

CERTIFICATE OF SERVICE

October 12

I hereby certify that on September 21, 2017, a copy of the attached Form 140 – Party Status Request regarding ZC Case No. 02-381 was served by email to the following:

ANC6D

VAB 6d@anc.dc.gov

Holland & Knight, Christina M. Shiker

VAB christina.shiker@hklaw.com *christine.shiker@hklaw.com*
10/2/17

DC Office of Zoning

VAB dzsubmissions@dc.gov *zcsubmissions@dc.gov*
10/2/17

[Handwritten Signature]

Hara Ann Bouganim, Vice President

Waterfront Tower Condo Association

State of ~~District of Columbia~~ County of ~~District of Columbia~~

Subscribed and sworn before me on 9/21/17

[Handwritten Signature]
(Notary Signature)



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

FORM 140 - PARTY STATUS REQUEST

BEFORE COMPLETING THIS FORM, PLEASE GO TO WWW.DC.ZONING.COM FOR PARTICIPATING IN AN ADVANCED PARTY STATUS REQUEST FOR INSTRUCTIONS. 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.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name: WATERFRONT TOWER CONDOMINIUM BOARD, Hara Ann Boganim VP Leigha Gooding Pres.

Address: c/o BOOGANIM, 1101 3rd St. SW Unit 415, Washington, DC 20024

Phone No(s): 202-450-1963, 571-25-1156 (cell)

E-Mail: hara.ann.boganim@comcast.net

Case No: 02-38I

Date: 8-22-17

Signature: [Handwritten Signature]

Will you appear as a(n) Applicant Opponent

Will you appear through legal counsel? Yes No

If yes, please enter the name and address of such legal counsel. (TBD)

Name: [Blank]

Address: [Blank]

Phone No(s): [Blank]

E-Mail: [Blank]

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

I hereby request advance Party Status consideration at the public meetings scheduled for: 10-30-17

PARTY WITNESS INFORMATION:

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

- A list of witnesses who will testify on the party's behalf; Boganim &/or Gooding
- A summary of the testimony of each witness; (see below)
- 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; and (TBD)
- The total amount of time being requested to present your case. 15"

PARTY STATUS CRITERIA:

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

- 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? (Attached)
- What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) We represent owners of Waterfront Tower, 1101 3rd St. SW
- 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.) 57.5 ft.
- 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? (Attached)
- 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. (Attached)
- 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. (Attached)

2017 AUG 22 AM 10:00

PARTY STATUS CRITERIA (0238-1)

1. Access and security would be decreased by shifting from all commercial/office to mainly residential use, with increasing traffic on private street. Our concerns include:

- o. Inadequate police/fire/handicapped access

- Unmarked private street
- Congestion from increased deliveries and pick-up/drop-off access
- Potentially increased vehicular/pedestrian accidents, particularly at turn off 4th Street and between Safeway and Metro
- Reduced access for private parking lot behind Waterfront Tower

4. ENVIRONMENTAL IMPACTS

- o. Inadequate setbacks from all 4 sides: two on private street, M St. and west (Metro) side
 - Lacks sufficient public space next to Metro
 - Reduced neighborhood outdoor space, including loss of farmers' market/picnic space with less access to fresh local produce, outdoor space that is kid/pet friendly
 - Inadequate contribution to "human scale" height variation of Southwest Area Plan, basic design feature of mid-century modern design unique to Southwest DC

4. ECONOMIC IMPACTS

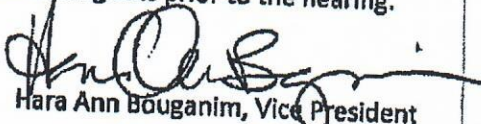
- Fails to meet primary goal of "vibrant town center" required by Southwest Area Plan
- Inadequate retail (6.3%) and office (5.8%)
 - No indication of working with local businesses (such as subsidizing local business owners with affordable spaces)
 - After years of waiting, neighborhood still lacks local-serving retail, such as bank, hardware store, health clinic, salon/barbershop, coffee/pastry shop, clothing/shoe store, bar, has only 2 sit-down restaurants (3 spaces in new Eliot vacant)
 - Less than one floor of offices in each proposed building provides inadequate local office space, still lacking for example, doctors' offices, child care facility, legal, accounting, tax, and investment services, providing few additional jobs for Southwest residents.

4. SOCIAL IMPACTS

- o. No more apartments are needed. Southwest is in an apartment boom, with 6 large apartment buildings just completed, in construction or approved. (Wharf construction will adequately meet high-end needs.)
 - o. Diversity is a basic value of Southwest. Number of affordable apartments proposed are ridiculously inadequate (with zero in The Eliot just completed). Developer's proposal for only 8% affordable up to 60% of DC median income, about \$60,000) and only four 3-bedroom affordable total in both buildings does little to promote diversity.

5. With such significant impacts on Southwest, a new PUD, after full consultation with ANC-6D and neighbors within 200' is required. If denied the opportunity to help make 4th & M a "vibrant community center," all of Southwest will suffer. A 50-year community decision demands adequate community input.

6. In sum, our and our and our neighbors' contributions will help guarantee that the environmental, economic, and social benefits of the project will be achieved, helping it to become our "vibrant town center." We expect you to approve party status for Waterfront Tower Condominium. We reserve the right to add witnesses and counsel by the date DC Office of Zoning sets prior to the hearing.


Hara Ann Bouganim, Vice President

Waterfront Tower Condominium

8/22/17