ORIGINAL

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

Father Flanagan's Boys Town of Washington
4801 Sargent Road, N.E., Washington, D.C.
ANC 5A

BZA Application No. 16531
Public Hearing: January 19, 2000

'00 JAN -5 P2:06
OFFICE OF ZONING
DISTRICT OF COLUMBIA

STATEMENT OF THE APPLICANT

I.
Nature Of Relief Sought

Father Flanagan's Boys Town of Washington ("Boys Town") requests special exception approval from the District of Columbia Board of Zoning Adjustment ("BZA") for the construction of four youth residential care homes, each housing up to six neglected and abused children and for the renovation and/or addition of an administration building pursuant to Section 303 of the District of Columbia Zoning Regulations.

II.
Background

A. Boys Town USA

Boys Town USA is a network of non-profit, non-sectarian, residential programs operating in nine states nation-wide. Boys Town USA is the family and community-based extension of Father Flanagan's Boys Town, founded in 1917 in Omaha, Nebraska to help troubled boys. The program was expanded in 1979 to admit girls. The Nebraska campus is the "home campus". Boys Town USA is the satellite program. The long-term residential component of Boys Town USA is designed to help abused and neglected children put their lives back together again through a program of responsibility, nurturing and love.

Board of Zoning Adjustment
District of Columbia
CASE NO.16531
EXHIBIT NO.23

#23

Father Flanagan's philosophy – that there are no bad boys, just bad environment – is the core of the Boys Town long-term residential program. Accordingly, Boys Town commits substantial financial and staff resources towards the creation of a structured, secure, home-like atmosphere to facilitate a change in the thinking, life style and behavior of youths of both sexes. Almost all of the children in Boys Town programs are from dysfunctional families and have experienced significant emotional traumas. Individualized treatment, designed to change behavior by teaching appropriate skills, is provided in a family-style setting.

B. Previous Zoning Approvals

The Subject Property is located at 4801 Sargent Road, N.E. (Lot 811, Square 3977) and is currently improved with two existing main buildings and two ancillary structures (a carport and an enclosed pool). It was, until 1992, the site of St. Gertrude's School and Development Center, a 24-hour care and educational facility for up to 50 mentally and emotionally handicapped children.

St. Gertrude's had been in existence on the subject property for almost 65 years and had been the subject of two BZA applications for improvements and expansion (BZA Application Nos. 9208 and 12530). St. Gertrude's discontinued its operations at the end of the 1992-1993 school year, and the subject property was purchased by Boys Town, USA, to be operated by its subsidiary organization, Father Flanagan's Boys Town of Washington.

On June 2, 1993, the Board issued Order No. 15805 granting special exception relief for Boys Town to establish Father Flanagan's Boys' Home of Washington, a long-term youth residential care home for 15 persons and an emergency youth shelter for 20 persons.

III.
Description of the Property and Surrounding Area

A. Subject Property

The Subject Property is located at 4801 Sargent Road, N.E. (Lot 811, Square 3977). It is in the R-2 Zone District and consists of approximately 526,310 square feet (12.1 acres) of land. The Subject Property is currently improved with two existing main buildings and two ancillary structures (a carport and an enclosed pool). It is presently the site of the Boys Town's Washington D.C. program. This program incorporates a long-term youth residential care home for 15 abused and neglected children, aged 12 to 17 years, with the average length of stay at this facility approximately 16 to 18 months. Additionally, Boys Town also operates a short-term residential care home on the property, which is defined in the Zoning Regulations as an emergency shelter, for up to 20 abused and neglected children, aged 12 to 17 years. Both uses are properly licensed and staffed with full-time, 24-hour attendants. Boys Town has sufficient full-time equivalent staff persons on the subject site in order to attend to the physical, psychological and social needs of the children. The surrounding area is characterized by low density residential development and institutional uses.

B. Zoning of the Site

The site is in the R-2 Zone District. The R-2 Zone District is a low density residential zone which also permits youth residential care homes as a matter-of-right for up to eight persons. Larger homes are permitted with approval by the District of Columbia Board of Zoning Adjustment as a special exception subject to certain conditions (11 DCMR §303). Current zoning on the Subject Property could, theoretically, accommodate 175 semi-detached houses.

IV.
Proposed Use

Boys Town proposes to add four residential houses (youth residential care homes), six children per house, to its campus. The proposed use continues a use that is in existence on the Subject Property and fills a need in the District's foster care program. The long-term residential component of Boys Town USA is designed to help abused and neglected children put their lives back together again through a program of responsibility, nurturing and love. The District of Columbia government's statistics demonstrate that approximately 65% of children who enter foster care in the District do so for reasons associated with abuse and neglect and that there is a substantial need for quality, private-sector programs to respond to the needs of abused and neglected children.

Boys and girls who want help and who are functioning in the normal range of intelligence will be eligible. Referrals will be taken from government agencies, including the Department of Human Services; therapists; parents and concerned relatives and school personnel. The average age of admission is expected to be 14 years. The expected length of stay is at least 18 months.

Upon admission into the long-term program, Boys Town's rules are explained and an individualized treatment program will be designed. The ultimate treatment goal is the development of skills that will allow the child to be reunited with his or her family, if possible, or to live independently or pursue a college education at the age of 18.

The physical environment of the long-term residential facility or "family home" in the District of Columbia will mirror a middle-class home in design, décor and atmosphere. Food, clothing and other essentials will be purchased in the community in the same manner that such goods and services are purchased by other families. Meals will be prepared and consumed family-style. Housekeeping will be a family responsibility.

The primary staff in the "family home" will be a married couple, called "family teachers", who will reside in the home and function as parents. The family teachers will be assisted by full-time and part-time assistant family teachers and the site director, who will oversee the operation of the program. The staff to youth ratio for the long-term residential facility will be 1 to 2.

The children at Boys Town are closely supervised to ensure progress in their individualized treatment programs. This close supervision, made possible by the high staff-to-child ratio, militates against any adverse impact on the surrounding neighborhood due to the Boys Town's operations.

