

April 26, 2006

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**ZONING COMMISSION
District of Columbia**

CASE NO. 06-06 Ltr.
EXHIBIT NO. 15

DC OFFICE OF ZONING
2006 MAY -4 PM 3 24

**Subject Zoning Commission
Case 06-06**

I am writing on behalf of Northeast Neighbors for Responsible Growth (NNRG) in support of the Charter Schools Text Amendment (Case 06-06) NNRG would like to extend its gratitude and thanks to both the Office of Planning and the Zoning Commission for addressing the numerous technical issues surrounding land use and planning as it relates to Charter Schools

NNRG consists of approximately 100 concerned neighbors of 136/138 12th Street NE The property is immediately north of Lincoln Park and located in the Capitol Hill Historic District. The property is zoned R-4. It sits squarely in the middle of a block of residential rowhomes, many restored to their historic standards As a result of the property's location, it shares party walls with its residential neighbors, as well as adjacent rear garden spaces, separated only by common fencing The lot is slightly over 4000 sq ft and is occupied by a building 36 ft wide and 40 ft deep The large rear yard of the property currently accommodates parking for 8-10 cars

A Boston-based educational corporation bought the property in the summer of 2005 for the sole purpose of developing it into a Charter School for 3 and 4 year olds This corporation claims to be able to site its Charter School squarely in the middle of this residential block as a matter of right, with no regard as to the rights or needs of the surrounding taxpaying residents of the District of Columbia The corporation asserts that because of matter of right they are exempt from any zoning regulations While DCPS has always instituted a protocol with all stakeholders in siting Public Schools, there is no required process in place for the siting of Charter Schools that involves all stakeholders.

The Charter School project was initially planned for 75 students and 20 staff; with the building covering 80% of the lot (a playground on the roof), massing to three full stories in the rear (plus playground), and parking for just three cars Because of its Historic District location, the plan was recommended for rejection (by staff) to HPRB as "too aggressive" and the project was slightly downsized The current plans call for 54 students, 15 staff and, still, just three parking spaces The building will cover 60% of the lot, maintaining three story massing in the rear

This block of 12th Street NE is located between Constitution Avenue and East Capitol Street Both East Capitol and Constitution are one way commuter routes west in the morning The 100 block of 11th Street NE is one way south and a one lane residential alley parallel to Constitution and East Capitol connects 11th and 12th Streets Tennessee Avenue, directly east of the 12th Street location, is one way southwest, feeding onto East Capitol The alley between 11th and 12th Streets is completely lined with garages or parking spaces for the rowhomes that front those streets Every legally available space on these streets is designated for residential parking

The text amendments, as proposed, are a necessary beginning to provide guidance for any new Public School development and to insure that schools are developed on sites that provide safety for the children

attending, safety for the neighborhood in terms of traffic and congestion, and respect for the surrounding neighbors/ in terms of parking, traffic and noise

In our case siting the proposed school at the aforementioned location would impose irreparable harm on the immediate community. Charter Schools are not strictly neighborhood schools, but must accept students from anywhere in the city. It is safe to assume that with a 3 and 4 year old age group, except for families living in the very immediate vicinity, the majority of children will be driven to school. The majority of parents will park their cars and walk their children into school – or double park their cars. The property's frontage of 36 ft. hardly provides the means to accommodate orderly drop-off and pick-up for a majority of 54 students without obstructing traffic, blocking residents' cars, or blocking residents' garages in the rear (should the rear entrance be resorted to). As a parent let me assure you, from experience, the process (with 3 and 4 year olds) is neither expedient nor efficient, whether at the start or the end of the day. Parents will do whatever is most convenient to accommodate their needs. The traffic pattern allows for no easy way to "circle" the block. Already, 11th Street can be backed up for two blocks during the morning commute. Additionally, this is a dense, urban residential neighborhood, where parking is already at a premium. The 12th Street Charter School development calls for three parking spaces for its 15 staff members.

The proposed school would have a play yard of approximately 36 x 17 for 54 children, immediately adjoining residential rear gardens and patios. The play area would sit squarely in the middle of this residential neighborhood. Because of its small size, the play area would probably require staggering playtimes to accommodate 54 students. It could be in use most of the day, up until 6pm. The yard would probably be heavily used from 3-6pm for the schools after care program. Its heavy use will be very evident to both 12th Street neighbors and 11th Street neighbors immediately behind the school.

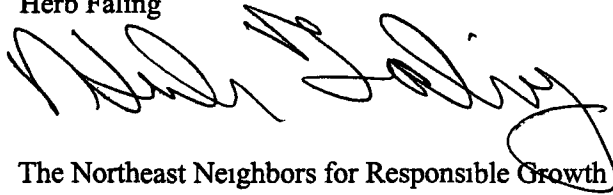
The requirement for a 9,000 sq. ft. lot appears to be the minimum reasonable size in the siting of this type of public institution. In the case of our situation, once the size of the building (as currently planned, but more importantly as the desired initial larger plans), staff and visitor parking, a reasonably sized play area, and setback from neighbors are taken into consideration, 9000 sq. ft. suddenly is hardly large for responsible development. The requirement of 120 ft. frontage seems a minimum of reason in the siting and development of a public institution that could bring 70+ new vehicles including trash pickup, meal catering services and supply services as well as student and staff traffic (or as in the initial plan - 95+ new vehicles) into a tight, urban, strictly residential neighborhood to insure safety and convenience for children and neighbors during busy congested morning and evening drop-offs and pick-ups. In neighborhoods such as ours these requirements are essential for co-existence and the maintenance of civility. An institution of this kind should be a welcome addition to a neighborhood, not an imposition or a threat to the quality of life to those who are the development's intimate neighbors.

NNRG represents a community that values neighborliness, community support, tolerance and families. Our members include retired individuals, young professionals, couples and families. Many of our neighbors have lived in the community for 30+ years, have seen the city through some very difficult years, put our faith in our city officials, dug our heels in and continued to work to make our neighborhood a desirable place for all its residents. The children of our neighbors attend public, private, charter and religious schools. We value quality education as a cornerstone for a vibrant and desirable community. We welcome it to our community, but strongly believe any public institution should be responsibly sited with a process that allows input from all stakeholders.

NNRG supports the Charter School Text Amendments to provide the beginnings of basic guidelines for all stakeholders (neighbors, school clients and school developers) involved in the siting and development of public schools. No one group should be held hostage to the beliefs of any other group, nor to ill-conceived plans foisted upon them. The citizens of this city deserve the thoughtful protections of the individuals entrusted with balancing the needs of the neighborhoods within our city, and we look

to the Zoning Commission for those provisions NNRG strongly recommends permanent adoption of the Charter School Text Amendments

Herb Faling

A handwritten signature in black ink, appearing to read 'Herb Faling', written over the printed name.

The Northeast Neighbors for Responsible Growth