



**BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA
Case No. 05-34, ANC 6C**

**Statement of Janet Quigley, Chair
Capitol Hill Coalition for Sensible Development
March 23, 2006**

Good evening Ms. Mitten and members of the Zoning Commission. My name is Janet Quigley and I am testifying in support of the ANC petition. I am the Chair of the Capitol Hill Coalition for Sensible Development and a former ANC Commissioner for the same area we are discussing tonight. I have lived at 644 Massachusetts Avenue, one block from the Medlink site, for ten years and have first hand knowledge of the issues facing the neighborhood.

CHCSD is a neighborhood organization formed in 2000 to advocate reasonable, compatible projects in the Capitol Hill Historic District. CHCSD was a key participant in the 2001 negotiations with Dr. Shin that resulted in the Holladay compromise development plan.

The reason we are here tonight is that ANC 6C has submitted a petition in response to a collective community plea to resolve a longstanding problem, namely an inappropriate zoning level that contributes to traffic congestion and parking shortages, and has resulted in six years of unsuitable development proposals for this site within a historic district, rowhouse neighborhood.

The Office of Planning has correctly found that the R-5D zoning level is not consistent with the Generalized Land Use Map and the provisions of the Comprehensive Plan. However, we disagree with their conclusion that R-5B is the appropriate re-designation. R-5B will not solve the problems of this neighborhood if it produces only a 15% reduction in density as compared to R-5D.

**ZONING COMMISSION
District of Columbia**

CASE NO.

05-34

EXHIBIT NO.

44

I am submitting for the record a CHCSD-conducted petition with 561 signatures supporting a zoning change to R-4. This petition drive focused on homes within a two-block radius of Square 895, and 96% of the signatures came from within that radius.

As we gathered signatures these neighbors, unsolicited, expressed their frustration with parking problems, traffic congestion, vagrancy and the longstanding vacancy of the south buildings, as well as a desire to preserve the historic feel of the neighborhood, and concern for the peace and beauty of St. James Church. Ideally neighbors would like to see row houses on the block again. In the fabric of the Capitol Hill Historic District, the Medlink site is clearly a tear. We are looking to the Zoning Commission to set the conditions that can fix these problems and make the community whole again.

We are fully aware of the challenges facing this growing city and we applaud the Zoning Commission and Office of Planning's willingness to consider ANC 6C's petition. Given the unique circumstances of this case, namely Medlink's location in the heart of the Capitol Hill Historic District and the heart of an R-4/C2 neighborhood, we believe a zoning change is warranted. Given the loss of the site's original justification for high density zoning, we believe a zoning change is mandatory.

On January 30, 2006, representatives of the ANC and five community groups met with Ms. McCarthy, Ms. Steingasser and Mr. Mordfin of the Office of Planning to explore the implications of a zoning change. They stated that, in the event of a change, the property owner would build the southern portion of the "Holladay project" (Exhibit 13 of your ANC testimony) that is, refurbish the existing structures and add some parking. The groups stated that was an option they were willing to consider.

That "Holladay compromise" was the best we could do after two years of working for a more compatible project. It was a significant improvement over the original eight-and-a-half story plan, but with 275 units it was still considered too dense for the neighborhood. That project was only acceptable, then and now, as a maximum and a compromise. CHCSD continues to believe that any massing and density beyond the "Holladay" level is incompatible with the neighborhood.

According to OP's January 6, 2006 Supplemental Setdown Report, development of the existing southern portion at R-4 would allow 47 units. The Holladay plan proposed 105 units on that section. The Shalom Baranes plan proposes 150 units. If the site is rezoned to the R-5B level and a PUD is granted we would have even more units and another story taller.

OP's final report of March 6, 2006 states that an R-4 designation would result in significant nonconformities. The two most noteworthy are the height of the tower building (73 feet vs. 40) and the lot occupancy of the southern portion (88% vs. 60%). While no floor area ratio is specified for R-4, the existing FAR of 2.4 is somewhere above R-5B.

In other respects the differences are not so significant. The occupancy of the entire lot is only 9% above the R-4 limit and the occupancy of the southern portion exceeds even the R-5D limit of 75%. If anything, this might argue against subdividing the lot. The 1928 building would also be nonconforming (54 feet vs. 40) but enjoys the support of CHCSD, CHRS and the HPRB for its historic value.

While we have steadily worked for lower density for this site, I submit that, in the spirit of the 2001 compromise, the nonconformities that would result from an R-4 designation are acceptable compared to what R-5B with a likely PUD would allow. Our neighborhood faces problems that can only be solved by a significant change in the zoning level. A rezoning that could leave us within 15% of the previous designation is not sufficient.

We respectfully urge the members of the Zoning Commission to achieve a more substantial and community-responsive solution.

Thank you, Commissioners, for your time.

THOMAS A. MADDOX
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September 25, 2000

Nancy Simpson
Capital Hill Coalition for
Sensible Development
713 Massachusetts Ave , NE
Washington, D.C. 20002

Dear Ms Simpson

Attached please find the results of our measurements to determine the relative heights of buildings around the Medlink Hospital and Nursing Center on Constitution Avenue in Capitol Hill. The numbers on the attached table correspond to the numbers on the sketch faxed to our office by Jean Frane on September 10.

Please call me with any questions you may have in this matter

Very truly,



Thomas A. Maddox
Registered Land Surveyor

BUILDING	LOC. OF MSMT.	HT. ABOVE CURB
1 Nursing Home <i>Tower</i> 7 th & C Streets	Cornice	76.6'
2 Medlink Hospital <i>1928</i> Constitution Ave.	Cornice	54 3'
3 Uppermost Penthouse above Hospital	Cornice	81 8'
4 Lower Penthouse above Hospital	Cornice	66.4'
5 <u>Stanton Manor</u> Condos 642 Massachusetts Ave.	Cornice	58 2'
6 Top of Rowhouse 635 Constitution Ave	Cornice	32 1'
7. Top of Drycleaners 138 7 th Ave	Cornice	28.5'
8. Top of Rowhouse 701 Massachusetts Ave.	Cornice	33.1'
9. Top of Rowhouse 802 Massachusetts Ave	Cornice	35.8'
10 Top of Capitol Hill Med Clinic – 8 th St. & Const	Cornice	45 7'
11. Top of Rowhouse 211 8 th St	Cornice	34 3'
12 Top of Convenience Store 301 8 th St	Cornice	21.5'
13. Top of Rowhouse 724 C St.	Cornice	28 7'
14. Top of St. James <i>Rectory</i> Church 222 8 th St	Front (East) Gable Side (South) Gable	35.6' 41.5'
15. "Louise" 7 th St	Cornice	41.1'
16. White Penthouse above Hospital	Cornice	65 7'
17. Top of St. James Church	Steeple	58 0'