Boys Town's staff receives extensive and continuing training on appropriate and effective responses to "significant events", which include emotional crises and disruptive behavior. In the long-term residential facility, the family teachers are primarily responsible for responding to significant events.

V.
The Applicant Complies With The Requirements Of Section 303

Boys Town seeks a special exception pursuant to Section 303 to permit the construction of four youth residential care homes for up to 6 persons in each home, or, a total of 24 persons. It should be noted that Boys Town has permission to house 15 children in its current facility. This application, thus, seeks to increase this number to 24, albeit in a new configuration, that is in four individual houses while reconfiguring the existing facility to accommodate its administrative needs. The BZA is permitted to grant the relief sought if the Applicant complies with the requirements of Section 303. Boys Town complies with Section 303 as follows:

A. There is adequate, appropriately-located and screened off-street parking to provide for the needs of occupants, employees and visitors to the facilities.

B. The proposed facilities meet all applicable code and licensing requirements.

C. The facilities do not have an adverse impact on the neighborhood because of traffic, noise, operations or the number of similar facilities in the area.

D. The cumulative effect of the youth residential care homes, along with the existing emergency shelter housing 20 persons, does not adversely impact the neighborhood because of traffic, noise or operations.

The proposed uses comply with the conditions set forth in the Zoning Regulations. The residential facilities are located on a property which is in excess of 12 acres in area. This property has been utilized for 24-hour youth care for the past 70 years and is well-insulated from surrounding communities. Therefore, the small increase in population requested in this application will not have an adverse impact on the community.

This area of the District of Columbia is underserved with regard to youth programs for abused and neglected children, and alternatives to meet the District government's youth care program needs are not available. The District has a compelling need for quality, private-sector facilities that provide services for abused, neglected children. Granting the request for the special exception will allow Boys Town to provide essential social services to the youth of the District of Columbia. The expansion of the youth residential care home from 15 to 24 persons is a minor change and, indeed, will not have an adverse land use impact.

The site consists of 12 acres to be used exclusively for Boys Town programs. Therefore, any negative impact associated with intensity of use and closeness to surrounding residences is absent. No other uses will occupy a site that is the equivalent of three city blocks. The open

space and wooded areas surrounding the structures provide a natural buffer from adjacent residences. Vehicular access to the site is from Sargent Road, N.E. 41 off-street parking spaces will be located on the Subject Property.

None of the youth residents will have automobiles. If the project is approved, Boys Town will be staffed with 56-60 persons. Due to the 24-hour nature of its operation, however, no more than 30 staff persons will be on site at any given time.

Delivery vehicles will be limited to the delivery of office supplies approximately six times a year. Food, clothing and other essentials for residents of the facilities will be purchased in the community in the same way that families purchase such goods and services. Service vehicles will be limited to those of maintenance workers who will visit the site on an as-needed basis.

Visitors to the site are expected to be counselors and family members. Children in the long-term program are expected to receive an average of two such visits per month.

The approval of the construction of the additional youth residential care homes on the site will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to affect adversely the use of neighboring properties.

VI.
Witnesses

A. Constance Washington, Site Director, Father Flanagan's Boys' Home of Washington

B. Amy Weinstein, Weinstein Associates Architects, Project Architect

C. Tim Riordan, A. Morton Thomas and Associates, Inc., Civil Engineer

VII.
Points in Support of Application

In support of the discussion above, the following exhibits are submitted:

Exhibit A: Plans for the proposed youth care residential home.

Exhibit B: BZA Order No. 15805 approving the establishment of the youth residential care home and the emergency shelter.

Exhibit C: Outline of testimony of Constance Washinton, Site Director, Father Flanagan's Boys' Home of Washington.

Exhibit D: Outline of testimony of Amy Weinstein, Weinstein Associates Architects, Project Architect.

Exhibit E: Outline of testimony of Tim Riordan, A. Morton Thomas and Associates, Inc., Civil Engineer.

Exhibit F: Baist Atlas excerpt.

Exhibit G: Photographs of the proposed site.

VIII.
Conclusion

For the reasons set forth above, it is respectfully submitted that Boys Town has established that the relief may be granted in accordance with the requirements of the Zoning Regulations.

