



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



FORM 140 - PARTY STATUS REQUEST


Before completing this form, please go to www.dcoz.dc.gov > IZIS > Participating in an Existing Case > Party Status Request for instructions.
Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name: Joshua Christopher Toll
Address: 6001 3rd St. NW
Phone No(s): 202-329-9884 E Mail: jctoll@yahoo.com

I hereby request to appear and participate as a party in Case No.: 21101

Signature:  Date: 9/26/24

Will you appear as a(n) ☐ Proponent ☒ Opponent Will you appear through legal counsel? ☐ Yes ☒ No

If yes, please enter the name and address of such legal counsel.

Name:
Address:
Phone No(s):
E Mail:

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

I hereby request advance Party Status consideration at the public meetings scheduled for: 10/02/24

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf;
2. A summary of the testimony of each witness;
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
4. The total amount of time being requested to present your case.

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

Board of Zoning Adjustment
District of Columbia
CASE NO: 21101
EXHIBIT NO. 36

PARTY WITNESS INFORMATION:

1. A list of witnesses who will testify on the party's behalf:

- Joshua Toll, Homeowner, 6001 3rd St. NW, immediately adjacent to Applicant's property at 245 Peabody St. NW.
- Safa Ansari-Bayegan, Homeowner, 6001 3rd St. NW, immediately adjacent to Applicant's property at 245 Peabody St. NW.

2. A summary of the testimony of each witness:

- Joshua Toll will testify to the detrimental impact that an 82 student, 20 staff member Child Development Center (CDC) will have on the traffic, parking, and safety environment on the 200 block of Peabody St. NW in light of the narrow width of the street and in light of the severe traffic congestion created by the Capital City Public Charter School located at 100 Peabody St. NW. Mr. Toll's testimony will be based on his personal experience driving to and from work during the peak AM and PM hours identified in Applicant's Updated Transportation Statement, dated September 19, 2024.
- Safa Ansari-Bayegan will testify to the detrimental impact that an 82 student, 20 staff member Child Development Center (CDC) will have on the traffic, parking, and safety environment on the 200 block of Peabody St. NW in light of the narrow width of the street and in light of the severe traffic congestion created by the Capital City Public Charter School located at 100 Peabody St. NW. Ms. Ansari-Bayegan's testimony will be based on her personal experience driving to and from work during the peak AM and PM hours identified in Applicant's Updated Transportation Statement, dated September 19, 2024.

3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts:

N/A

4. The total amount of time being requested to present your case:

15 minutes

PARTY STATUS CRITERIA:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?

The CDC intends to serve no fewer than 82 children and 20 adult staff (i.e., more than 100 new person trips), which will attract at least 65 auto person trips both during AM peak hours and PM peak hours to the 200 block of Peabody St. NW. It will do so simultaneously with the drop-off time and near the pickup time for students at the Capital City Public Charter School located at 100 Peabody St. NW, which has already generated considerable traffic problems for the neighborhood. The impact on the traffic, parking, and safety situation in the 200 block of

Peabody St. NW is likely to be exponential, as the increased auto person trips will result in the occupation of all parking spaces on the block (and likely some cars double-parking during pick-up or drop-off), preventing two-way traffic from advancing seamlessly, and creating conditions ripe for automobile and pedestrian accidents. The risk to pedestrians is particularly elevated for those individuals who park on the south side of Peabody St. and who must traverse the traffic to get their small children to the CDC. The CDC is located between 2nd St. NW and 3rd St. NW and there is no crosswalk between these streets, nor is there a traffic control officer providing safe passage to the CDC.

Further, our garage opens onto the alley which is right next to 245 Peabody, and I am concerned that, if the special exception is approved and the project goes forward, parents will double-park their cars in the alley for purposes of effectuating pick-up and drop off, which will block my garage and prevent me from driving to and from work. I am also concerned that the mouth of the alley will also be consistently blocked because of the increased traffic. I am also very concerned for the potential for accidents given that I will be backing out of my garage each morning and the alley would likely be getting significant vehicular and foot traffic. It's a very narrow alley that cannot accommodate two-way traffic and it is simply not big enough to safely accommodate increased foot and vehicular traffic. (Other neighbors use it for the same purpose as well, but, since I am closest to Peabody, my garage is most likely to be blocked).

