



PARTY STATUS REQUEST FORM



Before completing this form, please review the instructions on the reverse side.

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.)

NAME: Last

First

Middle I.

KINNEY STEPHANIE S. + DOUGLASS,

ADDRESS: Street

Apt. # (if any)

City

State

Zip Code

3607 VAN NESS ST, NW, WASHINGTON, DC 20008

Phone No.

Fax No.

E-Mail

(202) 537-9482

I, hereby request to appear and participate as a party.

Stephanie Kinney
Signature

April 8, 2011
Date

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: Last

First

Middle I.

ADDRESS: Street

Ste. # (if any)

City

State

Zip Code

Phone No.

Fax No.

E-Mail

Please answer all of the following questions referencing why the above person should be granted party status.
(If you require additional space, please attach an additional sheet.)

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 Board?

Traffic congestion and insufficient parking space for additional 5,000 person occupying of Emporium + 600 dorm residents + 500 person ballroom.

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 appeal or application before the Board? (Preferably no farther than 200ft.)

200 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 or denied?

~~None~~

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

ZONING COMMISSION
District of Columbia

CASE NO.

11-02A

EXHIBIT NO.

10

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 person's in the general public.

Immediacy of proximity - construction traffic and traffic 2011-2020 plus 3600 block on Van Ness has only unmet road party in the vicinity.

Person vs. Party in a Proceeding

Any person or representative of an organization may provide written and/or oral testimony at a public hearing. A person who desires to participate as a party in a proceeding, however, must make a request and must comply with the provisions on this form. A party has the right to cross-examine witnesses, submit proposed findings of fact and conclusions of law, receive a copy of the written decision of the Zoning Commission or Board of Zoning Adjustment, and exercise any other rights of parties as specified in the Zoning Regulations. Approval of party status is contingent upon the requester clearly demonstrating that his or her interest will be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons.

INSTRUCTIONS

Any request for party status for action provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11"x17").
2. Present this form and supporting documents, in person, to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001.

APPEARANCE AND REPRESENTATION

In a proceeding before the Zoning Commission or Board of Zoning Adjustment, any person or party may appear on his or her own behalf. Any person or party may be represented by any other person duly authorized in writing to do so. The authorization shall state specifically that the authorization includes the power of the agent or representation to bind the person in the case.

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

- (a) The person's name and address;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application or appeal;
- (d) Whether the person will appear through legal counsel and, if so, the name and address of such legal counsel; *n/a*
- (e) A list of witnesses who will testify on the persons behalf; and
- (f) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by such person, or in which such person has an interest, that will be affected by the action requested of the Board;
 - (2) The legal interest such person has in such property, such as owner, tenant, trustee or mortgagee;
 - (3) The distance between such person's property and the property that is the subject of the application or appeal before the Board;
 - (4) The environmental, economic or social impacts that are likely to affect such person and/or such person's property if the action requested of the Board is approved or denied; and
 - (5) Any other relevant matters that demonstrate how such person likely will be affected or aggrieved if the action requested of the Board is approved or denied.
- (6) In considering any request for party status pursuant to §3106.2, the Board shall grant party status only if the person has clearly demonstrated that his or her interests will be more significantly, distinctively or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 200-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

777-0663 1372

Stephanie and Douglas Kinney
3607 Van Ness Street, NW
Washington, DC 20008

April 8, 2011

Dear Zoning Commission:

The March 15 Current reported that "Van Ness residents voiced their support Saturday for development goals of the University of the District of Colombia." This does not accurately reflect my position nor the position of homeowners I know on the blocks of Van Ness Street and Vezey closest to UDC, a neighborhood already under considerable stress from traffic and parking problems associated with UDC students, the Embassy complex and illegal heavy trucks. I appreciate the opportunity to speak to issues that are driving the serious degradation of this homeowner's quality of life and future property value due to traffic congestion, competition for parking, noise, litter and other objectionable conditions associated with past and present operations and future plans involving UDC.

The UDC Master Plan appears to have been developed in a vacuum with little or no input from property-tax paying neighbors, and less regard for potential impact on their neighborhoods' quality of life and property values. At a minimum, it and the just released Transportation Study require a postponement of any consideration of variance approval until affected neighborhoods have an opportunity to get a professional assessment of their own and meaningfully register already identified concerns and suggested alternatives. The fact that UDC's plan arbitrarily defines a radius of 200 feet from the borders of the facility as the only recognized impact area assured that only two people on my street were advised of the Plan's existence. The other homeowner, besides my husband and me, is an ailing senior citizen too frail to defend her own interests but fully in accord with the contents of this letter.