Respectfully submitted,

WILKES, ARTIS, HEDRICK & LANE, CHARTERED

By: Phil T. Feola

Martin P. Sullivan
Attorneys for Applicant

Date: January 5, 2000
173948v2

SARGENT ROAD CAMPUS

4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

BOYS TOWN USA

OWNER

BOYS TOWN USA

13603 Flanagan Blvd. , Boys Town, NE 68010

ARCHITECTS

WEINSTEIN ASSOCIATES ARCHITECTS

1743 Connecticut Ave, NW Washington, D.C. 20009

SITE CIVIL ENGINEERING

A. MORTON THOMAS AND ASSOCIATES, INC.

12750 Twinbrook Parkway, Suite 200, Rockville, MD 20852

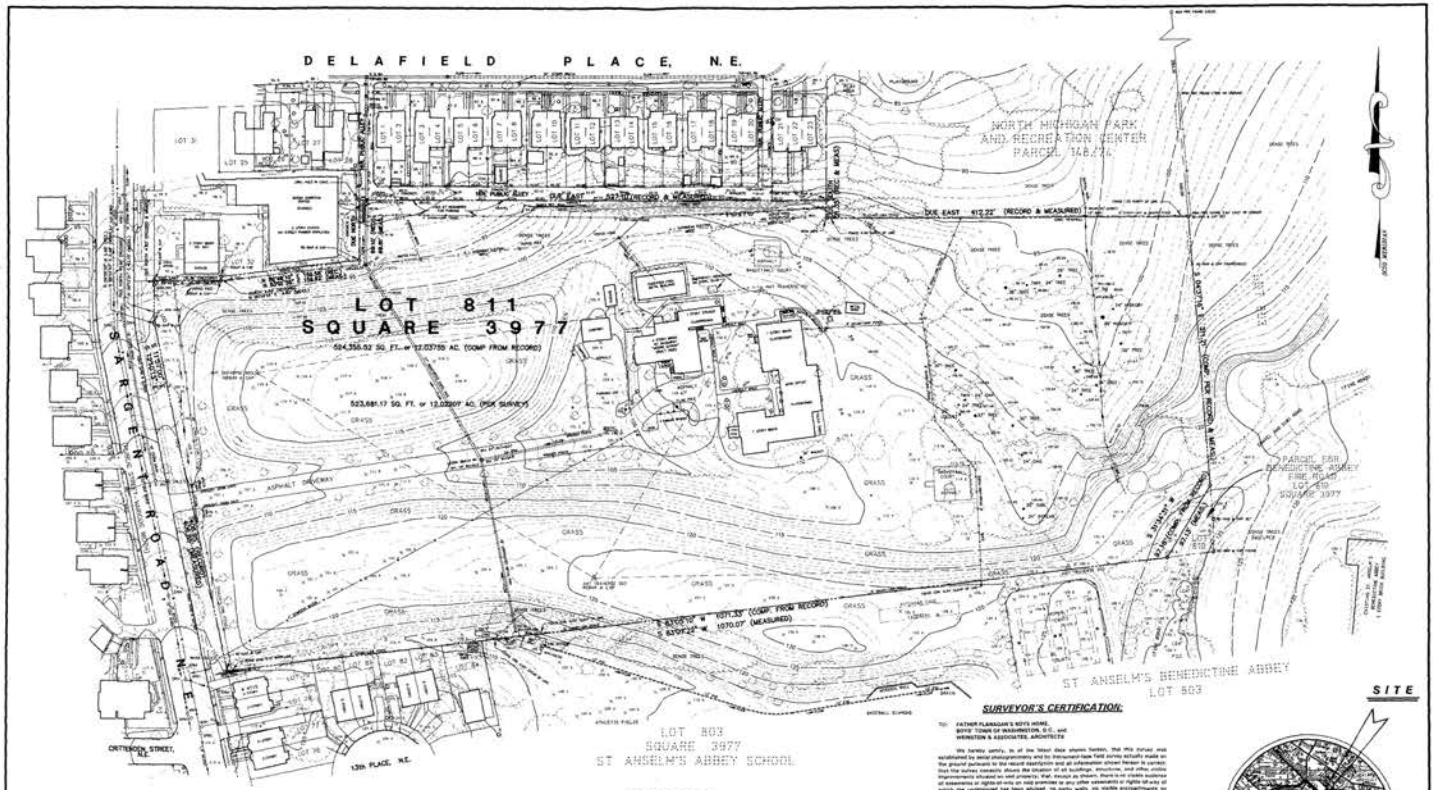
ZONING AND LAND USE ATTORNEYS

WILKES, ARTIS, HEDRICK, & LANE

1666 K. Street, Suite 1100, NW Washington, D.C. 20006

DISTRICT OF COLUMBIA
OFFICE OF ZONING
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BZA
Case No. 16531
Exhibit No. 23



GENERAL NOTES:

1. Total Area: 524,356.52 Sq. Ft. or 12.03755 Ac. (Record).
   523,681.17 Sq. Ft. or 12.02207 Ac. (Comp. from D.C. lines.)
2. Property shown among the records of the D.C. Surveyor's Office as follows:
   Subdivision Book 153 - Page 62
   Assessment and Taxation Plat 3769-2
   Assessment and Taxation Plat 3797-E
   Surveyor's Office Map No. 5281
   Surveyor's Office Map No. 5275
3. Property Zoned "R-2".
4. The property shown hereon does NOT lie within any Special Flood Hazard Area as established by the U.S. Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Maps, Community Panel No. 110019 0020 E effective date November 15, 1990.
5. Lawyers Title Insurance Corporation Commitment for Title Insurance No. 90-491625 (Rev. #2) Case No. 93-268, effective date August 17, 1993, was received, examined and relied upon in preparing this survey.
6. Property corner markers installed as shown by this survey.
7. Boundary information shown hereon was obtained from official City records, and verified in the field insofar as possible. Property line discrepancy from official records may not necessarily agree with actual occupied dimensions. All property lines in the District of Columbia are subject to change by the Office of the Surveyor, D.C.
8. Underground objects such as utilities and vaults, if any, were located from available records and verified in the field to the extent possible. Sub-surface investigation was not performed. All underground locations should be considered approximate. For marking of underground utility lines, call MISS UTILITY AT 1-800-257-7777 at least 48 hours prior to any excavation or construction.
9. Elevations shown hereon are in DC/DPW Datum.

SURVEYOR'S CERTIFICATION:

TO: FATHER FLANAGAN'S BOYS HOME,
BOYS' TOWN OF WASHINGTON, D.C., and
WEINSTEIN & ASSOCIATES, ARCHITECTS

We hereby certify, to all the listed data shown hereon, that this survey was established by aerial photogrammetry and by instrument-task field survey actually made on the ground pursuant to the record description and all information shown hereon is correct; that the survey correctly shows the location of all buildings, structures, and other visible improvements situated on said property; that, except as shown, there is no visible evidence of easements or rights-of-way on said premises or any other easements or rights-of-way of which the undersigned has been advised, no party walls, no visible encroachments on adjoining premises, streets or alleys by any of said buildings, structures or other improvements, and no visible encroachments on said property by buildings, structures or other improvements situated on adjoining premises, that said property is not in a flood zone; that said property constitutes one tax parcel except as may be shown on the survey; that the improvements are not located in any designated historical district; that there are no cemeteries known to be located, bounded and relied upon a copy of the Consultation for Title Insurance issued by Lawyers Title Insurance Corporation, Commitment No. 90-491625 (Rev. #2), Case No. 93-268, effective date August 17, 1993, and the limitations of each easement, to the extent it can be located, has been correctly reflected upon shown hereon.

We further certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA and ACSM in 1997, including Items 1, 2, 3, 4, 5, 6, 7a, 7b, 7c, 8, 10, 11, 12, and 13 of Table A thereof, and meets the Accuracy Standards of an ALTA / ACSM Urban Survey in effect on the date of this Certification.

