



District of Columbia Government
 Advisory Neighborhood Commission 6A
 Box 75115
 Washington, DC 20013



May 22, 2007

Zoning Commission
 One Judiciary Square
 441 4th Street NW, Suite 210S
 Washington, DC 20001

Re: ZC Case #06-34 (Comstock – PUD @ 1705-1729 East Capitol St, SE)

Dear Zoning Commissioners,

At a regularly scheduled and properly noticed public meeting on May 10, 2007, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to oppose Comstock ZC Case #06-34. We have already submitted a letter to request party status and have attached the form to the present letter.

Our Commission is seeking party status in this case because we are within 200 feet of the Planned Unit Developments along East Capitol Street SE and will be significantly impacted by the development. Accordingly, we are concerned with the following issues:

- The applicant is proposing that a portion of the property be upzoned to R-5-B from R-4. The upzoning will increase the density and negatively impact surrounding community as well as exceed the existing infrastructure capacity for a residential neighborhood.
- The current plans indicate that only 11 of the planned units will be “affordable”. Our Commission strongly believes that affordable housing is a must and that the builder should allot 20% of the planned development as affordable units.
- The current renderings of the facade are inconsistent with the architectural vocabulary of the surrounding neighborhood. For example, Comstock is requesting a 50’ height, with the top floor of inconsistent and inappropriate material (appears to be stucco) contrasting unpleasantly with the brick veneer used on the first three floors. The cornice should be moved to the top of the structure. Beyond that, the utility structures on the roof are only sketched in. These elevator housings and other utilities would be an unpleasant contrast to the architectural vernacular of beautiful historic Capitol Hill.
- The value of community amenities is meager compared to over 35,000 additional square feet that the developer is seeking from the upzoning and PUD. ANC 6A estimates that the value to the developer is over \$9,000,000, while the value of the community amenities is around meager \$15,000. The developer must increase the amenities package for the entire community.

In close, the following are authorized to act on behalf of ANC6A for the purposes of this case:
 Commissioner Stephanie Nixon (202-222-8570), Commissioner Joseph Fengler, Commissioner

ZONING COMMISSION
 District of Columbia

CASE NO. 06-34
 EXHIBIT NO. 39

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 District of Columbia
 CASE NO. 06-34
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

Nick Alberti, Commissioner David Holmes, Commissioner William Schultheiss, Dana Wyckoff, Brit Wyckoff, Linda Whitted, and Drew Ronneberg.

On behalf of the Commission,

Joseph Fengler, Chair
Advisory Neighborhood Commission 6A

cc: Esther Bushman, Esq., General Counsel, Office of Zoning
Maxine Brown-Roberts, Office of Planning
Julie Olson, Chair, ANC 6B
Francis Campbell, ANC 6B Planning and Zoning Chair
Antonette Russell, ANC 6B09
Francis Campbell, ANC 6B10
Gary Peterson, Capitol Hill Restoration Society, Zoning Chair
Holland & Knight, LLP
Pastor Lucius Dalton, Mt Moriah Baptist Church

Enc: Party Status Form

Form 140 (Revised 03/15/02)		Case No. ZC 06-34	
			
PARTY STATUS APPLICATION			
Notice: Click Here for Application Form Instructions			
Name:* Stephanie Nixon on behalf of ANC6A			
Address:* 423 18th St NE #4		City:* Washington State:* DC Zip:* 20002	
Phone:* (202)222-8570		Fax: (866)887-9555 Email: smnixon6a@prodigy.net	
I, hereby request to appear and participate as a party.		Signature: <i>Stephanie Nixon</i>	Date:* 05/15/2007
Will you appear as a(n)	<input type="checkbox"/>	Proponent	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	Opponent	<input type="checkbox"/>
Will you appear through legal counsel		<input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, please enter the name and address of such legal counsel.			
Name:			
Address:		City: State: Zip:	
Phone:		Fax: Email:	
Please answer all of the following questions referencing why the above person should be granted party status. (If you require additional space, please attach an additional sheet.)			
1). How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Board?*			
In this case the proposed property at 1705-1729 East Capitol St SE is within 200 feet of ANC6A. In addition, ANC6A is concerned with the request for upzoning to R-5-B and the planned unit development as well as facade designs that do not conform to the community without corresponding community amenities.			
2). What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)*			
NONE			
3). What is the distance between the person's property and the property that is the subject of the appeal or application before the Board? (Preferably no further than 200ft.)*			
About 2 lanes of traffic on East Capitol St separate ANC6A from the proposed property. This is only about 20 feet.			
4). What are the environmental, economic or social impacts that are likely to affect the person and/or the person's property if the action requested of the Board is approved or denied?*			
If upzoning is permitted in this instance, then it could set a precedent for further upzonings in the immediately neighboring community. ANC6A is further concerned that the design does not fit the architecture of the surrounding community. Finally, 6A wants to insure that community amenities in the PUD (as well as upzoning) is commensurate to the density bonus.			
5). Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.*			
None			
6). Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other person's in the general public.*			
Same as #1			



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 Advisory Neighborhood Commission 6A
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 441 4th Street NW, Suite 210S
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ZONING COMMISSION
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CASE NO.

exhibit

06-34
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Nick Alberti, Commissioner David Holmes, Commissioner William Schultheiss, Dana Wyckoff, Brit Wyckoff, Linda Whitted, and Drew Ronneberg.

On behalf of the Commission,

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Joseph Fengler, Chair
Advisory Neighborhood Commission 6A

cc: Esther Bushman, Esq., General Counsel, Office of Zoning
Maxine Brown-Roberts, Office of Planning
Julie Olson, Chair, ANC 6B
Francis Campbell, ANC 6B Planning and Zoning Chair
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I hereby request to appear and participate as a party.	Signature:	Date:* 05/15/2007	
Will you appear as a(n)	<input type="checkbox"/> Proponent	<input checked="" type="checkbox"/> Opponent	Will you appear through legal counsel
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please enter the name and address of such legal counsel.			
Name:			
Address:	City:	State:	Zip:
Phone:	Fax:	Email:	
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