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**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](http://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: Jason Hegy, Gail Union, Richard Evans, Sheila Evans, Ashley Harris, Dwight Sterling  
 Address: See attached  
 Phone No(s): See attached      E Mail: See attached

I hereby request to appear and participate as a party in Case No.: 19823

Signature:       Date: 10-2-18

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: Andrea Ferster  
 Address: 2121 Ward Court NW 5th Fl, Washington, DC 20037  
 Phone No(s): 202-974-5142      E Mail: aferster@railstotrails.org

**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:

**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?
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.

## **Parties**

The following six individuals, each of whom lives within 200 feet of the site of the project and most within 50 feet of the site (“Requesters”), are seeking party status:

Jason Hegy and Gayle Union  
3900 Yuma St., NW  
Washington, DC 20016

Richard B. Evans & Sheila W. Evans  
3906 Yuma Street NW  
Washington, DC 20016

Ashley M Harris  
3904 Yuma Street NW  
Washington DC 20016

Dwight Sterling  
3907 Windom Place, NW  
Washington, DC 20016

The Requesters intend to present a coordinated case, represented by legal counsel Andrea Ferster. Each person seeking party status has prepared a statement explaining how they would be adversely affected and aggrieved by the proposed application, and designating Andrea Ferster as their legal counsel, attached hereto.

## **Party Witness Information:**

### **1. List of witnesses who will testify on the party’s behalf**

- Richard Evans,
- Dwight Sterling,
- Ashley Harris,
- Gayle Union
- Jason Hegy
- Joe Mehra, MCV Associates, Inc. (*see* expert witness statement below)
- Zoning expert (name and CV to be provided later)

### **2. A summary of the testimony of each witness**

As explained in more detail in their attached individual statements, several of the Requesters will testify that the request for a special exception and variance will adversely impact them. To avoid duplication, these will summarize their testimony, which will focus on the following adverse impacts:

- increased traffic, noise, congestion, and decreased parking;

- a loss of greenery, open space, and mature trees and landscaping;
  - a significant reduction in property values;
  - Overall degradation of the character of the neighborhood;
  - the project will have an adverse effect on light, airflow, and privacy, thereby decreasing the abutting neighbors' enjoyment of their homes.
- 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;**

Mr. Joe Mehra will be offered as an expert in the area of transportation planning and traffic engineering.

Joe Mehra, P.E., P.T.O.E., is the President and founder of MCV Associates, Inc. He has over thirty years of experience in the areas of transportation planning, traffic impact studies, traffic engineering and environmental planning. His experience includes local, state, federal government and the private sector. He has managed and contributed to projects requiring multi-disciplinary teams and multi-year assignments. The scope of his studies range from small site access studies to statewide and national level studies. His CV is attached.

Mr. Mehra's testimony will focus on his review of the Applicant's traffic study, which was prepared by Gorove Slade and submitted with their BZA application. Mr. Mehra's testimony will show that the study prepared by Gorove Slade contains inconsistencies and errors, includes flawed trip generation numbers and traffic projections.

The Requesters are in conversations with a zoning expert now that the hearing date has been finalized, and will provide that name and CV as a supplemental filing. This expert will testify that the special exception and variance are not be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and that there are no "exceptional practical difficulties or exceptional and undue hardship" upon the applicant, and therefore does not meet the standards for granting an area variance set forth in the zoning regulations, 11 DCMR Subtitle X, § 1002.19a)..

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

We request one hour to present our case and understand that the time will be shared with the Tenley Neighborhood Association.

**Party Status Criteria:**

**How will the property in which we have an interest be affected by the action requested of the BZA?**

Each person requesting party status has provided a statement, attached, explaining that if the BZA grants the Applicant's request for a special exception and variance, their quiet enjoyment of their homes will be adversely impacted by increased traffic, noise, congestion, decreased parking, loss of greenery and overall degradation of the quality and character of the neighborhood.

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

Each person requesting party status is a homeowner and residents. *See* attached statement.