A. WIGTON THOMAS and Associates, Inc.

SEPTEMBER 9, 1999
Date

By: [signature]
[illegible] and District of Columbia Registration No. [illegible]

SITE

VICINITY MAP.

SCALE: 1 inch = 2000 feet.

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

SYMBOLS
- ⊕ POST
- ○ IRON PIPE
- ⊙ SIGN
- ⊕ MANHOLE
- ⊕ SURVEY MARK
- ⊕ LIGHT POLE
- ⊕ UTILITY POLE

AMT
Surveyors, Cartographers and Engineers
Consultants, Engineers
1775 Thomas Jefferson Street, N.W.
Suite 400
Washington, D.C. 20007
(202) 337-8338
Fax: (202) 337-8339
E-mail: amt@amtdc.com

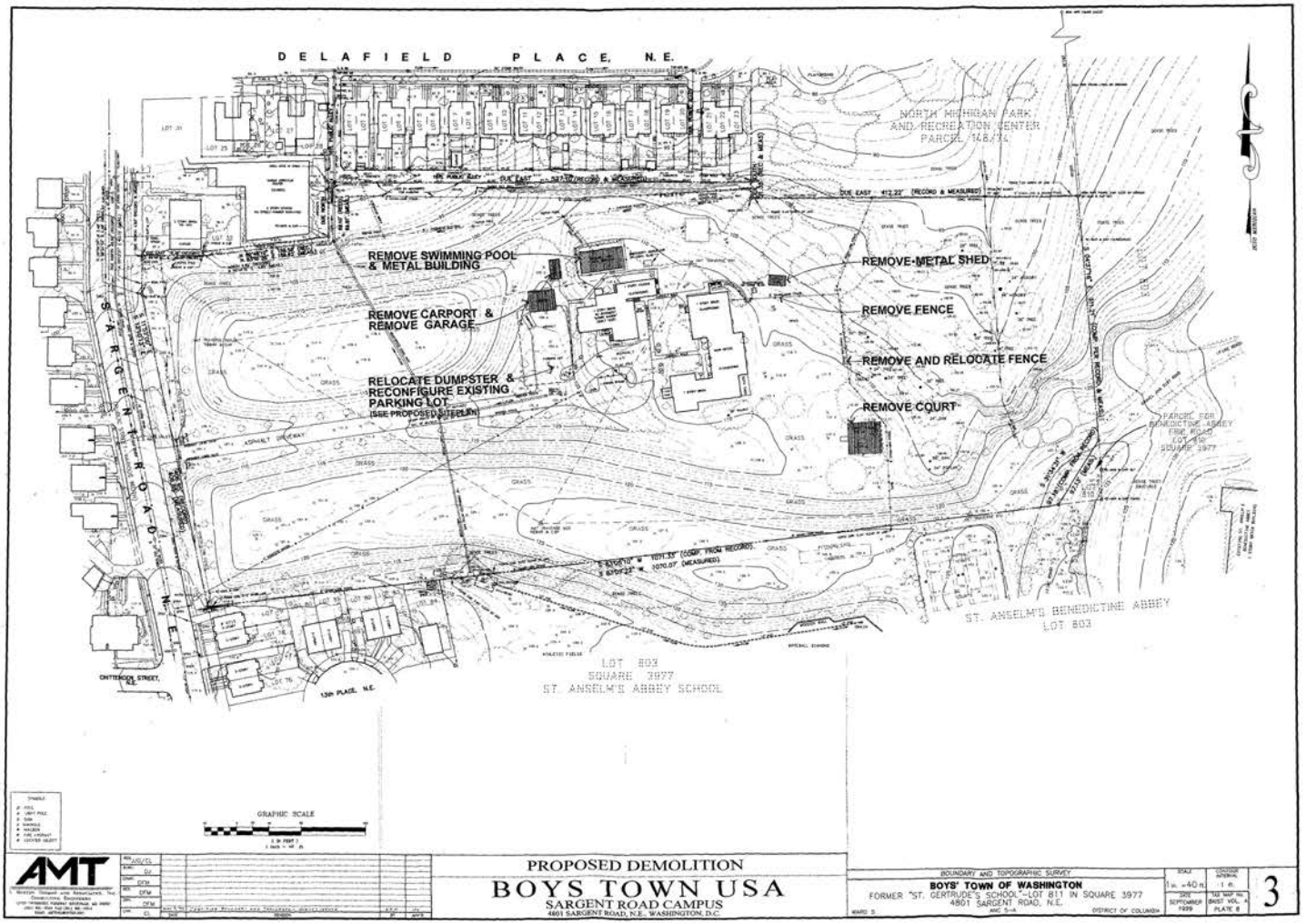
No.	Revisions	Date	By
1	Add Topo, Utilities, Trees, Buildings, Parking, Fences, Curbs, Gutters, Sidewalks, Roads, Alleys, Streets, Boundaries, Lot Lines, Property Lines, Easements, Rights-of-Way, Encroachments, Flood Zones, Zoning, Setbacks, Building Restrictions, Title Information, Legal Descriptions, Surveyor's Certification, Notes, Graphic Scale, Symbols, Vicinity Map, Site Plan, Existing Conditions, Boundary and Topographic Survey, Boys' Town of Washington, Former "St. Gertrude's School" - Lot 811 in Square 3977, 4801 Sargent Road, N.E., Ward 5, District of Columbia, Scale 1 in. = 40 ft., Contour Interval 1 ft., Date September 1999, Plat Book No. 6457 Vol. 4 Plate 8, Sheet 2	9/9/99	DFM

EXISTING CONDITIONS
BOYS TOWN USA
SARGENT ROAD CAMPUS
4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

BOUNDARY AND TOPOGRAPHIC SURVEY
BOYS' TOWN OF WASHINGTON
FORMER "ST. GERTRUDE'S SCHOOL" - LOT 811 IN SQUARE 3977
4801 SARGENT ROAD, N.E.
AND S-4
WARD 5 DISTRICT OF COLUMBIA

