

## **Exhibit D - Community Outreach Summary and Community Comments Summary**

January 26, 2024: The Applicant emails the ANC to inform the ANC of its Application.

January 26, 2024: February 19, 2024: Series of discussions with SMD to find date for initial meeting.

February 20, 2024 : Initial meeting occurs, a number of comments are submitted to the Applicant.

March 19, 2024: As the majority of the concerns are related to traffic, the Applicant agrees to postpone the hearing and coordinate a traffic study with transportation experts Symetra; postponed to July 24, 2024.

April 11, 2024: Applicant attempts to set up meeting with SMD and community to discuss preliminary findings and answer traffic questions now that the study is underway and traffic experts have been hired.

May 13, 2024: Applicant's team meets with the SMD to walk the Property and have preliminary discussions regarding the community and transportation plan.

June 13, 2024: SMD informs Applicant they are going to request a postponement because they do not feel like they have had enough time to put Applicant on June agenda, and there is no July or August meeting. Applicant agrees. (See series of emails submitted by SMD to support request for postponement, Exhibit 19B).

July 16, 2024: Applicant's team meets with community, hearing mostly concerns about traffic. Applicant agrees to supplement a portion of the traffic evaluation after the school across the street has started (Capital City). MOU/Agreement is discussed and Applicant agrees to update plans and policies to expressly prohibit alley drop off. (See proposed conditions to any order and MOU agreement).

August 16, 2024 – September 4, 2024: Applicant's team coordinates meeting with SMD and adjacent SMD/Chairperson for mid-September meeting to review findings prior to scheduled September 23<sup>rd</sup> ANC meeting.

**[see next page for summary of questions from community and applicant response]**

### **Summary of Questions from the Community**

**Project Overview:** Neighbors would like a better understanding of the funding/financing vehicles that the Owner has in place regarding this property. Neighbors would also like a better understanding of the proposed construction plan and timeline associated with the project. There is specific concern about prolonged construction or the potential for site/project abandonment, as this has occurred at other locations in the neighborhood, leaving neighbors to deal with the impacts of vacant and blighted properties.

**Applicant's Response:** Owners have a SBA loan; the previous use was a church, the community opposed new residential development, the owner then sold it to Estrellitas which intends to use it as a CDC, a use permitted in this zone subject to special exception criteria specifically enumerated in the zoning regulations. Through the MOU, traffic discussions and various meetings, the Applicant has demonstrated its willingness to work with the community and hopefully gain support from ANC and avoid neighbor opposition so that the project, if approved, can move forward without delays. Please see the Community Agreement/MOU for more information about construction.

**Environmental Impact:** Please explain whether an environmental impact study has been performed or if the owner plans on performing a study such as this. There is concern about the removal of existing trees and/or green space that could have an impact on environmental factors in the neighborhood. Neighbors also want to make sure that existing public infrastructure (e.g. water, sewage, trash removal, electricity) will not strain the needs of the neighborhood or the property once the project is completed. One neighbor asked me to note in this letter that the 200 block of Peabody St., NW has had pervasive water and sewage issues over the years.

**Applicants' response:** The Applicant will adhere to all rules and regulations required for environmental protection during permitting. Please see the Community Agreement/MOU for more information about construction and trash.

**Design and Aesthetics:** Initial renderings of the proposed project were received and reviewed, but it would be helpful to understand how the owners will ensure that the completed building will conform to the character of the neighborhood. Neighbors would like to make sure that any new construction taking place is completed in a way that will not compromise the current look and feel of the neighborhood's character. One neighbor commented that "The plan, as proposed, looks more like an industrial scale development center model that would not fit on a residential street. Such as missed opportunity to use the vast outdoor space for the kids." This neighbor also noted that the Owner would benefit from considering "a more residential look and operation."

**Applicant's response:** The plans have been updated to include more windows and renderings have been provided to show the proposal in more detail.