**3. What is the distance between the person's property and the property that is the subject of the application before the BZA?**

With the exception of Dwight Sterling, each Requester resides within 50 feet from the property line of the proposed project. Mr. Sterling resides within 200 feet of the property line of the proposed project.

**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 BZA is approved or denied?**

*See* attached statements.

**5. Describe any other relevant factors that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.**

*See* attached statements.

**6. Explain how the person's interest will be more significantly, distinctly or uniquely affected in character or kind by the proposed actions than that of other persons in the general public.**

*See* attached statements.

**Statement Regarding Late Filing/Request for waiver**

The hearing in this matter was originally scheduled for October 10, 2018. However, at the time the original request for party status was due, the Applicant had requested and received a postponement to October 17, 2018, which date was known to be a date that counsel for both the Applicant and counsel for the Requesters were unavailable. Accordingly, the Requesters deferred their request for party status until the new hearing date was identified, to ensure that both counsel and identified witnesses could be present. To the extent that a waiver of the deadline in 11 DCMR Subtitle Y, § 404.3 is necessary, the Requesters hereby move for such a waiver.

# Jawahar (Joe) Mehra, P.E. PTOE

President, MCV Associates, Inc

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## Education

- MS/1972/Industrial Engineering
- BS/1969/Mechanical Engineering

## Registration/Certification

- Professional Engineer: TX, VA, MD, DE
- PTOE

## Affiliations

- Fellow, Institute of Transportation Engineers
- Member, Transportation Research Board

## Summary

Mr. Mehra has over forty years of experience in the areas of project management, traffic engineering and transportation planning. He has managed numerous traffic engineering/operations studies including traffic analysis, impact studies and data collection. He has managed several traffic engineering studies in the Washington DC including the K Street Busway Study, the EISF preparation for Logan Circle residential development, EIS for PEPCO Project, The Bus rapid Transit Study, TIS for various land uses, traffic data collection projects for DDOT, Klingle Road Traffic Study, Field School Traffic Impact Study, etc. He has testified as an expert witness for several projects in Washington, DC and these include Georgetown University, George Washington University, Hine Jr. High PUD, American University, Shadow Night Club, Skyland Development, Sanctuary 21, St. Patrick School, Edmond Burke School, Field School, Tilden Street Residential Development, etc.

## Relevant Experience

**Traffic Engineering.** He has managed several traffic engineering studies with extensive experience in traffic simulation models such as Synchro, CORSIM and TRANSYT-7F. He managed the traffic analysis study for Fort Meade that used the CORSIM Model to evaluate roadway improvements to accommodate security measures implemented after September 11, 2001. He was also the Project Manager for a three year transportation planning "on-call" contract with VDOT for Region 2. As part of this contract the Tysons Corner area was analyzed using the Synchro model. Approximately 40 signalized intersections were analyzed for the existing conditions and future conditions. CORSIM Model was also used on several other projects to evaluate corridors such as the Route 207 corridor in Caroline County, the Eisenhower Avenue corridor for the Patent and Trademark Office in Alexandria, etc. Other traffic engineering studies that he has managed include the Route 58 (Pennington Gap Bypass) Traffic Engineering Study for VDOT, Route 1/123 Interchange Study, etc.

