)UPONT CIRCLE ADVISORY
NEIGHBORHOOD COMMISSION (ANC 2B)
Government of the District of Columbia
#9 Dupont Circle, NW
Washington, DC 20036
Telephone: (202) 296-7333

September 24, 2002

Carol J. Mitten
Chair, Zoning Commission
441 4th Street, NW, Suite 210
Washington, DC 20001
Deliver via facsimile: (202) 727-6072

RE: **Case #02-25 - 1615 New Hampshire Ave., NW - University of Notre Dame**

Dear Ms. Mitten:

On September 18, 2002, ANC 2B once again considered Zoning Commission Case #02-25, an application by Nauru Phosphate Royalties on behalf on the University of Notre Dame for a special exception to establish a university at premises 1615 New Hampshire Ave., NW, in an DC/SP-1 District. With six of six commissioners in attendance, a quorum at a duly called public meeting, the following motion was approved by a vote of four in favor and one against:

> Based on new testimony, ANC 2B opposes Zoning Commission Case #02-25, an application by Nauru Phosphate Royalties on behalf on the University of Notre Dame for a special exception to establish a university at premises 1615 New Hampshire Ave., NW, in an DC/SP-1 District.

Several dozen constituents who reside in the area immediately around the subject property were in attendance at the meeting and provided testimony in opposition to the proposed use. No residents rose in favor of the application. Concerns cited include: impact of a university program in a residential neighborhood, removal of apartment units, loss of tax revenue, and neighborhood incompatibility. I am enclosing copies of correspondence received on this matter from residents. The Commission is further concerned that residents provided testimony that they did not receive notice about the pending matter by mail, as is required. Proper notice could have avoided this situation.

This premises is in the Single Member District of Commissioner David Jolliffe. Please feel free to contact Commissioner Jolliffe on (202) 518-7844 or at David.Jolliffe@DupontCircleANC.net for additional information or assistance. Thank you for your attention to this matter. ANC 2B greatly appreciates that the Zoning Commission kept the record open to additional testimony.

ON BEHALF OF THE COMMISSION:

Very truly yours,

Vince Micone
Chairperson

ZONING COMMISSION
District of Columbia
Case 02-25
Exhibit 38

Attachments

SINGLE MEMBER DISTRICT COMMISSIONERS AND OFFICERS

2B01	2B02	2B03	2B04	2B06	2B06	2B07
Norma Chaplain	Vince Micone Chair	David Jolliffe	Jeff Hopp Treasurer	Vacant	Marilyn Newton Secretary	Irv Morgan Vice Chair

ZONING COMMISSION
District of Columbia
CASE NO.02-25
EXHIBIT NO.38

CORCORAN MEWS CONDOMINIUM ASSOCIATION

Board of Directors

September 18, 2002

Vincent Micione
Chair, ANC 2B

Re: Proposed Change in Zoning
1615 New Hampshire Avenue, NW

We the Board of Directors of the Corcoran Mews Condominium Association oppose the proposed change in zoning to allow the University of Notre Dame to use this building as a dormitory, classroom, and possible meeting place for neighborhood organizations. We understand that 50 students and a faculty resident will eventually reside there.

We are particularly concerned that the back entrance will remain open for use by residents. This entrance opens onto a deck, a natural gathering place for occupants in good weather and a potential source of noise.

The 1700 block of Corcoran Street N.W. consists of individual family dwellings, townhouses, and condominiums. Corcoran Mews itself occupies the buildings at 1746, 1748, 1750, 1752, 1754, and 1756 Corcoran Street NW, all diagonally opposite the property in question. Corcoran Mews consists of 35 units.

The proposed change in zoning would

1. double the population at the New Hampshire Avenue–end of the street, profoundly changing the character of the neighborhood by multiplying foot traffic and noise
2. open up the possibility of "university sprawl," which has ruined Foggy Bottom as a residential neighborhood (three years ago Notre Dame's program had only 23 students but will have 35 by September 2003 and 50 by 2005)
3. displace the businesses located on the first four floors of the building and the renters who live on the fifth floor, depriving the District of Columbia of business tax and personal income tax revenue—which it can ill afford to forgo.