2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)

I am the homeowner of the property at 6001 3rd St. NW, immediately adjacent to the property at 245 Peabody St. NW, where the applicant requests special exception approval.

3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)

My property at 6001 3rd St. NW backs up to the alley that is immediately adjacent to Applicant's property at 245 Peabody St. NW. As such, there is perhaps a 10-foot distance between land on each property, while there is currently an approximately 30-foot distance between our garage and the main structure on 245 Peabody St. NW.

4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?

I have seen first-hand that it is very difficult to drive down the 200 block of Peabody St. NW due to how narrow the street is; I have often had to wait at the mouth of the alley for a significant period of time in order to exit onto Peabody to commute to work. When there is traffic coming from the opposite direction, one car must duck into a parking space in order to allow the other car to pass; the street is simply not wide enough. I am concerned that, if the special exception is granted and the project goes forward, there will be absolute gridlock on Peabody St., not to mention the dangerous conditions that will be created for both vehicles and pedestrians. Adding

more than 100 new person trips and 65 auto person trips during peak hours will only serve to create even more objectionable traffic conditions and unsafe conditions for picking up and dropping off young people.

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.

N/A

6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

As the homeowner of one of the properties immediately adjacent to 245 Peabody St. NW, I will be on the front lines of negative traffic, parking, and safety consequences arising out of the 82 student and 20 staff member CDC. The parking spaces on the side of my home (where I often park) will be considered prime spots and will attract significant activity, which will render my vehicles vulnerable to additional damage and may subject me and my family to increased risk of injury entering and exiting my vehicles during AM and PM peak hours. Further, as stated above, I use the alley next to 245 Peabody on a daily basis from Monday-Friday, and I am very concerned that I will no longer be able to use the alley for its intended purpose since it will be blocked with double-parked cars and increased traffic (since it is the access point for the 5 staff parking spots behind the building). I have no other way out of my garage. Further, we have learned that, as of September 13, 2024, the Capital City Charter School on Peabody has acquired a Child Development Center licensure, which is certainly within 1,000 feet of the proposed property. This development, which is material, has not been disclosed by the Applicant. Notably, their traffic study has not accounted for the cumulative effect of an additional CDC facility within 1000 feet, and this will necessarily have an adverse effect on the neighborhood due to traffic, noise, and operations.

Respectfully Submitted,



Dated: 9/26/04

Joshua C. Toll
Homeowner
6001 3rd St. NW, Washington DC 20011
jctoll@yahoo.com

CERTIFICATE OF SERVICE

I, Joshua Toll, hereby certify that on September 26, 2024, I served the Form 140 plus attachments on the following by email:

Interactive Zoning Information System, zcsubmissions@dc.gov

BZA Submissions, bzasubmissions@dc.gov

D.C. Office of Planning, Planning@dc.gov

Office of Zoning, dcoz@dc.gov

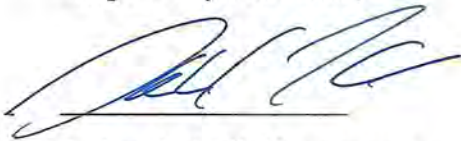
Mendomas LLC, via their counsel, awilson@sullivanbarros.com

ANC 4B, 4B@anc.dc.gov

ANC Commission 4B Chairperson, Alison Brooks, 4B08@anc.dc.gov

ANC SMD, Michael Cohen, 4B07@anc.dc.gov

Respectfully submitted,



Joshua C. Toll, Homeowner

6001 3rd St. NW

Government of the District of Columbia Advisory Neighborhood Commission 4B



RESOLUTION #4B-24-0905

Supporting and Providing Feedback Regarding Request for Special Exception at 245 Peabody St., NW (BZA [21101](#)) Adopted September 23, 2024

Advisory Neighborhood Commission 4B (the "Commission") takes note of the following:

