



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

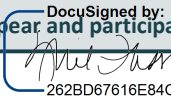


FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to www.dcoz.dc.gov > IZIS > Participating in an Existing Case > Party Status Request for instructions. 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.

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:	Gail Fast, President, Council of Co-Owners Town Square Towers Condominium		
Address:	700 7th Street SW, Washington DC 20024		
Phone No(s):	202-253-0488	E Mail:	fasthgail@gmail.com
I hereby request to appear and participate as a party in Case No.:		22-11	
Signature:	 262BD67616E84C9...	Date:	8/23/2022

Will you appear as a(n)	<input type="checkbox"/>	Proponent	<input checked="" type="checkbox"/>	Opponent	Will you appear through legal counsel?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If yes, please enter the name and address of such legal counsel.									

Name:			
Address:			
Phone No(s):		E Mail:	

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: 9/15/22

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;
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; and
4. The total amount of time being requested to present your case.

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? see attached for all responses
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.

ZONING COMMISSION
District of Columbia
CASE NO.22-11
EXHIBIT NO.27

Attachment to Request for Advance Party Status – ZC Case 22-11, Form 140

Town Square Towers is a 285-unit condominium located with 200 ft of the proposed project.

1. A list of witnesses who will testify on the party's behalf;

Gail Fast, is the President of the Council of Co-Owners of Town Square Towers (TST) and has been authorized by the Board of Directors to testify on their behalf.

Gail Fast
President, Town Square Towers
700 7th Street SW
Washington, DC 20024
202-253-0488
fasthgail@gmail.com

2. A summary of the testimony of each witness;

To be finalized after the developer submits its final, modified plans to the ANC and the ZC.

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; and

Ms. Fast is not an expert witness however served as an ANC Commissioner from 2016-2020 representing the Single Member District in which this project resides. She has testified before the Zoning Commission during her tenure as both an ANC Commissioner and Chair of ANC 6D. She also was a member of the Advisory Group that worked with the Office of Planning to develop the award-winning Southwest Small Area Plan.

4. The total amount of time being requested to present your case.

30 minutes

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 proposed development, among other things, will have a range of negative effects on the applicants for party status. Among many concerns, the development is inconsistent with both the Southwest Small Area Plan (SW SAP) and Comprehensive Plan's FLUM, upsetting homeowners' reasonable expectations for stability in the neighborhood. This would set a precedent that developers can ignore Small Area Plans and even the FLUM and rezone the neighborhood at will.

The proposed project would bring congestion, traffic, noise, and parking problems, as the developer is planning on moving access to its private drive that will negatively affect the traffic pattern at 7th St SW and I Street SW. It would be substantially out of scale with the surrounding residential buildings and the neighboring school. It would block air and sunlight to the school and reduce the amount of open space required by the current zoning (developer is proposing 87% lot occupancy vs. current 80% current zoning).

2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)

285 Homeowners and residents. TST is governed by a Board of Directors who held a Town Hall to discuss the developer's project. Based on the application filed by Mill Creek, the homeowners, through their Board of Directors, voted to oppose the development and request Town Square Towers be granted party status.

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.)

All 285 homeowners are within 200 feet of the proposed development. Several homeowners are directly across the street. The remainder of the building is in the immediate neighborhood.

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?

Environmental impact: If the proposed project were approved, it would essentially be allowing developers to snub both the Southwest Small Area Plan and Comprehensive Plan's FLUM. The SW SAP, which was developed, with the Office of Planning, clearly earmarks development projects on the north side of M Street to be consistent with existing residential development and to continue the legacy and rhythm of the mid-20th century by reinforcing current neighborhood design.

The project would also appreciably decrease the open space currently existing and required under current zoning. It would substantially increase noise pollution in the neighborhood, especially through much augmented vehicular and truck traffic. It would block air and sunlight to the neighboring middle school (the homeowners' local school). It would fly in the face of the Southwest Small Area Plan's vision of Southwest as a "Green Oasis" in the city.

Economic impact: Approving the erection of a sizeable residential building in an area zoned for low density commercial (SW SAP) changes the whole character of the north side of M Street, which was to be preserved as keeping within the character of the neighborhood. It becomes less attractive to current homeowners and reduces the property values, especially those within 200 feet.

Social impacts: The SW SAP proposed land uses where community interest and future demand provides improved development opportunities for the Southwest neighborhood. There is no need for additional residential development in Southwest as current projects underway will deliver over 1,000 new residential units (and that does not include projects in development in Buzzard Point). Having a sizeable building directly on the property lines to the north and west of the neighboring school would make the school a less attractive choice for prospective parents, which could reduce its enrollment and funding. The school, which just went through a modernization and includes a re-designed cafeteria and outdoor courtyard will be in direct sightline of the occupants of the developer's project.

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.

As set out in the responses to questions 1 and 4 above, Commission approval of the proposed project would have a range of negative effects on TST's homeowners and residents, and on the broader neighborhood.

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.

As adjacent property owners and neighbors within 200 feet of the proposed development, TST homeowners and residents would be directly affected by each of the factors set out in response to paragraph 4.

TST homeowners and residents would be more directly and daily affected by noise from garbage trucks, delivery services, moving vans, and other vehicle traffic than other members of the public. Their children's middle school would be negatively affected, as would their children's safety from the increased truck and vehicular traffic. The already serious street parking shortage in the neighborhood would further worsen. Their property values could decrease. Their expectation of long-term stability of their neighborhood would be upended.