



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



April 10, 2015

Mr. Matthew LeGrant
Zoning Administrator
Department of Consumer and Regulatory Affairs
1100 Fourth Street, SW, Room 3102
Washington, DC 20024

Re: Required Zoning Relief (500 19th Street, NE)

Dear Mr. LeGrant,

At a regularly scheduled and properly noticed meeting¹ on April 9, 2015, our Commission voted 6-0 (with 5 Commissioners required for a quorum) to request that you investigate the planned renovation of an existing school building and operation of a boarding school for 40 students at 500 19th Street, NE that would appear to require a use variance from the requirements of the zoning code.

The property at issue, 500 19th Street, NE, the former Gibbs Elementary School, is the planned location for Monument Academy Public Charter School (“Monument Academy”) and Community College Preparatory Academy. We understand that Monument Academy plans to operate beginning in the 2015-2016 school year with a fifth-grade class of 40 students. According to Monument Academy’s website, those students will board at Monument Academy from Sunday evening through Friday afternoon in four homes of ten students each. In addition to the students, there will be two “Houseparents” living in each of the four student homes and a Director of Student Life and Extended Day Learning also will live on campus.

The zoning code sets forth seven types of “community-based residential facility,” one of which is a “youth residential care home.” The code defines a “youth residential care home” as “a facility providing safe, hygienic, sheltered living arrangements for one (1) or more individuals less than eighteen (18) years of age, not related by blood, adoption, or marriage to the operator of the facility, who are ambulatory and able to perform the activities of daily living with minimal assistance.” 11 DCMR § 199. Based on the publicly available information regarding Monument Academy discussed above, we believe it meets the definition of a “youth residential care home.”

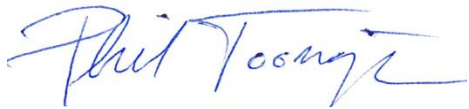
The building in which Monument Academy plans to operate (500 19th Street, NE) is located in the R-4 district, which permits by right, any use that also is permitted in the R-3 district. 11 DCMR § 330.5(a). The provisions governing permissible uses in the R-3 district in turn permit any permissible use in the R-2 district. 11 DCMR § 320.3. Among the permissible uses in the R-2 district is a youth residential care facility for up to eight persons. 11 DCMR § 300.3(d). Youth residential care homes for up to fifteen persons are permitted by special exception. 11 DCMR § 303.1. (Monument Academy does not appear to meet the criteria of any of the other enumerated permissible uses in the R-4 or R-3 districts.)

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoogroups.com, anc-6a@yahoogroups.com and newhilleast@yahoogroups.com, on the Commission’s website, and through print advertisements in the *Hill Rag*.

Based on the anticipated enrollment at Monument Academy of 40 students for the upcoming school year, it would appear that a use variance is required. However, the information available at DCRA's website with respect to the building permit for 500 19th Street, NE (B1504610), does not appear to acknowledge the necessity for a use variance. As the 2015-2016 school year is rapidly approaching, the ability of Monument Academy to obtain a use variance or any other required zoning relief in sufficient time to begin boarding students would appear to be in question. Accordingly, we ask that you look into this matter and ensure that the appropriate zoning relief is being sought in connection with Monument Academy's requested building permit and future operations.

Please be advised that ANC 6A Commissioner Sondra Phillips-Gilbert and I are authorized to act on behalf of ANC 6A for the purposes of this matter. I can be contacted at philanc6a@gmail.com and Ms. Phillips-Gilbert can be contacted at spgilbert01@comcast.net. We would appreciate a response regarding this issue at your earliest convenience.

On Behalf of the Commission,

A handwritten signature in blue ink, appearing to read "Phil Toomajian". The signature is fluid and cursive, with a long horizontal stroke at the end.

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A