

ANDREA C. FERSTER*
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2121 WARD COURT, N.W., 5TH FLOOR
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April 29, 2022

VIA EMAIL/ IZIS

Chairman Anthony Hood
D.C. Zoning Commission
441 4th Street, N.W., Suite 200S
Washington, DC 20001

Re: Z.C. Case 21-18/ Dance Loft Ventures LLC – Consolidated PUD & ZMA
Hearing Date: May 5, 2022

Dear Chairman Hood:

This letter is submitted on behalf of five displaced tenants (“Displaced Tenants”), who were identified as party witnesses on the Form 140 timely filed *pro se* by Ms. Ana De Leon, owner of the Golden Leon Shoe Repair. Each of the Displaced Tenants own and operate businesses located on the site of the proposed PUD (4608-4616 14th Street, N.W) and are current tenants of the Applicant CCMG I, LLC. This letter seeks to supplement Ms. De Leon’s filing in order to add specific authorizations by the Displaced Tenants to act as a combined party in opposition, and to be represented by the undersigned counsel. The Displaced Tenants request 45 minutes to present their case.

A copy of Ms. De Leon’s request for party status, along with the signatures and designations of each of the businesses seeking party status, is attached. Ms. De Leon filed her request for party status on behalf of the Displaced Tenants without the assistance of legal counsel and Ms. De Leon was advised by Ms. Schellin at the Office of Zoning that a designation of counsel for the businesses listed as party witnesses in the Form 140 could be subsequently filed. Each of the Displaced Tenants listed as party witnesses in the application wishes to be part of the opposition request filed by Ms. De Leon and each has signed a letter designating the undersigned counsel to represent them in this proceeding. The following five Displaced Tenants will present a consolidated opposition case at the Zoning Commission hearing:

1. Catrachitos Restaurant – 4608 14th St. NW Washington, DC 20011
Owner: Juan Rios email - mr.rios27@gmail.com 202-200-7326
2. Pica Taco – 4610 14th St. NW Washington, DC 20011
Owner: Maria Villalta email – Picataco3@gmail.com 202-440-5671
3. Allstate Insurance – 4612 14th St. NW Washington, DC 20011
Owner - Mohammad Bajwa email - formanite2@yahoo.com 703-801-5776
4. Golden Leon Shoe Repair – 4614 14th St. NW Washington, DC 20011

ZONING COMMISSION
District of Columbia
CASE NO.21-18
EXHIBIT NO.608A

Owner - Ana De Leon- email olivalucy_33@yahoo.com 202-246-7601

5. 14th Snack Bar - 4616 14th St. NW Washington, DC 20011

Owner – Sun Chang email – Sunchang39@gmail.com 443-629-3033.

Each of these small businesses are currently tenants of the Applicant CCMG I, LLC at the site of the proposed PUD, 4608-4618 14th Street, N.W., and have operated their respective businesses at this location for many years. The Applicant has leased property to each of these businesses, and in several cases, has extended the leases for an additional term without disclosing that the businesses would be displaced as a result of the PUD application. Nor did the Applicants notify these businesses – the Applicant’s own tenants -- of the Zoning hearing until approximately 30 days ago.

Each of the Displaced Tenants has made substantial investments in the physical improvement of their businesses and in the development of good will at that location, and will therefore 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. The Applicants have failed to disclose in their materials the project’s adverse impact on the existing businesses currently operating at the site, and the fact that the project will displace them, and only recently has the Applicant CCMG I, LLC attempted to contact the businesses about the project.. While the Applicant promises that new retail space would be constructed for “neighborhood serving small businesses in the area,” no offer has been made to accommodate the Displaced Tenants in the new development, and no relocation assistance or other compensation has been offered to the Displaced Tenants for the loss of the businesses that has been painstakingly built up at this location over many years.

Given these serious impacts, the project’s consistency with Comprehensive Plan *Policy RCE-2.7.4: Small Business Opportunities* (“Strengthen opportunities for existing and new small businesses along the Central 14th Street corridor”) and *Policy RCE-1.1.13: Vibrant Local Shopping Streets* (“Encourage a vibrant mix of commercial businesses, including local retail options”) is profoundly compromised by this project.

Applicant CCMG I, LLC has recently reached out individually to several of the Displaced Tenants to discuss their concerns. The Displaced Tenants are willing to meet as a group with the Applicant to discuss the need for mitigation. They request that the Zoning hearing set for May 5, 2022 be postponed to allow those discussion to take place.

Chairman Anthony Hood
D.C. Zoning Commission
April 28, 2022
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Sincerely,

A handwritten signature in black ink, appearing to read 'A. Ferster', written in a cursive style.

