

FRIENDSHIP HEIGHTS ORGANIZATION FOR REASONABLE DEVELOPMENT

Party-opponent to Stonebridge Application for PUD and Map Amendment,
5401 Western Avenue, Z.C. No. 02-17C.

ZONING COMMISSION
District of Columbia
Case 02-17
Exhibit 192

Summary of Statement
George H. F. Oberlander AICP

Washington Clinic Zoned Deliberately by the Zoning Commission as Housing Transition

- The site's proximity to existing one-family housing outweighs its proximity to Metro.
- The current R-5-B zoning was deliberately placed on the site as part of an extensive planning, traffic and zoning process.
- The MOR density of 1.8 FAR (with possible PUD density of 3.0 FAR) established a housing transition area.

Washington Clinic Zoned R-5-B to Serve Public Goals and Changes Not Warranted

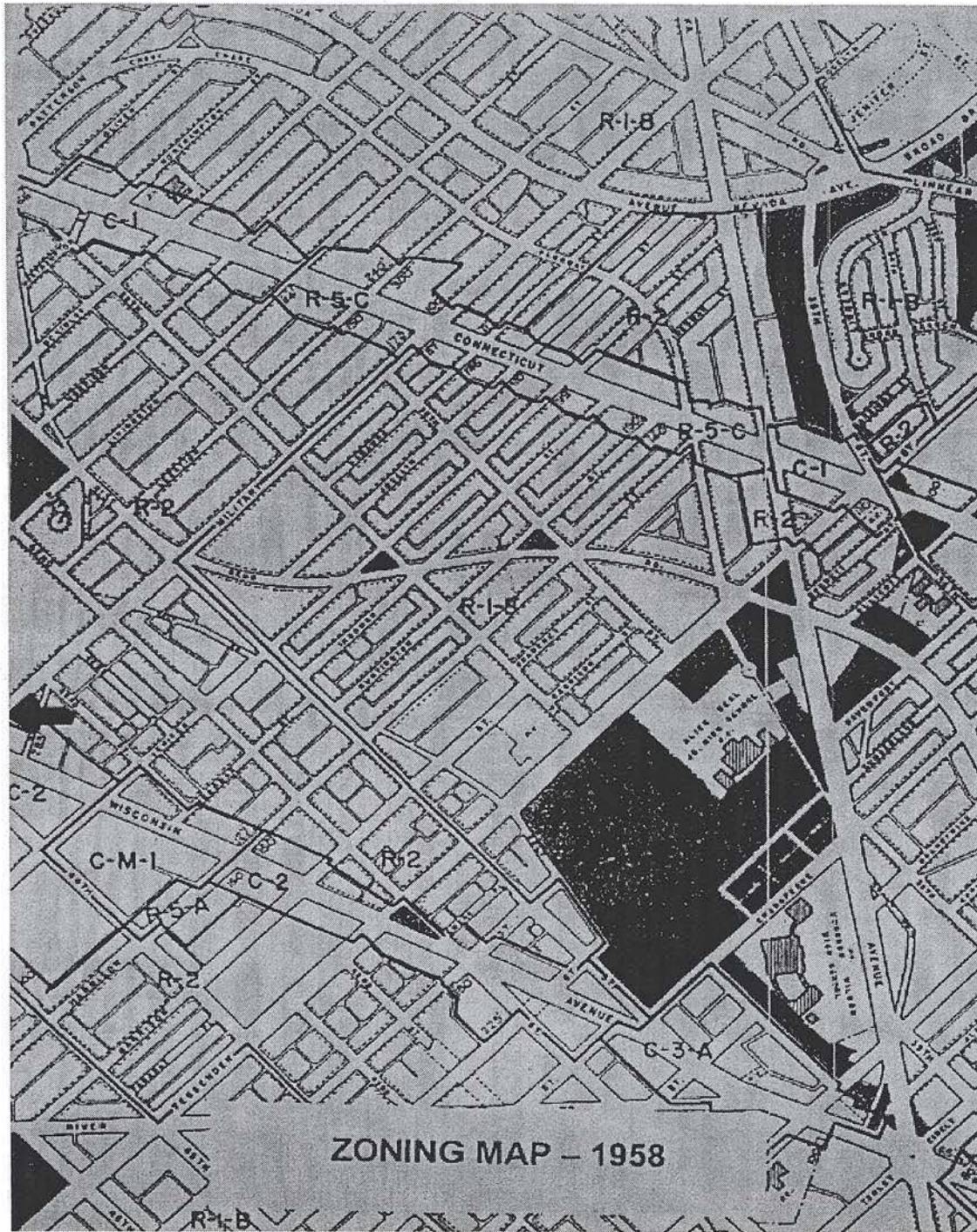
- The R-5-B was put in place to protect property values, assure orderly development and safe guard the general welfare.
- No unanticipated (planned) changes have occurred, other than increased traffic, to warrant land use changes or intensification.

Stonebridge Seeks To More than Double the FAR Allowed as MOR

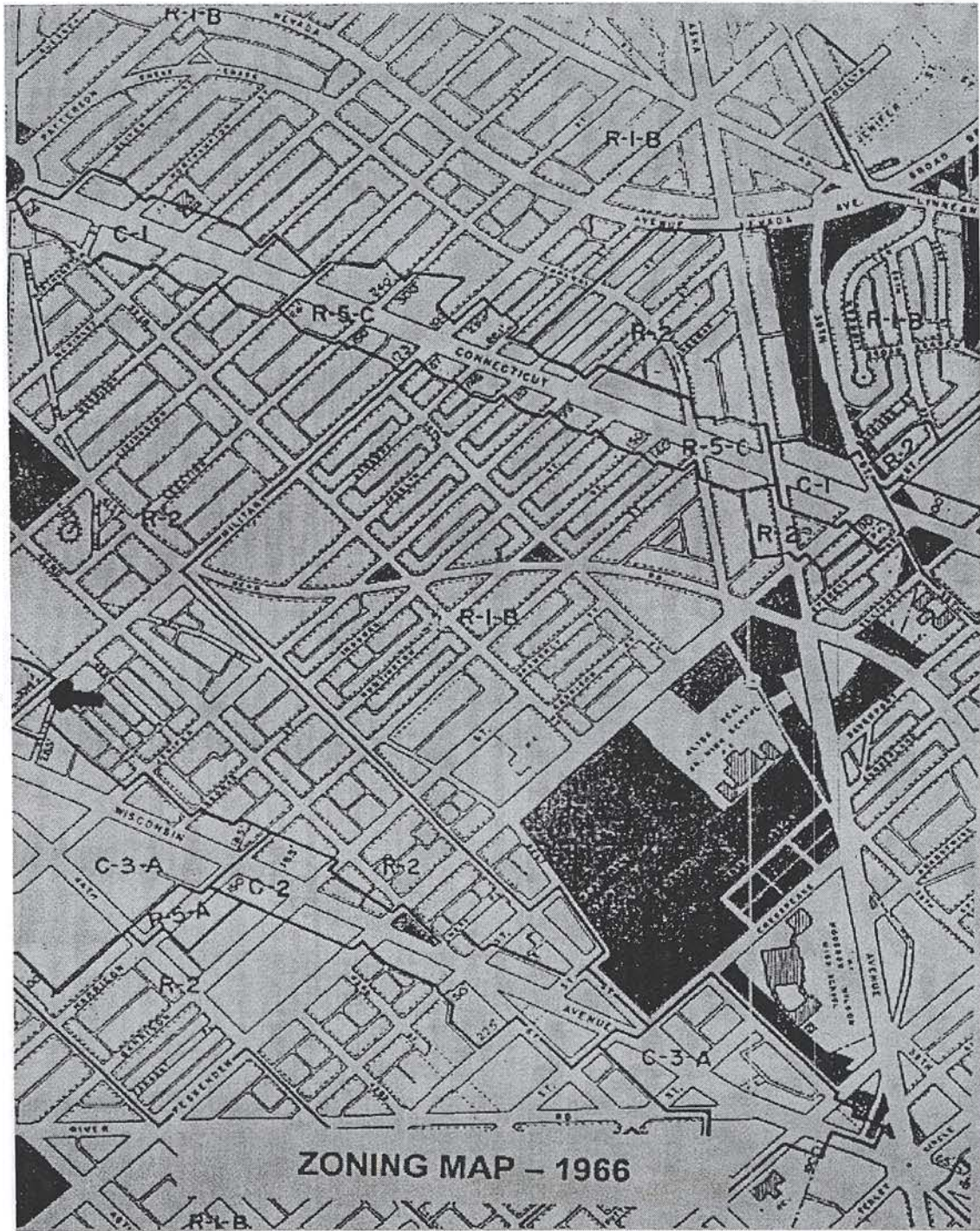
- Approving the PUD & Map amendment, at the density/height proposed, will signal to the home owners that additional re-zonings may be considered. At best it will create real uncertainty in the low density areas.
- The PUD process was created to provide flexibility from strict standards, not to change the zoning classification.

