

September 10, 2007

To: The Office of Zoning

441 4th Street, N.W. Suite 210

Washington, D.C. 20001

Case No. 07-14A

Via Hand Delivery

From: Raymond Chandler

Single Member District ANC COMMISSIONER 5B03

(A LETTER OF CONCERN AFTER THE OFFICE OF PLANNING REPORT)

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I am writing to the Office of Zoning with rearguards to Case No. 07-14A concerning The Office of Planning report, after meeting with my single member district we were told all our community concerns would be placed in their report. After receiving a copy of the report on September 6, 2007 several key points were excluded these points are very valid to the case at hand, in this letter I will list other issues raised by my community.

There is a strong opposition from the community

Traffic study for this project was not present at the community meeting

Israel torn down 3 homes in the 2400 block of 12th street N.E. and those lots are just sitting there why not build on those empty plots already sitting in a thriving community who would like to see the seniors living there

Israel Manor informed the community the land next to the church would be used as a parking lot now it's the proposed site for The Multicultural Training center- they lied to the community

Enclosed is a copy of the letter post marked September 6, 2007 along with the report from The Office of Planning, the section on community comments on page 2 clears shows none of this statements listed above were not mention for public record. As the ANC that represents the area trying to be rezone I would like to place all facts pertaining to this matter in the public records.

Sincerely yours,

ANC COMMISSIONER RAYMOND CHANDLER 5B03

ZONING COMMISSION
District of Columbia

CASE NO. 07-14A
ZONING COMMISSION
District of Columbia
CASE NO. 07-14A
EXHIBIT NO. 12

Arthur F. Jackson, Jr.
Development Review Specialist

**OFFICE OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING**

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Office of Planning
801 North Capitol Street, N.E., Suite 4000
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MEMORANDUM

TO: DC Zoning Commission

FROM: Jennifer Steingasser, Deputy Director *JS*

DATE: August 27, 2007

SUBJECT: Final Report on Zoning Commission Case Number 07-14A, a Proposed Zoning Map Amendment to Make Proposed Lot 817 on Square 3848, and Lots 800, 801 and 802 on Square 3854 Consistent with the Generalized Land Use Map of the 2006 Comprehensive Plan

BACKGROUND

The Office of Planning (OP) presented its preliminary report on a rezoning application submitted by Israel Manor, Inc., on behalf of Brentwood Outlets, LLC, to rezone proposed Lot 817 on Square 3848 from General Industry (M) and Commercial-Light Industry (C-M-2) districts to Commercial Business Center (C-2-B) on May 14, 2007. The stated purpose of this application was to make the current zoning more consistent with the Generalized Land Use Map of the "Comprehensive Plan Amendment Act of 2006."

In response to concerns expressed by the Zoning Commission, the Office of Planning compared the zoning pattern on surrounding properties south of Rhode Island Avenue, N.W., north of Brentwood Road, and east of the railroad rights-of-way with the current Comprehensive Plan designations in the amendment, then recommended that additional properties be included for consideration in this zoning consistency case.

RECOMMENDATION

The Office of Planning (OP) recommends approval of the proposed map amendment to rezone lot 56 and proposed lot 817 and on Square 3848, and lots 800, 801 and 802 on Square 3854 from M and C-M-2 districts to a C-2-B district.

ANALYSIS

As stated previously, OP made the following determinations based on a review of the Comprehensive Plan and zoning patterns:

- the referenced Mixed-use Medium-Density residential and Medium-Density commercial designation extends from the middle of the railroad right-of-way, across the Washington Metropolitan Transit Authority (WMATA) Rhode Island Metro Station property and subject property, to the approximate eastern boundary of the branch bank property, and

Since the surrounding commercial and mixed-use projects are (or will be) developed to a moderate density, the C-2-B district was recommended for the remaining two properties.

Matters related to zoning regulations and the Comprehensive Plan are established by Section 5-414 of the D.C. Code, which reads, in relevant part: "Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan...." The role of the Comprehensive Plan in guiding government action is also provided for in the law: "The purposes of the District elements of the Comprehensive Plan for the National Capital are to . . . [g]uide executive and legislative decisions [and to] [g]uide private and public development in order to achieve District and community goals [.]" (Sec. 1-245(b))

COMMUNITY COMMENT

The Office of Planning contacted the Advisory Neighborhood Commission (ANC) 5A single-member district representative for the area of the proposed rezoning about making a presentation to their constituents. The representative agreed to arrange a community meeting where this application could be presented. When contacted about a similar presentation before the full ANC, the ANC Chair deferred to the community directly impacted by this rezoning proposal.

After the OP presentation at Israel Baptist Church on August 6, 2007, residents and the representative expressed concerns about the ultimate reasons for this rezoning, and the potential long-term impacts of the zone change upon the community in terms of undesirable land uses (such as adult uses) and additional traffic congestion. OP staff stressed that, although prompted by a rezoning application for a single proposed lot, this expanded rezoning proposal attempts to consider area zoning-consistency under the new Generalized Land Use Map in a more comprehensive manner. It was also emphasized that future matter-of-right development would not be allowed unless it meets the requirements of the Zoning Regulations, and other applicable development standards.

A presentation is scheduled before the Brentwood Hills Civic Association on September 4, 2007.

CONCLUSION

The Office of Planning recommends approval of the proposed map amendment to rezone lot 56 and proposed lot 817 and on Square 3848, and lots 800, 801 and 802 on Square 3854 from M and C-M-2 districts to a C-2-B district to so these properties will not be inconsistent with the Generalized Land Use Map of the "Comprehensive Plan Amendment Act of 2006."

JS/afj

Attachment: Exhibit 1 Area of Proposed Rezoning

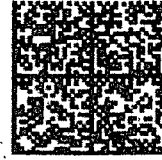
→ Many Facts Not mentioned
From the Public meeting ANC
SB03 Residents Raised! ~~comment~~
RC 09/10/2007

Government of the District of Columbia
Office of Planning
801 North Capitol Street, NW, Fourth Floor
Washington, DC 20002
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Raymond Chandler
1013 Bryant St., NE
Washington DC

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Date →

RNC 6603 Received Report From Office
OF Planning!