Form 140
(Revised 03/15/02)

Case No. 16970

PARTY STATUS APPLICATION

Notice: See other side of party status form for instructions.

NAME: Last	First	Middle I.
~~Neeley~~ Neely	Gaylord	—

ADDRESS: Street	Apt. # (If any)	City	State	Zip Code
3207 Highland Place NW		Washington	DC	20008

Phone No.	Fax No.	E-Mail
202-244-6768	202 244 2725	gaylordn@aol.com

I hereby request to appear and participate as a party. Signature: Gaylord Neely Date: Jan. 23, 2003

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.
Nettler	Richard	B.

ADDRESS: Street	Ste. # (If any)	City	State	Zip Code
1801 K Street, NW	1201	Washington DC		20006

Phone No.	Fax No.	E-Mail
202 736-2720	202 223-8624	RBNettler@rkmc.com

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?

see attached

2). What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)

see attached 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.)

approximately 20 feet between the 2 houses; property lines are closer

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?

see attached

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.

see attached

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.

see attached

RECEIVED
D.C. OFFICE OF ZONING
2003 JAN 23 PM 3:00

BZA
Case No. 16970
Exhibit No. 76

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.76

Gaylord Neely **#16970**
3207 Highland Place, NW
Washington, D.C.

Environmental and Social Impacts:

I have owned and lived in my house since the fall of 1992. My house is very close to the main house of NCRC, an approximate distance of 20 to 22 feet apart.

There are numerous environmental and social impacts that affect me in a significant, unique and distinctive way:

Garbage and trash pickup

The west side of my house is within a few feet of the garbage/trash pickup. With increased enrollment, staff, special events and conferences, the noise and general activity associated with trash pick up will undoubtedly increase. On that side of my house, the rooms are: one bedroom and bathroom on the second floor, another bedroom on the top floor, a family room, and a home office. The noise of the trash pick up and other noise of school activities can be heard clearly on that side of the house.

Expansion to main house

NCRC proposes to expand the main house and, in that expansion, to add an elevator shaft. This proposed elevator shaft is on the east side of the main house, and in close proximity to my house. This proposed addition of an elevator is unique to an institutional type of building, not a residential type of building, and is, as such, objectionable to me.

View from my house across NCRC campus

If the NCRC proposal is approved, the view from the first floor of my house will be obstructed. In addition, the views from the second and third floors of my house will consist of two very large buildings (playhouse and classroom building), connected by a high wall topped by a fence - I will be looking at concrete and fencing. Most of the

existing trees will be cut down. This type of view, of an institution, is not compatible with an historic and residential neighborhood and represents a significant and adverse change.

Noise issues

NCRC installed an extremely noisy air handling system a few years ago. Although changes to their system (at my complaint) have decreased the level of noise a degree, it is still not possible to sit on my outside wrap-around porch when the air conditioning system is operating. I anticipate that with a significantly expanded main house, there may be multiple air handling units to service a very large building, which could generate objectionable noises during all seasons and times of day and night. Even though NCRC's present plans propose to place the air handling units toward the middle of the newly-expanded main building, there are no assurances that the noise levels will be tolerable for a residential neighborhood, and my house is the closest house to the main building of all the houses in the area.

Similarly, the new classroom building will have multiple, commercial size air handling units on its roof. In addition to the visual blight, there could easily be noise levels from these air handling units, at all seasons and times of day and night, that would be objectionable.

In addition, my home is very close to the back boundary (northeast corner) of the NCRC property, at which NCRC proposes to build a new building, a maintenance/ garage comparable in size to a two-car garage. If this new building is approved, there will be daily maintenance activities conducted from that building, including leaf blowers and other types of maintenance work. Further, because there is a driveway presently on part of the NCRC property leading to the proposed new maintenance/ garage - that runs between my house and the main - there may be additional vehicles and/or equipment using that space. This will create objectionable noise and activity within a few feet of my house.

Another noise problem is that, during the school's special events, with amplified loudspeakers, I am unable to enjoy any part of my outdoor property, including my porch.

Traffic and parking

My driveway is quite close to the NCRC property and driveway. My property is located on the bend in the road on Highland Place, a very narrow and winding road; any obstruction relating to illegally parked cars or a line of cars makes it particularly difficult to enter and exit my driveway. NCRC has not instituted any effective traffic management plan, and in fact, the traffic and parking problems have become worse over time. These problems become worse during the school's special events on weekends.

Economic factors

I have serious concerns that if NCRC proposal is approved, there will be a significant and adverse effect upon the property value of my home and property. At present, my home is large, in an historic and residential neighborhood, with a large green lawn to the east. If NCRC's project is approved, there will be an institutional campus immediately adjacent to my home, with all the activities that are associated with such a campus.