Existing Zoning Protects the Character of the Neighborhood

- The existing R-5-B seeks to protect the planned character of this specific neighborhood. Allowing greater density and height would be prejudicial to the restricted transition purpose of the zone.
- A careful density balance (related to traffic capacity) was established by the 1974 SDP, which should not be intensified.

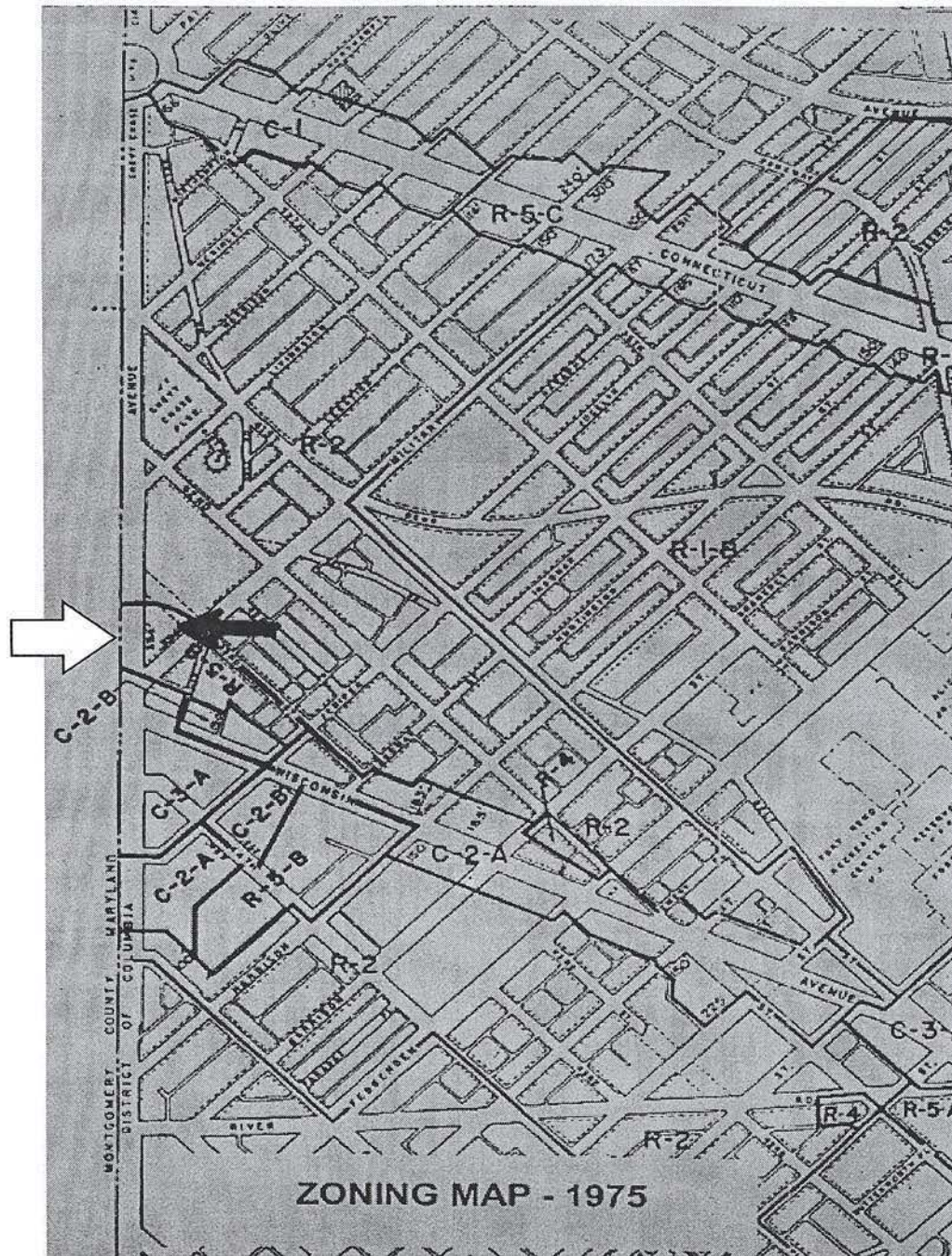


Clinic site is Zoned R-2

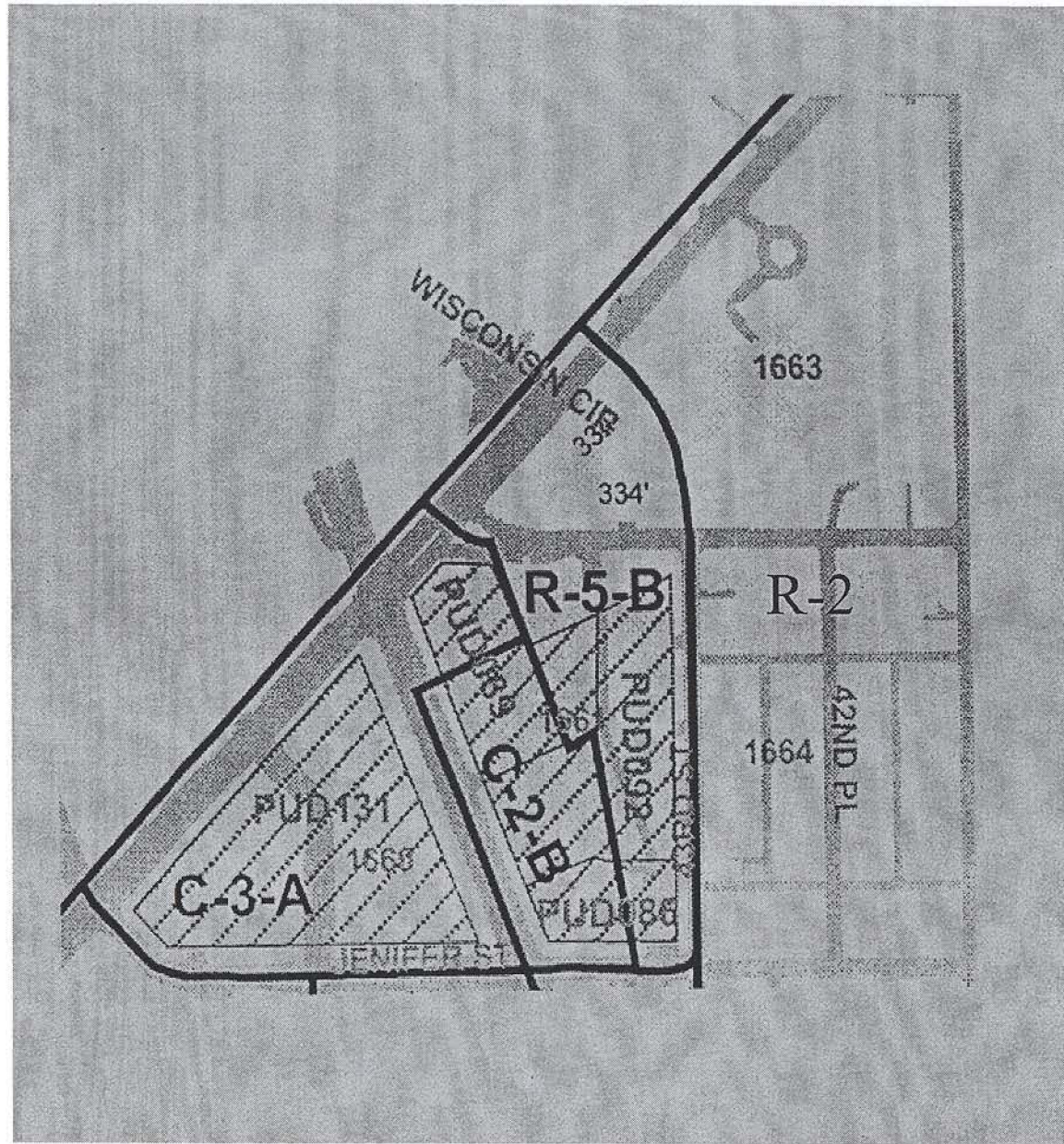


ZONING MAP - 1966

Clinic site is Zoned C-3-A



Clinic site is Zoned R-5-B



Official DC Office of Planning Zoning Map
November 2002

Proposed PUD Would Destabilize Neighborhood

- Existing home ownership will suffer if the PUD is approved.
- More property owners will place their properties on the rental market and the adjoining one-family area will become less stable.

Proposed PUD is Inconsistent with the Comprehensive Plan

- Sections 1400.2, 1402.1(h) and 1406.2(d) of the Comprehensive Plan all deal with protecting and maintaining the low-density, high quality character of Ward 3.
- The proposed PUD density & height is not in character with the adjoining one-family neighborhood to the east.
- OP Report justifies the PUD on benefits.

Public Benefits Must be Grounded in Official Planning Policies

- Economic considerations (public benefits) not based on official planning policies contained in the Comp. Plan are insufficient grounds for re-zoning.
- The 5% density bonus for affordable units not based on any required standard (arbitrary). 4-6 DU's.
- MOR housing density would produce benefits and tax revenue.

OP Lacks Small Area Plan or Adopted Policies To Support PUD Application

- New Small Area Plan not yet prepared.
- Plan should precede consideration of PUD.
- OP Report bases approval recommendation on “current policies being developed” not contained in adopted Comprehensive Plan.
- OP Report (page 18) recognizes importance of preserving one-family area but PUD intrudes into existing transition zone.

Comprehensive Plan

- OP misinterprets Section 209.5 (b), (1,000 new homeowners annually). This section deals with incentives for homeownership by employers, Churches and Universities and downtown housing.
- The Comp. Plan text does not specifically identify this site as a housing opportunity site as it does for L&T and Metro Bus sites.

Requested Rezoning and PUD Are Not Supported by Planning Rationale for this Site

- Not in keeping with Comp. Plan to create an R-5-C PUD zone next to an existing R-2.
