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GEORGE R. KEYS, JR. +

+Also Admitted in Maryland

OF COUNSEL:

HAROLD E. JORDAN

October 25, 2011

HAND-DELIVERED

Meridith Moldenhauer, Esq., Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, N.W. - Room 210 South
Washington, D.C. 20001

Re: Keener-Squire Properties, on behalf of the First Baptist Church - Application No. 18272

Dear Ms. Moldenhauer:

This firm represents approximately sixty-five (65) residents of the Richmond Condominium building located at 1401 17th Street, N.W., who have styled themselves as the Richmond Group and reside directly across O Street from the subject property. On behalf of the Richmond Group, we enclose herewith twenty copies of Form 140 - Party Status Application with accompanying attachments.

Very truly yours,


George R. Keys, Jr.

Enclosures

cc: Mary Carolyn Brown, Esq.
Kay Marlin

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18272
EXHIBIT NO. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 18272
EXHIBIT NO. 24



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



FORM 140 - PARTY STATUS REQUEST

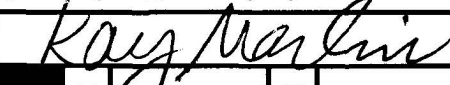
Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

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: The Richmond Group (a group of condominium unit owners at 1701 17th Street NW)
Address: c/o Kay Marlin, 1401 17th Street, NW #401, Washington, DC 20036-6436
Phone No(s): 202 812-8958 E Mail: kmarlin@mindspring.com

I hereby request to appear and participate as a party in Case No.: 18272

Signature:  Date: October 24, 2011

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: George R. Keys, Jr., Jordan & Keys PLLC
Address: 1400 16th Street, NW - Suite 710, Washington, D.C. 20036
Phone No(s): 202 483-8300 E Mail: gkeys@jordankeys.com

WITNESS INFORMATION:

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

1. A list of witnesses who will testify on the person'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?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
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.)
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?
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.
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.

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.

Party Status Application of The Richmond Group in BZA Application #18272

The Richmond Group ("RMG") is the collective voice of 65 owners and tenants living within The Richmond Condominium at 1401 17th Street, N.W., Washington, D.C (the "Richmond"). The Richmond is located within 200 feet of Lot 163, Square 181, the subject property in the above-referenced application of Keener-Squire Properties on behalf of the First Baptist Church of the City of Washington (the "Applicant") for a special exception and variances to develop an apartment house as a addition to an existing church building (the "Project"). The persons joining in opposition and associating themselves as RMG are listed on the attached sheet, identifying them by name and condominium unit number within the Richmond. Each listed person has signed a letter opposing the Project that was originally submitted to the Advisory Neighborhood Commission 2B. A sample letter is also attached for the information of the Board and RMG can supply copies of each letter if requested by the Board in its consideration of the instant party status application.

The members of RMG have several concerns regarding the development and operation of the Project. RMG does not contest the right of the Applicant to develop the existing parking lot with an apartment house and to term it as "an addition" to the Church, but the issues enumerated below remain matters of great concern to RMG:

1. RMG has concerns about the extent of the height variance which would permit the construction of a ninety-foot building within the SP-1 Zone district which only allows for a 65-foot building. The size of the proposed apartment house given the narrow width of the 1600-block of O Street N.W. (60' R.O.W.) would have a significant adverse impact on the light and air of the Richmond residents living in condominium units on the southern and eastern faces of the building.
2. From the Applicant's plans it is evident that the Applicant intends there to be a substantial area of the rooftop devoted to recreational use by the residents of the apartment house. Such rooftop area would directly face the Richmond and there is no indication in the current plans of the Applicant that there are any limits on the nature and duration of recreational uses of the rooftop. The residents of the Richmond, especially those who have balconies on the south face of the Richmond, are already adversely affected by the summertime use of the rooftop of the Beacon Hotel at 17th Street & Rhode Island Avenue (two blocks south of the subject property) for evening "happy hours" with loud music that continue until late in the evening. Uncontrolled evening and nighttime use of the rooftop recreation area of the proposed building would adversely affect the quality of life enjoyed by the residents of the Richmond
3. The proposed building which lies to the south of the "public garden" established pursuant to Zoning Commission Order No. 431 in Case No. 83-17C, August 16, 1984 (Resources Conservation Center PUD) will have an adverse impact upon the sunlight received by the garden with a consequent deleterious effect on the existing trees, shrubs and landscaping of the garden. The Richmond Condominium Association is financially responsible, in part, for the upkeep and maintenance of the landscaping of the garden and, as unit owners, the members of RMG will be financially impacted.

