CORCORAN MEWS CONDOMINIUM ASSOCIATION

MOTION TO RECONSIDER UNIVERSITY OF NOTRE DAME'S PROGRAM AT 1615 NEW HAMPSHIRE AVENUE, N.W. WASHINGTON, DC 20009 Z.C. Case No. 02-25

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D.C. OFFICE OF ZONING
2002 NOV -6 PM 4:28

SUBMITTED TO THE DC ZONING COMMISSION 441 4TH STREET, N.W. SUITE 210, WASHINGTON DC 20001

November 6, 2002

On behalf of the homeowners of the 35 units of Corcoran Mews, located within 200 feet of the proposed University of Notre Dame (UND) campus and dormitory, we respectfully request that the Zoning Commission reconsider Z.C. Case No 02-25. Had any of us together or individually been provided formal notice of the UND proposal as required by DC law, we would have formally intervened as parties to this case earlier, but do so now.

I. We request the Commission to reconsider this case and adopt the recommendations of the Office of Planning in its Memorandum dated September 5, 2002, which specifically:

A. limited the student population to no more than thirty-one (31);
B. required review of the program after four (4) years;

II. Since the approval of the UND program is subject to the standards outlined in DCMR §507 ("*the Commission shall determine that the use is located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions*" *§§ 507.7 and 507.8*), we request that the Commission require UND to adopt the following policies:

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A. an alcohol and drug policy that would prohibit use of alcohol or drugs on the premises and which would be strictly enforced.
B. a noise policy that would:
   i. limit student dormitories to the 4th and 5th floors only;
   ii. prohibit the use of the back patio as a student common area or gathering area;
   iii. prohibit all use of the patio facing Corcoran Street as an entrance and exit and confine all ingress and egress to the New Hampshire Avenue entrance; the door on Corcoran Street to be used only in cases of emergency.
C. a sanitation policy to take into consideration the drastic change in population density in the building as well as the excess of trash generated by semester move ins/move outs.

The deleterious effects of the UND's conversion of 1615 New Hampshire Avenue to a dormitory and classrooms could be seriously mitigated by the adoption of the above policies.

Limiting the student population to 31 and allowing them to use only the 4th and 5th floor for the entire 4 years allows the community time to assess the impact of the change, rather than letting the University ramp up to 50 students automatically as is now stipulated. Considering the

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drastic change in use of the building, a review after 4 years is much more prudent than the 10 years requested by UND.

Considering the nature of the population intended for the space, i.e. undergraduate students, policies prohibiting alcohol and drug use on the premises would help to curtail potential problems of noise and rowdiness. Alcohol and drug abuse is a ubiquitous problem on every college campus, and with the plethora of liquor stores and restaurants that deliver, UND should be particularly concerned about their students living at 1615 New Hampshire, as well as the effect on the neighborhood.

We feel it is extremely important to prohibit the use of the back patio area as an ingress and/or egress or student common area or gathering area. The structure of the patio area is such that it reflects and amplifies noise onto Corcoran Street even when only a few individuals congregate there. Continuous use by some 30 students during the day and evening would be overly disruptive to the peace and quiet enjoyment of the residents of Corcoran Street. Many residents of the street have their bedrooms at the front of their units, directly along the street, so noise and traffic impacts significantly.

Further, issues of sanitation need to be addressed. Some 30 students living on the premises day in and day out will generate possibly more trash than is anticipated, as this is a significant increase in population density for that building. In addition, the constant moving in and out of a transient population every three or four months will inevitably generate an excess of trash, particularly large items such as packing boxes and furniture. A sanitation policy, spelling out which private contractor the UND plans to use and its efforts to educate students about the restrictions on curbside deposit of trash should be included in UND's plan.

This case needs to be reconsidered to give proper weight to community opposition to UND's program. The Zoning Commission is required to give great weight to the Advisory Neighborhood Commission's vote in this matter, and the ANC voted overwhelmingly against the UND program.

It is a violation of the rights of residents living within 200 feet of 1615 New Hampshire that we were not properly noticed regarding this zoning variance, and thereby were not given the opportunity within the 14-day period in which to submit in writing our request for party standing. We, hereby, request this matter be reconsidered and our standing as parties accepted.

Sincerely,

Kathleen Lynch /gjb

Kathleen Lynch, President, Corcoran Mews Association, 1748 Corcoran St. NW #3B

Kristen Holtz /gjb

Kristen Holtz, Vice President, Corcoran Mews Association, 1754 Corcoran St., NW #48R

Tim Foley /gjb

Tim Foley, Board Member, Corcoran Mews Association, 1756 1/2 Corcoran St., NW Unit A

Jean E. Bérubé

Jean E. Bérubé, homeowner, 1754 Corcoran St., NW #46B

cc: The Honorable Anthony Williams
The Honorable Jack Evans
The Honorable Carol Schwartz
ANC2B