

Dear Chairman Hood and Commissioners,

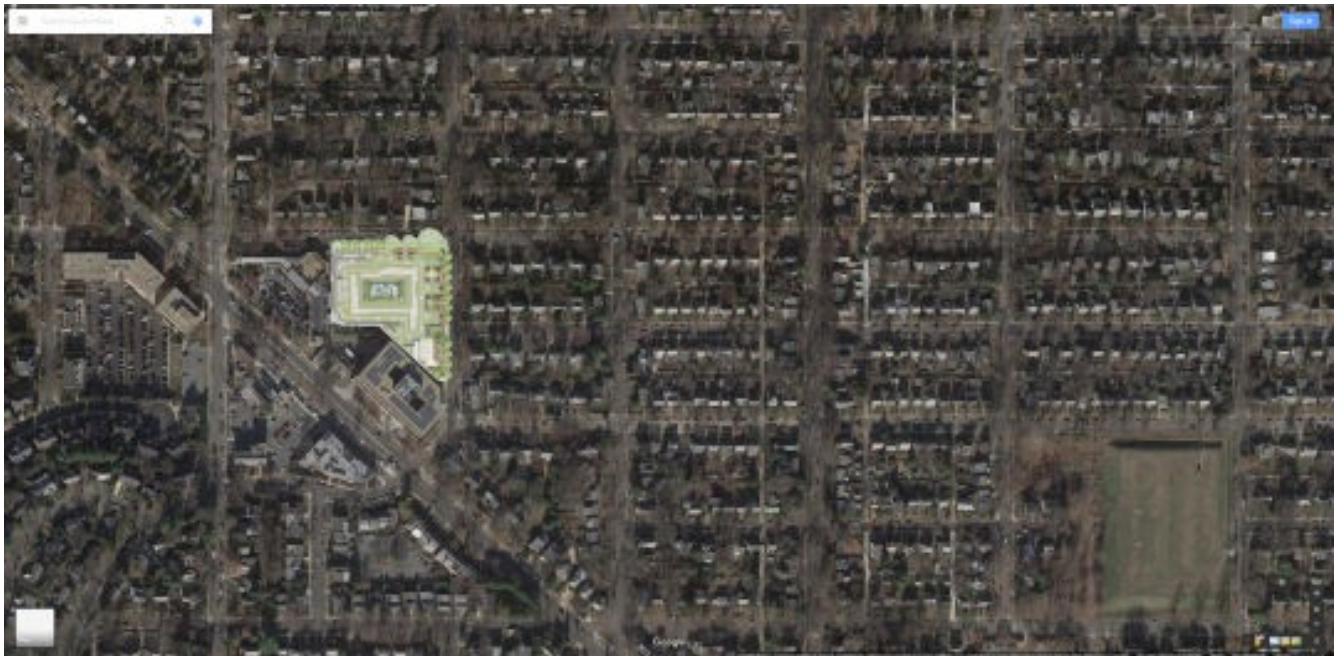
I am Milton Buchler II, the owner of 4713 Windom Place, N.W. in the American University Park neighborhood. My house is directly across 48<sup>th</sup> Street from, and well within 200 feet of, the site which Valor Development L.L.C. seeks to redevelop, namely the site of the former SuperFresh supermarket at 4820 Yuma Street, N.W.

I still strongly oppose the proposal by Valor Development to construct one huge main building, topping 58½ feet in height above Valor’s chosen 48<sup>th</sup> Street building height measuring point, the high point of their property, plus five “town houses”. Due to the lay of the land, the main building will be considerably taller when referenced to any point on Yuma Street-- five storeys higher than the Massachusetts Avenue Parking Shops.

My house is a one-and-one-half storey cape cod (not two storeys as is often repeated)– like all the other homes directly across 48th Street from the still overly-large, proposed main building with the yellow-brick facade– which my parents bought new before I was born. It has always been a part of my life, and I would like to see it, and its setting, to be consistent with my memories of life there. Although many changes have occurred over the intervening decades, the neighborhood still remains largely recognizable to me. Allowing this proposal to cast a giant shadow, obliterating that consistency, is incomprehensible to me.

