

4707 Windom Place NW  
Washington, DC 20016  
October 1, 2019

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

RE Case number 19-10, Valor Development, LLC Consolidated PUD Square 1499, Lots 802, 803, 806, and 807, Letter in Opposition

Dear Chairman Hood and Members of the Commission:

I am a homeowner on Windom Place, NW, 270 feet east of the proposed development site. I am opposed to Valor Development's ("Valor's") plan for developing this site. My opposition is based on the negative impacts to the neighborhood, including:

- Inconsistencies with the Comprehensive Plan<sup>1</sup>;
- Massive scale, height, and density out of character with the neighborhood;
- Increased traffic, parking, and congestion;
- Closure of established businesses and the resulting elimination of jobs.

Please understand that I am not opposed to development at this site, only this inferior development plan. The density and scale of this project rudely interrupt environment. This project is more appropriate to the H Street, 14<sup>th</sup> Street, or Wisconsin Avenue corridors than our low density neighborhood of single family homes.

The developer's plans are incompatible with the Comprehensive Plan.

First, the Future Land Use Map in the Comprehensive Plan shows the Super Fresh Site as "low density commercial," which is defined as "commercial development characterized by one and two story buildings, often with off-street surface parking lots." (*highlight added*).

Furthermore, I conducted a study of the Comprehensive Plan, beginning with the applicable city-wide elements in Volume 1 and then the Area-wide element (Chapter 23, "Rock Creek Area West Area Element") in which this proposed development is sited. The details of my analysis are shown in

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<sup>1</sup> District of Columbia Comprehensive Plan, District of Columbia Office of Planning, 2006, as amended in 2011.

Enclosure 1. In summary, I identified at least 41 statements and policies with which this proposed project is inconsistent. The common theme in these inconsistencies is illustrated by the following quote from Chapter 23:

*Policy RCW---1.1.1: Neighborhood Conservation*

*Protect the low density, stable residential neighborhoods west of Rock Creek Park and recognize the contribution they make to the character, economy, and fiscal stability of the District of Columbia. Future development in both residential and commercial areas must be carefully managed to address infrastructure constraints and protect and enhance the existing scale, function, and character of these neighborhoods.*

Furthermore, the developer made no serious effort to examine the services infrastructure, e.g., Fire, Emergency, and Schools, and the impact of 500 or so additional people will have. The effect of increased vehicle traffic on the neighborhood was not addressed.

I believe that Enclosure 1 represents overwhelming evidence that this project is inconsistent with the Comprehensive Plan.

This proposed structure is too large for this neighborhood.

*This project will massively increase the household density of American University Park significantly.* Why is the developer trying to make our single-family neighborhood look like downtown, high-density residential areas? In addition to being out of character with the neighborhood and inconsistent with the Comprehensive Plan, the added 236<sup>2</sup> residences will increase the overall American University (AU) Park household density by 8%<sup>3</sup> all at once. Today, this kind of density is spread out over many blocks, not concentrated on 1/4 block, as is this project. We are far from the traditionally higher density 14th Street, H Street, or even Wisconsin Avenue corridors, where this project would be more appropriate.

*The project will tower over adjacent homes and the historic Spring Valley Shopping Center.* The massive 83 foot height at the western end of the structure is far higher than adjacent homes, especially on Yuma Street, and the historic shopping center. It will forever change the character of the neighborhood. This is clearly shown in the developer's own rendering in Figure 1 below.

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<sup>2</sup> In Building 1, the developer has asked for 214 units plus a 10% variance (214+21.5 = 236). It is extremely unlikely that they will build 214 units and almost a certainty that they will try to build to the plus 10% variance (236 units).

<sup>3</sup> The number of residents per household in DC is 2.22 in 2011-2015. (Reference: <https://www.census.gov/quickfacts/fact/table/DC/PST045216>). For 214 residences (including the townhouses), the total number of residents will be approximately 475 (2.22 X 214 = 475). For 236 units, the population will be 2.22x236 = 524, this number is likely, but it could be as many as 600.

Figure 1. The project looms over the historic shopping center and adjacent single-family home.



