

TO: The DC Board of Zoning Adjustment

RE: **Case #19133** St. Thomas Hearing December 15, 2015

FROM: Douglas and Suzanne Richardson, 1747 Church St. Property Owner

To the Members of the Board:

We thank the Board for this opportunity, as a property owners on the street and block of the proposed St. Thomas development, to express our **OPPOSITION** to this request for Special Variance for a lot size greater than that allowed by zoning law. We are opposed for three main reasons:

1. Context: the size and mass of this development is already overwhelming in the context of one-lane Church Street. It directly contradicts the mandate of the Dupont Overlay District's zoning to maintain the historic density, character, and spatial openness of the Dupont Circle historic area.
2. The developer/applicants' misuse of Special Purpose Zoning
3. The false representations of hardship claimed by the developer/applicant.

1. Context

From the start there has been strong opposition from the Dupont Circle community to the size and mass of the St. Thomas condo proposal. The additional shock of losing the identity and beauty of the 1890's Parish Hall and its park, which the community had enjoyed (and financially contributed to renovating as late as 2001) for 45 years, continues to this day. Subsequently every ANC hearing on the matter has resulted in highly contingent approval of the project, **with the primary contingency that the residential building be smaller**, maintaining the historic density, character, and spatial openness of the Dupont Circle historic area.

The overall size of the proposed development faced a divided HPRB as well, with several board members objecting to its size in the context of one-lane Church St. and the constricted size of the 12' alleyway off P Street. This alleyway would be the sole entry for parking for 50-60 units plus the church's activities. It would also be the sole entry for all deliveries and drop-offs as neither Church St. nor 18th St. has available space for on street stopovers. As a result of a divided HPRB Board, this proposal still resides with HPO staff under advisement from dissenting board members. **At this writing, the proposal is not even clearly on the HPRB's consent calendar.**

In the context of community opposition to its size and the applicant/developer's persistent refusal to make any meaningful concession, it is almost jawdropping to see this group request even more space and more lot occupancy.

2. The Misuse of Special Purpose Zoning

SP status was given to this nonprofit more than 125 years ago because of the larger social benefits it provided to the community. **The entire lot has been set aside and given SP status by the District because it functions as a civic space.** Now this group would present to BZA two buildings with very different purposes, one a church and the other a luxury condominium, **as one building with equal rights under SP status.** This claim is made under certain loopholes identified by their lawyers, the first being a shared underground parking lot and the second, that they will construct a single door which will allow passage between the two buildings.

This cynical presentation makes a mockery of the purpose and meaning of SP zoning, which was intended to provide special exemptions for purposes specifically intended for the greater good of the community. Although SP zoning does provide for residential building, those residences should be for the elderly or for the disabled, or to create affordable housing for the many in need. **SP status should not be conveyed to luxury residences ultimately constructed for those with incomes of \$120,000 or greater.**

The 2/3 of the lot sold for high end residences **should thus revert to R5-B status**, especially as the front door of the residence will face Church Street and does not relate to the larger 18th St. This residence **will now face the interior of Church Street**, with the church occupying the corner of Church and 18th Streets. **The existing interior residences on Church St. are 3-4 story townhouses with R5-B status. It seems only fair that the residential building should fall under the same status.** Its size and mass would then conform to the existing building heights and character of the street and not do injury to its openness and historically low height.

3. False Representations of Hardship

From its first presentation of this proposal to ANC2B, St. Thomas has impressed upon the community that the pressure of their growing congregation has driven their decision to build a greatly expanded church. **This turns out to be false. A simple check of the annual parish reports required by their national organization shows that their membership has fallen from 150 in 2008 to 120 members in 2013.** Although the parish does need to renovate, and the community strongly supports this renovation, they do not need a building of the size proposed. The community is quite concerned that much of the excess church space will be used for rentals of unknown purpose. To place this in the context of Church Street, the Keegan Theater, which has just completed a major renovation, is only three stories high and accommodates 150 theatergoers 5 times a week and twice on Saturdays and Sundays. They also have a community space which is freely open to the community.

Lastly, it should be mentioned that the church has been approached by the community multiple times with an alternative approach to rebuilding, whereby a community/city fund would buy the park, saving it for community use, and thus provide the funds needed to renovate and enlarge the

Parish Hall. This has been rejected by the building committee. This same committee has also rejected any attempts to present this win-win alternative to the congregation.

For the above reasons we strongly urge the Board to OPPOSE this request for special variance.

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“Where there is a conflict between the DC Overlay and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern.” From the District Overlay