**Transportation Planning/Forecasting.** He was the Project Manager for the Dulles Corridor Metrorail Project - Station Traffic Circulation Study For Preliminary Engineering Extension To Dulles Airport / Route 772 to validate the station layouts and the traffic forecasts as they relate to station access issues for the Metrorail Extension. He has conducted statewide, regional, corridor and subarea planning studies in Washington, DC, Fauquier County, Warren County, Fairfax County, Loudoun County (using COG's Version 2 Model and VIPER that resulted in the County's Comprehensive transportation plan), Chesterfield County, Richmond area, Hampton Roads, Tri-Cities, Prince William County, etc. in Virginia; Montgomery County, Baltimore County, St. Mary's County, Charles County, Prince George's County, Germantown, Silver Spring, etc. in Maryland; York County, Pennsylvania; St. Louis, Missouri; Denver, Colorado; New York City, Connecticut, etc. using MINUTP, TMODEL2, EMME/2 or QRSII. He has managed multimodal planning studies for a broad range of clients. He was the Project Director for the New Approach Study for Integrating Transportation and Development in the National Capital Region using the MINUTP model. He was the Principal Investigator of a FHWA study on Analysis and Use of Trip Generation Rates resulting in S.I.T.E. Handbook and updated NCHRP 187 trip rates. He was MCV's Project Manager on a multi-disciplinary team to prepare the Georgetown Branch Transitway MIS in Maryland. He managed the Charles Town Circulation Study and the Leesburg Downtown Courts Transportation Study. Corridor EIS, etc.

September 28, 2018

Board of Zoning Adjustment

441 4th Street, NW, Suite 200S

Washington, DC 20001

RE: BZA Case No. 19823

Wisconsin Avenue Baptist Church - Sunrise Senior living, 3920 Alton Place, NW

To Whom It May Concern:

We request party status in this matter. Set forth below are responses to PARTY STATUS CRITERIA on BZA Form 140.

1. How will the property owned by such person be affected by the action requested by the Board?

Like many people, my home is the largest financial investment that I have made, and I paid a premium to live on a side street so close to a metro. I made this investment with the understanding that there would be no drastic changes to the character of the street, or the neighborhood.

I have invested heavily in the property, especially with respect to landscaping in the yard, which I undertook given my love of gardening and spending time outside. The proposed development, given its height, lot occupancy, and proximity to my yard, would change the quality of that space.

My home, like many on the street, is old. I have already had to undertake many repairs, since moving in only 5 years ago. The building of such a large facility, especially with the proposed underground parking garage, has the capacity to damage the structural foundation of my house.

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

I have owned my house since 2013.

3. What is the distance between the person's property and the property that is the subject of the application before the Board?

My home is directly across from the proposed development, less than 50 feet away. The proposed exit ramp, will be located directly across from my living room.

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 by the Board is approved or denied?

The proposed development is likely to have multiple adverse effects on me, as a homeowner, and as a member of the community.

Neighborhood character: I moved to Yuma Street 5 years ago from Boston Massachusetts. I chose my current house and neighborhood, due to its similarities to my home in Boston: a reasonably quiet side street, in a family oriented neighborhood, walkable to the grocery store, the library, restaurants and a metro station. In fact, I lived across the street from a church in Boston, and was excited to find a similarly situated home here in Washington, as living across from a church had been quiet and peaceful.

The present structure, a small church, generates little by way of noise or traffic. There are a small number of employees, with the number of cars in the lot rarely exceeding 10 during the week, and only slightly more traffic on weekends. The proposed development is enormous, and taking up fifty-seven percent of the available lot, 85% of which will be occupied by the assisted living. It vastly increases the number of people using the property from a small church staff and Sunday parishioners, to around 75 employees, 100 residents, as well as visitors and medical personnel, in addition to the staff and members of the church. The facility provides around the clock care 7 days a week to its residents, which changes nearly all aspects of the neighborhood, including parking, traffic, noise, excess lighting, decreased privacy, and a general sense of belonging to a neighborhood.

Parking: Yuma Street currently has a difficult parking situation. There is substantial use of the street by zone 3 permit users who do not reside in walking distance to the metro. As such, there are few spaces being available during the day and early evening for people that live on this street. The proposed

development is likely to worsen this situation as some staff, as well as visitors, will park on the street, likely during evening hours, when the residents of Yuma Street, such as myself, need a parking space.

Traffic: I live directly across from the proposed Sunrise Development. The driveway exits in front of my house. There will be a marked increase in traffic at all hours. Currently there is almost no traffic coming from the church. In marked contrast, the Sunrise Development will have 75 employees coming and going during shift changes, visitors, medical supply trucks, delivery trucks, garbage trucks, and medical transport vehicles. I generally spend evenings on the porch or in the family room, both of which are on the Yuma Street side, and thus are likely to be impacted by the noise of the cars.