CONSOLIDATED PUD APPLICATION 0261 New Urban Urban 1497 Street, 100' Home 08 | Waltham, MA | 02453-1512  
View from West - Proposed (From Massachusetts Avenue) Note: Rendering view, angle and lighting chosen to best illustrate design intent. 50 MM Lens (Produced in Lumion) 3/4/2019 A16

VALOR DEVELOPMENT  
TORTI GALLAS URBAN

THE LADY BIRD

Furthermore, the architects' own studies shows that nearby homes will be subjected to mid- to late-afternoon "sunsets" during significant portions of the year. Today, one can see treetops along Massachusetts Avenue from Windom Place and 48th Street, a small, but welcome, respite from the stark masonry structures nearby. However, even this minor benefit will be taken from nearby residents, if this development is constructed.

*The alley "improvements," the landscaping plan, and the addition of over 500 residents will attract unsavory elements.* The alley renovations will attract pedestrians from this development as well as the neighborhood, as it is the shortest way to the planned HAWK light across Massachusetts Avenue restaurants and the shopping center. It will encourage criminal activities, especially at night. Furthermore, the landscaping plan, which can only be deciphered from the concept drawings today, will add trees and shrubs around the building. This greenery could attract criminals and provide hiding places for nefarious activities that have never been issues until now. The benches and other "people amenities" in these areas will not be used by the residents or the public, since they are directly below apartment windows. The lower apartment dwellers privacy is at issue, not to mention the visitors outside.

The neighborhood has consistently opposed the developer's plans.

Neighbors, especially those nearest and most affected by this project, overwhelmingly oppose the current plan and have done so for the past 4 years. These neighbors reside in both ANC 3E, where the

site is located, and the adjacent ANC 3D. As evidence, almost 600 neighbors in both ANC's have hand-signed a petition opposing this project. These signatures were collected in door-to-door, face-to-face encounters from true residents within the affected area of the development site.

*The developer oversold the grocery to residents.* The promise of a full service grocer with services similar to the former Super Fresh is unfulfilled. For two years, a significant part of the developer's marketing effort was a "50,000 square foot" "full service grocery." Now, the store has dwindled to a minimum of 13,000 square feet. The developer had significant difficulty attracting anyone to this location, even with the aid of a grocery consultant. In addition, they claim MOM's as the grocer. Although it may meet the regulatory definition of "full service grocery," it does not meet the neighborhood's definition in terms of size and types of products. MOM's will not provide reasonably priced, national brands that the neighborhood wants. Instead, the prices will be higher and the line of products will be limited – why would I want to trade my "Pampers" for a store brand of lesser quality.

*This development provides no benefits to the neighborhood.* The developer confuses "features" with "benefits" (or "amenities"), so the grocery is not an amenity at all. The proponents would have you believe that this area is a "food desert," so this grocery is needed. However Enclosure 2 shows otherwise. It shows a list of nearby grocery stores and distances from this project. As can be seen, 12 major grocery stores and, undoubtedly more smaller grocery stores, operate within a 1 to 2 mile radius; over 19 are within 2.5 miles; and, a Wegman's, only 1 mile away, is coming soon.

#### The Comprehensive Transportation Review<sup>4</sup> and DDOT's supporting memo<sup>5</sup> are flawed.

The Comprehensive Plan does not put limits on the scope of the CTR and seems to welcome comprehensive studies to improve conditions or reduce the impacts on residents. However, the CTR and, consequently the DDOT Memo, are intentionally limited in scope to serve transportation and the developer's interests, not the neighborhood. The scope of the CTR is purposely limited, as stated in the Introduction:

"The purpose of this report" is to:

...

"2. ...provide information...on how the development of the site will influence the local transportation network..." and

"3. ...Determine if development at the site will lead to adverse impacts on the local transportation network..."

These limitations are repeated throughout the document. The DDOT Memo is similarly limited in scope, because it essentially repeats major elements of the CTR and, consequently, has the same problems.

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<sup>4</sup> Comprehensive Transportation Review. The Ladybird. Washington, DC. Gorove/Slade Associates, Inc. August 23, 2019.

<sup>5</sup> Case 19-10, Exhibit 24. Memorandum from Jim Sabastian, Associate Director (DDOT) to Sara Bardin, Director, Office of Zoning, dated September 27, 2019; Subject: ZC Case No. 19-10 – The Lady Bird.

*The CTR is only a shell of an engineering report.* Throughout, claims are made, jumping to conclusions without an analysis of the facts and convincing evidence. I say this as an electrical engineer, who spent years studying issues and writing engineering reports. The data is presented in an overwhelming number of tables and figures (4xx and 17xxx, respectively) - a "sea of numbers" - with little or no text explaining what they mean and how the future (i.e., post-development) data will be different from today (i.e. percentage increases/decreases). What little "today" data exists is wrong, because it is based on an assumption of a hypothetical grocery store that does not exist on the site. Furthermore, this hypothetical grocery was chosen to be the same size as the closed Super Fresh, which is twice the size of the proposed grocery store. This was undoubtedly done to show that the traffic will not increase due to this development. Where are graphs showing increases or decreases in traffic, which are easily understood by most people – including the Zoning Commission members?

