



**BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA**



FORM 150 – MOTION FORM

**THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.**

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 19581: Latin American Montessori Bilingual Charter School

Motion of: Applicant Petitioner Appellant Party Intervenor Other _____

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Dismiss the decision and order to case # 19581 as published by the BZA on June 11, 2018.

Points and Authorities:

On a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

- Yes, consent was obtained by all parties Consent was obtained by some, but not all parties
 No attempt was made Despite diligent efforts consent could not be obtained

Further Explanation: Due to the 10-day requirement to submit this motion after the issue of the BZA order, and to the effort needed to articulate and formulate CNDI-LA's statement; no attempt was made to obtain consent for the motion from all affected parties.

CERTIFICATE OF SERVICE

I hereby certify that on this day of , 2018

I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via: Mailed letter Hand delivery E-Mail Other _____

Signature:

Print Name: Rami A. Rihani

Address: 1505 Emerson St. NW Washington, DC 20011

Phone No.: (202) 907-7002 E-Mail: rami.rihani@gmail.com

Board of Zoning Adjustment
District of Columbia
CASE NO.19581
EXHIBIT NO.176

JUNE 21, 2018

APPLICATION NO. 19581: LATIN AMERICAN MONTESSORI BILINGUAL
CHARTER SCHOOL

MOTION FOR RECONSIDERATION

**SUBMITTED BY: COMMITTEE OF NEIGHBORS DIRECTLY IMPACTED BY LAMB
APPLICATION (CNDI-LA)**

CNDI-LA maintains that the Board of Zoning Adjustment's (BZA) determination in Decision and Order No. 19581, issued on June 11, 2018, is erroneous for the following reasons:

I. The Record does not support the BZA's determination that the Applicant complied with the BZA Rules of Practice and Procedure's requirement that the Applicant must be the property owner or an authorized third party, representing the property owner, including a "lessor or contract purchaser". This has placed CNDI-LA and the community at a disadvantage in addressing concerns arising from Kingsbury and LAMB co-locating at the site.

BZA regulations require that the Applicant must be the owner or an authorized representative, including the lessor or contract purchaser of the property. Specifically, Section 300.4 and 300.5 of the Zoning Regulations Rules of Practice state:

300.4 The owner of property for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning.

300.5 If the owner will be represented by a third party, including the lessor or contract purchaser of the property, a letter of authorization signed by the owner authorizing the representative to act on the owner's behalf with respect to the application, and a certification, signed by the representative that they have read the Board's Rules of Practice and Procedure (Subtitle Y) and are able to competently represent the owner, shall be submitted into the record. The Board may at any time require additional evidence demonstrating the authority of the representative to act for the owner.

The initial document filed as Application No. 19581, BZA Exhibit 1, included Kingsbury, Building Hope and LAMB and identified three (3) specific objectives. It stated:

Application of Kingsbury Center, Building Hope, and Latin American Montessori Bilingual Charter School, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle U §205.1(a) for (1) the establishment of a public charter school,

pursuant to Subtitle U § 202.1(m), and **(2)** for the colocation of a public charter school, pursuant to Subtitle U §202.1(n), and **(3)** pursuant to Subtitle Y § 703, a modification of consequence to two conditions in Order No. 16569 for an existing private school in the R-16 Zone at premises 5000 14th Street NW (Square 2711, Lot 802). (numbering and emphasis added)

The BZA Decision and Order 19581 states that the “Board removed Kingsbury Center from this Application and directed it to file a separate application pertaining to its own use and conditions”. The Decision and Order does not state how and when this occurred and there is no documentation of this BZA action in Application 19581 records¹.

In response to the Board’s decision, LAMB refiled Application No. 19581 as Exhibit 14 seeking a special exception for the public charter school and to co-locate with a permitted private school. This revised Application says Kingsbury is the present owner and Building Hope is the contract purchaser and that LAMB is the prospective co-tenant and tenant---”(the prospective co-tenant and subsequently, the tenant) (collectively, the “Applicant”)”².

¹ Not only is there a lack of transparency, this conflicts with a statement in the separately filed Kingsbury Application 16569A seeking only “a modification of consequence to two conditions in Order No. 16569. According to Exhibit 8 in Application 16569A, the decision to divide the application into two separate applications was made by the Office of Zoning and the Office of the Attorney General. In its report in Application 16569A, the Office of Planning (OP) stated its belief that issues in both applications should be considered by the Board on the same date. According to Exhibit 8:

OP also recommended that this modification request be postponed so that it could be considered on the same date that the Board is scheduled to hear BZA Case No. 19581 for special exception approval for the Latin American Montessori Bilingual (“LAMB”) Charter School on the same site. [OP believed ‘transportation issues may arise which may affect both schools and may result in additional modifications to the Kingsbury Center order’- Exhibit 6 Application 16569A

Kingsbury’s response to OP’s concerns was:

The Office of Zoning and the Office of the Attorney General have already considered this issue and have determined that the two requests should proceed separately. Kingsbury agrees and respectfully requests that the Board keep its modification application on the October 4, 2017 public meeting agenda. BZA Case No. 16569A (modification request for Kingsbury) and BZA Case No. 19581 (special exception application for the LAMB School) were originally submitted as a single application. Following submission, the Office of Zoning, through instruction from the Office of the Attorney General, directed the applicants to split the two requests into separate BZA applications. In response, LAMB submitted an updated special exception application and Kingsbury submitted a new, separate request for modifications to conditions regarding its operations, which have nothing to do with LAMB’s proposal. The Office of Zoning assigned the applications two different case numbers and the two cases have progressed independently since

² The Application states:

This is the application of Building Hope Parkside Foundation (the contract purchaser), and the Latin American Montessori Bilingual Public Charter School (the prospective co-tenant and subsequently, the tenant) (collectively, the “Applicant”) for a special exception for the establishment of a public charter school and colocation of a public school with another permitted existing private school at 5000 14th

In Decision and Order 19581, the BZA's summary of the Application removed the Applicant's "colocation" request which appeared in the Application³. In Footnote #1 of the Decision and Order, Building Hope is identified as the contract purchaser and Kingsbury is identified as the present owner. LAMB is identified as "the Applicant" with the language "[t]he Applicant is the intended occupant and eventual owner of the property that is the subject of this application".