Noise: In addition to the noise from traffic, there will be substantial noise from the development itself: mechanical, deliveries, human and car traffic, as well as sirens. On Yuma Street in particular, we already have substantial alley noise from the garbage trucks serving the Wisconsin Avenue restaurants (daily and early morning). The increased noise will not be limited to business hours, but much like the traffic, is likely to be loudest on evenings and weekends, when most of us are retreating to our yards and homes for quiet.

5. Describe any other relevant factors that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.

As a resident of Tenleytown, I value appropriate planning of residential and business areas of the neighborhood. The proposed assisted living is an inappropriate and suboptimal use of residentially zoned space. It is inappropriate because the neighborhood is zoned for single family homes, and a large business, moving in under the auspices of a church, should not be permitted in this area. It is suboptimal, as the assisted living residents are mostly home bound, and will be taking up valuable metro accessible real estates, and are unlikely to patronize nearby businesses.

There are a number of other possible ways in which the plot could be developed to allow for the church to continue its mission, and the neighborhood to retain its residential character. Sunrise, a large assisted living facility, is not one of them. While I grant that senior living is important, there are six other assisted living facilities within a two mile radius of my home, and a multitude of other properly zoned areas in the neighborhood, where this development could be built.



6. Explain how the person's interest will be more significantly, distinctly or uniquely affected in character or kind by the proposed actions than that of other persons in the general public.

I live across the street from the proposed development, and thus will suffer the effects of the increased traffic, noise, light pollution, loss of parking, loss of privacy, and the change in the character of the neighborhood, to a far greater extent than those in the general public.

I designate Andrea Ferster to act as my legal counsel in this matter. She has the authority to bind me in this matter.

Sincerely,

A handwritten signature in black ink that reads "Ashley Harris". The signature is written in a cursive, flowing style.

Ashley M. Harris

3904 Yuma Street NW

Washington DC 20016

October 1, 2018

Board of Zoning Adjustment  
441 4th Street, NW, Suite 200S  
Washington, DC 20001

RE: BZA Case No. 19823  
Wisconsin Avenue Baptist Church - Sunrise Senior living, 3920 Alton Place, NW

To Whom It May Concern:

We request party status in this matter. Set forth below are responses to *PARTY STATUS CRITERIA* on BZA Form 140.

**1. How will the property owned by such person be affected by the action requested by the Board?**

Like many people, my home is the largest financial investment that I have made, and I paid a premium to live on a side street so close to a metro. I made this investment with the understanding that there would be no drastic changes to the character of the street, or the neighborhood.

I have invested heavily in the property, especially with respect to landscaping in the yard, which I undertook given my love of gardening and spending time outside. The proposed development, given its height, lot occupancy, and proximity to my yard, would change the quality of that space.

My home, like many on the street, is old. I have already had to undertake many repairs, since moving in only 5 years ago. The building of such a large facility, especially with the proposed underground parking garage, has the capacity to damage the structural foundation of my house.

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

I have owned my house since 2013.

**3. What is the distance between the person's property and the property that is the subject of the application before the Board?**

My home is directly across from the proposed development, less than 50 feet away. The proposed exit ramp, will be located directly across from my living room.

October 1, 2018

Board of Zoning Adjustment  
441 4th Street, NW, Suite 200S  
Washington, DC 20001

RE: BZA Case No. 19823

Wisconsin Avenue Baptist Church - Sunrise Senior living, 3920 Alton Place, NW

To Whom It May Concern:

*We request party status in this matter. Set forth below are responses to PARTY STATUS CRITERIA on BZA Form 140.*

**1. How will the property owned by such person be affected by the action requested by the Board?**

~~Our house and the subject property are located in an area zoned R-1-B for detached single family homes. We specifically sought and purchased our home in an R-1-B zoned neighborhood and moved there from a previous R-1-B neighborhood in this ANC. The existing structure on the subject property, a church, is the only building which is not a single-family home in the immediate R-1-B area. The church is a relatively small structure and it creates no serious problems for the neighborhood. The proposed development will be a large building, 85% of which will be an assisted living facility and 15% will be a church. This development will seriously affect our home by significantly and negatively altering the character of the immediate neighborhood by creating a massive building which houses a commercial business with a large staff and which operates 24/7/365.~~

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

We have owned our house since 2005.

