ANC-2D
400 Eye Street, SW
Washington, DC 20024
July 29, 2002

D.C. OFFICE OF ZONING
2002 JUL 29 PM 3:58

Members of the Commission
DC Office of Zoning
441 4th Street, NW
Suite 210 South
Washington, DC 20001

Case Number 01-35, Waterside Mall

VIA FAX / 202-727-6072

Dear Commission Members,

I learned from a constituent on Friday evening that a letter I'd faxed several weeks ago regarding the above-mentioned case was not included in the Commission file on this matter. When I looked at the record of the fax receipt, I noted that, indeed the fax, although sent to the Commission's fax number, hadn't gone through properly.

Accordingly, am re-faxing you today a copy of a letter dated June 28, 2002 stating that ANC Commission 2D, by a vote of 4-2, at a regularly scheduled meeting at which a quorum was present, voted to oppose the request of the developer for a technical amendment to District zoning regulations in the Waterside Mall case, Number 01-35.

I would further request that the decision of the Commission be included in the record of this case and be given great weight as you decide this case. It would be unfortunate if a technological glitch resulted in the Southwest not being able to weigh in on this case.

I thank you in advance for your consideration and ask that if any further clarification is necessary, that I be contacted at the ANC phone number, 554-1795, or by e-mail at alitsky@aol.com.

Sincerely,

Andy Litsky
Chairman, ANC-2D

Enclosures
CC: Councilmember Ambrose

ZONING COMMISSION
District of Columbia
Case 01-35
Exhibit 34

ZONING COMMISSION
District of Columbia
CASE NO.01-35
EXHIBIT NO.34

ANC-2D
400 Eye Street, SW
Washington, DC 20024
June 28, 2002

Members of the Commission
DC Office of Zoning
441 4th Street, NW
Suite 210 South
Washington, DC 20001

D.C. OFFICE OF ZONING
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RE: Case # 01-35 – Waterside Mall

VIA FAX / 202-727-6072

Dear Commission Members,

Pleased be advised that Advisory Neighborhood Commission 2D, at its regularly scheduled meeting on June 10, at which a quorum was present, voted 4-2 to reverse an earlier decision in support of the above-mentioned technical amendment to the zoning regulations regarding loading docks. This was done when a commissioner who had voted in the affirmative on the earlier motion, according to Robert's Rules, brought the matter up for reconsideration. It was upon reconsideration, that the motion that had been placed before the Commission earlier to support the developer's request was defeated by that 4-2 margin.

The commission members who voted to oppose the developer's request did so based upon significant community input obtained during the intervening weeks and had three salient points that influenced our decision:

1. Concern that the District of Columbia Division of Transportation has only just begun to conduct a traffic study to determine the impact of the opening of Fourth Street, SW through the current Waterside Mall. While this technical amendment, as we understand it, doesn't impact whether the street will eventually be opened or closed, the effect of the amendment might impact traffic patterns in and around the new development. As such, the Commission felt that making such a determination prior to full consideration of the traffic consequences of such an action would be precipitous.

2. Concern that the developer had not provided enough information to show that the number of available temporary and hourly parking spaces would be impacted by this amendment.

3. Concern that use of only one loading dock for such a complex of significant size would impact public safety below, and possibly above, grade.

Thank you for your consideration of our views on this important project.

Sincerely,

Andy Litsky
Chairman, ANC-2D

hp officejet d155xi
printer/fax/scanner/copier

Fax-History Report for

Jul 12 2002 3:57pm

Last Transaction

Date	Time	Type	Identification	Duration	Pages	Result
Jul 12	3:56pm	Fax Sent	7276072	0:34	1	Error 442*

* A communication error occurred during the fax transmission. If you're sending, try again and/or call to make sure the recipient's fax machine is ready to receive faxes. If you're receiving, contact the initiator and ask them to send the document again.

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