

EXHIBIT

1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



June 24, 2016

Phil T. Feola, Esquire
Goulston Storrs
1999 K Street, N.W., Suite 500
Washington, D.C. 20006

Re: 475 School Street, S.W.

Dear Mr. Feola:

The property located at 475 School Street, S.W. is in the C-3-C Zone District. The C-3-C Zone District permits, as a matter of right, a wide variety of commercial, residential and institutional uses, including community-based residential facilities [CBRF] {11 DCMR Zoning Section 741.5(c)}, without restriction of the type of CBRF, or as to the number of residents.

A residential reentry facility for prison inmates (often referred to as a Halfway House), generally serving the final 3-6 months of their sentence, under the jurisdiction of the Federal Bureau of Prisons is, under the District of Columbia Zoning Regulations, considered a community-based residential facility, in particular, an adult rehabilitation home.

The relevant definitions of a community-based residential facility, and an adult rehabilitation home, as set forth in the Zoning Regulations, 11 DCMR 199.1 are:

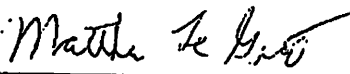
Community-based residential facility - a residential facility for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living. This definition includes, but is not limited to, facilities covered by the Community Residence Facilities Licensure Act of 1977, effective October 27, 1977 (D.C. Law 2-35; 24 DCR 4056) (repealed by District of Columbia Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48, as amended; D.C. Official Code §§ 44-501 to 44-509 (formerly codified at D.C. Code §§ 32-1301 to 32-1309 (1998 Repl. & 1999 Supp.))), and facilities formerly known as convalescent or nursing home, residential halfway house or social service center, philanthropic or eleemosynary institution, and personal care home.

If an establishment is a community-based residential facility as defined in this section, it shall not be deemed to constitute any other use permitted under the authority of these regulations. A community-based residential facility may include separate living quarters for resident supervisors and their families. All community-based residential facilities shall be included in one (1) or more of the following subcategories:

- (a) Adult rehabilitation home - a facility providing residential care for one (1) or more individuals sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense, or any individual twenty-one (21) years of age or older, under pre-trial detention or sentenced court orders;

Consequently, a residential reentry facility for that meets the definition of a community-based residential facility, in particular, an adult rehabilitation home, is permitted at 475 School Street, S.W. as a matter-of-right.

If you have any questions with regard to this determination, please feel free to contact this office.

Sincerely, 
Matthew Le Grant
Zoning Administrator

EXHIBIT

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August 22, 2016

Re: Appeal of Zoning Administrator Decision for matter-of-right uses at 475 School Street, SW

To Whom It May Concern:

This letter accompanies our Form 125 appealing the Zoning Administrator's (Matthew Le Grant) decision of the Residential Reentry Facility ("RRC") as a matter of right occupancy at 475 School Street, S.W. The membership of the Southwest Business Improvement District ("SWBID") strongly opposes the allowance of an RRC at the School Street site as a matter-of-right.

While the C-3-C Zone contemplates a community-based residential facility ("CBRF") as a use in Zoning Regulations, 11 DCMR 199.1, there is no definition of a "community-based" facility. How does a federally authorized private contractor fit into a "community based" facility? The proposed School Street RRC facility will not be run by a "community based" organization or a non-profit. In fact, it will be operated by the second largest private prison contractor in the United States, the GEO Group, Inc.

The Zoning Administrator also fails to affirm whether the use of this property as an RRC by matter-of-right will be altered by the new Zoning Code, set to take effect next month. Once the new regulations take effect, this property will be zoned D-5. Although D-5 also allows CBRF as a matter-of-right, the regulations state (Chapter 2, 200.2(h)), *"This use category does not include uses which more typically would fall within the emergency shelter or large-scale government use category."* A Government, Large Scale: is defined as *"(1) A use involving services owned, managed, or provided by a governmental entity and associated with providing regional or wider services; (2) Examples include, but are not limited to: airports, jails, truck dispatch facilities, or police/fire training facilities..."* (Chapter 2, 200.2(t)).



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



FORM 125 - APPEAL

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated.

Pursuant to X 1101.1 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken from the

administrative decision of: Matthew Le Grant, Zoning Administrator Name of administrative officer and title

made on June 24, 2016 Date of decision that states

A residential reentry facility that meets the definition of a community-based residential facility, in particular, an adult rehabilitation home, is permitted at 475 School St. SW as a matter-of-right

| Address(es) of Affected Premises | Square(s) | Lot(s) | Zone Districts |
|----------------------------------|-----------|--------|----------------|
| 475 School Street S.W. | 0404 | 8888 | D-3-C |
| | | | |
| | | | |

Present use of Property: Vacant Office Building

Proposed use of Property: 300-Bed Residential Reentry Facility

Name of Owner of Property: WILLSCHOOL HOLDINGS LLC

Address: 411 THEODORE FREMID AVE; RYE NY 10586-1410

Phone No(s): (914)266-8100 Fax No.: E-Mail:

Name of Lessee:

Address:

Phone No(s): Fax No.: E-Mail:

Name of Appellant, if other than Owner: Steve Moore, Executive Director, Southwest Business Improvement District

