

# Exhibit 6

GOVERNMENT OF THE DISTRICT OF COLUMBIA 31A  
EXECUTIVE OFFICE

OFFICE OF THE CITY ADMINISTRATOR

ASSISTANT CITY ADMINISTRATOR FOR  
PLANNING & DEVELOPMENT  
1350 E STREET, N.W. - ROOM 409  
WASHINGTON, D.C. 20004

July 12, 1979



M E M O R A N D U M

To:

From:

James O. Gibson

Re:

"Foxhall Crescents" Large Tract Review  
Coordination Report as required by Mayor's  
Administrative Instructions Title 5700  
Coordinated Review; Chapter 571- - Review  
of Large Tract Development Proposals  
Paragraph 5710.6; Procedure Sub-Paragraph  
"D"

Background

The Rozansky and Kay Construction Company has proposed to develop the 25 acre Rockefeller Estate located between Foxhall Road and 49th Street, south of Dexter Street, N.W., with approximately 120 single family detached houses. The proposed development of the site is to be known as "Foxhall Crescents". The firm of Arthur Cotton Moore Associates are the architects for the development. In as much as the area of the site exceeds 10 acres, this development proposal must be reviewed under the Mayor's Order 78-58 which provides that the Office of Planning and Development conduct a review for the large tract developments and prepare a coordinating report and recommendation to minimize adverse environmental, traffic and neighborhood impacts as well as to avoid unforeseen costs in terms of new services or public work required by the city agencies.

The staff of the Office of Planning and Development met on May 3, 1979 in a technical meeting as specified in the Mayor's Order 78-58, with the representatives of the developers, the ANC 3D, the Coalition for Planned Environmental Development and the representatives of various city agencies to discuss and receive comments on the proposed development. Subsequently, the OPD requested and received comments from the various affected city agencies and interested citizens. This report takes into account the comments offered by the citizens, city agencies, OPD and constitutes the coordination report as required under the Large Tract Review process.

### Summary of Recommendation

The Office of Planning and Development recommends that the Foxhall Crescent Development be allowed to proceed subject to a finding by the Zoning Administrator that the development will meet the requirements of the R-1-B Zoning District in which the property is located.

It is recommended that the Department of Transportation implement the traffic controls as described in the body of this report as soon as appropriate.

### Description of the Site and Area

The site is located between Foxhall Road and 49th Street, N.W. south of Dexter Street. It is a heavily wooded site with a single lane road leading from Foxhall Road to 49th Street. The site is heavily wooded with the exception of a small area around the existing Rockefeller mansion which has a grand house, tennis courts some open space and a pond. The site has varying degrees of grades ranging up to more than 20 percent and contains a large number of tall trees and natural vegetation.

The neighborhood around the site is developed exclusively with single family homes in excellent condition. The neighborhood could be described as one of the most desirable residential areas in the city.

The subject site and the surrounding area is zoned R-1-A which allows single family detached houses on a minimum 7,500 square feet lot area.

### Proposed Development

It is proposed that the site will be developed with approximately 120 detached houses, 3 stories, 3,500 to 4,500 square feet in floor area and with two car garages. The existing Rockefeller house will be maintained. The design of the proposed houses will vary according to seven prototype designs developed by the architectural firm of Arthur Cotton Moore and Associates.

As stated, the site has difficult topography with slopes ranging up to more than 20 percent. The proposed development is designed with sensitivity to the topography of the site. The building layout configuration will have six clusters of houses

located along the crescent like road. Crescents 1 and 2 containing a total of 28 houses will have access from Foxhall Road. Crescents 3 and 4 containing 41 houses will have access from 49th Street and 29 houses will have access from the intersection at Calvert and 48th Streets. Crescent 6 containing 22 houses will have access from 46th Street. The total number of new houses as shown on the site plan submitted is 120. The inner loop of the Crescent 3 where the Rockefeller house is located, will not have any new houses. The existing pond to the south side of the Rockefeller house will be filled, and replaced with a new water retention pond to be located generally to the east of the existing pond site.

The proposed houses will be located approximately 30 feet from the boundary lines of the site.

It is proposed that the development of the site will be carried out in four phases, each phase starting approximately one year after the preceding phase.

#### Zoning Consideration

The site is recorded in the surveyor's office as a single lot. The D.C. Zoning Regulations provide that any number of principal buildings namely the single family detached houses in this case, can be built on one single lot as long as the basic zoning requirements of lot area, lot width, required yards, height and bulk of buildings are met when the property is subdivided into "theoretical" lots. The Foxhall Crescent development proposal indicates that the total property recorded as one lot of record in the D.C. Surveyor's office, will be subdivided into theoretical lots as described in section 7615 of the D.C. Zoning Regulations. It is intended that each theoretical lot so created, will meet the zoning specifications for the R-1-A zoning district in which the property is located. The R-1-A District specifies a minimum lot area of 7,500 square feet with a minimum lot width 75 feet.

All the streets in the proposed development will be included in the theoretical lot dimensions, and access through these streets will be guaranteed through the use of multiple covenants to be filed with the D.C. Corporation Counsel.

