

December 12, 2013

BY ELECTRONIC MAIL

D C. Board of Zoning Adjustment
Office of Zoning
441 4th Street NW, Suite 210
Washington, DC 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18676
EXHIBIT NO. 31

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Re. BZA Application No. 18676
Application of Mundo Verde Public Charter School ("Applicant") on behalf of
the District of Columbia ("Owner") for Variance Relief for Property Located at
44 P Street NW (Square 616, Lot 873) ("Property")

Dear Members of the Board.

The Applicant greatly appreciates the Board's rescheduling of the postponed public hearing date to Wednesday, December 18, 2013, before the holiday break. Timing is critical for the Applicant. The D C Council has voted to formally authorize the disposition of the Property to the Applicant for use as a charter school; the Council also approved bond financing to help finance the renovation and redevelopment of the Property. Pursuant to this authorization, the Applicant is undertaking an aggressive construction schedule in order to be able to occupy the Property for the Fall 2014 – Spring 2015 school year – just a few months away. Moreover, the Applicant is currently engaged in negotiations over additional construction financing with a prospective lender. The lender will not release any funds until this zoning application is approved, and the loan is scheduled to close before the end of the year.

With all of these factors in mind, the Applicant has worked diligently and cooperatively for months to address the concerns of ANC 5E, surrounding civic associations, nearby residents and—most recently—the surrounding commercial property owners, as well as the Office of Planning and DDOT. As the prospective parties have noted, the Applicant met with the parties on Monday, December 9 to discuss their issues, and the parties reached an agreement on terms. The proposed revised site plan and conditions of approval reflecting that understanding were sent to the parties for their review and comment on Wednesday, December 11, which should give the parties ample time to memorialize their agreement before a hearing next week. All other organizations, including ANC 5E, OP, and DDOT, are in support of the application.

Therefore, we respectfully request that the Board maintain the currently-scheduled hearing date on Wednesday, December 18 or, alternatively, reschedule the matter to Tuesday, December 17. We fully appreciate how packed the Board's agenda already is on Tuesday, but given the level of support for the variance as well as the pending agreement with the prospective parties, we are optimistic that this matter should not require too much time on the Board's agenda

Sincerely,



David Avitabile

cc Elisa Vitale, D.C. Office of Planning
Fleming El-Amin, District Department of Transportation
ANC 5E
Phyllis Klein
Peter Waddell
Brian Brown

Enclosures

DA:DA