorized to grant a special exception where it finds:

- (1) The proposed use is in harmony with the general purpose and intent of the Zoning Regulations and Zone Maps; and
- (2) The proposed use is not likely to adversely affect the use of neighboring property

The Proposed Use is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zone Maps. The R-5-A zone description in the Zoning Regulations specifically recognizes that: “The R-5 Districts shall also permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts.” The proposed text amendment, pursuant to which this relief is sought, recognizes that libraries, as is the case with similar public facilities such as libraries, recreation facilities and community centers should be

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accorded greater flexibility than residential structures in terms of area requirements. The relief sought is definitely consistent with the purpose and intent of the Zoning Regulations and the Zone Map in this respect.

A library facility has occupied the site for almost fifty years. The site is not being enlarged, but the footprint of the building is being increased relatively modestly, but the scale and character of the new building remain appropriate to its context. The proposed development will continue the library use on the Property, but with enhanced and updated library services at the Francis A. Gregory Library branch, consistent with other neighborhood libraries in Ward 7 and Ward 8 which are currently being renovated or replaced (specifically, the Anacostia, Benning Road, and Washington Highlands branches).

Similarly, the requested relief from on-site parking requirements is in keeping with the recognition by the Zoning Regulations that branch libraries are designed to serve the neighborhoods in which they are located, and therefore are not expected to generate substantial demand for parking. Likewise, the current regulations restrict development of properties in the R-5-A Zone District to a maximum permitted lot occupancy of just 40%. The Property is only 15,300 square feet; thus, in order to accommodate 18,500 square feet of gross floor area and the required parking spaces without exceeding the maximum permitted height in the R-5-A zone (40 feet), the Library must either construct underground parking, in limited site area and at significant cost, or seek a variance from the parking regulations and the maximum permitted lot occupancy. The proposed text amendments permit the Board of Zoning Adjustment to reduce or eliminate the off-street parking requirements for public libraries, and to permit up to 75% lot occupancy.

The proposed use is not likely to adversely affect the use of neighboring property. The current library has existed on the site for almost fifty years, with no

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apparent significant adverse impacts on the neighboring property. Although the proposed development will modestly increase the existing footprint of the library, it does not propose to expand the size of the site itself. U.S. Reservation 518, in its entirety, comprises more than 18 acres. The Property, in contrast, is just 15,300 square feet—less than 2% of the larger parcel. Both side yards and the rear yard abut areas reserved for park land which is undeveloped, thus the increase in the lot occupancy will not result in a loss of light, air or privacy for any neighbors. The perceived impact of additional lot occupancy will be minimal, if not imperceptible.

No adverse impact is anticipated as a result of the reduction of off-street parking. There are only 6 regular spaces and one handicapped space in the Library's parking lot now. A recent survey of library patrons indicated that almost 40% of the patrons walked, 9% took the bus, and 6% were dropped off. Of the 55% who drove, 80% parked on the street, and only 20% used the existing off-street parking. Of those who drove, 38% rated the parking availability as "easy", 33% indicated that it was "sometimes difficult", and only 11% rated it as "usually difficult" (17% indicated they had no opinion or did not usually drive). There is ample on-street parking available (86 spaces along both sides of Alabama and a short distance on 37th Street); the low-density character of the residential development, coupled with the fact that there open space along the length of the west side of Alabama Avenue from the library north to Pennsylvania Avenue, means limited competition for off-street spaces. The houses across Alabama Avenue slightly south of the Library have their own driveways and garages, as to do the townhomes going east on 36th Street. Parking next to Anne Beers Elementary is restricted until 4 pm, but is available during the peak demand times at the Library, which are generally Monday and Wednesday evenings, and Saturday mornings and afternoons. In addition, there is a

church with its own parking lot just south of Beers Elementary, and the librarian has not observed any conflict or competition for spaces with any church events.

Finally, two major Metrobus routes run within one block of the Property, along 37th Street and Pennsylvania Avenue, providing access to transit for patrons traveling to the library from outside the immediate area. In addition, it is expected that demand for auto access is relatively low, given that the Far Northeast/Far Southeast area greatly exceeds the city-wide norm for percentage of population under 18, and is slightly higher than the city-wide norm for percentage of population over 65. Last, the presence of the large elementary school next door facilitates easy pedestrian access by children.

CONCLUSION

In summary, the proposed map amendment, classifying this site as R-5-A, is consistent with the public welfare purpose of the Zoning Regulations, and with both the Future Land Use Map and the text of the Comprehensive Plan. The proposed text amendment is consistent with those existing provisions of the Regulations which recognize the need for, and public benefit of, permitting different standards for institutional buildings in residential zones, and it relieves the burden on the government to meet the variance tests when attempting to increase the program size on land which cannot be expanded. At the same time, the text amendment provides for a thorough review to protect against adverse impacts on neighboring property or the integrity of the Zoning Regulations or Zone Plan. Last, the requested relief from the lot occupancy requirements can be provided without an adverse impact due to the relatively modest increase, the presence of park land on three sides, the fact that the size of the site is not being increased and the scale of the building remains in character with the context. The

parking relief can be granted without adverse impact on neighboring property because the amount of off-street parking is very limited now with no apparent adverse impact, just slightly more than half of the Library's patrons come by automobile, with a sizable number of walkers, and there is substantial availability of on-street parking.