

3217 Macomb Street NW
Washington, DC 20008

August 21, 2002

Zoning Commission for the District of Columbia
Office of Zoning
441 4th Street, NW – Suite 220
Washington, DC 20001

RE: Case No. 02-06

Dear Members of the Zoning Commission:

I live in Cleveland Park and am writing to you regarding the proposed amendments to the zoning regulations governing eating/drinking establishments in Neighborhood Commercial Overlay Zones, specifically the zone encompassing the portion of Connecticut Avenue in my neighborhood.

I understand that the ANC and the Cleveland Park Citizens Association have proposed certain amendments that would severely restrict eating/drinking uses in the zone, especially in the case where the 25% limit is exceeded and there is a lapse in time during which a restaurant space remains vacant.

I do not agree with the positions of the ANC and the CPCA and would like to put my opinion of record here.

Specifically, I support adoption of regulations that would allow restaurant spaces to be reoccupied by restaurants, even in the event that the 25% limit is exceeded. I agree with Starwood Urban's contention that if there is evidence of intention to re-establish the use as a restaurant, then the three-year deadline should be suspended. This is consistent, I believe, with how non-conforming uses are handled in other cases. Of course, in this case, restaurants are a conforming use and should not be penalized more than a non-conforming use.

I support allowing the reestablishment of restaurant and eating/drinking establishments in the Starwood Urban property. They have improved the property tremendously, making it an asset for the neighborhood. Re-establishing restaurants in former restaurant spaces is a fair result to the landlord, the tenants and the neighbors.

One reason I like living in Cleveland Park is that I am within walking distance of a host of wonderful retail, entertainment and restaurant uses. I see no need to set an arbitrary

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Exhibit 32

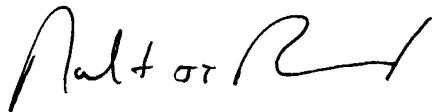
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limit on one use over another, and especially feel that restaurants add a vitality and aliveness to the neighborhood that other uses cannot provide. This is a city, not a suburban plaza, and should be allowed to evolve organically to serve the needs of its citizens, not the needs of a few vocal opponents.

Last, I also oppose the inclusion of the gas station, Brookeville Market and other non-restaurants in the 25% limit. I cannot see the logic at all to this part of the ANC's and CPCA's proposal.

Thank you for taking the time to hear my viewpoint, which I believe many of my neighbors share, notwithstanding the position of organizations wishing to represent us.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosenfeld" with a stylized flourish at the end.

Robert J.T. Rosenfeld