SCALE	CONTOUR INTERVAL
1 in. = 40 ft.	1 ft.
DATE	TAX MAP REF.
SEPTEMBER 1999	EAST VOL. 4 PLATE 8

2



AMT

PROPOSED DEMOLITION

BOYS TOWN USA

SARGENT ROAD CAMPUS

4801 SARGENT ROAD, N.E. WASHINGTON, D.C.

BOUNDARY AND TOPOGRAPHIC SURVEY

BOYS' TOWN OF WASHINGTON

FORMER "ST. GERTRUDE'S SCHOOL"-LOT 811 IN SQUARE 3977

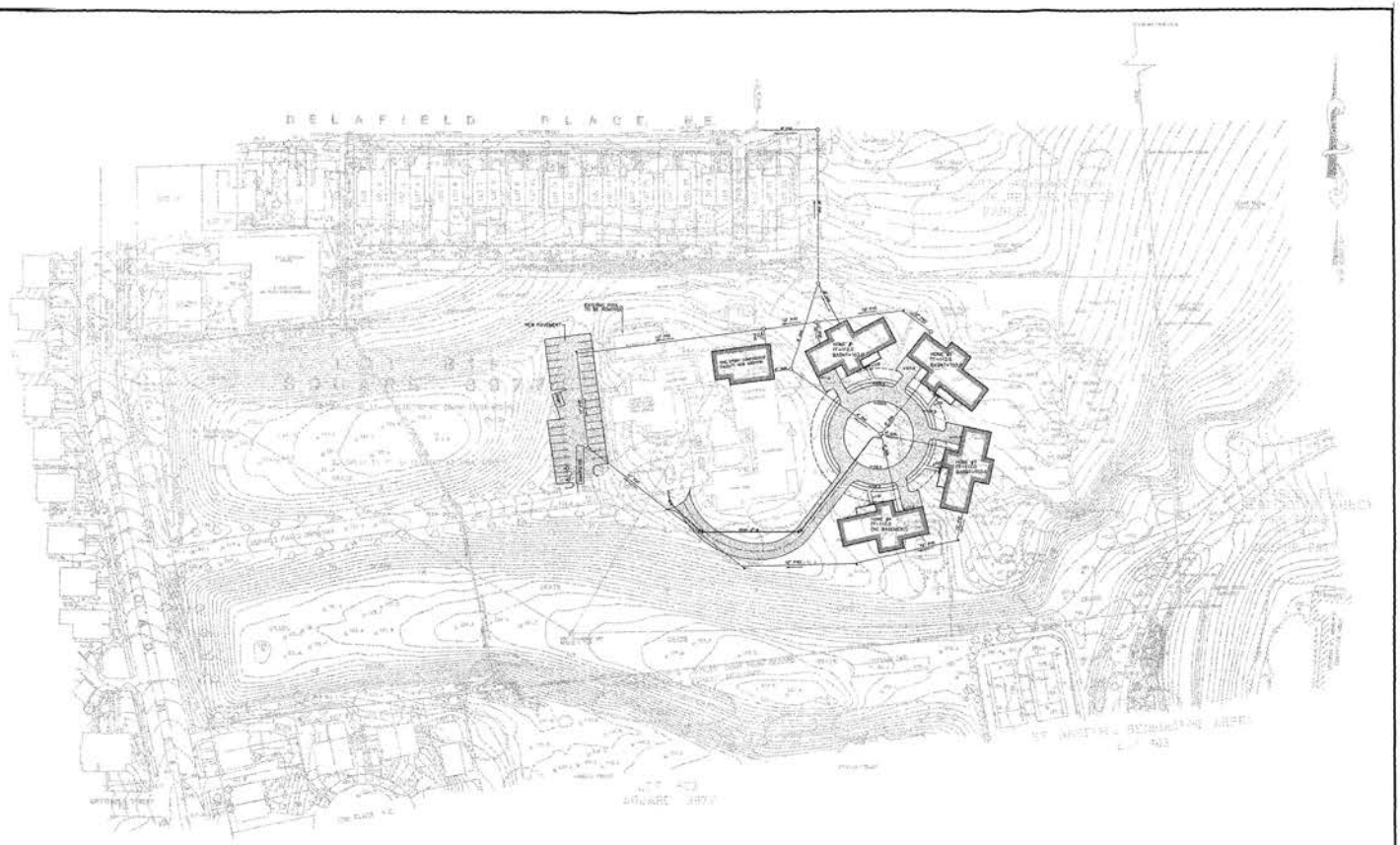
4801 SARGENT ROAD, N.E.

WARD 5 ANC 5-A DISTRICT OF COLUMBIA

SCALE 1 in. = 40 ft. | CONTOUR INTERVAL 1 ft.