- OP states “some sort of development-limiting mechanism seems certain to result from (SAP) process”. Existing zoning, already is that mechanism.
- The PUD is inconsistent with detailed planning & zoning established for this area.

TRAFFIC ANALYSIS

By

Joe Mehra, P.E.

MCV Associates, Inc.

Traffic Data Collection

- Collected traffic data in August
- Weekend analysis excluded intersection of Wisconsin Ave./Jenifer St. - High retail traffic on weekends

Trip Generation Analysis

- Vehicle Trip Generation Rates are flawed in three respects.
- No justification for 65% or 50% reduction from the ITE rates for Metrorail/bus usage.
- No justification for WMATA retail trip generation assumption.
- No justification for day care trip rate.

Level of Service Analysis

- HCM/HCS not correct to estimate delays and levels of service.
- The SYNCHRO Model or the CORSIM model is the appropriate method - DDOT used SYNCHRO in the Palisades Traffic Study.
- HCM method was misapplied by assuming site is in a suburban or urban area, not a Central Business District.

Future Traffic Volume Analysis

- Underestimated annual traffic growth (Used 2% vs. Actual 3.2%)
- The new Chase Tower not included, will add 328 vehicle trips during each peak hour
- Traffic assignment numbers do not add up to the total numbers shown in Table 3, page 15, of the Traffic Report
- Underestimated the AM and PM peak Hour trips by as much as 14-15%

Comparison of Trips

| | ORG | MCV | ORG | MCV |
|--------------------|------------|------------|------------|------------|
| | AM Peak Hr | AM Peak Hr | PM Peak Hr | PM Peak Hr |
| WMATA | 143 | 220 | 252 | 396 |
| Wisconsin Place | 887 | 887 | 1328 | 1328 |
| Friendship Commons | 1052 | 1052 | 1034 | 1034 |
| Chevy Chase Center | 372 | 372 | 630 | 630 |
| Chase Tower | 0 | 328 | 0 | 328 |
| Residential-Site | 31 | 38 | 31 | 38 |
| Day Care-Site | 13 | 38 | 14 | 40 |
| Total | 2498 | 2935 | 3289 | 3794 |

Future Level of Service Analysis

- The proposed residential use of the site and the current use of the site generate extremely opposite travel characteristics.
- The total travel impact and levels of service projected for 2006 must be evaluated at each intersection using the Stonebridge-generated trips.

Parking Analysis

- Census data show 1.1 cars/unit or 138 vehicles (for 125 units).
- No basis for Stonebridge to assume 0.7 cars/unit.
- Stonebridge providing 108 accessible spaces for residents (100 in garage, 8 visitor).
- Shortfall of 30 accessible spaces.