Address: 690 Water Street SW

Phone No(s): (202)880-8875 Fax No.: E-Mail: smoore@swbid.org

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this appeal is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. [D.C. Official Code § 22-2405]

Date: 8/22/2016 Signature of Appellant*: Luxie Aibe

Waiver of Fee - Status of Appellant

ANC DC Government Agency NCPIC Citizens' Association/Association created for civic purposes that is not for profit

To be notified of hearing and decision (Appellant or Authorized Agent*):

Name: Steve Moore

Address: 690 Water Street S.W., Washington, DC 20024

Phone No(s): (202)880-8875 Fax No.: E-Mail: smoore@swbid.org

* If an appeal is filed by the agent of the Appellant, Form 125 - Appeal shall be accompanied by a letter signed by the Appellant authorizing the agent to act on its behalf in this appeal.

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

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| Address(es) of Affected Premises | Square(s) | Lot(s) | Zone Districts |
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| 475 School Street S.W. | 0484 | 0859 | C-3-C |
| | | | |
| | | | |

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Proposed use of Property: 300-Bed Residential Reentry Facility

Name of Owner of Property: WILLSCHOOL HOLDINGS LLC

Address: 411 THEODORE FREED AVE. RYE NY 10580-1410

Phone No(s): (914)288-8100 Fax No.: E-Mail:

Name of Lessee:

Address:

Phone No(s): Fax No.: E-Mail:

Name of Appellant, if other than Owner: Steve Moore, Executive Director, Southwest Business Improvement District

Address: 690 Water Street SW

Phone No(s): (202)580-8875 Fax No.: E-Mail: smoore@swbid.org

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this appeal is in violation of D.C. law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

Date: 8/22/2016 Signature of Appellant*: Lexie Althe

Waiver of Fee - Status of Appellant

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Name: Steve Moore

Address: 690 Water Street S.W., Washington, DC 20024

Phone No(s): (202)580-8875 Fax No.: E-Mail: smoore@swbid.org

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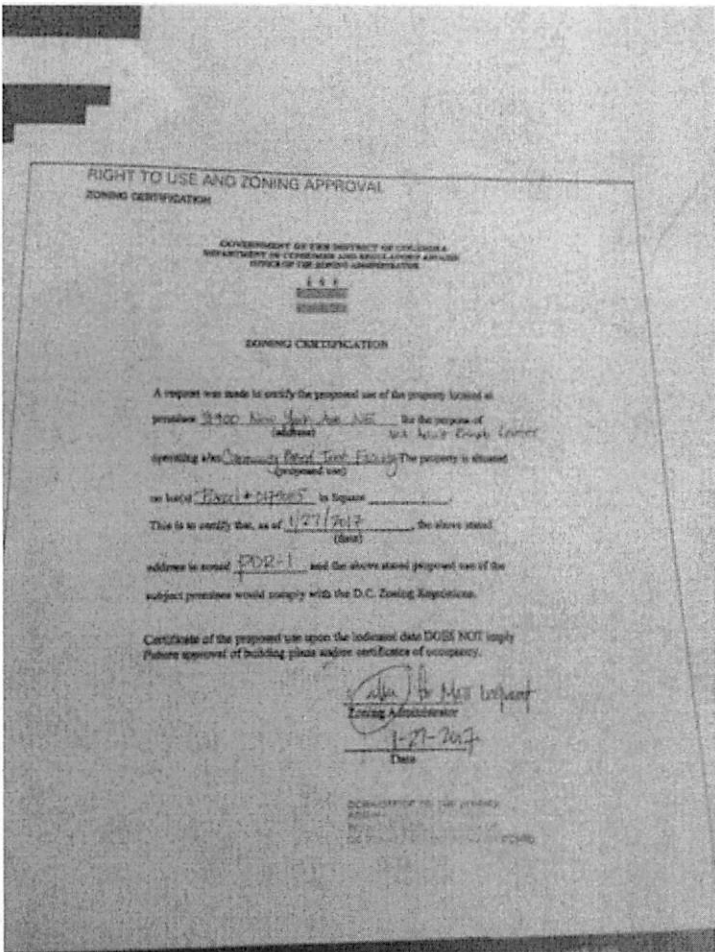
ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

EXHIBIT

3

Done

Photo



RIGHT TO USE AND ZONING APPROVAL
ZONING CERTIFICATION

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF EXPANDED AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

ZONING CERTIFICATION

A request was made to verify the proposed use of the property located at
premises 3100 New York Ave. NE for the purpose of
(address) Retail - Food Store
operating as Continuum Food Joint Eatery. The property is situated
(proposed use)
on lot of 10,000 square
feet.
This is to certify that, as of 1/27/2017, the above stated
(date)
address is zoned P02-1 and the above stated proposed use of the
subject premises would comply with the D.C. Zoning Regulations.

Certificate of the proposed use upon the indicated date DOES NOT imply
future approval of building plans and/or certificate of occupancy.

[Signature]
Zoning Administrator
1-27-2017
Date

DECLARATION OF THE PROPERTY
OWNER
BY: _____
DATE: _____