#### Community Involvement

A non-profit community organization known as the Coalition for Planned Environmental Development (CPED) was formed in October 1977 following the press reports of the proposed development on the Rockefeller Estate. The membership is comprised of interested citizens in the Foxhall Road, Berkeley, Palisades, Spring Valley, Wesley Heights and Foxhall Village area. The

CPED has been concerned with the impact of the proposed development on the environment on the site and also the surrounding neighborhood. After an extended period of negotiations the CPED and the Rozansky and Kay Company have entered into an agreement that deals with the preservation of the natural beauty of the site by creating minimum disturbance to the existing grades and tree cover and by replenishing the site with new trees. The agreement provides that the new houses on the site will be, with certain exceptions, at a minimum distance of 30 feet from the boundary line of the site. Furthermore, the agreement provides that there will be four traffic entrances to the site to distribute the traffic equitably upon the surrounding streets. The agreement between the CPED and Rozansky and Kay Company also seeks implementation by the city of certain traffic controls to be installed on surrounding streets.

#### Pertinent Features of the Development

Land Structure and the Layout of Development: The site has moderate to steep slopes ranging upto more than 20 percent. The development as proposed, is sensitive to the existing topographic conditions of the site and is designed to accommodate so far as possible the existing conditions. The crescent layout in which clusters of houses will be located in a cul-de-sac fashion, would allow treatment of sections of the site at different grade levels. This setting will minimize alterations to the physical features of the site. It should be noted that the agreement between the developer and the CPED provides that a minimum of 30 percent of the entire property will be maintained as "undisturbed" through site detailing, retaining walls, grading and preservation of vegetation. The "undisturbed" areas will include no less than 30 feet at the perimeter of the entire property with certain exception. These measures are designed to mitigate the impact of the proposed development on the interior and the exterior of the site.

Vegetation: The developers and the CPED have agreed that in the 30 percent undisturbed area which includes the perimeter of the site, all existing healthy trees shall be maintained and new planting shall be provided where necessary to create effective visual buffer.

It is indicated that no more than 60 percent of all healthy trees over 4 inch caliper (i.e., diameter 6 inches above ground) on the entire property including the Undisturbed Perimeter and Undisturbed Internal Areas, may be removed. For every 4 inch

No intent to do "Landfills"

or large caliper tree removed in excess of 50 percent of all healthy trees, the developer shall plant two 3 inch caliper trees at appropriate locations on the property.

The effect of these proposed controls on tree removal and additional planting will help keep the quality of visual environment of the site internally and externally, compatible with the surrounding area. In as much as the healthy tree cover at the perimeter of the site will remain undisturbed, the visual impact of the development on the surrounding area will be basically undisturbed.

Traffic: The development will have access points from Foxhall Road to the east, 48th and Calvert, and 49th Streets to the West, and 46th Street to the south. The existing driveway from Foxhall Road to 49th Street will be removed. The proposed development will be comprised of six clusters of houses, known as Crescents 1 to 6 which will not be interconnected internally to permit through traffic from Foxhall Road to 49th Street. Crescent 1 and 2 will have access from Foxhall Road. Crescent 3 and 4 will have access from 49th Street. Crescent 5 will have access from the intersection at Calvert and 48th Streets. Crescent 6 will have access from 46th Street. This arrangement of layout will distribute the traffic from the development on to the surrounding streets.

#### Community Comments

As stated, the citizen organization known as the Coalition for Planned Environmental Development which is comprised of interested citizens in the Foxhall Road, Berkley-Palisades, Spring Valley and Foxhall Village areas, has entered into an agreement with the developer of the site, Rozansky and Kay Construction Company. This agreement includes detailed standards to be undertaken, related to the density and layout of the development, traffic access points, undisturbed areas at the perimeter and the interior, detail of grading, and tree removal and replacement. The agreement provides that before any work begins, the Developer shall prepare, and the parties shall agree upon, a comprehensive site plan covering the entire project. It is the understanding of the staff of the Office of Planning and Development that the CPED and the Developers are at this time in the process of refining the site planning details of the agreed upon overall concept of the project.

The Coalition for Planned Environmental Development has also made recommendations for certain traffic controls external to the site with a view to minimize the traffic impact from the Foxhall Crescent development on the surrounding area. These traffic controls external to the site are under the jurisdiction of the Department of Transportation of the District of Columbia. The proposed traffic controls include:

- Installation of speed control signs north and south of the intersection at Dexter and Foxhall Road.
- Fourway stop light at the intersection of Foxhall Road and W Street.
- Installation of traffic barrier at the intersection of 48th and Calvert Streets (i.e., at the top of Calvert Street) to stop all (non-emergency vehicle) through traffic.
- Installation of three way stop sign at the 49th/ Calvert Street intersection.
- Stop signs at the intersections of 46th and Ashby Streets, 48th and W Streets, Dexter and 49th Street, stop signs on access road at 49th Street and also access road at Foxhall Road.

It is the understanding of the OPD staff that the foregoing recommendation of the Coalition for Planned Environmental Development have been discussed and endorsed by the citizen groups in the area. The North Foxhall Road Citizen Association, the Palisades Citizens Association, and Spring Valley-Wesley Heights Citizens Association have expressed support for the proposals made by the CPED.

