

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3F
North Cleveland Park • Forest Hills • Tenleytown

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July 20, 2006

D.C. Zoning Commission
441 - 4th Street N.W., 2nd Floor
Washington, D.C. 20001

RE: Zoning Case No. 05-26

Dear Chairman Mitten and Members of the Zoning Commission:

At a duly-noticed public meeting on July 20, 2006, Advisory Neighborhood Commission 3F voted 6-0-0, with a quorum present (a quorum being four), to approve the attached resolution opposing the 5-story proposal for a planned unit development and zoning map amendment at 2950 Tilden Street, N.W.

Sincerely,

A handwritten signature in cursive script that reads "Cathy Wiss".

Cathy Wiss
Chair, ANC 3F

One attachment

Cc: Phil Feola, Shaw Pittman
Cornish F. Hitchcock, Esquire

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D.C. OFFICE OF ZONING
2006 JUL 31 PM 2:46

ZONING COMMISSION
District of Columbia

CASE NO. 05-26 Ltr.
ZONING COMMISSION
District of Columbia
EXHIBIT NO. 150
CASE NO. 05-26
EXHIBIT NO. 150

**ANC 3F RESOLUTION OPPOSING THE 5-STORY PROPOSAL FOR A PLANNED
UNIT DEVELOPMENT AND ZONING MAP AMENDMENT AT 2950 TILDEN
STREET, NW**

Zoning Commission Case 05-26

Advisory Neighborhood Commission 3F
North Cleveland Park, Forest Hills & Tenleytown
4401-A Connecticut Avenue, N.W., #244
Washington, D.C. 20008-2322

WHEREAS: Tilden 800, LLC a subsidiary of Clark Realty Capital, LLC has filed a Planned Unit Development application and Zoning map amendment at 2950 Tilden St. NW; and

WHEREAS: at several community meetings and at ANC meetings on May 8th, 15th and 24th, 2006, ANC 3F heard from the Applicant and nearby residents; and

WHEREAS: the Applicant, ANC 3F and members of the Community presented testimony at Zoning Commission hearings on June 5th and 22nd 2006; and

WHEREAS: at the June 22nd Zoning Commission hearing the Applicant presented an alternative plan for a five story building; and

WHEREAS: ANC 3F was not given these plans until July 12th 2006; and

WHEREAS: a comparison of the 6-story and 5-story proposals shows:

	<u>6-story proposal</u>	<u>5-story proposal</u>
Residential FAR	2.52 FAR (87,500 s.f.)	2.52 FAR (87,500 s.f.)
Lot occupancy	16,939 s.f. (49%)	18,400 s.f. (53%)
Building height	66' 8"	61' 4"
Penthouse	NA	two at 17' 0"
Side yard	0' 0"	0' 0"
Rear yard	26' 4"	21' 8"

Courts	25' 8" min.	25' 8" min.
Parking spaces	110	110
Loading	1 @ 30' (delivery)	1 @ 30' (delivery) plus a lay-by
Number of units	49	49

WHEREAS: ANC 3F has cause to believe that the Applicant has not fully calculated the FAR for the building, as the Zoning Tabulation at Tab A, D-1 shows only *residential* FAR, not total FAR;

THEREFORE BE IT RESOLVED THAT: ANC 3F opposes the alternative 5 story building. Like the six-story building, this building is simply too big for its site. The five-story alternative does not address the concerns that were raised in ANC 3F's initial opposition:

(a) height

- The height was reduced only five feet. If you add the height of the two penthouses, it is 12 feet higher than the 6- story structure.
- The building still towers over the Kuwaiti Embassy and is higher than Tilden Hall.

(b) density

- Additionally, the density issues are not addressed, as the gross floor area and FAR remain the same and the lot occupancy has increased. In fact, we cannot tell what the true FAR is because only residential FAR has been reported.