CNDI-LA maintains that the BZA's decision to remove Kingsbury raised a number concerns with this proceeding which went unaddressed to the disadvantage of CNDI-LA and the community:

- a. If LAMB and Kingsbury will be co-tenants, some entity is the lessor; therefore, why were Kingsbury's operations not represented by the lessors, Building Hope, as the contract purchaser or by LAMB as the intended owner?
- b. Given the major change in Kingsbury's operation/traffic circulation plans due to the colocation, why was this not an issue in Application 16569A?

The BZA's Decision and Order's Conclusions of Law and Opinions #8 attempts to address this issue stating that the requested use in the Application 19581 did not include Kingsbury's use, that there is a distinction between a charter and private school as to zoning application requirements, and that Kingsbury's issues and use should have been raised in other proceedings. Specifically, Conclusions of Law and Opinions #8 states:

The Board finds that it is legally impermissible to bind Kingsbury to any conditions in this Order. The Board may grant a special exception only for the requested use in the application (See 11-X DCMR section 900.2) Accordingly, conditions included with the approval of a special exception application would apply to only the proposed use in such application. To subject a use and user not included in a special exception application to the conditions of approval would contravene the intent and requirements of the Zoning Regulations; each application is evaluated and granted based on the requested use and user in the application. In this case, the proposed public charter school is different use than Kingsbury, which is a private school, and a private school was not proposed a part of this application. While Kingsbury, as the owner of the Property, consented to this application, it did not participate in the hearings, submit any testimony, and is not a part of the proposed use. Further, Kingsbury is already regulated and bound by the conditions in BZA Order Nos. 16569 and 16569A, so the opportunity to impose, alter, or enforce conditions imposed on Kingsbury was during the proceedings pertaining to those cases or

Street NW (Square 2711, Lot 802) (the "Property"). The Property is included in the R-16 Zone District. I. NATURE OF RELIEF SOUGHT The Applicant requests that the Board of Zoning Adjustment (the "BZA" or the "Board") approve the following relief: a special exception pursuant to Subtitle U § 205.1(a) of the Zoning Regulations (11-U DCMR § 205.1(a)) for the establishment of a public charter school and the colocation of a public charter school with another permitted private school.

³ Unclear whether this is an oversight.

in separate enforcement actions. Therefore, the Board finds that it cannot subject Kingsbury to conditions that apply to the public charter school use and Applicant, LAMB in this Order. (emphasis added)

CNDI-LA maintains that the BZA Opinion 8 is a little too late in addressing a serious deficiency in the process and ignores the following:

- the Board ordered the separation through a less than transparent process;
- in the R-16 zoning district all applications for schools, whether charter or private, must seek special exception approvals;
- Kingsbury is a part of the “proposed use” in Application 19581 as the Application refers to “co-location” and “co-tenant”. In reality, Application 19581 is also a request to change Kingsbury’s operations from a sole occupancy approved under Kingsbury Order 16569 to co-occupancy;
- The Board was informed by the Office of Planning in Exhibit 6 of Application 16569A that transportation issues could surface that may impact Kingsbury Order 16569;
- Having been alerted by OP, the Board did not address this issue nor determine whether the community was alerted to these issues or that the community was aware of the narrow scope of Application 19581⁴.

As a result, Kingsbury’s operations as a tenant at the site are not addressed in either application. This is unfair to CNDI-LA and the community which would have to seek to initiate a separate proceeding to address Kingsbury’s role as a tenant, or a proceeding where both co-locators are involved as the operational impacts on the community are cumulative.

At different points in this proceeding, CNDI-LA raised the concern that Kingsbury’s continued co-location at the site as a tenant is not being represented and is not being captured in the Conditions for Approval submitted by LAMB. In response, LAMB and Building Hope responded that they do not represent Kingsbury’s operations. When CNDI-LA raised its concern in this proceeding regarding Kingsbury’s noncompliance with Order 16569, the BZA responded that this is a Kingsbury issue which was not a part of Application 19581⁵

The BZA’s removal of Kingsbury from Application 19581 when Kingsbury will continue to operate at the site as a tenant places CNDI-LA at a disadvantage in monitoring and addressing

⁴ Residents within 200 feet were not provided notice of a hearing on Application 16569A.

⁵ CNDI-LA also raised concern that Kingsbury has been and continues to be significantly non-compliant with Order No. 16569 by not forming a community relations committee through which it would involve the community on decisions regarding leasing the facility to non-school related uses. Kingsbury has leased the facility to a church, and has leased the facility as a special events space, and provided past parking for the major Citi Tennis tournament with a shuttle bus serving the facility.

operational concerns at the site. CNDI-LA’s monitoring of future operations at the site will require the community to distinguish between LAMB operations and Kingsbury operations. This allows LAMB to respond that an identified operational concern may be a Kingsbury issue and therefore ungovernable even though LAMB or Building Hope would now be the landlord and Kingsbury the tenant.

Application No 19851 is a significant modification of Order No. 16569 which authorized Kingsbury to operate solely at the site since 2001 (?). Since Kingsbury will co-locate at the site for a future undetermined period of time, this required Kingsbury’s participation or its representation by a third-party representative in Application 19581. The Board, by removing Kingsbury, prohibited CNDI-LA from raising concerns about the impact of Kingsbury's operations and the cumulative impacts of both schools and conflicts with 11 DCMR Subtitle A §303 cited in this Decision and Order that "the person who owns, controls, occupies, maintains, or uses the subject property, or any part thereto, shall comply with the conditions in this Order [19581].

LAMB and the BZA’s interpretation of the BZA regulations Section 300.4 and 300.5 have served to disadvantage CNDI-LA and the community. The BZA “advisory” in this Decision and Order that “the opportunity to impose, alter, or enforce conditions imposed on Kingsbury was during the proceedings pertaining to those cases or in separate enforcement actions” is misplaced and ignores the fact that the community was given no notice about that opportunity due to confusion associated with the separation of the two cases. The Board created this confusion.

II. The Record in this Application does not support a determination that the Applicant provided design plans “in sufficient detail” relating to “screened off-street parking” as required by the R-16 Zoning Regulations and the BZA Rules of Practice and Procedure. The BZA’s decision that Applicant met these criteria is unfounded.

