University of the District of Columbia
David A. Clarke School of Law
Community Development Law Clinic
and Small Business Law Center
4200 Connecticut Avenue, NW
Washington, D C 20008
Phone (202) 274-5122

RECEIVED
D C OFFICE OF ZONING
2004 NOV 15 PM 3:49

Jerrily R Kress, Director
Office of Zoning
441 4th Street, N W
Washington, D C 20001

RE SUPPLEMENTAL PARTY STATUS STATEMENT FOR NOVEMEBER 22, 2004 PUBLIC HEARING FOR CASE NUMBER 04-11

DATE 11/15/2004

Pursuant to 11 DCMR 3022, the Concerned Citizens of North Michigan Park (CCNMP) has requested to appear and participate as a party in the public hearing for case 04-11, on November 22, 2004 To ensure compliance with the provisions of 11 DCMR 3022.3, we submit the following statement to supplement our November 8, 2004 party status proposal regarding 11 DCMR § 3022 3 requirement that a party clearly demonstrate that the person's interest would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public

Members of CCNMP have a significant and distinct interest in the decision that the Zoning Commission will make on whether Rocky Gorge will be granted a PUD and Map Amendment to this specific property because of the following

1 Their homes are in close proximity to the proposed development and as such will be directly impacted by the construction noise, flying debris, and smells (Please see attached list of properties, 13 of which are within 200 ft of the development)

2 These neighbors will be subjected to the increase traffic congestion due to the trucks supplying construction materials, forklifts, backhoes, the placing of all building equipment and vehicles in the street way

3 These residents will lose parking spaces due to the construction and equipment vehicles

4 Houses within 100 feet of the development site are experiencing cracks in their homes due to this construction

Robert and Bernice Williams, 700 Delafield Street, Washington, DC 20012

ZONING COMMISSION
District of Columbia
CASE NO. 04-11
EXHIBIT NO. 23

ZONING COMMISSION
District of Columbia
CASE NO.04-11
EXHIBIT NO.23

5 Neighbors located within 200 feet of the development site will now have an obstructed view, due to the proposed development exterior design with the back of the homes facing the surrounding neighborhood

6 Due to the development site's hill-side location, these neighbors will also experience erosion affects from the new development

7 Many members of CCNMP are elderly residents of the community who have lived in this neighborhood for many years who have a vested interest in the proposed change in the face of the community and increase residences that may disrupt the quite community atmosphere

8 The green space and urban landscaping proposed by the developers is in the interior of the development, primarily for the benefit of new residents The proposed PUD is planned more like an enclosed community, with the planned green spaces facing toward the center of the development rather than toward the surrounding neighborhood, which excludes the surrounding community from enjoying access to this green space

9 If the PUD application is granted, members of CCNP will be subjected to higher density, in addition to the increased traffic due to new residence and continual construction

10 Property taxes will increase due to the new development

11 There will be more competition for scarce services If the population is increased without a corresponding increase in retail, commercial and public services, there will be fewer services available for current residents of the North Michigan Park neighborhood

The interests of current residents in preserving their neighborhood will be significantly, uniquely, and distinctively affected to a much greater extent than the general public The current residents, such as the members of CCNMP, should be protected from disruptive uses, and should have input into the development of amenities and benefits, such as the provision of affordable housing, green space, and increased retail and commercial services The proposed development serves as a public nuisance by substantially interfering with the use and enjoyment of the residence's property CCNMP has requested party status to have the opportunity to testify as to the current unmet needs of the community, burdens that this community will directly experience if the PUD application is approved and public benefits that should be required in exchange for the flexibility of the PUD development

Additionally, pursuant to 11 DCMR 2403.7, we amend the previous requested amenity of a Community Restoration Fund to include the following specificity

1 This fund will be used to improve the landscape the surrounding neighborhood by implanting shrubs, flowers, and other types of complimentary foliage.

