

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Brandice Elliott, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: May 24, 2019

SUBJECT: BZA Case 20024 (3950 37th Street, N.W.) to permit improvements to an existing public park.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variance relief:

- Minimum Parking Number Requirements, Subtitle C § 703, pursuant to Subtitle X § 900 (3 parking spaces required; 0 parking spaces existing; 0 parking spaces proposed).

II. LOCATION AND SITE DESCRIPTION

Address	3950 37 th Street, N.W.
Applicant	Cozen O'Connor for D.C. Department of General Services
Legal Description	Square 1905, Lot 802
Ward, ANC	Ward 3, ANC 3F
Zone	The R-1-B zone is intended to provide for areas predominantly developed with detached houses on moderately sized lots. Public parks are permitted in this zone.
Historic District	None
Lot Characteristics	The irregular-shaped lot is 191,668 square feet in area. The lot has approximately 600-feet of frontage along 37 th Street, 200-feet of frontage along Quebec Street, and 338-feet of frontage along Idaho Avenue.
Existing Development	The property is currently developed with tennis courts and a soccer field.
Adjacent Properties	To the north is Hearst Elementary School. To the south, across Quebec Street, are detached dwellings. To the east, across Idaho Avenue, are detached dwellings. To the west, across 37 th Street, is Sidwell Friends School.
Surrounding Neighborhood Character	The surrounding neighborhood character is low density residential, consisting predominantly of detached dwellings. The site approximately 550-feet from Wisconsin Avenue, a high transit corridor.

<p>Proposed Development</p>	<p>The applicant proposes to improve an existing public park, including the addition of an outdoor swimming pool and two-story, 5,749 square foot pool house. The existing tennis court would be renovated, and a grass soccer field would be added. Concrete park pathways would be replaced, and existing heritage Willow Oak trees would be preserved. All of these uses are permitted by-right.</p> <p>The applicant has requested relief from minimum parking requirements, providing no parking spaces where three are required.</p>
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III. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief from Subtitle C § 703, Minimum Parking Number Requirements

703.2 *The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant’s demonstration of at least one (1) of the following:*

(a) Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;

The property exhibits unique features that make the provision of required parking spaces impractical. There are no existing curb cuts on the property and no existing means for vehicular ingress/egress. The provision of a curb cut would increase potential for conflicts between pedestrians and vehicles, creating an adverse situation adjacent to a public park.

The property exhibits significant grade changes along 37th Street and Quebec Street, resulting in a condition where the park is approximately 15-20 feet below street level along the western and southern lot lines. This condition makes it practically difficult to provide access along these frontages. Due to the grade, a Material Lift would be located south of the pool house, enabling trash and material to be brought to the street level on Quebec Street.

The property boundary features mature landscaping, including heritage Willow Oak trees, which are required to be preserved. An uninterrupted line of vegetation exists along the south and west property lines. Idaho Avenue is also lined with a row of large trees that will be preserved. Vehicular access cannot be gained from the northern property line as it is landlocked by Hearst Elementary School.

The provision of parking would disrupt park programming, as most of the lot would consist of a pool house, pool, tennis courts, and soccer field. In addition, the walking path that surrounds the property would be negatively impacted with the inclusion of parking spaces, as it would create points of conflict between pedestrians and vehicles.

(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;

The public park is well-served by mass transit and bicycle facilities. The site is approximately ½ mile

from Van Ness Metro Station and approximately $\frac{3}{4}$ mile from Cleveland Park Metro Station. The site is served by a bus stop approximately one block from the property at Porter Street and Idaho Avenue for lines H3 and H4. There are also several bus lines on Wisconsin Avenue, including the 30N, 30S, 31, 33, 37, 96, H3, and H4.

The closest bikeshare station to is approximately 500 feet from the site, at Wisconsin Avenue and Newark Street.

(c) Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;

As provided above, the site is ideally located near transportation infrastructure, including Metro, bus, and bikeshare stations, which minimizes the need for the required parking spaces. In addition, the public park is intended to serve residents of the surrounding neighborhood, which should result in less driving to the site.