Sept. 20, 2002

Ms. Nancy MacWood
Chair, ANC 3C
2737 Devonshire Pl. N.W.
Washington, D.C. 20008

Dear Ms. MacWood:

This letter is a request for your prompt and firm rejection of the National Child Research Center's proposed expansion plans. I live in and own the house next door to NCRC to the East of the school. I feel very fortunate to live in this neighborhood and value it deeply.

Together with Newark Street, 33rd Place, and Ashley Terrace, Highland Place is the heart of the Cleveland Park residential historic district. The area loosely bounded by these streets embraces a noteworthy concentration of old and notable houses within the historic residential district. No doubt this is why a photograph of an unusual old home across the street on Highland Place was chosen to promote the Smithsonian Resident Associates Cleveland Park Walking Tour: the fall schedule just arrived in my mail a few days ago.

Yet the special quality of this residential district is not about grandness. As a neighborhood we enjoy a diversity of turn of the century architectural styles and variations in scale from home to home. What is shared and alike is that each and every antique structure is a home – beloved and lived in.

The fact that these gracious old structures are still homes means that the neighborhood is stunningly quiet, an oasis in a busy city. The magical quality of this area is further drawn by the old growth of trees and shrubs preserved and nurtured along with the homes. I have often observed first time or infrequent visitors to the neighborhood expressing visible or audible awe at finding themselves here.

The city preserves and protects this quiet historic residential district for its natural beauty, exceptional architectural history, and residential character. I believe that NCRC's proposed plan to transform their "home" into a four building institutional campus is in flagrant violation of the laws and intentions that create and protect this historic neighborhood.

When I bought the house at 3207 Highland Place ten years ago, I was, of course, aware that a nursery school was in business next door. I understood NCRC to be a neighborhood school that happened to be in a lovely old house. I was at peace – for a while.

I have seen NCRC encroach on the neighborhood and misuse its exceptional status bit by bit. In 1994 over the summer NCRC built a gigantic playground which blanketed much of its hitherto green and natural area. Active neighbors managed to block the opening of a school driveway by agreeing not to challenge what were perceived as illegal actions on the part of the school (such as the building of the playground). There were feelings of betrayal: the landscape was completely altered, trees were felled, green was eradicated. I was saddened.

About four years ago some kind of exception was made and traffic mushroomed. A just barely manageable traffic situation on narrow and quaint Highland Place became chaotic, hectic and frustrating during school hours. NCRC's location is at the coming together of two narrow non-through streets, a dead end point, in effect, which easily becomes a pile up of parked and waiting cars.

More recently, NCRC revamped its AC system, installing very large and very noisy HVAC units just below my bedroom window and just to the side of my front porch. The porch is not very usable any more – the units are too loud to enjoy conversation there.

And now… what is proposed is even more totalistic destruction of the school's beautiful property; additions of some 15 students and at least 6 staff – adding many additional cars to area traffic and parking (with student body and staff sizes promising to multiply at the school's whim); doubling the school's size in square footage; adding contrived new buildings, rooftop AC units, an elevator; massive excavation of the land I share with the school for an underground addition (threatening the structural integrity of my more than 100 year old home). I am appalled, and I am angry.

These proposed changes do not in any way fit into residential standards or guidelines for historic preservation. They would not allow me, my family or my neighbors to experience quiet enjoyment of our homes and neighborhood.

If the school wishes to stay in our neighborhood, I believe it must respect our community, architecture, commitment to natural beauty, and quiet streets. Let it once again become a nursery school in a house. Alternatively, NCRC should relocate to another locale which is commercial, on a main artery, and where expansion is appropriate.

I very much appreciate your taking the time to read and consider this letter.

Sincerely,

Gaylord Neely
3207 Highland Pl. N.W.
Washington, D.C. 20008

September 17, 2002

Ms. Nancy MacWood
Chair, ANC 3C
2737 Devonshire Place NW
Washington DC 20008

Dear Ms. MacWood,

This letter is to voice how strongly opposed I am to NCRC's proposed expansion. As a next door neighbor, 3207 Highland, this project's impact would be especially significant.

Since I often work at home, I am well used to the sounds of the children at play, school bells and adults signing "clean-up time." It happens every day of the school week. I can actually judge the time of day by the noise or the traffic pattern. Most of the noise does not disturb me. However the commercial grade a/c unit noise is an annual nuisance, which I will shortly discuss.

I believe Cleveland Park is one of the most beautiful neighborhoods in this DC. I've been in this city for twelve years and never tire of looking at the exquisite buildings we have and the concentration of them in this area is stunning. NCRC's Main House exemplifies the extraordinary architecture possessed by the turn of the century houses in our block.

The last round of NCRC's expansion, however, in which an additional building, removal of trees and a significant increase of concrete was allowed, still jars me as I look out my side windows. It is a stretch to believe the Playhouse sustains the character and quality of the original Main House. The two newly proposed buildings only add to that incongruity.

In the current proposal, the new buildings match neither each other nor the current structures in style. The construction plans for each building to have a different roofline, each to be sided differently, and each to have windows with different styles and layout. Further, no building matches any neighboring homes.

