



Advisory Neighborhood Commission 4B

6856 Eastern Avenue, NW - Suite 314

Washington, DC 20012

202-291-6282 (Office)

Sara Green, ANC 4B01, Chairperson, Faith Wheeler, ANC 4B02, Vice Chairperson

Yvonne Jefferson, ANC 4B08, Secretary, Frederick Grant, ANC 4B03, Treasurer

Brenda Speaks, ANC 4B05, Gloria Palmer, ANC 4B06, Judi Jones, ANC 4B07, Douglass Sloan, ANC 4B09

October 1, 2012

Mr. Lloyd Jordan
Chairperson
Board of Zoning Adjustment
Government of the District of Columbia
One Judiciary Square
441 4th Street NW
Suite 210S
Washington, DC 20001

Rec'd: 10/01/12
RN

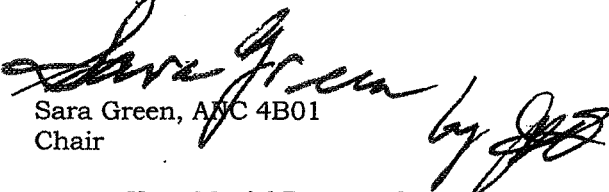
**RE: BZA Appeal #18460 – Wal-Mart Building Permit
5929 Georgia Avenue N.W.**

Dear Mr. Jordan:

At its regularly scheduled meeting on September 24, 2012 (notice of which was properly given, and at which a quorum of six of eight members was present) Advisory Neighborhood Commission 4B voted (5 yes, 0 no, 1 abstain) to adopt the attached resolution supporting the appeal of Ginia L. Avery *et al* of a decision to issue a building permit for a Wal-Mart store at the above address.

The Commission submits this resolution under the provisions of DC Code 1-309.10(a) through 1-309.10(h)(1), which require, among other things, that Advisory Neighborhood Commission recommendations be given "great weight" by DC government agencies, that DC government agencies "articulate with particularity and precision the reasons why the Commission does or does not offer persuasive advice under the circumstances. In doing so, the government entity must articulate specific findings and conclusions with respect to each issue and concern raised by the Commission."

Sincerely,


Sara Green, ANC 4B01
Chair

cc: Hon. Muriel Bowser, Councilmember, Ward 4
City Council of the District of Columbia
Hon. Vincent Gray, Mayor
Hon. Victor Hoskins, Deputy Mayor for Planning and Economic Development
Mr. Gottlieb Simon, Office of Advisory Neighborhood Commissions
Ms. Ginia L. Avery
Mr. Michael Kroopnik
Mr. Daniel Rea
Mr. Phil Feola

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18460

EXHIBIT NO. _____

Board of Zoning Adjustment
District of Columbia
CASE NO. 18460
EXHIBIT NO. 22



Advisory Neighborhood Commission 4B
Government of the District of Columbia
6856 Eastern Avenue, NW - Suite 314
Washington, DC 20012

RESOLUTION #12-0903
Recommendations Regarding BZA Appeal No. 18460

Adopted September 24, 2012

- On August 10, 2012 a group of Advisory Neighborhood Commission 4B residents filed an appeal with the Board of Zoning Adjustment opposing the construction of the proposed Wal-Mart store at 5929 Georgia Avenue N.W. on the grounds that the building permit was illegally granted by the Department of Consumer and Regulatory Affairs.
- Advisory Neighborhood Commission 4B notes that the appeal is based on the governing authority of the District of Columbia Comprehensive Plan and the Upper Georgia Avenue Great Streets Redevelopment Plan, and agrees that decisions regarding zoning and construction should be guided by these Plans.
- Advisory Neighborhood Commission 4B notes that the proposed Wal-Mart does appear to be inconsistent with goals and provisions of these plans and will have adverse impacts on traffic volume and pedestrian safety, pedestrian-oriented development and the development of a positive mix of small-business uses in the Upper Georgia Avenue business district, among other impacts.
- Advisory Neighborhood Commission 4B notes that it made detailed comments and recommendations to the Office of Planning in response to the Large-Tract Review conducted on the proposed Wal-Mart in a resolution adopted at its public meeting on June 27, 2011 (copy attached for reference), and that most of its recommendations were dismissed as not within the scope of the review. Therefore, the project was not modified in ways that would have mitigated its adverse impact on the development of the Upper Georgia Avenue business district and the quality of life of residents in the area.

THEREFORE BE IT RESOLVED:

That Advisory Neighborhood Commission 4B strongly supports the Appeal of Ginia L. Avery, *et al* of a decision by the Department of Consumer and Regulatory Affairs to issue a building permit (#B1202925) allowing the construction of a retail store in the C-3-A District at premises 5929 Georgia Avenue N.W. (Square 2986, Lot 38), and advises and recommends to the Board of Zoning Adjustment that it grant this appeal.

ADOPTED by roll call vote at a regular public meeting (notice of which was properly given, and at which a quorum of six of eight members was present) on September 24, 2012, by a vote of 5 yes, 0 no, 1 abstain.

VOTING YES

Sara Green (4B01)
Faith Wheeler (4B02)
Brenda Speaks (4B05)
Judi Jones (4B07)
Yvonne Jefferson (4B08)

VOTING NO

ABSTAIN

Fred Grant (4B03)