



**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:	Near Buzzard Point Residential Advisory Committee		
Address:	1501 Half St. SE		
Phone No(s):	202-316-5827	E-Mail:	buzzardpointrac@gmail.com
I hereby request to appear and participate as a party in Case No.:		16-02	
Signature:	<i>[Handwritten Signature]</i>	Date:	October 19, 2016
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:

**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; *see attached*
- A summary of the testimony of each witness; *see attached*
- 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 *see attached*
- The total amount of time being requested to present your case. *see attached*

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

**Near Buzzard Point Residential Advisory Committee (NeRAC)  
ZC Case 16-02 - Party Status Request Form Attachment**

*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:*

NeRAC members live and work in close proximity to the PUD site, some as close as 200 feet. They will be directly and concretely impacted by increased noise, traffic, dust, pollution, land value destabilization, gentrification pressures, and other quality of life impacts, as well as impaired access for emergency vehicles and evacuation routes and impacts to current levels of public services such as utilities, sewer and water, and public transportation.

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

NeRAC member are both tenants and residential property owners who will be directly affected by the project.

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

NeRAC tenants and property owners live and work within the vicinity of Near Buzzard Point and as close as 200 feet from the PUD site.

*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?*

NeRAC members, using the Comprehensive Plan and common sense can predict the PUD will increase property taxes and rents, as well as a possible eminent domain risk factor if streets are widened. The traffic plan does not take in to consideration the narrowness of the public streets. Traffic congestion, impaired access to property by residents and emergency vehicles. Lack of adequate street parking. Increased air pollution from excavation, construction and daily operation of the PUD once constructed. We are facing direct displacement due to this project.

*5. Describe other matters that will bring grievances:*

The census tract 164 of Near Buzzard Point is an economically vulnerable community with increased levels of Asthma and cancer. Development in the area could drastically impact the community by placing unequal economic and health burdens on the community.

*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*

Members of NeRAC live within or about 200 feet of the proposed construction and will be directly impacted by all aspects of the development of this PUD. Will directly

impact their quality of life and potentially lead to displacement due to increases in property taxes and potential eminent domain proceedings for future development.

# Near Buzzard Point Residents Advisory Committee

Association founded June 2016 under *D.C. Code § 29-1100*

## Governing Principles

*Principles created June 2016; Unrevised*

Near Buzzard Point Residents Advisory Committee (“NeRAC” ) is an unincorporated non-profit citizens association reorganized per D.C. Code § 29-1100, *inter-alia*, also known as the D.C. Unincorporated Non-Profit Association Act of 2012.

Per the law, the following “Governing Principles” prescribe how NeRAC operates so to meet the objectives of the association. NeRAC's Governing Principles act as an extension of, or take precedent in lieu of the specific requirements of D.C. Code § 29-1100, *inter-alia*.

## Association Mission

NeRAC seeks to ensure the personal and property interests, especially the quality of life, health, and well-being of residents living at the Near Buzzard Point Residential Community of Ward 6 in Southwest Washington, DC.

## Association Purpose

NeRAC is an unincorporated non-profit citizen association that meets online and in-person to discuss, evaluate, and act on basic planning science, agency reports, empirical socio-economic data, municipal planning tenants and the law, taken all together to seek to preserve and protect the personal and property interests of participating members and to mitigate against displacement pressures, negative environmental impacts, and adverse affects on public services, public land and assets.

## Association Structure

NeRAC is a fluid and flexible citizens association with very light financial liabilities, and consists of an all-volunteer membership, unless determined that paid staffing is required on a per project basis. NeRAC ,anagers guide the general direction of the association and activities therein, and keep the members informed of association activities and other development news that may affect the membership. Active members keep abreast of the news and association activities, provide volunteer help and in-kind assistance when possible, issue consensus on major association decisions and expenditures, and can petition managers for assistance in matters where development policies, projects, and real-estate concerns may affect their quality of life.

### **NeRAC Participants (Members)**

Any resident, family, or small business operator living or working in the District of Columbia, particularly in Near Buzzard Point and Buzzard Point Neighborhoods , can be a participating member of NeRAC so as long

as they agree with the NeRAC mission and agree to receive news and updates from NeRAC . NeRAC members can participate through meetings, in-person and online, through social media, the signing of petitions, and otherwise being active in NeRAC campaigns and projects. There are no NeRAC membership fees and the level of one's activity in NeRAC is determined by one's own chosen level of participation. Any NeRAC participant may petition NeRAC Facilitators for representation at administrative hearings, through court filings, or at any other proceeding or meeting, legally-related or otherwise, regarding the protection of their personal and property interests, including that of public property. Demonstrated threats to NeRAC members driven by development projects or any other activities in the District of Columbia, or from elsewhere, must be concrete, direct, and not speculative. When NeRAC Facilitators reach out to NeRAC participants seeking consent on a major question or decision regarding the association, affirmative consent is presumed given by default unless individual NeRAC participants actively submit opposition in writing blocking the decision within the timeframe set forth with the question.

### **NeRAC Facilitators (Managers)**

The founders of NeRAC are the original managers of this unincorporated non-profit citizens association per DC Code § 29-1100, *inter-alia*. NeRAC managers will be known as Facilitators. Facilitators can call meetings and implement participant polls, and can conduct business on behalf of NeRAC if the business involves limited financial expenditures (less than \$750.00). Facilitators can make legal representations on behalf of NeRAC before administrative agencies, courts, or other such entities, and can otherwise choose who may represent NeRAC before said entities. NeRAC Facilitators are also responsible for informing and updating NeRAC participants about NeRAC campaigns and activities. Facilitators may be recalled from their position at anytime by NeRAC participants. If a recall request is delivered to the NeRAC list and there are no objections by any other NeRAC participant, then the Facilitator is recalled, and reverts simply to a participant. Facilitators may also resign in writing at anytime by sending a note to the list of NeRAC participants. Facilitators otherwise have no terms or term-limits. There shall be no more than four (4) NeRAC Facilitators operating in good-faith at any given time. NeRAC Facilitators may seek consensus of NeRAC participants in selecting new NeRAC Facilitators. If all NeRAC Facilitators resign or are recalled simultaneously, NeRAC as an association shall dissolve and cease operations. Expenditures by the association of more than \$750.00 requires the consent of active participating NeRAC members. NeRAC Facilitators may choose to hire staff to assist the work of NeRAC . Facilitators swear to uphold the mission of NeRAC as stated above.

## **Founding Members & Managers (Facilitators)**

June 2016

### ***Association mailing address:***

NeRAC c/o  
Rhonda Hamilton  
1501 ½ Street SW  
Washington, DC 20024

Kari Fulton  
1708 West Virginia Ave NE #1  
Washington, DC 20002

India Fuller  
215 K Street SW  
Washington, DC 20024

Robena Littles  
49 P Street SW #32  
Washington, DC 20024