The responses received by OPD staff from the surrounding area citizens express some concern for the effect of the traffic generated by the development on the surrounding streets expressing the desirability of minimizing the external impact of the proposed development. However, the development concept as such is generally not contested.

Other City Agencies Comments

Department of Transportation: The D.C. Department of Transportation has reviewed the proposed project along with the CPED recommendations regarding traffic controls for the exterior of the site. The DOT has stated that the traffic control proposals related to stop signs and speed control signs will be implemented with the exception that:

1. Traffic signal at Foxhall Road and W Street:  
The DOT evaluation indicates that the proposed traffic signal at this location will be counter-productive at this time. One effect would be to increase the appeal of W Street for through traffic. Signals invite the use of the streets particularly when they interconnect two arterial streets as does W Street. The DOT has indicateds that excessive speeds on Foxhall Road do exist and DOT will provide a speed detection system at Foxhall Road complete with a warning message that will be displayed to motorists exceeding the 25 mile per hour limit. This and accompanying enforcement activity is expected to relieve the concerns expressed by the Citizens regarding conditions at this intersection.

2. Traffic Barrier at Calvert Street: The DOT analysis indicates that traffic on Calvert Street is not expected to increase more than 12 vehicles per hour in both directions, which is a rather small number. More over, it will be local traffic. It will be a departure from established policy to provide a traffic barrier at this location in that the traffic barriers have been used so far to discourage through traffic, but in this case, a barrier will prevent the neighborhood people from using the neighborhood streets.

Department of Environmental Services: The Department of Environmental Services has stated that the existing water and sanitary and storm sewer system are adequate to accommodate the proposed project. The reservation for waste water treatment plant capacity has been extended through November 14, 1979. This should allow ample time for the developer to obtain the necessary building permits before the reservation expires.

The DES does not anticipate any difficulty in complying with the soil erosion and sediment control regulations of the District of Columbia.

It is indicated that the proposed development should have no long term negative impact on air quality and noise levels in the surrounding area. Construction activity is to be phased so as to reduce vehicle traffic and equipment operation to a minimum during work periods.

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Solid waste collection service with access only from private roadways or off-street parking areas is provided by contract haulers. Municipal disposal facilities have capacity to handle the additional solid waste that would be generated at this site.

Department of Housing and Community Development: The DHCD has reviewed the Foxhall Crescents development proposal for its relationship to District of Columbia policy concerning housing and environmental protection and finds that the proposal is consistent with District-wide objective to provide more opportunities for home ownership.

D.C. Fire Department: The Fire Department has reviewed the proposed plans with the architects of this project and the areas of concern covered in the Fire Prevention Code have been satisfactorily resolved. The Fire Department has no further objection concerning this development. However, it will be necessary for the developer to maintain close coordination with the Fire Marshal to assure that all of the features necessary for fire safe structure are provided.

D.C. Board of Education: The D.C. Public Schools will not be adversely impacted by the proposed development. The D.C. Board of Education has no objection to the development.

National Park Services: The storm sewer system from the site discharges into National Park Service property at 49th and Calvert Streets. The National Park services has concern about excessive flow velocity and soil erosion at the outlet structure. However, these problems are in the process of being resolved to the satisfaction of the National Park Service.

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#### Conclusion and Recommendation

The site is located in an R-1-A District which allows single family detached houses on a minimum 7,500 square feet 75 feet wide lots. The proposed development is designed to meet these requirements. The development will provide additional housing consistent with the policy objectives of the District of Columbia: The proposed houses will be in the high cost category in keeping with the high quality residential development in the surrounding neighborhood.

The site as planned for development will contribute substantially to the ambiance of the surrounding area.

The developer plans to keep a significant portion of the site undisturbed in an effort to keep the quality of the environment undiminished.

The existing vegetation and the topographical characteristics will be maintained as much as possible. There will be no traffic through the site or between Crescents. The traffic will be distributed on the surrounding streets through four access points.

The relevant D.C. Agencies have indicated that the proposed development will not create any objectionable demand on city services.

The streets on the site will be in private ownerships and will be located on portions of individual lots. Therefore, access within the development will have to be assured by means of multiple covenants in relation to easements and maintenance to the satisfaction of the Corporation Counsel's office.

The D.C. Department of Transportation has agreed to implement necessary external traffic controls as recommended by the citizen organization, Coalition for Planned Environmental Development with the exception of 4-way traffic signal at the intersection of Foxhall Road and W Street, and traffic barrier at Calvert Street, since these two provisions are deemed to be inappropriate by the Department of Transportation.

The District of Columbia is experiencing a shortage of housing in all price levels. Therefore it would be desirable to develop the site with housing while maintaining the quality of the environmental in the area.

#### Recommendation

In the opinion of the Office of Planning and Development the Foxhall Crescent development as proposed should be allowed to proceed subject to the conditions that all the density and bulk requirement of the R-1-B zoning be determined by the D.C. Zoning Administrator are satisfied.