



Foggy Bottom and West End
Advisory Neighborhood Commission (ANC-2A)

c/o West End Branch Library 725 24th Street, NW Washington, DC 20037 (202) 607-8429

October 9, 2007

Hon. Ruthanne Miller, Chairperson
Board of Zoning Adjustment of
Washington, DC
441 4th Street, NW, Suite 210 South
Washington, DC 20001

Re: Minshall Stewart Properties BZA Appeal No. 17667

Dear Chairperson Miller:

At its regularly scheduled meeting on September 19, 2007, the Foggy Bottom and West End Advisory Neighborhood Commission (ANC 2A) considered the BZA Appeal No. 17667 of Minshall Stewart Properties. With four of the five Commissioners present, a quorum at a duly called public meeting, the following resolution was approved:

The Foggy Bottom and West End Advisory Neighborhood Commission opposes BZA Appeal No. 17667 by Minshall Stewart Properties, in which Minshall Stewart appeals the Zoning Administrator's determination dated April 20, 2007 that two buildings exist.

Minshall Stewart's appeal is a change in its legal theory in which it argues that one building exists in an attempt to build three floors and a rooftop penthouse as a matter of right. For the reasons stated in the ANC 2A letter dated April 8, 2007 (attached hereto), the ANC continues to oppose this proposed development. Community members continue to describe exceptional concerns about reduction of light and air, increased shadows on existing residences, increased traffic and deliveries without capacity for these uses.

As this project is located in my Single Member District, the ANC 2A has appointed me as its representative in this matter. Feel free to contact me at 202-390-4438 on this matter. Additionally, Cornish Hitchcock, Esq. will assist the ANC 2A in this matter and may be contacted at (202) 489-4813.

ON BEHALF OF THE COMMISSION.

Sincerely,

Florence E. Harmon
ANC 2A 06 Commissioner

cc: John Epting

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17667

EXHIBIT NO. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17667
EXHIBIT NO. 27



Foggy Bottom and West End Advisory Neighborhood Commission (ANC-2A)

c/o West End Branch Library 725 24th Street, NW Washington, DC 20037 (202) 607-8429

April 8, 2007

Geoffrey Griffis, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 210 South
Washington, DC 20001
Deliver via Facsimile: (202) 727-6072

RE: BZA Application #17594 by Minshall Stewart Properties for a Variance from Court Width Requirements, a Variance from Forty-Five Degree Setback Requirements, and a Variance from Loading Zone Requirements in the C-3-C District Immediately Adjacent to the 5-R-E District at 2175 K Street, NW (Square 73, Lots 883 and 884)

Dear Chairperson Griffis:

At its regularly scheduled meeting on March 21, 2007, the Foggy Bottom and West End Advisory Neighborhood Commission (Commission or ANC 2A) considered BZA Application #17594 by Minshall Stewart Properties for a variances from court width requirements, forty-five degree setback requirements, and loading zone requirements at 2175 K Street, NW. With six of six commissioners in attendance, a quorum at a duly called public meeting, the following motion was unanimously approved:

The Foggy Bottom and West End Advisory Neighborhood Commission opposes BZA Application #17594 by Minshall Stewart Properties for a variances from court width requirements, forty-five degree setback requirements, and loading zone requirements at 2175 K Street, NW.

The reasons for the Commission's unanimous opposition to this application are as follows:

Community members described exceptional concerns about the application. Residents testified that the size and bulk of the proposed development will reduce light and air, increase shadows on existing residences, increase traffic and deliveries without further capacity for these uses, and cause strain on the residential community on the block and the historic landmark across the street. It was also noted by residents that none had received the required notice by the Office of Zoning regarding this application and found out about the proposal, in some cases, only hours prior to ANC consideration of the matter. Finally, residents of the adjoining West End Place Condominium testified that the applicant never contacted nor consulted with the association's board or management in its design phase, despite the fact that the buildings had been designed and built to share amenities, have the same underlying zoning relief, and have shared architectural design and cohesiveness.

ANC 2A notes that the applicant has not demonstrated the practical difficulties or economic hardship to allow for these massive changes. Indeed, the property is currently leased and has active ground floor retail. The property could easily be renovated while maintaining the current height and density. In addition, although the applicant requests relief from the requirement of providing additional loading dock capacity, its representatives conceded that they had done no studies to demonstrate whether the absence of the added loading dock would create access or traffic problems.

The proposal will have immediate and significant impacts on those living in this neighborhood. Many residences in the West End Place will be in almost constant shadows if this application is approved. The historic Schneider's Triangle will lose light. Residents will have an office building towering over residential rooftop decks.

These matters were all closely considered by your predecessors on the BZA. These structures were approved through a zoning relief case in 1980. The BZA order itself notes concern about the heights of the buildings and roof structures. The development of these structures--which helped to cement changes which led to the creation a vibrant, mixed use community in the West End--is listed in publications of the best addresses in the District of Columbia. The buildings collectively step-down from the more dense, taller buildings of the "down-town" commercial area to the more residential areas of the West End, Foggy Bottom, and Georgetown. These buildings exemplify effective planning and good development as they currently exist. The changes in zoning districts within a single block is unusual and splits an area treated as one for the zoning relief granted to allow the West End Place and 2175 K to be built.

The proposed height will be greater than even the controversial development on Square 54, which the Zoning Commission recently reduced in height. This property is clearly visible from Washington Circle, part of the original L'Enfant plan, and should not over-power the historic, residential Schneider's Triangle. Those who live on these blocks moved in and many purchased property under the belief that the development of the area was mature. The unique architecture, design, and relationship of these structures should be respected and the BZA should not retreat from the wise and carefully proscribed decisions of their predecessors.

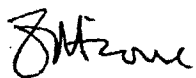
Neighbors have clearly demonstrated that the zoning relief requested for the forty-five degree set-back and the loading dock will have a negative impact on their properties. The applicant has not demonstrated practical difficulties or economic hardship. Moreover, the applicant has not even considered other alternatives, provided promised information to address neighborhood concerns, nor communicated with stakeholders about various proposed changes. Finally, proper notice was not provided to affected residents.

The BZA should reject this proposal and protect the appropriate mixed use development that was created as result of BZA approval in 1980.

As this property is located in my Single Member District, the Commission has appointed me its representative on this matter. Please feel free to contact me on (202) 607-8429 or by email at vince.micone@anc2a.org. Additionally, Cornish Hitchcock, Esq., will assist the Commission with legal matters related to this application. Mr. Hitchcock may be reached on (202) 489-4813.

ON BEHALF OF THE COMMISSION:

Sincerely,



Vince Micone
Vice Chairperson

cc: John Epting, Esq.