



ADVISORY NEIGHBORHOOD COMMISSION 7D

Government of the District of Columbia
5002 Hayes Street, NE, Second Floor
Washington, DC 20019

March 29, 2011

Office of Zoning
441 – 4th Street, NE, Suite 220 South
Washington, DC 20001
Attn: Ms. Donna Hanousek

2011 MAR 30 PM 2:20
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

To Whom It May Concern:

This letter serves to formally confirm that ANC 7D at its properly noticed meeting of March 8, 2011, with a quorum of 7 Commissioners to the following 3 public votes:....

1. Voted 5 Against, 1 in Favor, and 1 Abstention on Case number 05-28E regarding, the Consolidated Application of Lano Parcel 12 LLC and the District of Columbia Primary Association to Modify an Approved First-Stage PUD@ Square 5055, Lots 14-25 and 801-813).

ANC 7D opposed the request to modify First-Stage Planned Unit Development approved by the Zoning Commission on April 13, 2007..

2. Voted 5 Against, 0 in Favor, and 2 Abstentions on Case number 05-28B regarding, the Application of the District of Columbia Primary Care Association (DCPCA) for Final Approval of Planned Unit Development and Zoning Map Amendment (Square 5055, Lots 25, 801 and portions of 24 and 802 ("DCPCA property."))

ANC7D opposed the request to construct a health center in the area that is subject of this second stage Planned Unit Development application, which is located on the eastern corner of the overall PUD site on part of what was designated as Block I.

3. Voted 5 Against, 2 in Favor, and 0 Abstentions on Case number 05-28C regarding, the application of Lano Parcel 12 LLC for Final Approval of a Planned Unit Development and Zoning Map Amendment (Square 5055, Lots 21-23, 803-805 portions of lots 24 and 802) ("CCDC Property")

ANC7D opposed the request for the construction of a university building to serve the Community College of the District of Columbia (CCDC") in the area that is the subject of this second stage PUD application, which is also located on the eastern corner of the overall PUD site on part of what was designated as Blocks H and I.

ZONING COMMISSION
District of Columbia

CASE NO.

05-28E
EXHIBIT NO. 38

38

Subject: ANC 7D Opposition Letter in Cases 05-28E, B and C

With a majority vote of 5 ANC7D Commissioners opposing these 3 modifications/amendments, we strongly advise the Zoning Commission to disapprove all 3 zoning cases 05-28E, 05-28B, and 05-28C for the following reasons:

During the Zoning Commission hearing on November 14, 2005 the Office of Planning determined that building heights exceeding 110 feet are not consistent with the general layout of the area. Therefore at the recommendation and concurrence of the Office of Planning, City Interest LLC (The Developer), Eastland Gardens Civic Association, Parkside Tenants Association, Mayfair Mansions Tenants association and ANC 7D First – Stage PUD 05-28 was approved and provides an appropriate building height and design that complements and adds value to the Parkside neighborhoods and provides significant buy-in from the overall community.

This was achieved via multiple well attended meetings where all stakeholders were equal partners at the table. The property was rezoned to its existing C-3-A Zone District with CR Zones for the central office towers.

The ANC7D Commission was hoping for a well thought out vibrant and engaging PUD modification that fit the character of the community. Instead of a positive, vibrant plan redesign we are extremely disappointed with the presentation of a plan whose primary component is an idea of, excessive building height that was vehemently rejected only a few short years ago.

- (1) Concern that 110 feet to 130 feet building height (12-stories) is a large increase and a building of this height would completely overshadow the historic residential atmosphere of this community.;
- (2) We believe that in the case of these requested modifications there was a serious lack of community engagement only 9 public meeting compared to 50 in the first stage;
- (3) We believe that these cases represent a massive amount of change and consolidation in a small space. One Commissioner referred to these proposals as an attempt to construct a "Baby New York" in the middle of a historically residential community. Another Commissioner pointed out that after attending at least 3 of the 9 meetings, she was certain that there was absolutely no way that a vast number of current residents are aware of the massive density change planned because there was very limited public notice and participation for these meetings.
- (4) Further creating a sense of confusion and misinformation, the developer consistently modified the presentation, which appeared to be dependent upon which community he was presenting to. The 7D Commission along with the affected community never received the same information (i.e., which ever meeting we attended, we got different information);
- (5) These modifications and amendments represent the developer's isolated and arbitrary vision, which significantly shifted from the unanimous buy-in from the community in 2005;
- (6) Shading problems from tall buildings. The change from 90 to 110 feet and 110 to 130 feet will increase the shading of the community and reduce the sunlight. And the

developer has produced no studies to support their request for the additional building heights;

- (7) The developer has significant buy-in for it's original First and Second stage PUD and the community insists upon maintaining the original terms agreed upon;
- (8) As previously agreed upon in the original PUD, this community wants more market-rate housing and retail amenities. (see OZ June 16, 2008 testimony by Mr. Lopiano), which states the overabundance of affordable housing in the area and the increase from this PUD modification saturates the area with affordable housing, diminishing the overall incomes of the area and will have a negative impact on property values;
- (9) Existing bridge safety issues have not been addressed by the developer and no plan as per the PUD may move forward without addressing this issue;
- (10) No guarantee of a new bridge with the budget constraints of the city as no definite commitment of funds have been produced;
- (11) The residents of this community want to retain a safe community, sense of peace and tranquility, with the best quality of life without changing the historical atmosphere of this residential neighborhood;
- (12) Homeowners want to retain and improve our property values and wish to promote safe, walk-able and livable community for the residents of Parkside, Mayfair Mansions, Paradise, Eastland Gardens, Lotus Square and Kenilworth;
- (13) We reject the "hodge-podge" of institutional structures/services and the very nature of these proposals which reduces not enhances property values in an area that has seen a significant reduction in property values from the latest tax, assessments;
- (14) These proposals will create additional Stormwater assessment concerns as parts of the area presently have high water issues with heavy rains and lack of appropriate drainage;
- (15) Power grid regarding, the proposed building structures and Pepco reliability;
- (16) No environmental Impact Study (EIS) has been disclosed regarding, the proposed development;

The Commission respectfully requests that you give "great weight" to this advice in accordance with the requirements of the DC Official Code.

If you need additional information, please contact me at (202) 907-7511 or email: wseaward@yahoo.com.

Respectfully,



Ms. Willette Seaward
Chairperson ANC 7D