

**DC ZONING COMMISSION
441 4TH STREET NW, SUITE 200 SOUTH
WASHINGTON, DC 20001**

Georgia Avenue Corridor Neighbors (GAN)

November 21, 2016

In re: Party Status Request in Zoning Commission Case Nos. 16-11 & 16-12

Per Z-404, Georgia Avenue Corridor Neighbors (GAN) submits this Party Request Form.

Per Z-404.14, GAN submits this request to preserve and protect its interests, as through those of its participating members, which will be far more significantly and uniquely impacted than those of other persons in the general public if indeed the PUD applications in ZC Case Nos. 16-11 and 16-12 are approved.

Following on from Attachment C, and per Z-404.1:

(a) Name, mailing address, telephone number, and e-mail address

Georgia Avenue Corridor Neighbors (GAN)

c/o Chris Otten, co-facilitator

2203 Champlain Street NW #303

Washington, DC 20009

(b) An identification of the application by number, the applicant's name, and the address of the property that is the subject of the application;

From the Office of Zoning website:

Applicant/Case Name :	Park View Community & the District of Columbia	Park View Community Partners & the District of Columbia
Property Address :	0726 - 0738 IRVING ST NW	3305 GEORGIA AVE NW
Case Number :	16-11	16-12
Case Status:	Active	Active
Relief Type :	Map Amendment, Consolidated PUD	Map Amendment, Consolidated PUD
Hearing Date :	12/05/2016	12/08/2016
ANC	1A10	1A09
Case Description	Consolidated PUD & Related Map	Consolidated PUD & Related Map

(c) A request to appear and participate as a party; (d) Whether the person will appear as a proponent or opponent of the application;

Georgia Avenue Corridor Neighbors (GAN) seeks to participate in Zoning Case Nos. 16-11 & 16-12 as a party in opposition per our by laws and Z-404.2. Attachment A.

(e) If the person will appear through legal counsel or other authorized representation and, if so, the name and address of the legal counsel or other authorized representation;

GAN is currently seeking counsel. As a small nonprofit association, this is not easy. However we seek to represent GAN's interests in this case to the highest extent allowable through the law. Per our guiding principles, we will be submitting letters of authorization for our counsel/representation and serve upon all parties as soon as this information is known, otherwise prejudicing no other party. Attachment A.

(f) If the person requesting party status is not an individual, the following shall be provided:

(1) Evidence that the entity requesting party status has authorized the entity's participation in the proceeding; and

By the signatures of co-facilitators, and specifically per GAN by-laws or Guiding Principles, GAN intently seeks party status in the inter-related ZC Case Nos. 16-11 & 16-12. Attachment A & B.

(2) Evidence that the entity requesting party status has designated a specific officer, employee, or agent to act on its behalf and bind entity in the proceeding;

A forthcoming attachment will supplement Form 140 and will be submitted by GAN in a reasonable amount of time for Commission review before the hearing date, otherwise prejudicing no other party.

(g) A list of witnesses who will testify on the person's behalf, a written summary of the testimony of all witnesses, and a complete and professional resume for any expert who may be called to testify at the public hearing; and

GAN may choose to bring witnesses to the hearing, and will inform the Commission as soon as they have been determined. At this time, GAN does not believe it will have expert witnesses to bring.

(h) A written statement setting forth why the person should be granted party status, including reference to the following:

Georgia Avenue Corridor Neighbors (GAN) consists of residents, homeowners and renters, as well as commercial entities with very real property and personal interests at stake in ZC Case Nos. 16-11 and 16-12, in large part due to our unique location within the neighborhoods along the Georgia Avenue Corridor in Ward One, Northwest, Washington, D.C..

The general public will not feel the impacts that GAN's participating members will bear during heavy construction and for the life of the projects proposed in ZC Case Nos. 16-11 & 16-12, in context of cumulative development along our famous Georgia Avenue Low density to Moderate density corridor.

(1) The property owned or occupied by the person, or in which the person has an interest, that will be

affected by the action requested of the Commission;

GAN has interests in the residential and commercial properties in the community surrounding the PUD sites, as well as significant interest in the public Ward One sites at Bruce Monroe and Park Morton. Bruce Monroe is a special public space that serves our members now in a highly beneficial way. It appears the innate value in public property is not being properly considered here, especially public open air recreation spaces with urban farming, sports, and community gatherings, among other amazing happenings and neighborhood organizing.