**3. What is the distance between the person's property and the property that is the subject of the application before the Board?**

Our home is on the south side of Yuma Street across from the subject property, less than 100 feet away. We can see the existing church structure from our living room window.

**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 by the Board is approved or denied?**

If approved, this development will negatively impact our home and the quality of life in our immediate neighborhood in numerous ways. The exiting church is small and unobtrusive, and, in contrast, the proposed building is massive, and will become the focal point of the neighborhood because of its height and size. The development will create an increase in the need for parking for those coming to the new building -- 75 employees (many of whom will drive), medical personnel, its residents, visitors of the residents, and

church members. This will result in an increase in the number of cars parking on nearby streets, thus depriving neighborhood residents of the scarce on street parking. There will be a dramatic increase in traffic coming into the neighborhood, including cars, ambulances, and the trucks servicing the facility – trash, food service, linen service, etc. There will be an increase in noise coming from the property due to the rooftop mechanical units, trash trucks at the loading dock, ambulances, etc. The proposed unjustified increase in lot occupancy will bring the massive new building extremely close to our property, exposing our home to excessive light, noise, shading and privacy impacts.

**5. Describe any other relevant factors that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.**

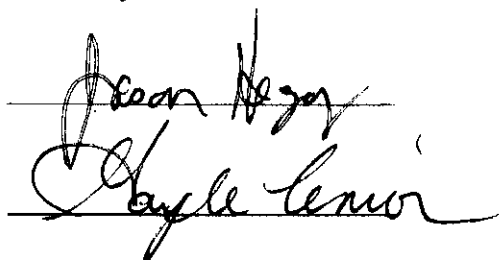
In addition to the impacts discussed above, if the development is allowed to proceed, it will set the precedent for other commercial businesses to expand into R-1-B single family detached homes in this neighborhood. That would further erode the residential character of the neighborhood and permanently alter residents' quality of life.

**6. Explain how the person's interest will be more significantly, distinctly or uniquely affected in character or kind by the proposed actions than that of other persons in the general public.**

We live across the street from the proposed development, so its negative effects (traffic, parking, noise, light pollution, privacy, and shadowing) will be magnified for us and will be greater in character and in kind from the effects experienced by other persons in the general public. The increase in traffic will cause safety problems, particularly in front of our house because we are right across the street from where the traffic volume will be greatest. The increase in cars going to the facility around the clock will reduce on street parking for neighborhood residents and our guests. As a prime parking location for anyone going in or out of the development, our street is especially vulnerable to reduced access to parking that is already tight. The increased noise from the outdoor mechanical units will be worse for us than other members of the public or even other neighbors because we are right across the street.

We designate Andrea Ferster to act as our legal counsel in this matter. She has the authority to bind us in this matter.

Sincerely,

The image shows two handwritten signatures in black ink. The first signature is "Jason Hegy" and the second is "Gayle Union". Both signatures are written over horizontal lines that serve as baselines for the text.

Jason Hegy and Gayle Union  
3900 Yuma St., NW  
Washington, DC 20016

October 1, 2018

Board of Zoning Adjustment  
441 4th Street, NW, Suite 200S  
Washington, DC 20001

RE: BZA Case No. 19823  
Request for Party Status re Wisconsin Avenue Baptist Church - Sunrise Senior  
Living, 3920 Alton Place, NW

To Whom It May Concern:

We are writing to request party status in this matter. Below are our responses to party Status Criteria on BZA Form 140.

