

ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA

RE: Application of Stonebridge Associates,)
5401, LLC, on behalf of 5401 Western)
Avenue Associates, LLC, and the Louise) Z.C. Case. No. 02-17
Lisner Home for Aged Women, for)
Approval of a Consolidated Planned Unit)
Unit Development and Zoning Map)
Amendment for Property at Western Ave,)
N.W., and Military Road, N.W.)
Square 1663, Lots 7 and 805.)
_____)

EXHIBIT NO. 80

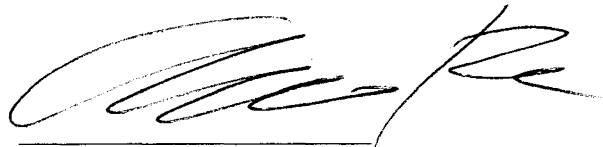
CERTIFICATE OF SERVICE

I hereby certify that, on October 28, 2002, copies of the letter from Hazel F. Rebold, Stephen and Betsy Kuhn, and Jackie L. Braitman requesting to appear as parties in opposition to the above-captioned case were served by first-class mail on:

Wayne Quin
Holland and Knight
2099 Pennsylvania Ave., N.W. suite 100
Washington, D.C. 20006

Andrew Altman, Director
Office of Planning
801 North Capitol Street, N.W. Suite 4000
Washington, D.C. 20002

Jill Diskan, Chair
ANC 3E
P.O. Box 9953
Friendship Station
Washington, D.C. 20016



Andrea C. Ferster

ZONING COMMISSION
District of Columbia
Case 02-17
Exhibit 80

4211 Military Rd, NW
Washington, DC 20015
October 25, 2002

Carol J. Mitten, Director
Office of Zoning, Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Dear Ms. Mitten:

We request to appear and participate as a party in opposition to the zoning application of case number #ZC 02-17. We will be represented by counsel listed below:

Andrea C. Ferster
Cornish F. Hitchcock
1100 17th St., NW, 10th Fl.
Washington, DC 20036

We cede all of our time and our right to choose and present witnesses to this counsel.

We reside at 4211 Military Rd, N.W., Washington, D.C. 20015, which is within 200 feet of the site described in the zoning application, and we are the legal owners of the property at that address. We oppose any change in zoning that would permit the construction of such a massive building next to our two-story home. The current zoning was changed when Metro was created reflecting the expected development in the neighborhood.

Our house is the closest house on the north side of Military Rd. to the proposed development in the zoning application and it is within the same square number. Currently, the area between our house and the Washington Medical Clinic is an open, common area. It is used by the neighborhood as a shortcut to Metro and a dog-walking area. Shoppers at the Wisconsin Avenue stores sometimes use it as playground space to entertain children while one parent shops. The common area provides a welcome buffer between the hubub of Wisconsin Avenue and the residential neighborhood. The loss of this buffer would seriously affect the quality of life in the residential neighborhood. We understand that several studies are underway to develop land-use guidelines for this area. We don't understand the need to be pressured by a developer into approving such a massive apartment house before these studies are completed.

The zoning change would allow development that would exacerbate traffic conditions outside our door that are already poor and deteriorating. We find with increasing frequency that we have trouble crossing the street in front of our house. The future development on the Maryland side of Wisconsin Avenue will clearly exacerbate traffic

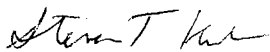
and parking problems. The increased traffic will lead to further deterioration in our air quality. Please do not believe the contention that building more than one hundred condos and a day care center on the Clinic site, while Clinic relocates just across Western Avenue, will not seriously and adversely affect the traffic conditions in our neighborhood.

We are particularly concerned with the idea of upzoning any portion of the land that currently belongs to the Lisner Home. The City would suffer an irreparable harm by trading some of the attractive wooded and grassy area around the Lisner Home for one more massive and unneeded luxury apartment or condominium structure. Now we have learned that the developers may actually want to build a *second* structure, even closer to our house, in the area between Lisner and the Clinic. We find this prospect especially alarming.