The R-16 Zoning Regulations specifically require screened off-street parking. It states:

That the new or expanded non-residential use provides adequate appropriately located, and *screened off-street parking* sufficient to provide for the needs of the maximum number of occupants, employees, congregants and visitors who can use the facility at one (1) time; provided

That the number of parking spaces provided by the new or expanded non-residential use not be less than the number required by Subtitle C, Chapter 7 of the Zoning Regulations and shall be located and designed so that they have the least objectionable effects on contiguous or nearby property because of noise, traffic, or other objectionable conditions (DC Zoning Regulations, U Section 205.2(b)(1); (emphasis added)

The BZA's Rules of Practice and Procedure at Sections 300.8 and 300.9 further require an Applicant to provide plans for screenings, "*in sufficient detail*" including *the location, height, and bulk*. Specifically, the relevant provisions of Sections 300.8 and 300.9 state:

300.8 In addition to the memorandum or certification required by Subtitle Y §300.6 and the information required by Subtitle Y §300.5 relating to appearance and representation, the applicant shall furnish two (2) paper copies of all information required by the application form at the time of filing the application, including:

(c) Architectural plans and elevations *in sufficient detail* to clearly illustrate any proposed structure to be erected or altered, *landscaping and screening*, and building materials, and where applicable, parking and loading plans;

300.9 An application for a school plan shall also include a plan for the school showing the *location, height, and bulk*, where appropriate, of all present and proposed improvements, including, but not limited to, the following:

(b) *Screening*, signs, streets, and public utility facilities; (emphasis added)

In addition, the Decision and Order, at page 27, recognizes that the scope of the proceedings in the Application involves a review and approval of plans which alter structures. It states: "Pursuant to 11 DCMR Subtitle Y §604, Approval of an application shall include approval of the plans submitted with the Application for the ...alteration of an existing...structure. Screening and landscaping could include alteration of structures.

As to compliance with these regulations, Applicant does not specifically use the term "screened off street parking" however, Applicant's Condition for Approval #25 (adopted by the BZA as Condition #25) can be interpreted as partially addressing "screened off-street parking". It states:

25. LAMB shall plant evergreen trees around the perimeter of the property, except for the 14th street side, and ensure than any trees lost are replaced on an equivalent diameter-inches basis.

The Applicant, however, provided no details as to location, height and bulk or explanation as to the exclusion of the 14th Street side of the property. The BZA's Decision and Order, without adding language to address details of this screening or addressing the exclusion of the 14th Street side, concludes that "Evergreen trees that the School will install around the Property's perimeter will provide adequate screening." (Conclusions of Law and Opinions #6)

CNDI-LA maintains that not only have the Applicant and the BZA failed to fully address this R-16 requirement (with the removal of the 14th street side of the property), the commitment to "partially" screen does not include plans "in sufficient detail" as required by the BZA's Rules of Practice and Procedure. As a result, it will be incumbent on CNDI-LA to address the location, height and bulk requirement with the Applicant where CNDI-LA can only "ask" the Applicant to

meet the intent of the regulations and CNDI-LA has no recourse if the Applicant's actions do not meet this intent or are ineffective.

CNDI-LA maintains that it is the Board's responsibility to provide guidance on what is "in sufficient detail" and to require, address and review location, height and bulk requirements to ensure that this screening protects neighboring properties as required under the R-16 Regulations. To leave this up to the Zoning Administrator or the Applicant is unfair to CNDI-LA and the community. While CNDI-LA is clearly committed to community engagement, the proceedings in Application 19581 were the opportunity to address these issues and the community should not find itself having to take on a full-time job of monitoring and advocating, or seeking enforcement actions on issues which were rightfully before the BZA in this proceeding in the first place⁶.

III. The Record in this Application does not support a determination that the Applicant provided design plans "in sufficient detail" relating to Applicant's efforts to mitigate "objectionable" playground "noise" as required by the R-16 Zoning Regulations and the BZA Rules of Practice and Procedure. The BZA's decision that Applicant met these criteria is unfounded.

The R-16 Zoning Regulations require that the applicant seeking to establish a non-residential use address objectionable conditions such as "noise". Specifically, the R-16 regulations require:

That the new or expanded non-residential use does not adversely affect the use and enjoyment of neighboring and nearby properties due to ... noise... (DC Zoning Regulations, U §205.2(a).

The BZA Rules of Practice and Procedure at §300.8 and §300.9 of further require an applicant to provide plans for screenings, including the location, height, and bulk. Specifically, the relevant provisions of §§Sections 300.8 and 300.9 state:

300.8 In addition to the memorandum or certification required by Subtitle Y § 300.6 and the information required by Subtitle Y §300.5 relating to appearance and representation, the applicant shall furnish two (2) paper copies of all information required by the application form at the time of filing the application, including:

- (c) Architectural plans and elevations in sufficient detail to clearly illustrate any proposed structure to be erected or altered, landscaping and screening, and building materials, and where applicable, parking and loading plans;

⁶ This Decision and Order also takes the position that CNDI-LA agreed to these provisions in negotiations with the Applicant. This Application does not fit situations where two parties arrive at an agreement which are not fully compliant with the regulations. The Applicant and CNDI-LA did not reach a settlement. Therefore, it is the Board's responsibility to ensure that there is compliance with the zoning regulations.

300.9 An application for a school plan shall also include a plan for the school showing the location, height, and bulk, where appropriate, of all present and proposed improvements, including, but not limited to, the following:

(b) Screening, signs, streets, and public utility facilities; (Emphasis added)

While not addressed in Applicant's Exhibit 14, its Conditions for Approval #24 (adopted by the BZA as Condition #24) states that LAMB will provide the following noise buffer for playground noise:

24. LAMB shall plant evergreen trees around the perimeter (not otherwise obstructed by the school building) of any current or future playground area to act as a noise buffer.

LAMB, however, provided no details as to location (particularly as to future playgrounds), height and bulk or explanation as to the language "not otherwise obstructed by the school building". Without adding language to address details of the screening of current playground or plans for future playgrounds, or the specifics as to what is meant by "not otherwise obstructed by the school building", the BZA Decision and Order concluded that the Applicant satisfied this criterion (at the Conclusions of Law and Opinions #3 and #4) and that the 35 Conditions of approval are comprehensive, enforceable, and appropriate to mitigate any adverse impacts. The BZA also concluded that at Conclusion #6 that "Evergreen trees that the School will install around the Property's perimeter will provide adequate screening."

