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March 22, 2000

Mr. Kyle Pitsor
Chairman
Dupont Circle Advisory Neighborhood Commission (ANC2B)
Government of the District of Columbia
P.O. Box 33224
Washington, D.C. 20033

Re: ANC2B's recommendation to award business office use in the Lauren, A Condominium to floors 1 and 2

Dear Mr. Chairman and Members of the Commission:

The purposes of this letter are:

1. To protest the ANC's actions regarding the awarding of business office usage rights in the Lauren Condominium exclusively to owners of 1st and 2nd floor units;

2. To protest the ANC's manner of notifying affected parties of actions the ANC intends to consider, and to ask that the Commission deliberately seek input in the future from those entities; and

3. To request that the ANC rescind its recommendation to award business office usage rights exclusively to owners of 1st and 2nd floor units, at least until such time as the Commission can hold a public meeting at which Lauren unit owners and the Lauren Board of Directors are given an opportunity to express their views.

At the ANC meeting on February 9, 2000, the Commission raised and acted on a policy recommendation that was not listed in the public meeting notice nor mentioned in the actual meeting agenda. The only business concerning the Lauren that was listed in the public meeting notice and agenda was Application 415652, which is a specific, personal and very limited request by two Lauren owners for special exemptions.

Nowhere did the public meeting announcement and agenda indicate that the ANC would propose, discuss and act on a sweeping policy that dramatically reverses its own long standing policy and awards the right to use space in the Lauren for offices exclusively to owners of units on the 1st and 2nd floors.

Since the ANC has been involved for more than a decade with applications for special exemptions from several Lauren owners, the Commission cannot help being aware of the

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importance of this issue to the Lauren. Moreover, the ANC must be aware of years of litigation and that even now there is a lawsuit in progress involving business use of Lauren units. It is, I think, accurate to say that for the past 15 years no issue has caused more concern for more Lauren owners and Boards than that of business use of units. Let me cite one more piece of evidence to emphasize my point about owners' concerns.

Immediately following the Lauren's 1996 Annual Meeting (which had the largest attendance in history), there was a discussion by owners as to the desirability of asking the Planning Board and BZA to rezone the Lauren C-3*. During the discussion, the possibility of the Zoning Board or the BZA permitting on and confining business use exclusively to the first two floors was raised and was met with vehement hostility. Every owner who spoke to this issue supported the position that no floor should received special privilege. The strong consensus was that all owners should be treated equally and no floor or group should receive special treatment. If any unit can get a special exception from the BZA, then all unit owners should be given the same chance to compete. Equity is paramount. There are also important quality of life and governance issues involved.

The ANC ***Minutes*** state, "No one from the Lauren was present to oppose the use and Commissioner Micone reported the meeting was noticed just outside the entrance to the building." Leaving aside the complete inadequacy of tying a letter-sized piece of paper to a lamppost on the street and calling that proper notification, the meeting notice makes no mention of the policy in question.

In conclusion:

1. I request that the ANC rescind its decision that would support a ban on owners of Lauren units above the 2nd floor from ever using or selling their units for office space and to withdraw its letter of February 14, 2000 on this subject to the BZA.

2. I also request that in the future, the ANC ensure that all interested parties are made aware of any pending actions -- particularly any actions that might negatively affect them -- and that the ANC actively and deliberately seek input from such parties. Tying an 8 x 10-inch piece of paper to a street post is not satisfactory.

Sincerely,

Brian J. Larkin

CC: Ms. Sheila Cross Reid, Chairperson, Board of Zoning Adjustment
Mr. David A. Catania, Councilmember, DC City Council
Dr. Elizabeth VanderPutten, President, Lauren Condominium Association

Attached: *Letter on zoning to Lauren owners, April 30, 1996

The Lauren, A Condominium

Brian J. Larkin, Ph.D.
President, Board of Directors
1301 20th Street N.W.
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Washington, D.C. 20036

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April 30, 1996

Dear Fellow Owner:

The future of the Lauren is a subject the Board intends to introduce for discussion at the Annual Meeting on May 8. Involved are issues of building usage, property values, quality of life and equity. I strongly urge you to personally attend.

We are today a very different building than we were 18 years ago when we converted the Sunderland Apartments to a condominium. As the demography of DC and Dupont Circle has changed, the demography of the Lauren too has changed. In 1979 we were a residential building with a preponderance of owner occupied units. Today the Lauren is predominantly investor and business owned. The majority of units now are occupied by tenants or persons other than their owners (91 units or 54%). Rental units outnumber resident owned units by almost 3-1. Professional offices have increased from a scant handful in 1979 until today 52 professionals are doing business in 30 units. Of 168 total units, only 40 any longer serve as the primary residences of their owners (23.8%).

The changed nature of the Lauren is not altogether to everyone's liking. Accommodations to professional offices, such as allowing unrestricted access to the building during extended work day hours, are strongly resented by some resident owners. Within the last few weeks a letter bitterly complaining was sent by one such owner to the BZA. The increased percentage of renters and businesses offends the sense of home for some. A group of professionals seeking Certificates of Occupancy is involved in an extended legal battle with the city. Some resident owners fear that owners of professional offices alone will benefit if the CofO's are granted. Their concern is that the value of residential units will decrease while those units privileged with CofO's will increase. This raises a legitimate question of equity.

Property values in recent years have remained flat or even decreased while resale times have increased. In February 1996, according to the Washington D.C. Association of Realtors, there was a 1-year 11-month supply (499) condominium units in the $50,000-$99,000 range on the market. Eight Lauren units are currently vacant and on the market.

This Board has given considerable thought to these concerns and has begun looking into alternatives for the future of the Lauren. One suggestion is that we seek to have the building zoning reclassified to commercial (C-3). Such a change would apparently make the building's classification consistent with the DC Zoning Board's master plan. Resident

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owners would continue to pay residential rate taxes and continue to have the benefits of their homestead exemption. All owners would be able to sell their units for commercial use and thus for an amount presumable higher than residential rates. At the same time, it appears the Lauren would be able to limit the types of businesses that would be allowed. ***This Board at this time takes no position on this matter and has taken no action beyond seeking information.***

The issues of the Lauren's future, of building usage and property values, of quality of life and equity are important and real The Board would like to initiate a discussion involving all owners. I do not plan nor do I anticipate a vote on any matter other than the election of officers. What we hope to accomplish is an expression of interest and a sense of direction that will serve as guidance for the next Board of Directors.

We expect to begin the discussion immediately following the voting at the Annual Meeting on Wednesday, May 8, 1996 at the Marriott Hotel on 22nd Street between M and N.

Again, I want to personally urge you to attend if at all possible. You, together with Elizabeth and me, and all our fellow owners, have a large investment here. There is much at stake.

Sincerely,

Brian J. Larkin, Ph.D.
President, Board of Directors