Safety Issues

- Proposed entrance/exit is offset from Wisconsin Circle by 50 feet, creating conditions for head-on collisions and safety problems.
- The combined loading dock, day care center parking, and visitor parking lot creates truck/children conflicts and safety problems.

Conclusions

- Applicant's traffic study is not complete.
- Applicant's traffic study used incorrect methodology for level of service analysis.
- Applicant's traffic study has not provided mitigation measures for several intersections that would be operating at LOS F.
- The access plan has major safety problems.

Summary of Statement

Marilyn Simon, PhD

Economic Impact

- Stonebridge states:
 - Project will provide over \$1.7 million in additional annual tax revenues compared with the Clinic.
 - Project will generate \$800,000 to \$1,200,000 in annual tax revenue over MOR.
- Appropriate, Corrected Comparison
 - Project will provide at most \$400,000 to \$500,000 in annual revenue over MOR.
 - Advantage over a PUD with current zoning would be significantly less.

Basic Elements of Additional Tax Revenue

- Income Tax
 - Based on the projected income of owner-occupants and renters.
- Real Estate Tax
 - Based on the property value and tax category: residential, homestead exemption.
- Retail Sales Tax
 - Based on new resident purchases of taxable goods in DC, unrelated to their employment location.

Errors in Estimates of Economic Benefits

- Mr. Smart did not use tax rates in Form D-40 to estimate of annual income taxes.
- Mr. Smart did not consider the homestead exemption for owner-occupied units.
- Mr. Smart assumed \$144,000 income for owners of the affordable units.
- Mr. Smart overstated the impact on retail sales tax revenue.
 - Each household is assumed to spend an additional \$800 a month in DC restaurants, unrelated to the location of their employment.

Examples of Errors in Economic Impact

- Mr. Smart did not use the District tax rates:
 - Bolan Smart estimates annual income taxes of \$9,720.
 - Using Form D-40, the taxes for single earner households would be \$9,254.
 - Using Form D-40, the taxes for two-earner households would be \$8,464.
- Mr. Smart did not consider the Homestead exemption:
 - Bolan Smart estimates annual real estate taxes of \$4,608.
 - With a homestead exemption, annual real estate taxes would be \$4,320.
- Mr. Smart did not adjust for affordable units:
 - Bolan Smart assumes annual income taxes of \$9,720 and annual real estate taxes of \$4,608 for the affordable units.
 - Based on Form D-40 and the information provided by the Applicants on their affordable housing proposal, annual income taxes would be \$2,782 and annual real estate taxes would be \$1,296.

Errors in Estimates of MOR Development

- Mr. Smart assumed that MOR development with current zoning would be a smaller version of the same building.
- Mr. Smart assumed that with current zoning, 15,000 of land zoned R-2 would generate no District tax revenue.
- Mr. Smart did not consider the most likely development under current zoning, which would also generate the most District revenue.
 - Townhouses, or townhouses and a small apartment building, on the Clinic Site and detached and semi-detached houses on a differently configured Lisner site.

Correction of Errors: Stonebridge Project

- Bolan Smart estimates \$944,784 in new annual resident District income taxes.
- Correcting for these errors reduces the estimate to \$837,468, assuming all units owner-occupied. **His estimate is 13% too high.**
- Bolan Smart estimates \$576,000 in new annual District real estate taxes.
- Including the homestead exemption and taking into account the affordable housing component reduces the estimate by 10% to \$524,880. **His estimate is 10% too high.**
- Bolan Smart includes \$221,130 in new retail sales tax revenue. New retail sales tax revenue would be significantly lower.
 - Spending based on a place of employment does not generate new sales tax revenue.
 - Residents on Western Avenue are likely to incur more than 35% of new taxable purchases outside the District.

Correction of Errors: MOR, Current Zoning

- Bolan Smart estimates \$408,147 in new annual resident District income taxes based on a smaller version of the Stonebridge project.
- A more profitable development under current zoning would generate \$516,000 in new annual resident income taxes. **This is 26% higher than the Smart estimates.**
- Bolan Smart estimates \$248,832 in new annual District real estate taxes.
- A more profitable development under current zoning would generate \$303,000 in new annual District real estate taxes. **This is 22% higher than the Smart estimates.**

Change to Development to a Condominium in based on Changed Market Conditions.

- Stonebridge has offered no conditions that would assure that the units would actually be for sale individually or that, if sold individually, would eventually be owner-occupied.

Changing Other Assumptions

- If the mix of owner-occupants, renters and seniors in the market rate units were changed to reflect the mix in other condominiums with the same number of units and sales prices, the estimated annual income and real estate taxes would be significantly lower.
- Annual Income tax revenue would be \$538,972, compared with Mr. Smart's estimate of \$944,784. **Mr. Smart overestimates by 75%.**
- Annual real estate tax revenue would be \$482,705, compared with Mr. Smart's estimate of \$576,000. **Mr. Smart overestimates by 19%.**

Amenities

- The proposed increase in density will have a severe impact on the neighborhood without any significant offsetting benefits.
- Provision of amenities should be cost-effective.
- The benefits should be evaluated based the value to the community, the District and the neighborhood, and not by the cost to the developer.
- Neighborhood amenities should serve the area most affected by the increased density.

As proposed, the Stonebridge affordable housing amenity is of questionable value.

- Stonebridge’s “Affordable Housing” amenity would not be efficiently provided and the District is unlikely to benefit from this proposal.
- Only 4-6 units will be available and only for at most a twenty-year sales restriction period.
- Proposed sale and resale restrictions are impossible to enforce.
- There is no adequate enforcement mechanism to insure that target audience is notified when units are available or that these units would, in fact, be owner-occupied.

Stonebridge's proposed day care amenity offers little value to the community.

- The day care proposal does not efficiently provide day care capacity and does not constitute a neighborhood amenity.
 - Stonebridge proposes to provide new space rent-free for fifty years to an incumbent market-rate day care provider.
- Provision of the day care amenity removes 15,000 SF of R-2 land from possible future development.
- The day care proposal does not constitute a neighborhood amenity:
 - There is no assurance that the capacity will be used by neighborhood children
 - There is no provision for pass-through of economic benefit.
- Further, the Ward 3 Plan, Land Use Element, only calls for an increase in child care facilities in commercial areas. [§1409.2]

Stonebridge's proposed day care amenity does not advance the Major Policies of the Comprehensive Plan

- §200.14 Affordable, quality child care is an essential precondition for parents with children under the age of fifteen (15) to enable them to work, seek employment, complete school, and participate in job training programs. [Economic Development Element]:
- §300.7 Zoning and health-care regulations should be designed to promote an increase in affordable child care programs and facilities. [Housing Element, emphasis added.]

Stonebridge's proposed day care amenity offers little value to the community.

- CCPCC is currently obligated to use 16 slots of its 32 slots for the local neighborhood. It has not filled those slots from the neighborhood.
 - In 2000-2001, 4 FTEs were from the neighborhood, 11 children resided in ZIP code 20015. [Source: CCPCC Directory of Children/Parents.]
- This proposal would increase to 60 the number of CCPCC slots for the community.
- In 2000, there were a total of 244 children under the age of 6 in Census Tract 11, and of those, 118 children had no parents outside the labor force.