CNDI-LA maintains that the Conditions do not include plans "in sufficient detail", and as a result, it will be incumbent on CNDI-LA to address the location, height and bulk requirement with the Applicant where CNDI-LA can only "ask" the Applicant to meet the intent of the regulations and where CNDI-LA has no recourse if Applicant's actions do not meet this intent or are ineffective. CNDI-LA maintains that the Board has not complied with its mandate and responsibility to ensure compliance with the R-16 Regulations. To leave this up to the Zoning Administrator or the Applicant is unfair to CNDI-LA and the community. While CNDI-LA is clearly committed to community engagement, the proceedings in Application 19581 were the opportunity to address these issues and the community should not find itself having to take on a full-time job of monitoring, advocating, or seeking enforcement actions on issues which were rightfully before the BZA in this proceeding in the first place.

IV. The Record in this Application does not support the BZA's determination that the proposed non-residential use meets the R-16 Zoning Regulations requirement that it not adversely affect the "use and enjoyment of neighboring and nearby properties due to traffic".

The R-16 Zoning Regulations provide that an Applicant for a residential use *must address adverse effect due to traffic*:

That the new or expanded non-residential use does not adversely affect the use and enjoyment of neighboring and nearby properties due to traffic... (DC Zoning Regulations, U Section 205.2(a);

While the BZA has significant latitude to determine what mitigates an adverse effect, there has to be a reasonable basis for its decision that the identified traffic issues will be mitigated by certain measures. CNDI-LA maintains that what the BZA has “cobbled together” as mitigation measures are not reasonable, do not meet industry standards, are not supported by empirical data, are voluntary measures with no penalties for non-compliance, and largely involve data collection with no required action to change behavior.

- A. BZA has relied on DDOT’s proposed pedestrian improvements at identified intersections as mitigation measures. However, DDOT’s proposals are not supported by any empirical data or study thus depriving CNDI-LA and the community of standards to assess their effectiveness as traffic mitigation measures.

Applicant’s expert acknowledged that there will be a detrimental impact to the surrounding transportation network if proposed mitigation measures are not implemented at four intersections. Framed in a more positive light to benefit the Applicant, the BZA’s Decision and Order conclusion that based upon Applicant’s Comprehensive Transportation and Parking Study (CTR) --- the LAMB school “will not have a detrimental impact to the surrounding transportation network, *assuming that all proposed mitigation measures are implemented*” (emphasis added). (Findings of Fact #13). The BZA Decision and Order also states that “The CTR concluded that only four of the studied intersections are likely to be adversely impacted by the School without mitigation”. (Findings of Fact #21)

Applicant’s traffic expert recommended signal adjustments and street directional changes and other industry-accepted mitigation measures directly focused on the identified intersections. DDOT, however, determined that a sidewalk and curb ramps would mitigate traffic impacts instead of signal timing change or other mitigation efforts directly focused on the identified intersections. Applicant Condition for Approval #1 captures DDOT’s recommendation:

The Applicant shall fund and construct the following improvements to the pedestrian network **to encourage** a reduction in automobile mode share and to mitigate travel delay impacts at nearby intersections:

- A sidewalk along the southern side of Gallatin Street between Piney Brach Road and 14th Street NW, with new curb ramps and crosswalks, as required, as well as crosswalks specifically across Gallatin Street, N.W. at both Piney Brach Road and Iowa avenue to connect pedestrians to the existing sidewalk on the northern side;
- New curb ramps on the northern and southern sides of Emerson Street at 15th Street, N.W. and stripe crosswalks, subject to DDOT approval; and;
- Upgrades to all existing sub-standard curb ramp at the intersection of 13th Street and Farragut Street N.W.

DDOT's recommendations are not supported by any study but rather by "aspirational language" (to "encourage") and DDOT's treatment of the school as if it is a neighborhood school. CNDI-LA maintains that it is not enough that DDOT is recognized as an expert agency. CNDI-LA should be provided the right to examine DDOT's assumptions and findings leading to this determination. CNDI-LA neighbors are well aware that Church parking on the south side of Gallatin on Sundays ties up traffic as it reduces line of sight for those turning onto the 1400 block of Gallatin. Moreover, the construction of a sidewalk will also encourage some LAMB parents *to park and use the new sidewalk to walk the children to the site rather than drive to the entrance*. This does not reduce the number of vehicle driving to LAMB or address traffic delays at 14th & Gallatin one of the intersections identified by the Applicant's expert as needing mitigation.

In addition, no one is required to review whether this works as an adequate mitigation, only whether the construction has occurred⁷.

Lastly, there is an obvious flaw in using the sidewalk as a mitigation measure. Applicant's traffic expert declared that the area is well served by adequate sidewalk network and took this into consideration in determining the number of vehicles that would be driven to the site. DDOT agreed with Applicant's traffic expert' study assumptions.

B. The Other Actions identified by the Decision and Order as Traffic mitigation measures are "voluntary", good neighbor policies or data collection efforts.

DDOT's proposed PMP implementation, at Condition #30, is contrived as there are no clear DDOT standards associated with the PMP. Its process for addressing non-compliance with over 295 vehicles per day and queuing in the public space carry no penalties, just loosely-worded statements like "best efforts," "to the greatest extent possible," "address," "advise," "assure," "encourage," "mitigate," and "support;" missives that pretty much amount to, "we – DDOT and LAMB – will do our best to work it out."

The BZA Decision and Order take the position that if the Applicant does not significantly add to this traffic load, it does not matter that the background traffic conditions are non-compliant. However, this ignores the very reasons for the R-16 regulations. In addition, the Decision and Order ignores background traffic conditions in the neighborhood and writes them off as pre-existing and will be studied while at the same time ignoring the additional impacts of the school's operations:

Finding #24: Existing circumstances in the neighborhood, unrelated to the establishment of the school already determine *many* of the traffic condition. Such circumstances have been studied and continue to be studied by DDOT and include cut-through commuter traffic, traffic related to West Education Campus, Beach Drive construction traffic diversions, traffic speed, and the recent change of Emerson Street to one-way. The traffic

⁷ It is also unclear when this construction is to occur.

conditions resulting from these circumstances affect the neighborhood regardless of the School (Nov. 15 Tr. At 18-19; Ex. 31A.

