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D.C. OFFICE OF ZONING

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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:

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

I have lived in Washington, D.C. since 1974, and at Tilden Court since 1979. When I moved to Washington, D.C., Walter Washington was the Mayor.

For more than thirty years I have lived and paid taxes to the District of Columbia. 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 I paid taxes.

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.

My 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 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 surrounding area, including Upton, Tilden and 29th.

ZONING COMMISSION
District of Columbia
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EXHIBIT NO. 71

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: We only wish we had the luxury of parking in our own parking garage, at any price. As the situation already stands, we fight for a reasonable place to park everyday.

2. 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 has been much discussion as to how Clark Construction officials and the architects 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 it's 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.

We have already seen this happen with the construction of 3883 Connecticut Avenue. Fool me once, shame, shame on you. Fool me twice? There should be no opportunity to fool us twice.

3. While Clark Construction has made much of their proposal to provide 100 underground parking spaces for their approximately 50 residential units, there is no question that allowing a project of this enormous size to be erected on a residential side street will have disastrous consequences in terms of increased parking and traffic problems.

4. 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.

5. 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, and dog-walkers 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?

6. 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.

7. 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?

8. There is no proof that this will ever be a traffic friendly project. Quite the contrary: we should note with great skepticism the idea that a purchaser of a 1.5 million dollar condominium is going to give up the air conditioned comfort of an Audi or BMW or Mercedes for the humble trappings of the metro.

9. It is especially interesting to note that the traffic consultants hired by Clark only monitored Tilden Street during two very limited periods of time. Many of us suspect that this was an intentional effort by Clark to disguise the true nature of the existing traffic problems that already exist in our neighborhood.

When this discrepancy was brought up at the May 8 ANC 3F meeting, Clark's legal representative attempted to assure the community that additional traffic studies could be done. But the more salient question is: When would that traffic study be done? Howard University Law School has already concluded for the semester. Edmund Burke is at the point of graduation. Levine School is done for the season. UDC has completed their 2006 commencement. What will a new traffic study prove? Nothing, because all of the academic institutional players have already packed up and gone home. So any additional traffic studies will be similarly flawed.

10. Clark's proposal to donate \$100,000 to the Peirce Mill is chump change compared with the profits they continue to reap across the city, and will continue to reap with the construction of the new baseball stadium.

More importantly, what concessions is the Peirce Mill, however deserving their project may be, making in order to reap such a benefit? I love Peirce Mill. We are members of the Friends of Peirce Mill program, but how is gifting Peirce Mill going to make up for all the construction inconveniences, hardships, snarled traffic, and permanent parking woes that are going to befall me and the rest of my neighbors?

Clarke's proposed donation of \$40,000 to the Hearst Recreation program is mystifying. Where are the proposed amenities and benefits to the neighbors who are going to be struck with this monstrosity of a "South Beach" building? How is gifting Hearst making up for what the neighborhood endures for as long as we continue to live here?

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.

11. 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.

12. 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?

13. 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.

14. 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?

15. 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."

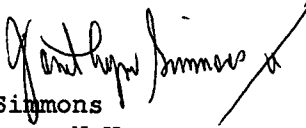
Well, the community doesn't want Clark's planned development of 49 luxury condominium units. The community has voiced its opposition to every version of Clark's proposals, including three iterations of architectural plans with various degrees of minor and inconsequential design changes. We waste our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

and improved" package.

16. 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,

A handwritten signature in cursive script, appearing to read "Janet Lynn Simmons", with a long horizontal flourish extending to the right.

Janet Lynn (Jaynie) Simmons
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THE NORTHWEST CURRENT

ANC votes to support Babe's plan

By ARI NATTER
Current Staff Writer

The American University Park, Friendship Heights and Tenleytown advisory neighborhood commission voted unanimously last night to support scaled-back construction plans for a proposed 42-unit condominium building on the site of Babe's Billiards on Wisconsin Avenue.

Commissioner Chapman Todd noted the approval came only after extensive meetings and negotiations between the developer and neighbors of the site who had initially opposed the building's size and scope.

"We felt that given the amount of work that had gone into the working with the community on this, it's as good a fit as is going to be for that space," Todd said in an interview after the meeting.

Initial plans for the project at 4600 Wisconsin Ave. by IBG Partners LLC called for a building 40 percent larger than the plan developers presented to the community at a Sept. 9 meeting.