Day Care Amenity: General Principles

- Local Parents should face a choice of day care providers.
- The day care center should serve the local community.
- The day care amenity should be efficiently provided.
- Conditions to assure that the center meets these goals should be included in the PUD.

Efficiently Providing a Day Care Amenity

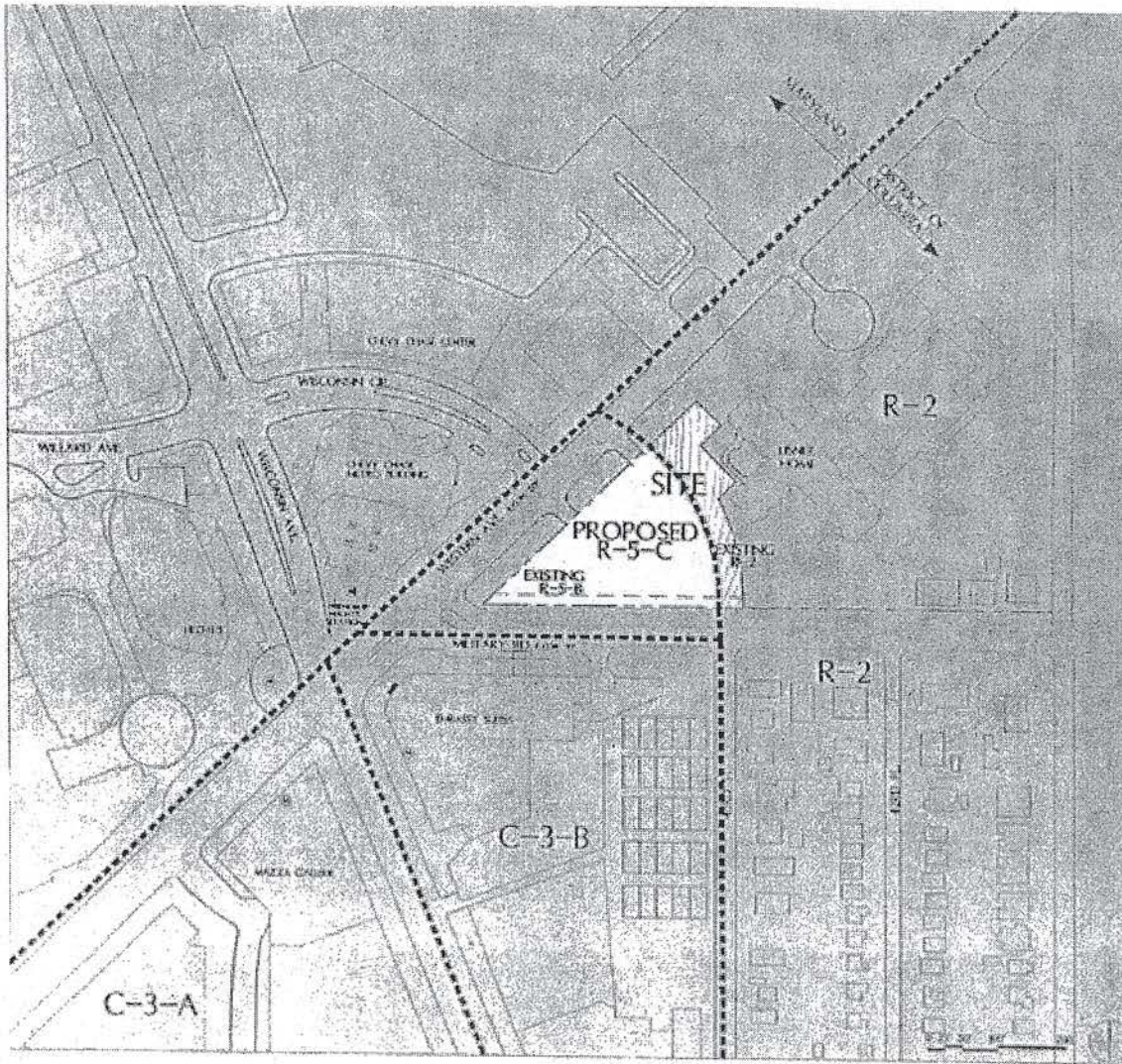
- The day care space shall be rented only to a day care provider and a minimum capacity is included in the PUD.
- 80% of the children will reside in ANC3E04 or ANC 3E03.
- Incumbent neighborhood day care providers will not be eligible.
- If the day care center fails to operate or ceases to operate, the space will revert to residential use and the developer will make a contribution for an equivalent neighborhood amenity.
- The PUD should include a reporting requirement to assure compliance with the above conditions.

Summary of Statement

Laurence J. Freedman

COMPETING VISIONS

- **Core of the issue involves competing visions for Washington Clinic site.**
- Stonebridge/ “new” OP Vision.
 - Clinic site is a “pocket” to be gobbled by and integrated with high-density commercial development on Wisconsin Avenue, and commercial and residential development in Friendship Heights, Maryland.
 - Exhibit 1 (Erroneous Stonebridge Zoning Map).
 - Exhibit 2 (OP Zoning Map).



Stonebridge Drawing D1,
Revised Pre-Hearing Submission,
October 25, 2002

Erroneous Stonebridge Map

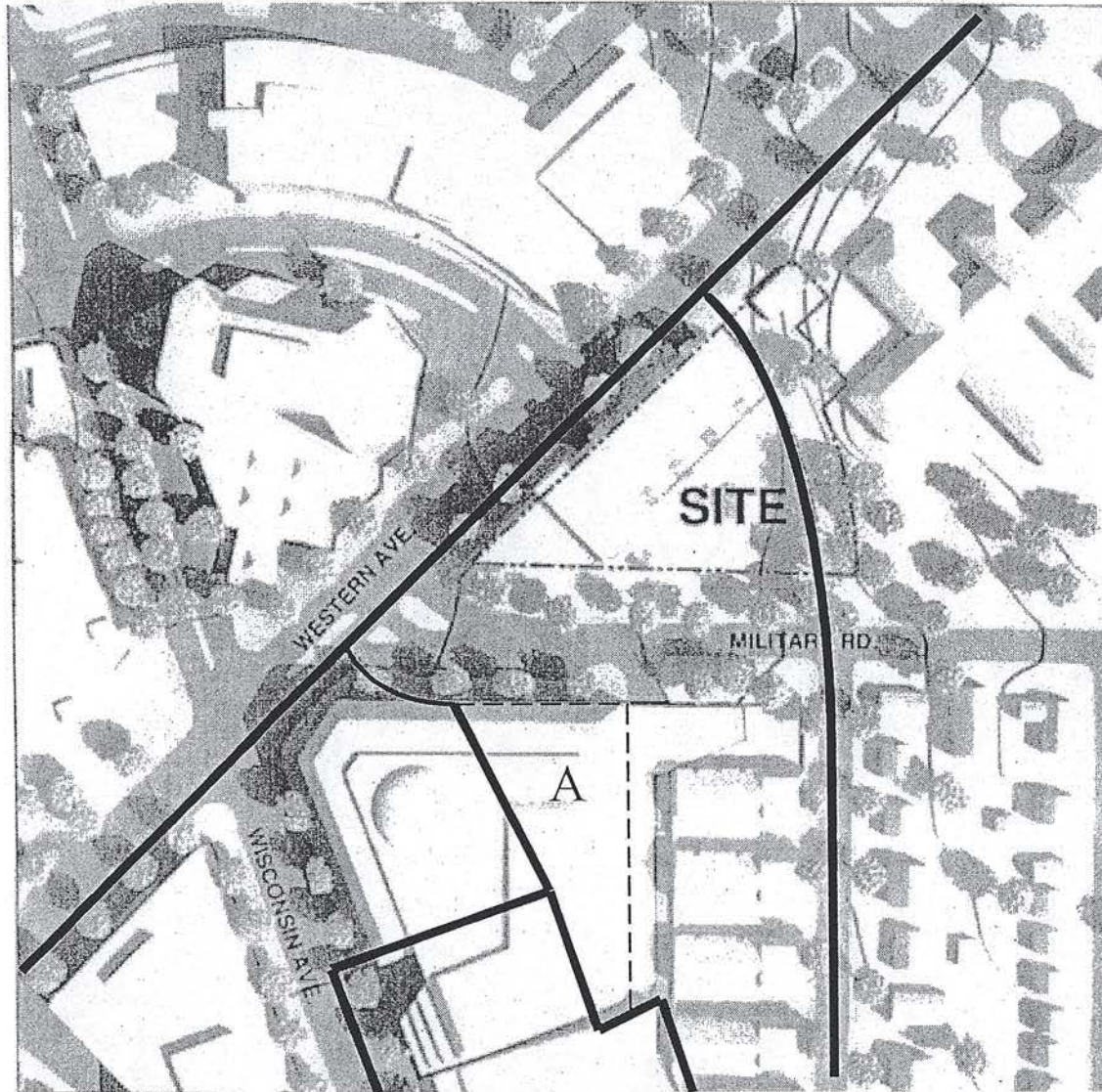
Underlying zoning for Square 1661 is not C-3-B
With all PUD's, entire eastern side of Square 1661 is residential
and built within R-5-B limits (strip along Wisconsin is C-3-B)⁴⁶



