



COUNCIL OF THE DISTRICT OF COLUMBIA

THE JOHN A WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N W
WASHINGTON, D C 20004

May 1, 2006

The Honorable Carol J Mitten, Chairman
District of Columbia Zoning Commission
441 4th Street, N.W , Suite 210-S
Washington, DC 20001

Re Proposed Downzoning of Square 895, Lot 76

Dear Chairman Mitten

I am writing in regard to the proposed downzoning of Square 895, Lot 76, owned by Capitol Hill Group, which is currently pending before the Zoning Commission. Although it was encouraging to learn that the Zoning Commission does not support downzoning the property from the current R-5-D zone to the requested R-4 zone, I am nonetheless concerned that you appear to support downzoning the property to R-5B

Mayor Williams and I, and other Councilmembers, have discussed on numerous occasions and at great length the need for ensuring that fairness, consistency and predictability characterize the regulatory processes in the District. If our administrative agencies don't adhere to these principles, it will be very difficult to convince individuals and entities to invest in and reside in D C

I am very familiar with this parcel and the owner. This property has been the site of MedLINK Nursing Center for 14 years, and MedLINK Hospital for more than 10 years. I have personally intervened in the past, at the request of their former CEO, Dr. Shin, to find a relocation site for the hospital and nursing center in Ward 5, without success. I know the management team and the caregivers at these institutions, and they continuously strived to provide high quality health care to the residents and patients at MedLINK until these entities were recently sold. They have every right to be very proud of their many accomplishments.

I strongly believe that the owner, like any other property owner in the District, is entitled to rely on retaining the zoning the property enjoyed when he purchased it some 15 years ago. If property can be spot downzoned in this manner, it sets a bad precedent and could substantially undermine the confidence of future investors to conduct business in the District of Columbia.

ZONING COMMISSION
District of Columbia

CASE NO. 05-34
ZONING COMMISSION
District of Columbia
EXHIBIT NO. 54
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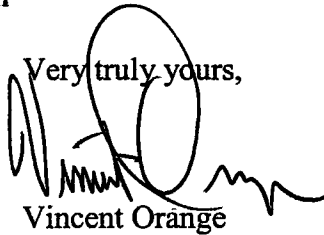
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The D.C. Historic Preservation Review Board gave conceptual approval for the proposed development on February 23, 2006. HPRB has devoted considerable resources to determining the merits of the design proposal and believes that the proposed project is consistent with the other structures existing in the Capitol Hill Historic District. I believe that this agency's decision should be afforded great weight in the Zoning Commission deliberations. Retaining the present zoning will allow the removal of the existing unattractive buildings and the construction of a very attractive project that will represent a significant enhancement for the Capitol Hill community, not to mention the tax base for the District.

My understanding is that, at this point, the 2-2 tie vote at the Zoning Commission hearing on April 20 will be broken by a single Commissioner who was not even present at the lengthy hearing when the proposed downzoning was considered. This "solution" does not appear to me to be the way this situation should be resolved and, regardless of the outcome, could seriously diminish the public's perception regarding the fairness and equitability of the administrative processes in D.C.

I strongly urge you, as Chairman, to reconsider your position and to support retention of the current R-5-D zoning. This is a fair and just resolution for this situation.

Thank you for your attention.

Very truly yours,

Vincent Orange