Attachment C

**District Of Columbia Government**
**ADVISORY NEIGHBORHOOD COMMISSION 6A**
**Commissioner Ivette Basterrechea, Chair**
**1610 D Street, NE, Washington, DC 20002**

May 3, 2001

Ms. Sheila Cross Reid
Chair
Board of Zoning Adjustment
441 4th St., NW, Suite 210
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2001 MAY 23 PM 12: 50

Re: BZA Order 16407, Request for Modification of Order dtd May 2, 2001, Capital Hill Group/Medlink Hospital, 700 Constitution Avenue, NE, Squares 865 & 895

Dear Ms. Reid:

We understand that the Capital Hill Group has requested a modification of BZA Order 16407 to reduce the number of parking spaces required to support the hospital's staff, patients and visitors. This issue was discussed in a preliminary fashion at ANC 6A's May 9, 2001 Zoning and Licensing Committee meeting. The committee voted, with a quorum present, to request the following actions of the BZA. These requests were ratified by the full ANC on May 17, 2001.

1. That this matter be addressed at a public hearing rather than a public meeting. The scope of the request, as well as its timing (i.e. more than eighteen months since adoption), makes it more than a minor modification which could be addressed at a public meeting. Also, we believe the subject merits public input, which public meetings do not accommodate. Our initial reading of the Modification Request finds several potential discrepancies which require further research and verification. Parking is a major issue in this neighborhood and we respctfully request that residents have an opportunity to voice their opinions on this matter.

2. That the Board of Zoning review the Zoning Administrator's apparent refusal to enforce the current requirements of BZA Order 16407. At some point during the week of April 30, 2001 the Capital Hill Group sold the property on 7th Street, NE between Massachusetts Ave. and C Street to the Holladay Corporation. On May 3, 2001 the two surface lots facing 7th Street, NE were chained off. These lots represent 103 of the 276 offstreet parking spaces which CHG/Medlink is required to provide pursuant to the Order, thus placing the hospital in violation. This has had an immediate impact on parking in the neighborhood. On May 4, 2001 a neighbor of the hospital had a conversation with the Zoning Administrator, who informed him that the Order would not be enforced because the number of patients had been reduced and because of the imminent sale of the property (see enclosure). We believe the factual basis for this rationale requires verification, and that in any event no relief should be granted until the matter has been reviewed by BZA. We respectfully request that the Board of Zoning Adjustment address this situation with the Department of Consumer and Regulatory Affairs.

BZA
Case No. 17043
Exhibit No. 6

Board of Zoning Adjustment
District of Columbia
CASE NO. 17043
EXHIBIT NO. 6

Please feel free to contact Commissioner Janet Quigley at (202) 433-6386 if there are any questions. ANC 6A thanks you in advance for your attention to these matters.

Sincerely,

Ivette Basterrechea
Chair
ANC 6A

Enclosure: 5/16/01 E-mail from Mr. Al Getz

## J Quigley

**From:** Al Getz <AGetz@samhsa.gov>
**To:** <CHCforSensDev@aol.com>
**Cc:** <JanetQuigley@email.msn.com>
**Sent:** Thursday, May 17, 2001 3:44 PM
**Attach:** mjohnsonnotes5.wp
**Subject:** Notes and WordPerfect5 file

From: Al Getz
To: Nancy Simpson
CHCforSensDev@aol.com
Date: May 16, 2001
Subject: Re: Medlink Parking Lots/Holladay Townhouse Construction

Nancy:

Per our conversation, I"ve transcribed my notes from my conversation on Friday May 4, 2001 with Michael Johnson, Zoning Administrator. The conversation occurred when he returned a couple of calls that I left with earlier that afternoon.

Al

>>>>>>>>>>>>
On the morning of Friday, May 4th around 8:30 am, I noticed a traffic jam at the corner of 7th and Mass. Ave - apparently caused by the fact that MedLink's 7th St lots were closed off by chains. I made a number of calls to District agencies, since I knew that BZA Order #16407 was supposed to be in place requiring MedLink to provide parking both on these lots and the underground parking lots. All my calls referred me to Yvonne Rockett. She responded to my messages by saying that all calls re MedLink should be forwarded to the Zoning Administrator, Michael Johnson, per his request. After leaving a couple of messages, he called me back.

At first he appeared not to know why I was calling regarding MedLink. As our conversation continued, it was clear that he was rather familiar with the Holladay/MedLink proposal - and the developer's arguments for their proposal. He said that he made the decision to overturn the BZA decision since MedLink was down to 25-50 patients, and parking wasn't needed at the same intensity - and that he only has 2 inspectors to cover the city. He also noted that the situation has changed since Holladay purchased (or was about to purchase the property) and was soon to develop the property as "a matter of right." I suggested that this wasn't so simple, since the original zoning increase was granted only for the hospital, and that the Comprehensive Plan for Ward 6 states that there would br no matter of right for apartment buildings. He responded by saying the Comp Plan was a general outline that was filled in by zoning. I responded by saying that regulations cannot supercede statute, and that the Comp Plan was statute.
He acknowledged that he knew some neighbors were concerned about the size of the proposal, but..... He suggested that we call Andy Altman, head of Planning.