**Proximity to Neighboring School:** Capital City Public Charter School ("CCPCS") is a large public charter school that is situated less than 1000 feet from the Property, on the 100 block of Peabody

St., NW. Despite catering to a student population that is approximately four times larger than the anticipated daycare that MENDOMAS has proposed, CCPCS occupies a site 28 times the size of the Property. Even by occupying such a large parcel of land, and being adjacent to federal parkland, the presence of CCPCS presents and has presented numerous and significant challenges to neighbors who live near the school. By adding a daycare with 80 students and 20 staff less than 1000 feet away, this creates the potential for the daycare to compound the issues that neighbors on the 100 block of Peabody St., NW currently face, as well as adversely affect neighboring properties, specifically neighbors who live on the 200 block of Peabody St., NW and the 6000 block of 3rd St., NW. As one neighbor who lives in the middle of the 200 block of Peabody St., NW described “When you take all of the issues that we’ve dealt with related Capital City Public Charter School, and then add a new daycare with 100 people traveling to and from the location on a daily basis, I have little doubt that neighbors in our neighborhood will be negatively impacted.”

**Applicant’s response:** Please see MOU/Community agreement, conditions regarding drop-off and pick-up, detailed transportation study and forthcoming DDOT report which will provide an objective stance on the traffic conditions from experts.

**Capacity and Scale:** The Property is situated on a residential block exclusively composed of single family homes, which has prompted us to evaluate the proposed daycare facility through a residential lens. Notably, the Office of State Superintendent of Education (OSSE) stipulates that in-home daycare facilities can accommodate up to six students, with extended facilities allowing up to twelve students (See Q5. OSSE Child Care FAQs). If one of the single-family homes adjacent to the Property wanted to open a home-based daycare, OSSE would limit attendance from six to twelve students. Given the church’s location on a double lot – each comparable in size to neighboring single-family home lots – a theoretical scenario where each lot accommodates an extended daycare would see a maximum total of 24 students. We believe that this number is a more realistic capacity level that the site could accommodate effectively without negatively impacting the neighborhood.

**Applicant’s response:** The Applicant has not evaluated theoretical scenarios in which it demolishes the church and creates two new single-family homes to each house 12 students; the proposed additions are permitted as a matter-of-right and the proposed number of students is not limited in the special exception. The number of students proposed is what is economically feasible for this site, albeit the Applicant must not prove need under a special exception. The proposed number of students is also permitted under the building code. The Applicant must meet the special exception requirements and is not required to prove any need.

**Noise/Dust/Debris:** Please provide an explanation of what the owners intend to do to minimize disruption to the environment, especially given that many neighbors are families with young children and seniors/retirees

**Applicant’s response:** Please see community agreement and related construction management provisions.

Parking and Equipment: Please provide an explanation as to what types of equipment will be used to perform the renovations. How will the owner ensure that neighbors' parking and access to their homes is not disrupted by construction vehicles.

**Applicant's response: Please see community agreement and related construction management provisions.**

Waste Management: Please provide information as to how waste will be managed at the property. Neighbors would like to understand the placement and management of trash containers, and/or whether the daycare intends to use commercial dumpsters or a commercial trash collection service. Neighbors would also like to know if the property intends to use or dispose of any material that could be classified as being hazardous or a biohazard?

**Applicant's response: Please see community agreement and related trash provisions. Please see the proposed conditions related to trash. None of the material will be biohazardous as this is not a medical facility.**

Outdoor activities: Neighbors would like greater insight into which public parks and playgrounds the daycare intends to utilize. Does the Owner have any plans to install a playground on premises? Does the Owner intend to transport children to and from off-site locations (including playgrounds) via commercial transportation?

**Applicant's response: There will be a playground on site. The Applicant will not utilize commercial transportation. Children will be walked to and from local parks using strollers and ropes, a standard practice that many have probably seen where teachers push the children in strollers. Please see community agreement and proposed conditions discussing this in more detail.**

Parking: This is a significant concern of neighbors in the area. Because this neighborhood is residential in nature, almost all neighbors own vehicles and commute or use their vehicles at all times during the week and on the weekend. Neighbors commute to and from work, they have visitors who require parking, and they venture out to other areas of the City and to the suburbs to run errands; all of which require access to vehicle parking. We would like to understand how the Owner determined that the number of parking spaces included in their application (5) is sufficient for the intended use of the property?

