

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- September 13, 1972

Application No. 11184 Margaret R. Castle, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried with Mr. Scrivener abstaining and Mr. Mackey absent, the following Order of the Board was entered at the meeting of November 1, 1972.

ORDERED:

That the application for permission to establish a private school of 200 students and 18 teachers at 2200 S Street, N. W., lots 44 and 45, Square 2517 be DENIED.

FINDINGS OF FACT:

1. This was a contested application for a special exception under Section 3101.42 of the Zoning Regulations to utilize the property at 2200 S Street, N. W., as a private high school with a maximum limitation of two hundred students and 32 staff, including 18 full-time teachers, nine part-time teachers, and five administrative and custodial employees.

2. The subject property is located in an R-1-B District. It is made up of lots 44 and 45 on Square 2517 at 2200 S Street, N.W., consisting of approximately 19,500 square feet. It is bounded on the north by S Street and on the south by Decatur Place. The eastern boundary of the property is 22nd Street, which, due to a change in grade, dead-ends between Decatur Place and S Street. Immediately to the east of 22nd Street is a single-family residence owned by Ambassador George W. Renchard. The property abutting the western boundary of the property is owned and occupied by the Royal Laotian Chancery. To the north of S Street in front of the property is a lot formerly occupied by the Holton Arms School, on which stands the Holton Arms Gymnasium, which is in a state of disuse. Adjacent to that property is Mitchell Park, a public playground. To the rear of the property on Decatur Place are single-family residences.

3. Decatur Place is a one-way street to the east, intersecting with Massachusetts and Florida Avenues. Parking is permitted on both sides of Decatur Place. S Street is a two-way street intersecting with Massachusetts Avenue, Florida Avenue, and Connecticut Avenue. Parking is permitted on only one side of S Street. Massachusetts and Connecticut Avenues are major traffic arteries. Situated on the property is a four story building with a full basement which occupies approximately 2,800 Square feet of the land, leaving as open space 16,700 square feet. The building has a gross floor area of 13,600 square feet. Although it has been unoccupied for some time, the building was constructed prior to

1930 and since then has been used as a single-family dwelling.

4. The subject house was designed and has always been occupied only as a single-family detached residence. It has never been used for any school or other institutional use. This house is located in an area of existing single-family homes and embassy residences.

5. Permission to convert this single-family residence to institutional school use would result in approximately 220 more people using it daily than use an average single-family dwelling. There are no apartments or stores or any other commercial uses nearer than California Street or Florida Avenue.

6. The applicant, Georgetown Day School, Inc., is the oldest private integrated school in the District of Columbia. The school presently consists of a lower school, for grades one through eight, located at 4530 MacArthur Boulevard, and a high school, which has been housed on the campus of the Mount Vernon Junior College for the past two years under a lease agreement. Since the high school has been housed at Mount Vernon Junior College, the students have complied with all of the requirements of the Mount Vernon Junior College, including restrictions on driving and the use of the athletic fields. There have been no complaints from the school or area residents regarding their behavior.

7. The hours of operation for the school would be from 8:45 in the mornings until 4:00 in the afternoons, Monday through Friday. Infrequent deliveries would be made to the school, and very few meetings would be held in the evenings, generally no more than three during the year. The school does not plan to have a cafeteria, and the students will either bring their lunches from home and eat on the premises, or at nearby restaurants. Lunch hours would be staggered from 11:00 until 2:00 with approximately fifty students eating during each period. As is their practice at the school at MacArthur Boulevard and the present location of the high school at Mount Vernon Junior College, students would be required to participate in clean-up programs as part of their training, and steps would be taken to insure that students did not litter the area.

8. The school would provide a rack for student's bicycles.

9. The school does not have an extensive organized athletic program, and no team sports would be scheduled there. To the extent that outdoor athletic facilities are needed, they will be obtained elsewhere. The school does not intend to utilize the facilities of the

Mitchell Park playground. In addition, students would be discouraged from individual use of Mitchell Park.

10. The school's plan to require students to be driven to school to be deposited before school commences at 8:45 in the morning and picked up when they are dismissed at intervals between 2:00 and 4:00 in the afternoon on Massachusetts, Connecticut and Florida Avenues, rather than being delivered to the premises, is not workable because on rainy or snowy days parents will deliver children to the school door and because no evidence was offered by the school to show that "standing" is permitted during the rush hour on these heavily traveled streets.

11. The school plans to provide an on-site underground parking facility for twenty-two parking spaces on the rear of the property. The parking facility will be constructed so that the original character of the site will not be changed. Vehicles will enter and exit the parking facility on Decatur Place through an entrance set back 20 feet off the street. It will be ventilated by two fans which will be situated on the inside of the facility. The fans are constructed and will be situated so that they will not create any additional noise or contamination in the area. An exit from the parking area will be provided to the building through a stair at the rear. The parking facility will be constructed with very little alteration in the character of the premises.

12. The plans presented by the applicant show that the only external change to the building will be the addition of a fire stair on the rear of the building, which will not change the over-all appearance of the structure. Moreover, the floor plans presented demonstrate that the building with minor modification will adequately house two hundred students and the necessary staff, providing 30 square feet of classroom space per child with 50 square feet of laboratory or workshop space per child.

