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D.C. OFFICE OF ZONING

December 5, 2008

2008 DEC 15 PM 12: 09

Anthony Hood
Chairman, Zoning Commission
441 4th Street N.W.
Suite 210S
Washington D.C. 20001

Dear Chairman Hood and Commissioners;

As a long time resident of Cleveland Park, I am compelled to respond to Mary Cheh's letter to you of November 10. That letter contains a description of Cleveland Park that is so inaccurate as to be laughable, and its conclusions based on that description are profoundly suspect. I trust the Commission will give the opinion set out in the letter little weight since it is based on such inaccurate statements. Clearly, Mary Cheh supports any development, anywhere, at any cost to the residents or to the long term future of the city. Her position and the present Stop and Shop/Ahold proposal is totally at odds with the zoning laws and the Comprehensive Plan, which mandates C-1 zoning for the Wisconsin Avenue corridor in order to foster neighborhood-serving development. There is no need to alter the present zoning for Stop and Shop/Ahold to give the neighborhood a neighborhood serving grocery store.

Cleveland Park is a thriving commercial and residential neighborhood.

The letter calls the west side of Cleveland Park – the area between 34th Street and Wisconsin Avenue, roughly – “an area afflicted by decay and decline.” I have never read such nonsense. Two houses in that area sold for some \$4 million dollars each just in the past three months, in the middle of a city wide decline in property values and a nationwide recession. Our property taxes and assessments certainly don't reflect decay and decline – we are getting taxed at values that reflect a continuing large increase in property values.

Nor is the Wisconsin Avenue strip “empty storefronts” lacking “vibrancy.” In fact, the commercial rents are going so high that long time businesses are being forced to leave.

The block south of the Stop and Shop/Ahold project contains two restaurants, a wine bar, an antiques store, a dry cleaners, and a hair salon. Across the street are: Two Amys, Cactus Cantina, a liquor store, and a second hand clothes store. On the next block, in addition to the neighborhood fixture, Sullivans Toys, are: a pharmacy, Starbucks, a furniture store, a Laundromat/dry cleaners, a barber, a yoga studio, and a bank. This is the sort of diversity and neighborhood serving retail the present zoning encourages and it serves the neighborhood well. The strip is shows every sign of expansion and vibrancy. In the past year, Café Deluxe has almost doubled its floor space and Enoteca, a new wine bar, has opened.

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The Commission should not reward Stop and Shop/Ahold for allowing the grocery store to decay.

The only “decay and decline” on the Wisconsin Avenue corridor is the space owned and allowed to fall into decline by Stop and Shop/Ahold: the existing Giant food store and the adjoining space that was formerly Murphy’s dry goods store before Stop and Shop acquired the space and decided to let the building stand empty for several years. For the past several years, Stop and Shop has made no improvements to the grocery store and has reduced its inventory. The unmaintained grocery store and the empty Murphy’s space are a blot in the middle of the vibrant neighborhood serving corridor that exists today.

By refusing to maintain and improve the present grocery store, Stop and Shop has held the neighborhood hostage to its demands for a huge and inappropriate development in the north block, where there is plenty of existing neighborhood serving retail, as a condition for improving the grocery store. Surely the Zoning Commission can see through this ploy – slumlords try it all the time.

The Stop and Shop/Ahold proposal would significantly damage neighborhood shopping, traffic flow, views of the Cathedral landmark and other values protected by the zoning and the Comprehensive Plan.

The present zoning protects significant values and appropriate development and was adopted after serious consideration. Even a cursory reading of the Comprehensive Plan shows that the area south of Fannie Mae is intended for low rise commercial development. This zoning serves and protects the residential neighborhood in which it sits and the Historic District that it adjoins. The zoning preserves aesthetic values such as near and far views of the National Cathedral, the landmark that defines this area. And it makes manageable the traffic on Wisconsin Avenue and in the neighborhood, which contrary to Mary Cheh’s assertions, is not served by any “major transit line” at this point – the Metro is a mile away.

The Stop and Shop/Ahold proposal creates very serious problems in all these respects: it will block key views of the Cathedral, flood residential streets with traffic and parking that they cannot handle, and create serious traffic jams on Wisconsin Avenue, which is already heavily congested with school traffic from the six schools in the immediate area.

In fact, contrary to the assertions in the Cheh letter, the proposal threatens the vibrancy and diversity of uses that exist today. Elimination of the overlay which limits restaurants and bars in the area will inevitably result in large restaurant chains replacing the diverse business presently there, since these will be the only business that can afford the rents in the very large spaces in the current plan.

The Commission should defend the Comprehensive Plan, which defines where and what development is appropriate, and turn down the present proposal.

The Comprehensive Plan provides the guide to where we should develop and where we should not, and the Commission should defend it as the law against such attacks by developers.

Stop and Shop claims that it "needs" to build the huge and problematic North Block, and eliminate the present zoning, to finance the grocery store. It refuses to provide factual substantiation for this claim, which is at odds with the obvious fact that Stop and Shop builds and operates many grocery stores, presumably at a profit, in lots of other areas without building a huge development to finance them. The Commission should call their bluff. In fact, consistent with the C-1 zoning and the plan, Stop and Shop could in fact build the grocery store it has proposed, and the affordable housing, with relatively minor adjustments.

If every developer who walks in with a plan to build a large project in violation of the current zoning and the Comprehensive Plan can prevail in the Commission merely by arguing that the city would make tax revenue and that they "need" to build the development to maximum size for their own internal undisclosed financial reasons, you might as well disband the Commission as a waste of taxpayer dollars and discard the Comprehensive Plan as worth no more than the paper it is written on. We expect you will give this project and the inaccurate claims of its supporters the close scrutiny they deserve, and vote against the application, consistently with the law and the correct facts.

Sincerely,



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cc:

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