V. The Record in this Application does not support the BZA’s determination that the proposed nonresidential use meets the R-16 Zoning Regulations requirement that it not adversely affect the “use and enjoyment of neighboring and nearby properties due to...noise” from traffic.

The Record does not support the Board’s determination that the Application addressed or mitigated objectionable traffic noise (specifically on Piney Branch Road) as required by the R-16 regulations, which provides:

That the new or expanded non-residential use does not adversely affect the use and enjoyment of neighboring and nearby properties due to ... noise... (DC Zoning Regulations, U Section 205.2(a);

LAMB addressed playground, air conditioning and noise from onsite activities but did not address noise from traffic, particularly as to the unique characteristics of Piney Branch Road⁸. CNDI-LA consistently pointed out that Piney Branch Road is in many places unimproved without sidewalks or tree beds to buffer residences from traffic sounds. Homes are in close proximity to this road and in many places, traffic is within six feet of bedrooms⁹.

The BZA has determined that there was no adverse traffic noise effect and that the Applicant complied with the R-16 Regulations. Finding of Fact #2 states that

Further, as described above in the Applicant’s traffic routing plan, because most traffic to and from the Property will use 14th Street, the noise from such traffic will not affect the residences more than 300 feet away on the other side of the Property along Piney Branch Road.

CNDI-LA maintains that this Finding only acknowledges that more traffic will use of 14th to enter and exit the property. It clearly does not address that streets such as Piney Branch will be used to access the 14th street entrance nor that LAMB’s traffic flow plans allow cars to exit onto Piney Branch Road. There is no basis to conclude this traffic will not affect the use and enjoyment of neighboring properties on Piney Branch¹⁰ given the unique characteristics of Piney Branch Road.

⁸ Neither Advisory Neighborhood Commission 4C, the DC Department of Transportation (DDOT) or the Office of Planning (OP) addressed this objectionable condition in their written submissions

⁹ As a part of the negotiation for supporting Kingsbury’s application to locate to this site, the community stressed the importance of not using Piney Branch for automobile and bus traffic because this road has none or limited buffers and traffic is next to the homes and bedrooms. This served as part of the agreement with Kingsbury and as a part of their application.

¹⁰ This does not include the impact of the traffic routing change on Kingsbury’s operations on Piney Branch Rd.

VI. The Record in this Application does not support the BZA determination that Applicant will provide “screened off-street parking” for “the maximum number of occupants or employees or visitors who can use the facility at one time” as required by the R-16 Zoning Regulations and that Applicant has provided a description of all activities to be conducted at the school as required by the BZA Rules of Practice and Procedure.

The R-16 Zoning Regulations sets two major standards for parking: (1) it must be screened and off the street, and (2) it must be for the maximum number of occupants, employees and visitors who can use the facility at one time. The Regulations specifically state:

That the new or expanded non-residential use provides adequate appropriately located, and screened off-street parking sufficient to provide for the needs of the maximum number of occupants, employees, visitors who can use the facility at one (1) time; provided

That the number of parking spaces provided by the new or expanded non-residential use not be less than the number required by Subtitle C, Chapter 7 of the Zoning Regulations and shall be located and designed so that they have the least objectionable effects on contiguous or nearby property because of noise, traffic, or other objectionable conditions (DC Zoning Regulations, U Section 205.2(b)(1); (emphasis added)

The BZA Rules of Practice and Procedure further requires that as to schools, the Applicant must submit a description of all activities conducted or to be conducted at the school. These Regulations specifically state:

300.9 An application for a school plan shall also include a plan for the school showing the location, height, and bulk, where appropriate, of all present and proposed improvements, including, but not limited to, the following:

(d) A description of all activities conducted or to be conducted on the school, and of the capacity of all present and proposed school development;

As to meeting these regulatory requirements, the Applicant only states that the current number of parking spaces will remain and are more than it needs:

The provided number of parking spaces on the Property is 107, and that will remain once LAMB begins its operations. This is more than the required number of approximately 71 spaces during the Interim Period for both schools in the building. After the Interim Period, when LAMB takes over the entire building, the required number of parking spaces will be approximately 21, which will be more than satisfied by the existing spaces. The existing parking spaces will not be changed with this application, so they will not create objectionable effects or conditions.

The BZA's Findings of Fact #14 finds that there will be no on-street parking demand from the school

#14 – The expected maximum demand for on-site parking from faculty, staff, and visitors is 104 spaces, which is less than the provided 107 onsite spaces. This demand includes student drop-off and pick-up times for both LAMB and Kingsbury as well as for when LAMB has 600 students. Therefore, there will not be on-street parking demand from the School. The provided number of parking spaces also exceeds the requirement in Subtitle C, Chapter 7 of the Zoning Regulations of 2016 (Nov. 15 Tr. At 21-222; Ex. 7; 46)

And, the BZA Conclusions of Law #6 concludes that “There will be adequate, appropriately located and screened off-street parking sufficient to provide for the needs of the maximum number of occupants, employees, congregants, and visitors who will park at the property.

CNDI-LA maintains that the Applicant has not met the R-16 standards and the BZA determination is inaccurate. The standard used by the Applicant in determining the number of parking spaces is not based on the maximum number of occupants, employees, visitors who can use the facility at one time. In fact, the Applicant does not even address this standard.¹¹ In addition, Applicant does not provide a “description of all activities to be conducted at the school as required, which would allow the community to assess the parking needs of the school’s operation. In addition, the BZA Findings of Fact #14 and Conclusions of Law #6 also misstate the standard and conflicts with Applicant’s Conditions for Approval which acknowledge that *there will be on-street parking demand from the school.*

As to meeting the R-16 requirements for visitor parking¹², the Applicant defines the term “visitor” to its benefit to include three types: (1) parents dropping off children who have to bring the child into the school; (2) those attending specific large events including regularly scheduled PTO meetings, academic event or parent/student events; and (3) those attending other large events. As to those attending large events, Applicant does not meet the R-16 requirement that it provide off-street parking but states that it will “use its best efforts to accommodate all parking at large events and proposes to provide notice to the community except for those attending events in category #2. This appears in Applicant’s Condition for Approval #14 which states:

LAMB will provide at least seven days’ advance notice to CNDI-LA, or as soon as possible for emergencies and unforeseen circumstances, before hosting a “large event.” The notice shall include a description of the event, the date and start/end times, and the expected number of attendees.