The very existence of the Massachusetts Avenue Parking Shops and the present SuperFresh building are testaments to the care previous developers took to ensure that structures on those sites would not overwhelm the low-rise residential character of the surrounding well-established A.U. Park neighborhood, but rather present a low profile.

That this project is grossly oversized for this setting is readily apparent from the aerial image below:



*Aerial view of American University Park in vicinity of the SuperFresh site with Valor Development L.L.C.'s rendering superimposed.*

Of the approximately 550 buildings shown, only the American University building, which fronts Massachusetts Avenue, currently approaches the height and bulk (but not nearly the footprint) of the proposed main building of this development. None of these proposed new structures fronts the commercial Massachusetts Avenue.

Valor’s latest proposed yellow main building will still tower over, and dwarf, its surroundings. Despite Valor’s lowering the final height of their structure by a whopping 6½ feet compared to their initial proposal in 2016. This minor reduction in height is not due to any concern of neighborhood sensitivities or architectural harmony, but an effort to avoid the requirement by the D.C. government to provide more “affordable” housing. In other words, to squeeze the maximum sweet, green revenue juice from their great, yellow lemon.

Below is the Valor rendering of their Yuma Street elevation compared to the scaled west elevation of my house, directly across 48<sup>th</sup> Street, with the first floors aligned.



Valor Yuma Street facade in comparison with the west elevation of 4713 Windom Place (first floors aligned).

Should this proposal be built, when I walk down Windom Place, or merely look out my west-facing windows, I will no longer see the sky. I will see a towering, yellow, windowed mesa (as I have attempted to show in the image to the right). Sunsets will be forever blocked. And as Valor shows, my “sunsets” will come considerably sooner than those of others. What “amenity” could replace my westward view? Certainly not Valor’s 0.04 acre “Windom Park” nestled amongst the masonry.

The mornings will present a different view, with a outrush of commuters followed by a day-long inrush of delivery trucks and vans of all sizes-- from 53-foot semis on down. All those commuters using their cars will, of course, add to the air pollution in the immediate area. Since their engines will be cold, their emissions will be at their greatest.



West-facing view from road in front of walkway at 4713 Windom Place

The parade of delivery trucks and the larger semis will only spew more toxins in the area. That these trucks are frequently left idling during deliveries adds greatly to the problem. Being close means receiving more.

And while improved public transportation might ameliorate some of these concerns, the subway will not move any closer— being a mile removed. In good weather, the walk to the station can be a very pleasant one (and I have made this stroll many times); in falling, frigid or Dog Day weather, it is less so. Further, keep in mind that for many employees, the return walk would be after dark.

Bus service could enable some residents to commute without an automobile, but not all will be so fortunate. At some point, Valor’s commendable shuttle service to the Metro station will end and those who used it are left to find other means.

Not all the pollution from these vehicles is airborne. Some is from the liquids which inevitably leak. Any parking lot displays ample proof. The nonvolatile residue of these liquids remains to be washed away by the weather into the storm sewer system and hence to the local rivers-- untreated.

None of these vehicles are silent. I will get to hear it all undampened by distance. This assumes a smooth flow, which is unlikely given the future jockeying for right of way on 48<sup>th</sup> Street, particularly at the alley intersection and the American University bus stop.

The design of the alley and the attendant HAWK light should be of particular concern. Apparently due to an oversight in D.C.’s regulations, there is no requirement for an actual sidewalk to be installed in the 20-foot wide alley despite the enticement of pedestrians and bicyclists to use this as a shortcut to and from Massachusetts Avenue-- along with a steady stream of commercial trucks and residents’ and retail customers’ cars. Many children ride bicycles in this neighborhood and this alley, as designed, is simply unsafe for them. For pedestrians of all ages to use this alley as a pedestrian way, a full-width, curbed sidewalk is needed from 48<sup>th</sup> Street and extending through the parking lot to the HAWK light on Massachusetts Avenue. Otherwise, the HAWK light, so enthusiastically promoted by both Valor and the D.C. Department of Transportation, is just a series of accidents waiting to happen.

Despite D.C.’s rosier view, the number of required parking spaces would appear to grossly underestimate the number of vehicles which the numerous new residents will have, parking these on the nearby streets will be a favored alternative to garaging them at a far remove. Is there a garage which will accommodate the vehicles of the residents which are ignored by D.C. requirements and Valor within “walking” distance? Valor is to be commended for stating that they will enforce their proclaimed parking policy. The downside of this policy is that it is a punitive, after-the-fact effort, rather like A.U.’s parking enforcement.