**Applicant's response: The requirement for a CDC is 0.5/1000 sq. ft. of GFA. The total GFA is 8,928 sq. ft.—so with .5 spaces per 1,000 sq. ft as the requirement, the total number of required parking spaces is only 4 spaces. Further, as there is no parking on site currently and the building has a C of O for 144 seats, the property could technically qualify for a 'credit' of well over 4 spaces. Meaning that DOB could approve 0 parking spaces technically. From either perspective, the Applicant is providing excess parking which will be exclusively for staff. Please see detailed conditions and PUDO/TDM measures to address this as well.**

Privacy and Security: Please provide information as to what security measures will be in place, both during and after operational hours. How does the Owner plan to ensure both the safety of the children and the surrounding community? Neighbors are concerned that a daycare close by could result in the loss of privacy, due to increased foot traffic, outdoor activities, and the general bustle and activities associated with approximately 100 new individuals arriving and departing this site daily. Neighbors would like to know if the Owner intends to install perimeter fencing, living fencing, and/or privacy screens on their property to enhance security and privacy for the daycare and neighboring properties? Please provide information on how the Property owner intends to prevent children from inadvertently accessing the alleyway and/or neighboring properties.

**Applicant's Response:** Fencing has been provided, as demonstrated on the plans. A locked gate is also being provided. A designated staff member will be available for pick-up and drop-off to ensure efficient and timely drop-offs and the Applicant does not anticipate that parents will linger for any nefarious purposes. The Applicant anticipates that many families will be from the neighborhood and will therefore not be strangers!

Pick Up and Drop Off: Neighbors have expressed significant concerns about the use of parking spaces in the alley between Peabody St., NW and Quackenbos St., NW for the purposes of pick-up and drop-off. According to the Applicant, the applicant plans to allocate "five parking spaces at the rear for staff pick-up and drop-off activities, as needed." (See Applicant's Statement of MENDOMAS, LLC 245 Peabody Street, NW; Page 2.) It is anticipated that access to these spaces will be through the alley. However, this arrangement appears to conflict with the District of Columbia Municipal Regulations (DCMR), specifically, Title 18, Section 2405.1, which prohibits stopping, standing, or parking in alleys, indicating a potential issue with vehicles causing congestion in this space (thereby adversely impacting neighbors who use these alleys). Furthermore, neighbors would like to understand what the Owner will be doing to prevent congestion in the alley and adjacent streets, during peak pick-up and drop-off times. Additionally, neighbors would like to understand whether the Owner intends to coordinate with CCPCS with respect to pick-up and drop-off times, to not create significant congestion along the 100 and 200 blocks of Peabody St., NW, as well as adjacent streets.

**Applicant's response:** After hearing concerns, the Applicant has made it very clear those will not be used for drop-off or pick-up and has detailed PUDO/TDM measures, as well as other policies detailed in the community agreement and conditions list, to prevent this. Please also see forthcoming transportation and DDOT reports.

Community Integration and Impact: Please explain what strategies the daycare intends to undertake to positively integrate with and contribute to the neighborhood. Are there any people, such as sex offenders, who will be impacted by turning this particular location into a day care?

**Applicant's response:** Please see communication policy detailed in the community agreement. Further, the Applicant hopes the addition of quality childcare will be viewed as a positive addition to the community.

Communication and Engagement: Please explain how the Owner intends to create an ongoing dialogue between the daycare management and the neighborhood, to address any concerns that may arise.

**Applicant's response:** Please see communication policy detailed in the community agreement.

Property Values: More than one neighbor has raised concerns about the impact that a commercial entity like daycare could have on residential property values. Other daycares in the area that are in residential areas are in residential homes that have been retrofitted to operate as daycares. The only other full-size daycare in 4B07 (2 New Heights) is located in a commercial zone that is better suited for a large influx and outflux of children.

**Applicant's response:** The Applicant is not qualified to make this determination as property values may be affected by a multitude of different factors.

Zoning and Precedence: Neighbors are concerned that any exceptions or variances associated with this property could set precedents for future commercial endeavors at this site. One neighbor asked me "How do we know that the owner isn't going to build up the property, expand the footprint, and then sell it to a developer who will then turn it into a multi-family property?". We would like to note that almost every other Child Development Center that has an authorized capacity of 80 students or more is in a large, commercial building or a commercial area. Furthermore, it is also of concern that of the 14 Child Development Centers in Ward 4 with 80 or more students, only one of them is in an area zoned R1B (R1B/SH).

**Applicant's response:** All cases are evaluated on the individual merits, as will be the case here. This is a special exception specifically enumerated and permitted in the zoning regulations, subject to certain conditions. This is not a variance.

What is the plan for management of commercial trash? If only picked up once a week, is there a pest control plan?

**Applicant's response:** The Applicant will undertake pest control measures as noted in the community agreement.