We intend to write you a more detailed letter describing our opposition to the proposed zoning changes, as soon as we have had a chance to study the developer's most recent proposal. So far we have seen only a very brief summary, and we have already written pleading for more time to study the new proposal.

If you need any further information or if there is any difficulty in granting this request, please let us know right away.

Sincerely,



Steven T. Kuhn



Betsey A. Kuhn

JACKIE L. BRAITMAN

5343 43rd Street, NW
Washington, DC 20015-2007

October 25, 2002

Carol Mitten, Chairman
Zoning Commission for the District of Columbia
441- 4th Street, NW
Washington, DC 20001


RE: # ZC 02-17 (Stonebridge Associates)

To Whom It May Concern:

I am writing to seek status as an affected party in the above matter:

Name & Address: Jackie L. Braitman, Ph.D.
5343 43rd Street, NW
Washington, DC 20015
Day: 301-562-8228
Evening: 202-362-0495

I request to participate as an OPPONENT of the application.

I request to be represented by legal counsel:
Andrea C. Ferster 
Cornish F. Hitchcock
1100 17th Street, NW, 10th floor
Washington, DC 20036

The list of Witnesses will be determined by my counsel, above.

Statement: I own and occupy a home within 3 houses of the proposed development (much less than 200' away). I have owned and lived in this house for more than 10 years. I have made extensive improvements to the interior and exterior of my home. It is a place of peace and regeneration for my soul.

I spend many hours in the early morning and early evening outside in the neighborhood playing with my dog and visiting with neighbors. The neighborhood that I cherish has an open feel with lots of green space. There is a feeling of community because all of us are homeowners in similar circumstances. We own single-family detached or semi-detached housing. We cooperate in picking up street trash and policing speeding cars and errant dog-owners that don't pick up after their charges. The adults stand and chat while children play in the alleys and yards. The new townhouses behind Chevy Chase Pavilion form a vital transition between the low-density

residential feeling of the neighborhood and the commercial areas along Wisconsin Avenue. The owners of these houses have become part of the community because they share the interests and circumstances of the rest of the neighborhood.

How would I be affected by the proposed development? There are hundreds of small and large ways. A 90' (or 70' or 60') building located just a few houses away would dramatically change the character of the community. I would not choose to buy a house 3 short houses from such a structure. Prior to purchasing my home I investigated the zoning for the neighborhood. At the time, the lots across the street (Chevy Chase Pavilion and the new townhouses) were vacant. I only bought after I confirmed R-2 zoning for the land bordering 43rd street and the surrounding residential area. I was aware of the R-5B zoning for the lot in question but considered that, if developed, under R-5B zoning the community character wouldn't change dramatically. Everyone to whom I spoke reassured me that the Zoning Commission was adamant about retaining the community character of the neighborhoods.

As I walk to commercial establishments in the community, I never fail to marvel at the magnificent maple tree near the corner of the referenced lot. The magnificence of this maple would be dwarfed and undermined by such a large structure. This might seem small to the Commission but it would, in fact, have a huge affect on my sense of well-being.


How am I impacted by the proposed development more than neighbors 3 blocks away? The primary impacts are:

- 1) Visual change in the character and openness of the immediate neighborhood. I have addressed that above.
- 2) Increase in noise "pollution". The "utilities" for a 90' building are noisy. Combined facilities such as required for a dense building are far greater than the combined noise of single-family air conditioners and the like.
- 3) Increase in traffic congestion. I realize that traffic studies conducted by the applicant have concluded that there would be no adverse impact to the community. I, respectfully, question the validity of the analysis especially in the immediate vicinity of the development: First, there is no ability to turn south onto Wisconsin from Western. The likely Southern route for traffic for the development will be along 43rd Street – my street. The street is already dangerous due to its use as a thoroughfare for cars and trucks. The current truck ban on the street is not enforced nor are the parking restrictions near corners enforced. Second, the current clinic has traffic during the day when most of us are away from the neighborhood. The clinic doesn't have traffic in the evenings and weekends. This is exactly the time when the hundreds of residents proposed by the applicant would be making non-Metro trips. Third, I already have trouble crossing Military Road. I often have to stand for many minutes seeking a break in traffic or risk my life to cross in the crosswalk. The density proposed can only make the use of the commercial establishments in the area more difficult for the current neighborhood.