Current plans for the building call for a planned-unit development five stories and 65 feet high, which could be built under current zoning. A previous point of contention had been a plan to request a change in the site's zoning.

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CHIPPING AWAY



Bill Petros/The Current
Eight-year-old Noah Fiore uses a hammer and chisel to practice his stone sculpting during Saturday's annual fall open house at the Washington National Cathedral.

Tilden Street project brings early concern

By ELIZABETH WIENER
Current Staff Writer

Clark Realty Capital's plan to develop a shallow lot on Tilden Street just east of Connecticut Avenue is causing some jitters among neighbors who remember their losing battle against a nine-story apartment building Clark built four years ago on an adjacent lot, just to the south and overlooking Rock Creek Park.

Clark officials say they are still "exploring development options" for the Tilden Street site. Current plans include "a kind of boutique-

type" residential development, in three modules at ground level and an undetermined number of floors above, said project manager Nicole Forrest.

"We're very open to discussion," Forrest said. "We obviously don't want to build something the community doesn't want. If the community is set against anything that's economically feasible," Clark might put the lot up for sale, she said.

Advisory neighborhood commissioner Stephen Dennis will host a meeting at 7:30 p.m. See Clark/Page 31

Aqueduct hears earful on monofill proposal

By ELIZABETH WIENER
Current Staff Writer

Washington Aqueduct officials announced late last night that creating an 80-foot mound of sediment near the Dalecarlia Wastewater Treatment Plant will not be the "preferred alternative" for disposing of solids from their water treatment process.

They also agreed to extend until Nov. 15 the deadline for the public to suggest other options.

But neither announcement, made at a crowded meeting at Sibley

Memorial Hospital, satisfied critics who are angry about the choice of options, the lack of notice to affected residents and the federal requirement to remove "residuals" that collect when the area's water is treated.

At the noisy meeting, more than a hundred residents from Palisades and Spring Valley, as well as Westmoreland Hills and Brookmont in Montgomery County, seemed unhappy about virtually every aspect of the federally mandated project to keep water treatment solids out of the Potomac River.

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Northwest Sports

Washington Canoe Club members get chance to race dragon boats in China

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District sticks with baseball in new plan

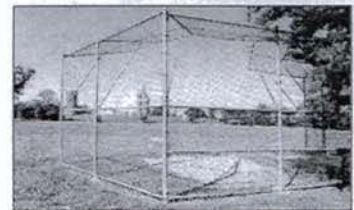
By CHRIS KAIN
Current Staff Writer

The D.C. Department of Parks and Recreation has unveiled a revised plan for playing fields in Fort Reno Park, adjusting the layout to assure a pathway at the northern edge of the overlapping baseball and soccer fields.

The department presented the plans last week to the Tenleytown, North Cleveland Park and Forest Hills advisory neighborhood commission, which had asked in June for a new layout that would replace the proposed 90-foot baseball diamond with a 60-foot softball diamond.

Instead, the new plan — presented in conceptual form at the commission's Sept. 20 meeting — trims 15 feet from the outfield, resulting in a 310-foot depth. The soccer field, located on a diagonal just beyond the baseball infield, would be 180 feet wide and 300 feet long.

The design leaves a 15-foot gap adjacent to a fence separating the field area from the Fort Reno reservoir. The commission had called for the clear-



Bill Petros/The Current

Supporters hope to replace Fort Reno Park's deteriorated fields with new, regulation spaces.

ance to accommodate a planned heritage trail celebrating the area's history as a Civil War military installation.

The proposal still includes a youth soccer field to the north. Architects shifted its location southward, avoiding the need for a retaining wall along

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TOUR

From Page 5

commission. "I'm certainly in favor of research that helps prevent cancer. I understand the importance of it."

Gates did express concern that the Northwest area has increasingly become the choice of the Metropolitan Police Department for these types of large events. She said the department's Special Operations Division, which permits the use of city streets for the events, has cited the threat of terrorism as a reason for moving them away from city landmarks when

possible.

Georgetown's advisory neighborhood commission chair Tom Birch said, "We are comfortable with the route they have chosen." Fellow commissioner Bill Starrels agreed, adding that the route will not have a major impact on Georgetown.

The Palisades-Spring Valley commissioners will discuss the bike ride during their Oct. 6 meeting.

Last year, the Tour of Hope raised \$1.3 million for cancer research, a particularly personal issue for Armstrong, who recovered from advanced testicular cancer and went on to win a record six-straight Tour de France titles.