To better understand Historic Preservation, I've read Introduction to Historic Preservation Processes Under District of Columbia Law. (The pamphlet does not give a revision or copyright date, but lists Marion Barry as Mayor.) Page 9 asks what the HPRB uses as the standard by which applications are evaluated. The answer, "Proposals are evaluated for consistency with the purposes of the preservation law. These purposes are to retain and enhance historic properties, to encourage their adaptation for current use, and to ensure that changes to designated properties are compatible with their historic character."

"...to retain and enhance historic properties"
As stated, the buildings and additions neither enhance the properties or the neighborhood. They detract from the beauty and significance of the original structure. By referring to the photos of NCRC from my house, please note how another expansion would only worsen the property. Photo #1 shows the back of the main house looking at

the Playhouse. Note the two adults standing at the corner of the playhouse for scale. The amount of concrete in the walkways, stairs and platform is enormous, plus it is used to border sections of mulch. This is practical for a preschool but not an enhancement to historic preservation. Their proposal seeks to increase the amount of concrete and further removal of old trees.

"...to encourage adaptation for current use"

An adaptation is different than doubling the square footage, which is what the plans call for. The "addition" to the Main House will require a major excavation next to my house. Further the sidewalk between our properties will be widened and lengthened. Though the architect's sketch makes the work look straightforward it is not. Since the sidewalk is to lead to the proposed elevator between our houses, to make the school more ADA compliant, the grade of the sidewalk will also have to be changed. From Highland to the Main House the grade is too great. Their plans do not show how they propose to keep the front side of my yard from sagging. Construction would also require demolishing the existing sidewalk, digging a form and pouring a new sidewalk over the root systems of trees which edge our properties. One of these trees is an oak which towers above my home and NCRC.

And on the west side, to have the "Carriage House" design work, it requires not only an enormous excavation for the building, but a permanent alteration of the topography. The architect referred to this as "regrading." Choosing a softer word does not minimize the harshness of the act. The plans do not address how greatly the excavations will affect old trees and their root systems, nor does it address erosion control. Nor does the plan show retaining walls that will be needed, their design or how they will look against the backdrop of our homes.

"...to ensure that properties are compatible with their historic character"

Referring to photo #2, you'll see the commercial grade a/c units NCRC put in several years ago. (As an aside, if you consult the architect provided Existing Site Plan, the shrubs drown on the east side of the house in front of the a/c units and fence is drawn out of scale. The shrubs actually are planted from the house to the depth of the fence and their heights do not surpass my knees.)
The noise of these a/c units warranted our complaints to which they responded by surrounding them with the fence lined with fabric. They still assure us that their sound engineer says it significantly decreases the decibels. My experience says otherwise as I sit on my front porch or in my living room, bedroom or office.
Since capacity of these units is large enough to handle the increased tonnage for thousands of cubic feet increase to the Main House, they will be reused and relocated. Their proposed design moves these units from the side to the back of the main house. The architect made sure to note this to me, however all this would do is transport the bulk of the noise from the front and middle of my home to the middle and back of it.

Though I have heard much discussion of the building square footage doubling given their proposals, I have yet to hear stated the amount of concrete currently there, plus the amount that would be added. This number would more accurately define what I'm hearing being called the "footprint" of the buildings.

My proximity lends me the opportunity to show the ANC what the campus currently looks like and how ghastly the expansion would look. Since I want to get this letter to you, I am only including pictures of what the campus looks like out my side windows. At the Monday meeting I plan to give you a portrayal of the proposed expansion as rendered in Photoshop. I offer this to supplement the architect's drawings as they tend to provide construction views straight on and out of the overall context of the space.

Page 2 of the same pamphlet states "Historic designation reflects pride in the character of neighborhoods and a desire on the part of the city and its residents to protect their assets."

If this project were to proceed the character of this neighborhood would be greatly diminished and property values of this neighborhood would be decreased. It is as simple as that.

Several years ago I was at a reading of a bestselling author when a baby started crying somewhere in the auditorium. The speaker immediately turned in the direction of the noise saying that she believed a baby blessed whatever room it was in and encouraged the adult and crying infant to stay.

I actually feel similarly about a preschool in a neighborhood. It's terrific that schools are parts of communities. But under the guise of providing critical services and relief to overstretched resources, NRCR has planned a commercial endeavor inconsistent with its own history and incompatible with the residential area where it resides. I appreciate the children, but not the management of the institution. Their tactics have alienated what was once a neighborhood that largely appreciated its existence.

The design doesn't work for this neighborhood. And NCRC's callous disregard for its neighbors' concerns is unfortunate.

NCRC is a private institution and has the power manage its own needs. If they have outgrown their space, they need to reduce enrollment or move. Placing the burden of their changing business goals on the neighborhood is unreasonable.

I look forward to the neighborhood meeting where our views can be expressed publicly.

Best wishes,

Linda Badami