DATE SEPTEMBER 1999 | TAX MAP NO. EAST VOL. A PLATE 8

3



AMT

SITE CIVIL PLAN

BOYS TOWN USA

SARGENT ROAD CAMPUS

4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

BZA SITE PLAN

BOYS' TOWN OF WASHINGTON

FORMER "ST. GERTRUDE'S SCHOOL" LOT 811 IN SQUARE 3977

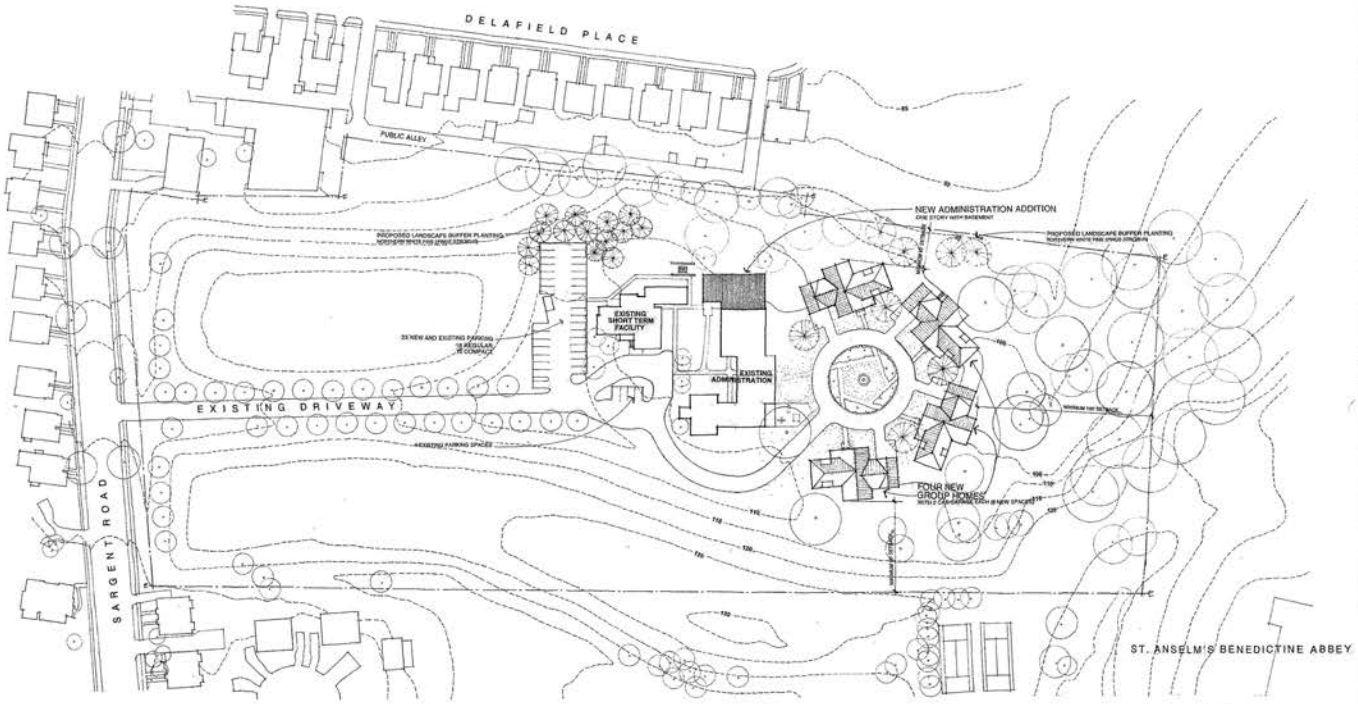
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WARD 5 ANC 5-A DISTRICT OF COLUMBIA

SCALE: 1 in. = 40 ft.

DATE: OCTOBER 1999

SHEET NO. 4



BOYS TOWN USA
SARGENT ROAD CAMPUS
4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

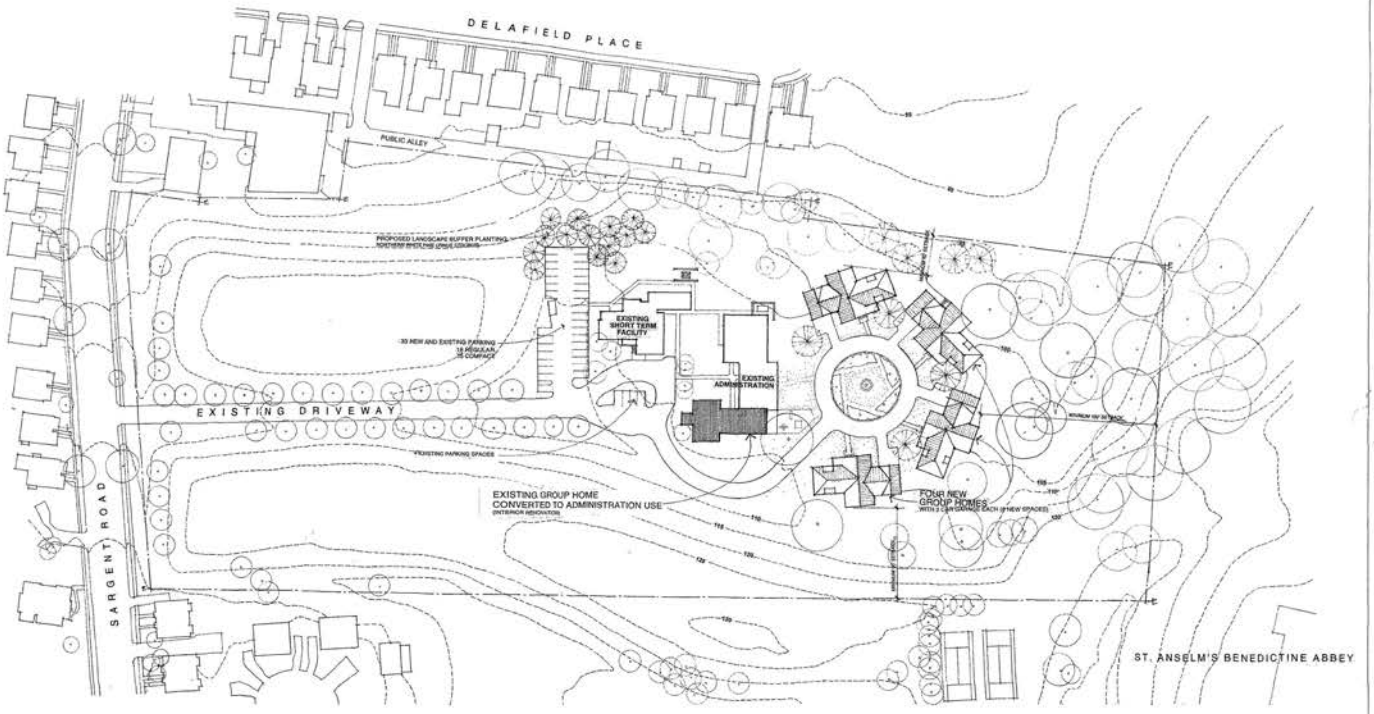
PROPOSED SITE PLAN
ALTERNATE A

WEINSTEIN ASSOCIATES ARCHITECTS
2742 CONNECTICUT AVE, NW WASHINGTON, D.C. 20008 202-232-3400
A. MORTON THOMAS AND ASSOCIATES, INC.
12750 Twinbrook Parkway, Suite 200, Rockville, MD 20852

