

Honorable Carol J. Mitten, Chairman
D.C. Office of Zoning
One Judiciary Square
441 4th Street, N.W.
Washington, D.C.

RE: Case 05-26

Chairperson Mitten and Members of the Office of Zoning:

X My name is (Janet Lynn) Jaynie Simmons. I own a condominium and reside at 4007 Connecticut Avenue, N.W., - which known as Tilden Court, and is located on the northeast corner of Tilden Street and Connecticut Avenue.

I have lived in Washington, D.C. since 1974. I arrived here when 14th Street was still pretty much a burned out shell and the 1968 riots were still on the minds of many who preferred to move and live in Maryland or Virginia. But I came. And I stayed. And for more than thirty years I have lived in and paid taxes to the District of Columbia.

X I am here today at the request of my Condominium Association Board of Directors and will speak as the organizational representative of the 66 units contained at Tilden Court.

Tilden Court, which was built in 1929, has the peculiar disadvantage of having been constructed with no underground parking and no rear parking lot area. The 66 condominiums at Tilden Court are entirely dependent upon available street parking.

Our opposition to the proposed Clark project is NOT a case of Not in my back yard (NIMBY); this is a case of NO MORE in my back yard (NMIMBY).
The boat is full. We can take on no more passengers.

1. The Clark proposal is a building better suited to South Beach or perhaps even the Rockville Pike. It both violates the current zoning restrictions for a residential side street and is utterly out of character for the Tilden Street neighborhood.

X Like proud parents with a squalling newborn, Clark representatives keep insisting over and over again that we admire what is overly large, ungainly, and plainly unattractive to the rest of us.

While it may be socially acceptable and politically correct to lie and comment that a parent's unattractive child is, indeed, a candidate for upcoming beauty pageants, it is unwise to proffer such lies about architecture when the character of the neighborhood is

X at stake. **Dare I say it: They have an ugly baby that is obviously far too big and too noisy for the neighborhood's britches.**

The proposed Clark project is an enormous edifice shoehorned into a tiny lot. It's like trying to squeeze a size-26 woman into a size-12 dress. Trust me. I know whereof I speak. It's uncomfortable, it's not pretty, and it makes everyone in the immediate vicinity very, very nervous. There is no question that allowing a project of this enormous size

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to be erected on a residential side street will have disastrous consequences in terms of increased parking and traffic problems.

- ✕ **2. The Tilden Street neighborhood is already inundated with more traffic and parking problems than it can comfortably handle.**

✕ The area including and surrounding Connecticut Avenue, Tilden Street, 29th Street, and Upton Street is past the livable point of institutional and large scale use: Our neighborhood is already hosting:

- ✕ **The Edmund Burke School** (which is in the midst of an expansion project which will bring an increasing number of students, faculty, staff, visitors, and traffic), **Howard University Law School, The Levine School of Music, Hillwood, The Embassy of the Netherlands, The Embassy of Kuwait, Intelsat, and just down the street, the University of the District of Columbia.**

A. Students, Faculty, and Staff from The Edmund Burke School already park on Upton, Tilden, and 29th. Please try parking anywhere in the area on those nights when Edmund Burke has a scheduled evening event. Some nights we have been forced to park on Lenore and Linnaean Streets, is a third of a mile from our own front door.

B. First year students at Howard University Law School are not permitted to park in the Law School parking lots and take refuge in the surrounding area, including Upton, Tilden and 29th.

C. Cars and shuttle buses ferry students to and from the Levine School of Music; cars and commercial buses travel Tilden Street, Upton Street and 29th Street travel up and down as they bring visitors to Hillwood.

D. Intelsat employees saturate Tilden Street, especially in the blocks adjoining either Rock Creek Park or the Melvin Hazen Tributary, where there are no zone-sticker restrictions.

E. Students who attend the nursing school at Van Ness can be seen parking on Upton and Tilden Streets everyday so that they may walk to class while avoiding the parking fees of the Van Ness garage.