- The property located at 245 Peabody St., NW (the "Property"), a former Mennonite Church that has been vacant or used sparsely for the past 7+ years, is the subject of a special exception application before the Board of Zoning Adjustment (BZA 21101). Mendomas, LLC (the "Applicant") seeks approval to convert the existing church into a Child Development Center (CDC) facility.
- The Commission supports bringing new businesses to the area, particularly those that meet the needs of our diverse community. In this case, the Commission acknowledges the growing demand for childcare services within the neighborhood. However, the Commission's support for this application is contingent on the Applicant making necessary concessions, and taking proactive steps, in order to ensure that no additional burdens are placed on existing neighbors if BZA 21101 is approved.
- While the Commission supports the applicant's proposal, we have reservations about the size and capacity of the daycare facility, which is expected to accommodate up to 80 children and 20 staff members daily. There appears to be a significant disconnect between what has been proposed by the Applicant and what nearby neighbors believe is appropriate for the property. Neighbors have expressed concern that, given the property's location within and proximity to a residential block, the size and capacity should more closely align with that of a Child Development Home (CDH) or Expanded Child Development Home, rather than a facility of this size and scale.

- The Applicant was diligent in assessing the implications of using the Property as a CDC with 80 students and 20 educators, and the Commission's support for this project is contingent upon the Applicant's ability to ensure and maintain that the property does not create objectionable traffic conditions, especially during drop-off and pick-up hours. Furthermore, the Commission emphasizes that the applicant must maintain continued awareness of any potential cumulative traffic impact that may arise in conjunction with other nearby schools and/or commercial properties to prevent exacerbating existing traffic issues in the area.
- There were other significant concerns that were raised by nearby neighbors during this application period. These concerns were primarily related to traffic and parking, and include:
 - Concerns that the size of the daycare, the number of students and educators proposed, and its daily operations could create objectionable traffic conditions on the surrounding streets, specifically the 200 block of Peabody St., NW; the 5900 and 6000 blocks of 3rd St., NW, and the 5900 and 6000 blocks of 2nd St., NW. There is also concern that existing traffic conditions on the 100 block of Peabody St., NW could be exacerbated if this special exception is granted.
 - While technically there is not another CDC within the required distance limitations provided by OSSE, there is a public charter school one block away from the Property (Capital City Public Charter School, located at 100 Peabody St., NW). Pick up and drop off for this charter school has led to traffic-related issues in the past, especially along the blocks mentioned above.
 - Neighbors who live on the 200 block of Peabody St., NW have already faced [significant traffic-related issues during pick-up and drop-off hours](#). This includes neighbors' cars being sideswiped, car mirrors being knocked off of cars, neighbors' vehicles being blocked into private parking spaces, alleys, and driveways, and private parking spaces being blocked by other vehicles.
 - Concern that parents who are driving their children to daycare at 245 Peabody St., NW may utilize the adjacent alley for pick-up and drop-off, potentially obstructing access for nearby residents and hindering their ability to freely use the alley or access their private garages, private driveways, and/or private parking spaces. Neighbors have requested, and the Commission agrees that, as a condition of approval, the Applicant commit to working collaboratively with parents, nearby neighbors, and relevant

District agencies to ensure that traffic in the alley remains unobstructed and that neighbors' access to their private parking is not impeded.

- The street adjacent to the property is a local road that is already narrow, and there are concerns that this local road cannot safely accommodate parking on both sides as well as the anticipated daily traffic for pick-up and drop-off of 80 children, even with the inclusion of dedicated pick-up/drop-off spaces. There has also been concern expressed that the traffic patterns on Peabody St., NW may not be able to accommodate emergency vehicles when traffic is heavy, and that these concerns may lead to traffic congestion and unsafe conditions for children, parents, and nearby neighbors.

Neighbors throughout Single Member District 4B07 have expressed varying opinions on this project. While some residents throughout the SMD have indicated their support for the Applicant and the idea of a new CDC at this location, neighbors who live closer to the proposed site have raised concerns and expressed opposition due to the issues included above. This opposition has been voiced through the submission of a petition as well as through phone calls and emails to their Advisory Neighborhood Commissioners.

