

March 1, 2021

D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Suite 200S
Washington, D.C. 20001

Re: **BZA Order Nos. 18830/18830A – Bright Beginnings, Inc. – 3418 4th Street SE (Square 5969, Lot 249) – Request for Modification of Consequence**

Dear Members of the Board:

Bright Beginnings, Inc. (the “**Applicant**”) seeks a modification of consequence to BZA Order Nos. 18830 and 18830-A (attached as Exhibit A) pursuant to Subtitle Y § 703 of the Zoning Regulations for the property located at 3418 4th Street SE (Square 5969, Lot 249) (the “**Property**”). The Property is zoned RF-1 and located in the Congress Heights neighborhood in Southeast, D.C. In 2014, pursuant to Order No. 18830 and the 1958 Zoning Regulations (“**ZR-58**”), the Board granted special exception relief for the Property to allow a child development center for 100 children and 38 teachers and staff, special exception relief to permit retaining walls exceeding the maximum permitted height, and variance relief from parking location requirements. In 2020, pursuant to Order No. 18830-A and the 2016 Zoning Regulations (“**ZR-16**”), the Board granted a modification of consequence to permit an increase in the number of children to 115 and the number of staff to 43.

The Applicant is a nonprofit organization that operates childhood and family learning centers for children and families experiencing homelessness in Washington, D.C. Its programs include year-round Head Start and Early Head Start, therapeutic health and wellness, evening care, and parent support services. The child development center at the Property currently serves children aged six weeks to three years old, within an approximately 19,000 square foot building with two fenced outdoor activity spaces, 13 parking spaces, and six bicycle spaces, as approved by the Board.

To limit costs by consolidating operations at this facility, as a consequence of the COVID-19 pandemic, the Applicant wishes to expand service to children up to age five and now seeks a modification of consequence to further increase the maximum enrollment for the center to 150

children (an increase of 35 children) and to increase the maximum number of teachers and staff to 60 (an increase of 17 teachers/staff). The Applicant is not requesting any other changes to the existing approval.

Under Subtitle A § 102.4, an application to the Board for modification of a project vested under ZR-58 is subject to ZR-16. The child development center (daytime care) is permitted as a special exception under Subtitle U § 203.1(h) of ZR-16, which does not impose any additional conditions to approval not included in ZR-58 § 205, which governed the Board’s original approval for the use.

The Applicant seeks approval of the requested modification of consequence pursuant to Subtitle Y § 703.2. The requested modification does not trigger the need for any additional relief from the Zoning Regulations. The request qualifies as a modification of consequence because it is a “proposed change to a condition cited by the Board in the final order.” See 11 DCMR Subtitle Y § 703.4.¹

The Board has already determined that the use and existing facility satisfy the applicable standards for approval of the center, and approval of the proposed additional 35 students and 17 teachers/staff will not result in any additional material adverse impacts. The Applicant has been successfully operating the school with 115 students and 43 staff without notable adverse impacts on the community, and that is expected to continue with the proposed increase. We note that, particularly with respect to traffic impacts, given that rates of private automobile ownership and use are exceedingly low among the population the Applicant serves (those experiencing homelessness), most children access the Property on foot or via public transit. This high rate of walking and public transit use is expected to continue with the additional students. The small number of children being driven to the center are dropped off at signed areas along 4th Street SE, and only a few additional drop-offs by private automobile are expected with the student increase. Additionally, the majority of current teachers/staff use public transit and will continue with the small increase in staff. Therefore, adverse traffic impacts from the requested increases will be nominal, if any.

The Applicant is sending this application simultaneously to Advisory Neighborhood Commission (“ANC”) 8C, the only other party to the Board’s original approvals. The Applicant also will meet with the ANC prior to the Board’s consideration of this application. The proposed modification is entirely consistent with the Board’s previous approval, meets the definition of a modification of consequence, and will not cause any adverse impacts. Accordingly, the Applicant respectfully requests that the consideration of this application be scheduled for the Board’s public meeting calendar pursuant to Subtitle Y § 703.

In addition, attached as Exhibit B is the authorization letter to file the modification application. Also included is a check in the amount of \$858, which represents the 26% of the

¹ Although the limits on enrollment and the number of teachers and staff are not included as a condition to approval at the end of the Board’s order, these restrictions are noted in the case caption on the first page of Order No. 18830.

Board of Zoning Adjustment – 3418 4th Street SE

March 1, 2021

Page 3

original filing fee for the child development center use in this matter. Please feel free to contact the undersigned at (202) 721-1135 if you have any questions, and thank you for your consideration of this matter.

Sincerely,

/s/
Christopher Lighten

/s/
Jennifer Bisgaier

Enclosures

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document were delivered by email to the following addresses on March 1, 2021.

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_____/s/_____
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_____/s/_____
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