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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:

The Canal View Homeowners Association opposes the Athena Group Planned Unit Development as currently described in their PUD Application of July 28, 2008. This opposition is due primarily to the high density of the plan, as evidenced by the many 'flexibilities' requested by Athena, and concerns regarding preservation of the wetlands, and potential changes in water run-off which could negatively impact our association retaining walls and homeowners property.

However, it is quite possible that our opposition could change to support if the 'Conditions' presented by the Ward 3 Advisory Neighborhood Commission were to be adopted by the Zoning Commission.

While the developer's application points out the townhomes and apartments in the area, it should be noted that the immediate area also contains many single family homes, including those directly abutting the property in question, which is bounded on the immediate west and south by Canal View/Laverock Place single family homes and on the southeast by the Lingan Way single family homes. We do not object to townhomes, per se, but the number of townhomes in the PUD Application plan is excessive for the size of the land area, and for the Palisades in general.

As it stands at this time, the developer's plan of 37 townhomes exceeds a reasonable density, as evidenced by the large number of 'flexibilities' from regulations which are requested, to wit:

1. Rear yard requirement (4 of 6 buildings do not meet the requirement specified in DCMR 11, para 404.1)
2. Side yard requirement (6 of 6 buildings do not meet the requirement specified in DCMR 11, para 405.9)
3. Lot occupancy requirement (36 of 37 townhomes do not meet the requirement specified in DCMR 11, para 403.2)

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4. Street frontage requirement (27 of 37 townhomes do not have street frontage as specified in DCMR 11, para 401.6)
5. 60 foot turning area requirement {none is provided, as specified in DCMR 11, para 2516.6 (c)}
6. The internal roadways are 20 ft wide, {5 ft. less than the 25 ft. requirement specified in DCMR 11, para 2516.6(b)}

Additional Canal View concerns include:

1. **Stormwater Impacts.** The proximity of the development homes on the south side of the site to the wetlands area leaves open many questions regarding drainage, erosion, runoff, potential short and long-term impacts to our homes, existing and planned bulkheading and retaining walls, vegetation and the environment.
2. **Construction Impacts.** The Canal View Homeowners Association is financially responsible for our land areas and street, all of which are private property. We have a major concern regarding the impact that any construction work—to include heavy construction truck traffic, hospital demolition, grading, infrastructure implementation and drainage— will have on our properties.
3. **Traffic Impacts.** We have serious concerns regarding the PUD statement that “...it will have less of a traffic impact on the area than the hospital.” (Introduction, Pg 14, A.1., para. 2). Additionally, 20 ft wide streets do not seem to reasonably correlate with the statement: “The Applicant will enhance the existing road network of the District by creating an effective and safe internal street system.” (Pg 16, 1st sentence). The conclusions of the developer’s “Traffic Impact Study” do not match our daily experience with both the hospital traffic and the existing traffic overload on MacArthur Boulevard during the morning and evening peak hours.
4. **Amenities.** We disagree with most of the points the developer presents in the PUD application Introduction, Section III, regarding ‘Public Benefits and Project Amenities’. Most appear to be exaggerations (paragraphs 1-3; and we note that the Palisades is not Dupont Circle), fluff (paragraph 8), or temporary (paragraphs 6, 7). We do not see the level of public benefits and amenities to the immediate neighborhood, or the wider Palisades/Foxhall area, which would offset the magnitude of ‘flexibilities’ requested, nor the inconveniences which would be imposed on the community at large.

For your information, there are several references in PUD Application Introduction to “...the existing barbed wire fence that surrounds the property”. For the record, there is not, and to the best of our knowledge, never has been, a ‘barbed wire fence’. It is a chain link fence, without barbed wire.

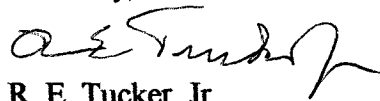
Given the complex existing hydrological conditions of wetlands abutting the development site, and the Canal View and Langan Way developments, it is strongly suggested by the Homeowners Association that, prior to any development of the Riverside Hospital site, an official hydrological Engineer of the District of Columbia Department of the Environment and the Army Corps of

Engineers conduct studies on the impact of the planned development on the site and wetlands, to include erosion, runoff, drainage and existing bulkheads/retaining walls. Results of the studies should be made available to the Athena Group, the Offices of Planning and Zoning, the ANC and the Citizens and Homeowners Associations which are provided copies of this letter

Additionally, since our physical and financial exposure to inconvenience and potential damage to our retaining walls and community and individual homeowners properties is very significant, we would request the following be mandated by the Commission:

- 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 homes, retaining walls, yards, fences and Canal View properties in general, from settling or other damages caused by construction or erosion effects due to changes in water run-off or erosion.

Sincerely,



R. E. Tucker, Jr.

President, Canal View Homeowners Association

Copy:

Councilmember Mary Cheh

Maxine Brown-Roberts, District of Columbia Office of Planning

Elizabeth Sandza, Chair, Advisory Neighborhood Commission 3D

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