(2) The legal interest the person has in the property, such as owner, tenant, trustee, or mortgagee;

Participating GAN members live and work and play along the Georgia Avenue Corridor. They own properties, and are also renters, small business proprietors, organizers, lawyers, planners, families, inter-connected in the communities surrounding the PUD sites. The public services (transit, utilities, water, environment) that GAN participants currently enjoy now will more concretely and uniquely be impacted by the proposed PUD application Nos. 16-11 and 16-12, far more than that of the general public.

(3) The distance between the person's property and the property that is the subject of the application before the Commission;

Within ten blocks, with some GAN participants owning homes on the same block as the PUD sites. There are levels of impacts zones which our party may bring as testimony to the Commission at the hearing.

(4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and

GAN participants will uniquely bear the brunt of years of construction noise, dust, and a degradation of our quality of lives from the cumulative development along Georgia Avenue, especially by the projects proposed in these two inter-related zoning cases. GAN participants will have their light and air concretely impacted, there will be greater stress on the public services serving our communities right now, like our water, electric, and gas infrastructure unique to our neighbors. And the the increased traffic, noise, air pollution, and other environmental impacts associated will uniquely imperil our health and quality of life in our relatively quiet communities. Further, the public parking we enjoy right now will be over-saturated by these large developments, including the PUD proposal in this instant matter. GAN participants will experience directly the destabilization of their land values and will be uniquely presented with the very real threat of displacement due to higher property values, rents, and housing costs brought on by the cumulative projects along the Georgia Avenue Corridor.

It is time these impacts are comprehensively evaluated and considered at the earliest stages of development review, that is now during the upcoming hearings by which we seek party status. GAN will forthrightly bring evidence to the Commission that will help in your decision-making on the aforementioned projects which will have permanent impact on our built environment.

(5) An explanation of how the person's interests as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

As shown above, GAN participating members living along the Georgia Avenue Corridor and in proximity to the PUD sites will be far more affected with unique and concrete adverse impacts than the general public. We enjoy the park, we enjoy the low and moderate density surroundings, we enjoy the levels of transit, police and emergency services, utilities, and other public services helping us everyday right now. This impacts unique to GAN's participating members living, working, and playing in the communities surrounding the PUD sites give rise to our contested issues in this contested case.

Respectfully, GAN requests the DC Zoning Commission grant this request and confer party status to GAN's chosen representative, allowing time for us to seek counsel, to review the entire record, and present zoning related facts, data, and conclusions to the Commission to consider in balancing the equities for the PUD applications in ZC Case Nos. 16-11 and 16-12.

Signed,

/s/n Chris Otten, Co-facilitator

Georgia Avenue Corridor Neighbors (GAN)
with assistance from DC for Reasonable Development
202 810 2768

ADDENDUM – CERTIFICATE OF SERVICE TO ALL PARTIES Per Z-404.7 & 404.8.

CERTIFICATE OF SERVICE

I, Chris Otten, co-facilitator of Georgia Avenue Corridor Neighbors and DC for Reasonable Development attest that copies of the included Request for Party Status were sent to the following parties either by email or post mail at the time of submission to the Zoning Commission, today, November 21, 2016.

DC Office of Zoning
zcsubmissions@dc.gov

Kyrus Freeman, Esquire
Counsel for Applicant in ZC Case Nos.
16-11 and 16-12
Kyrus.Freeman@hklaw.com

Advisory Neighborhood Commission 1A
3400 11th Street, NW, #200
Washington, DC 20010
* by post mail

Signed,

/s/n Chris Otten

dc4reality@gmail.com
202 810 2768

ATTACHMENT A

Georgia Avenue Corridor Neighbors (GAN)

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

Governing Principles

Principles created October 2016; Unrevised

Georgia Avenue Corridor Neighbors Association (GAN) is an unincorporated non-profit citizens association organized per D.C. Code § 29-1100, *inter-alia*, also known as the D.C. Unincorporated Non-Profit Association Act of 2012.