Official DC Office of Planning Zoning Map
November 2002

COMPETING VISIONS

- FhORD, NCPC, OP 1974-2002, Zoning Commission.
 - Washington Clinic site is essential transition buffer zone between high-density commercial and low-density residential. This is reflected in all land use and zoning decisions and analyses over the last 30 years.
 - Exhibit 3 (Photo of Stonebridge model with zoning map overlay).



Cover of Drawings,
Stonebridge Revised
Pre-Hearing Submission,
October 25, 2002

Area A" shows intrusion
into transition zone
by Embassy Suites PUD

Official DC Zoning Map (w/o PUD's)
Overlay on Photo of Stonebridge Model

FhORD OPPOSES REZONING

- FhORD opposes: Rezoning of the Washington Clinic site for the Stonebridge proposal.
- FhORD supports: Smart Growth, TOD, Residential Development within current zoning.

RESIDENTIAL DEVELOPMENT

- FhORD supports residential development of the Washington Clinic site and supports the high densities that current zoning allows: up to 80 condos/acre, or even more with a PUD if PUD is justified.
 - The issue is not whether the site should be developed for housing, but how large a development belongs on this site.
- Stonebridge wants to rezone this site not to provide any more housing units.
 - Stonebridge just wants to get more height and density to have larger, more expensive high-end units. This promotes private gain, but no public interest.

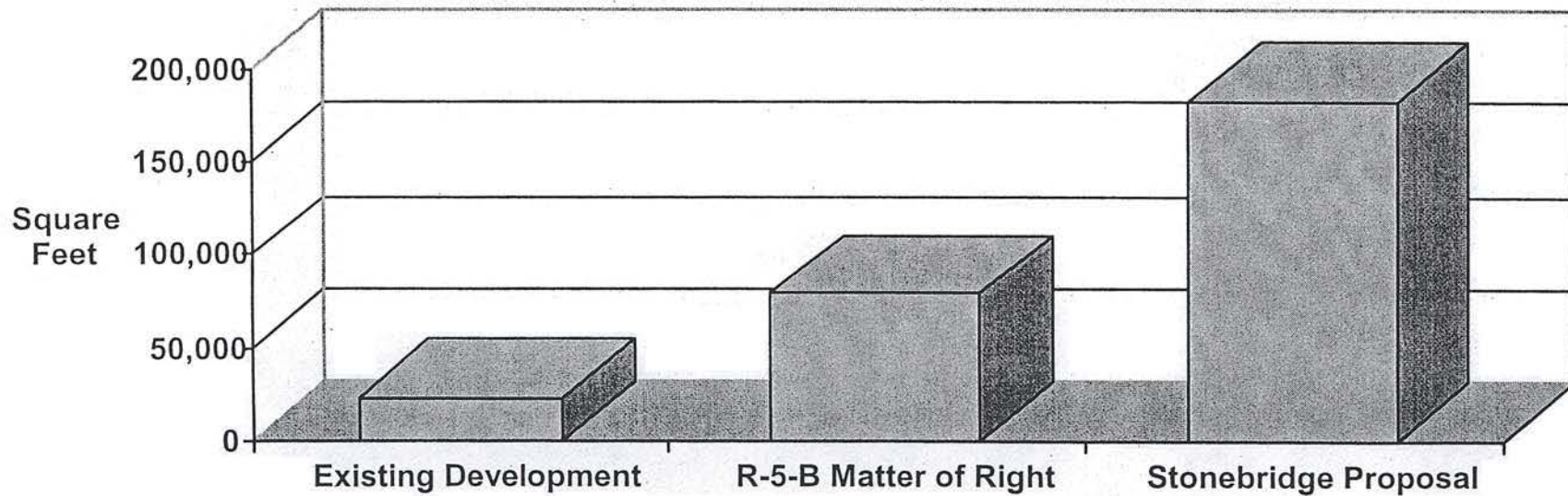
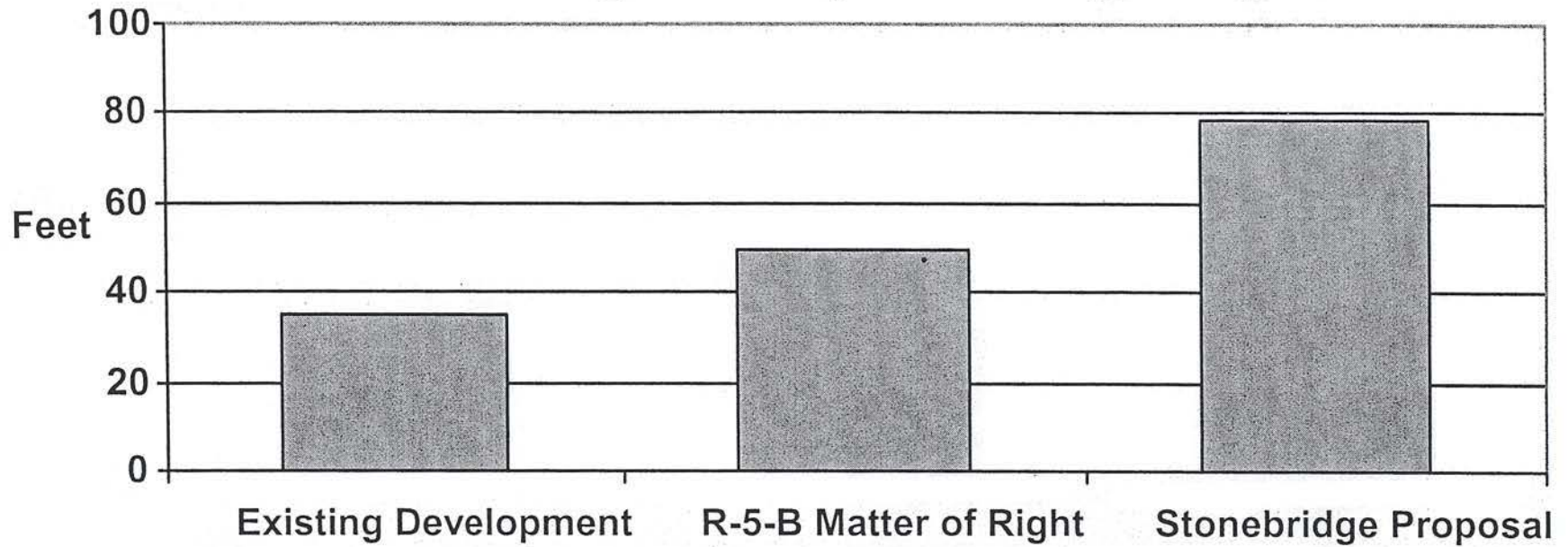
Project Does Not Meet the PUD Requirements

