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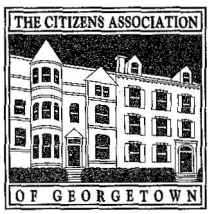
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April 13, 2001

RECEIVED
D.C. OF ZONING
2001 APR 13 P 2:10

Ms. Sheila Cross Reid
Chairman
Board of Zoning Adjustment
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

RE: Application #16702
Millennium Georgetown Partners LLC

Dear Ms. Reid:

The Citizens Association of Georgetown (CAG) wishes to register its opposition to the granting of variances for height and FAR requested for the Georgetown Incinerator site project by the above named applicant.

After careful review of the proposed increase in height and FAR and review of the amended plans (as considered by the Old Georgetown Board at its meeting of April 5, 2001), we oppose the variances sought and request that the BZA deny the application. Attached is the motion to this effect, adopted by the CAG board of directors at its meeting of April 11, 2001.

For further background information, I am enclosing a copy of our letter to the Commission of Fine Arts, dated March 13, 2001. In addition, I am providing you with a copy of the original motion adopted by the CAG membership at its meeting of May 11, 1998, giving our provisional support to the project as originally described at that time, pending further refinements to address the concerns of the Old Georgetown Board of the Commission of Fine Arts.

Thank you for your consideration of the views of the Georgetown community in this matter.

Sincerely,

Barbara Downs

Barbara Downs
President

Enclosures

BZA
Case No. 16702
Exhibit No. 33

Board of Zoning Adjustment
District of Columbia
CASE NO.16702
EXHIBIT NO.33

Application Number 16702 - Millennium Georgetown Partners, LLC for variances from the height restrictions and the floor area ratio to construct a mixed-use buildings and structures in a W-1 District at premises 3100 South Street, N.W. (Square 1189, Lot 88)

Whereas, the Citizens Association of Georgetown has a long history of involvement in the development of zoning and preservation regulations in Georgetown. The Association having testified at the original hearings for the designation of the waterfront as part of the Georgetown historic district, as well as at the extended planning and rezoning hearings that established the present zoning framework that apply to this site, and, subsequently, at all hearings that have concerned this and previous development attempts on this site,

Whereas, the importance of the historic vistas down Wisconsin Avenue and 31st Street have long been recognized as important to the historic district. These vistas have been recognized and designated as worthy of preservation by the Zoning Commission, the NCPC and the U.S. Commission of Fine Arts. The W-1 zoning with its forty-foot height limit was expressly applied to the Wisconsin Avenue and 31st Street sides of this site in order to preserve as much as possible of the historic open vista from the C&O Canal down to the original port area of Georgetown,

Whereas, this site has characteristics that are common to almost all of the other sites located in the Georgetown Waterfront area along the escarpment that begins in the Palisades and ends well to the east of this site. The existing proposed project has not been penalized by these topographic characteristics or, even, the pre-existence of historic structures. In fact, through clever design and already generous interpretations of the zoning regulations it can be argued that it has actually benefited. This is evidenced by the fact that the applicant has already been able to maximize the allowable FAR, which is most unusual in this historic district,

Whereas, over time since our initial review of the site development the nature and intensity of proposed uses of this project and the massing of the buildings have steadily grown. The public space in the middle of the project that was considered by the community and the D.C. Council to be a major public amenity has been all but eliminated. The restaurant in the top of the existing Incinerator Building has been eliminated. The important setbacks from adjoining streets have been considerably reduced. The small number of "art cinemas" in the original proposal has grown into 13 full-sized first-run theaters with thousands of seats. The garage parking spaces not already obligated by legal requirements of the purchase of the site is already inadequate for the proposed uses of the site,

Whereas, the arguments offered by the applicant to justify the variances are almost entirely due to changed financial circumstances of one tenant, rather than the findings and preconditions specifically cited in DCMR §3103.2 that the applicant must meet in order to qualify for the relief sought,

Therefore, be it resolved that the Citizens Association of Georgetown opposes the granting of variances for height and FAR sought by the Applicant. Granting this relief would be tantamount to rezoning the site improperly and would set a very dangerous precedent for any other developer who encountered an economic inconvenience. It, therefore, would work to the substantial detriment of the public good and would substantially impair the intent, purpose, and integrity embodied in the Zoning regulations and map.

We ask the Board to deny the application.