GAN spun off from the citywide group, DC for Reasonable Development (“DC4RD”). DC4RD is also an unincorporated non-profit association located in the District of Columbia. GAN and DC4RD are connected for informational sharing purposes, but for all other purposes GAN operates autonomously under its own rules and with its own participating members.

Per the law, the following “Governing Principles” prescribe how GAN will meet the objectives of the association. GAN '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

GAN seeks to protect and preserve the personal and property interests of DC residents, families, and those living, working, and playing in the unique residential areas along the famous, Georgia Avenue, Northwest, including the low density small local businesses located in Ward 1 of the District of Columbia.

Association Purpose

GAN 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

GAN consists of an all-volunteer membership, and has little to no income or expenses. Paid staffing may be procured on a per project basis as needed to meet the goals of the association. GAN managers 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.

GAN Participants (Members)

Any resident, family, or small business operator living or working in the District of Columbia, particularly along the Georgia Ave NW business and residential corridor, can be a participating member of GAN so as long as they agree with the GAN mission and agree to receive news and updates from GAN . GAN members can participate through meetings, in-person and online, through social media, the signing of petitions, and otherwise being active in GAN campaigns and projects. There are no GAN membership fees and the level of one's activity in GAN is determined by one's own chosen level of participation. Any GAN participant may petition GAN 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 GAN 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 GAN Facilitators reach out to GAN participants seeking consent on a major question or decision regarding the association, affirmative consent is presumed given by default unless individual GAN participants actively submit opposition in writing blocking the decision within the timeframe set forth with the question.

GAN Facilitators (Managers)

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

ATTACHMENT B

PERSONAL STATEMENT

My name is Nida Chaudhary, and I am 30 year old homeowner on the same block as Bruce Monroe Community Park. I attest that my statements below are true and factual to the best of my knowledge.

I attest that the projects in the inter-related Zoning Case Nos. 16-11 and 16-12 will have immense adverse affects on my neighborhood and me.

(1) Environment

The number of high density units which the Zoning Commission has already approved in the Georgia Avenue Overlay District and are currently in various stages of construction and development and are adjacent to Bruce Monroe Community Park are already planned to increase the amount of paved and impervious surfaces in area, and will therefore increase water runoff as well. Reducing the size of Bruce Monroe Community Park will eliminate one of the few remaining green spaces that helps mitigate water runoff issues in the area.

(2) Land Values & Displacement

Our homes will have increased water runoff streaming downhill from east to west given the steep slope of Irving and Columbia between Sherman and Georgia. This increased runoff has the ability to compromise our foundations. In addition, the introduction of a 9 story building will decrease the amount sunlight that reaches our homes and would otherwise help dry the increase moisture that will result from increased water runoff. The 9 story building will destroy the Bruce Monroe Park, the heart of our community, and destroy the character of the neighborhood.

(3) Elimination of the Park at Georgia and Irving Street

The reduction of the park from 2.5 acres to 1 acre exacerbates the “severe shortage” of park space in the Mid City Area Element portion in section 2000.8 of the District’s approved Comprehensive Plan. Bruce Monroe Community Park is a critical asset that serves not only the residents that live in the immediate vicinity of the park, as well as residents of the surrounding neighborhoods that lack access to quality green space.

(3) Negative Impacts on Public Services & Transit

The proposed high density building will exacerbate traffic and congestion on the two busiest one-way, single lane, through streets in all of Northwest DC. While both streets service important bus routes, the impact of any development on this segment of Irving Street NW must be given serious consideration since it is a crucial route for ambulances and emergency vehicles bound for the Washington Hospital Center, the only trauma hospital in DC.

(4) Lack of Adequate Representation on the Matter in the ANC

The residents that live immediately adjacent to Bruce Monroe Community Park were not represented on matters related to the park that were brought before the Advisory Neighborhood Commission because ANC 1A10 Commissioner, Rashida Brown, recused

herself from all discussions and decisions regarding Bruce Monroe Community Park due to the conflict of interest posed by her employment with DMPED. However, Commissioner Brown's constituents did not know that they would not have representation on this issue until Brown's letter of recusal was read aloud by the ANC 1A chairman at the April 13, 2016 meeting where the committee voted on whether to support the surplus designation of the park. I was particularly disappointed that Ms. Brown did not inform me that she was required to recuse herself on matters related to Bruce Monroe Community Park after I sent her an email on March 23, 2016. After attending the ANC 1A meeting on April 13, 2016, I replied to my March 23, 2016 email to Ms. Brown and asked why she had failed to mention that she was recusing herself on the matter. I have yet to receive any response from Ms. Brown.