- Stonebridge must satisfy three standards.
 - The public benefits and amenities must fully justify the “flexibility” (additional height and density) requested over current zoning.
 - The project must be acceptable in all categories listed in Section 2403.9, and superior in many. 2400.10.
 - The project must not be inconsistent with the Comprehensive Plan. 2400.4.
- The Stonebridge Application unequivocally fails all three requirements.

Zoning Flexibility Requested by Stonebridge Enormously Outweighs Public Benefits

- Zoning flexibility requested is extremely high.
 - Gross floor area permitted on Clinic land, 78,912.
 - Gross floor area requested according to applicant, 182,000 SF (230% of MOR).
 - Height permitted on Clinic land, 50 feet. Height requested according to applicant, legal 78.75 feet, actual 85 feet height (due to measuring point).
 - FAR permitted on Clinic land, 1.8.
 - FAR requested according to applicant, 4.15 (230% of MOR).

Additional Height and Square Footage Requested



Zoning Flexibility Requested by Stonebridge Enormously Outweighs the Public Benefits

- The actual public benefits are minimal.
 - Public benefits are superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter of right provisions of this title. 11 DCMR Sec. 2403.6.
 - Stonebridge claimed public benefits on November 14, 2002, summary sheet.

Claimed public benefits have minimal value: New residential housing in a Housing Opportunity Area

- Actual public benefit: none.
 - OP itself is “reluctant to consider” new housing on residentially zoned land to be a public benefit. [OP Final Report, Nov. 7, 2002.]
 - The number of new housing units over those that can be built as a matter of right is minimal. Under MOR, about 80 units can be built.
 - Stonebridge would build no new housing units over those that can be built with a PUD under current zoning. Under current zoning units would be smaller and more affordable, a public benefit. Cont’d.

Claimed public benefits have minimal value:

New housing, continued

- Current R-5-B transition zoning is perfect way to achieve new housing, just like Courts of Chevy Chase to the south.
- Appropriate amount of new housing can be developed without upzoning, and other developers are eager to propose development under current zoning.
- Three sites specifically listed in Ward 3 Comp Plan as Friendship Heights housing opportunity sites: Courts of Chevy Chase site (29 townhomes), WMATA site (proposed 550-600 apartments), and L&T parking lot (commercial zoned and undeveloped)

Claimed public benefits have minimal value: Affordable Housing

- Actual public benefit: minimal.
 - 5% affordable housing is explicitly a *quid pro quo* for request of 5% additional height and 5% additional density, thus it is double counting to use this to justify the PUD itself.
 - Stonebridge requests 5% additional density (.2 FAR) - app. 9668 GSF - in exchange for 5% over MOR for affordable housing -- app. 5100 GSF. Thus, even allowing this to justify the bonus density is generous. Cont'd.

Claimed public benefits have minimal value:
Affordable Housing cont'd.

- **Actual public benefit: minimal.**
 - 5% affordable housing is less than the OP's "Inclusionary Housing Primer" (Oct. 2002) suggests might be appropriate, which is inexcusable given the private gain involved at this site if this PUD is granted.
 - The benefit will be conferred on a very few people, will have a relatively short duration, will be delivered very inefficiently, and will have inadequate or no enforcement.

Claimed public benefits have minimal value: Landscaped Walkway between Military Road and Western Avenue

- Actual public benefit: slight, if any.
 - Not necessary for access to Metrorail.
 - Current cut-through is pleasant, green and safe.

Claimed public benefits have minimal value: Creation of “Green,” Open Space and Tree Preservation

- Actual public benefit: minimal.
 - Total open space would be small amount more than required under MOR.
 - There would be no tree preservation on the Clinic site, due to excavation under virtually 100% of it. Tree preservation on Lisner land would be very minimal. cont'd.

Claimed public benefits have minimal value:

Open Space, cont'd

- No assurance that “green” would be open to the public in perpetuity.
- Community did not make deal to obtain “green” in exchange for excess height on Western Avenue. This was the Office of Planning’s goal, and did not have community support. Community would prefer significant height step downs and/or townhomes on perimeter.

Claimed public benefits have minimal value:
Traffic enhancements; neighborhood traffic enhancement;
pedestrian safety enhancements

- **Actual public benefit: very minimal, if any.**
 - **Signal enhancement at Western and Wisconsin Ave.;** already projected to be an F level or, with already planned mitigation, an E level.
 - **Signage improvement, signal modification and pedestrian crosswalk improvements are a small benefit, and are largely necessary to mitigate the impact of the project.**
 - **Many improvements are necessary to mitigate significant safety hazards created as to the day care children.**
 - **Proposal would create serious unmitigated child pedestrian safety concerns, e.g. combined loading dock and day care parking lot.**

Claimed public benefits have minimal value:

Excess public resident parking

- Actual public benefit: none.
 - There will be insufficient resident parking to meet market demand and less parking than required in PUD's in immediate area.
 - Stonebridge and OP claim that 1.1 spaces will be provided for each unit.
 - In fact, 0.75 accessible spaces will be provided for each unit, and none will convey with the units.
- Cont'd.

Claimed public benefits have minimal value:

Excess public resident parking, cont'd.

- Stonebridge cannot provide more than 100 accessible spaces, and 117 total spaces, in two-level garage below the Clinic site.
- Census data shows 1.4 cars/household in immediate area. 154 cars (110 units) to 175 cars (125 units) for Stonebridge.
- There is no support for estimate that Stonebridge residents will own 0.7 cars/unit.
- All other PUD's in immediate area have required 1, or 2, accessible spaces/unit that cannot be conveyed.