(c) urban design

- The five-story building is still higher than both adjacent buildings on Tilden Street, Tilden Hall and the Kuwaiti Embassy, contrary to Section 1406.9 (a) of the Ward 3 Plan.
- It is now even larger in scale and width than adjacent buildings and occupies an even greater portion of the lot than the 6-story proposal.
- The façade has not been brought in line with the adjacent buildings, contrary to Section 1406.9 (e).
- The less than adequate buffer between this building and 3883 Connecticut Avenue has been decreased from 26' 4" to 21' 8".

(d) traffic and parking

- Applicant's traffic remediation plan of adjusting the timing of the traffic light at Connecticut Avenue and Tilden Street is insufficient. The new traffic report does not

address or provide data on how changing the timing of this traffic light will affect timing of lights at other intersections on Connecticut Avenue.

- The removal of much-needed street parking to create a lay-by will only exacerbate the shortage of on-street parking in the neighborhood. The traffic problems are not addressed as there are the same number of units (49) and the same number of cars entering the local traffic patterns.
- The loading and delivery management plan is unenforceable and unworkable because of the number of delivery trucks that would access the building on a daily basis. The Applicant has indicated that on-street parking might have to be removed to accommodate moving vans.

(e) landscaping

- Because the footprint of the building has been expanded, space for plantings on the west side facing Tilden Hall has been lost between the building and the driveway and on the south side facing 3883 Connecticut between the building and the fire lane. Shrubs and trees are no longer planned for these areas.
- The size of the underground garage, which includes parking, a fitness center, and residential units, still extends under the entire property except for the fire lane, which must be kept open at all times, making it impossible for full growth trees to survive to maturity on the property and decreases the amount of landscaping.
- According to Ms. Giordano's testimony, Tilden Hall Corporation, an affiliate of Daro Realty (June 22, 2006, transcript, 145-147) opposes this project because of the density of the project, the impact on its residents, and concern about impacts on views from apartments. She testified that there is no landscaping agreement to plant trees on the property of Tilden Hall.
- No plantings are being provided to screen the loading dock from windows of the apartments in Tilden Hall that overlook it; and

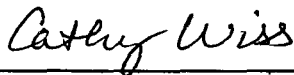
BE IT FURTHER RESOLVED THAT: ANC 3F reaffirms our opposition, as stated in resolution 06-17 of May 24th 2006 to the 6-story building. Both the six-story and five-story proposals continue to:

- 1) Be out of character with the neighborhood
- 2) Have terraces and a balcony on the east property line with views overlooking the Kuwaiti Embassy, which raises security concerns in the neighborhood
- 3) Provide inadequate buffers (sound, light, space and air) with the adjacent buildings
- 4) Conflict with the Ward 3 elements of the Comprehensive Plan in regards to
 - 1) urban design
 - 2) architecture, which does not conform to the style and materials found in the neighborhood
 - 3) the failing and near failing traffic levels in the area, which would be exacerbated
 - 4) the failure to "provide a net gain for the ward environmentally"

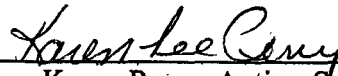
5) offering insufficient affordable housing: The number of units remains *de minimus*, not a substantial portion of the project, as recommended by 10 DCMR Section 1409.4 (c)(2) and certainly below the goal of a 20% set aside, as encouraged by Section 1402.3 (b). The Applicant testified that it will continue to own the units and that they will be smaller than other units. We do not know how long they will be affordable. Residents of these units will have no vote in the condo association.

6) benefits that are not advantageous to the neighborhood: the amenities package is insufficient and disproportionate to the increased value of the project to the Applicant from the change in zoning. None of these projects benefits the immediate neighbors. Refurbishment of the median strip is merely remediation for damage Applicant caused during construction of 3883 Connecticut Avenue.

Adopted July 20, 2006, by a vote of 6-0-0 at a duly noticed public meeting with a quorum (a quorum being four).



Cathy Wiss, Chair



Karen Perry, Acting Secretary