

Mr. Anthony Hood, Chairman  
District of Columbia Zoning Commission  
[441 4th Street NW](#)  
[Suite 210 S](#)  
Washington, DC 20001

RE: Case Number 16-23, Proposal for Design Review and Development by Valor Development, LLC, Square 1499, Lots 802, 803, 806, 807.

Letter in Opposition

[zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov).

Chairman Hood:

Please accept these documents as my letter in opposition to Zoning Case Number 16-23. They most clearly state my extremely strong opposition to this development.

Respectfully

Walter Borek

202-256-9666 DC Councilmember Mary Cheh  
1350 Pennsylvania Avenue, NW, Suite 108,  
Washington, DC 20004

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Re: Valor Development's Proposed Development for the Super Fresh Site

Councilmember Cheh

I look forward to speaking with you again at the January 3rd, 2019 meeting with DDOT at 4330 48<sup>th</sup> Street NW at 9:00 A.M. I invite Mayor Bowser, Council Chair Phil Mendelsohn, ANC3E Chair Jonathan Bender and Sylvia Burwell, President of American University, to attend. This is a project of great significance not only for American University Park but for the District of Columbia.

It is unfortunate that it has taken this long for DDOT to visit the site with the neighbors, and that the visit likely will occur so close to the January 7<sup>th</sup> Zoning Commission hearing, and likely after DDOT has filed its report.

I am an architect licensed in the District of Columbia, Maryland, and Virginia. During the past forty-six years I have worked predominantly as an architect and, intermittently, as a design-builder, a construction project manager, a development project manager, and a small-scale developer. I am not against development. A city stagnates if it doesn't grow. Washington must grow.

Yes, there is a hole in our neighborhood: the former Super Fresh site which requires infill. This infill must be responsible not only to our beautiful historic city but more specifically to this neighborhood. My neighborhood. AU Park.

The Design Review Standards (4604.7 (c) (2) specifically require that "...infill development should respect, though need not imitate, the continuity of neighborhood architectural character..." The proposed development destroys the basic concept of neighborhood character and violates almost every principle of authentic urbanism. It is poorly conceived, badly designed and sited, non-contextual, out of scale, overwhelmingly massive and dense, insensitive and antagonistic to the neighborhood. The proposed development is entirely profit driven. A travesty.

This proposed development even threatens the continued existence of Wagshal's, an historic Washington institution.

Almost 600 Ward 3 residents have signed a petition against a grossly oversized development on the site. Despite the deep pockets of the developer and its partners, we continue to hope that reason will prevail. The developer should be encouraged to negotiate in good faith with the neighborhood to come up with a solution that is equitable and respectful.

Thank you.

Walter Borek

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Cc Mayor Muriel Bowser

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Sylvia Burwell, President American University

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12.27.18

Zoning Commission Case Number 16-23

Attached is my letter to ANC3E Chair Jon Bender, read at December's ANC3E meeting. Their vote should not have taken place because of continued unresolved issues. The ANC never discussed what they were "negotiating" on behalf of their constituents until 30 minutes before the meeting began, leaving no opportunity for community input.

December 13, 2018

Walter Borek  
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Re: ANC3E Meeting on December 13, 2018

4330 48<sup>th</sup> Street Proposed Development

Commissioners Jonathan Bender, Chair  
Greg Ehrhardt  
Amy Hall  
Tom Quinn  
Jonathan McHugh

Commissioner Bender:

There are many, many loose ends with Valor's Proposed Development that need to be resolved before a vote be taken.

To summarize a few:

1. MEMORANDUM OF UNDERSTANDING

- Where is the Memorandum of Understanding (MOU) between Valor and ANC3E?
- Two meetings ago, ANC3E promised to share the MO with the neighborhood but has yet not done so. Why has it taken so long to produce?
- With whom is it between? If American University and Regency Centers are included in the Zoning Application, why would they not be included in the MOU?

- The ANC is supposed to negotiate on behalf of and in response to its constituents. How can constituents respond to or express their opinions and concerns about something that was negotiated in secret?
- Please tell us what the Memorandum of Understanding outlines.

## 2. TRAFFIC

- Why was the latest Supplemental Memorandum submitted to DDOT and the Zoning Commission a few days before the ANC's vote? And how can the ANC vote without updated traffic information gained from a DDOT site visit? Aren't these clear grounds for postponement?
- Why hasn't the ANC requested that the Zoning Commission postpone the submission until the numerous questions involving the safety of its constituents can be resolved?
- How can drawings that are "NOT TO SCALE" (taken directly from Gorove/Slade's drawings) be used to assess the site conditions, traffic movements, and pedestrian safety concerns?
- The size of the American University shuttle stop as well as the idling spaces on 48th Street are not indicated on the drawings.
- Why aren't those buses indicated? Might not the drawings show that the buses do, in fact, impede truck traffic and vice versa?
- The drawings show that trucks will scrape parked automobiles parked on the East side of 48th Street immediately North of Warren Street. Where are the parked cars that the trucks will damage shown on the drawings?
- The Drawings showing the path of the 50' tractor trailer routes indicates that the tractor trailer will encroach on the curb and cross the sidewalks by up to 3'. Given that large trucks kill over 265 pedestrians yearly, according to NHTSA, why would the ANC approve a plan that allows large trucks to drive on the curb and the sidewalk and clearly endanger their constituents?

## 3. INFRASTRUCTURE

- Is it wise, prudent, advisable, or even legal to allow additional development if existing infrastructure, such as school capacity, is inadequate?

## 4. NEIGHBORHOOD

- Can any commissioner define the term "Neighborhood Character" as it relates to the comprehensive plan and explain how the proposed development fits into AU Park's "Neighborhood Character"?
- Can any commissioner explain how the mass and density of this 43'-78' tall development is in scale with the 2-story single-family dwellings in the surrounding neighborhood?
- Is the ANC negotiating for something that would actually benefit a large swath of their constituents, such as for a small day care center, several storefronts, a hair salon, a medical outpatient office, rather than something that will benefit a select few?

Respectfully

Walter Borek

12.27.18

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