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**CANAL VIEW HOMEOWNERS ASSOCIATION
4602 LAVEROCK PLACE, NW, WASHINGTON, DC 20007**

Robert E. Tucker, Jr.
President
Canal View Homeowners Association
4602 Laverock Place, NW
Washington, DC 20007-2544
November 12, 2008

The Honorable Anthony Hood
Chair, District of Columbia Zoning Commission
441 4th Street, NW, Suite 210-S
Washington, DC 20004

Subject: Zoning Commission Case Number 08-21 (Athena Group, LLC – Consolidated
Review of a Planned Unit Development and Related Map Amendment @ Square 1356)

Dear Chairman Hood:

As President of the Canal View Homeowners Association, I herein request to participate as a party at the Public Hearing on Monday, December 1, 2008, regarding the above case. The required information is provided below:

(a) Name: Robert E. (Gene) Tucker, Jr., 4602 Laverock Place, NW, Washington, DC 20007.
Phones: Home (202) 337-0595, Cell (202) 299-4363.

(b) I request to appear and participate as a Party representing the Canal View Homeowners Association, which directly abuts two sides of the proposed Canal Parc development.

(c) I will appear, on behalf of the homeowners association, as an opponent of the application as currently designed.

(d) I will not appear through legal counsel.

(e) The following witnesses will testify on behalf of the Canal View Homeowners Association:

Robert E. (Gene) Tucker, Jr.

(f) A summary of testimony:

1. The Association is opposed to the PUD Application, as currently planned for the following reasons:

- a. The site plan is too dense, as proven by the many 'flexibilities' requested
- b. The site plan is too close to the boundaries of the wetlands
- c. We have significant concerns regarding potential damage to the existing Canal View retaining walls and some individual homeowner properties which could be caused by changes in water run-off and/or erosion.

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- d. The 'Traffic Impact Study' conducted by Wells & Associates in November, 2007 does not reflect the actual traffic patterns of Riverside Hospital. It does note the existing "undesirable delays along Foxhall Road and MacArthur Blvd during the AM and PM peak hours", which will only be exacerbated by the dense development plan.

2. The Canal View Homeowners Association could be willing to change our opposition to one of Support for the PUD, if the 'Conditions', as recommended by the Advisory Neighborhood Commissioners, were met.

(g) There will be no expert witnesses appearing on our behalf.

(h) The Canal View Homeowners Association requests 20 minutes for our oral testimony.

(i) My request for designation as party should be granted for the following reasons:

- (1) All of the Canal View homeowners will be adversely affected by approval of the Athena PUD Application, as it is currently designed.
- (2) We have no legal interest in said property.
- (3) There is no distance between the Canal View east and north property lines and the development site. The property lines of nine of our twenty two single family homes are common with the proposed development.
- (4) The impacts likely to affect the property and people of Canal View are:
 - a. High density, evidenced by the large number of 'flexibilities' requested, causing unnecessary loss of greenspace, and increased noise levels.
 - b. High building height impacting light and air.
 - c. Narrow roads without turnaround areas leave the project dangerously vulnerable in the event of fire. It is doubtful that firetrucks could reach all of the Canal Parc homes.
 - d. Narrow roads without turnaround areas will also negatively impact traffic patterns, and already existing excessive traffic congestion and parking problems.
 - e. Changes in water-run-off, impacting wetlands, erosion, and the existing Canal View retaining walls.
 - f. Water run-off drainage onto the Canal View properties adjacent to the project, possibly causing damage to vegetation, fencing and homes.
- (5) The Canal View Homeowners Association is more significantly affected by the proposed zoning action than those of other persons in the general public due to the proximity and adjacency of our property to the project boundaries. Additionally, our physical and financial exposure to potential damage to our retaining walls and individual homeowners properties is very significant. Therefore, we would request the following considerations:
 - a. That Canal View be able to make inputs to the Construction Management Plan.
 - b. That Athena be required to enter into a formal agreement with Canal View regarding protection of our retaining walls from settling or other damages caused by construction or erosion effects due to changes in water run-off or erosion.

For your information, the Officers of the Canal View Homeowners Association, other than myself, are: Gerry Ives, Treasurer; and Gareth Moore, Secretary.

Robert E. Tucker, Jr
President

Copy:

Council Member Mary Cheh

Maxine Brown-Roberts, Development Review Specialist, Office of Planning

Elizabeth Sandza, Chair, Advisory Neighborhood Commission 3D

Ann Haas, Advisory Neighborhood Commissioner, 3D09

Stuart Ross, Advisory Neighborhood Commissioner, 3D

Ann Heuer, Advisory Neighborhood Commissioner, 3D

Alma Gates, Advisory Neighborhood Commissioner, 3D

Tom Smith, Advisory Neighborhood Commissioner, 3D

Nan Wells, Advisory Neighborhood Commissioner, 3D

Lee Minichiello, Advisory Neighborhood Commissioner, 3D

William Spencer, President, Palisades Citizens Association

Robert Avery, President, Foxhall Community Citizens Association

Members, Canal View Homeowners Association

Gary Cohen, Willco Residential