2 Repair of sidewalks and other neighborhood walkways throughout the neighborhood

3 Improve existing street lighting by adding decorative small light post throughout the neighborhood surrounding the development

4 Improve existing piping and major plumbing lines

5 Add street benches and trash receptacles throughout the neighborhood

6 Expand the proposed green space within the interior of the new development to include benches, lighting, small jungle gym for small children, tables, gazebo, more trees and decorative foliage, and decorative fountains

7 Improve surrounding neighborhood access to the above mentioned green space to be more welcoming to the surrounding neighbors

Additional Witnesses

1. Thomas Johnson, 703 Delafield St NE, Washington, DC 20012

   Mr Johnson lives within 200 feet of the proposed development He will testify about the impact this development will have on the neighborhood children and address the types of amenities that will be beneficial to the children

2 Wanita Cook, 717 Decatur Place NE, Washington, DC 20012

   Mrs Cook will testify about the impact this development will have on the elderly and disabled persons within the community and address what type of amenities should be considered beneficial to these affected neighbors

3 Lydia T Moss, 707 Delafield NE, Washington, DC 20012

   Mrs Moss will testify about the loss of parking, the obstructed view caused by the development, and the adverse impact the construction of the development will have on the surrounding community

Organization Status

In the event CCNMP is not granted party status at this hearing, we requests five (5) minutes to speak as an organization

Thank you for your attention to this matter Please feel free to contact us at the above stated contact information Laurie Morin, the supervising attorney, can also be contacted at (202) 274-7334

Kessela Brown
Student Advocate
(202)-441-3210

Caragh Fay
Student Advocate

CC Rocky Gorge Development

Properties within 200 feet of Site

Stephanie Harvey
5020 6th Place, NE
Washington, D.C. 20017

Daniel and Norma Scott
5012 6th Place, NE
Washington, D.C. 20017

Kevin Tate
5002 6th Place, NE
Washington, D.C 20017

Florence A Clyde
5000 6th Place, NE
Washington, D.C 20017

Annie R Maddux
5008 6th Place, NE
Washington, D.C. 20017

B Lacy
603 Faraday Place, NE
Washington, D.C 20017

E. Clayton
603 Faraday Place, NE
Washington, D.C. 20017

Janice Nesmith
706 Delafield Street, NE
Washington, D C. 20017

George C Holley
710 Delafield Street, NE
Washington, D C. 20017

Robert and Bernice Williams
700 Delafield Street, NE
Washington, D C. 20017

Frances Alves
700 Delafield Street, NE
Washington, D.C 20017

R. H Webb
706 Decatur Pl, NE
Washington, D.C. 20017

Maria O Melebra
701 Delafield Street, NE
Washington, D C 20017

Samantha Barnes
703 Delafield Street, NE
Washington, D C. 20017

Lydia T. Moss
707 Delafield Street, NE
Washington, D.C 20017

Concerned Citizens of North Michigan Park Consists of the following persons:

Janice Nesmith
706 Delafield Street, NE
Washington, D C. 20017

Lydia T. Moss
707 Delafield Street, NE
Washington, D C 20017

Lois W. Matthews
709 Delafield Street, NE
Washington, D C. 20017

Audrey Brevard
711 Delafield Street, NE
Washington, D C. 20017

Frances S. Adams
714 Delafield Street, NE
Washington, D C 20017

Maria O. Melebra
701 Delafield Street, NE
Washington, D.C 20017

Samantha Barnes
703 Delafield Street, NE
Washington, D.C. 20017

Beverly Hamilton
708 Delafield Street, NE
Washington, D C 20017

Charlotte Smith
744 Delafield Street, NE
Washington, D C 20017

Theodore M Keys
730 Delafield Street, NE
Washington, D.C. 20017

Joyce M. Keys
730 Delafield Street, NE
Washington, D.C. 20017

George C. Holley
710 Delafield Street, NE
Washington, D C 20017

Dorothy M. and Willie L Rutherford
721 Delafield Street, NE
Washington, D.C 20017