Claimed public benefits have minimal value: Chevy Chase Plaza Children's Center

- Actual public benefit as proposed: very minimal.
 - Comp. Plan stresses affordable child care.
 - §300.7. Zoning and health-care regulations should be designed to promote an increase in affordable child care programs and facilities. [Housing Element, emphasis added.
 - No assurance of any neighborhood benefit -- either spaces reserved for neighborhood children or pass-through of economic benefit. Cont'd.

Claimed public benefits have minimal value: Chevy Chase Plaza Children's Center, cont'd.

- Benefit inefficiently provided, cost to Applicant does not equal benefit to public. Also, cost of lost housing opportunity.
- Serious child safety issues will be created due to dual use loading dock/parking lot.
- Designated provider, CCPCC, is in continued and material breach of current PUD and should not be hand-picked as new provider.

Claimed public benefits have minimal value: Chevy Chase Park Improvements

- Actual public benefit: modest.
 - New track and some landscaping are of value to community, initial estimated cost in \$30,000-\$40,000 range (Stonebridge now increases that estimate). Either way, very small cost.
 - Community agrees that improvements here are an amenity, and has urged Stonebridge to significantly increase this component to meet immediate needs of Park in disrepair, but Stonebridge has refused to do so.

Claimed public benefits have minimal value: Construction management plan

- Actual public benefit: minimal.
 - Standard part of PUD's.
 - Largely necessary to mitigate damage or potential damage.
 - Actual value of it will depend on protection for immediate neighbors, as well as general public, and there is no assurance yet that agreement will be worked out to satisfy neighbor's valid concerns.

Claimed public benefits have minimal value: Design

- Additional element. Urban Design, Architecture. 11 DCMR 2403.9(a).
 - Applicant says that is not claiming superior design as amenity. In fact, design is inappropriate for site; no serious stepdown of heights, no border of townhomes, to design transition. (Not about aesthetics, about site design.)

MOR development would have some public benefits over the Stonebridge application:

- MOR development would reflect scale and character of neighborhood, and would likely have “streetscape” and “street walls” such as stoops, front doors opening to sidewalks, etc.
- MOR development would likely have appropriate transition to Lisner property in terms of design and mass, so no neighborhood anxiety about what the next upzoning battle will be.

Actual Value to City and Neighborhood of Public Benefits and Amenities

- Housing in HOA
- Affordable Housing
- Landscaped Walkway
- “Green,” Open Space
- Traffic Enhancements
- Excess Parking
- Day Care
- Park Improvements
- Construction Management
- Design
- None.
- Minimal.
- Slight, if any.
- Minimal.
- Very minimal, if any.
- None.
- Very minimal.
- Modest.
- Minimal.
- None.

The Zoning Flexibility Requested by Stonebridge Enormously Outweighs the Public Benefits

- Bottom line:
 - It is indisputable that the zoning flexibility requested is extremely high (230% MOR), and the likely private financial gain would be similarly high.
 - The proposed public benefits overall would be minimally greater, at most, than likely under matter of right, and would not be “significantly” greater as required.

Project Does Not Qualify for a PUD Under Zoning Regulations 2403.9 and 2403.10

- “A project may qualify for approval by being particularly strong in only one or a few categories in Sec. 2403.9, but must be acceptable in all preferred categories and superior in many.” 11 DCMR Sec. 2403.10.
 - Stonebridge Application is not superior in any category.
 - At most, Stonebridge Application is acceptable in some categories, and unacceptable in others. Cont’d.

Project is inconsistent with the Comprehensive Plan

- Under the Comp Plan for Ward 3, Ward 3's "major theme" is "to protect and maintain the low-density, high-quality character of the ward. 1400.2(a)(2) ["Protecting the Ward's residential neighborhoods"].
- Ward 3's "single greatest concern" is controlling redevelopment, and this concern is "justified historically." 14400.2(b)(1) ["Controlling Redevelopment."].
- This proposal is a direct affront to these interests in the Comp Plan for Ward 3.

Project is inconsistent with the Comprehensive Plan: Dismantling the transition zone does not protect community

- Dismantling the critical transitional buffer zone is directly contrary to protecting and preserving the low density neighborhoods.
- Every Smart Growth, TOD guide, including OP's published material and OP's own planning efforts, stresses that SG/TOD has high density, then moderate density, then low density zones emanating from the core – “bullseye” pattern of zoning.
 - **This is exactly what current zoning achieves.**
 - **Stonebridge and OP want to dismantle this and place high-density immediately next to low density.**

Project is inconsistent with the Comprehensive Plan:
Dismantling the transition zone (cont'd).

- Stonebridge wants to wrest this site from the neighborhood and join it with FH MD and Wisc. Ave. commercial.
- Stonebridge does not seek to integrate new development with neighborhood, or respect the character, scale or history of neighborhood.
- Instead, Stonebridge itself concedes that the building would have no relation to the neighborhood, but would be “buffered” from it by the courtyard

Project is inconsistent with the Comprehensive Plan: Stability will be diminished, not preserved

- Approving this PUD in the absence of a comprehensive planning process, and in contravention of the Sectional Development Plan, is directly contrary to protecting the “stability” of the neighborhoods.
 - It is classic "spot upzoning" of one parcel, which seriously disrupts the overall zoning and land use planning in place.
 - OP is blind to the implications and ripple effects of upzoning this significant site. Simply stating that “OP will not support further upzoning” is not Smart Planning, is not reliable, and is not realistic.

Project is inconsistent with the Comprehensive Plan: Stability diminished, not preserved (cont'd.)

- E.g., residential development on the 6-acre Lisner site one block from the Metro is inevitable, and desirable.
- However, upzoning the Clinic site and putting day care on the Lisner site effectively creates a near certainty that Lisner will be rezoned. This debate will be in the heated context of a PUD application.
- We would prefer that OP with extensive neighborhood participation create a land use plan to provide stable expectations, such as a Small Area Plan.

Project is inconsistent with the Comprehensive Plan:
No justification for the rezoning

- Approving this PUD in the absence of any justification for the requested upzoning, is directly contrary to protecting the stability of the low density neighborhoods.
- Smaller version of project, or mid-rise condos, or townhomes could be built and achieve all of the actual benefits and amenities.
- Appropriate development would have density near Metro, appropriate open space, plus design transition and mass transition for integration with surrounding neighborhood.

Project is inconsistent with the Comprehensive Plan
No justification for the rezoning

- **No precedent in DC for density requested** of 110-125 units/acre in residential zone.
- No residential development zoned and built denser than R-5-B standards in Tenleytown-Friendship Heights corridor.
- New Takoma SG/TOD plan has densest residential zone as R-5-A; 22-32 units/acre next to Metro.
- Stonebridge's "comparable housing" survey lacks comparable projects in residential zones in Ward 3 in D.C.

Project is inconsistent with the Comprehensive Plan:

Lack of effective community involvement

- Comprehensive Plan envisions community involvement in significant changes to land use or zoning, and this was violated.
- Only Working Group formed was disbanded in Jan. 2002 due to vigorous opposition to draft proposal.
- Stonebridge repeatedly told FhORD that it could do nothing about community's core concerns with rezoning.

Project is inconsistent with the Comprehensive Plan:
Lack of effective community involvement

- OP had no public meetings.
- Stonebridge made design changes largely to accommodate the Office of Planning, not the neighborhood.
- Result is extremely vigorous community opposition, so Stonebridge cannot claim now to have community support.