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From: Tracy <tracy.l.caswell@gmail.com>
Sent: Wednesday, May 09, 2018 10:29 PM
To: DCOZ - BZA Submissions (DCOZ)
Subject: Response to hearing - BZA Case 19377: The Boundary Companies and The Missionary Society

To the Members of the Board of Zoning Adjustment,

I thank you again for hearing my testimony in opposition at the hearing in this case last month. With the time limits needed for the hearing to progress, I was not able to respond to some key problems in the testimony presented by the applicant and other witnesses in this case. I would like to do so now, as the applicant continues to submit unchanged plans.

I urge the Board to require the applicant to reduce the density of the proposed development to no more than 30 homes.

All of the issues raised at the hearing are exacerbated by the tremendous density of the project. Sixty homes and an institutional building are too much. We already struggle with parking and we know it will get worse when the school is fully occupied, traffic on 4th Street is going to get worse when the city narrows the roads to add bike lanes, the storm water facility already floods when it rains heavily, there are no local parks for the community other than this land, and so on. Adding 60 homes and a large building will result in a long construction period, a tremendous influx of people and vehicles, and doesn't leave enough undisturbed space for trees to survive. Limiting the number of homes to no more than 30 would reduce the negative impact of this new development on the use and enjoyment of our neighborhood.

Please require long-term tree protection and 100% preservation of heritage trees.

The tree survival rate shown by the applicant is wildly overstated, given the significant amount of regrading and underground work included in the plan and practical experience with construction. The testimony given by Barbara Deutsch, an experienced landscape architect, as well as our experience in Chancellor's Row where many trees have declined or died in the last few years, directly contradicts what the developer has promised. Tree root structures extend 2-3 times the size of a tree's crown, and the plan as shown does not limit construction enough to protect the existing trees. The BZA should require that the applicant structure the project to protect the long-term survival of 100% of the heritage trees (whose trunks are more than 100" in circumference) and to protect more trees overall.

The testimony of Casey Trees should be disregarded unless and until they include heritage tree assessments and can fully address the impact of underground work.

When questioned by the BZA members, the representative from Casey Trees admitted that they are not fully aware of the underground construction planned for the site. The applicant needs to provide Casey Trees with a full explanation of the significant regrading, utility line construction, and storm water management work that they intend to perform so that Casey Trees can provide a meaningful

analysis. In the meantime, their testimony should be viewed as pending. Casey Trees also did not account for heritage trees on the site, which is a new DC requirement.

I encourage the Board to require that the applicant cooperate with the surrounding community, and provide evidence of that cooperation.

The applicant has not made sufficient effort to cooperate, as evidenced not only by the number of concerned neighbors at the hearing and the amount of written testimony in opposition, but also by the lack of communication with the US Conference of Catholic Bishops.

- USCCB submitted a letter in opposition at the last minute once they realized the use of their private drive and storm water management system are part of the applicant's plan.
- Additionally, the developer gave the BZA a list of the meetings they supposedly held with the community. Most of those meetings were just presentations where the developer showed slides to the crowd, not discussions where they actually listened to the concerns being raised. Given the numerous issues identified during the hearing and how long this application has been pending, we suggest the BZA deny the current application and require the developers to work with the surrounding property owners to address all the relevant issues that have been identified before resubmitting their application.
- Evidence of meaningful engagement with the surrounding communities (the CR HOA, the specific homeowners' party, the USCCB, and Building Hope schools) in the form of signed agreements should be provided in the developer's amended submission.

I urge the Board to protect our private streets.

Although the applicant's plan does not currently provide for vehicular through traffic on private streets within Chancellor's Row, there is pressure from DDOT to connect 4th and 7th Streets through our neighborhood and to increase the easements. We strongly oppose such use of our private streets, which were not designed for heavy traffic and are 100% maintained and paid for by our HOA. I request that the BZA prevent any efforts to connect the streets or increase the easements in place.

Thank you for your consideration. Respectfully,

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