Andrea C. Ferster
Attorney at Law
2121 Ward Court, N.W. 5th Fl.
Washington, D.C. 20037
(202) 974-5142
aferster@railstotrains.org



**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:	Ana De Leon		
Address:	1350 Clifton St. NW Apt 504W Washington, DC 20009		
Phone No(s):	202-246-7601	E Mail:	olivalucy_33@yahoo.com

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

Signature:	4/20/2022	Date:	4/20/2022
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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
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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:

1. A list of witnesses who will testify on the party's behalf; *See Attachments*
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? *Our business would be affected directly and financially*
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) *Tenants*
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.) *50 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? *See Attachments*
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. *See Attachments*
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. *See Attachments*

PARTY WITNESS INFORMATION

List of Witnesses for Businesses affected by Case 21-18

1. Catrachitos Restaurant – 4608 14th St. NW Washington, DC 20011
Owner: Juan Rios email – juanrios@catrachitos.com 202-200-7326
2. Pica Taco – 4610 14th St. NW Washington, DC 20011
Owner: Maria Villalta email – maria.villalta@pica.com 202-440-5671
3. Allstate Insurance – 4612 14th St. NW Washington, DC 20011
Owner - Mohammad Bajwa email - mohammad.bajwa@allstate.com 703-801-5776
4. Golden Leon Shoe Repair – 4614 14th St. NW Washington, DC 20011
Owner - Ana De Leon- email ana@goldenleon.com 202-246-7601
5. 14th Snack Bar 4616 14th St. NW Washington, DC 20011
Owner – Sun Chang email – sun@14thsnackbar.com 443-629-3033

Answers to 2-4

2. Will provide at a later time
3. Will provide at a later time
4. 2 Hours

PARTY STATUS CRITERIA

Answers to questions 1-6

1. Our businesses would be affected directly and financially
2. Tenants
3. 50 Ft.
4. In many ways. We would be affected financially and no longer be part of the community we have been part of for many years
5. We would not be able to sustain ourselves financially we have invested our time, commitment and finances to improving and growing our community
6. We are uniquely affected more than anyone else because we are right next to the property of Dance Loft Ventures LLC. We would forcefully be relocated outside of our community and would not be able to return.

April 28, 2022

D.C. Zoning Commission
441 4th Street, N.W., Suite 200S
Washington, D.C. 20001

Re: ZC Case No. 21-18 – Dance Loft Ventures, LLC

Dear Commissioners:

I hereby authorize Andrea C. Ferster to represent me and my business as our legal counsel in the above-referenced zoning proceeding.



Ana De Leon
Golden Leon Shoe Repair
4614 14th St. NW
Washington, DC 20011

4/28/22
date


April 28, 2022

D.C. Zoning Commission
441 4th Street, N.W., Suite 200S
Washington, D.C. 20001

Re: ZC Case No. 21-18 – Dance Loft Ventures, LLC

Dear Commissioners:

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Maria Villalta, Owner
Pica Taco
4610 14th St. NW
Washington, DC 20011

4-28-22
date

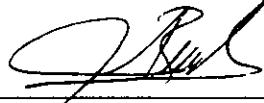
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Juan Rios, Owner
Catrachitos Restaurant
4608 14th St. NW
Washington, DC 20011

04/28/2022
date

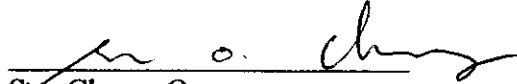
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Sun Chang, Owner

14th Snack Bar

4616 14th St.

NW Washington, DC 20011

4/28/2022
date

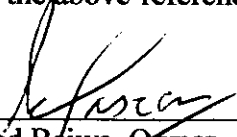
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Dear Commissioners:

I hereby authorize Andrea C. Ferster to represent me and my business as our legal counsel in the above-referenced zoning proceeding.



Mohammad Bajwa, Owner
Allstate Insurance
4612 14th St. NW
Washington, DC 20011

04/28/2022
date

Certificate of Service

I hereby certify that, on April 29, 2022, a copy of the foregoing supplement to the request for party in opposition status was served by email on the following:

Advisory Neighborhood Commissions 4C
[4c03\(a\),anc.dc.gov](mailto:4c03(a),anc.dc.gov)

David Lewis and Jeffrey Utz, Counsel for Applicant
david.lewi@goulstonstorrs.com;
jutz@goulstonstorrs.com)

Edward Donohue, Counsel for Friends of 14th Street
EDonohue@DTM.law

D.C. Office of Planning
Planning@dc.gov

Advisory Neighborhood Commission 4A
Patience Singleton, Chairperson
4A04@anc.dc.gov

Marlene Moss, SMD
4A07@anc.dc.gov



Andrea C. Ferster
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