August 30, 2011

Victor Wexler, Commissioner 2B05
Dupont Circle ANC 2B
9 Dupont Circle
Washington, DC 20036

Re: Development of the First Baptist Church parking lot at the southeast corner of 17th and O Streets

Dear Commissioner Wexler:

I am opposed to the current design of the development as presented by Keener-Squire Properties, the developer, at neighborhood meetings on July 19 and 28, 2011, and from his application to the D.C. Board of Zoning Adjustment as of August 24, 2011, for the following five reasons:

1. The density of the apartment building is too high for the neighborhood: 228 rental units ranging in size from 320- to 600-square feet are planned in a space less than the size of, for example, the Richmond Condominiums, which has only 130 units;
2. The traffic congestion at the corner of 17th and Massachusetts will increase unmanageably due to the number of additional cars in the 93 parking spaces planned for the building;
3. I strongly request that a variance not be granted to increase the height of the building from 70 to 108 feet. If this height difference is approved, the building will cast a broad shadow across O Street and the adjacent park, harming trees and mature plantings, which are in the garden created by the PUD developed by Resources for the Future in the 1980s;
4. The developer and his architect said they have designed for use of 79.8 percent of the lot, but I am unable to see why this is allowed when no open or green space remains on the entire lot;
5. The three year-round, roof-top party rooms and the terrace recreational areas oriented toward O Street will add increased night-time noise to the neighborhood, and adversely affect the quiet of neighborhood owners and residents

I urge you to use your influence to downsize the density, square footage, and footprint of the proposed development, which will in turn reduce the number of parking spaces required and the congestion on 17th and Mass. I also urge you to oppose any variance to increase the height of the building as well as the creation of the roof-top party rooms and recreational area. Finally, I urge you to enforce the requirement of green space within the development.

Respectfully yours,

(see attached signature list)

Cc: Will Stephens, Dupont Circle ANC2B Chair

Owners of units at the Richmond Condominium, unless otherwise noted.

Delia Pompa, #101
Laurel Hyche, #102
Laurie Jodziewicz, #103
Name illegible, #104, tenant Young S. Shin
Mark Diehl, #105
David Deitch, #108
Nicole Rementer, #108
Cmaru Kmanna, #109, tenant
Margaret Mcleod, #201
Harlow Voorhees, #203
Claire Voorhees, #203
Deborah Bott, #208 (unsure of spelling of last name) Bortot
Allison Stamfill, #208
Nancy Rosebury, #209
Jane Hauser, #214
Douglas Sonntag, #305
Abel Gomez, #306
Jon LeBoeuf, #307, tenant
Mai Kim Lee, #308
Luz Sitiriche, #310
Deborah (last name illegible), #404
Nisaelal Melelanet (spelling unconfirmed) and Camile Pecastang, #410 Nisachol Mekharat
Ben Gray, #413, tenant
Jose Suros, MD, #502, tenant
Arlene Suros, #502, tenant
John Mogg, #506
Deborah Saks, #507
Martha Halperin, #510
Donald VanDam, #605
Luther Brice, #606
Jesse and Ines Lynch, #607
Cathy Fong, #610
David Nummy, #613 (unit owner)
Peter Muise, #613, tenant
Artis Brienzo, #701
(Name illegible), #709 Ahmed F. El-Saifi
Todd Stevens, #711
Kevin Yaeger, #713
Donald McCammon, #714, tenant
Suzanna Wong, #804, tenant
Janice Hicks, #805

Meha Shah, #901
Carol Jett, #904
Gavin McKeon, #909
Alan Aronson, #910
F. Loyal Greer, #912
Patrick Smith, #1002
Eileen Ahearn, #1003
Joseph Lo Tempio, #1004
Susan Ervin, #1007
Jeffrey Goodman, #1008

Daniel Evans, #906
G. Sweeney, unit unknown
Tait Sye, #706
Chi Mar, unit unknown
Susan Mottet, unit unknown
Michael Nine

The following owners sent individual letters:

Susan Doolittle, #204
Eric Smith, #302
Alex Lincoln, #303
Kay Marlin, #401
Carol Ghent, #503
Ed Gramlich, #1005

There are 130 units in the Richmond. This represents approximately 45% of all owners, and half of all of the building residents.