The Tour of Hope team — those riding from coast to coast — is comprised of 20 individuals who have been touched by cancer, according to organizers. They include survivors, family members, caregivers and researchers.

"The inspirational stories of our incredibly determined tour team members will undoubtedly motivate people across the country," Peter Dolan, Bristol-Myers Squibb's chief executive officer and chairman, said in a statement.

Registration to join the Tour of Hope on its Washington segment can be completed through Oct. 1 on the event's Web site. About 900 people have signed up so far.

CLARK

From Page 1

Monday at Howard University Law School to discuss the tentative proposal.

"I look forward to an evening of discussion as we explore the possibilities for the future of this site," Forrest said in an e-mail.

Architect Suman Sorg is working on designs for what would be a planned-unit development on the 35,000-square-foot lot and — if the community is supportive — Clark hopes to submit its application to the city in early November, Forrest said. Zoning attorney Phil Feola will represent the company, she said.

"We want something that's appropriate in scale, with lots of articulation and green space," Forrest said. Noting there are town houses across Tilden Street and a nine-story building looming behind, she said, "we're trying to find a way to bridge that, to come up with something very tailored to this site."

The now-vacant lot on the south side of Tilden is currently zoned for low-density residential development and would accommodate roughly eight semidetached town houses, Dennis said. One preliminary sketch shared by Clark showed a new building containing 40 to 60 units and topping out at nine stories, Dennis said.

The city's Comprehensive Plan indicates the lot is suitable for high-density housing, and that has sent shivers through some in the community.

The D.C. Office of Planning has not yet weighed in officially, but it is generally encouraging development near Metrorail stations as part of the mayor's goal to attract new residents. Clark's parcel is within walking distance of both the Cleveland Park and Van Ness Metro stations.

Ellen McCarthy, deputy planning director, said she has not seen the version of the project shown to Dennis and "can't really comment on the plan."

But McCarthy noted that "although zoning on the site is R-2-B, or low-density residential, that is not consistent with the Comprehensive Plan, which calls for high-density residential."

That high-density designation has been in every version of the plan since 1984, McCarthy said.

Clark officials are treading gingerly, clearly hoping to avoid the bitter controversy that shadowed construction of the nine-story building at 3883 Connecticut Ave.

Forrest has met with advisory commissioner Dennis twice already, and he calls her "a bright, ideal spokesperson for something that will be controversial." Still, he worries that the proposed building will block more views from his landmarked building at 3901 Connecticut Ave., where many residents lost spectacular views of the park when Clark constructed the building at 3883.

But his primary concern, Dennis said, is that allowing development of large apartment buildings on the side streets off Connecticut Avenue will set "a very damaging precedent."

"Connecticut Avenue was designed as a great boulevard, with apartment houses fronting it. But the

side streets are [low-density] residential," he said.

Dennis has begun speaking to neighbors about the new Clark plan. "They want something compatible to be built on the site. But I haven't spoken to anybody who thinks this is a good idea," the advisory neighborhood commissioner said.

Susan Gillespie, who lives directly across Tilden Street from Clark's lot, said she had been "looking forward to construction of town houses" there, "to block the view of 3883," which now looms over the site. "But we never expected a high-rise apartment," which she fears could set a precedent for high-rise buildings on the side streets off Connecticut Avenue, Gillespie said.

More development will only worsen traffic and parking problems on Tilden and neighboring streets,

"Connecticut Avenue was designed as a great boulevard, with apartment houses fronting it. But the side streets are [low-density] residential."

— Neighborhood commissioner Stephen Dennis

she said, even though Clark intends to include underground parking as part of the new package.

Development of the Tilden Street site raises issues that are different from those raised by 3883 Connecticut, which sits behind the older buildings on Connecticut Avenue and required no zoning change. Starting in 2000, when Clark first got building permits, that building caused a storm of controversy largely for environmental reasons.

The 3883 site abuts the Melvin Hazen branch of Rock Creek Park and includes a small "seep" or seasonal stream that feeds into Rock Creek.

Three D.C. Council members, the National Park Service and several environmental groups insisted a full environmental impact study should have been required, and they protested throughout the project's construction.

But the city ultimately refused to intervene, as did the Army Corps of Engineers. A court challenge was thrown out after the D.C. Court of Appeals ruled that the group of neighbors who brought the suit did not have proper "standing." But some of the hard feelings and rancor remain.