Large event shall be defined as one occurring, either during or after regular school hours, when parking is expected to overflow outside the property and into the neighborhood and/or event will have any outdoor functions. “Large events’ shall

¹¹ Neither ANC4C, DDOT or OP addressed this in their written documents.

¹² The term visitors is not defined in the regulations.

not include regularly scheduled PTO meetings, academic event or parent/student event

And, in Applicant's Condition for Approval #17 which states

At any large event, LAMB shall engage the services of staff as needed to enforce parking, traffic, queuing, noise, traffic entry/exit conditions, and provide safety and security services. LAMB will use its best efforts to accommodate all parking for large events on the school property.

LAMB's definition of the term visitor adopted by the BZA's conclusion that LAMB is in compliance with this R-16 Regulation does not meet the intent of the regulation to protect the use and enjoyment of neighboring properties. There are well-accepted standards of statutory construction when a term is not defined in a regulation, which would be that the BZA should use the term as it is used in common usage. The BZA did none of this.

VII. The Record in this Application does not support the BZA's determination as to Applicant's compliance with the R-16 Zoning Regulations requirement prohibiting parking in a side-setback area.

Specifically, the R-16 Zoning Regulations prohibit location of parking in a required side setback as follows:

That parking spaces and driveways providing access to them not be located in a required side setback, or on the lot between the principal building and a street right of way, nor in public space abutting the lot (Zoning Regulations U Section 205.2(b)(2))

The LAMB Application recognizes that some of the existing parking spaces at the site are located in the required side setback. The R-16 regulations prohibitions, however, did not apply to Kingsbury which was located at the site before the R-16 Zoning Regulations were put in place. However, LAMB maintains that as to LAMB, this R-16 Zoning Regulation should be interpreted as a "legal non-conformity". According to the Application:

LAMB will use the existing parking spaces and driveways on the Property and will not add or relocate any parking spaces. Some of these spaces and driveways are located in the 8948830.7 9 required side yard and between the building and 14th Street, but they are all an existing condition identified on the certificate of occupancy for Kingsbury and that LAMB will not change. See the current certificate of occupancy attached. These spaces and driveways are currently used by Kingsbury, and LAMB (and Kingsbury during the Interim Period) will continue to use them in the same manner. To the extent that the Property contains a legal non-conformity, such legal non-conformity will be maintained and not altered or expanded.

The Notice and Order Finding of Fact #10 states that “Some of the existing parking spaces and driveways are within the required side yard to the south and between the building and 14th Street. However, this is an existing situation approved under BZA order No. 16569 for Kingsbury” The Conclusions of Law and Opinion #6 states that “Even though some of the parking and driveways are in a required side setback and between the building and a street right-of-way, this requirement under Subtitle U section 2052(b)(2) was enacted after the BZA approval for Kingsbury that allowed it; thus, the existing situation is permitted to continue as legal nonconforming.”

It is CNDI-LA’s understanding that a nonconforming use continues if there is no substantial alteration of the property. Neither LAMB nor the BZA, however, have provided support for the position that the property continues to meet the nonconforming use requirement as it has not been “substantially altered” by an addition to the main building and will continue to be altered with the construction of the 5500 square foot gymnasium¹³.

VIII. The BZA should not have given great weight to the Office of Planning’s written report as it did not address all the R-16 standards and was not revised when OP altered its position on the Applicant’s need to return to the BZA to increase its student population.

(a) The OP Report did not address all the R-16 standards

As stated in Sections I-VII of this Motion, the Record and the Application do not support Applicant’s compliance with the R-16 standards. In most instances, OP just rubber-stamped the Applicant’s statements thereby including the Application’s deficiencies¹⁴.

(b) The initial OP Report was premised on the Applicant returning to the BZA. As it was not revised to provide a basis for the change in OP’s position, it should not be used to support Applicant not returning to the BZA

The Decision and Order at page 3, OP Report states

At the November 15 public hearing, OP changed its recommendation for its third condition and stated that it supported an alternate condition proposed by the applicant that would not require the applicant to return to the BZA to increase its student count at the subject property but would provide adequate monitoring and protections for the community (Nov 15 Tr. at 81-82). In its supplemental report, OP provided additional

¹³ Neither ANC4C nor DDOT addressed this. In its written report, the Office of Planning, recognized that this was a problem and deferred to the Zoning Administrator--saying that since some of Kingsbury parking was in the side yard, therefore, LAMB should be grandfathered.

¹⁴ In one instance OP even appeared to be unaware of the composition of the neighborhood surrounding the site where it says the neighbors are largely churches and focused on the fact that the churches largely operate on Sundays.

information about the mechanics and enforceability of this alternate condition and reiterated its support for it (Ex.128).

The OP supplemental report however, only provided information about the mechanics, but not the enforceability of the alternate condition.

At the November 15, 2017 public hearing, the BZA requested that the Office of Planning explain how the applicant's alternative condition identified on page 28 of Exhibit 114 would be implemented".... Subsequent to the public hearing, OP has worked with the applicant and representatives of the Committee of Neighbors Directly Impacted by LAMB Application (CNDI-LA) to further refine the condition to include notification of CNDI-LA: "After Kingsbury departs the property, LAMB should notify CNDI-LA when they intend to apply for a Certificate of Occupancy to expand into the remainder of the building and increase the student and staff enrollment. LAMB shall demonstrate to DDOT and report to the Zoning Administrator that it is in compliance with the performance monitoring plan ("PMP") and demonstrate to the Zoning Administrator that it is in compliance with all other relevant conditions of approval.

