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November 12, 2002

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VIA HAND DELIVERY

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

Re: 5401 Western Avenue, N.W.
Zoning Commission Case No. 02-17C
Response to ANC 3/4G's Request for Continuance

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Dear Members of the Commission:

On November 5, 2002, Advisory Neighborhood Commission 3/4G ("ANC 3/4G") filed a Request for Continuance with the Zoning Commission, seeking additional time in which to prepare its response to the above-referenced application for a planned unit development and related zoning map amendment (the "Application"). Stonebridge Associates 5401, LLC, the applicant in the above-referenced case (the "Applicant"), opposes the Motion because ANC 3/4G has had sufficient opportunity to review and assemble its response to the above-referenced project.

The Applicant filed the Application in March, 2002, having first started meeting with community representatives seven month earlier in September, 2001. Since that time, the Applicant has continued to work and meet with community representatives in order for everyone to have a full understanding of the project. All modifications made to the Application have been in response to the concerns and issues raised by the community. The modified Application, which was filed with the Zoning Commission in accordance with Section 3013.8 of the Zoning Regulations, is a project with fewer units and a smaller size than earlier proposals.

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District of Columbia
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EXHIBIT NO.12

On September 18, 2002, the Applicant presented its Prehearing Submission to the Friendship Heights Task Force, of which the ANC 3/4G chairperson is a member. Subsequently, on November 4, 2002, the Applicant presented the modified design at the ANC 3/4G's public meeting. The commissioners and members of the community asked questions and reviewed issues related to the design. Taking an unofficial poll of the audience, the commissioners learned that approximately eight people supported the project, six people opposed the project and eight people were undecided. Despite this unofficial tally, the ANC took action to request party status in opposition to the project. The ANC approved a detailed letter, prepared in advance of the meeting, which discussed the ANC's opposition to the project in detail.

During its discussion regarding whether to seek a continuance and whether to oppose the project, the ANC indicated that its primary concern with the project is traffic. The original PUD Submission, showing approximately 200 to 225 units, has been on file with the Zoning Commission since March, 2002, and the Prehearing Submission, showing approximately 185 to 215 units, has been on file with the Zoning Commission since August, 2002. The traffic analysis accompanying both of those filings concluded that there would be no adverse traffic impact based on either development scenario. The District Department of Transportation concurred with these findings in its memorandum dated October 8, 2002. The modification to the proposal reduces the number of units, resulting in a corresponding reduction in traffic impacts generated by the project. Despite these facts and the fact that there is no evidence that the ANC has conducted any review or analysis of the traffic impacts under the previous proposals, the ANC now seeks additional time to review traffic issues. This additional time is unnecessary, as the ANC has had sufficient time to review this issue and prepare reports in response to the Application as previously proposed and as currently modified.

Furthermore, ANC 3/4G's boundary line is more than 400 feet away from the site. On the other hand, ANC 3E, the ANC in which the project is located, voted unanimously not to seek a continuance, having concluded that it has had sufficient time to review the Application. Thus, ANC 3/4G should not need additional time to review this proposal, and the requested continuance should be denied.

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We appreciate the Commission's consideration of this response. Should you have any questions or need additional information, please do not hesitate to call me.

Very truly yours,



Whayne S. Quin, Esq.



Christine Moseley Shiker

cc: ANC 3E (Via Facsimile and US Mail)
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c/o L. Freedman (Via US Mail)
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PROOF OF SERVICE

I hereby certify that on November 12, 2002, a copy of the foregoing Response to ANC3/4G's Request for Continuance was served on the following persons or organizations as stated below:

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