13. The school's plan for controlling access to its underground parking garage will have the practical effect of causing visitors to find parking on the crowded neighboring streets rather than going by the S Street entrance to the school to pick up a key or card which causes the garage door to open and then traveling from S Street to Massachusetts Avenue back down one-way Decatur Place to enter the garage, and repeating the process when leaving by going down one-way Decatur Street to Florida Avenue, Florida Avenue to S Street to return the key or card to the school office.

Decatur Place, which is only 24 feet wide, six feet narrower than S Street, is one way east, with only one lane of traffic, as parking is permitted on both sides of the street, much of it restricted to diplomatic parking only.

14. Mr. Richard W. Israel, an expert in real estate values, testified on behalf of the applicant that by permitting the property to be used as a school, it would have a favorable impact on the values of property in the area which had increased at the same rate as comparable neighborhoods of similar economic levels in the District of Columbia.

15. There is overwhelming opposition of adjoining and nearby property owners as evidenced by persons present in opposition, letters and petitions in this record.

OPINION:

The continuing single-family character of this neighborhood is the result of a sustained citizen effort over many years to protect the residential character of the neighborhood. In 1959 William R. Castle, the now-deceased owner of this single-family home, in Castle and FitzGerald v. McLaughlin (270 F. 2d 448), successfully contested R-3 row house zoning of his property with the result that the R-1-B single-family detached zoning was retained on the premises.

Other pertinent BZA orders denying relevant applications in the Sheridan-Kalorama neighborhood are Nos. 3939, 3712, 5340, 8858, 3707 and 7160.

There are already eight schools in the Sheridan-Kalorama neighborhood with between 850 and 950 students attending daily. These schools already add to traffic congestion, parking problems, noise and litter.

In the instant case the Board considers that converting this single-family residence to a school for 232 full and part-time students and teachers and a parking lot for 22 cars will, because of the large-scale operation -- much larger than any chancery in the area -- together with the existence in the neighborhood of eight schools with 850-950 students, be far more objectionable to the surrounding single-family residential neighborhood than any previous conversion to chancery use or school use in this area.

In the Chancery Act of 1964 Congress recognized the detriment to single-family residential neighborhoods caused by converting homes to chancery offices. A year earlier the

BZA had anticipated this action of Congress by holding in Case No. 7160 concerning 1829 Phelps Place that ". . . the Sheridan-Kalorama area is saturated with more than its fair share of chanceries and other offices uses which are immune to compliance with Municipal regulations. Unless supported by exceptional and unusual circumstances the policy of this Board in the future will be to look with displeasure upon all appeals for new chanceries locating in the Kalorama area."

The Board concludes that the Sheridan-Kalorama area is already saturated with institutional school uses.

The school's proposed underground garage opening onto Decatur Place with 22 parking places does not meet the minimum requirements of Zoning Regulation 7202 because the school has limited the number of parking places to one for each 20 classroom seats (totalling 10 for 200 classroom seats) and two for each three (full-time) teachers totalling 12 for a (full-time) faculty of 18. The Board finds that the school must also include in the computation of its minimum parking requirements the nine part-time teachers which the school utilizes in computing its student-teacher ratio of less than 9 to 1, and the four administrative and one custodial employees of the school.

The proposed underground parking garage, because of its capacity for 22 cars with a 20-foot tunnel-like entrance and a garage gate or door threatening noisy operation, with teachers' cars lined up waiting to get access to the garage in the morning and blowers to exhaust the fumes from the garage, all contribute to a situation that would be objectionable to Decatur Place residents of the area.

The National Capitol Planning Commissions Comprehensive Plan specifies for this site and the whole Sheridan-Kalorama area the lowest residential density. The school's proposal would permit 232 full and part-time students and employees to be situated on well under a half-acre and would not be consistent with the Comprehensive Plan.

The noise of 200 teen-age high school students arriving before 8:45 in the morning, free to leave the school for the noon hour, and having no adequate school playground, leaving at different times in the afternoon, and the noise of cars transporting them and the 32 full and part-time staff members, of vehicles providing transportation to exhibitions, and other special events and sports, of trucks making deliveries and picking up trash, is obviously much greater than that of one family occupying this less than one-half acre location.

This, together with the noise of pile driving and other construction of the underground garage would be objectionable to the adjoining and nearby single-family residential property owners.

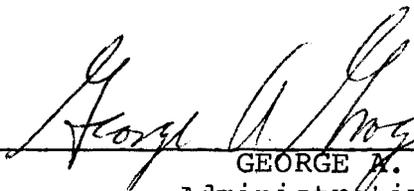
Though a school of this size can be expected to generate a considerable quantity of paper trash, the school's proposed plan did not give thought to the problem of trash pick-up, a situation which is likely to have an objectionable effect on adjoining and nearby property.

The Board considers that the conversion of this single-family residence on a less-than-half-acre lot in an R-1-B zone for single-family residences only to institutional school use with 232 full and part-time students and teachers would have the likely effect of causing adjoining and nearby property to have a lower market value than such properties would otherwise have if the property is continued in use as a single-family residence.

The application of the Georgetown Day School to convert the single-family residence at 2200 S Street in an R-1-B single-family detached residence zone to a high school for 200 students and 32 full and part-time staff, in view of the fact that the burden is on the applicant and the granting of a special exception a privilege and not a right, must be and hereby is denied because conversion of this residence to an institutional school use of this size is likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students; or disruption of the stability of the area or impairment of a suitable environment for family life.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 

GEORGE A. GROGAN
Administrative Officer

11-17-72