

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of
Acton Academy Foundation

STATEMENT OF THE APPLICANT

I. NATURE OF RELIEF SOUGHT

Acton Academy Foundation (the “Applicant”) submits this application on behalf of the property owner, Vestry of St Paul’s Protestant Episcopal Church (“St. Paul’s” or “Church”), pursuant to 11 DCMR Subtitle X, Chapter 9 for special exceptions under the private school requirements of Subtitle U, § 203.1(l) and Subtitle X, § 104, to establish a private school, Acton Academy of Washington, DC (“Acton”), in a building owned by the Church (“Building”) in the R-17 zone district at 2430 K Street, N.W. (Square 0028, Lots 172), with accessory parking on the alley lot (Square 0028, Lot 0846) (the “Property” or “Site”).

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment has jurisdiction to grant the requested special exception relief pursuant to Subtitle U, § 203.1(l), Subtitle X, § 104, and Subtitle X, § 901.2 of the Zoning Regulations.

III. EXHIBITS IN SUPPORT OF THE APPLICATION

This application includes the following additional materials:

Exhibit A: Site Plan Showing the Property

Exhibit B: DC Zoning Map Showing the Property

Exhibit C: Site Plan Showing Designated Areas for the School

Exhibit D: Student Drop Off and Pickup Plan

Exhibit E: Photos of the Property

Exhibit F: Survey Plats of the Property and Accessory Parking Lot (Square 0028, Lots 0172 and 0846)

IV. BACKGROUND OF THE CASE

A. Site and Vicinity Characteristics

1. The Property

The Property which is the subject of this application is located on the south side of K Street, between 24th Street and 25th Street, near Washington Circle. The Building is a contributing structure to the Foggy Bottom Historic District in Ward 2. The Property is located nearby multiple public transportation options, including the Foggy Bottom-GWU Metro Station, DC Circulator Bus, and Pennsylvania Avenue Metrobus lines. The Property is zoned R-17 (See attached zoning map, Exhibit B, “DC Zoning Map”) and is located within the boundaries of Advisory Neighborhood Commission 2A.

The Property is currently improved with a church and adjacent row houses for church offices and programs. There are 3 parking spots provided at the rear of the Building. The Church also has 21 parking spaces on a separate lot within the alley (Lot 846) as shown on the attached Site Plan (Exhibit A, “Site Plan”). St. Paul’s currently uses the Property for regular church services, ministries, fellowship groups, service programs, and occasional special events such as feast days. St. Paul’s currently has a Certificate of Occupancy (Permit Number CO0901409) for “Churches – A-3” and for the parking lot (Permit Number A2110) for “Parking.”

The Property fronts on K Street (which is a one-way street from west to east) near the K Street Underpass under Washington Circle. The Property is adjacent to multi-story apartment buildings and two-story row houses. To the immediate east of the Property are nine-story and ten-story residential

apartment buildings. Immediately to the west, the property faces the backyards of two-story row houses. To the immediate south of the property are two-story row houses and multi-story apartment buildings along the alleyway named Snows Ct. (“Alley”). The only access to the Alley system is from 25th Street, which allows for two-way traffic south of the Alley entrance to I Street but only allows one-way traffic north of the Alley entrance to K Street (heading north to K Street). The Alley varies in width from 8 ft. to 30 ft.

B. Nature of Special Exception Request

The Applicant seeks to add much-needed educational capacity to the neighborhood, and offer an innovative educational option for families.

Families in Foggy Bottom and nearby neighborhoods struggle to find educational options, with Pre-K programs at nearby public schools overcapacity, and with long waitlists and high prices at private options. In part because of the costs of education, the Economic Policy Institute now ranks Washington, DC as the most expensive city in America to raise a family of four.

The Applicant plans to bring the first Acton Academy to Washington, DC, providing much-needed capacity, as well as a high-quality and innovative option for families. Acton Academy of Washington, DC is an independent affiliate of Acton Academy, a celebrated network of private “micro schools,” Pre-K to 12th grade, founded in Austin, TX in 2009. Today, Acton has over 70 locations around the world and is growing fast. Acton’s mission is to guide children to develop an entrepreneurial mindset and discover a calling.

The Applicants proposes to occupy an approximately 5,061 square foot row house at St. Paul’s, known as the “Carwithen House” (as shown in Exhibit C, “Site Plan Showing Designated

Areas for the School”), to open an **Acton Montessori Primary** Pre-K program (ages 3 to 6) and an **Acton Elementary** program (grades 1 to 5). Applicant seeks to open in time to welcome students in September 2018 for the school year. At capacity, Acton anticipates approximately 60 students at the Carwithen House, and approximately 18 students its first year. Students would use the Parish Dining Hall during lunchtime and for indoor play during inclement weather. Additionally, Applicant plans to improve a small green grass area of approximately 3,170 square feet for outdoor play (also shown in Exhibit C). Children would access the green grass area via K Street or Snows Ct. Improvements would include fencing consistent with the historical character of the Property, as needed, minor landscaping, and small playground equipment in natural materials such as wood.

The Applicant has already established a record of community service in the city. For the last two years, the Applicant has hosted the Acton Children’s Business Fair of Washington, DC, a one-day showcase of the power of entrepreneurship for even the youngest children. Children ages 6 to 14 create a business, sell to real customers, and keep the profits. Acton provides outdoor tents and tables. Along the way children learn about entrepreneurship, but more importantly, about themselves and what they are capable of. In May 2017, the Applicant hosted 114 young entrepreneurs and over 2,100 customers in Cleveland Park, earning local and national media coverage. *The Washington Post* quipped, “Forget show and tell: These young entrepreneurs aim to show and sell.”

