

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3-D

P.O. Box 40846
Palisades Station
Washington, D.C. 20016

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November 20, 2008

Mr. Anthony Hood
Chairman
DC Zoning Commission
Suite 200/210-S
441 4th Street, NW
Washington, D.C. 20001

RE: 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:

Advisory Neighborhood Commission 3D intends to participate at the Zoning Commission's hearing on December 1, 2008, to consider the above mentioned case.

With a quorum present at all time and after proper notice in *The Northwest Current*, the ANC Website, Palisades Listserv, and postings throughout the neighborhood, the ANC heard presentations by the Athena Group to build townhouses on the Riverside Hospital property at 4460 MacArthur Boulevard, Northwest.

Athena appeared before the ANC on December 5, 2007; and later to present a new submission on October 1, and November 5, 2008. The ANC also toured the site with representative of Athena on October 13, 2008. At a special Meeting on November 11, 2008, the Commission voted 7-1-0 to approve the application for an R-5-A Map Amendment and Planned Unit Development with conditions. The single vote opposing the PUD was from Commissioner Nan Wells, who said that the proposed project was too dense for the neighborhood.

Considering the present character and future development of the neighborhood, the ANC is concerned about:

- Four-story buildings that would be up to 50 feet tall in a neighborhood with only three-story buildings;
- The absence of adequate setbacks in front yards, side yards and rear yards;
- Impacts on wetlands that abut National Park Service land and drain under Canal Road and into the Chesapeake and Ohio Canal;
- Stormwater management of a 2.7-acre property that would be more than 53 percent impervious, and the impact of runoff on the wetlands;

ZONING COMMISSION
District of Columbia

CASE NO. 08-21
SUBMIT NO. 23

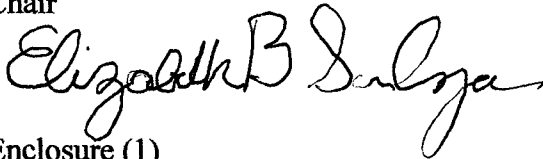
- Safety issues resulting from a single-entrance development featuring only 20-foot wide roads with dead-ends and no turnaround for emergency vehicles;
- A limited number of parking spaces—that is, 13—for guests and for service and delivery vehicles for three-dozen houses; and
- Added traffic congestion already acknowledged as an issue in the area

Alma Gates, vice chair and Ann Haas, single member district commissioner will represent Advisory Neighborhood Commission 3D at the Zoning Commission hearing on December 1, 2008. Bill Crews, our land use consultant, will assist. We also plan to provide a written opinion about wetland protection from conservation biologist Julie H. Moore, who has 37 years of field experience and a Master's degree in Botany from the University of North Carolina. The ANC requests an hour to present its case.

I am enclosing a copy of the resolution passed on November 11, 2008.

Sincerely,

Elizabeth B. Sandza
Chair

A handwritten signature in black ink, reading "Elizabeth B. Sandza". The signature is fluid and cursive, with the first name "Elizabeth" and last name "Sandza" clearly legible.

Enclosure (1)

cc: Maxine Brown-Roberts by email
Phil Feola by email

RESOLUTION of ANC 3D Regarding: Zoning Commission

Case No. 08-21, 4460 MacArthur Boulevard, N.W.

Application of The Athena Group, LLC

Whereas, the Comprehensive Plan for the National Capital ("Comprehensive Plan") repeatedly terms unbuilt private land a "precious and scarce resource" for the Rock Creek Area West Element, because such land constitutes only one percent of D.C.'s total land mass.

Whereas, the Comprehensive Plan notes that trees add economic value to neighborhoods, community identity and pride.

Whereas, the Comprehensive Plan states, "Parks and Recreation and Open Space are key features of a successful neighborhood."

Whereas, the Comprehensive Plan notes that growth is taking place, straining the ability of park facilities to meet neighborhood needs.

Whereas, the Comprehensive Plan states that, like land itself, parks and recreation areas are limited and precious resources.

Whereas, the Comprehensive Plan states, "Open space may also be set aside within new projects through development agreements in planned unit development amenity packages."

Whereas, the Planned Urban Development Code Section 2403.6 states: "Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter of right provisions of this title."

Now Therefore, in an effort:

- (1) To meet the goals of the Comprehensive Plan and the Planned Urban Development Code,
- (2) to enhance the proposed project with adequate required public benefit, and
- (3) to protect the wetlands on the property and the neighborhood's character.

ANC 3D supports the proposal of The Athena Group, LLC for consolidated review and approval of a Planned Unit Development (PUD) and a PUD-related R-5-A map amendment for property located at 4460 MacArthur Boulevard (Square 1356, Lots 28, 929, 932, 933) with the following conditions:

- 1) That any approval by the Zoning Commission of this application, be granted only to The Athena Group, LLC and be made nontransferable.
- 2) Building three shall be 38 feet and three stories high to the top of the roof; all other buildings and units shall be limited to 40 feet and three stories in height;

3) In advance of construction and in cooperation with the U. S. Army Corps of Engineers and the District of Columbia's Department of the Environment, the entire delineated wetland area shall be reflagged; and the delineated area, including the stream, shall be flagged and protected in perpetuity through a conservation easement by a uniform setback of 25 feet from all structures and other human interference from the outermost wetland boundary, in the event there is disagreement on such boundary;

4) The width of interior roads shall be a minimum of 25 feet.

5) An ample turn-around shall provide access for all types of emergency vehicles;

6) The site shall contain 25 on-street parking spaces for guest vehicles and service and delivery vehicles.

7) The two affordable housing units shall be indistinguishable from other housing within the development;

8) The total amount of impervious lot coverage shall not be greater than 50 percent for the entire project;

9) By means of a covenant on the title to the land, the proffered green spaces—i.e., the central plaza, butterfly garden, rain garden and walking path, identified by dimensions and GPS and having a combined total of 13,500 square feet, shall be protected in perpetuity as open space and non-developable land open to the public

10) That the developer shall not be limited to his design that includes a fountain in the central park.

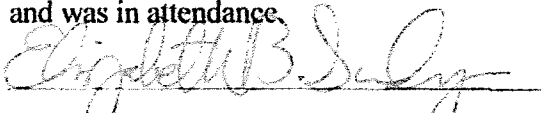
11.) At a minimum, amenities shall include:

a) An additional 5,000 square feet of green space on site shall be protected as described in condition #9 and open to the public;

b) Hiring a landscape architect to design and oversee implementation of the beautification of lower MacArthur Boulevard—that is the area along MacArthur Boulevard from its intersection with Foxhall Road to its intersection with Que Street

c) It is the hope of ANC3D that the developer will give consideration to contributing to organizations that improve the quality of life in the Palisades and will enhance the project;

This Action was taken at a special meeting of ANC 3D, at 7 p.m. on November 11, 2008 at Sibley Hospital Auditorium after proper notice was published in the Northwest Current and posted on the Palisades Listserv. The applicant received written and oral notice of the meeting and was in attendance.



ANC 3D Chair Elizabeth B. Sandza

November 11, 2008