

Cochran, Patricia (DCOZ)

From: Charlotte Legates <charlotte.legates@oracle.com>
Sent: Wednesday, January 2, 2019 11:46 AM
To: DCOZ - ZC Submissions (DCOZ)
Subject: RE: Case Number 16-23, Proposal for Design Review and Development by Valor Development, LLC, Square 1499, Lots 802, 803, 806, 807. Letter in Opposition

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January 2, 2019

Mr. Anthony Hood, Chairman
District of Columbia Zoning Commission
[441 4th Street NW](#)
[Suite 210 S](#)
Washington, DC 20001

Dear Chairman Hood:

I would like to express my continuing opposition to the proposal by Valor Development to develop Square 1499, Lots 802, 803, 806, 807 because:

- The proposed building size is far too large to represent an appropriate transition into the surrounding AU Park neighborhood of single-family houses.
- Similarly, the proposed density of the development, which is likely to add more than 400 people to this relatively small area, will have a negative effect on the quality of life in the surrounding neighborhood by increasing noise and traffic.
- The development will not provide an adequate number of sorely needed affordable housing opportunities to the neighborhood. Prior to the initial hearing at the Zoning Commission last year, Valor had boasted at various neighborhood meetings that it would be providing more affordable housing than was technically required. When neighborhood representatives brought to the Zoning Commission's attention that in reality, Valor was providing only half of the required affordable housing, Valor redesigned its building to sink a number of the proposed apartments underground so that they did not "count" towards the affordable housing requirement.
- Valor has not demonstrated a straightforward approach to relationships with neighborhood residents:
 - It initially submitted to the Zoning Commission a highly misleading representation of the size of the proposed building in relationship to the surrounding neighborhood and denied doing so until neighborhood residents brought evidence to the Zoning Commission of the error.
 - As mentioned above, Valor initially misrepresented affordable housing requirements to the Zoning Commission and neighbors. When confronted with the error, Valor submitted revised plans that reduced the number of square feet dedicated to affordable housing, reduced the requirement without changing the proposed number of apartments in the building, and reduced the height of the building by only six feet.
 - Valor initially represented the site as being penetrable (as it currently is)—that is, permitting neighbors to walk through the site, as we currently can, rather than around it. This has now been changed to reduce penetrability. Additionally, the very significant increase in traffic anticipated for the alley

between the new development and the existing shopping center increases the danger to walkers in this area.

- Valor denied at several community meetings the existence of a loading dock for the nearby AU building and has not, to the best of my knowledge, accommodated deliveries to this loading dock as part of its traffic plan.
- Valor continues to represent that it has provided adequate parking for residents by referring to an agreement with American University that, to the best of my knowledge, has neither been made public nor signed.
- Valor has asserted that it can use development rights from the neighboring shopping center without demonstrating:
 - That such rights actually exist.
 - If they do exist, that Valor has the legal authority to use them.
- Valor has not adequately addressed the fact that its plan will reduce retail opportunities in the neighborhood by:
 - Eliminating three retail sites.
 - Having a dramatically negative effect on the long-established Wagshal's business.
- The single proposed amenity for the neighborhood—a small grocery store—is highly uncertain. To the best of my knowledge, there is no lease or other binding agreement with an appropriate grocery store. And in any case, this amenity does not outweigh the many disadvantages of the proposal.
- The traffic study for the site defies common sense.
 - The diagrams do not adequately represent the significant “hook” in 48th Street NW at the exact point where traffic is supposed to enter and leave the site.
 - The plans do not acknowledge the issues created by the American University bus stop at this same point and the frequency of buses using these small residential streets.
 - The plans do not acknowledge the significant changes in traffic and parking issues surrounding large residential developments, specifically:
 - The large increase in deliveries to such buildings as a result of continually increasing online shopping.
 - Increases in pick-ups by services like Uber and Lyft.
 - The increase in the number of “abandon them anywhere you feel like it” electrified scooters and bicycles.

I support the ultimate development of this site as a commercial, residential, or mixed-use site. But the current Valor proposal is not an appropriate plan.

Sincerely,

Charlotte LeGates
5028 Massachusetts Ave. NW
Washington, DC 20016