SCALE: 1" = 40'

Date: 10/15/96
Revisions:

5



BOYS TOWN USA

SARGENT ROAD CAMPUS

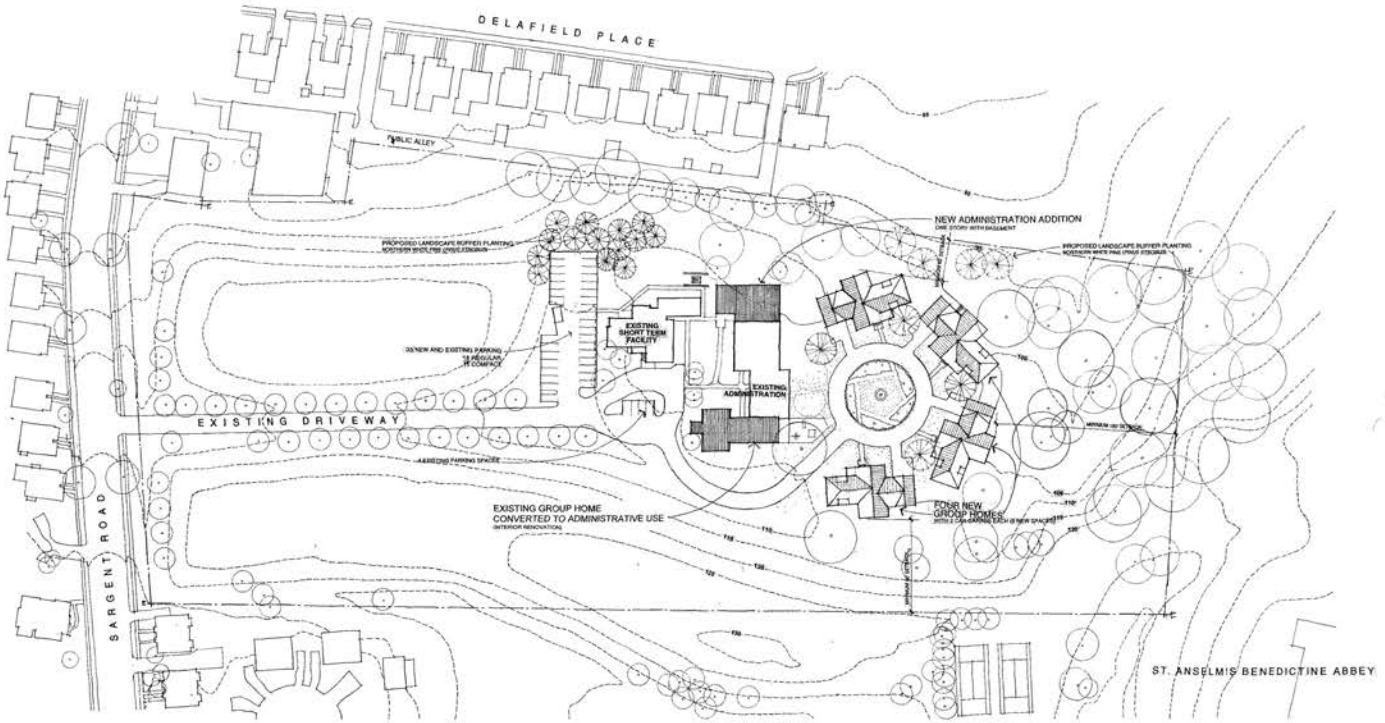
4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

PROPOSED SITE PLAN
ALTERNATE B

WEINSTEIN ASSOCIATES ARCHITECTS
1343 CONNECTICUT AVE, NW WASHINGTON, D.C. 20009 202-332-2400
A. MORTON THOMAS AND ASSOCIATES, INC.
12750 Twinbrook Parkway, Suite 200, Rockville, MD 20852

SCALE: 1" = 40'

Date: 10/15/99
Revisions:



BOYS TOWN USA
SARGENT ROAD CAMPUS
4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

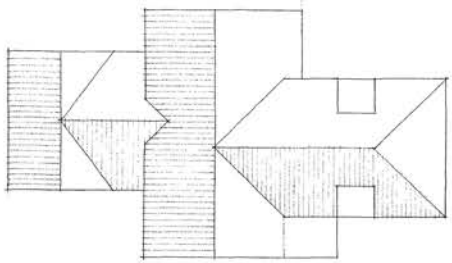
PROPOSED SITE PLAN
ALTERNATE C

WEINSTEIN ASSOCIATES ARCHITECTS
1743 CONNECTICUT AVE, NW WASHINGTON, D.C. 20009 202-232-2400
A. MORTON THOMAS AND ASSOCIATES, INC.
12750 Twinbrook Parkway, Suite 200, Rockville, MD 20852

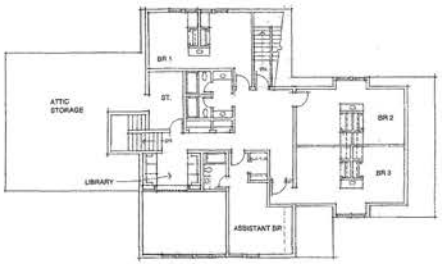
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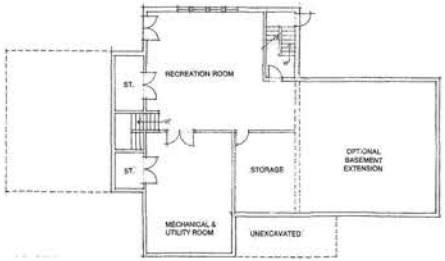
6-A