F. Some residents of Van Ness South, who, when were recently confronted with increased parking fees, decided to switch to on street parking, even if the street parking is three and four blocks from their own building.

- ✕ Everyone seems to love our fragile little neighborhood. I'd like a little less love and a lot more respect.

- ✕ **I think I can safely speak for the 66 units and the almost 100 residents of my building when I say that as the situation already stands, we fight for a reasonable place to park everyday.**

3. The Department of Transportation is already in the process of removing the only five parking spaces on Tilden Street that are adjacent to the Tilden Court building, as they prepare to create a special turning lane from Tilden Street onto Connecticut Avenue, N.W.

4. The proposed Clark Construction project will require removing many additional existing parking spaces in the 2900 block of Tilden Street. And if such a mammoth project is built, there will be a continual slew of contractors, including carpenters, electricians, plumbers, painters, decorators, housekeepers, nannies, pet-sitters, dog-walkers, and delivery personnel servicing both the property and the residents. Their contractors and visitors will not park in the building's garage, but will seek to use available on street parking for their visits. Where are the rest of us going to park?

5. Everyday we struggle with traffic zooming up and down Tilden Street as it flows in and out of Rock Creek Park, coming to or going from Connecticut Avenue. The Clark plan proposes that their residents exit eastward onto Tilden Street, drive past the Embassy of Kuwait, and then U-TURN at the 29th Street intersection in order to travel west back towards Connecticut Avenue, Chevy Chase, or downtown. Their proposal to do so is not just an accident waiting to happen. It's dozens of accidents waiting to happen, every week, every month, every year.

6. It is astonishing to learn that even in the most recent "new and improved" building design presented at the last ANC meeting, Clark's proposal will require moving van traffic exiting from the 2950 Tilden Street property to BACK UP onto Tilden Street. In what universe is this considered a safe or appropriate traffic plan?

X **7. There has been no proof nor any verifiable assurances that the Clark project will actually be a "traffic-friendly" or "metro-centric" community. Quite the contrary: we should note with great skepticism the idea that a purchaser of a 1-1.5 million dollar condominium is going to give up the air conditioned comfort of an a personal vehicle for the humble trappings of the Metro. Unless someone has a crystal ball, it's entirely possible that there will be 49 units with 98 cars and that those 98 cars will be out on Tilden Street, 29th Street, and the rest of the immediate area, everyday.**

The Clark project's traffic plans require that as many as 98 cars (2 cars parking allotted per unit X 49 units) will need to make a U-Turn at 29th Street to proceed back to Connecticut Avenue, creating backups for traffic for neighbors attempting to leave 29th Street, Upton Street, Lenore Avenue, Linnaean Avenue, and those travelers driving west from Rock Creek Park. There is a potential for traffic jams that will create gridlock for the entire area.

The proponent's traffic plan includes the requirement that moving trucks, trash trucks, and other large delivery vehicles will enter the property via a one way loading dock and will then require that these trucks and vehicles back out onto Tilden Street, creating the probability of traffic back-ups on Tilden Street and Connecticut Avenue. These potential traffic back ups could extend far enough to then prevent traffic traveling east down the hill from Tilden Street from crossing Connecticut Avenue and continuing down Tilden Street into Rock Creek Park. It's a selfish plan that insists that the surrounding neighborhood and the already existing traffic genuflect to the needs of 49 condominiums that have no zoning right to be there in the first place.

X 8. The idea that Clark Realty will donate \$50,000 each to Hillwood, Peirce Mill, Hearst Recreation Center and Melvin Hazen Park is a cleverly offer to curry favor with Ward 3 organizations and might even look nice on paper, but hides the real results: Clark is gifting entities which may have some minimal or tangential relationship to the address where they propose to build; Clark is doing nothing that has a practical, positive impact for the existing neighbors.

