

## THE PALISADES CITIZENS ASSOCIATION

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October 31, 2008

Ms. Maxine Brown-Roberts  
Office of Planning  
801 North Capitol Street, NE  
Suite 4000  
Washington DC 20002

Re: Case No. 08-21 (Athena Group, LLC – Consolidated Review of a Planned Unit  
Development and Related Map Amendment @Square 1356)

By Fax: 202-741-5246

Dear Maxine:

It was a pleasure to speak with you last week. As requested, I am providing you with comments on The Athena Group, LLC and Willco Residential, LLC project for the property located at 4460 MacArthur Boulevard.

To step back a bit, I sent you a letter on January 25 of this year that notes that “pursuant to a vote by the Palisades Citizens Association’s Board (PCA), the PCA strongly opposes Athena Group’s proposal, and urges the Zoning Commission to deny Athena’s application for a modification of an existing Order.” In that letter I echoed the many concerns outlined by the immediate neighbors who make up the Canal View Homeowners Association. Our Advisory Neighborhood Commission (ANC 3D) raised similar concerns in their meeting with Athena.

Ten months later I regretfully say that nothing significant has changed with this project, aside from the slight reduction in the total number of units (from 41 to 37) and a 50 percent cut in proposed low income housing (from four to two).

Generally, there are a number of concerns that have been repeatedly brought up – concerns that the developers have not fully addressed since Willco made a presentation to the Palisades Citizens Association in December 2007. These include:

ZONING COMMISSION  
District of Columbia

CASE NO.

EXHIBIT NO.

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- The high density of what they are proposing;
- Issues surrounding the presence of wetlands;
- Stormwater management for the property; and
- The impacts of additional traffic and density on an already congested lower MacArthur Boulevard, especially during rush hour.

In fairness, the developers have revised their proposal slightly downwardss, but maintain that building less than 37 units would make the project not financially viable. They have explicitly said they will not consider building less than 37 units. Willco has stated that it estimates that prices for individual townhomes will be in the \$1.3 to \$1.7 million level.

There are several concerns surrounding this proposal, not the least of which would include severe changes to the character of our neighborhood. The result is a project that does not relate to its surroundings; although much of the surrounding development is zoned as R5-A. The project does not appear to be in conformity with the Rock Creek West Area Element recommendations cited in Jennifer Steingasser's May 30 setdown report. These include:

- Four of six buildings (these are composed of individual townhomes) do not have a required 20-foot rear yard.
- All six buildings will not meet the required eight-foot side yard requirement.
- There is no street frontage for the buildings.
- There is no provision for a 60-foot turning area required for projects with a single entrance.
- The twenty-foot "streets" in the proposal are more accurately described as alleys, and do not require with City street width requirements. The entrance drive should be 28 feet wide, and alleys should be 24 feet wide.
- 36 of 37 townhomes exceed the R5-A maximum lot percentage of 40 percent.
- The buildings would dwarf surrounding structures. An R5-A standard calls for a maximum of three stories; 30 of the 37 unite are four story units.
- Parking standards as proposed are below a reasonable level: those that can afford a home valued at \$1.3 to \$1.7 million will almost certainly own more than one car. Willco representatives have told neighbors that residents will "take the bus" to work. There is no Metro access, as you are no doubt aware, and the lack of mass transit options makes life in the Palisades dependent on an automobile in most cases.
- Willco representatives have asserted that according to the traffic study it has commissioned, traffic will be at or less than the volume experienced when the Riverside Hospital operated on the site. I have not had the opportunity to review their traffic study, but fundamentally question this conclusion.

- Meanwhile, the site is located at a major traffic bottleneck. Two lanes each way lead the way from upper Northwest to Downtown DC. A single vehicle parked overnight on MacArthur Boulevard can and does cause severe problems with the morning commute, and the lack of parking and density proposed will only exacerbate existing problems.
- Given the project's narrow streets and alleys, access for the Fire Department and other emergency vehicles is problematic.
- There are strong concerns about the fate of the wetlands behind the project site, and I note that the applicants appear to have provided conflicting information to the community on plans for the wetlands and setbacks. Concerns are focused on negative impacts on both foliage and stormwater management. Any increase in stormwater due to the increase in impervious surfaces could degrade the streams and wetlands. In addition, they could impact the structural integrity of the very important retaining walls that protect adjacent properties.

Meanwhile, the developer has made several assertions to District officials about both the project and community support for the project that have turned out to be false. Claims of Palisades Citizen Association support (made in developer correspondence to OP's Jennifer Steingasser on April 21, 2008, among other examples), have been greatly exaggerated, as has the developer's case for protecting and enhancing the wetlands. This unfortunately has damaged the developer's credibility with the community.

As you know, the PUD process is designed to encourage *"high quality developments that provide public benefits."* The logic behind this law is to allow for zoning rules to be waived so that the community and general public could accrue something so compelling that it was in the community's interest to waive their protections.

In their justification, the developers claim that their townhomes will look better architecturally than the hospital. They claim that the creation of 37 residential units will "enhance the urban environment of the immediate neighborhood." They also implausibly claim that continued maintenance of the pre-existing wetlands is a community benefit, but closer inspection of their proposal indicates that in fact the dense development could have serious negative impacts on both foliage and water quality, as noted above.

By designating two of the units as low income housing, they claim that there is a "significant affordable housing component." Whether 5.4 percent of total units (or 1.1 percent of the total land area) represents a significant number is an open question. The smaller size and other design features of the affordable housing units cause them to "stick out" from the rest of the more affluent development.

This project, for better or worse, will have a significant impact on not just the lower MacArthur Boulevard area, but across the community. At the next meeting of the Palisades Citizens Association, scheduled for November 12, the developer, representatives of the immediate neighbors, and members of our larger community will discuss these concerns and decide whether to endorse or oppose the developers' application for a waiver of zoning requirements through a Planned Unit Development.

I resolutely believe that this project can result in wins for both the developer and the surrounding community, but to date there has been a minimal response to community concerns, and misrepresentations of our position. It is possible for development to occur in a neighborhood-friendly way, in conformity with our city's requirements, while achieving the developer's financial goals.

I hope this clarifies many of the concerns surrounding this application; if there is anything you may need, I can be reached via email at [williamspencer@yahoo.com](mailto:williamspencer@yahoo.com) or by telephone at 202-342-0985.

Of course, many thanks for all your work on this important project.

Sincerely,

A handwritten signature in cursive script, reading "Spence Spencer".

William Spence Spencer  
President  
Palisades Citizens Association

Cc: Mr. Anthony Hood, Chairman, DC Zoning Commission  
Ms. Mary Cheh, Council Member, Ward Three  
Gary Cohen, Willco Residential LLC