



ADVISORY NEIGHBORHOOD COMMISSION 2F

Government of the District of Columbia

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ZONING COMMISSION
District of Columbia

CASE NO. 06-06

EXHIBIT NO. 17

May 9, 2006

(Via Email and First Class Mail)

Carol J Mitten

Chairman

Zoning Commission

441 4th Street, NW, Suite 210 South

Washington, DC 20001

RECEIVED
DC OFFICE OF ZONING
MAY 11 PM 1:07

Re. Case No 06-06, a text amendment to Title 11 of the District of Columbia
Municipal Regulations concerning Charter Schools

Dear Chairman Mitten and Members of the Board

At its May, 2006, public meeting, at which a quorum was present and acting throughout, Advisory Neighborhood Commission 2F (hereinafter "ANC2F") reviewed the above referenced case, in which it appears that the Zoning Commission is contemplating changes in the zoning regulations as relates to the procedures for locating charter schools. Specifically, we understand that the Commission is considering rendering charter school usage as a matter of right in residential zones. We wish to advise you that ANC2F is strongly against this approach, which we feel is ill advised, not only as a matter of zoning, but also in that it seriously undermines the District of Columbia Advisory Neighborhood Commission Act.

Following a full community discussion on the matter, ANC2F duly and unanimously adopted the resolution set forth below. We note that a similar resolution was adopted by at least one other ANC and we further note that the Blagden Alley Association, which is an unincorporated community association serving residents in the Blagden Alley area has recommended adoption of the resolution herein presented.

RESOLUTION

WHEREAS the DC Zoning Commission has scheduled a hearing on May 11, 2006 to consider Case No 06-06, a text amendment to Title 11 of the District of Columbia Municipal Regulations concerning Charter Schools ("the Amendment"),

WHEREAS the Amendment would allow Charter Schools to be located in residential neighborhoods as a matter of right, subject to lot and frontage requirements,

WHEREAS this ANC is generally supportive of publicly-funded Charter Schools,

WHEREAS there is an established regulatory process by Special Exception for siting private schools in Residence Zones, and

WHEREAS the matter of right establishment of charter schools in facilities in residential neighborhoods that have not presently or previously been used as public schools may have a significant impact upon the neighborhood and the quality of life in the neighborhood; and

WHEREAS the potential impact on residential neighborhoods of the establishment or expansion of private schools is regulated by the Board of Zoning Adjustment and allows for significant input from residents and from Advisory Neighborhood Commissions, and

WHEREAS public school establishment or expansion is subject to the approval of the partially elected, partially appointed School Board with funding authorization by the elected D.C. Council with both bodies inviting and responding to public comment, and

WHEREAS charter schools are not subject to the rules and regulations established for District public schools that ensure the stability of the school and provide mechanisms for the community to address any issues or problems, nor is a proposed charter school subject to the procedures that evaluate the ability of the public infrastructure to support the impacts of a new school,

THEREFORE, IT IS

RESOLVED, That Advisory Neighborhood Commission 2F (“ANC 2F”) supports charter schools locating in Ward 2, and specifically in ANC 2F, but further determines based upon the this ANC’s experience that there should be a mechanism to consider impacts due to a substantial new use in a neighborhood, and it is,

FURTHER RESOLVED, That ANC 2F advise, and does hereby so advise, that the DC Zoning Commission (DCZC) require Special Exceptions for all charter schools planning to locate in Residence Zones and Historical Districts, except for those locating in a facility presently or previously used as a DSPS facility, in the same manner and to the same extent that private schools and child development centers are required to have Special Exceptions to operate in such locations, and it is,

FURTHER RESOLVED, That ANC 2F advise, and does hereby so advise, that the Office of Planning involve neighboring communities in its review of Charter School’s Special Exception applications and obtain input and comment from DC Department of Transportation (DDOT) to mitigate potential negative effects on the neighboring community DDOT comments should include at a minimum.

1 an evaluation by DDOT as to (a) whether the additional vehicle traffic resulting from the operation of the proposed charter school would create dangerous traffic conditions or significantly increase the traffic on nearby residential streets in a

manner that could not be satisfactorily mitigated by an effective traffic management plan, (b) whether the additional demand for on-street parking resulting from the operation of the proposed charter school creates significant adverse effects on nearby residents and whether those adverse impacts can be mitigated by an effective traffic management plan, and

2 a determination by DDOT as to the number of students and staff that the location can reasonably and safely accommodate, and it is,

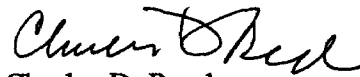
FURTHER RESOLVED, That ANC 2F advise, and does hereby so advise, that the Office of Planning and the Zoning Commission establish an application process, funding, and disbursement mechanisms to enable Charter Schools to recover legal and other costs related to Special Exception applications, and it is,

FURTHER RESOLVED, That if the current regulations are amended to provide for the location of charter schools in residential zones without the requirement for community reaction and the ability of the advisory neighborhood commissions to provide advice to the zoning authorities communities may be adversely and materially impacted, with the result that the underlying purposes of the Advisory Neighborhood Commissions Act would be undermined

FURTHER RESOLVED, That the Chairman of ANC2F or his designee be and is hereby authorized to represent ANC 2F on this matter

We request that the Board give great weight to our advice herein expressed, as provided by § 1-309 10 of the District of Columbia Code.

Sincerely yours,



Charles D Reed
Chairman, ANC 2F

cc (Via Email)
Hal Davitt (blagden_alley@mindspring.com)