If LAMB is not in compliance with the PMP plan, and all other conditions are not met, LAMB shall not be granted a certificate of occupancy unless given approval by the BZA." The following would be the steps taken to implement this condition:

1. The applicant will begin to implement their performance monitoring plan as outlined by DDOT in their November 1, 2017 report at page 4 "• Implement the following performance monitoring plan, as agreed to by the applicant:"
2. The applicant will submit annual reports starting one year after the occupancy of the building demonstrating how they are meeting the requirements of the performance monitoring plan.
3. After Kingsbury vacates the building, LAMB will be required to get a C of O to be able to occupy the vacated portion of the building and expand enrollment.
4. LAMB will notify CNDI-LA when they intend to submit an application for a C of O to increase the student enrollment and staff.
5. As part of the requirement for the issuance of a C of O to increase the student enrollment and staff, the applicant would be required to receive from DDOT a letter or statement stating that the applicant has provided the yearly reports and has met the requirements of the performance monitoring plan.
6. As part of the review for the granting of a Certificate of Occupancy, LAMB shall demonstrate to the Zoning Administrator that they meet all the relevant conditions of approval.
7. If LAMB is not meeting the requirements, DDOT would issue a letter stating that the requirements have not been met and LAMB would not be able to expand their student and staff.
8. The applicant could ask for review by the BZA if it is not permitted to expand. CNDI-LA subsequently informed OP that they are not in support of this condition.

IX. While it is unclear what weight was given to the ANC written Report in the Decision and Order, the BZA should not give great or other weight to this Report.

The zoning regulations require that the ANC written reports address the issues and concerns of the ANC about the application as related to the standards of the Zoning Regulations against which the application must be judged. According to the Conclusions of Law and Opinion#11:

In this case, ANC4C recommended approval of the application with conditions, including the Alternate Condition. To the extent that the ANC had issues and concerns, the conditional approval of this Applicant addressed them.

Opinion #11 is confusing. The term “conditional approval” possibly should have been “conditions for approval”. Nevertheless, even if the latter is the correct substitute language, the ANC’s written Report should not be given any weight. The written Report incorporated the Conditions for Approval presented to the ANC by the Applicant which the Applicant subsequently changed. Accordingly, it is unclear what can be done with those conditions.

X. The BZA was predisposed to favoring the Application and was therefore not impartial in rendering its decision.

This is reflected by the following BZA actions taken in this Application:

A. Removing Kingsbury from the Application in a process which was not transparent, not addressing CNDI-LA's concerns arising from the proposed co-location as to compliance and monitoring when both applications were before the BZA and not determining whether the community was notified of the hearing for the new application 16569A.

Please see Section I of this Motion.

B. Requiring CNDI-LA to negotiate with Applicant on its Conditions for Approval and then ignoring CNDI-LA’s caveat to its participation in the negotiations. Yet, the BZA’s Decision and Order cites to conditions to which CNDI-LA agreed thereby “penalizing” CNDI-LA for adopting a “negotiation stance” on some R-16 requirements.

As the party in opposition, CNDI-LA’s comments on LAMB’s Conditions were offered with the caveat that they applied to a 310-student population scenario, with LAMB returning to the BZA when prepared to go to 600 and build a gymnasium. This was also the position of both the Office of Planning and Advisory Neighborhood Commission 4C, until Applicant's interjected a financing component this Board should not have heard, since Applicant financing is not within the purview of the Board, as advised by the Office of the Attorney General.[\[3\]](#)

CNDI-LA's willingness to give-up certain regulatory requirements in a negotiation stance, provided that the student population is 310 with a return to the BZA for approval for 600 students, is not a willingness to accept the same conditions with a student population of 600; but six hundred was the starting point for the Applicant; it later became the starting point for the ANC and OP, and became the starting point for the BZA.

LAMB and CNDI-LA were not equal parties in an objective arbitration process Throughout LAMB'S process for finalizing its Conditions, CNDI-LA has been relegated to begging LAMB to accept CNDI-LA's comments or conditions, since after all, (as CNDI-LA was reminded), they are LAMB's conditions. In addition, in the future, CNDI-LA will continue to have to beg LAMB to be heard as a member of its LCC discussed in Condition #12, where CNDI-LA has no vote and is treated similar to West Education Campus, which was not a party to this Application and did not raise any zoning issues.

C. Giving weight to the sheer number of Applicant's Conditions for Approval rather than whether they met the zoning standards against which the Application must be judged.

Not only are the number of conditions subjective as they are the result of the Applicant's representative's writing style¹⁵, many have nothing to do with mitigating adverse R-16 identified conditions, or are legal requirements in other District regulations. Some are also questionable as to their inclusion in this Determination and Order as the issue they address is not a part of this Order. For example, the gymnasium construction proposed in Application 19581 will occur in some indeterminate future time and does not mitigate playground noise which will occur immediately upon LAMB's occupancy of the site. Accordingly, permissible construction times, for example, are stipulated by other District regulations and should not be viewed as a mitigation measure. In addition, approval of this construction has not been granted by the BZA (Finding of Fact #32) and therefore, Conditions #31, 32, 33, 34, and 35 should not be considered.

D. Considering Applicant's ability to purchase the property if its application was not approved for the maximum number of students and citing as precedent a BZA decision which is distinguishable as it involved undue hardship related to the property and not the Applicant.

At Footnote 4 of the Decision and Order the Board stated:

The Applicant testified, and the Board finds, that approving an eventual enrollment of 600 students through this Application, subject to the requirements of the Alternate Condition, is essential to the Applicant's ability to obtain financing, by eliminating the uncertainty that would result if the Board's subsequent discretionary approval of the increase was require; (Dec 20 Tr. At 60-62; Ex. 160). The Board has accepted financing challenges a basis for relief in prior cases. See, e.g., BZA Order No. 18787.

CNDI-LA is puzzled as to why LAMB's ability to operate at that site financially should be a consideration in this case. The BZA's reference to its consideration of financing challenges in

¹⁵ For example, the treatment of large events would have been better collapsed into one Condition with sub-categories.

other cases, such as Order 18787 is completely distinguishable as it involved an analysis of whether the use of the property was economically viable and whether a hardship variance should have been granted.

The Board concludes that the property cannot be put into any conforming use with a fair and reasonable return to the owner and therefore the strict application of the Zoning Regulations would result in undue hardship to the Applicant as the owner of the Site. Uses permitted as a matter of right on an alley lot in an R-4 District where the alleys are less than 30 feet wide are artist studio and private garage, and uses permitted as a special exception are storage of wares and goods, parking lot, parking garage, and public storage garage. Based upon the expert testimony presented by the Applicant, the Board finds that none of these uses would be economically viable.

There is no finding of a hardship issue as to 5000 14th street. It is economically viable for other uses. The fact that the Applicant could face challenges in financing its purchase of the property because of its intended use should not be a part of the R-16 special exception review process, intended to protect a residential community which experiences significant non-institutional use, which brings in significant traffic into the community. It makes a mockery of the R-16 Regulations.