X Hillwood charges \$12.00 admission per adult. How is giving Hillwood \$50,000 going to compensate me and my neighbors for the permanent problems associated with the proposed 2950 Tilden Street project? So my husband and I can pay \$24.00 each time we want to visit Hillwood and see how they have used Clark's \$50,000 donation? It's truly a case of adding insult to injury.

How is this project going to negatively impact Peirce Mill? I love Pierce Mill and my husband and I are small contributors towards the mill's restoration, but what is Peirce Mill giving up while the proposed 2950 Tilden Street project is under construction or once it is completed?

The Hearst Recreation Center at 37th and Tilden Street is more than a mile away from the 2950 Tilden Street address. What benefit will I or my other neighbors reap when money is given to the Hearst Recreation Center? None, because practically speaking, it is too far to walk to and back on a daily basis and if you try to drive there, there is little or no available parking in that neighborhood, either. The residents of McLean Gardens and Vaughn Place will reap the benefits; the residents of Tilden Street, Upton Street, and 29th Street get nothing.

X The fact is, there are no proposed amenities or gifts that could ever make up for the crowding and traffic nightmare that this project will create for the rest of us. The boat is already full.

9. I recognize why Clark Construction's proposed project, despite its monstrous size, despite its unappealing, completely inappropriate architecture, may curry some favor with D.C. government officials:

With proposed unit prices of at least 1 million - 1.5 millions dollars each, some members of the current administration may have visions of sugarplums, temporary construction jobs for some city residents, and the promise of enormous property taxes in perpetuity, dancing in their heads.

10. But what happens to the rest of us? What happens to the residents of Tilden Court, who like the homeowners on Tilden Street and Upton Street and 29th, already pay District income tax and property tax? What happens to the rest of us, who have lived here and worked here, and paid taxes here and have stayed here long enough to see our loyalty to the District of Columbia translate into an improved city reputation?

11. At what point does the city recognize its responsibility to people who have already lived here for years, who have homesteaded their properties through the many economically and socially difficult years when people didn't want to live in the District? You cannot continue to add passengers to the boat, no matter how high a price they seem willing to pay for their ticket. The boat is full.

12. There is no question in my mind that if the proposed Clark project is allowed it will have negative impact on my property values. How will I be able to sell my unit to any future owners in a neighborhood where there is no available on street parking?

- X 13. In September 2004, Nicole Forest was quoted in the Northwest Current (Wednesday, September 29, 2004 - Page One, Page 31 - Copy enclosed) as saying: "We're very open to discussion." "We don't want to build something the community doesn't want."**

Well, the community doesn't want Clark's planned development of 49 luxury condominium units. The community has voiced its opposition to every version of Clark's proposals, including three iterations of architectural plans with various degrees of minor and inconsequential design changes. We waste our time and we go to meetings, just to hear Clark representatives spout the same old drivel gussied up in a "new and improved" package.

14. There has been much discussion as to how Clark Realty and everyone involved with this project supposedly LOVE our neighborhood. But it's a one-way relationship. Like a high school boy on prom night Clark and its representatives will extol our beauty and friendly nature, and they will whisper many promises into our collective ear.

The problem is, just like that same high school boy on prom night, once Clark has gotten what it wants, it's "Adios baby." The neighborhood and its residents are just one more notch on their belt and we become a distant, albeit financially profitable, memory.

- X Clark Realty is invited to dine at our table, and we have agreed, even welcomed, the idea that the promised eight townhouses and eight families will dwell among us; they are not welcome to barge into our neighborhood home, raid our refrigerator, and overrun the dinner table with 49 condominiums and 49 families who will literally eat us out of house, home, parking spaces, and traffic goodwill.**

- X 15. This is not a by-right project. It requires a serious exemption. The exemption should not be made.**

I urge the Office of Zoning to vote "NO" to the proposed Clark Construction project, and to encourage Clark Construction to build the originally promised eight townhouses. It's what is right for the neighbors, and it is what is right for the neighborhood.

Respectfully,

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