Additionally, Acton Academy has been featured in *Inc. Magazine*, *Forbes*, and *Fast Company*. Acton has earned praise from education innovators and philanthropists, ranging from former Bill and Melinda Gates Foundation Executive Director of Education, Tom Vander Ark, to author and filmmaker of *Most Likely to Succeed*, Ted Dintersmith, to education innovation scholar Bernard Bull, who called Acton a “truly inspiring and exceptional school.”

V. THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF FROM THE ZONING REGULATIONS

Pursuant to Subtitle U § 203.1(l) and Subtitle X § 104 of the Zoning Regulations private schools are permitted in the R-17 District as a special exception, subject to certain criteria.

Under both 11-U DCMR § 203.1(1) and 11-X DCMR § 104, the proposed private school must “be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions.” Additionally, 11-U DCMR § 203.1(1)(2) requires “ample parking space, but not less than that required by this title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile.” Finally, under 11-X DCMR § 901.2, in order to obtain general special exception relief, an applicant must show that the requested relief will be in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps and will not adversely affect neighboring properties. As detailed below, the Project meets these standards for special exception relief.

A. The private school will be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions

As indicated above, the Applicant plans a small “micro school” with approximately 60 students at capacity on the Premises. This is in harmony with the residential nature of the neighborhood would not tend to adversely affect neighboring properties. As indicated above, the Property is currently used for regular church services, ministries, fellowship, and special events. Most of these activities occur on Sundays, weekends and evenings. Acton would operate on a weekday school schedule, Monday through Friday, 8:00am to 6:00pm, with occasional evening events for parents meetings such as back-to-school nights and occasional Saturday events such as parent

information sessions or open houses.

Given the complementary schedules, and the small number of students, the Applicant's use will not materially add to the noise, traffic, or otherwise objectionable conditions for adjoining or nearby properties. Outdoor play would occur during the school's normal hours and at regular times in the morning, around lunchtime and in the afternoon when most adjoining residents are likely to be away from home.

Acton plans to stage student drop off and pick up in the rear of the Property (see Exhibit D, "Student Drop Off and Pick Up Plan"). This area includes the Property's private parking lot and parking spaces, which are mostly empty during weekdays. Families would enter Snows Ct. from 25th Street to reach the Property to drop off or pick up students at the location indicated. To exit, families would circle counterclockwise through the Property's parking lot, then follow Snows Ct back to 25th Street. Acton offers families a window of time from 8:00-8:45am to drop off children, and a window from 3:00-6:00pm to pick up children, effectively staggering traffic. Acton staff would assist with pick up and drop off to coordinate traffic. Acton anticipates approximately 20 to 30 percent of families will walk to the Property, or make use of public transportation. With some families choosing to carpool or dropping off multiple children, Acton anticipates approximately 30 to 35 cars at the school's capacity of 60 students (with fewer cars in its first year, since Acton anticipates starting with approximately 18 students). As a result, this plan would result in minimal queuing and potential disruption or noise for neighbors.

Finally, as indicated above, the outdoor play area on the west side of the property faces the backyards of several two-story row houses. Play would occur during the school's normal business hours, and at regular times in the morning, around lunchtime, and in the afternoon. The backyards of

these row houses are currently improved with fences, minimizing sight lines and providing a barrier for potential noise. As indicated above, improvements to the outdoor play area would include fencing, as needed, consistent with the historical character of the Property, minor landscaping, and small playground equipment in natural materials such as wood. The Applicant does not plan to install any new lighting for the outdoor play area.

For all these reasons, the Applicant's use will not materially add to the noise, traffic, or otherwise objectionable conditions for adjoining or nearby properties.

B. Ample parking spaces, but not less than that required by this title shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile

As indicated above, the Property has 24 parking spaces (3 to the rear of the Building and 21 parking spaces in Lot 846), which are mostly empty on weekdays. At capacity, the Applicant will have eight staff, generating a parking requirement of 4 spaces (2 spaces are required for every 3 teachers and other employees). St. Paul's has allocated up to 8 parking spots for Acton. However, pursuant to Subtitle C Section 705.3, as a contributing historic property, the proposed "change" in use will not generate an additional parking requirement given that there is no expansion to the Property. The Property also includes a small rack for bicycle parking. The Property is in close proximity to the Foggy Bottom-GWU Metro Station and public transportation options. Parents who are driving their children to and from school will use the pick up/drop off arrangements. Occasional visits to the school by parents or other visitors which require parking can be accommodated on the existing lot which is mostly empty on weekdays. Based on all of the forgoing, the existing parking facilities will be adequate to accommodate the students, teachers and visitors likely to come to the site by vehicle.

**VI. APPLICANT MEETS THE SPECIAL EXCEPTION REVIEW STANDARDS UNDER 11
DCMR Subtitle X § 901.2.**


The proposed private school use meets all of the criteria for the special exception and, as such, is in harmony with the general purpose and intent of the Zoning Regulations and Maps. The proposed use is small in scale and largely confined to the interior of an existing church building which, for the most part, is empty and under-utilized during the weekdays when the school will be in session. As a result, the proposed use will not tend to affect adversely the use of neighboring property.

VII. CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards of the Zoning Regulations and can be granted without substantially impairing the intent, purpose and integrity of the Zoning Regulations. The Applicant therefore requests that the Board grant this application.

Respectfully submitted,

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