My husband and I have lived at our home since 1979 and have suffered through the impact of the construction of UDC and the Embassy Center and the degradation of residential life since both of those events. The prospect now of an additional 5,000 students at UDC beyond the current population and its shift from a commuter campus to a residential one with a target age for students of 18-22 (rather than the more mature students who now make up the UDC population) is devastating. I, and my neighbors, can no longer remain silent as we watch our neighborhood threatened by a "vision" detached from economic and social reality masquerading as a Master Plan.

The UDC Master Plan offers an aspiring vision. We all want to see UDC improve its academic record and the value of its diploma. However, there is a difference between a "vision" and a "plan." A true plan first requires assumptions based on demographic and operational reality, neither of which are reflected in the Master Plan, given the District's declining secondary school student population and the well-known problems with our public school system and UDC's own lamentable record.

In an era of declining budgetary resources, UDC now aspires, at taxpayer expense, to make a "flagship university" out of an institution that currently graduates between 3%

and 8% of its students (depending on information source), when there are already six highly regarded universities and colleges in NW and NE Washington. This, as DC public school population is in decline from a high of 80,000 in 1980, when UDC opened, to 67,000 in 2000 to 45,190 in 2009, plus 25,729 in Charter Schools. Furthermore, any qualified, "college ready" graduate of the DC public school system today can now study at any state university in the country, also at taxpayer expense. One wonders how DC parents will feel about this option being stopped in favor of investing in UDC. The Master Plan is not grounded in reality and takes no account of the adverse impact it will have on my neighborhood and others.

A real plan provides current data and includes impact studies on other affected interests, which this plan does not, much to the detriment of near-by homeowners like me. (See attached list of data needed to assess the Plan.) I request that any consideration of the UDC Master Plan be delayed until 1) needed data identified on the attached list is provided; 2) impact studies are carried out (and made publicly available and assessable), which focus on transport, traffic, parking, noise, security, maintenance, and other objectionable conditions from the standpoint of North Cleveland Park and Forest Hill residential neighborhoods (Since it is the property and income tax paying citizens of the District who ultimately must pay for UDC's tax exempt expansion and operation, it is unacceptable for any plan not to include such impact studies BEFORE the Master Plan is approved.); 3) an assessment is made of the percentage of DC secondary students who would choose to study at UDC in lieu of other available options; and 4) an assessment of whether increased spending on student academic support services and extended hours for things such as the Library would impact student achievement more effectively than the proposed new \$40 million Student Center dedicated to lifestyle and entertainment facilities.

The construction of this proposed Student Center flies in the face of sound priorities and good urban architecture. For starters, it will destroy the only attractive, breathing space on the west side of Connecticut Avenue between Van Ness and Yuma. The current plaza graced with cheery trees (when watered) and an attractive and inviting open space truly welcomes everyone to the university campus. This is to be replaced with a banal, motel modern, clot of dark, heavy materials and glass imposing itself on everyone at street level (complete with an assertive clock tower guaranteed to never keep time) and further adding to the mass of a campus already characterized by ill-kept, brutalist architecture. UDC students and the rest of us deserve better.

The creation of a Student Center focused on eating and partying and some student shops bears no relation to student achievement. The money would be better spent on DC early childhood education, improved secondary education or UDC student academic support services and lengthened schedules. The Center's restaurants are not needed since there are 12 small business restaurants and eating facilities within two blocks that currently need and depend, at least in part, on UDC's business. If the tax-exempt University is to be a development mechanism (a poor choice to begin with), it should, at a minimum, not detract from and prejudice property and income tax-paying businesses and inhabitants of the area. It should not only benefit developers and contractors at taxpayers' expense. It should focus on educational achievement, not commercial development.

As a near-by homeowner, my concern is the impact of that implementing UDC's Mater Plan will have on life in my neighborhood. As things stand now, I frequently get in trouble with the police because I cannot find a parking place near my front door and am not strong enough to lug groceries from a block away. My street is already plagued with speeding cars, illegal trucks, increased foot traffic and litter, all of which detract from property values and quality of life. The proposed addition of a Student Center large enough to accommodate 500 person events and an expanded student population of 5,000 beyond the number already attending will only makes these conditions worse, especially in the absence of any publicly available, credible studies and assessments designed mitigate such problems as car and foot traffic, inadequate parking, noise from band practices and sports events (which was a problem until the Community College moved), construction noise and disturbances, security, and other objectionable conditions associated with all university students, be they from AU or Georgetown.

The UDC Master Plan needs to be revised to take residential neighborhood concerns like mine into account. As it is, it does not meet the standard of Section 210 of the Comprehensive Plan for Colleges and Universities and section 210.2 that requires that the university in question "is not likely to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions."

Sincerely,



Stephanie Smith Kinney and Douglas S. Kinney

Attachment: as stated