

1201 Constitution Ave. NE
Washington, D.C. 20002
Sept 17, 2006

The Zoning Commission of the District of Columbia
One Judiciary Square, Suite 210-South
441 Fourth St. NW
Washington, D.C. 20001

ZONING COMMISSION
District of Columbia

CASE NO. 06-06
EXHIBIT NO. 80

2006 SEP 18 PM 2:08

DC OFFICE OF ZONING

RECEIVED

Re: ZC Case 06-06 "Charter Schools Text Amendments"

Dear Commissioners:

We understand you are considering a text amendment to the zoning code that would allow 16-student charter schools to locate in residential neighborhoods as a matter of right. We urge you to reject the amendment, or in the alternative, set minimum standards requiring adequate facilities, including parking, playgrounds, and traffic and noise considerations.

Failing that, a school could be located in an entirely inappropriate location to the detriment of an established neighborhood. That would be especially true if schools were allowed to subdivide a property, meaning 32 or more children in a single property with no input from the neighborhood. Indeed, at a recent hearing on this subject, residents of Kingman Park said they have been overwhelmed with charter schools and had no opportunity for their views to be heard.

Our immediate concern is the Appletree Institute, which is proposing a charter school at 138 12th Street NE. But the issue is of great importance to all city neighborhoods. The 12th Street building is zoned R-4 and is in the midst of a block of historic homes with no other commercial use. The block is bound by two busy streets, one that is one-way at all times and one that is one-way in the mornings. The lot is small, and Appletree proposes to expand the existing structure to fill nearly the entire lot, leaving no room for parking or a playground. In contrast, Maury Elementary School, which is on our block, has plenty of room for all the facilities that children and their teachers need. We urge you to require that charter schools locate in buildings like Maury, or other similar sites, and not destroy residential neighborhoods that are so important to the quality of life in the city.

Our concern also extends to children who might attend these schools. Without review by a licensing and zoning authority, school operators have no incentive to ensure their properties are safe and appropriate for the intended use. Charter schools in general have virtually no oversight, even though they receive tax dollars. By contrast, public schools are overseen by a staff and an elected school board who can make sure the buildings meet the needs of the programs inside.

Without oversight, charter schools in residential buildings have no incentive to provide off-street parking for employees (or adult students if the school is set up for high school

or adult education) or transportation. Without oversight, there is nothing to stop charter school operators from buying an entire block of houses, or several condominiums, and running a connected series of supposedly small schools that is really a giant commercial enterprise. Without oversight, charter schools, which must allow their properties to be used for a wide variety of community uses, could hold any manner of weekend, evening and late-night activities that are not compatible with the neighborhood to raise money.

If charter schools are allowed to buy residential properties and take them off the tax rolls, the city will suffer revenue losses. Putting charter schools in existing city space – the school system is about to stop using nearly 2 million square feet of space – makes effective use of surplus property while preserving these neighborhood institutions for the use for which they were intended. It has the added benefit of not removing other properties from the tax rolls.

We urge you to reject the text amendment and require zoning approval for all proposed charter schools.

We note that Appletree's appeal is on the BZA's agenda for Nov. 21 and that it asks for "approval for a proposed addition to an existing public charter school" at 138 12th St. NE. We assume you realize there is no charter school operating at that address, making the wording of the appeal inaccurate.

Sincerely,

Handwritten signatures of Robert L. Baker and Joanne E. Beck. The signature of Robert L. Baker is on the left, and the signature of Joanne E. Beck is on the right.

Robert L. Baker and Joanne E. Beck