The Commission appreciates the Applicant's diligent efforts to engage with the community and the Commissioners of Single Member District 4B06 and Single Member District 4B07. The applicant has held both virtual and in-person meetings, responded promptly to emails and phone calls, and provided opportunities for community members to express concerns and offer feedback on the application. Additionally, the Commission recognizes the Applicant's efforts in conducting further traffic-related studies after the start of the 2024-2025 school year to obtain a more accurate assessment of how traffic conditions at and around the Property interact with the traffic pattern on the 100 block of Peabody St. NW. Finally, the Commission is aware of and appreciates the Applicant's efforts to establish parent policies which clearly inform parents that drop-offs and pick-ups are prohibited from occurring in the alley adjacent to the Property.

RESOLVED:

- That Advisory Neighborhood Commission 4B supports BZA Case #21101 with the reservations noted above, recognizing the community's need for additional childcare options. However, the Commission also acknowledges the potential negative impacts this project could have on traffic, parking, and alley access. The Commission requests that the applicant take proactive measures throughout all phases of the project to

mitigate these impacts.

- That Advisory Neighborhood Commission 4B's support is contingent upon the applicant ensuring that the property's use as a CDC with the proposed size and capacity, does not result in objectionable traffic conditions for neighbors or those traveling through the area.
- That Advisory Neighborhood Commission 4B requests that the applicant regularly monitor traffic and parking conditions, particularly during peak hours of operation, and collaborate with DDOT, DPW, OSSE and any other relevant District agencies to explore additional traffic-calming measures or parking restrictions, as necessary.
- The Commission requests that the Applicant establish a clear line of communication with the community to ensure ongoing feedback and concerns from neighbors are addressed promptly, which may include periodic community meetings or updates to reassess conditions at all phases of this project.

FURTHER RESOLVED:

That the Commission designates Commissioner Michael Cohen, ANC 4B07 to represent the Commission in all matters relating to this Resolution.

FURTHER RESOLVED:

That, in the event the designated representative Commissioners cannot carry out their representative duties for any reason, the Commission authorizes the Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

FURTHER RESOLVED:

That, consistent with DC Code § 1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions, and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

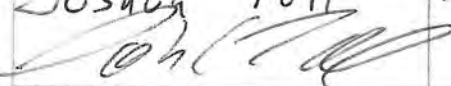
ADOPTED by voice vote at a regular public meeting (notice of which was properly given, and at which a quorum of **X** members was present) on September 23, 2024, by a vote of **X** yes, **0** no, **0** abstentions.

PETITION

We, the undersigned, affix our signature to support the petition for opposing the D.C. Board of Zoning (BZA) application for 245 Peabody Street, NW (Square 3338, Lot 811) submitted to the Board by Mendomas LLC on January 26, 2024. As neighbors in the vicinity of the property at issue, we implore our district representatives and the BZA to disapprove Mendomas LLC's application for relief under § 901.2 – Special Exception under the Zoning Regulations.

We contend that the intended use of the property as a Child Development Center does not align with the purpose of the R-1B zone, which is to protect the quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes; and stabilize the residential areas and promote a suitable environment for family life. Further, per the Zoning Regulations special exception, the application does not meet the following conditions for daytime care use:

- The facility shall be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons in attendance.
- Any off-site play area shall be located so as not to endanger individuals traveling between the play area and the center or facility.

Name	Address	Email
Joshua Toll 	6001 3rd St NW	jtoll@yahoo.com
Safa Ansari-Bayegan	6001 3rd St NW	sansari-bayegan@gmail.com
Boof de wayin	6016 3rd St NW	boofdewayin@gmail.com
Krystle Williams	6018 3rd St NW	KW1108@yahoo.com
Erre Wehington	6021 3rd St NW	
Katieda Callesu	6029 3rd St NW NW WDC 2001	Katieda@yahoo.com

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We contend that the intended use of the property as a Child Development Center **does not** align with the purpose of the R-1B zone, which is to protect the quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes; and stabilize the residential areas and promote a suitable environment for family life. Further, per the Zoning Regulations special exception, the application **does not** meet the following conditions for daytime care use:

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Name	Address	Email
Kira Schmidt	124 Quackenbos	kira.schmidt@gmail.com
Patricia J. Adams	207 Quackenbos St. N.W. Wash. D.C. 20011	patriciafe@msn.com
FENE SNOWDEN	210 QUACKENBOS ST NW	FENE_SNOWDEN@yahoo.com
Max Leponsky	216 Quackenbos St NW	thebigleponsky@gmail.com
Grace Ginsburgh	216 Quackenbos St NW	gamsstein@gmail.com
Mark Mittelhauser	241 Quackenbos St. NW Washington, DC 20011	mittelhauserm@yahoo.com

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Name	Address	Email
Patrick Fonseca	217 Oge Thorpe St. NW	patrickdaniel.fonseca@gmail.com
Amy Putens	SAME AS ABOVE	stylist19x@gmail.com
Novina Denise Wilson Taylor	5920 2nd St NW	dnwilsonTaylor@rol.com
Yin Yin	6000 2nd St. NW	YinYinpr@gmail.com
Angela Maria Corim	6010 2nd St NW	angela@rol.com apcorim@yahoo.com
Jeremy Janow	6010 2nd St NW	jeremy.janow@hotmail.com

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Name	Address	Email
Ph. Shutey	6006 3rd St NW 20011	
A. HOWARD	6009 3rd St NW 20011	ahowardtoday@gmail.com
TOBY ROSEN	6001 3RD ST NW 20011	tobyrogers45@gmail.com

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Name	Address	Email
Patricia Diane Koss	5929 3rd St NW WDC 20011	rpsservice3376@gmail.com
Stanley Kelly	5928 3rd St NW 20011	
Willie D. Williams	5924 3rd NW	DoleyNe3@Verizon.Com
Samuel Forte	5936 3rd St NW	Sforte9@gmail.com
Yulma Korhege	5932 3rd St NW	yulmakorhege@gmail.com
JUNE DAUGHERTY	5919 3RD St. NW.	jdart4u@gmail.com
Munir & Yusra	5920 3rd St NW	
Tasha Wells	5919 3rd St NW	tw_23@msn.com
Emily Chastain	5904 3rd St NW	emilysignsup@gmail.com
Anthony Brown	5926 3rd St NW	
Cingele Kion Wynn	5925 3rd St NW	akeionwynn@gmail.com
Kathleen C.	5927 3rd St. NW	
Maria Oullana	5940 3rd St NW	MARIELOS59@yahoo.com
Natalie N. Sanders	5935 3rd St NW	just_me_in_2005@yahoo.com

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Name	Address	Email
Genevieve Anderson	211 Peabody St. NW	genevieveanderson1@gmail.com
Milton Evering	211 Peabody St NW	mevering@amargroupllc.com
Karen Gore	220 Peabody St NW	gorekth@yahoo.com
Drahmane Coulibaly	207 Peabody St NW	drahmanecoulibaly@yahoo.com
Kenneth V Berry	205 Peabody St NW	ShouBerry8179@gmail.com
Norman Pettus	6015 2nd St NW	Torrox2@Aol.com
Claudia Silva	220 Queenkings St NW	claudsilva@comcast.net
Amara Evering	211 Peabody St. NW	AmaraEvering@gmail.com
Delisa Saunders	203 Peabody Street NW	delisasaunders@gmail.com
Name	Address	Email

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Name	Address	Email
Rachel Egan	221 Peabody St., NW	racheleegan@yahoo.com
Tobias Swope	5920 2nd Pl NW	tobygswope@gmail.com
Jennifer Swope	5920 2nd Pl NW	JSwope@gmail.com
Paul Peterson	5918 2nd Pl NW	paulpeterson@gmail.com
Rita Wilson	5910 2nd Pl NW	riwilson7@comcast.net
Nikkie Pele	5902 2nd Pl NW	
Charmelle Parker	5900 2nd Pl NW	charmellaparker@aol.com
Lincoln Fonseca	217 NW 1st St	
London Fonseca	217 Oakthorpe St NW	
MArcus Adams	204 Quakerbos St NW	
Jacqueline Snowden	210 Quakerbos St NW	jacquiesnowden@gmail.com
Shirley Douglas	920 Sheridan St NW	agua01@gmail.com
Shirley Douglas	228 Peabody St	hiss3info@gmail.com
TARA JAMISON	223 Peabody Street NW	tara.m.jamison@gmail.com

