

Aug. 13, 2002

Chairman, Carol J. Mitten
Zoning Commission of the District of Columbia
4414th St. NW
Suite 210 South
Wash. DC 20001

RE: Case No. 02-06 (Text Amendment to Neighborhood Commercial Overlay
District Limitation for Eating or Drinking Establishments)

I wish to make certain comments regarding this text amendment which I hope will be considered in the Zoning Commission's deliberations.

First, the Cleveland Park Historical Society is not an elected body and should have no say in this matter other than as mere citizens. To the extent they are opposed to development, even if it is historical, they do not represent me or a number of other Cleveland Park residents who obtain information about the Society and their views on the Cleveland Park website.

Second, it is truly sad that Starwood developed the property in the 3500 block of Connecticut Ave. in a tasteful way in keeping with the neighborhood and now it is being denied permission to rent to restaurants. As a result, we have vacancies that serve no useful neighborhood purpose and those of us who wish to have restaurants in our neighborhood are being denied an opportunity to delight in new cuisines.

Third, as a practical matter, the rents are so high in Cleveland Park that it is likely that most viable tenants will be restaurateurs in some form or other. While diversity of businesses is a worthy goal, it may not be achievable in these economic times. Besides, we already have diversity, there is a pharmacy, a movie theatre, two grocery stores and many small businesses including cleaners and shoe repair stores. What else could make it in this high rent district? Sensible people have given up the idea of a hardware store or even a bookstore. These require much more space than currently can be found in Cleveland Park and the rents would be too costly for such operations to survive in a small apace.

Fourth, in clarifying the issue, the Zoning Commission should come to the commonsense conclusion that delis and carry outs are not eating establishments per se, that is, they are not restaurants, even though they provide food. Who would want to exclude VACE's deli from operating or a bakery or an ice cream parlor? What useful purpose does it serve to consider these establishments as part of the 25 percent restriction? They harm no one, are not noise makers, give the neighborhood viability and color and character and serve a fun and necessary purpose.

Fifth, the Zoning Commission should construe the 25 percent limitation as narrowly as possible and so permit more eating and drinking establishments as they are good for the neighborhood and certainly are preferable to vacant properties. Who passed this overlay anyway? How can we get rid of it altogether?

Thank you for the opportunity to express my views.

Sincerely,

Virginia Cerello
Virginia Cerello, Esq.

Zoning Commission
District of Columbia

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Date 25

ZONING COMMISSION
District of Columbia
CASE NO.02-06
EXHIBIT NO.25