

Advisory Neighborhood Commission A
District of Columbia Government
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Washington, DC 20012
(202) 291-9341

September 9, 2010

Anthony Hood, Chairperson
Office of Zoning
Government of the District of Columbia
441 Fourth Street, NW, Room 200 South
Washington, DC 20001

Subject: Lowell School
Office of Zoning Case: 97-16A

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OFFICE OF ZONING

Dear Mr. Hood,

The purpose of this letter is to inform you that at an scheduled, duly noticed, open Advisory Neighborhood Commission (ANC) 4A meeting on September 7, 2010, ANC 4A voted 7 to 0 (a quorum is 5 of 8 Commissioners) to recommend approval of the applicants request to modify its approved Planned Unit Development (PUD) for a property located at 1640 Kalmia Road NW and 7775 17th Street NW. This action supercedes my letter of July 26, 2010. Please note that under Robert's Rule of Order, the action I took had to be ratified by ANC 4A. At the September 7, 2010 ANC 4A meeting the Commission **did not ratify** the action, therefore the July 26, 2010 letter is void.

I must note that during a duly noticed, open special meeting on June 17th, 2010 ANC 4A recommended approval of the application, in concept, with the following contingencies:

1. Establishment of a Voluntary Agreement between Lowell School, the community and ANC 4A concerning traffic,
2. Establishment of a Voluntary Agreement between the Lowell School the community and ANC 4A on the removal of the asbestos, and

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3. Establishment of a Voluntary Agreement between the Lowell School the community and ANC 4A on the parking garage and the field.

It is ANC 4A's position that the Applicant has made reasonable attempts to meet the contingencies. There was a Cooperation (Voluntary) Agreement between the Applicant and some of the community. The Applicant has made changes concerning traffic and the field which are reasonable.

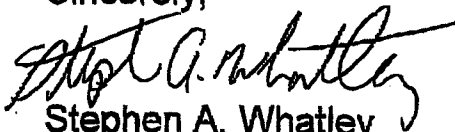
In addition, the Applicant did make a reasonable attempt and did get additional signatures to the agreement. PUD regulations 2406.7 and 2408 (in toto) do not specify percentage of neighbor requirements. Also, Lowell School did made a reasonable attempt to contact all neighbors within 200 feet of the perimeter of the property in question as required under 2406.07.

Last but not least, neighboring residents had numerous opportunities to voice their concern. The Lowell School application has been on the ANC 4A agenda for at least 2 duly noticed, regularly scheduled meetings. In addition, ANC 4A held one, duly noticed, open special meeting on the Lowell School application. During all meetings the Applicant spoke and residents and 4A Commissioners were able to ask questions and/or voice their support or concerns.

In closing ANC 4A recommends that the Zoning Commission approved the revised application.

If you have any questions please feel free to contact me at 202-720-4590 or Commissioner Karl Kennedy at 202-829-3400.

Sincerely,


Stephen A. Whatley
Chair 4A