

September 26, 2024

Via IZIS

Board of Zoning Adjustment
441 4th Street NW, Suite 200S
Washington, DC 20001

Subject: Letter in Opposition of BZA Case No. 21101 – 245 Peabody Street NW

Dear Chairperson Hill and Members of the Board,

My name is Tara Jamison, and I own the property at 223 Peabody Street NW, which is directly next door to 245 Peabody Street NW and shares a property line. I **oppose** the Applicant's D.C. Board of Zoning (BZA) application for 245 Peabody Street NW (Square 3338, Lot 811) submitted to the Board by Mandomas LLC on January 26, 2024.

I implore the BZA to **disapprove** Mandomas LLC's application for relief under § 901.2 – Special Exception under the Zoning Regulations. I contend that the intended use of the property as a Child Development Center (CDC) **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:

- (1) *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.*

The initial and updated Transportation Statements are insufficient and fail to adequately consider the existing traffic conditions on Peabody Street NW due to the close proximity of Capital City Public Charter School (CCPCS). During a July 2024 community meeting, the Applicant acknowledged that they plan to close their location in Takoma Park, MD and move those operations to the 245 Peabody Street NW site. Nevertheless, the applicant's traffic engineer used hypothetical scenarios utilizing extrapolated staff and parent survey data and street observations from the 5331 Colorado Avenue NW site, which is not similarly situated like 245 Peabody Street NW on a local road with a large K-12 school on the adjacent block. The applicant has more tangible data on its existing population that can inform their traffic analyses, but they have conveniently concluded that just enough total person trips and peak direction trips will occur to avoid the requirements in DDOT's Guidance for Comprehensive Transportation Review (CTR) applicable for developments that generate 100 or more total person trips OR 25 or more vehicle trips in the peak direction. The development triggers the former threshold, but just slightly comes under the latter threshold. The margin is too close, and a Traffic Impact Analysis and any other relevant analyses noted in the CTR should be completed.

- (2) *More than one (1) child/elderly development center or adult day treatment facility in a square or within one thousand feet (1,000 ft.) of another child/elderly development center or*

adult day treatment facility may be approved only when the Board of Zoning Adjustment finds that the cumulative effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

For months, neighbors have contended that CCPCS is a CDC. Now, the record accurately reflects that circumstance. On September 13, 2024, CCPCS was issued a CDC license to care for 84 children 3-5+ years old. CCPCS's waitlist data for SY '24-25 show the available 56 seats for Pre-K 3 and Pre-K 4 met the demand with only three children remaining on the current waitlist. The CCPCS CDC sufficiently meets the needs for 3+ year old spots in the neighborhood where children are entering at 3-4 years old and continuing on through kindergarten and elementary school. The Applicant has not filed any documentation addressing the existence of a CDC within 1,000 ft. of 245 Peabody Street NW.

MY CHILD CARE DC		Child Development Facility Profile			District of Columbia Office of the State Superintendent of Education	
Facility Details		Facility Hours		Accreditation		
Name	Capital City Public Charter School	Monday	07:30 AM-06:00 PM	None		
Address	100 Peabody Street, NW , DC 20011	Tuesday	07:30 AM-06:00 PM			
Facility Type	CDC (Child Development Center)	Wednesday	07:30 AM-06:00 PM			
Contact	Steve LeBoo	Thursday	07:30 AM-06:00 PM			
Phone	(202) 808-9800	Friday	07:30 AM-06:00 PM			
Email	sleboo@ccpcs.org	Saturday	Closed	Accepts Vouchers	Languages Spoken	
Website	Not Available	Sunday	Closed	No	English	
Accreditation						
Facility Details		Facility Hours		Accreditation		
License Information						
License Type		Full License				
A full license is issued when an applicant has demonstrated substantial compliance with the child development facilities regulations.						
Current License Begin Date		Sep 13, 2024				
Current License Expiration Date		Sep 30, 2027				
Current License Issuance Date		Sep 13, 2024				
Substantiated Complaints						
Substantiated Complaint: a grievance made by an individual or agency that has been investigated by OSSE or another government agency and proven to be true. Only complaints substantiated after 09/30/2017 will be posted on the website and maintained for a period of three years.						
Complaint Date	Allegation Type	Deficiency Code	Resolution Date			
Inspection Reports						
Initial Inspection – Inspection completed for a new applicant for child care licensure.						
Annual and Renewal Inspection Report – Inspections conducted at a licensed child care facility.						
Inspection Date	Inspection Type					

I respectfully request that the BZA conduct a thorough analysis to produce a Full Order regarding this matter. Thank you in advance for your consideration.

Sincerely,

Tara M. Jamison

Tara Jamison