



Advisory Neighborhood Commission 5E

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ANC5E RESOLUTION No. 2017-005

IN RE LIMITED SCOPE HEARING ON REMAND OF ZC CASE NO. 13-14

WHEREAS, the subject of Zoning Commission Case No. 13-14, the McMillan Sand Filtration Site (“McMillan”), lies squarely within the boundaries of Advisory Neighborhood Commission 5E (ANC5E), Single Member District 5E09 (SMD5E09); and

WHEREAS, any future development at McMillan will impact, in some respects positively and in some respects negatively, not only the residents of SMD5E09 but also, in varying and lesser degrees, the residents of many other neighborhoods located within the ANC5E commission area; and

WHEREAS, in response to appeals brought by several community organizations (the appellants), the District of Columbia Court of Appeals, on December 8, 2016, vacated the final order of the Zoning Commission in ZC Case No. 13-14 and the final orders of the Mayor’s Agent on Historic Preservation and remanded the case to the Zoning Commission and the Mayor’s Agent for further proceedings; and

WHEREAS, in light of the Court’s December 8, 2016, ruling, the Zoning Commission has scheduled limited scope hearings, to commence on March 23, 2017, focused on five issues:

- 1) Could the other policies cited in the final order be advanced even if development on the site were limited to medium and moderate density use, and if not, which of the competing policies should be given greater weight, and why?
- 2) Do these or other comprehensive plan policies cited on the case record by the appellants weigh against approval of the Planned Unit Development (PUD)?
- 3) Is the high density development proposed for the site the only feasible way to retain a substantial part of the property as open space and make the site usable for recreational purposes?
- 4) Will the PUD result in environmental problems, destabilization of land values, or displacement of neighboring residents or have the potential to cause any other adverse impacts identified by the appellants and, if so, how should the Zoning Commission judge, balance, and reconcile the relative value of the project amenities and public health benefits offered, the degree of development incentives requested and the potential adverse effects?
- 5) Will the PUD have a favorable impact on the operation of city services and facilities and, if not, is the impact capable of being mitigated, or acceptable given the quality of public benefits in the project? ; and

WHEREAS, while ANC5E, and its pre-2012 Redistricting predecessor-in-interest ANC5C, have passed several resolutions of support for the McMillan project over the past several years, including resolutions of support for the Vision McMillan Partners (VMP) revised and modified First Stage and Second State PUDs, ANC5E does retain some unresolved concerns that are germane to the limited scope hearings pending before the Zoning Commission; and

WHEREAS, chief among ANC5E’s concerns are estimates that once fully developed, the McMillan site may add as many as 30,000 motor vehicular trips^{per day} to the already congested main thoroughfares traversing the ANC5E commission area and fears that the amenities package now being offered to ANC5E residents may not go far enough in mitigating the adverse effects of the increased traffic;



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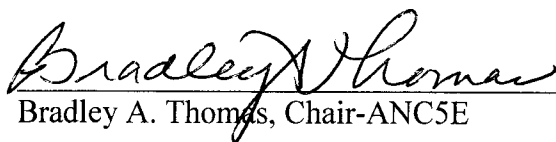
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NOW THEREFORE, BE IT RESOLVED, that ANC5E hereby requests that the Mayor of the District of Columbia direct the District Department of Transportation (DDOT), in conjunction with the Office of Planning (OP), to conduct a comprehensive traffic study of the likely and potential impacts of the McMillan PUDs on the north-south as well as the east-west corridors adjacent to and flowing out of the McMillan site, including but not limited to North Capitol Street, First Street, NW, and Michigan Avenue, NW and NE, and on the neighborhoods through which traffic from the site is likely to flow; and


BE IT FURTHER RESOLVED, that ANC5E hereby requests that the DDOT/OP study focus not just on identifying problems, but also on developing proposed solutions to alleviate adverse impacts identified in the study; and

BE IT FURTHER RESOLVED, that ANC5E hereby requests that in so far as the DDOT/OP study determines that certain adverse impacts of the McMillan development cannot be avoided or sufficiently reduced, that the developers be required to work with ANC5E and its respective neighborhood civic associations to offer increased community benefits specifically directed to benefit the residents of those neighborhoods where adverse traffic impacts are otherwise unmitigatable.

THIS RESOLUTION came before Advisory Neighborhood Commissioner 5E (ANC5E) at a duly noticed and called public meeting of the Commission held at Friendship-Armstrong Public Charter School on March 21, 2017. ANC5E consists of ten (10) Commissioners, the presence of six (6) of which constitutes a quorum. On March 21, 2017, with 9 Commissioners present, by a vote of 7 in favor, 1 opposed and with 1 abstentions, ANC5E voted to adopt this resolution and to authorize the Chair or the Vice Chair of ANC5E to present its position, consistent with this resolution, before the Zoning Commission or other appropriate administrative forum.