- 4) Change in the character of the immediate neighbors. I currently live in a low-density community of single-family homes. The proposed development would dramatically change the character of the immediate community.

I fully support development of the referenced site – but I support development under it's current R-5B Zoning. I respectfully oppose the proposal put forth by the applicant.

^{R-2 JB}
Sincerely,


Jackie L. Braitman

10-25-02

Carol Mitten, Chairman
Zoning Commission
District of Columbia Office of Zoning
441 4th Street, NW, Suite 210-S
Washington, DC 20001

RE: #ZC 02-17 (Stonebridge Associates)

I am writing to request party status at this hearing, as an opponent of the application by Stonebridge Associates to change the zoning on the major part of the site from R-5-B to R-5-C and to develop it as a PUD,

I would like to retain 3 minutes of time for my own remarks at the hearing, and cede the remainder to FhORD. I authorize legal counsel as follows to represent me:

Andrea C. Ferster
Cornish F. Hitchcock
1100 17th St., NW, 10th Fl.
Washington, DC 20036

I have owned my house at 4228 Military Rd. since 1985. Having always worked from my home as an artist, I spend a great deal of my time here, and it has been a wonderful house in the perfect neighborhood for me. I do not drive, so this "transit oriented" location is essential.

Like many of my neighbors, I spend much time (and considerable money) to both improve and maintain my home and yard, on an ongoing basis. When I bought my house, it had been a rental property for many years, and the condition was so poor that I was reluctant to purchase it. I have since tried to bring it back to the original condition and character that I imagine it had when built in 1935, as it is a good example of one of the several styles of houses (1930's neo-colonial) that gives this neighborhood its particular charm. In every way possible, I have tried to make the exterior and yard an asset to the neighborhood as a whole, since I am located on a very prominent corner, on Military Rd. at 43rd St..

I am therefore located across Military Rd. from the site in question, directly across from the Lisner part of the site: mine is the closest house of all. My property is only 90 feet from this site, and my recently constructed stone retaining wall and iron fence are even closer, 71 feet from the site. (Like residents in a number of areas, this wall was permitted right behind the existing sidewalk.) There is a one-story house to my east, a two-story house to the south, and townhouses across 43rd Street to my west.

I have previously written to express my fears about the possibility of damage to my house from construction on this site. Stonebridge is proposing several levels of underground parking right up to their property line, and therefore the excavation will be both very deep and very close. My house was significantly damaged by the construction of the Embassy Suites/ Pavilion on the other square adjacent to mine, Square 1661, and that was farther away from my property than is the proposed Stonebridge construction.

Although I value my proximity to the commercial services on Wisconsin Ave., I have relied on zoning regulations to keep this a stable residential neighborhood. With very few vacant parcels remaining, this neighborhood is now virtually "completely built." However, I realize that almost any existing building may be demolished and its site used for anything that the zoning allows. This has happened to some older houses on large lots, replaced by more units, as the zoning does permit this in some cases. These are the kind of changes that I expect over the years, including the possible redevelopment of the Washington Clinic site, since I know that a building almost 3.5 times as massive could be built here as a matter of right under current zoning (gross floor area allowed is 78,912 SF, but the Clinic is only about 22,800 SF) .

A neighbor and I have spoken to two developers who each said that they would love the opportunity to develop this site as townhouses. I would welcome that, or any other development under the current zoning.

Also, it seems obvious that the redevelopment of this site, which will already involve part of the Lisner property, is likely to influence the redevelopment of the rest of the almost 6-acre Lisner parcel at some future time. That will have a huge impact on the character of this neighborhood, and encompasses almost all of the remaining views that I enjoy from my house.

I am one of the many people who have helped to make this a desirable neighborhood, one that Stonebridge now wants to exploit at our expense. Please do not require that my house now serve as the "buffer" between this high, dense development and my neighbors' homes. I ask that the current zoning on this entire site be preserved.



Hazel F. Rebold
4228 Military Rd., NW
Washington, DC 20015-2933
202-364-4228
hfrebold@earthlink.net