No mention is made in either document of the traffic impacts to the community. Pedestrian safety, for example, is barely mentioned and is not seriously analyzed, except in the context of meeting regulations which may or may not be effective in mitigating the unidentified problems. Safety is addressed as a series of "requirements," like sidewalk width and crosswalks. The degree to which safety is improved is not described, nor can it be, because a safety baseline is not established.<sup>6</sup>

The "analyses" that are presented are mixed with descriptive statements and relate mainly to stating facts about the project and meeting generic regulatory requirements (e.g., sidewalk width) with numerous tables, which require interpretation (and possibly misinterpretation) by the reader. Neither document contains serious analyses on, for example pedestrian safety, which would help justify the "mitigations." The existing and projected shortcomings that these mitigations address are not stated (i.e., "baselined") nor is the degree to which safety is improved.

The report does not guide the reader through thorough analyses explaining what the data mean, establishing a baseline (i.e., the value of the data today based on observations and measurements); how the (estimated) future data is different from the baseline (e.g., by what percentage is traffic increased or decreased over the baseline); what problems are identified; and, what alternatives could mitigate the problem. The reader is forced to read the myriad of details in the figures and tables, make an analysis, and then reach their own conclusions. For this reason, each reader can jump to different conclusions.

Simple questions like, "Is traffic higher or lower after the development is built?" or "By how much will pedestrian safety in the surrounding alleys and roadways increase or decrease, as a result of this development?" are simply not answered and are not answerable, because the experts writing and approving this "report" chose not to directly address these questions and potentially inconvenient and possibly embarrassing answers. Similar questions were asked by the public at ANC 3E meetings in the

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<sup>6</sup> The only safety baseline that is established is for vehicle crashes in the area.

past (when this project was ZC Case 16-23) and neither the developer nor traffic consultant could (or would) answer them.

Peak traffic hours and related data are the exclusive subjects of figures and tables, but no statements of average traffic volume throughout the day are made. A simple question like, how much is traffic volume increased or decreased during the day is not answered. Why not? The report is insensitive to the impacts on people in the neighborhood. Traffic is a constant in the background of daily life. The averages are important. Knowing the peaks is useful, but anyone who lives in the area knows what the risks are when venturing out on the streets or sidewalks at rush hour peaks. What will be the impact of this development outside of rush hours – is it higher or lower than now? The answers to these and many more simple questions may be contained in the data, but they have been buried by the developer and DDOT.

The CTR shows that the number of parking spaces around the proposed development has been increased. Why? The neighbors have never argued for more parking around this site. The primary reason is "traffic calming," a DDOT concept to reduce traffic flow in areas of increased traffic or pedestrian safety issues. However, the CTR does not mention this subject. Implied is that the traffic increases on Yuma and 48th Street are so high that traffic calming measures are needed. However, they are not justified by this report. Where is the explanation for the traffic that needs to be "calmed?" This is another example of a conclusion "jumped to" without evidence.

Similarly, a HAWK light is proposed to mitigate an undisclosed "problem" for pedestrians crossing Massachusetts Avenue. Data supporting the identification of the problem is lacking. Furthermore, alternative mitigations are not stated and if an alternative is not available, this is not stated either. Since the developer proposed to fund the "candidate" HAWK light, DDOT seem to have jumped at the chance to get "free stuff" and gave it a preliminary "approval" even though facts showing the need are missing. The HAWK light may be a good solution to a problem, but it is not justified in this report.

I have many other comments on the CTR and the DDOT Memo, which cite report deficiencies. These are shown in Exhibit 3.

### The developer's public alley plan is impractical.

Today, the alley is the primary path for delivery trucks to the adjacent shopping center and the limited retail in the lower Super Fresh building. Aside from the pedestrian safety issues I mentioned above and in Exhibit 3, trucks routinely block the alley during deliveries and it is not uncommon for trucks to use the alley as a shortcut between Yuma Street and Massachusetts Avenue, bypassing the stoplight at 48<sup>th</sup> and Massachusetts. The developer claims that widening the alley will accommodate the garbage bins, delivery trucks and cars, as well as pedestrians. Actually, they are not widening the alley, but rearranging it. The roadway is already 20 feet wide. They have stated they will hide the garbage bins, but discussions with garbage truck drivers show their opposition, because it will make garbage pickups untenable. Traffic in the alley will increase, since it will be used as a vehicle path to the underground garage for residents and the grocery store. Conflicts between cars and trucks continue to occur (as they do now), since the alley from a vehicle perspective is unchanged. This will not encourage grocery customers to come back.