**1. How will the property owned by such person be affected by the action requested by the Board?**

Our house is located directly across the street from the proposed project. All vehicular traffic exiting the property with spill onto Yuma Street directly across from our property. Moreover, the entrance to the proposed church will move from where it is now on Alton to Yuma, directly across the street from our property. Our property will be negatively affected as to neighborhood character, noise, traffic, parking and possible structural damage from construction work in ways described below.

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

We have owned and lived in our house at 3906 Yuma Street NW since 2006.

**3. What is the distance between the person's property and the property that is the subject of the application before the Board?**

Our property is directly across the street and within 50 feet of the subject property.

**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 by the Board is approved or denied?**

The proposed structure would negatively impact us/our property in numerous ways.

The parties seeking zoning relief are doing so because the proposed project is a significant departure from the current structure and what is permitted under the zoning requirements for property zoned R-1B. They are seeking to insert a large commercial enterprise into an area that is otherwise occupied by single-family homes by literally

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piggybacking onto the existing church's zoning allowances. Indeed, two floors of the Sunrise facility would be stacked on top of the designated church space. The relief sought by the applicants would create a building significantly out of character with the immediate neighborhood both in height and lot occupancy.

Sunrise seeks to put a large for-profit business into a residential neighborhood by teaming up with the church that currently owns the property. Under the proposal, Sunrise would occupy more than 85 percent of the building, which would occupy 57 percent of the lot. This would be significantly above the 40 percent allowed for commercial use.

The proposed structure would have a total height of 52 feet (and would be 66 feet at the "architectural embellishment" of the church) while surrounded on three sides by single-family homes. Sitting on our porch would mean looking across at what would be essentially a five-story commercial property.

Traffic in the neighborhood would increase significantly. Yuma Street already has a significant amount of traffic with cars traveling between Tenley Circle and Reno Road and/or Connecticut Avenue. The proposed facility with more than one hundred residents, employees, deliveries, visitors, church members and others will add significantly to the amount of traffic on Yuma as all of the Sunrise traffic would exit the property onto Yuma directly across from our home. All of this new traffic to and from the proposed property would also add to the noise generated by the building itself.

Our house was built in 1929 and, given our close proximity to the subject property, it would be susceptible to damage during the proposed construction work, especially for the foundation and unground garage. Many of the homes in the immediate neighborhood are more than 90 years old and they too would be at risk for structural damage during construction.

**5. Describe any other relevant factors that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.**

The project is a clear break with the current use of 3920 Alton Place. As primarily a commercial business, the project is also a clear break with the use of immediately adjacent properties, which are either single-family homes or National Park Service land. If this project is approved, that approval can be used to justify allowing other commercial businesses to move into and expand on property currently zoned for single-family residential use, further changing the nature of the neighborhood.

When we purchased our home in 2006, there was no exit from the church property onto Yuma Street. That changed about ten years ago when the church received permission to

Request for Party Status

October 1, 2018

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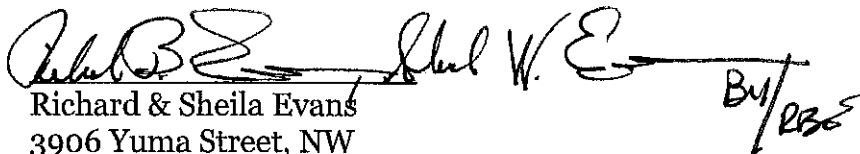
put in a curb cut. With the proposed plan, all traffic to the facility (significantly more than what exists today) would exit onto Yuma, directly across from our house. Headlights at night will shine directly into our house and the noise from vehicles will be almost constant.

**6. Explain how the person's interest will be more significantly, distinctly or uniquely affected in character or kind by the proposed actions than that of other persons in the general public.**

The location of our house – directly across the street from the proposed building -- means that we will be impacted more than the general public should the project move forward as planned. Aside from the potential damage to our home during construction, it is the long-term impairment to the enjoyment of our property that is more concerning. Sitting on our front porch will no longer be enjoyable as we will be staring at the side of an essentially five-story commercial property. Moreover, the value of our property is likely to decline should this large project go forward. As such, we oppose the project as planned.