Government of the District of Columbia Advisory Neighborhood Commission 4B



DRAFT RESOLUTION #4B-24-0906

**Supporting Request for Special Exception at 245 Peabody Street, NW
(BZA Case No. 21101)**

Adopted September 23, 2024

Advisory Neighborhood Commission 4B (Commission) takes note of the following:

- Applicant MENDOMAS LLC, on behalf of Estrellitas Montessori, requests a special exception under [Subtitle U § 203.1\(h\)](#), pursuant to [Subtitle X § 901.2](#) to operate a child development center or CDC at 245 Peabody Street, NW in Advisory Neighborhood Commission 4B.
- The Applicant proposes a new child development center serving 82 children with 20 staff at 245 Peabody Street, NW, a former church that has been unused for several years. There is no other child development center within 1,000 feet of the proposed location as prohibited by [Subtitle U § 203.1\(g\)](#).
- Daycare costs in the District of Columbia are, by some measures, the [most expensive in the nation](#). Some of this increased cost is due to a shortage of daycare availability, with [one study reporting only enough seats for 71% of the demand](#) for early child care with decreasing availability since 2018. This shortage is [causing disruptions and increasing costs](#) for parents and across the District's economy.
- Advisory Neighborhood Commission 4B has previously expressed concern about the “continuing and increasing need for quality, affordable childcare within the District of Columbia and within the Commission boundaries.” [Resolution 4B-19-1108](#), Regarding BZA Case #20111 – Trinity Episcopal Church (Nov. 25, 2019).
- The Applicant in this case, Estrellitas Montessori, has a successful track record of operating a licensed daycare at 5331 Colorado Avenue, NW, in Ward 4 for many years with a capacity of 148 children.

- While some neighbors along Peabody Street, NW have expressed concerns about traffic and parking from the daycare, the District Department of Transportation's report on the proposed daycare concluded that the impact of the project will be "moderate to minor." Other neighbors have expressed support.
- The District's Office of Planning has submitted a Report finding that "the proposal meets the requirements of Subtitle U § 203.1(h) and is therefore in harmony with the general purpose and intent of the Zoning Regulations and Map."
- The Applicant has engaged in a pattern of good faith engagement with the community and the Commission beginning in January 2024. They have conducted and updated a traffic study, as well as agreed to several efforts to mitigate traffic and parking concerns.

RESOLVED:

- That Advisory Neighborhood Commission 4B expresses support for the application for a special exception at 245 Peabody Street, NW, in BZA Case No. 21101 for a child development center.
- That Advisory Neighborhood Commission 4B believes the Transportation Demand Management Plan reached collaboratively between the Applicant and the District Department of Transportation is sufficient to mitigate any traffic impacts on the neighborhood, including banning alley usage, providing parking beyond the minimum required, and providing new bike racks.
- That Advisory Neighborhood Commission 4B likewise supports the Applicant's proposed conditions, but is concerned about the proposed hours limitation that may prohibit the Applicant from providing late pick up or childcare for shift workers or emergency workers.

FURTHER RESOLVED:

That the Commission designates Commissioner Evan Yeats, ANC 4B04, Commissioner Tiffani Nichole Johnson, ANC 4B06, Commissioner Erin Palmer, ANC 4B02, Commissioner Alison Brooks, ANC4B08, Commissioner Michelle Colson, ANC 4B01, to represent the Commission in all matters relating to this Resolution.

FURTHER RESOLVED:

That, in the event the designated representative Commissioners cannot carry out their representative duties for any reason, the Commission authorizes the Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

FURTHER RESOLVED:

That, consistent with DC Code § 1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions, and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

ADOPTED by voice vote at a regular public meeting (notice of which was properly given, and at which a quorum of __ members was present) on September 23, 2024, by a vote of _ yes, _ no, _ abstentions.