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President & Chief Executive Officer



May 6, 2005

Ms Carol J Mitten
Chair, District of Columbia Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

RE Case No 04-18 Mt Vernon Triangle Overlay District

Dear Ms Mitten

National Public Radio, Inc ("NPR"), the sole property owner in Square W484, submits this request to testify at the public hearing scheduled for May 19th on the above referenced matter.

Thirteen years ago when we purchased the former American Security Bank building, this area was not downtown . it was no-town Boarded up buildings, vacant lots, and a temporary homeless shelter where the Convention Center now sits characterized the streetscape. We invested millions of dollars in our renovation of the building and brought over 500 employees a day into it

As a 503-C3 non-profit corporation, which helped stabilize the then-declining neighborhood, we find some aspects of the proposed overlay district to be burdensome and a hardship with which to comply Should these measures be adopted, NPR would be faced with additional zoning requirements beyond the existing Downtown Development (DD) overlay for any future development of currently vacant land, or a significant renovation of our existing building

In particular, the overlay zoning regulations would impose on NPR a requirement for specific uses on the ground floor of that development project NPR acquired the land primarily for our own use, and not as a real estate developer. If and when NPR does build, we may find that --for us -- the ground floor would best be used for our own internal uses other than retail or other uses proposed in the overlay language To require NPR to become a landlord to retail tenants would be a government-imposed mandate on an independent institutional that may not be enforceable. It would be an extraordinary outcome if NPR would have to provide an outlet for another coffee house rather than a street front studio or some other expression of our public service mission Further, should we be required to have tenants -- which may or may not be related non-profit entities -- that portion of the project would probably have to be funded through financing vehicles which would

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~~CASE NO.~~ 04-18
~~EXHIBIT NO.~~ 14

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impose higher costs on NPR than tax-exempt revenue bonds. Should we not find appropriate internal uses or retail tenants, under this proposal we would be prevented from using a portion of our property for other non-approved uses. This would impose an unreasonable burden on a mission-oriented public service entity, and NPR should be exempted under any reasonable public policy.

NPR's Director of Real Estate and Administrative Services, Maury Schlesinger, has met with members of the Office of Planning staff. NPR understands and applauds the goals and objectives of the Mt. Vernon Triangle Overlay District. NPR supports the concept of a vibrant local streetscape. However, we find the details of this proposal extraordinarily complex, confusing, and not well tested which will complicate its implementation. We question OP's assertion that the 14-foot-high ground floor bay requirement does not compromise the total FAR possible on a site given existing height restrictions. The prohibition on driveways on the south side of K Street is absolute – subject to the BZA. This imposes a design restriction on any future building which may be incompatible with our operational needs.

The proposed zoning changes, in addition to the existing DD overlay and additional tax burden of the Downtown BID and rising real estate values throughout the District, raises questions about how a dedicated pioneer is repaid for its efforts to stabilize and improve a neighborhood. As NPR continues to grow, the costs and complexities of doing business in the District of Columbia will be a factor in our plans for development of the vacant land we own. Should this proposal come into effect, NPR's ability and willingness to expand its operations in Mt. Vernon Triangle will be compromised.

We respectfully request that the Zoning Commission refrain from adopting the overlay proposal. Should it elect to proceed with the overlay, however, we respectfully ask that the Commission specifically exempt the National Public Radio site from any of its provisions and issue a revised hearing notice to that effect.

Yours truly,

A handwritten signature in black ink, appearing to read "Kevin Klose", written over a horizontal line.

Kevin Klose
President & CEO