(d) Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;

Hearst Park is a neighborhood serving park, and as a result, vehicular traffic to the site is expected to be minimal. Therefore, the amount of traffic congestion should not significantly increase.

(e) The nature of the use or structure or the number of residents, employees, guests, customers, or clients who would reasonably be expected to use the proposed building or structure at one time would generate demand for less parking than the minimum parking standards;

The public park is intended to serve the community. It is anticipated that visitors to the park would live nearby and would be able to walk or use public transportation to get to the facility. The proposal includes the construction of a new pool and pool house; the pool house would be accessory to the pool and would not accommodate any other uses. As a result, the pool house would not generate additional demand for parking.

(f) All or a significant proportion of dwelling units are dedicated as affordable housing units;

The proposed park improvements do not include dwellings units, so this provision does not apply.

(g) Quantity of existing public, commercial, or private parking, other than on-street parking, on the property or in the neighborhood, that can reasonably be expected to be available when the building or structure is in use;

Given that the public park is centrally located in a residential community, there is no parking available other than on-street parking.

(h) The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:

(1) A curb cut permit for the property has been denied by the District Department of Transportation; or

- (2) *Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR;*

The subject property does not have access to an open public alley.

- (i) The presence of healthy and mature canopy trees on or directly adjacent to the property;*
or

The property has large, healthy canopy trees along all street frontages. Many of the trees are heritage Willow Oak trees and cannot be removed. The removal of trees from a public park would be incompatible with the outdoor recreation uses.

- (j) The nature or location of a historic resource precludes the provision of parking spaces; or providing the required parking would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the historic resource.*

The subject site does not consist of a historic resource, so this provision does not apply.

703.3 Any reduction in the required number of parking spaces shall be only for the amount that the applicant is physically unable to provide, and shall be proportionate to the reduction in parking demand demonstrated by the applicant.

In this case, the applicant has demonstrated that the lack of access to the site results in the need for relief for all required parking spaces. The property lacks curb cuts, is ringed by mature landscaping, including some heritage Willow Oak trees, and has a significant grade along street frontages that makes it practically difficult to provide access. The applicant has further provided that the nature of the park use, its central location to the surrounding community, and public transportation options reduces the parking demand for the site.

703.4 Any request for a reduction in the minimum required parking shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval.

The applicant has provided a transportation demand management to DDOT for review. A Curbside Management Plan has been provided at Exhibit 27E and offers the following mitigations for the proposal:

1. A total of 21 short term bicycle parking spaces would be provided, which is 15 spaces more than required by the Zoning Regulations.
2. Wayfinding signage would be incorporated into the site, directing pedestrians to the two nearest Metro Stations.
3. There would be no deliveries or trash pick-up during school drop-off or pick-up hours to limit the impact on school drop-off and the surrounding neighborhood.

4. Trash collection would occur along the southern frontage of the pool house along Quebec Street. Smaller deliveries would use on-street parking along 37th Street or Quebec Street.
5. Trucks using the Material Lift at the south side of the pool house would not be able to idle and would be required to follow all District guidelines for heavy vehicle operations.

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The Zoning Regulations intend for public parks to be located within residential communities so that residents may easily access them. The Department of Parks and Recreation is actively working to identify and upgrade existing neighborhood parks to ensure that swimming pools are accessible to every neighborhood. Given the localized nature of the park and the intent that it be used by residents in the surrounding community, the lack of parking for the site is in harmony with the general purpose and intent of the Zoning Regulations.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The provision of no parking spaces where three are required should not adversely affect the use of neighboring property. It is anticipated that the public park would be visited mostly by residents in the surrounding neighborhood that would walk or take public transportation to the site. The site is easily accessed via public transportation and is close to bikeshare stations. A total of 21 bicycle parking spaces would be provided throughout the site, where only six are required. In addition, two-hour street parking is available predominantly on Idaho Avenue, Quebec Street and 37th Street.

IV. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this writing, comments from other District Agencies had not been submitted to the record.

V. COMMUNITY COMMENTS TO DATE

At its regularly scheduled meeting on May 21, 2019, ANC3F voted unanimously to support the requested relief (Exhibit 29). Additional community comments have not been provided to the record.

Attachment: Location Map

Location Map