E. Giving weight to the number of letters in support of the Application versus those in opposition without identifying whether each supporter addressed the zoning regulations

The Decision and Order indicates that the Application was supported by the community and lists fifteen (15) reasons given for support of the Application. Three of these reasons are repetitive and as a result only 5 have anything to do with the R-16 zoning regulations requirement. At the same time, no weight was given to the fact that 99% of CNDI-LA residents live within a two-block radius of the facility and as the name implies are directly impacted by operations at the site.

F. Concluding that the certificate of occupancy approval process provides monitoring and protections to the community while only providing a cursory review of what conditions would need to be reviewed by the Zoning Administrator to provide these protections. As a result, the Decision and Order contains conflicting, confusing and vague language regarding these conditions.

The Decision and Order focuses on the fact that the certificate of occupancy approval process (Condition #30) will provide adequate monitoring and protections for the community. Yet, the Decision and Order does not identify which conditions will need to be met to trigger the granting of the certificate of occupancy. As a result, there is considerable “divergence in the scope” of this language throughout the decision:

- Applicant’s attorney emphasized at the Feb 21, 2018 hearing that the *applicant would need to comply with all 35 Conditions for approval to obtain the certificate of occupancy.* This is patently incorrect.

- The Decision and Order at the Applicant’s Case section (page 3), states that *Applicant will need to comply with all other applicable conditions*”: It states:

The Applicant’s final proposed conditions also included an “alternate condition” that allowed for approval for 600 students without returning to the BZA but required the Applicant to demonstrate to the Zoning Administrator that it was in compliance with all other applicable conditions”

- The Decision and Order, Findings of Fact #38 (page 13) states “DDOT will verify the School’s compliance with the PMP, and the *Applicant must demonstrate to the Zoning Administrator that it has complied with all other conditions of approval.*
- The Decision and Order, Findings of Fact #39 (page 39): The Alternate Condition is an enforceable check on the School’s growth by requiring a *demonstration by the School that it is in compliance with all of the other conditions of approval that will mitigate adverse impacts on the neighborhood.*

The failure of the BZA to identify what other conditions will need to be met effectively transfers zoning compliance responsibilities from the Board to another agency and again requires the community to continue to take on the arduous task of not only monitoring Applicant but also the agency. It is unfair to the community.

G. Transferring zoning compliance responsibilities from the Board to other executive branch agencies, and to the community and CNDI-LA, the taxpaying residents, and equating the protections provided by the zoning application process to the certificate of occupancy process at the Office of the Zoning Administrator.

Under Condition #30, CNDI-LA and the community are being pushed off to agencies – DDOT and the Zoning Administrator – where their decision-making processes are opaque and frequently nonresponsive, where there are no formal procedures for community involvement in their initial decision-making as to issues arising from LAMB’s operations, where under the Conditions, there are either no penalties or the likelihood of a penalty is remote, given the reporting period and LAMB’s control of the reporting process and where any standards work primarily in LAMB’s favor, given that these are LAMB’s Conditions.

In other words, it is abundantly clear that the community will have little or no voice or will be relegated to engaging in future “heavy-lifting” for as many years as LAMB occupies 5000 14th Street. What is most difficult for the community and CNDI-LA to accept, is that in the future, the community is expected to seek relief from “negative conditions” identified in the R-16 regulations due to LAMB’s operations, which are presently identified by LAMB’s own experts, (i.e., queuing and travel delays), by bringing them to LAMB’s attention through the LCC, or to DDOT and the Zoning Administrator; the onus for day-to-day oversight and reporting will be squarely placed on CNDI-LA’s shoulders.

The Board’s adoption of LAMB’s Conditions and approval of LAMB’s 600 student population without requiring LAMB to return to the BZA, amounts to a denial of due process rights as a

party in this process, disenfranchisement as citizens of the District of Columbia, and an abdication by the BZA of its singular authority as the expert body mandated to address zoning standards in the R-16 “protective” regulations.

The vaunted LCC, discussed in Condition #12, which is of no value to CNDI-LA, as we will only be able to raise issues to a body predisposed to LAMB’s positions, and most ironically, there is no CNDI-LA issue that will come before the LCC in the ensuing years that has not been raised in the last 6-months before this Board.

CONCLUSION

The Board’s adoption of Applicant’s Conditions and approval of LAMB’s 600 student population without requiring LAMB to return to the BZA, amounts to a denial of CNDI-LA and the immediate community’s due process rights as a party in this process, disenfranchisement as citizens of the District of Columbia, and an abdication by the BZA of its singular authority as the expert body mandated to address zoning standards in the R-16 “protective” regulations.

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2018, a copy of the CNDI-LA Motion for Reconsideration was served by electronic mail to the following at the addresses stated below.

District of Columbia Office of Planning
Ms. Maxine Brown-Roberts
maxine.brown-roberts@dc.gov

Building Hope
Jerry Zayets
jzayetz@bhope.org

Advisory Neighborhood Commission 4C
Attn: Commissioner Bennett Hilley,
Chairperson
4C06@anc.dc.gov

Goulston & Storrs; counsel on behalf of
applicant
Attn: Mr. Cary Kadlecek
ckadlecek@goulstonstorrs.com

Advisory Neighborhood Commission 4C
Attn: Commissioner Jonah Goodman,
Secretary
4C10@anc.dc.gov

Brandon T. Todd, Councilmember
Ward Four
Council of the District of Columbia
btodd@dccouncil.us

Advisory Neighborhood Commission 4C
Attn: 4C02 Single Member District
Commissioner Maria Barry
4C02@anc.dc.gov

Esther McGraw, Esq.
Interim General Counsel
Dept. of Consumer and Regulatory Affairs
esther.mcgraw2@dc.gov

Latin American Montessori Bilingual Public
Charter School
Attn: Executive Director Diane Cottman
diane@lambpcs.org

Chair and At Large Councilmembers Council
of the District of Columbia
pmendelson@dccouncil.us
esilverman@dccouncil.us
drosso@dccouncil.us
abonds@dccouncil.us
rwhite@dccouncil.us

Building Hope
Attn: Ms. Dominique Fortune
dfortune@bhope.org



Rami Rihani
Committee of Neighbors Directly Impacted by LAMB Application (CNDI-LA)