We hereby designate Andrea Ferster to act as our counsel in this matter. She has the authority to bind us in this matter.

Sincerely,

  
Richard & Sheila Evans  
3906 Yuma Street, NW  
Washington, DC 20016

October 1, 2018

Board of Zoning Adjustment  
441 4th Street, NW, Suite 200S  
Washington, DC 20001

RE: BZA Case No. 19823  
Request for Party Status re Wisconsin Avenue Baptist Church - Sunrise Senior  
Living, 3920 Alton Place, NW

To Whom It May Concern:

I am writing to request party status in this matter. Below are my responses to party Status Criteria on BZA Form 140.

**1. How will the property owned by such person be affected by the action requested by the Board?**

My house is located within one block of the property requesting zoning relief, close enough for the property to be seen from my house. My property will be affected as to neighborhood character, noise, traffic, parking and possible structural damage from construction work in ways described below.

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

I have owned and lived in my house at 3907 Windom Place since 1997.

**3. What is the distance between the person's property and the property that is the subject of the application before the Board?**

My property is on the north side of Windom Place, within 200 feet of the Wisconsin Avenue Baptist Church property.

**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 by the Board is approved or denied?**

The new building will impact me and my property in many ways.

The project requests zoning relief because they want more than a small tweak to a current structure on the location. The relief would create a building significantly out of character with the immediate neighborhood both in height and lot occupancy. This will result in significant changes to the character of the immediate neighborhood.



Because of the inclusion of the church (as 15% of the building), the project asks for the structure to occupy 57% of the lot for an overwhelmingly commercial enterprise. This is a major increase above the 40% currently allowed for commercial use.

The new structure will have a total height of 52 feet (and will be 66 feet at the “architectural embellishment” of the church) while immediately surrounded by single family houses. By comparison, the higher portions of other large buildings near Tenley Circle (Washington College of Law, St. Ann Church) have much greater separation from the residential homes in the neighborhood.

There will be increased noise in the neighborhood from outdoor rooftop mechanical units needed by the new building. In addition, neighborhood traffic and parking will be increased by the new building. Facility residents, employees, deliveries, visitors and others will combine to add both greater traffic and greater noise. And some of that traffic and noise (such as at shift changes by employees) will come in waves to a parking area with one entrance and one exit.

Construction work, especially for the foundation and underground garage, will be an issue for possible structural damage to older homes around the project. Many of those houses are more than 90 or even 100 years old.

**5. Describe any other relevant factors that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.**

The project is a clear break with the current use of 3920 Alton Place. As primarily a commercial business, the project is also a clear break with the use of immediately adjacent properties, which are either single family homes or National Park Service land.

If this project is approved, that approval can be used to justify allowing other commercial businesses to move into and expand on property currently zoned for single family residential use, further changing the nature of the neighborhood.

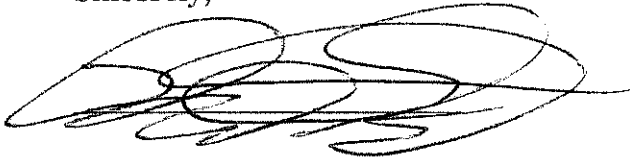
**6. Explain how the person’s interest will be more significantly, distinctly or uniquely affected in character or kind by the proposed actions than that of other persons in the general public.**

The location of my house means I will be more impacted than the general public by potential damage from construction work, noise from the completed facility, and changes to the general character of the immediate neighborhood by the size of the structure.

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I designate Andrea Ferster to act as my counsel in this matter. She has the authority to bind me in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "Dwight Sterling", written over a large, scribbled-out area.

Dwight Sterling  
3907 Windom Place, NW  
Washington, DC 20016