Now that we have an opportunity to comment on this proposal, we urge you to withdraw your original recommendation of the rezoning request.

Kathleen A. Lynch
President of the Board of Directors

Kristen D. Holtz, PhD
1754 Corcoran Street NW 48R
Washington DC 20009
202-462-3991/kholtz@danya.com

September 18, 2002

Advisory Neighborhood Commission 2B
P.O. Box 33224
Washington, DC 20033-0224

Dear Commissioners:

I am writing to oppose the request for rezoning of the property located at 1615 New Hampshire Ave NW. I am unable to attend the meeting this evening because of a teaching obligation, but I am happy to send this letter expressing my opinions in my stead.

It is my understanding that the University of Notre Dame wishes to house up to 50 students in this building as a dormitory. This zoning modification will cause an irrevocable change in the character of the neighborhood and adversely affect the quality of life of the current residents. Therefore, I strong urge the commission to deny the rezoning request because:

- The University of Notre Dame proposal is not consistent with the character of the neighborhood. Corcoran Street is residential -- small, narrow, and quiet with a residential population of owner occupied single-family homes. A dormitory for 50 students would almost double the residency of the north side of the street and severely compromise the quiet peaceful character of the neighborhood.

- The UND testified before the Zoning Board that they have never had a neighbor complain about their current location on Connecticut Avenue by the zoo. Further, the UND testified that their students' schedules are so busy that there will be "no time" to pollute the neighborhood with noise and the other byproducts of student life. As a university lecturer, I am well aware of the habits of undergraduate students, and I find these characterizations incorrect and illogical. There is no comparison between the impact that a dormitory has on a major thoroughfare such as Connecticut Avenue and that impact on a small residential street. There is no comparison between their current enrollment of 20 and their proposed enrollment of 50 at 1615 New Hampshire Ave. And there is no such thing as a student too busy to blow off steam.

In summary, the foot traffic and noise that will be a natural byproduct of this dormitory will be a great threat to our street, our quiet enjoyment of their homes and our property values.

I strongly urge the ANC to reconsider this rezoning proposal, and proper procedure followed to hear this request with the input of the residents that it will affect. Please feel free to contact me if you would like clarification or more information related to this letter.

Sincerely,
Kristen D. Holtz, PhD

Stephen R. Seitz
1743 U Street, NW Apt. 3
Washington DC 20009
202-667-3834

September 18, 2002

Advisory Neighborhood Commission 2B
P.O. Box 33224
Washington, DC 20033-0224

Dear Commissioners:

I write to share my opposition for the University of Notre Dame's (UND) request for rezoning of 1615 New Hampshire Ave, N.W. for dormitory living. Respectfully, I would have attended the meeting this evening if not for previous obligations and commitments. The following are my opinions and concerns regarding the rezoning of such property:

- Waiving the zoning restriction to allow for this dormitory sets a dangerous precedent, especially with respect to allowing the facility to limit space per individual to some 250 sq. feet. Should UND sell the building in the future, there is no limit to how the building might be used.

- The building should be used to enhance the area's marketability - perhaps turned into condos so that residents have a stake in the neighborhood and real estate values would not be diminished.

- The District already provides ample space to universities and there are other Catholic schools in the area. UND should seek to house their students on existing tax exempt properties – perhaps sharing space with Georgetown or Catholic Universities.

In summary, the UND proposal is inconsistent with the character of the neighborhood and should seek out other locations. Our neighbors should have the right to uphold the values of our community and not be made to live "on campus."

Therefore, I strongly urge the ANC to reconsider this rezoning proposal including all residents in a dialogue of progress.