Bradley A. Thomas, Chair-ANC5E



Horacio Sierra, Recording Secretary-ANC5E

ZC Case #13-14 (McMillan Project – CBA Chart)

Benefit	Description	Recipient Organization	Value	Delivery Date	Compliance Documentation	Comment
Scholarships	Scholarships for community residents to pursue higher education, training or job-related certification, encouraging "legacy" careers paths such as civil engineering, landscape architecture, or on-site jobs in the medical field, with a preference for Ward 1 and 5 residents, to the extent permitted by law.	Community Foundation of National Capital Region ("CFNCR").	\$300,000	Annual Payment over five years beginning with first C of O for Parcel 5	Applicant shall submit to Z.A. letter from recipient acknowledging receipt and use of funds; first ltr due for C of O issuance and annually thereafter; Applicant to provide evidence of compliance at Phase 2 PUD	
Workforce Development	To be directed to organizations whose core mission is workforce development, to create true "career paths" for District residents through readiness, training and placement in on-site or other employment opportunities, and which have a demonstrated track record for successful job placement and retention of District residents.	Community Foundation of National Capital Region ("CFNCR").	\$700,000	Annual Payment over five years beginning with first C of O for Parcel 1	same as above	

ZC Case #13-14 (McMillan Project – CBA Chart)

Local Small Business development	Facilitate business start-ups in the project including grants to qualified entrepreneurs, technical assistance and tenant improvements.	Administered by VMP or the McMillan project association	\$225,000	Annual Payment over five years beginning with first C of O for Parcel 4	Applicant will report annually to ZA on expenditures	
DC Public School support	D.C. Public Schools for Science, Technology, Engineering and Math (“STEM”) programs at Dunbar High School (\$50,000), McKinley Technical High School (\$50,000) and Langley Educational Campus (\$25,000)	DC Education Fund	\$125,000	Annual Payment over five years beginning with first C of O for Parcel 5	Applicant shall submit to Z.A. letter from recipient acknowledging receipt and use of funds; first ltr due for C of O issuance and annually thereafter; Applicant to provide evidence of compliance at Phase 2 PUD	Recipient organization changed from PTA to DC Education Fund
Park Program -- local jobs	Over a 10-year period in the project association operating budget to hire high-school age residents and senior residents to provide guided tours of the McMillan site highlighting the preserved historic resources.	McMillan project association or Business Improvement District	\$500,000	Annual Payment over ten years beginning with first C of O for Parcel 6	Applicant will report annually to ZA on expenditures	

ZC Case #13-14 (McMillan Project – CBA Chart)

Park Programming	Over a 10-year period in the project association operating budget to create a community market, outdoor cafe, and space for art installations between the South Service Court and South Park, and to activate the South Service Court and existing elements, such as regulator houses for small business incubators, silos as hanging gardens, water features and observation points.	McMillan project association or Business Improvement District	\$750,000	Annual Payment over ten years beginning with first C of O for Parcel 6	Applicant will report annually to ZA on expenditures	
Bates Neighborhood Beautification	trees, plants and fencing for tree boxes in Bates area	DC Urban Forestry Administration of DDOT	\$50,000	Annual Payment over five years beginning with first C of O for Parcel 4	Applicant shall submit to Z.A. letter from recipient acknowledging receipt and use of funds; first ltr due for C of O issuance and annually thereafter; Applicant to provide evidence of compliance at Phase 2 PUD	Recipient organization changed from Civic Association to DC Urban Forestry Administration of DDOT

ZC Case #13-14 (McMillan Project – CBA Chart)

Hanover Neighborhood Beautification	trees, plants and fencing for tree boxes in Hanover	DC Urban Forestry Administration of DDOT	\$50,000	Annual Payment over five years beginning with first C of O for Parcel 5	same as above	same as above
Bloomingdale Neighborhood Beautification	neighborhood gateway signage, trees, plants and fencing for tree boxes in Bloomingdale	DC Urban Forestry Administration of DDOT	\$100,000	Annual Payment over five years beginning with first C of O for Parcel 5	same as above	same as above
Eckington Neighborhood Beautification	trees, plants and fencing for tree boxes in Eckington	DC Urban Forestry Administration of DDOT	\$100,000	Annual Payment over five years beginning with first C of O for Parcel 4	same as above	same as above
Edgewood Neighborhood Beautification	trees, plants and fencing for tree boxes in Edgewood	DC Urban Forestry Administration of DDOT	\$100,000	Annual Payment over five years beginning with first C of O for Parcel 4	same as above	same as above

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Stronghold Neighborhood Beautification	trees, plants and fencing for tree boxes in Stronghold	DC Urban Forestry Administration of DDOT	\$100,000	Annual Payment over five years beginning with first C of O for Parcel 5	same as above	same as above
Façade Improvements	Storefront improvement grants for major corridors in ANC 5E boundaries affected by the PUD to be awarded through the Great Streets program. The funds shall only be used for storefronts located on North Capitol Street, N.E., and N.W., between Channing Street and New York Avenue.	North Capitol Main Street, Inc.	\$150,000	Annual Payment over five years beginning with first C of O for Parcel 4	Applicant shall submit to Z.A. letter from recipient acknowledging receipt and use of funds; first ltr due for C of O issuance and annually thereafter; Applicant to provide evidence of compliance at Phase 2 PUD	
Transportation	Interim Public Metro Shuttle	Administered by Trammell Crow Company	\$1,750,000	Annual Payment for service beginning with first C of O	Applicant will report annually to ZA on expenditures	
	Ward 5 Community Shuttle along First Street					removed
TOTAL			\$5,000,000			