A few weeks ago, Monument Realty bought into the building at 3883. Monument recently erected a huge beige and yellow sign in front advertising the sale of luxury condominiums at what the company has renamed "The Connecticut."

Michael Darby of Monument said marketing of the vacant units has already begun, and all potential buyers will be told of "the possibility that the lot [to the north] will be developed."

But Darby said very few windows at 3883 face north, limiting the impact of any new development by Clark. He predicted that residents in the area will fight against proposals for high or dense development. "Remember the last time?" he asked a reporter. "Weren't the people chained to trees?"

WATERGATE

From Page 7

Meanwhile, an official with Monument Realty said the company completed the purchase of the hotel in August and is moving forward with alterations to convert it to luxury cooperative apartments.

Asheel Shah, of Monument, said he is already consulting with city preservation staffers on several "minor" alterations to the exterior of the hotel: canopies; new windows "for the entire complex, replaced in kind"; a few new ground-level and roof terraces to serve individual units; and "some minor pop-ups for access" to the roof terraces.

"Even though it's not a landmark, you're treating it as one," commented Boasberg. "That's wise."

The thick and amply illustrated landmark application was submitted in February in the midst of a battle over Monument's plan to buy the tony hotel and convert it to either condominium units or a cooperative building. Residents who prized the hotel, with its meeting spaces, health club and restaurant, failed to persuade the D.C. Zoning Commission to halt the conversion but pressed on with the landmark bid.

Kerry Stowell, a 20-year resident of Watergate East, offered a brief but colorful presentation about Watergate's "innovative Modernist design," produced by a distinguished Italian architect, Luigi Moretti, who used computers to help flesh out curvilinear shapes of the six interconnected buildings.

Along with the political scandal that made Watergate a household word, Stowell argued Watergate deserves landmark status because it was the city's first privately financed planned-unit development, representing "an important step to stem flight from the city by creating a mixed-use 'town within the city.'"

Only two Watergate South residents, Dorothy and Charles Olsen, rose to oppose the application. "We object to the idea of using historic designation to control what an owner does with a project," Dorothy Olsen said. "And we do not think a bungled political robbery" merits landmark status, she added. "I'd hope people would be ashamed, not proud."

Her husband, Charles Olsen, said the couple had previously lived in a truly historic house in Foggy Bottom. "George Washington stopped there for a drink," he noted, scoffing at the idea that the 1960s era Watergate could be considered "historic."

But Tim Dennée, an architectural historian who reviewed the application for the board, gave an eloquent defense of the Watergate nomination.

Dennée said he "almost took for granted" the significance of the

Watergate scandal in the city and nation's history, leading to the downfall of a president, a shift in political power in Congress, a raft of legislation, "not to mention the whole way Watergate has worked into our folk culture."

"The whole complex is self-evidently an important visual landmark, very much a clear break" in terms of both architecture and planning," Dennée continued. The six curved buildings "turn a wall to the rest of the city," ignoring the regular



Bill Petros/The Current

Residents are pushing for historic designation of the Watergate complex, which would not affect planned conversion of the hotel into cooperative apartments.

street grid but also embracing the waterfront, which was at the time largely industrial and forbidding. "Whether you love it or hate it, it's clearly innovative," Dennée said.

Still, board members said they needed more information and more justification to landmark a building less than 50 years old. D.C. historic preservation law does not set an age requirement, but a national landmark must be at least 50 years old unless the building is deemed to be of exceptional importance.

"It meets our test, but we want more information on the planning, the history of how it was built," said member Ronnie McGhee.

Member Anne Lewis said the preservation board takes landmark nominations very seriously. "In a sense, it's beatification. It makes it difficult to tear this building down or modify it," Lewis said. "That's not to say we have to like it. But granting immortality to a planning implementation mechanism" — the planned-unit development process — seems a stretch, she said.

Lewis also said the landmark nomination did not provide enough information on Moretti, the architect. "I felt I would have to Google him myself," she said.

Boasberg said someone had sent him "Google information" on Moretti, but it was all in Italian. "It would be helpful if we had it in English," he said.

"Nobody [on the board is] objecting," the board chair concluded. "This is obviously a significant development." But he said the board also needs more information on Watergate's seven acres of open space, much altered over the years, before granting landmark protection to fountains and other landscape elements.

Emily Eig, an architectural historian who helped prepare the landmark application, said the additional documentation is readily available. "Our goal is next month," Eig said.