

ZC Case No. 14-18



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 Brookland Manor/Brentwood Village Residents Association  
Address: 1345 Saratoga Blvd N.E. Suite 3 WDC 20018  
Phone No(s): 202-299-6647 E Mail: Mellott1031@gmail

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

Signature: Anne Mellott Date: 02-27-2014

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: William Merrifield  
Address: WLCH 1200 U Street NW Washington DC 20009  
Phone No(s): 202-328-5502 E Mail: will.merrifield@lcuclinic.org

PARTY WITNESS INFORMATION:

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

1. A list of witnesses who will testify on the party'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).

RECEIVED  
OFFICE OF ZONING  
R-1 RM/2:1

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.

**Form 140 Party Status Request Form**

**RE: ZC Case No. 14-18**

**Date: March 2, 2015**

**Name The Brookland Manor/Brentwood Village Residents Association**

**Address. 1345 Saratoga Ave NE**

**Phone 202-328-5502**

**Email will merrifield@legalclinic.org**

**The Brookland Manor/Brentwood Village Residents Association will be appearing as OPPONENT with William Merrifield from Washington Legal Clinic for the Homeless as legal counsel.**

**PARTY WITNESS INFO**

**1 Witnesses**

- a Tenants of the affected property and the Brookland Manor/Brentwood Village Residents Association**

**2 Testimony Focus**

- a. Why tenants of the affected area choose to live in their homes and value the Brookland Manor Apartments and the adjacent Brentwood Village Shopping Center**
- b How the PUD redevelopment plan fails to protect the welfare of the current residents and does not enhance community stability or public benefits**
- c The inadequate relocation plan.**
- d How the PUD will adversely affect the lives of tenants and community members and may result in displacement and cause the loss of affordable rental housing in the Brookland Manor/Brentwood Village community**

**3 Currently retaining expert witnesses. We expect to have 3 to 5 witnesses consisting of no more than 45 minutes of total testimony**

**4 Request Same Presentation Time as Applicant**

**RECEIVED  
D.C. OFFICE OF ZONING  
2015 MAR - 1 PM 12: 11**

## **PARTY STATUS CRITERIA**

### ***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?***

The commission/board's approval of Mid-City Financial Corporation's proposed Planned Unit Development will result in the demolition of properties—the Brookland Manor Apartments and the Brentwood Village Shopping Center—that are home to the Brookland Manor/Brentwood Village Residents Association. Their demolition will result in the displacement of these tenants, and the relocation plan that is currently proposed is not adequate. Consequently, the Association will be directly impacted by the commission/board's approval of Mid-City Financial Corporation's PUD

### ***2. What legal interest does the person have in the property?***

The Brookland Manor/Brentwood Village Residents Association is comprised of tenants from the Brookland Manor Apartments in the proposed PUD. Tenants have a legal interest in the opportunity to purchase to which they would be entitled at the time of the issuance of any demolition notice. Furthermore, currently there is no relocation plan in place, nor is there a guaranteed right to return to the redeveloped property for a number of tenants.

### ***3. What is the distance between the person's property and the property that is subject of the application before the commission/board?***

The tenants reside in the Brookland Manor Apartments, consisting of nineteen apartment buildings with approximately 535 units bounded by Rhode Island Avenue to the north; Montana Avenue to the east; Downing Street and Saratoga Avenue to the south; and Brentwood Road to the west—an area which is the subject of the current application before the commission/board. Thus, the tenants' current units are those that would ultimately be demolished if the proposed redevelopment is approved.

### ***4. What are the environmental, economic, or social impacts that are likely to affect the person and/or aggrieved if the action requested of the commission/board is approved or denied?***

There are a variety of social and economic impacts that are likely to result as a consequence of the commission/board's approval of the current PUD. A number of Tenants of the association will be displaced from their homes—thereby facing a loss of community and a sense of belonging. Further, approval of the PUD will disturb the cultural fabric of the tenant's community and displace some long-standing residents from their homes. Some of the tenants will be faced with the challenge of finding affordable/comparable housing in the District's high rent market. This challenge is intensified by the current PUD.

The zoning commission should require more from the applicant. After all, this area is not merely comprised of empty parcels of land; it is home to numerous families

***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.***

The Brookland Manor Apartments currently consist of units ranging from one to five bedrooms. The Applicant's PUD does not re-place units over three bedrooms, leading to the inevitable and significant displacement of large families if approved.

***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.***

Unlike other members of the general public, the Brookland Manor/Brentwood Village Residents Association has a direct stake in the proposed zoning action. The tenants have a significant interest in the conservation of their homes and their community. Additionally, there are aspects of the proposed project that contradict the objectives of the comprehensive plan.