Sincerely,
Stephen R. Seitz

1775 Corcoran Street, NW, Apt. 44
Washington, DC 20009

September 18, 2002

Advisory Neighborhood Commission 2B, Dupont
P.O. Box 33224
Washington, D.C. 20033

Dear ANC members,

As a resident of the neighborhood that includes 1615 New Hampshire, N.W., I am opposing the special exception requested by the University of Notre Dame to establish a university at this address.

This neighborhood is currently a wonderful mix of residential and low-impact commercial space, and I feel strongly that allowing a university to hold classes and especially house students here will have a negative impact on the neighborhood. I lived for about two years in Foggy Bottom, and do not look forward to the prospect of loud parties, housing that isn't kept up, and other unpleasant results of having a student population in the neighborhood.

I would also argue that Notre Dame's plan would deteriorate the tax base. If owned by a university, the building would be taken off the tax rolls. Since students seldom pay income tax where their college is located, the income taxes generated from residents living in the building would also be lost.

The residential tenants of 1615 New Hampshire (our address is 1775 Corcoran) are working with developers to find an alternative plan that would allow the property to continue without a zone change. This is a viable property that does not need a zone change to be fully used, and therefore, a zone change is unnecessary—and harmful to the neighborhood.

I urge you to reject this request.

Many thanks,

Carole Burns

Jean E. Bérubé, Esq.
1754 Corcoran Street, NW #46B
Washington, DC 20009
(202) 462-7472

September 18, 2002

Advisory Neighborhood Commission 2B
P.O. Box 33224
Washington, DC 20033-0224

Dear Commissioners:

I am writing to express my strong opposition to the University of Notre Dame's (UND) proposal to waive zoning restrictions and house 50 students at 1615 New Hampshire Avenue, NW.

My condo complex is within 200 feet of the property, and I was not given any notice of this proposal until the current residents of 1615 advised me of the Zoning Board meeting last week. According to the Zoning Board, the ANC voted in favor of the proposal by a vote of 2 to 1, which now creates a "fundamental presumption of compatibility." (Was there even a quorum for such a vote?). I strongly urge you to vacate that vote and reject the UND proposal.

A UND dormitory for 50 students is not "compatible" with the character of the neighborhood and the particularly quiet atmosphere of the 1700 block of Corcoran Street. My block is predominantly populated by mature adults who own their homes, pay income and real estate taxes and contribute to a quiet enclave in a dynamic part of town. Anyone who has walked down the street on the way to the "Soviet Safeway" is struck by the unique calm of the street. The UND proposal is far from "compatible" and would adversely affect the neighborhood, lower real estate values, overburden already stressed services (e.g. could 50 hungry college students actually fit in the Soviet Safeway?), and set a dangerous precedent for any future uses of the building.

UND testified last week that there will be no adverse impact because there are already some 40 employees in the building, the students will be too busy to blow off steam (they've never had a complaint at the current location near the zoo), no additional traffic will be added because the students will not be allowed to have cars, and that they have no plans to expand. I find this hard to believe.

First, there is a big difference between employees who leave the area at night and on weekends when the residential owners are most likely to be home, and 50 young adults crammed into a building 24/7. Second, there is absolutely no comparison between UND's current program with 20 students located on Connecticut Avenue - a major thoroughfare with large high rise buildings populated by highly transitory residents – and the proposed 50 students to be housed on the small one way street of Corcoran which has bedroom windows feet from the curb. Third, while parking is a problem in the Dupont Circle area, it is the foot traffic and noise that is most threatening to the neighborhood. And finally, UND already began its expansion by beginning last week's hearing asking for 31 students to start out and then requested 35.

In conclusion, there is no justifiable reason to waive the zoning restriction to allow the UND to create a dormitory at 1615 New Hampshire. With a budget deficit of $323 million threatening the District, this is hardly the time to waive current zoning regulations to allow yet another tax exempt entity to take advantage of the benefits that D.C. residents have paid dearly to create and hope to maintain.

I urge you to vote again on the proposal and reject it.

Thank you for your consideration of this important issue.

Sincerely,

Jean E. Bérubé, Esq.