Where guests of the various residents are intended to park off-street, particularly during holidays, does not seem to have been considered seriously.

Since there are to be between 219 to 241 units (at last public estimate) all with an indeterminate, or at least, non-public, number of occupants, the effects of this influx should not be ignored.

Obviously, such a dramatic increase in occupants will unfortunately lead to increased demand for emergency services, some of which appear to be already overburdened.

Additionally, local schools will need to cope with the unknown number of students in various, as yet unknown, grades. Nevertheless, plans must be enacted to avoid even more overcrowding. I would hope the last thing any government official— or resident-- would desire is to further degrade the D.C. Public School System, particularly well-performing schools. Given that, the local schools will need to be enlarged along with extra qualified staff hired. Are the necessary plans for these future

requirements ready to be implemented, completed, and properly staffed before the Valor's buildings open for occupancy? Will they?

While this does not affect me directly, since I have no children in the school system, a quality school district is a desirable characteristic for any prospective tenant or home buyer. Not to mention the tremendous importance of a literate and informed public in a governmental system such as ours.

It is not only the roads and schools which will be subjected to the large scale and concentrated nature of the proposal. Water, sewer and the other utilities will face significant extra demands. Some of this aging infrastructure may not withstand the added strain.

I feel compelled to mention the grocery store, which Valor has long touted as a concession to the neighborhood as opposed to a commercial decision on their part to enhance revenues. And three or four years ago it seemed desirable, however, in the intervening time other supermarkets have opened in the area. The desirability of a grocery store at this location has now lessened. What will be lost is Wagshal's Once destruction starts, their Pitmasters Back Alley BBQ will be closed. There appears to be some uncertainty as to viability of the remainder of Wagshal's operations in the Massachusetts Avenue Parking Shops without this component. It should be noted that their BBQ is located about where Valor's proposed grocers will be-- so, obviously within walking distance.

The excessive height and mass of this development still retains all the failures of the previous design submission:

- this proposal is incompatible with the amended Comprehensive Plan
- there is no attempt in this development to respect continuity with the surrounding neighborhood of single-family houses and the low-rise commercial shopping center
- excessive new traffic-- commercial, residential and visitor
- decreased pedestrian safety for both adults and children due to increased traffic
- lack of adequate off-street parking for prospective residents and their guests
- increased pollution-- air, liquid, noise, etc.
- an ill-conceived traffic pattern
- allowing parking on both sides of 48<sup>th</sup> and Yuma Streets throttling two-way traffic
- the too-narrow alley
- funneling bicyclists and pedestrians of all ages into the too-narrow alley with inadequate protections
- enticing pedestrians across Massachusetts Avenue, to cross a busy parking lot then into the too-narrow alley
- the increase in school population leading to further overcrowding
- the overtaxing of already strained emergency services
- no discernible benefit to the surrounding neighborhood
- the western sky forever blocked and blotted from view at my house
- the loss of any sense of privacy.

At some point, there was a discussion of amenities. I have observed the neighborhood children riding their bicycles in the vacant SuperFresh parking lot and I have watched drivers attempting to learn to parallel park in that same vacant parking lot. This vacant parking lot would appear to me to be a greater "amenity" to the neighborhood than anything mentioned thus far by Valor.

I have also watched the clouds float by in the western sky and seen numerous sunsets. What "amenity" does Valor offer for that loss? What could they?

In closing, I will repeat once more, I am somewhat indifferent to the number of storeys any building on this site has. But I do not want a building higher than thirty (30) feet above 48<sup>th</sup> Street. This thirty feet applies to the whole structure and all its parts, however classified, including, but not limited to, storeys, “penthouses”, equipment sheds, elevator housings and other solid objects. In short, a building or buildings of a scale commensurate with those of the surrounding long-established and thriving A.U. Park community.

Yours in the fight *against* taxation without representation.

Sincerely,  
Milton Buchler II

Please note: Since Valor’s project has not materially changed with respect to my concerns, and I have submitted previous letters or testimony for case 16-23, those (exhibits 33, 164 and 297) are included by reference with this letter.