Hazel C Frank
723 Delafield Street, NE
Washington, D C. 20017

Robert and Bernice Williams
700 Delafield Street, NE
Washington, D C 20017

Frances Alves
700 Delafield Street, NE
Washington, D.C 20017

Angela Dory
724 Delafield Street, NE
Washington, D.C. 20017

Sarah Anderson
727 Delafield Street, NE
Washington, D C. 20017

Eddie M Sims
716 Delafield Street, NE
Washington, DC 20017

B. Lacy
603 Faraday Place, NE
Washington, D.C 20017

E Clayton
603 Faraday Place, NE
Washington, D C 20017

H Dickerson
608 Faraday Place, NE
Washington, D.C 20017

E. Winston
614 Faraday Place, NE

Washington, D.C 20017

Alma Green
615 Faraday Place, NE
Washington, D.C. 20017

Norma Hood
618 Faraday Place, NE
Washington, D C. 20017

Ruby Greene
625 Faraday Place, NE
Washington, D C. 20017

C Porter
630 Faraday Place, NE
Washington, D C 20017

Joyce Jones
638 Faraday Place, NE
Washington, D.C. 20017

Minnie Ware
727 Faraday Place, NE
Washington, D C. 20017

Florence A Clyde
5000 6th Place, NE
Washington, D.C. 20017

Kevin Tate
5002 6th Place, NE
Washington, D C 20017

Daniel and Norma Scott
5012 6th Place, NE
Washington, D C. 20017

Annie M. Barnett
5030 6th Place, NE
Washington, D C. 20017

Stephanie Harvey
5020 6th Place, NE
Washington, D.C 20017

Daltry Armston
5042 6th Place, NE
Washington, D C. 20017

Josephine Armstrong
5042 6th Place, NE
Washington, D.C. 20017

Annie R Maddix
5008 6th Place, NE
Washington, D C. 20017

Alice W Adams
718 Decatur Street, NE
Washington, D C. 20017

Regina Ogwyegbu
745 Decatur Street, NE
Washington, D C 20017

Laverne Allen
743 Decatur Street, NE
Washington, D C 20017

H. Johnson
741 Decatur Street, NE
Washington, D.C. 20017

Roy Blagroxe
735 Decatur Street, NE
Washington, D.C. 20017

Pauline Baker
733 Decatur Street, NE
Washington, D C. 20017

Henry W Evans
727 Decatur Street, NE
Washington, D.C 20017

Wanda Patrick
726 Decatur Street, NE
Washington, D C. 20017

Lynn and John Roger
712 Decatur Street, NE

Washington, D.C 20017

Leolia Vaughns
717 Decatur Street, NE
Washington, D C. 20017

Dorothy Atkins
720 Decatur Street, NE
Washington, D C 20017

Woodrow and Cynthia Gill
4831 7th Street, NE
Washington, D.C. 20017

Dorine Mebane
715 Decatur Street, NE
Washington, D.C. 20017

Joyce Payne
729 Decatur Street, NE
Washington, D C. 20017

Frank Brown, Jr.
4817 7th Street, NE
Washington, D C 20017

Mr & Mrs. David Calclough
4807 7th Street, NE
Washington, D C 20017

Leroy Rine
4805 7th Street, NE
Washington, D.C 20017

Juanita and Clarence E Howard
4803 7th Street, NE
Washington, D.C. 20017

Edward Dockey
4804 7th Street, NE
Washington, D C. 20017

Deborah Frankley
4812 7th Street, NE
Washington, D.C 20017

Andre Bushrod
4810 7th Street, NE
Washington, D C 20017

Alfred Pimble
4815 7th Street, NE
Washington, D C 20017

Albert Young
710 Crittenden Street, NE
Washington, D.C. 20017

Leona D Ferguson
720 Crittenden Street, NE
Washington, D C. 20017

Dorothy Brinkley
726 Crittenden Street, NE
Washington, D C 20017

Kim Wheat
721 Crittenden Street, NE
Washington, D.C. 20017

Conchita Yancey
705 Crittenden Street, NE
Washington, D C 20017