



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



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.
(Please see reverse side for more information about this distinction.)

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Name:	Phyllis Klein - 1418 North Capitol St. NW		
Address:	P. O. Box 73572 Washington DC 20056-3572		
Phone No(s):	202 735 8179	E Mail:	pdkleindc@gmail.com
I hereby request to appear and participate as a party in Case No.:		18676	
Signature:	<i>Phyllis Klein</i>	Date:	11/24/2013
Will you appear as a(n)	☐ Proponent ☒ Opponent	Will you appear through legal counsel?	☐ Yes ☒ No
If yes, please enter the name and address of such legal counsel.			
Name:	BOARD OF ZONING ADJUSTMENT District of Columbia		
Address:	CASE NO. 18676		
Phone No(s):	EXHIBIT NO. 24		

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PARTY WITNESS INFORMATION:

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

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

PARTY STATUS CRITERIA:

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

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board? *See attachment.*
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) *Owner*
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.) *15 feet.*
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied? *See attachment.*
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied. *See attachment.*
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public. *See attachment.*

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

CASE NO. 18676
EXHIBIT NO. 24

Answers to Questions**Form 140 Party Status Request****Phyllis Klein****Adjacent Property Owner: 1418 North Capitol Street NW DC 20002**

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

This property, and properties on the entire block, rely on the 15' public alley for rear access, services, pedestrian and vehicle passage, and unimpeded ingress/egress for fire and safety vehicles. The proposed drop-off scenario adjacent to the alley for the early childhood learning center pictured in the submission is a major concern for both the safety of the children and their families, vehicular and pedestrian safety for the public; for over-congestion that would prevent fire and safety vehicles from having access. Additionally, there are numerous functions that the residents and businesses require in the narrow alleyway, including trash collection, deliveries, and rear access for employees and, in some cases, residents. Placing a drop-off/pick-up point at this location, where only one vehicle can adequately pass at a time, threatens to obstruct safe ingress/egress. Because drop-off often requires multiple vehicles to line-up, and there is no place for over-flow, except in the public alleyway or onto P Street, congestion would impact safety and disrupt normal functions.

The use of the Cook school as the new home for Mundo Verde is a welcome addition to the neighborhood and we all look forward to the school coming alive again with children, parents, and teachers. However, without a plan showing adequate accommodations for parking and drop-off and pick up areas, we remain concerned about the negative ramifications for safety, functionality and environmental and economic impact.

- 2. What legal interest does the person have in the property?**
Ownership
- 3. What is the distance between the person's property and the property that is the subject of the application before the Board?**
Fifteen feet.
- 4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Board is approved?**

Environmental Impact

With reduced parking and a drop off area at the alley, the environmental impact of idling vehicles lining up for drop-off and pick-up, will spill over on P Street NW will negatively affect the property, its inhabitants, and those approaching the site on foot or bike. Concentrated exhaust from numerous idling vehicles penetrates the historic brick structure and windows. The traffic congestion and idling in the area is already critical, with backups on North Capitol Street, P Street, and First Street, NW. Adding more idling vehicles will increase pollution and decrease desirability and livability of the surrounding properties.

Economic Impact

The entire block of the 1400 block of North Capitol Street relies on the 15' alleyway and the surrounding streets for numerous functions and services. Without adequate parking and traffic management, the marketability of the properties declines. The block is comprised of mixed-use, historic buildings, many built around 1900. For several decades, the area has been oversaturated with social services that have impacted commercial renewal on North

Capitol Street NW from New York Avenue to Florida Avenue. However, business and property owners have organized to rejuvenate the area, working with the council representative and city agencies to improve safety and increase beautification to draw new community serving retail and services to the block. As many of the properties, now for lease, attract a new echelon of businesses, activity and traffic demands on the block and subject alley will increase. With marketing efforts underway, to draw new businesses to these blocks, the proposed drop-off scenario at the alley and resulting congestion could encumber rear access to the properties and needed services and jeopardize new businesses choosing to locate on the block. The added pressure of vehicular needs for 520 students and their families, plus 75 staff members combined with the surrounding (already traffic-clogged) North Capitol Street, New York Avenue, and First Street, NW will exacerbate the transportation problems in the area and be detrimental for efforts to draw new businesses, employees, and customers to the North Capitol Corridor. Adequate parking on their property to fully accommodate the school's needs will help maintain a balance and contribute to the economic revitalization of the area.

Social Impact

In addition to efforts to bring more community serving retail to the area, there are also many new infill residential/commercial projects slated for the immediate area. The combination of increased transportation and parking needs introduced into the current, overly congested traffic scenario, place undue burdens on the residents and business owners in the area. Without adequate parking and transportation planning, the livability of the neighborhood will be diminished. There are numerous functions that the residents and businesses require on the surrounding streets and in the narrow alleyways (including trash collection, deliveries, and rear access for employees and, in some cases, residents). Placing a drop-off point at this location, where only one vehicle can adequately pass at a time, threatens to obstruct visibility and safe ingress/egress of pedestrians, bicyclers, and drivers. Because drop-off often requires multiple vehicles to line-up, and there is no place for an over-flow, except in the public alleyway or onto P Street, this creates a safety hazard. Providing adequate on-site parking for the 75 staff members, plus visitors, and families of the 520 students; and instituting a well-considered drop-off and pick-up staging plan is key for public safety, functionality, and livability of the neighborhood.

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

For public health and safety reasons, the property at 1418 North Capitol Street NW requires clear access from the rear, and no idling vehicles or exhaust emissions entering the building. For marketability, it requires access to on-street parking for new customers and employees, and managed traffic flow for delivery access on North Capitol Street.

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

I chose to own at 1418 North Capitol Street NW and have been rooted at the location for twenty-seven years, working to revitalize the area. For many of those years, the Cook and MM Washington Schools operated in harmony with the surrounding properties, their adequate parking, located on their property, fully accommodating the needs of their operation. For the existing nearby buildings, including mine, to continue to function and, hopefully flourish, by serving the neighborhood and general public for living, working, recreating, shopping, we need a well-considered plan that fully accommodates the new school's needs without upending or infringing on the functionality of the block.