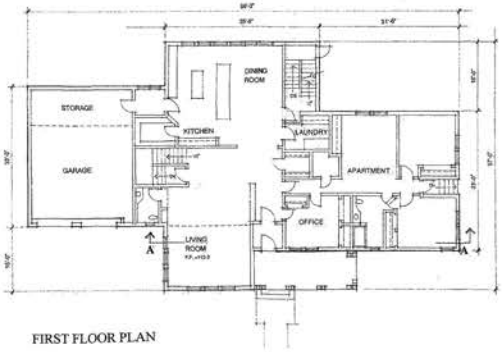
ROOF PLAN



SECOND FLOOR PLAN



BASEMENT FLOOR PLAN

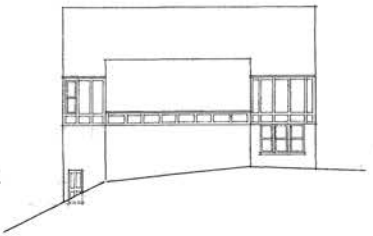


FIRST FLOOR PLAN

BOYS TOWN USA SARGENT ROAD CAMPUS 4801 SARGENT ROAD, N.E., WASHINGTON, D.C.	TYPICAL GROUP HOME FLOOR PLANS	WEINSTEIN ASSOCIATES ARCHITECTS 1743 CONNECTICUT AVE, NW WASHINGTON, D.C. 20009 202-232-2400 A. MORTON THOMAS AND ASSOCIATES, INC. 12750 Twinbrook Parkway, Suite 200, Rockville, MD 20852 SCALE: 1/8" = 1'- 0"	Date: 10/15/09 Revisions:	7



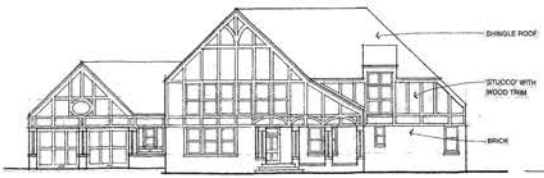
REAR ELEVATION



SIDE ELEVATION



SECTION A-A



FRONT ELEVATION



SIDE ELEVATION

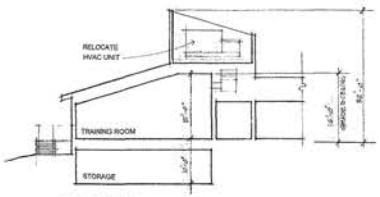
BOYS TOWN USA
SARGENT ROAD CAMPUS
4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

TYPICAL ELEVATIONS & SECTION

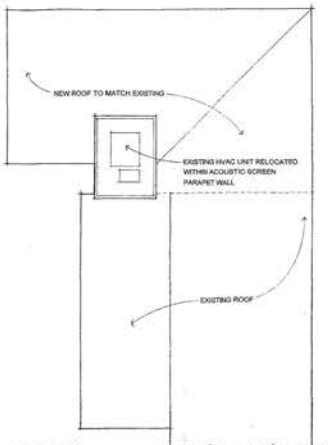
WEINSTEIN ASSOCIATES ARCHITECTS
1743 CONNECTICUT AVE, NW WASHINGTON, D.C. 20009 202-232-2400
A. MORTON THOMAS AND ASSOCIATES, INC.
12750 Twinbrook Parkway, Suite 200, Rockville, MD 20852

SCALE: 1/8" = 1'- 0"

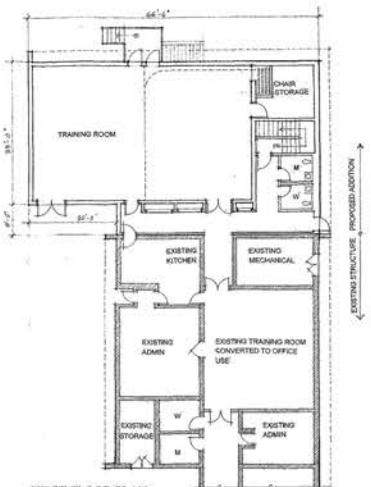
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Revisions:



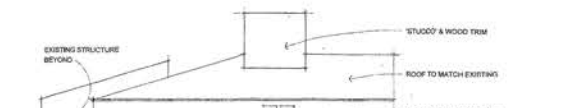
SECTION B-B



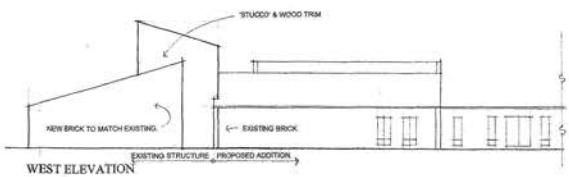
ROOF PLAN



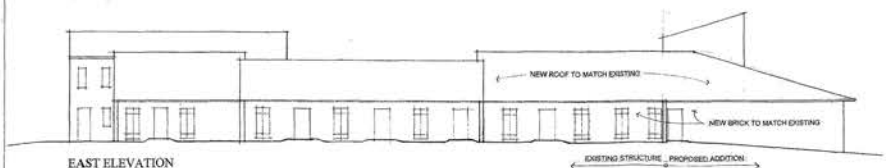
FIRST FLOOR PLAN
ELEVATION 111.00



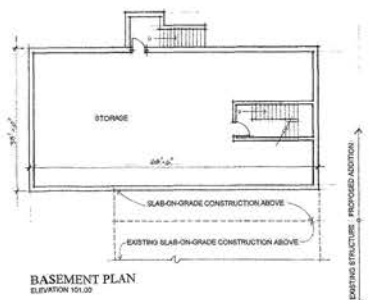
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



BASEMENT PLAN
ELEVATION 101.00

BOYS TOWN USA
SARGENT ROAD CAMPUS
4801 SARGENT ROAD, N.E., WASHINGTON, D.C.

PROPOSED ADMINISTRATION ADDITION

WEINSTEIN ASSOCIATES ARCHITECTS
1745 CONNECTICUT AVE, NW WASHINGTON, D.C. 20009 202-232-2400
A. MORTON THOMAS AND ASSOCIATES, INC.
12750 Twinbrook Parkway, Suite 206, Rockville, MD 20852

SCALE: 1/8" = 1'- 0"

Date: 10/15/99
Revisions: