

**THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA**

Bright Beginnings, Inc.

**Special Exception Under DCMR § 11-205
Special Exception Under DCMR § 11-413.9
Area Variance Under DCMR § 11-2116.4**

3418 4th Street, S.E. (Square 6969, Lots 169-187)

BZA Case No. 18830

Dated: September 30, 2014

MEMORANDUM IN SUPPORT OF APPLICATION

I. INTRODUCTION

- A. Bright Beginnings, Inc. (the “Applicant”) proposes a child development center designed to serve the needs of homeless children and parents in Wards 7 and 8 (the “Center”) and to further Applicant’s mission of providing safe, nurturing and developmentally-appropriate childcare for homeless infants, toddlers and preschoolers.
- B. The property, known as Square 5969 Lots 169-187 (the “Property”), is located on the southeast corner of 4th and Trenton Streets, S.E. in the R-4 Zone, in which the proposed Center is permitted, via a Special Exception, subject to certain restrictions.
- C. Established in 1991, the Applicant is a nationally-accredited child and family development center that provides early learning experiences to homeless families with infants, toddlers and preschoolers. At its facility located at 128 M Street N.W., the Applicant currently serves about 150 children annually whose families are living in crisis shelters or transitional housing.

II. PROCEDURAL HISTORY

- A. On July 14, 2014, the “Applicant submitted an application for a Special Exception pursuant to D.C. Municipal Regulations (“DCMR”) § 11-205 to develop the Center (the “Original Request for Special Exception”).
- B. On September 18, 2014, the Applicant submitted an application for a Special Exception from the retaining wall requirements under DCMR § 11-413.9 (the “Amendment”).
- C. On September 25, 2014, the Applicant submitted an Area Variance to the parking lot requirements under DCMR § 11-2116.4 (the “Second Amendment”).
- D. In response to comments from the Office of Planning, the Applicant has revised the site plans, as described in Section V, below. However, there have been no fundamental changes to the site plans or the relief being sought.

III. COMMUNITY SUPPORT

- A. The Applicant has engaged the community, including the Advisory Neighborhood Commission (“ANC”), to ensure that the Center is sympathetically designed and adds to the neighborhood fabric. To date, the Applicant has met with and received support from Ward 8 Council Member Marion Barry, ANC Commissioner and Chair Mary Cuthbert (8C03), ANC Commissioner Pho Palmer (8C07), ANC Commissioner Derrick Colbert (8C04), immediate neighbors including Ballou Senior High School, and the residents of Ward 8.
- B. The Applicant will continue its outreach efforts to keep the community informed of the Center’s progress through periodic updates to the local ANC, contractor outreach for construction jobs, and open house receptions upon completion of the Center. Attached at Exhibit L are letters of support from key community stakeholders and immediate neighbors.

IV. PROPOSED USE

- A. Consistent with the R-4 Zone and other relevant parts of the DCMR, the Applicant is submitting a request to permit a child development center to accommodate a maximum of 100 children, with up to 38 teachers and staff.
- B. The Center will be housed in an approximately 19,000 square foot, one story 18 foot building, with facilities for up to 100 children from six months to three years old. There will be two outdoor activity spaces to the immediate east and north of the building, totaling approximately 8,223 square feet. Additional non-programmed outdoor activity spaces will be located to the north and south of the building. The main entrance to the Center will face Trenton Street S.E. with pedestrian access to the site from 4th Street, S.E.

V. UPDATED SITE PLAN AND SUPPLEMENTAL INFORMATION

- A. The site plans previously submitted have been revised as follows:
 - a. The dimensions of the retaining walls have been added to the site plan, attached as Exhibit K.
 - b. The landscape plan corrects a minor typographical error, attached at Exhibit G.
- B. Updated plans are attached at Exhibits D-K.¹

VI. SPECIAL EXCEPTION STANDARDS – CENTER

- A. The Applicant’s request to develop the Center complies with the general intent and purpose of the DCMR and Zoning Map. As a matter of right, the R-4 Zone permits child development care centers, where such centers are limited to 16 individuals, and with approval from the BZA, child development centers that exceed 16 individuals. See Exhibit A.

¹ In the Applicant’s Original Request for Special Exception, the plans reflected 20 parking spaces. In the Applicant’s Amendment, the parking spaces were reduced to reflect 13 spaces. In the Applicant’s Second Amendment, the Applicant returned to 20 parking spaces. The attached plans reflect 20 parking spaces.

- B. The Applicant's request to develop the Center meets all conditions set forth in DCMR § 11-205. See Exhibit A.
- a. As a member of the National Association of Education for Young Children/Head Start/Early Head Start program, the Applicant will develop and operate the Center in accordance with applicable District of Columbia code and licensing requirements as well as Federal Program Performance Standards for the Operation of Head Start Programs, 45 C.F.R. Part 1304.
 - b. The Center is located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off children in attendance.
 - c. The Center provides sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors.
 - d. The Center is located and designed so that there will be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual, or other objectionable conditions.
 - e. The Applicant does not propose any off-site play areas.
 - f. There is only one other day care center within the same square as or within one mile of the Center at Ballou Senior High School. The day care center has a capacity of 20 children and a majority of its attendees live in the immediate neighborhood and arrive by foot. Therefore, there is no cumulative adverse impact due to noise, traffic, or operations.

VII. SPECIAL EXCEPTION STANDARDS – RETAINING WALL

- A. The Applicant's request is consistent with the general purpose and intent of the DCMR and Zoning Maps and will not create adverse effects on neighboring properties. The proposed retaining walls allow the Center to be developed in a way that ensures the soundness of the building and the safety of teachers/staff and children at the Center: without the approval of the retaining wall Special Exception, compliance with the Head Start Design Guide § 10.1.3,² which requires direct egress from each classroom, is not possible. The retaining walls will not create adverse impacts on the neighboring properties as they face 4th Street S.E. on the western portion of the Property and unprogrammed green space on the southern portion of the Property. Further, the retaining walls are designed to be attractive and to integrate with the architecture of the building. See Exhibit B.
- B. Pursuant to DCMR § 413.9, the topography of the Property makes full compliance with the DCMR unduly restrictive, prohibitively costly, and unreasonable. The existing topography of the Property is so steep and ineffectively restrained that it requires a series of retaining walls that exceed the requirements provided in the DCMR. See Exhibit B.

VIII. AREA VARIANCE STANDARDS – PARKING LOT

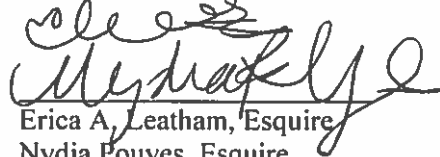
² The Applicant is a member of the National Association of Education for Young Children/Head Start/ Early Head Start program and therefore must comply with applicable design requirements.

- A. Pursuant to DCMR § 3103.2, the topography and odd shape of the property make it difficult for the Applicant to use the property in compliance with the DCMR. Similarly, pursuant to DCMR § 11-3103.7(a) for area variances, as a result of the odd shape of the Property, the strict application of the DCMR would result in peculiar and exceptional practical difficulties to the Applicant. Because of the steep conditions, the parking spaces cannot be placed at the southern portion of the Property. Further, the parking spaces cannot be placed in the middle of the Property because that would leave no other suitable location for the building: the northern portion of the Property is too narrow to accommodate the building and the southern portion presents topographical concerns. See Exhibit C.
- B. Pursuant to DCMR § 3103.2, granting the area variance will not be of substantial detriment to the public good. The Applicant will provide landscaping surrounding the parking lot to serve as a visual buffer between the parking lot and the neighboring properties and streets. Additionally, the whole Property will be fenced-in with a six foot fence to further minimize any impact on neighboring properties. See Exhibit C.
- C. Pursuant to DCMR § 3103.2, granting the area variance will not be inconsistent with the general intent and purpose of the DCMR and Zoning Map. The intent and purpose of the DCMR and Zoning Map is to develop a Center that provides adequate parking and does not interrupt the neighboring properties or create parking shortages for neighboring properties. The Applicant seeks to provide as much parking for parents, teachers/staff in accordance with the ANC and community concerns. There is no other suitable configuration on the Property to accommodate both the parking spaces and the building in accordance with District and Federal requirements. See Exhibit C.

IX. CONCLUSION

- A. The Applicant respectfully requests that the BZA approve its Special Exceptions and Area Variance, thereby permitting the Applicant to develop a Center to meet the needs of homeless and low-income populations in the District. The Center satisfies all of the requirements of the DCMR and is a significant improvement over the current vacant and unimproved Property. It provides high-quality day care services that will further the Applicant's efforts to stabilize and transition families out of homelessness.

Respectfully submitted,
BALLARD SPAHR LLP



Erica A. Leatham, Esquire
Nydia Pouyes, Esquire
1909 K Street, NW, 12th Floor
Washington, DC 20006

EXHIBITS

<u>Exhibit A</u>	Justification for Special Exception for Center
<u>Exhibit B</u>	Justification for Special Exception for Retaining Wall
<u>Exhibit C</u>	Justification for Area Variance for Parking Lot
<u>Exhibit D</u>	Existing Conditions
<u>Exhibit E</u>	Site Plan
<u>Exhibit F</u>	Stormwater Plan
<u>Exhibit G</u>	Landscape Plan
<u>Exhibit H</u>	Architectural Site Plan
<u>Exhibit I</u>	Architectural Floor Plan
<u>Exhibit J</u>	Building Elevations
<u>Exhibit K</u>	Retaining Wall Dimensions
<u>Exhibit L</u>	Letters of Support
<u>Exhibit M</u>	Resumes for Experts
<u>Exhibit N</u>	Photos of Property

Exhibit A

4800 Montgomery Lane, 7th Floor
Bethesda, MD 20814-3401
TEL 301.664.6200
FAX 301.664.6299
www.ballardspahr.com

Erica A. Leatham
Tel: 301.664.6254
Fax: 301.664.6299
leathame@ballardspahr.com

Nydia M. Pouyes
Tel: 202.661.2216
Fax: 202.661.2299
pouyesn@ballardspahr.com

July 10, 2014

Via Courier

Sara Benjamin Bardin, Director
District of Columbia Office of Zoning
441 4th Street N.W. Suite 210-S
Washington, D.C. 20001

Re: Special Exception Application and
Bright Beginnings, Inc.
Square 5969 Lots 169-187; 3418 4th Street S.E.

Dear Ms. Bardin:

On behalf of Bright Beginnings, Inc. (the "Applicant"), we submit the enclosed request for a Special Exception pursuant to D.C. Municipal Regulations ("DCMR") § 11-3104 and the guidance implemented thereunder.

The Applicant proposes a child development center designed to serve the needs of homeless children and parents in Wards 7 and 8 (the "Center") and to further Applicant's mission of providing safe, nurturing and developmentally-appropriate childcare for homeless infants, toddlers and preschoolers.

The property, known as Square 5969 Lots 169-187 (the "Property"), is located on the southeast corner of 4th and Trenton Streets, S.E. in the R-4 Zone, in which the proposed Center is permitted, via a Special Exception, subject to certain restrictions.

I. Background

Established in 1991, the Applicant is a nationally-accredited child and family development center that provides early learning experiences to homeless families with infants, toddlers and preschoolers. At its facility located at 128 M Street N.W., the Applicant currently serves about 150 children annually whose families are living in crisis shelters or transitional housing.

Families with young children are among the fastest growing segments of the homeless population in the District. In fact, the Applicant currently has a waiting list of 240 children. The Applicant's services are critical to children and parents living in crisis situations in the District: the educational,

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therapeutic, health and family support services prepare children for kindergarten and help transition families out of homelessness.

To meet the needs of the growing homeless population with young children in the District and reduce its waiting list, the Applicant entered into a contract with the Southwest Church of Christ (the "Owner") to purchase the Property for development of the Center.¹ The Owner supports the Applicant's request for a Special Exception and submits the authorization attached at Exhibit A. Upon approval of this request for a Special Exception and related permits, the Applicant will take title to the Property in the name of its affiliate, BBI Holdings, Inc.

II. Property Description

The Property is approximately 57,199 square feet or 1.325 acres. Located in Ward 8 in the Congress Heights neighborhood of Southeast, the Property is zoned R-4 and currently vacant and unimproved. It was previously subdivided into 18 lots in anticipation of a townhouse development.² However, that use was not pursued and the Applicant and the Owner plan to resubdivide the multiple lots back into a single lot. For the purposes of this discussion, the Property is considered as one lot, in its final state. Upon approval of this request for a Special Exception, the plat will be recorded.

The Property is a triangular shaped corner parcel bounded by Trenton Street, S.E. on the north and 4th Street, S.E. on the west. The McKenney House Apartments are located across Trenton Street, S.E. and Ballou Senior High School is across 4th Street. Residential uses border the site on the east and south: the East Gate Condominiums are adjacent to the east and a new townhouse development is adjacent to the south. Some single family homes line Trenton Street, S.E. to the east of the Property line.

The Property is well served by transit, with two Metrobus stops serving six bus lines (the A2, A4, A8, A9, M8, and M9 lines). The first bus stop is located at the corner of 4th Street and Martin Luther King Jr. Avenue, S.E., about 0.2 miles (or a four minute walk) from the Property. The second bus stop is located close to the corner of 4th Street and Mississippi Avenue, S.E. and about 0.3 miles (or a four minute walk) from the Property. Additionally, the Congress Heights Metro station on the green line is located one mile from the Property at Alabama Avenue and 13th Street, S.E. Sidewalks link the bus stops and Metro station to the Property.

The northern portion of the Property is relatively flat. From north to south, the southeastern portion of the Property slopes from an elevation of 170 feet to 152 feet. From north to south, the western portion of the Property also slopes from an elevation of 168 feet to 156 feet.

The Board of Zoning Adjustment ("BZA") approved Application No. 15260 in 1990, a request for a special exception to develop a child development center for 200 children and 32 staff. That child

¹ The Property has been vacant for several years and the Owner has not paid taxes on the Property for seven years.

² See District of Columbia Subdivision Book 199, Page 71.

development center was located at 3400 4th Street, S.E. (Square 5969 Lot 11), in the same square as the present Property.

III. Community Outreach

The Applicant has engaged the community, including the Advisory Neighborhood Commission ("ANC"), to ensure that the Center is sympathetically designed and adds to the neighborhood fabric. To date, the Applicant has met with and received support from Ward 8 Council Member Marion Barry, ANC Commissioner and Chair Mary Cuthbert (8C03), ANC Commissioner Pho Palmer (8C07), ANC Commissioner Derrick Colbert (8C04), and the residents of Ward 8. The Applicant will continue its outreach efforts to keep the community informed of the Center's progress through periodic updates to the local ANC, contractor outreach for construction jobs, and open house receptions upon completion of the Center. Attached at Exhibit C are letters of support from key community stakeholders and immediate neighbors.

IV. Proposed Use

Consistent with the R-4 Zone and other relevant parts of the DCMR, the Applicant is submitting a request for a Special Exception to permit a child development center to accommodate a maximum of 100 children, with up to 38 teachers and staff.

The Center will be housed in an approximately 19,000 square foot, one story 18 foot building, with facilities for up to 100 children from six months to three years old. There will be two fenced outdoor activity spaces to the immediate east and north of the building, totaling approximately 8,223 square feet. Additional non-programmed outdoor activity spaces will be located to the north and south of the building. The main entrance to the Center will face Trenton Street S.E. with pedestrian access to the site from 4th Street, S.E.

Parking for the employees of the Center will be located in a 20-space parking lot north of the building. Parents of children being dropped off at the Center (a small number, as a majority of the families served do not own cars) will have signed areas along 4th Street, S.E. for drop-offs.

The Center includes a secured lobby, a conference room, and family service facilities. There are five classrooms for infants, two classrooms for young toddlers, and four classrooms for older toddlers, as well as an administrative center, the director's office, a social worker's office, three educational supply services rooms, a prep kitchen, a staff lounge, children's restrooms, adult restrooms, a therapeutic services room, laundry facilities, and a multipurpose room. The interior layout is shown on Exhibit E.

The objective of the landscape plan for the Property is two-fold: 1) to subordinate the Center from the surrounding residential uses and 2) to provide an attractive setting for the Center through the use of landscape plant materials that are hardy, seasonal in color, and low-maintenance. The landscape plan for the Property will incorporate ornamental trees and shrubs, such as chinese redbuds, crepe myrtle, and azaleas at the main entrance of the Center, the parking lot, and along 4th Street, S.E. Deciduous trees, such as thornless honey locusts, will be lined along the pedestrian access site from 4th Street, S.E. to the main entrance and also create a buffer between the parking lot and the building.

Evergreen trees, such as white pine and foster's holly, will line the eastern border of the parking lot and the building to create a buffer between the Center and the surrounding residential uses.

V. Operation of Center

The objective of the Center is to: 1) provide children with a safe, nurturing educational environment; 2) prepare children to enter kindergarten ready to learn; and 3) support homeless parents to stabilize their home lives and become self-sufficient. The Center provides early learning experiences that strengthen social, emotional, physical, and cognitive skills, which are critical to kindergarten readiness and overall educational success. The children will take classes in subjects such as reading and math and also learn how to interact with others in both a social and academic setting. The Applicant's early intervention also helps identify and address potential learning disabilities, developmental delays, and health issues and helps parents understand their child's unique needs. Finally, the Center also attends to the children's physical needs by providing breakfast, lunch, two snacks, two hours of outdoor play, and napping periods daily.

Enrollment is limited to children who are six months to three years old and the Center will reserve a to be determined number of spots for existing Ward 8 community members seeking child care services. The hours of operation will be from 7:00 a.m. to 5:00 p.m. from Monday through Friday, with most children arriving at 8:30 a.m. and leaving at 4:30 p.m. The Center offers later hours for a limited number of children to accommodate parents working non-traditional hours or with other obligations.

Unlike a traditional child care facility, the children attending the Center will be exclusively from low-income backgrounds and most will come from families without a permanent home. Parents of low-income families who are working or are full-time students may obtain tuition subsidies through the District of Columbia Department of Human Services. Additionally, scholarships will be made available to assist extremely low-income families. As part of the creation of a seamless childcare environment, the Center will provide on-site certifications for parents requesting tuition subsidies. The Applicant's ability to facilitate on-site certifications, instead of parents waiting in long lines starting before dawn at the South Capitol Street, S.E. government office, creates administrative efficiencies that will benefit both the parents and children.

The Center will not provide transportation from homeless shelters or other transitory environments for the children as such a program is cost prohibitive. Transportation to and from the Center will be the responsibility of the parent and is expected to be accomplished by public transit. The Applicant projects that 80% of the children will come from Wards 7 and 8 and 20% of the children will come from Wards 5 and 6. Based on operations at the Applicant's existing facility, the Applicant expects 99% of the children to arrive and leave the Center by Metrobus; most families live in shelters and transitional housing therefore transportation by car is very unlikely. Again, based on experience elsewhere, the Applicant anticipates that most adults will bring two to three children to the Center daily.

As at the existing facility, all staff at the Center will be qualified early childhood educators. Staff shifts are from 7:00 a.m. to 4:00 p.m. ("Shift 1"); 8:30 a.m. to 5:30 p.m. ("Shift 2"); and 9: a.m. to 6:00 p.m. ("Shift 3"). Less than a third of staff will work Shift 1; a third of the staff will work Shift 2;

and the remaining staff will work Shift 3. As mentioned above, a limited number of staff will work later than 6 pm to accommodate parents working non-traditional hours or with other obligations. As at the existing facility, 70% of staff will arrive by bus or Metro while the rest will arrive by car. The Applicant will provide incentives for staff to take public transit, in lieu of a private car, which will likely modify the forgoing percentages.

The Center is dedicated to implementing measures to ensure the safety of the children: 1) the perimeter of the Center will be fenced-in to control access to and from the Center; 2) the entrances to the Center will be controlled to allow access by staff and Center families only; 3) the classrooms of the Center will be separate from the public and administrative spaces; controlled access will permit only staff to enter the classroom areas; and 4) nurses or certified public health professionals will be contracted by the Center to address any health concerns.

Lastly, the Applicant intends to continue involving the community in the development of the Center by seeking qualified Ward 8 residents to participate in the development and operations of the Center.

VI. Conformance with D.C. Municipal Regulations

Pursuant to DCMR § 11-3104.1, the BZA is authorized to grant a Special Exception where it will be consistent with the general purpose and intent of the DCMR and Zoning Maps and will not create any adverse effects on neighboring properties.

The Applicant's request to develop the Center complies with the general intent and purpose of the D.C. Municipal Regulations and Zoning Map. As a matter of right, the R-4 Zone permits child development care centers, where such centers are limited to 16 individuals, and with approval from the BZA, child development centers that exceed 16 individuals.

The Applicant is not seeking a variance from any bulk regulations:

	Required	Provided
Minimum Lot Width	40 feet	50.73 feet
Minimum Lot Area	4,000 square feet	57,199 square feet
Maximum Occupancy	40%	33.22%
Maximum Height	40 feet/3 stories	18 feet/1 story
Parking	10 parking spaces (minimum of 1 parking space for each 4 teachers and other employees)	20
Setbacks		
Rear Yard	20 feet	61.7 feet
Side Yard	Not required but if provided shall be at least 3 in. wide for each foot of height of the building but not less than 8 feet	8 feet
Front	N/A	233.1 feet

Pursuant to DCMR §11-330.5, in R-4 Zones, all child development centers, except those limited to 16 individuals, must be reviewed by the BZA as a Special Exception under DCMR §11-3104 in accordance with the standards and requirements in that section. In the R-4 Zone, child development centers that exceed 16 individuals must comply with certain conditions set forth in DCMR § 205. Those conditions include:

(a) *The child development center must be capable of meeting all applicable District of Columbia code and licensing requirements as set forth by DCRA.*

As a member of the National Association of Education for Young Children/Head Start/Early Head Start program, the Applicant must develop and operate the Center in accordance with applicable District of Columbia code and licensing requirements as well as Federal Program Performance Standards for the Operation of Head Start Programs, 45 C.F.R. Part 1304.

Teacher/Student Ratio –Per 45 C.F.R. Part 1304.52(g)(4) and DCMR § 29-343.5(a), each teacher working with infants and toddlers must have responsibility for no more than four infants and toddlers. With 100 children at the Center, there must be at least 22 teachers/staff to meet the Federal and District requirements. The Applicant exceeds that requirement by providing 38 teachers/staff.

Indoor Activity Space- Per 45 C.F.R. Part 1304.53(a)(5) and DCMR § 29-340, the Center must have at least 35 square feet of usable indoor space per child, excluding bathrooms, halls, kitchens, staff rooms, teacher working station areas, office space, and storage places. The Center will provide no less than 50 square feet of usable indoor space per child.

Outdoor Activity Space – Per 45 C.F.R. Part 1304.53(a)(5), the Center must have at least 75 square feet of outdoor activity space per child; and per DCMR § 29-342.3, the Center must have at least 60 square feet of outdoor space per child. The Center has 82 square feet of usable outdoor space per child meeting both the Federal and District requirements. The outdoor activity spaces for children six months to two years old will be located between the parking lot and building while the outdoor activity space for children two to three years old will be located to the east of the building. Both locations will provide direct access to the building. Additionally, per DCMR § 29-342.3, the outdoor activity spaces will be enclosed by the fencing surrounding the Property.

Equipment - Per DCMR § 29-342, the Center provides suitable safe outdoor activity spaces and equipment. The equipment was selected with the goal of creating developmentally appropriate and safe experiences for both infants and toddlers. Specifically, the equipment for children six months to two years old facilitates exploration of their senses and accommodates creeping, crawling, sitting up, pulling up, learning to walk. The equipment will include an infant maze, learning walls, toddler town, clubhouses, independent tunnels and talk tubes. Equipment will not exceed six feet. Equipment for children two to three years old facilitates climbing and the fostering fine motor skills. The equipment will include decks, low swings, crawl tunnels, cozy climbers, bridges, ramps, balance beams, tunnel slides, and activity panels. The tallest structure will not exceed the rooflines of the building.

Parking – Per DCMR §11- 2101.1, the Center requires one parking space for each four teachers and other employees. The Center proposes 38 teachers and staff which results in 10 required parking spaces. The Center exceeds the maximum required under District's requirements and offers 20 parking spaces. In accordance with DCMR §11- 2115.1, the parking spaces will be located on the same lot with the Center and the parking spaces will be a minimum of nine feet in width and 19 feet in length. Lastly, in accordance with DCMR §11- 2115.1, all parking spaces will be accessible from 4th Street, S.E., which is more than 10 feet wide.

Setbacks - DCMR § 11-404.1 requires a minimum depth of 20 feet for the rear yard. The depth of the rear yard may be measured from the end of the building to the rear property line, or since the Property is a corner lot, from the center line of the street abutting the lot at the rear of the building. The Center will have a set back of 61.7 feet for the rear yard.

Loading Berths, Loading Platforms, and Service Delivery Loading Spaces – Per DCMR § 11-2201, a child development center with gross floor area less than 30,000 is not required to have a loading berth, loading platforms, or service deliver loading spaces. As such, none is provided.

Pervious Surfaces – Effective as of July 12, 2013, the Zoning Commission amended the DCMR to establish pervious surface requirements, among other requirements. DCMR § 11-412.4 requires that lots that exceed 2,000 square feet must have a minimum of 20% of pervious surfaces. Pervious surfaces include, but are not limited to: permeable pavers or pavers that facilitate infiltration of water into soil, grass, mulched groundcover, and planted areas. At the Property, pervious surfaces account for 58% of the total lot area which is 57,199 square feet. Pervious surfaces include grass, deciduous

trees, evergreen trees, ornamental trees, and shrubs, as shown on the attached landscape plan at Exhibit E. The southern portion of the Property will retain its current topography and plants, except for where prior buildings were demolished and new ground cover was installed. The outdoor activity spaces will mostly be grassed along with other safe surfacing where equipment is located.

The Applicant and Center are capable of meeting all applicable code and licensing requirements and ensuring that the Center is in harmony with the general purpose and intent of the District and Federal requirements without any adverse effects on neighboring properties.

(b) The child development center must be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons in attendance.

The Center is intended to meet with needs of the surrounding neighborhood as well as the population of Wards 7 and 8. Based on the Applicant's experience elsewhere serving similar families, 99% of the children will be arriving and leaving the Center by Metrobus: most families live in shelters and transitional housing therefore transportation by car is very unlikely. Most adults will bring two to three children to the Center. As such, the children will generate only a nominal number of car trips, if any at all. As explained above, 80% of the children attending the Center will come from Wards 7 and 8 and 20% will come from Wards 5 and 6.

The only traffic expected to be generated from the Center will be from staff/teachers. Approximately a third of the staff will arrive and leave the Center in a one-hour period and approximately 70% of the staff will use the bus or Metro, rather than a car. With a staff of 38 and 70% of staff using public transit, the traffic generated will again be nominal. Based on this information, the District of Columbia Department of Transportation ("DDOT") advised the Applicant that a traffic study or report is not required for the Center. Attached at Exhibit D is the documentation justifying the Applicant's exemption from providing a traffic study or report.

As 99% of the children will be arriving by bus, there is no need for a special driveway to facilitate car drop-offs/pick-ups. Nevertheless, existing street parking along 4th Street, S.E., which will be designated as "15-minute parking" with appropriate signage, will be available in the event of a drop-off or pick-up by car. Staff will meet the children at the main entrance of the Center as they get dropped off.

(c) The child development center must provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors.

A minimum of one parking space for each four teachers and other employees must be provided. The Center will have 38 teachers/staff, which means a minimum of 10 parking spaces. The Center's plans include 20 parking spaces therefore meeting the applicable requirements. The Applicant will consider adding parking as necessary.

(d) The child development center, including any outdoor play space provided, must be located and designed so that there will be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual, or other objectionable conditions.

The Center will have no objectionable impact on adjacent or nearby properties due to noise, activity, visual, or other objectionable conditions and will not alter the existing harmony and character of the neighborhood because of the topography and sensitive design. The Property is surrounded by a variety of residential uses including single-family houses, apartment buildings, condominiums, and townhomes; therefore, the architecture of the Center is sympathetic to the surrounding residential uses to ensure consistency throughout the neighborhood.

The design of the Center is critical to the children's development. The children's scale is a driving factor in the design of the building's massing and detail as the design intends to create recognizable spaces for the children to learn and play. Ceilings, benches, and play structures will be to a scale that enables the children to interact and grow. The design of the interior space encourages visual connectivity to the exterior and connectivity between rooms through elements such as low window sills. Further, a diverse material palette provides visual and tactile stimulation and encourages exploration and creativity.

The same consideration and attention occurs at the exterior of the building, which keeps in line with the high standards established at the new Ballou Senior High School across the street from the Property. Varied window shapes and organization, low building walls that may be used as benches, and a bright color palette all provide interest and sense of playfulness, which are important to the children's development. The use of brick, siding and shingles are meant to invoke a familiarity for the children who experience the same in their own neighborhoods and homes, creating a sense of ease when arriving to the Center. The traditional materials are offset by the use of modern forms and details, for instance, an exaggerated single sloped roofline rather than a traditional gable ends, hip roofs, and a roof with the clean lines.

The outdoor activity spaces will be properly landscaped and maintained to present an attractive buffer to the surrounding properties. Additionally, the whole Property will be fenced-in with a six foot fence to minimize any impact on adjacent or nearby properties. The Center will maintain regular business hours with few activities occurring later in the evening,³ which limits any noise interruptions particularly early or late in the day.⁴ Also, as a result of the Center operating during regular business hours, the children will arrive at the Center while neighboring residents depart for work. Lastly, the ages of the children, from six months to three years old, and staggered outdoor play times, will limit the volume of noise coming from the Center.

Institutional uses, such as the Center, are common throughout the neighborhood, including Simon Elementary School, Ballou Senior High School, Hart Middle School, the Congress Heights Playground, the Southeast Tennis and Learning Center, and the Mary Church Recreation Center. The successful integration of these uses in the neighborhood was an example in the design of the Center.

(e) Any off-site play area must be located so as not to result in endangerment to the individuals in attendance at the Center in traveling between the play area and the Center itself.

³ Activities in the evenings may include the Applicant's board or community meetings.

⁴ For any child care services the Center provides later in the evening, children will not engage in any outdoor activities.

The Applicant does not propose any off-site play areas.

(f) The BZA may approve more than one child development center in a square or within 1,000 feet of another child development center only when it finds that the cumulative effects of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

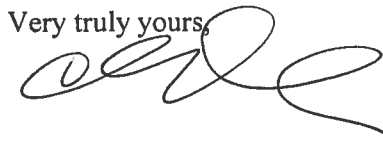
The only child development center within Square 5969 or within 1,000 feet of the Property is located at the Ballou Senior High School. However, it has a capacity of 20 children and only serves the children of those parents attending the high school. The Center will serve an entirely different and more expansive population. A majority of the children attending the child development center at Ballou Senior High School live in the immediate neighborhood and will arrive by foot. Given the limited number of children attending the high school's child development center, the cumulative effects of the child development centers will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

Finally, the Ward 8 Plan establishes a need for accessible child care facilities. The Center provides unique and comprehensive child care services for the District's most vulnerable low-income families at no cost. Because of the Center, families can feel safe that their children are in a safe and nurturing environment while they work to achieve economic stability. Additionally, most child care centers in the vicinity of the Center are at or near capacity. Therefore, the Center will provide an opportunity for children and parents in need of high-quality child care services.

VI. Conclusion

The Applicant respectfully requests that the BZA approve its request for a Special Exception, thereby permitting the Applicant to develop a Center to meet the needs of homeless and low-income populations in the District. As explained above and in the plans submitted, the Center satisfies all of the requirements of the DCMR. The Center is a significant improvement over the current vacant and unimproved Property. It provides high-quality day care services that will further the Applicant's efforts to stabilize and transition families out of homelessness.

Very truly yours,



Erica A. Leatham



Nydia M. Pouyes

EAL/rp
Enclosures

Exhibit B

4800 Montgomery Lane, 7th Floor
Bethesda, MD 20814-3401
TEL 301.664.6200
FAX 301.664.6299
www.ballardspahr.com

Erica A. Leatham
Tel: 301.664.6254
Fax: 301.664.6299
leathame@ballardspahr.com

Nydia M. Pouyes
Tel: 202.661.2216
Fax: 202.661.2299
pouyesn@ballardspahr.com

September 18, 2014

By Electronic Filing

Sara Benjamin Bardin, Director
District of Columbia Office of Zoning
441 4th Street N.W. Suite 210-S
Washington, D.C. 20001

Re: Amendment to Special Exception Application # 18830
Square 5969 Lots 169-187; 3418 4th Street S.E.

Dear Ms. Bardin:

On behalf of Bright Beginnings, Inc. (the "Applicant"), we submit the enclosed amendment to Special Exception Application #18830 (the "Amendment").

On July 14, 2014, the Applicant submitted a request for Special Exception that proposes a child development center designed to serve the needs of homeless children and parents in Wards 7 and 8 (the "Center") and to further Applicant's mission of providing safe, nurturing and developmentally-appropriate childcare for homeless infants, toddlers and preschoolers (the "Original Request for Special Exception").

The Applicant now submits this Amendment to request an additional Special Exception to the retaining wall requirements pursuant to D.C. Municipal Regulations ("DCMR") § 11-3104 and the guidance implemented thereunder.

The property, known as Square 5969 Lots 169-187 (the "Property"), is located on the southeast corner of 4th and Trenton Streets, S.E. in the R-4 Zone, in which the proposed Center is permitted, via a Special Exception, subject to certain restrictions.

I. Conformance with D.C. Municipal Regulations - Retaining Wall Special Exception

DCMR § 413.6 requires that a retaining wall located on any area between a property line and a building line shall not exceed a maximum height of 42 inches. Pursuant to DCMR § 413.9, however, retaining walls not meeting the requirements of the DCMR may be approved by the Board of Zoning Adjustment ("BZA") as a Special Exception. In addition to meeting the general conditions for being

DMEAST #18119485 v9

granted a Special Exception as set forth in DCMR § 11-3104.1, the Applicant must demonstrate that conditions relating to the building, terrain, or surrounding area would make full compliance unduly restrictive, prohibitively costly, or unreasonable.

A. Description of Retaining Walls

As shown on Exhibit A, the retaining walls will be structural walls and therefore made out of either concrete, masonry or a combination of both. Each retaining wall is designed to be as low as feasible based on the existing topographical conditions. Likewise, the terraces between each retaining wall are designed to be as wide as feasible based on the existing topographical conditions. The lower retaining wall is a maximum height of 4 feet. The upper retaining wall is generally under 42 inches tall, though in the southern portion of the Property, it reaches a maximum of 6 feet and 6 inches. The width of the landscaped area between both retaining walls varies between 4 to 10 inches based on the topographic condition.

B. DCMR § 11-3104.1

Pursuant to DCMR § 11-3104.1, the BZA is authorized to grant a Special Exception where it will be consistent with the general purpose and intent of the DCMR and Zoning Maps and will not create adverse effects on neighboring properties.

The Applicant's Special Exception request allows the Center to be developed in a way that ensures the soundness of the building and the safety of teachers/staff and children at the Center: without the approval of the retaining wall Special Exception, compliance with the Head Start Design Guide § 10.1.3, which requires direct egress from each classroom, is not possible.¹ As shown in the attached Exhibit A, the building is designed to have safe egress from each classroom through the exterior doors that empty onto the contiguous 4 foot wide walkway that surrounds the building. The building also provides unimpeded access to the outdoor activity spaces, the building's main entrance and 4th Street, S.E. On the west side of the building, where the terrain is very steep, this is only possible because the retaining wall and security fencing restrain the terrain below. The walkway is also designed to be compliant with 2010 ADA Standards, which would not be possible without the proposed Special Exception.

The retaining walls will not create adverse impacts on the neighboring properties as they face 4th Street S.E. on the western portion of the Property and unprogrammed green space on the southern portion of the Property. All of the Center's activities utilize the existing terrain so that they do not face 4th Street S.E., Ballou Senior High School across 4th Street S.E., or the residential uses south of the unprogrammed green space. As described above, the retaining walls are designed to be attractive and to integrate with the architecture of the building through tiered sections with landscaped terraces between each retaining wall. Each retaining wall is designed to be as low as feasible based on the existing topographical conditions. Likewise, the terraces between each retaining wall are designed to

¹ The Applicant is a member of the National Association of Education for Young Children/Head Start/ Early Head Start program and therefore must comply with applicable design requirements.

be as wide as feasible based on the existing topographical conditions. The lower retaining wall is a maximum height of 4 feet and replaces an existing 18 inch concrete retaining wall that demonstrates lateral failure due to the existing steep terrain above. See Exhibit B. The upper retaining wall is generally under 42 inches tall, though in the southern portion of the Property, it reaches a maximum of 6 feet and 6 inches. The width of the landscaped area between both retaining walls varies between 4 feet 10 inches based on the topographic condition. The finish and color of the retaining walls are selected to blend into the building and create a desirable streetscape instead of a "fortress." Overall, the retaining walls provide a significant improvement to the existing undesirable conditions along 4th Street S.E. with a failing concrete retaining wall and unkempt landscaping.

C. DCMR § 413.9

Pursuant to DCMR § 413.9, the topography of the Property makes full compliance with the DCMR unduly restrictive, prohibitively costly, and unreasonable.

The existing topography of the Property is so steep and ineffectively restrained that it requires a series of retaining walls that exceed the requirements provided in the DCMR. There is a 13 foot grade change from the north to the south along the western portion of the Property at the right-of-way. This grade change increases to as much as 20 feet at the southeasterly Property line, resulting in the unprogrammed green space left on the southern portion of the Property. In developing the Center, it would be nearly impossible to cut away and haul from the Property four feet in depth of existing grade over 200 linear feet in length without significant earthwork and disruption to the neighboring properties. As demonstrated through the existing failing 18 inch retaining wall, the topography of the Property requires the earth to be held back with a wall in excess of 42 inches. The needs of the Center, to develop a safe building with direct egress from the classrooms and access to the outdoor activity spaces, are primary and require certain grades to be maintained along 4th Street S.E. to support the walkway. Therefore, the proposed retaining walls are the best way to address the Property's existing conditions and the Head Start Design Guide.

III. Community Outreach

As provided in the Original Request for Special Exception, the Applicant has engaged the community, including the Advisory Neighborhood Commission ("ANC"), to ensure that the Center is sympathetically designed and adds to the neighborhood fabric. In light of this Amendment, the Applicant had conducted additional outreach to ensure the community remains in support of the Center. Attached at Exhibit C are supplemental letters of support from immediate neighbors. Additional letters of support will be provided at a later date.

IV. Conclusion

The Applicant respectfully requests that the BZA approve this request for a Special Exception, as part of the Original Request for Special Exception, thereby permitting the Applicant to develop a Center to meet the needs of homeless and low-income populations in the District. As explained above and in the Original Request for Special Exception, the Center satisfies all of the requirements of the DCMR. The Center is a significant improvement over the current vacant and unimproved

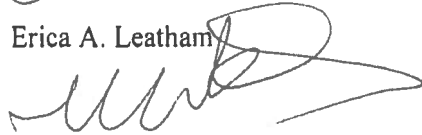
Sara Benjamin Bardin, Director
September 18, 2014
Page 4

Property. It provides high-quality day care services that will further the Applicant's efforts to stabilize and transition families out of homelessness.

Very truly yours,



Erica A. Leatham



Nydia M. Pouyes

EAL/rp
Enclosures

Exhibit C

4800 Montgomery Lane, 7th Floor
Bethesda, MD 20814-3401
TEL 301.664.6200
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Erica A. Leatham
Tel: 301.664.6254
Fax: 301.664.6299
leathame@ballardspahr.com

Nydia M. Pouyes
Tel: 202.661.2216
Fax: 202.661.2299
pouyesn@ballardspahr.com

September 24, 2014

By Electronic Filing

Sara Benjamin Bardin, Director
District of Columbia Office of Zoning
441 4th Street N.W. Suite 210-S
Washington, D.C. 20001

Re: Second Amendment to Special Exception Application # 18830
Square 5969 Lots 169-187; 3418 4th Street S.E.

Dear Ms. Bardin:

On behalf of Bright Beginnings, Inc. (the "Applicant"), we submit the enclosed second amendment to Special Exception Application #18830 (the "Second Amendment").

On July 14, 2014, the Applicant submitted a request for Special Exception that proposes a child development center designed to serve the needs of homeless children and parents in Wards 7 and 8 (the "Center") and to further Applicant's mission of providing safe, nurturing and developmentally-appropriate childcare for homeless infants, toddlers and preschoolers (the "Original Request for Special Exception"). On September 18, 2014, the Applicant submitted an Amendment to the Original Request for Special Exception from the retaining wall requirements under D.C. Municipal Regulations ("DCMR") § 11-3103.

The Applicant now submits this Second Amendment to request an Area Variance to the parking lot requirements pursuant to DCMR § 11-3104 and the guidance implemented thereunder.

The property, known as Square 5969 Lots 169-187 (the "Property"), is located on the southeast corner of 4th and Trenton Streets, S.E. in the R-4 Zone, in which the proposed Center is permitted, via a Special Exception, subject to certain restrictions.

I. Waiver of Notice Requirements

As a preliminary matter, the Applicant requests a waiver of the notice requirements under DCMR § 11-3113.14. DCMR § 11-3113.14 requires the Applicant to provide public notice of the Board of Zoning Adjustment ("BZA") hearing by posting the Property with notice at least 15 days in advance of the hearing. The Applicant's hearing date is October 7, 2014. The Applicant, through its counsel,
DMEAST #19886813 v1

was advised by Office of Planning of the need to file this Area Variance on September 23, 2014, the day on which notice of such Area Variance would have needed to be posted at the Property to meet the October 7, 2014 hearing date. The Applicant will add the Area Variance to the already posted notices on September 24, 2014 upon submission of this Area Variance. For the reasons stated herein, the Applicant requests a two day waiver of the notice requirements.¹

II. Conformance with D.C. Municipal Regulations – Parking Lot Variance

Pursuant to DCMR § 11-2101.1, the Center must provide one parking space for each four teachers and other employees at the Center. The Center proposes 38 teachers and staff which results in 10 required parking spaces. The Center provides 20 parking spaces in a parking lot located at the northern part of the Property. See Exhibit A.

DCMR § 11-2116.4, however, requires that parking spaces may not be located between a building restriction line and a lot line abutting a street. Pursuant to DCMR § 3103.2, the BZA may approve an area variance when the following conditions are met:

(1) The physical characteristics of the property make it difficult for the owner to use the property in compliance with the DCMR – ie. shape and size of the property, unusual topography or slope, soil problems, etc. Similarly, pursuant to DCMR § 11-3103.7(a) for area variances, the Applicant must prove that as a result of attributes of a specific piece of property, the strict application of a zoning regulation would result in peculiar and exceptional practical difficulties to the owner of the Property.

Due to the topography and odd shape of the Property, the northern portion of the Property is the only location that can appropriately accommodate the parking spaces. While the northern portion of the Property is relatively flat, there is a 13 foot grade change from the north to the south along the western portion of the Property at the right-of-way. This grade change increases to as much as 20 feet at the southeastern Property line, resulting in the unprogrammed green space left on the southern portion of the Property. Because of the steep conditions, the parking spaces cannot be placed at the southern portion of the Property. Further, the parking spaces cannot be placed in the middle of the Property because that would leave no other suitable location for the building: the northern portion of the Property is too narrow to accommodate the building and the southern portion presents topographical concerns.

(2) Granting the area variance will not be of substantial detriment to the public good – ie. traffic, noise, lighting, etc.

Granting the area variance will not have a negative impact on traffic, noise, lighting, or activities of the surrounding properties. The Property is bounded by Trenton Street, S.E. on the north, 4th Street, S.E. on the west, and residential uses on the east. The Applicant will provide landscaping surrounding the parking lot to serve as a visual buffer between the parking lot and the neighboring

¹ Although the Applicant requests a waiver of the notice requirements, the Advisory Neighborhood Commission and all interested parties have been advised of and are in support of this Second Amendment.

properties and streets. Additionally, the whole Property will be fenced-in with a six foot fence to further minimize any impact on neighboring properties. As such, the parking spaces will not have any negative impact on noise, lighting, or activities of the surrounding properties.

Based on the plans for the Center, the Applicant was notified by the D.C. Department of Transportation ("DDOT") that it did not have to provide a traffic study or report due to the nominal traffic expected to be generated from the Center. DDOT based this conclusion, *inter alia*, on the parking spaces being placed at the northern portion of the Property. Therefore, the parking spaces will not have any negative impact on traffic.

(3) Granting the area variance will not be inconsistent with the general intent and purpose of the DCMR and Zoning Map.

The intent and purpose of the DCMR and Zoning Map is to develop a Center that provides adequate parking and does not interrupt the neighboring properties or create parking shortages for neighboring properties. The Applicant seeks to provide as much parking for parents, teachers/staff in accordance with Advisory Neighborhood Commission ("ANC") and community concerns. As discussed above, there is no other suitable configuration on the Property to accommodate both the parking spaces and the building in accordance with District and Federal requirements. As provided in the Original Request Special Exception and Amendment previously filed, the Center complies with all other applicable parking requirements. Therefore, granting this Area Variance is consistent with the general intent and purpose of the DCMR and Zoning Map.

III. Community Outreach

Per the Original Request for Special Exception and Amendment, the Applicant engaged the community, including the Advisory Neighborhood Commission ("ANC"), to ensure that the Center is sympathetically designed and adds to the neighborhood fabric. In light of this Second Amendment, the Applicant had conducted additional outreach to ensure the community remains in support of the Center. The ANC is expected to testify in support of the Center, including this Second Amendment, at the hearing.

IV. Conclusion

The Applicant respectfully requests that the BZA approve this Second Amendment to its Original Request for Special Exception, thereby permitting the Applicant to develop a Center to meet the needs of homeless and low-income populations in the District. As explained above and in the Original Request for Special Exception and Amendment, the Center satisfies all of the requirements of the DCMR. The Center is a significant improvement over the current vacant and unimproved Property.

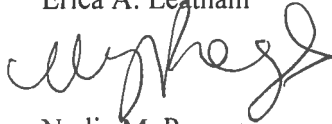
Sara Benjamin Bardin, Director
September 24, 2014
Page 4

It provides high-quality day care services that will further the Applicant's efforts to stabilize and transition families out of homelessness.

Very truly yours,

A handwritten signature in black ink, appearing to read "Erica A. Leatham".

Erica A. Leatham

A handwritten signature in black ink, appearing to read "Nydia M. Pouyes".

Nydia M. Pouyes

EAL/rp
Enclosures

Exhibit D



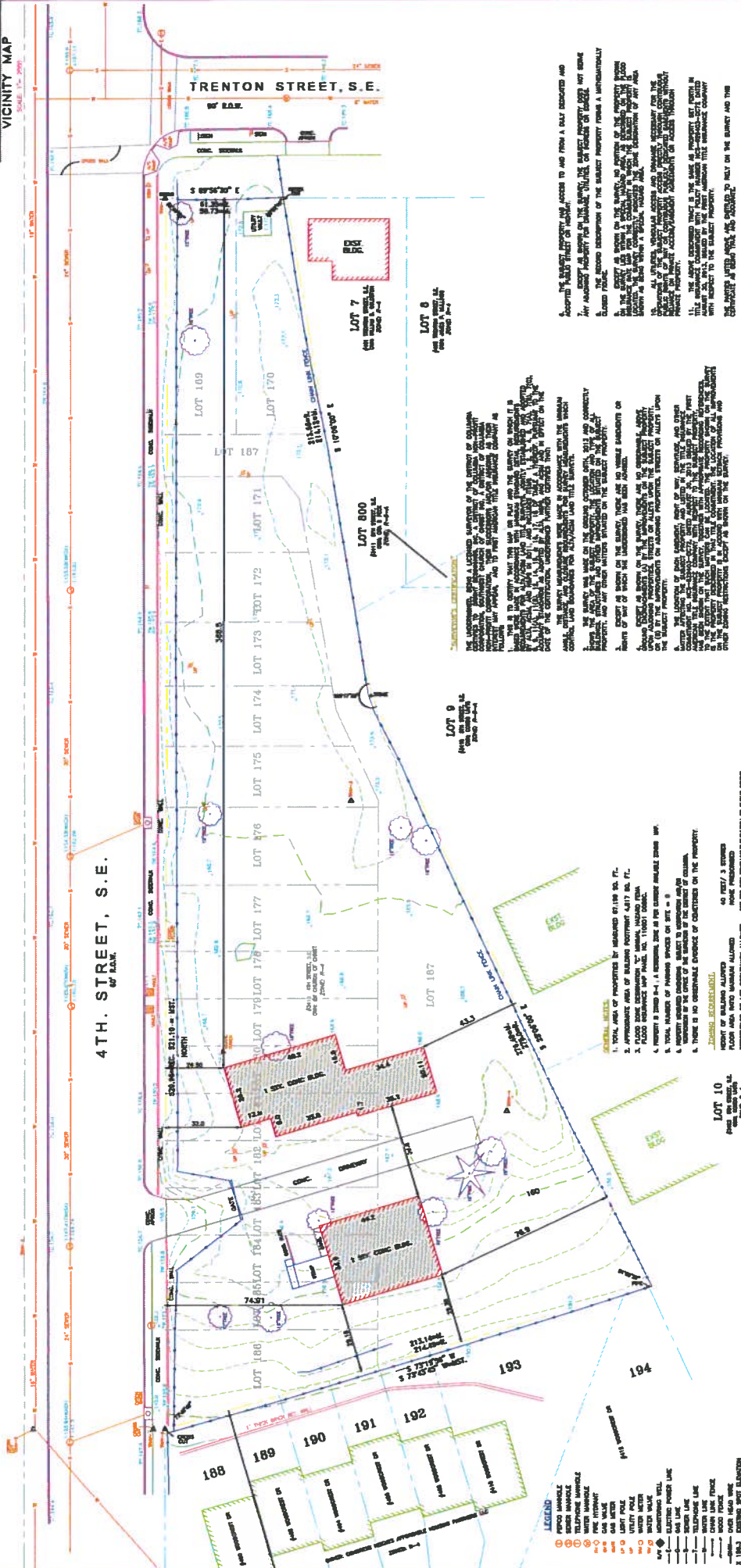
SCALE 1" = 40'

LEGAL DESCRIPTION
ALL LOTS LOCATED IN THE DISTRICT OF COLUMBIA AND CITY OF WASHINGTON, D.C. ARE DESCRIBED AS FOLLOWS:
LOTS 188 THROUGH 194, INCLUDING IN SQUARE 5888 IN A SUBDIVISION MADE BY 3418 4TH STREET, S.E., AS PER PLAT RECORDED IN MAP NO. 189 AT PLAT 71 COLUMBIA.

Lot	Area	Dist	County
188	1.00	18.00	DC
189	1.00	18.00	DC
190	1.00	18.00	DC
191	1.00	18.00	DC
192	1.00	18.00	DC
193	1.00	18.00	DC
194	1.00	18.00	DC

DC-RECORDS
DISTRICT RECORDS, D.C. RECORDS, AND RECORDS OF THE DISTRICT OF COLUMBIA, WASHINGTON, D.C. ARE DESCRIBED AS FOLLOWS:
ELEVATION = 71.75

UTILITY DISCLOSURE
THE UNDERGROUND UTILITIES HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND RECORDS. THE LOCATION OF UTILITIES IS BASED ON THE RECORDS AND FIELD SURVEY INFORMATION. THE LOCATION OF UTILITIES IS BASED ON THE RECORDS AND FIELD SURVEY INFORMATION. THE LOCATION OF UTILITIES IS BASED ON THE RECORDS AND FIELD SURVEY INFORMATION.



EXISTING CONDITIONS

BRIGHT BEGINNING DAYCARE
3418 4TH STREET, S.E.
LOTS 188 THROUGH 194 SQUARE 5888

AAH CONSULTANTS LLC
4200 FORBES BLVD, SUITE 203
LANHAM, MARYLAND 20706
501-488-1790 488-1797 (FAX)

PERCENTAGE OF LOT OCCUPANCY ALLOWED 84.75%
FROM 1920 SQUARE 5888 30' FEET



Scale 1" = 40'

DATE

PROJECT NUMBER

PROJECT NAME

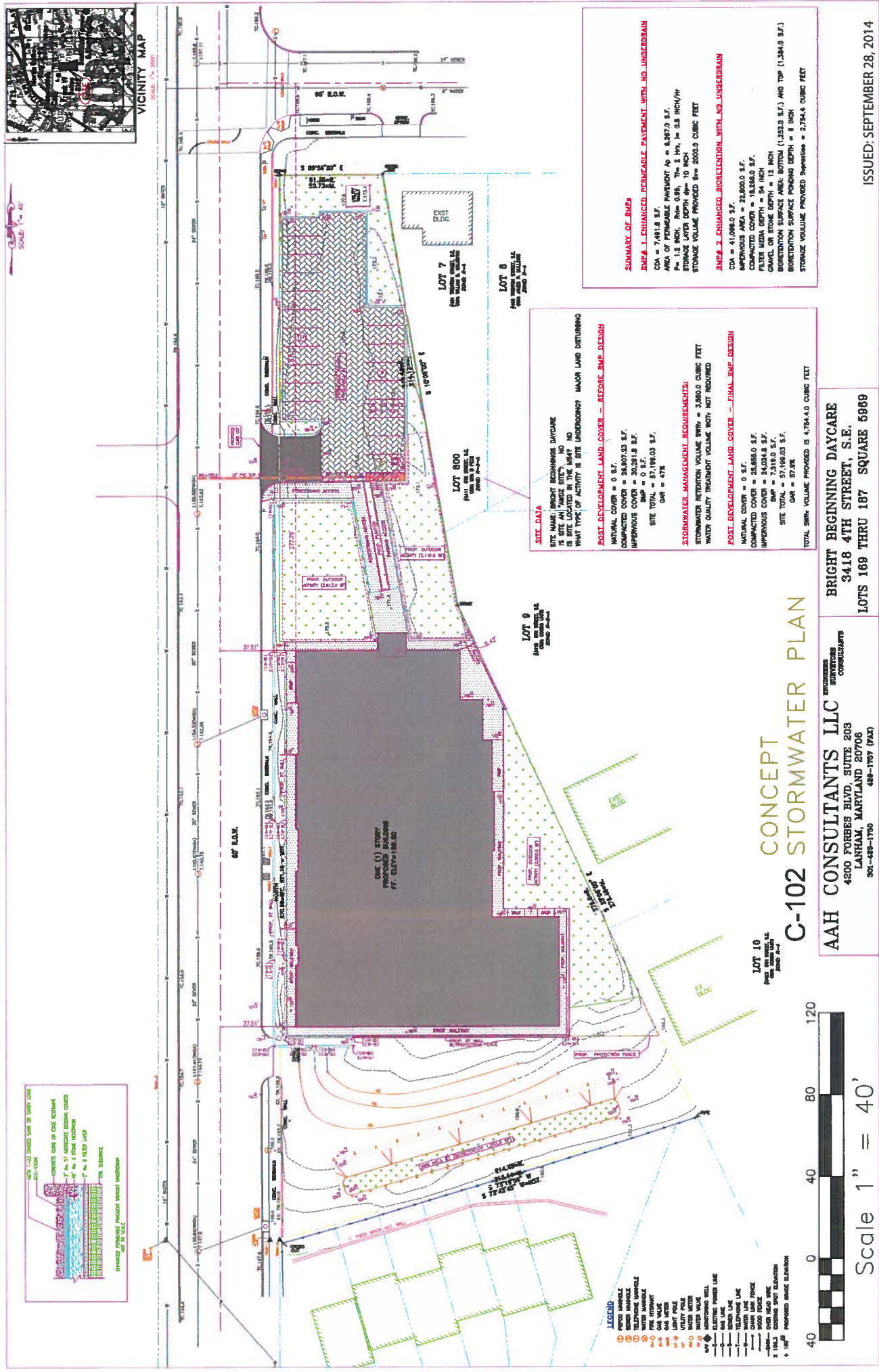
PROJECT ADDRESS

C-100

Exhibit E



Exhibit F



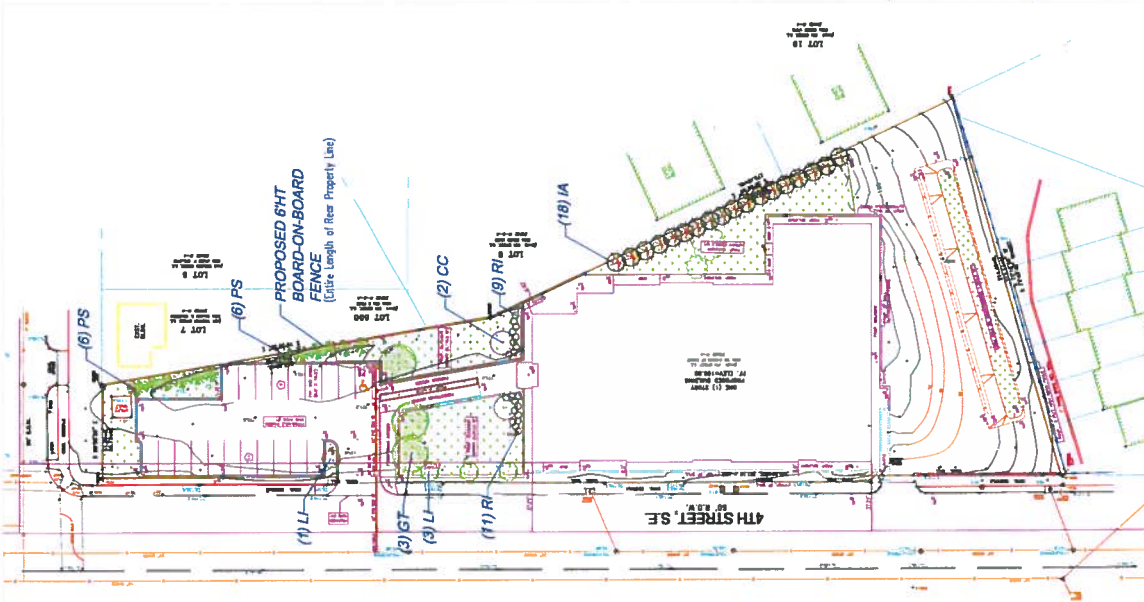
Scale 1 = 40.

ISSUED: SEPTEMBER 28, 2014

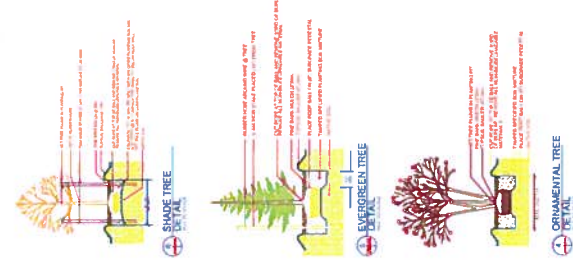
Exhibit G

PLANTING NOTES:

1. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGES TO UTILITIES AND MUST LOCATE AND VERIFY ALL EXISTING UTILITY LINES TO THEIR OWN SATISFACTION. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
2. THE LANDSCAPE CONTRACTOR SHALL FURNISH AND INSTALL AND/OR DRG. BALL, PLANTING MATERIAL, AND/OR PLANTING MATERIAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
3. ALL PLANTS SHALL CONFORM TO THE REQUIREMENTS SPECIFIED IN THE PLANT SCHEDULE.
4. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTS FOR NINETY (90) DAYS AFTER PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
5. ALL PLANTING AREAS SHALL CONTAIN A PLANTING AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
6. PLANTING AREAS SHALL BE PLANTED WITH PLANTING MATERIAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
7. ALL PLANTS MATERIAL SHALL BE DUG, BALLED AND BURLAPPED (B-B) OR BARE ROOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.
8. ALL PLANT MATERIAL SHALL BE SET PLUMB AND 10" DEEP NATURAL RELATIONSHIP WITH FINISHED GRADE.
9. ALL PLANT MATERIAL SHALL BE WATERED IMMEDIATELY AFTER PLANTING.
10. STAKING AND WRAPPING SHALL BE DONE IN ACCORDANCE TO THE LANDSCAPE SPECIFICATION GUIDELINES.
11. CERTIFYING LANDSCAPE ARCHITECT SHALL HAVE SOLE AUTHORITY TO DETERMINE PLANTING MATERIAL AND PLANTING MATERIAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR MUST BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES.



THIS PLAN FOR LANDSCAPE USE ONLY



CLIENT HAMILTON ASSOCIATES, LLC 3003 SHORTRIDGE LANE BOWIE, MARYLAND 20721		PROJECT TITLE BRIGHT BEGINNINGS DAYCARE 3418 4TH STREET, S.E. WASHINGTON, DC 20032	
DATE 10/12/2012		REVISION NO.	
DATE 10/12/2012		REVISION NO.	

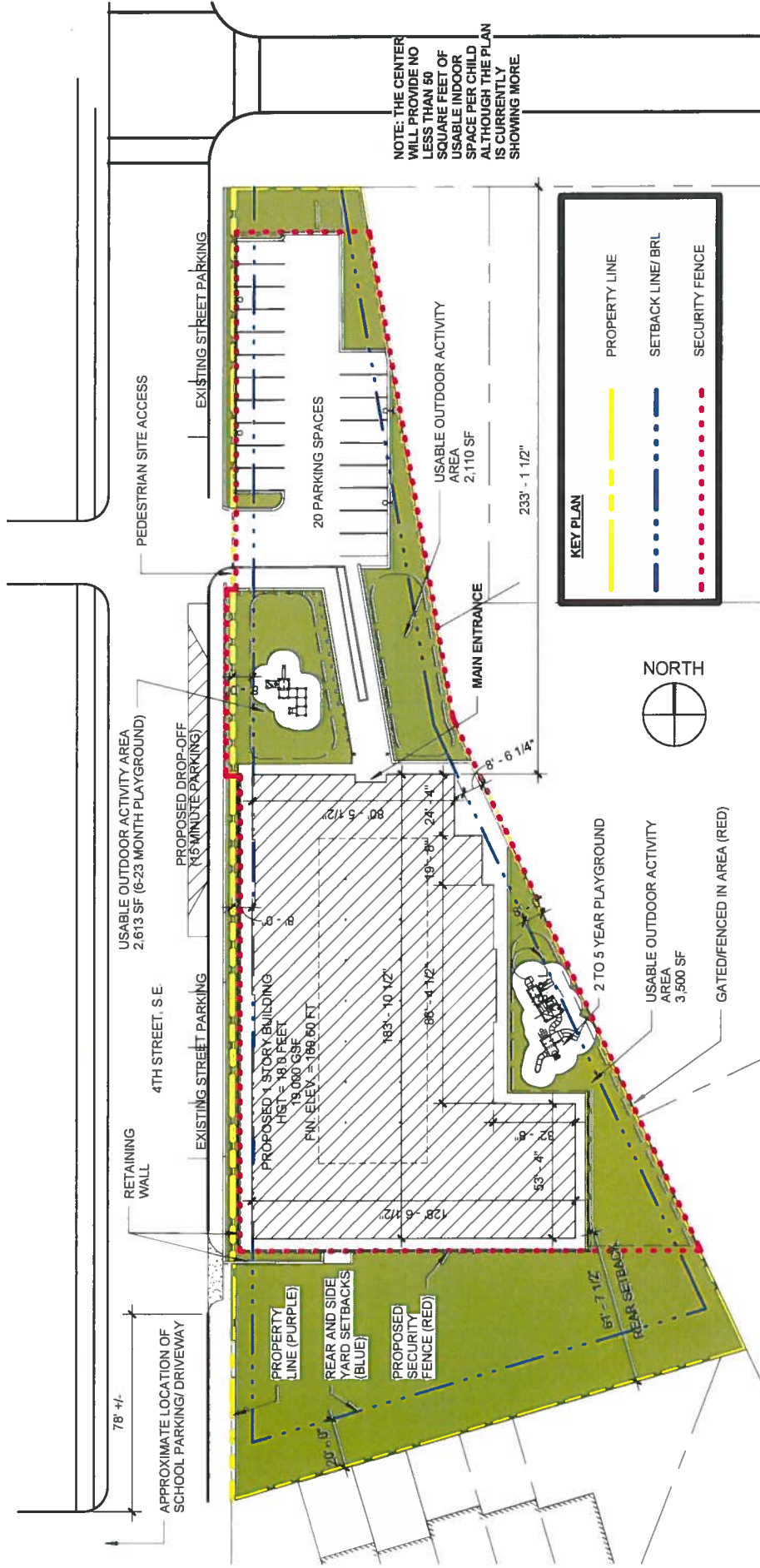


VICINITY MAP
 38°45'45.88" N 76°53'43.16" W Elev.: 3517'
 Imagery Date: 10/12/2012

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	PLANT LIST	SIZE & REMARKS	SPACING	DATE
GT	1	Georgina (Georgina)	Georgina	Georgina	1 1/2' - 2' Gt. (Gt.)/Theresa (Theresa) 1/2' Gt. (Gt.)	1 1/2' - 2' Gt. (Gt.)	10/12/2012
PS	12	Philadelphus (Philadelphus)	Philadelphus	Philadelphus	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012
CC	2	Cornus (Cornus)	Cornus	Cornus	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012
LI	4	Lonicera (Lonicera)	Lonicera	Lonicera	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012
RI	1	Ribes (Ribes)	Ribes	Ribes	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012
CC	2	Cornus (Cornus)	Cornus	Cornus	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012
LI	4	Lonicera (Lonicera)	Lonicera	Lonicera	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012
RI	1	Ribes (Ribes)	Ribes	Ribes	18" - 24" Ht. (Ht.)	18" - 24" Ht. (Ht.)	10/12/2012

LP-101

Exhibit H



1 ARCHITECTURAL SITE PLAN

A-101 SCALE 1" = 40'-0"

BZA Application Set



Hamilton ASSOCIATES, LLC



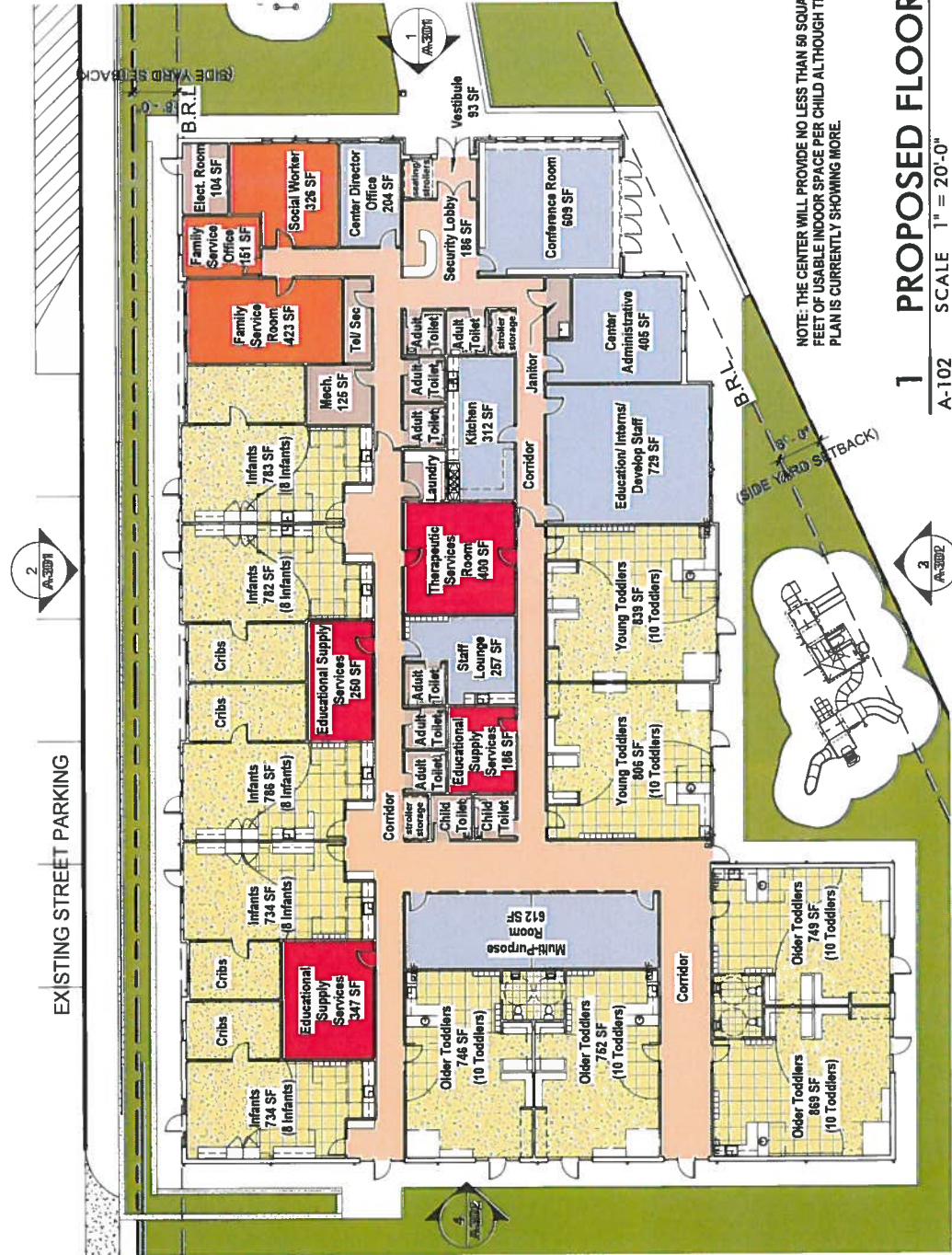
A-101 ARCHITECTURAL SITE PLAN

SEPTEMBER 28, 2014

BRIGHT BEGINNINGS DAY CARE CENTER, EAST OF THE RIVER
3418 4TH STREET, S.E.
WASHINGTON, DC 20032

Exhibit I

BZA Application Set

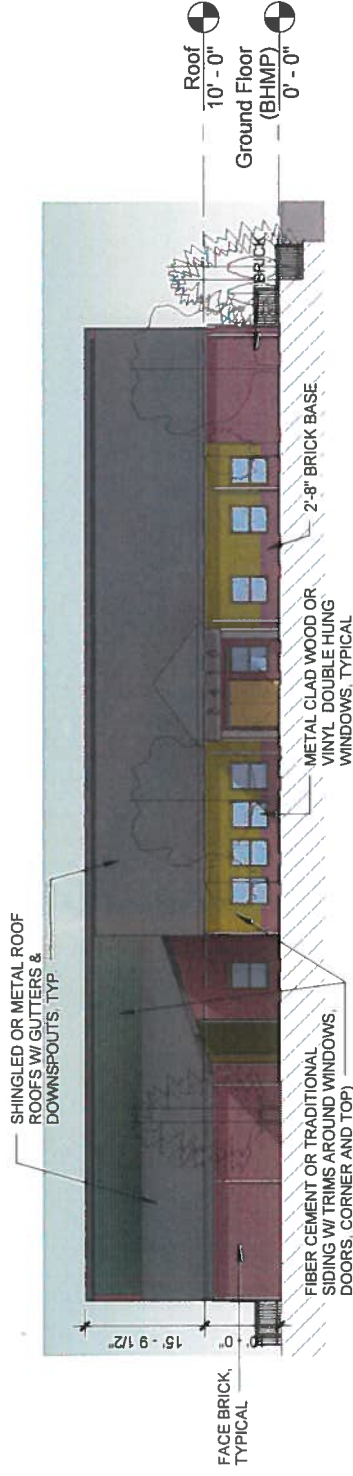


NOTE: THE CENTER WILL PROVIDE NO LESS THAN 50 SQUARE FEET OF USABLE INDOOR SPACE PER CHILD ALTHOUGH THE PLAN IS CURRENTLY SHOWING MORE.

1 PROPOSED FLOOR PLAN

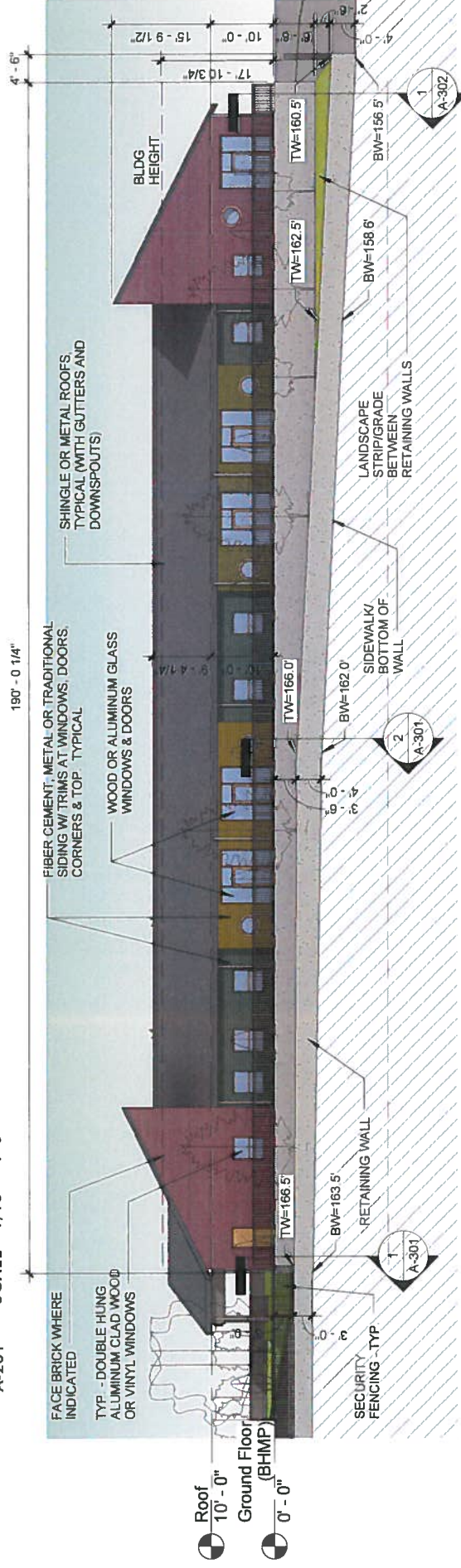
A-102 SCALE 1" = 20'-0"

Exhibit J



1 NORTH (FRONT) ELEVATION

A-201 SCALE 1/16" = 1'-0"



2 WEST (4TH STREET) ELEVATION

A-201 SCALE 1/16" = 1'-0"

BZA Application Set

HALL

A-201 ARCHITECTURAL
BUILDING ELEVATIONS

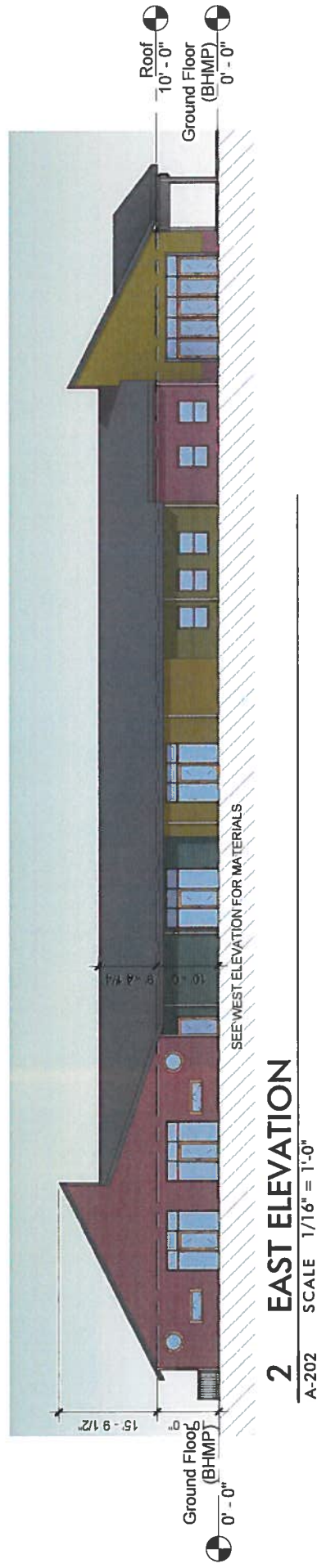
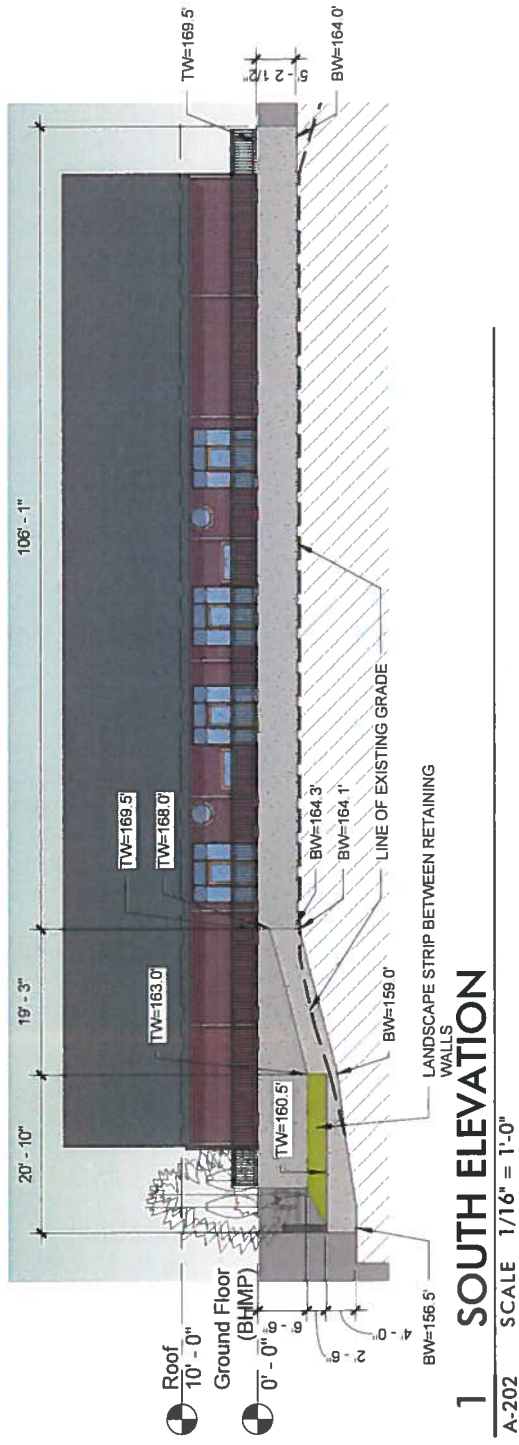
Hamilton ASSOCIATES, LLC

**BRIGHT
BEGINNINGS**
Sunny starts. Bright futures. Where homeless children grow.

BRIGHT BEGINNINGS DAY CARE
CENTER, EAST OF THE RIVER

3418 4TH STREET, S.E.
WASHINGTON, DC 20032

SEPTEMBER 15, 2014



BZA Application Set

СТАЛ

HAMILTON ASSOCIATES, LLC

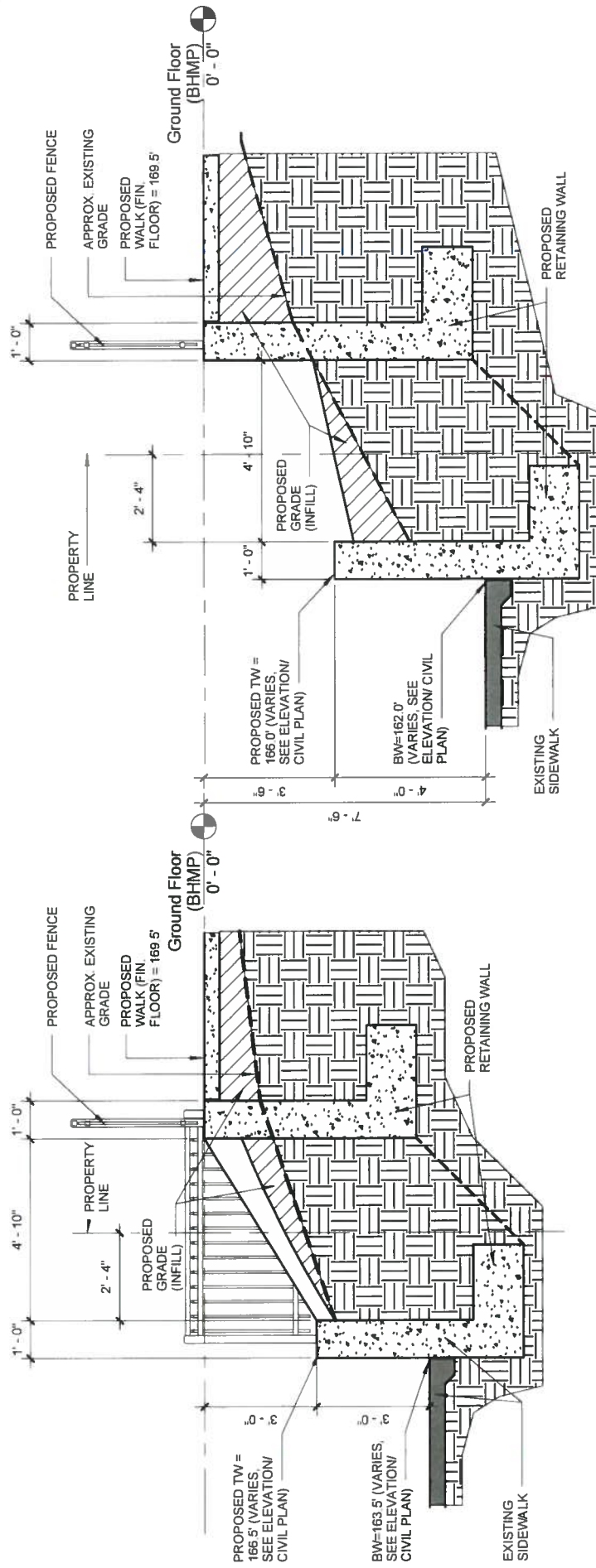
**BRIGHT
BEGINNINGS**
Sunny starts. Bright futures. Where homeless children grow.

A-202 ARCHITECTURAL
BUILDING ELEVATIONS

SEPTEMBER 15, 2014

**BRIGHT BEGINNINGS DAY CARE
CENTER, EAST OF THE RIVER**
3418 4TH STREET, S.E.
WASHINGTON, DC 20032

Exhibit K



1 SECTION A @ RETAINING WALLS

A-301 SCALE 3/8" = 1'-0"

2 SECTION B @ RETAINING WALLS

A-301 SCALE 3/8" = 1'-0"



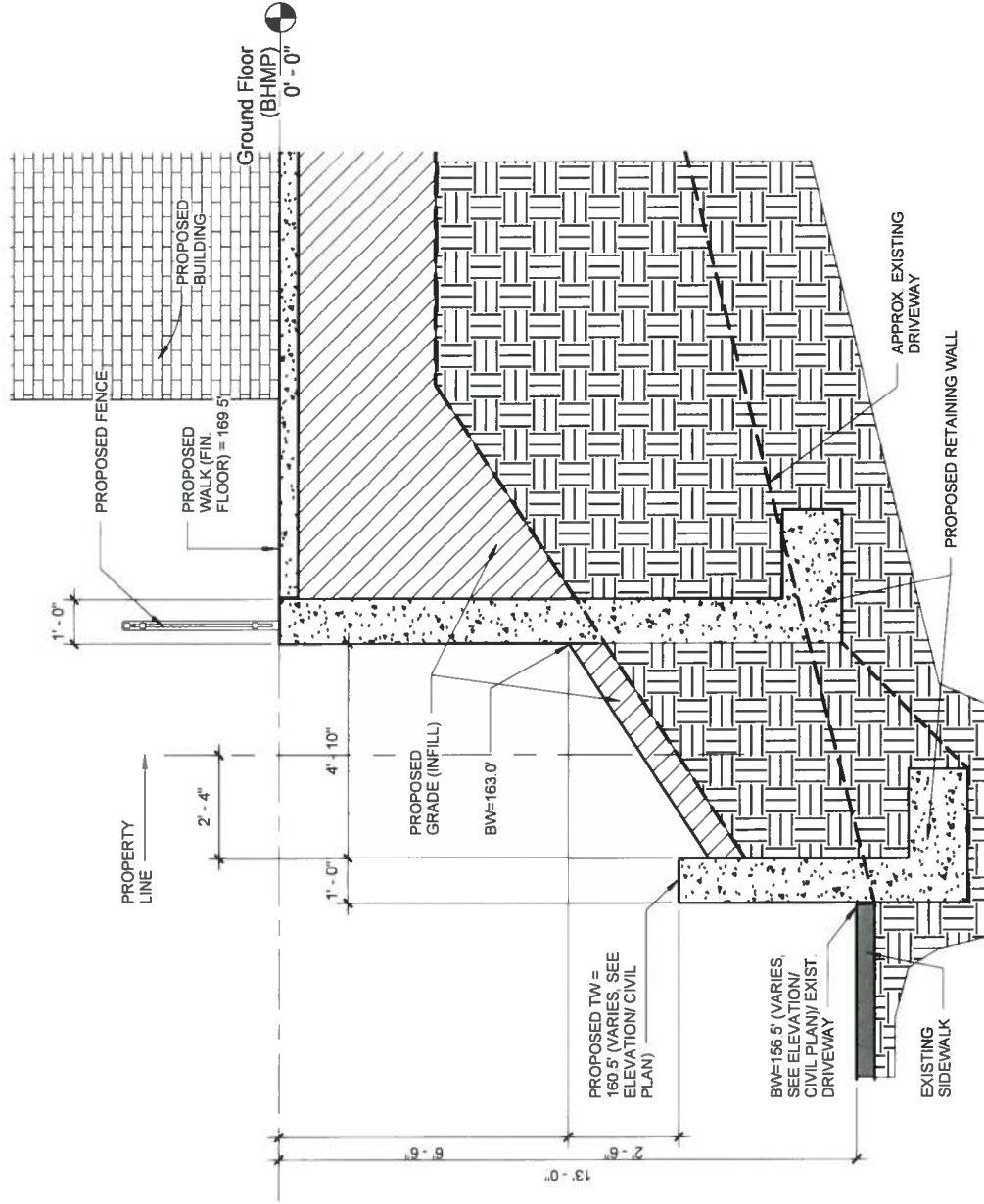
Hamilton ASSOCIATES, LLC



BRIGHT BEGINNINGS DAY CARE
CENTER, EAST OF THE RIVER
3418 4TH STREET, S.E.
WASHINGTON, DC 20032

A-301 SECTIONS @ RETAINING
WALL

SEPTEMBER 15, 2014



1 SECTION C @ RETAINING WALLS

A-302 SCALE 3/8" = 1'-0"



Hamilton ASSOCIATES, LLC

A-302 SECTION @ RETAINING WALL

SEPTEMBER 15, 2014



BRIGHT BEGINNINGS DAY CARE
CENTER, EAST OF THE RIVER
3418 4TH STREET, S.E.
WASHINGTON, DC 20032

Exhibit L

COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W., SUITE 102
WASHINGTON, D.C. 20004



COUNCILMEMBER MARION BARRY

Former Mayor
Councilmember, Ward 8
(202) 724-8045 (voice)
(202) 724-8055 (fax)
mbarry@dccouncil.us

Committee Member

Education
Human Services
Finance and Revenue

February 18, 2014

Dr. Bettie Jo Gaines, Executive Director
Bright Beginnings, Inc.
128 M Street, N.W.
Washington, D.C. 20001

Re: Potential Development Site
3400 4th Street, SE (Parcel)

Dear Ms. Gaines:

I am very excited to hear that Bright Beginnings is considering expanding your services into Ward 8. As the Councilmember for this great ward, I deeply understand the critical nature of early childhood development. Youth in our neighborhood are entering kindergarten not functioning at kindergarten level, primarily as a result of the lack of a quality pre-school environment. The socialization and education that our youth receive in high-quality early childhood environments cannot be under-estimated, especially for children from low-income families. Studies have shown that youth from low-income families start school far behind their counterparts. Thus, high-quality early childhood centers are critical for establishing strong building blocks for youth in Ward 8.

Your center is unique in that it strives to address some of our most vulnerable families and I commend your organization in attempting to bring your services to where the need is most obviously present. With a growing number of homeless families with children, additional services are sorely needed.

The site that you are considering is one that has for too long, sat vacant and undeveloped. I fully support your organization's zoning application to construct a day care center that serves up to 200 children. This facility not only reactivates a parcel of land too long off our tax rolls, but also creates additional job opportunities for our residents. With your commitment to our neighborhood, I am confident that Bright Beginnings can create a warm, nurturing, educational environment for youth so in need of your services. If I can be of additional support throughout this process, please do not hesitate to call my office.

Sincerely,


Marion Barry,
Councilmember Ward 8

ADVISORY NEIGHBORHOOD COMMISSION 8C

3125 MARTIN LUTHER KING AVENUE, S. E.
WASHINGTON, D. C. 20032
(202) 562-1188 • FAX (202) 562-6038



March 11, 2014

Dr. Bettie J. Gaines
Bright Beginnings, Inc.
128 M Street, NW, Suite 150
Washington, DC 20001

Re: Support of Redevelopment Application

Dear Dr. Gaines:

This letter is written to support your pending application to the Board of Zoning and Adjustment to redevelop the site at 3418 4th Street, SE to create a state-of-the-art early childhood development center in our Ward. As a long term Congress Heights resident and Chair of ANC8C, I applaud your efforts to create a safe, nurturing, highly accredited early childhood development environment in our community.

As a representative of a community with a largest number of youth and shrinking numbers of quality early childhood compounded by a ballooning homeless populations, I firmly support this redevelopment of this vacant site. Your commitment to providing quality early childhood education services, with a special sensitivity to children who come from families who are homeless is to be commended. I especially appreciate the corporate philosophy of hiring highly qualified staff that is proven by the fact that each staff member holds at least one credential. I fully support and eagerly anticipate the great things that are expected of this development team.

If there is anything that I can do to assist in this effort, please call.

Sincerely,

A handwritten signature in cursive script, reading "Mary Cuthbert", is written over a horizontal line.

Mary Cuthbert, Chair
Neighborhood Advisory Commission 8C

8C Advisory Neighborhood Commission
3109 Martin Luther King Avenue SE Suite B Washington DC 20032



Executive Committee
Chairwoman:
Mary Cuthbert
Vice Chairman &
Secretary:
Derrick Colbert
Treasure:
Jeffery McCoy

Commissioners
Jeffery McCoy
SMD 8C01
Teresa Stith
SMD 8C02
Mary Cuthbert
SMD 8C03
Derrick Colbert
SMD 8C04
Lloyd Logan
SMD 8C05
Naomi Carthens
SMD 8C06
Pho Palmer
SMD 8C07

To: Whom this may concern

From: Commissioner Derrick A Colbert

Date: March 20, 2014

RE: Support for Bright Beginnings Child Development Center

As the Advisory Neighborhood Commissioner for Single Member District 8C04 and Vice Chairman and Secretary for Commission 8C, I'm writing to express my Full Support for Bright Beginnings Child Development Center.

Upon during my research on the Core Principals of Bright Beginnings Child Development Center, I discovered that this Project will serve as a great benefit to the Community. My discovery also lead to believe, that this project would not only assist our most vulnerable citizens with the needed support of becoming self-sufficient, but will also offer a needed benefit to Community Residents that might be in need of Quality, Affordable, and Convenient Child Care.

In addition to aforementioned benefits that Bright Beginnings will bring into the community, it will also aluminate a vacant parcel of land that has served as eye sore with-in this community for over 20 years. With the possibility of creating new jobs and economic opportunities with –in the Ward 8 Community.

So in conclusion it's my hope that you will approve this Special Request for this project to be developed.

Cordially,
Derrick A Colbert

Commissioner, SMD 8C04
Derrick A Colbert

Phone: 202-905-8810
Email: 8C04@anc.dc.gov

MOORE, Inc.

*3337 5th Street, SE
Washington, DC 20032*

March 11, 2014

Dr. Bettie J. Gaines
Bright Beginnings, Inc.
128 M Street, NW, Suite 150
Washington, DC 20001

Re: Support of Redevelopment Application

Dear Dr. Gaines:

What an exciting opportunity has been presented to our community! This letter is written to support your pending application to Board of Zoning and Adjustment to redevelop the site at 3418 4th Street, SE. As a long term Congress Heights resident and business owner, I applaud your efforts to create a safe, nurturing, highly accredited early childhood development environment for children without homes to develop this site. I am increasingly interested in the revitalization of this community and the ward at large.

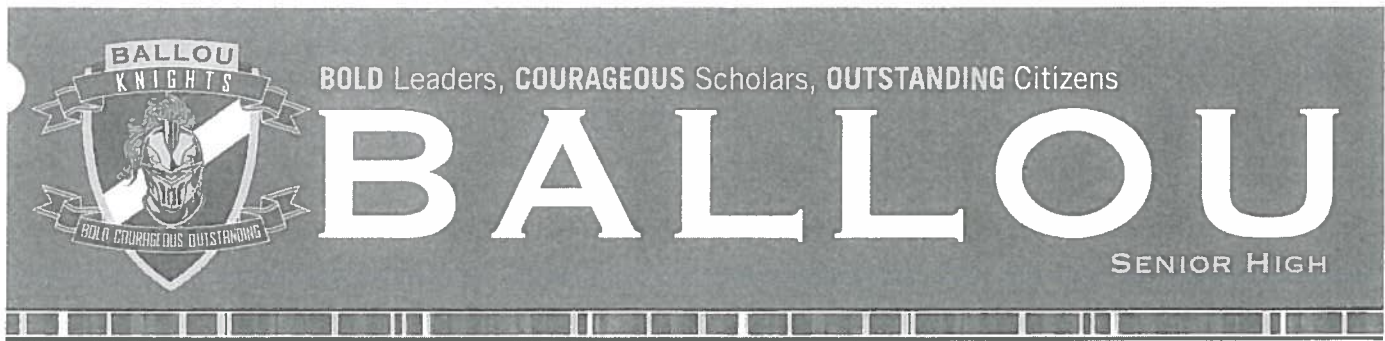
Your commitment to this community and to this burgeoning vulnerable population. I fully support and eagerly anticipate the great things that are expected of this development team.

If there is anything that I can do to assist in this effort, please call.

Sincerely,



Robert James
President



March 27, 2014

Dr. Betty J. Gaines
Bright Beginnings, Inc
128 M Street, NW, Suite 150
Washington DC, 20001

Good Day Dr. Gaines:

This letter is written with full support to your pending application to the Board of Zoning and Adjustment to redevelop the site at 3418 4th Street, SE to a well needed state-of-the-art early childhood development center in our Ward. As a longtime principal and educator of the District of Columbia I applaud your efforts to create a safe, nurturing, highly accredited early childhood development environment in our community.

Our community is battled with a substantial large number of youth and shrinking numbers of quality early childhood programs combined with an immense number of homeless families, I would like to firmly offer my support in this redevelopment of this vacant site located directly across the street from our facility. Your commitment to providing quality early childhood education services, with a special sensitivity to children who come from families who are homeless is to be applauded.

I fully support your facility and the great things that this project will bring to our community and to our youth.

If there is anything that I can do to assist in this effort, please call do not hesitate to contact.

Sincerely,


Rahman Branch

3401 4th Street, SE
Washington, DC 20032
202-645-3400 main
202-645-3397 fax
www.balloudc.org

Ballou WE ARE
BALLOU

September 16, 2014

Dr. Bettie J. Gaines
Bright Beginnings, Inc.
128M Street, NW, Suite 150
Washington, DC 20001

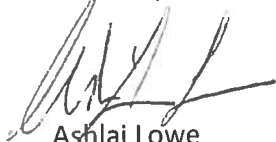
Re: Support of Redevelopment Application

Dear Dr. Gaines,

I am in support of your pending application to the Board of Zoning and Adjustment to redevelop the site at 3418 4th Street, SE. As a mother, and resident of the Ward 8 community, I have a vested interest in the availability, affordability, and the quality of childhood development and education in our neighborhood. I live two blocks away from the proposed site and the announcement of this facility is music to my ears. I have two small children that are both currently being schooled outside of my neighborhood and it would help me and other single parent families tremendously if there were more options for highly qualified and accredited schooling in our area.

If I can be of any assistance please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashlai Lowe', with a long horizontal flourish extending to the right.

Ashlai Lowe
3304 Martin L. King, Jr. Avenue, SE
Washington, DC 20032
336-340-5153

Sheron Tate
3217 Martin L. King, Jr. Avenue, SE
Washington, DC 20032

September 17, 2014

Dr. Bettie J. Gaines
Bright Beginnings, Inc.
128M Street, NW, Suite 150
Washington, DC 20001

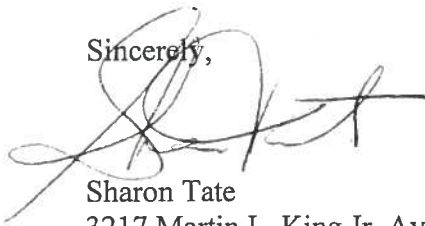
Re: Support of Redevelopment

Dr. Gaines,

I am in support of your pending application to the Board of Zoning and Adjustment to redevelop the site at 3418 4th Street, SE. I am a single mother of two early childhood aged children that lives a few blocks away from the proposed site and I would like to see additional early childhood development options. I understand fully the plight of parents and how difficult it is to secure quality childcare options and that plight must be amplified with coupled with the ills of homelessness.

I have lived in the Congress Heights neighborhood for over 4 years and have been active in the community. Dr. Gaines, Bright Beginnings has my support, and anything I can do to help you reach your goal of bringing quality early childhood development to the area please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sharon Tate', with a large, stylized flourish extending from the end of the signature.

Sharon Tate
3217 Martin L. King Jr. Ave SE
Washington, DC20032

From the Desk of

Kevin Vaughan
2472 Alabama Avenue, SE #A-102
Washington, DC 20020

September 15, 2014

Dr. Bettie J. Gaines
Bright Beginnings, Inc.
128M Street, NW, Suite 150
Washington, DC 20001

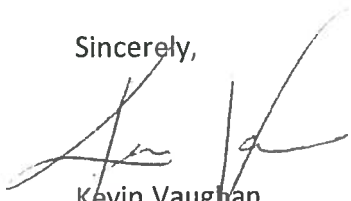
Re: Support of Redevelopment Application

Dear Dr. Gaines,

This letter is written to support your pending application to the Board of Zoning and Adjustment to redevelop the site at 3418 4th Street, SE. I am an advocate for early childhood development, and your vision to create a state-of-the-art early childhood development center in our Ward is much needed. As a resident of the Ward 8 community and potential Commissioner of ANC 8B03, I would like to see an efficient, impactful, and safe early childhood development center in our community.

I believe that the foundation of a thriving community lies in the quality of affordable education that our youth receive, and what better way to start, than a productive early childhood development center right here in our community. Your organization has my support and if I can be of any assistance please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Vaughan', with a large, sweeping flourish extending from the end of the signature.

Kevin Vaughan
202-830-8254
kevinvaughanjr@gmail.com

Exhibit M



Hamilton Associates, LLC

Hamilton Associates, LLC

[We combine over 32 years of the managing principal professional experience in planning, design, construction and facilities managed to bring your ideas to construction, by the best design practices.]

12150 Annapolis Road, Suite #211
Glenn Dale, MD 20769; HALLCAIA.COM
240.462.5119 HALLCAIA@GMAIL.COM



Hamilton ASSOCIATES, LLC

RESUME

Emerson C Hamilton, AIA, M. Arch, Principal-In-Charge

Emerson serves as Managing Principal-In-Charge of Hamilton Associates LLC, an Architecture, Engineering and Planning and Real Estate Development firm with primary operations in the Washington DC and Baltimore City, metropolitan regions. Over the past thirty-three years. He has directed and managed; facilities planning, design & construction, and architecture & engineering services for higher education, private corporation, PK-12 schools, private clients and privately held real estate business interest. He has been a Registered Architect since 1985 and has served as Corporate Architect in Higher Education and PK-12 Schools, and Corporate America.

Work Experience

- 2004 - Present Hamilton Associates LLC, DC/MD, Managing Principal
- 2001 - 2004 Baltimore City Public Schools, MD Director of Facilities Planning and School Construction
- 1997-2001 BioReliance Corporation, Rockville, MD Facilities Project Manager
- 1987-1997 Howard University, Washington DC Architect/Assistant Director of Architecture and Engineering Services
- Pre - 1987 Multiple Architectural Firms and RE Development Firms Architect

Relevant District of Columbia Experience

- Moultrie Courthouse, Indiana Avenue Entrance DC Superior Courts, AOR
- Judiciary Square improvements, Buildings-A and B Washington DC, AOR
- Howard University Hospital Tower and MRI Addition Projects, Staff Architect
- Paul Public Charter School Addition and Renovation, AOR
- Horizon House Fast Track UFAS Modernization, AOR
- 21 and 25 Kennedy Street NW Renovation, AOR
- 1133 Spring Road NW Renovation, AOR
- CB Powell Building for Howard University, AOR

Professional Licensure & Accreditations

- American Institute of Architects
- Registered Architect State of Maryland
- Registered Architect District of Columbia

Education

- 1981 Howard University, Washington, DC
Master of Architecture, 1981
- 1978 Howard University, Washington, DC
Bachelor of Architecture, Summa Cum Laude



Hamilton ASSOCIATES, LLC

RESUME

Emmanuel A. Mdingi, AIA, LEED AP, NCARB, Snr. Associate

Emmanuel A. Mdingi graduated from Howard University, Architecture & Planning with top honors in 1996. Since his graduation gained over 18 years of experience becoming a well seasoned architect with a commitment to the client, the project, and the profession. The wide range of projects he has undertaken over the years, have given him the knowledge to resolve any challenges a project presents.

Work Experience

- 2010 – Present Hamilton Associates LLC, Baltimore, MD, Senior Associate
- 2010 – Present, DCI Architects Studio, Germantown, MD, Principal
- 1996 - 2010 Mushinsky, Voelzke & Associates, Bethesda, MD, Snr Associate

Relevant District of Columbia Experience

- Paul Public Charter School, Washington, DC / Project Manager
- 1369 New York Ave NE, Washington, DC / Principal in Charge
- 21 and 25 Kennedy Street NW, Washington, DC / Project Manager
- ACAC KidZone & Pool, Charlottesville/Richmond, VA / Principal in Charge
- Whole Foods Market P Street NW, Washington DC / Project Architect
- L'Enfant Plaza Promenade, Washington, DC / Principal in Charge
- ACAC Building D Office, Charlottesville, VA / Project Manager
- Promenade Tyson.s West, Tyson.s Corner, VA / Project Manager
- 1700 Duke Street, Alexandria, VA / Project Manager

Professional Licensure & Organizations

- The American Institute of Architects (AIA)
- USGBC LEED Accredited Professional (LEED AP)199
- National Council of Architectural Registration (NCARB)
- International Code Council (ICC)
- Registered Architect, DC, MD, VA

Education

- 1996 Howard University, Architecture & Planning, Bachelor of Architecture



Hamilton ASSOCIATES, LLC

RESUME

Andrew Alexander Husbands
10808 Phillips Drive
Upper Marlboro MD 20772
Phone: 301-429-1750 Fax: 301-429-1757
Email: aahusbands@gmail.com

EXPERIENCE

August 2009 – Present: AAH Consultants LLC
4200 Forbes Blvd. Suite 203
Lanham MD 20706.

Principal and Owner of a consulting company providing professional Land Surveying and Civil Engineering consulting services in the Metropolitan Washington area. Responsible for the day to day operation of the company, the management of land surveying and engineering projects in the District of Columbia and Maryland.

My responsibilities include the direct supervision of boundary and topographic surveying; ALTA-ACSM surveys; condominium plats; legal descriptions of property; easements; subdivision; record plat; horizontal and vertical control; monitoring; construction stakeout; land development services; site plans; erosion and sediment control; storm water management plans and other activities performed by a professional surveyor.

Jan. 2005 – July 2009 WCG, LLC
4200 Forbes Blvd. Suite 203
Lanham MD 20706.

CEO, Majority Partner and Principal Surveyor for a consulting company, providing professional surveying and civil engineering in the Metropolitan Washington area. Responsible for the day to day operation of the company, and the management of land surveying and civil engineering projects.

Jan 2000 – Dec. 2004 West Consulting Group
4424 Montgomery Ave. Suite 201
Bethesda MD 20814

Professional Surveyor with responsibility for the land surveying operations of a surveying and civil engineering consulting firm. Responsible for project management; survey field crews; scheduling; proposal preparation for various surveying projects in Maryland, Virginia and the District of Columbia. Also responsible for research; liaise with various clients and public agencies.

2.

Jan 1994 – Dec. 1999

West Consulting Group
4424 Montgomery Ave. Suite 201
Bethesda MD 20814

Party Chief, responsible for the execution of field surveying including, boundary, topographic, construction stakeout, easements, control surveys, ALTA/ACSM, monitoring, and other miscellaneous survey activities.

1991 – 1993

B & D Construction Ltd.
Castries
St Lucia, West Indies.

Project Manager and Coordinator of Surveys. West coast Road Improvement Project. Responsible for the construction of 23 miles of 2-lane highway along the West Coast of the Island.

1990 – 1991

Drainage & Irrigation Rehabilitation Project
East and West Coasts of Demerara
Guyana, South America.

Survey Coordinator, responsible for all of the surveying associated with the construction of 26 miles of drainage and irrigation canals on the Atlantic coast line of Guyana. Represented the Government of Guyana in the process of acquiring of land for the project and liaising with the community on matters that affected the project and the community.

1988 – 1990

Roy Warren & Associates
Georgetown, Guyana
Nassau, Bahamas.

Professional Surveyor. Manager of survey company involved in various aspects of land surveying. Also responsible for the survey work involved in the acquisition of lands for the MMA drainage and irrigation project.

1983 – 1988

Ministry of Agriculture
Department of Lands & Surveys
Georgetown, Guyana.

Superintendent of Surveys. Responsible for the topographic and mapping departments, national geodetic control and map production. *Training Officer* responsible for the design and implementation of various programs in cartography, photogrammetry and land surveying.

3.

1981 – 1983 Government Technical Institute
Georgetown, Guyana.

Lecturer in Surveying and Head of the Surveying Department. Responsible for the day to day administration of the department and lectures in land surveying.

1983 – 1991 Government Technical Institute
Part-time Lecturer (Land Surveying)

1983 – 1994 University of Guyana
Associate Lecturer

PROFESSIONAL LICENSE & REGISTRATION

Maryland Professional Land Surveyor # 21188

District of Columbia Professional Land Surveyor # 904611

Guyana (inactive) Professional Land Surveyor

PROFESSIONAL DEVELOPMENT

- District of Columbia Association of Surveyors
Served on the Board of Directors from 2005 – 2008
- Member of Maryland Society of Surveyors
- Guyana Association of Surveyors – Secretary from 1983 – 1988
- Board of Examiners for Land Surveyors Guyana – Examiner from 1983 – 1991
- Academic Board Department of Civil Engineering, University of Guyana from 1983 – 1988.

IMPORTANT PROJECTS

THAT I PARTICIPATED IN AS A PROFESSIONAL SURVEYOR AND PROJECT MANAGER.

1. Little Patuxent Water Rehabilitation Plant (Savage MD)
2. Silver Spring Gateway (Silver Spring MD)
3. Fleetwood Condominium Conversion (various sites in Maryland and the District of Columbia.
4. Bloomingdale Department Store at Friendship Heights (Chevy Chase MD)
5. Dulles Airport Tank Farm Project.
6. Andrews Air Force Base, Runway Improvements, Tank Farm.
7. Van Ness Metro Center, Connecticut Avenue NW (Washington DC)
8. DC OCTO 911 - Network Towers Location Project. (various sites in Washington DC)
9. DC OCTO - GIS Mapping project.
10. Alexandria Waste Water Rehabilitation Project.
11. Geoline Cell Phone Tower Expansion (Maryland).
12. Numerous ALTA/ACSM, Boundary Surveys, Topographic Surveys, Control Surveys in the District of Columbia, Maryland and Virginia.

REFERENCES

References are available on request.

Exhibit N



ON 4TH STREET SE, Southwest corner of the property looking Northeast. Showing South property line, back yard of adjacent to residential, retaining wall and existing failing chain link



ON 4TH STREET SE, Southwest corner of the property looking North (along 4th street towards Trenton Street). Showing chain link fence, sidewalk, 18" concrete retaining wall and retained earth.



ON 4TH STREET SE, Southwest corner of the property adjacent to existing drive/ curb cut looking North. Showing existing chain link fence, side walk, 18 inch retaining wall, steep grade change, erosion issues on inadequate retaining wall. Note the change in elevation from the sidewalk to what appears to be the flat portion is 13 feet, occurring in about 8 foot distance.



ACROSS THE STREET ON 4TH STREET SE (Ballou Senior High School sidewalk), Looking Northeast onto the site and existing driveway.



ON TOP OF EXISTING DRIVE LOOKING WEST, Showing 4th Street; on-going construction of the new Ballou Senior High School on the left, and existing Ballou Senior High School on the right.



STANDING AT THE SOUTH PROPERTY LINE LOOKING NORTH, showing steep grade change at the southern portion of the site.



ON TOP OF EXISTING DRIVE LOOKING EAST, Showing adjacent multi-story apartment building to the east of the property (towards 6th Street).



STANDING AT THE SOUTHEAST PORTION OF THE SITE LOOKING NORTH/ NORTHWEST (Opposite corner from existing drive/ curb cut).



STANDING ON THE NARROW PORTION OF THE SITE, CLOSE TO TRENTON STREET, Showing site looking south with 4th street and Ballou Senior High School on the right.



STANDING ON THE NARROW PORTION OF THE SITE, CLOSE TO TRENTON STREET, Showing the intersection of Trenton Street SE and 4th Street SE, residential properties on the east and across Trenton street.