



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to Subtitle Z § 406.2 and Subtitle Y § 406.2 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	16-20	Case Name:	3443 Benning, LLC
Address or Square/Lot(s) of Property:	Sq. 5017 Lots: 0838, 0839, 0840, 0841, and 0842		
Relief Requested:			

ANC MEETING INFORMATION

Date of ANC Public Meeting:	1	3	/	0	6	/	1	7	Was proper notice given?:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Description of how notice was given:	ANC 7D Commission notice was given via the East of the River magazine, community listservs throughout East of the River communities including: Deanwood, Eastland Gardens, Parkside, Mayfair, Kenilworth and River Terrace. Phone calls were made to seniors in the communities who are not computer saavy. Social media was used to promote the meeting.												
Number of members that constitutes a quorum:	4 Commissioners				Number of members present at the meeting:	5 Commissioners							

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

Per the Zoning Commission hearing request on Thursday, May 4, 2017, ANC 7D Commission held it's properly noticed General Meeting where Mr. Adrian Washington (President/CEO) on behalf of Neighborhood Development Corporation was listed as a presenter to present its Post-Hearing modifications and commitments in its Community Benefits Agreement (CBA). Per the specific request of Chairman Hood, NDC was to render perspective in that there should be visualization to indicate how the proposed PUD will appear alongside the homes that are on Eads Street NE. There was to be multiple angles to illustrate how the PUD appears from Benning Road, Eads

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

It is the position of ANC 7D to submit this report and await the Zoning Commission's review and deliberation. ANC 7D has gone as far as it can go in this process.

AUTHORIZATION

ANC	7	D	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	5-0-0	
Name of the person authorized by the ANC to present the report:	Sherice A. Muhammad				
Name of the Chairperson or Vice-Chairperson authorized to sign the report:	Sherice A. Muhammad				
Signature of Chairperson/ Vice-Chairperson:				Date:	6/20/2017

**ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR SUBTITLE Z § 406 AND SUBTITLE Y § 406.**

Street, 34th Street, 36th Street and Dix Street. After review of the attached presentation, the perspective rendered on the part of NDC was very limited. All of the photographs were taken from the ground upward is one dimensional viewing. There were no aerial photo(s) to render an in-depth view of how the proposed PUD will look among the current townhomes along Eads Street NE. It is ANC 7D's position that the request of the Zoning Commission to illustrate perspective was inadequate and willfully not met.

The Post Hearing Changes Review

Transportation/Traffic

The Post Hearing Changes Review consisted of two pages which failed to capture the concerns expressed in the May 4, 2017 Zoning Commission hearing. There were no provided explanations nor context with the itemized list of issue(s), modification(s) nor commitment(s). The issue of transportation and traffic was minimized, greatly and only mentioned under the auspice of "Construction Impacts" which was limited in its scope to focus only on Benning Road and the alley. What about transportation and traffic mitigation currently and post construction? There was no mention of mitigation regarding the current high and adverse impact of run-off traffic from Kenilworth Avenue (I-295) into the River Terrace community where commuters seek a "short cut" to Benning Road via the River Terrace community. There was no mention of traffic mitigation from 36th Street (or 34th Street or Dix Street) ingress and egress to Benning Road. There was no assessment from NDC's TDM on the issue of traffic on Benning Road at high peak rush hour which impacts the River Terrace community. Like the Parkside PUD, the River Terrace community has the similar issue of limited ingress and

gress and face potential heightened density with the proposed PUD. Gridlock is inevitable in this cul-de-sac community.

Zoning | Building Scale

ANC 7D takes issue with the zoning category where NDC modified its initial request for a category MU-7, to an MU-5-A, in which the PUD remains ineligible for such a category as it was originally with the MU-7 category request. Such a modification on the part of NDC gave ANC 7D pause and the appearance of being recalcitrant. Also, to add further insult, the proposed PUD towers over the current 2-story townhouses on Eads Street (and surrounding streets) and the greater River Terrace community. It simply does not fit nor does it blend with the character of the community. It would look like this colossal institutional looking building in the midst of the community. NDC offered to scale the building's height by 4 ft., which is of no impact on the characterization. The issue would still persist.

Parking

Parking was relegated to four itemized points (p. 12) which did not redress any of the issues voiced by the constituents who reside on Eads Street, nor was explanation provided to ANC 7D to disclose methodology as to *how* these items were to be achieved.

Conclusion

Consequently, the presentation on the part of NDC was an abject failure and a waste of time. Much of the "modifications" were not such at all. ANC 7D did its part to engage, dialogue, and offer solutions to the issues expressed by the River Terrace constituents. Our expectation, on June 13, 2017, was to witness NDC's demonstrated competency in the areas of improved site analysis and mitigation on

critical issues which has still gone unaddressed. Not only were we disappointed, there was nothing about this presentation that would warrant continued dialogue. NDC had made its offer in response to the Zoning Commission's request, and that was it. We're to take it or leave it. Well, ANC 7D has chosen to leave it. With a unanimous vote of 5-0-0, ANC 7D carried the vote to oppose Case No. 16-20 3443 Benning LLC on the basis of the details of this ANC 7D Report.