For these four reasons, I ask that Georgia Avenue Corridor Neighbors (GAN) and DC for Reasonable Development (DC4RD) facilitate and deliver my contested concerns before Zoning Commissioners in ZC Case Nos. 16-11 and 16-12, as well in any subsequent judicial review on my behalf. And, I support GAN and DC4RD managers in selecting our authorized representative to assist us in seeking protections on the surrounding community.

Signed,

 11/29/16

Nida Chaudhary
761 Irving Street NW
Washington, DC 20010
(917)939-2235

PERSONAL STATEMENT

My name Nicholas Van Dusen, and I am a 30 year old homeowner on the same block as Bruce Monroe Community Park. I attest that my statements below are true and factual to the best of my knowledge.

I attest that the projects in the inter-related Zoning Case Nos. 16-11 and 16-12 will have immense adverse affects on my neighborhood and me.

(1) Environment

The number of high density units which the Zoning Commission has already approved in the Georgia Avenue Overlay District and are currently in various stages of construction and development and are adjacent to Bruce Monroe Community Park are already planned to increase the amount of paved and impervious surfaces in area, and will therefore increase water runoff as well. Reducing the size of Bruce Monroe Community Park will eliminate one of the few remaining green spaces that helps mitigate water runoff issues in the area.

(2) Land Values & Displacement

Our homes will have increased water runoff streaming downhill from east to west given the steep slope of Irving and Columbia between Sherman and Georgia. This increased runoff has the ability to compromise our foundations. In addition, the introduction of a 9 story building will decrease the amount sunlight that reaches our homes and would otherwise help dry the increase moisture that will result from increased water runoff. The 9 story building will destroy the Bruce Monroe Park, the heart of our community, and destroy the character of the neighborhood.

(3) Elimination of the Park at Georgia and Irving Street

The reduction of the park from 2.5 acres to 1 acre exacerbates the "severe shortage" of park space in the Mid City Area Element portion in section 2000.8 of the District's approved Comprehensive Plan. Bruce Monroe Community Park is a critical asset that serves not only the residents that live in the immediate vicinity of the park, as well as residents of the surrounding neighborhoods that lack access to quality green space.

(3) Negative Impacts on Public Services & Transit

The proposed high density building will exacerbate traffic and congestion on the two busiest one-way, single lane, through streets in all of Northwest DC. While both streets service important bus routes, the impact of any development on this segment of Irving Street NW must be given serious consideration since it is a crucial route for ambulances and emergency vehicles bound for the Washington Hospital Center, the only trauma hospital in DC.

(4) Lack of Adequate Representation on the Matter in the ANC

The residents that live immediately adjacent to Bruce Monroe Community Park were not represented on matters related to the park that were brought before the Advisory

Neighborhood Commission because ANC 1A10 Commissioner, Rashida Brown, recused herself from all discussions and decisions regarding Bruce Monroe Community Park due to the conflict of interest posed by her employment with DMPED. However, Commissioner Brown's constituents did not know that they would not have representation on this issue until Brown's letter of recusal was read aloud by the ANC 1A chairman at the April 13, 2016 meeting where the committee voted on whether to support the surplus designation of the park. In fact, Ms. Brown ignored correspondence sent to 1A10@anc.dc.gov on matters related to Bruce Monroe Community Park. Several attempts were made to reach Ms. Brown via email before and after her opposition to the park was made public, and no reply was made.

For these four reasons, I ask that Georgia Avenue Corridor Neighbors (GAN) and DC for Reasonable Development (DC4RD) facilitate and deliver my contested concerns before Zoning Commissioners in ZC Case Nos. 16-11 and 16-12, as well in any subsequent judicial review on my behalf. And, I support GAN and DC4RD managers in selecting our authorized representative to assist us in seeking protections on the surrounding community.

Signed,



11/20/16

Nicholas Van Dusen
761 Irving Street NW
Washington, DC 20010
(917)939-2235

ATTACHMENT C