Auto parking in the building is insufficient, and will result in overflows into the neighborhood.

American University's adjacent office/classroom building (formerly the AU Law School) has a lease arrangement for overflow parking at the parking lot on the existing site. Valor claims that they have an agreement with AU to continue providing parking in the proposed development.

Regardless, more spaces are required, even though the planned numbers exceed the regulatory requirements. In 2012, the average number of vehicles per household was 1.7 in zip code 20016 and 1.3 city-wide<sup>7</sup>. Residents will have between 280 and 365 cars (214 apartments x number of vehicles per residence). The actual number will likely be above the average of these high and low estimates, because of multiple persons sharing an apartment working for different employers at different locations. Transportation for all working and adult non-working household members will be required, requiring significantly more dedicated parking spaces than Valor has proposed due to public transportation issues.

Finally, one must ask what happens if AU needs their shared spaces for overflow? If AU has priority, some resident, grocery store, or AU parkers will need to park in the neighborhood, which will violate the intent of parking agreements discussed with Valor.

The neighborhood has adequate parking for current residents, but continues to suffer from years of parking violations by AU students, beginning with those who attended the old AU Law School. Today, the Osher Lifelong Learning Institute (OLLI) hosts large numbers of AU students who park "illegally" in the neighborhood<sup>8</sup>, despite AU claims of adequate parking spaces at their nearby building and stronger student parking rules. This remains a contentious issue for nearby residents.

The new development will add to these parking problems. Valor claims they will prohibit residents from obtaining Residential Parking Permits (RPP's) by the terms of their lease. However, this approach will not work. Neither they nor the City have a workable enforcement process which does not involve monitoring by nearby homeowners. We homeowners already have to police our streets for AU violators.

Additional street parking will promote more congestion, which DDOT calls "traffic calming." One-way traverse on Yuma Street (ostensibly a two-way street) is now the rule, not the exception, due to delivery trucks stopping to service the Spring Valley Shopping Center. See Exhibit 4. Valor has made no attempt to work with the shopping center to reduce or eliminate delivery trucks stopping in the area around the main vehicle and pedestrian entrances to the Project. Furthermore, the impact of a proposal by ANC 3E for an "alternative vehicle block" on 48<sup>th</sup> Street has never been assessed. Parking solutions are not in sight.

How will residents who purchase a shared parking space in the project be assured of the availability of that space when it is needed? It is likely that the number of residents' cars will exceed the available

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<sup>7</sup> <https://www.clrsearch.com/Washington-Demographics/DC/Number-of-Vehicles-per-Household?compare=20016>

<sup>8</sup> AU requires students to take a shuttle bus or park in an existing AU garage.

parking spaces. Numerous cars visiting the adjacent AU building now park at the existing Super Fresh outdoor lot every weekday. If AU requires their shared spaces in the Project (a factor which is out of the developer's control), residents will be forced to park on the street, which will violate the terms of residents' leases and incur the objections of the neighborhood.

This project only pretends to address an affordable housing shortage.

The meager 20+ affordable housing units proposed in this development will have virtually no impact on the bigger Ward 3 or city-wide picture. A better option is for the developer to increase the number of affordable units to demonstrate commitment to popular city policies. If Ward 3 has an affordable housing shortage, it will not be solved by the few units that will be provided. DC needs thousands of residences for individuals and families to meet the need.

Existing neighborhood businesses will be forced to close.

Regardless of the success or failure of the grocery store proposed in the development, the successful businesses now hosted on the site employing as many as 80 workers may be forced to close or move. This is a serious impact on our neighborhood and conflicts with the Comprehensive Plan policies to preserve neighborhood character.

- DeCarlo's Restaurant at 4822 Yuma Street, NW, has been a popular family-owned, neighborhood-serving restaurant for decades. The proposed development will force this institution to close.

Wagshal's food businesses, which are neighborhood institutions, may be forced to close or move away. Wagshal's kitchen, which is located in the existing Super Fresh building, will be forced to move, so it can no longer serve the deli, market, and restaurant in the adjacent Massachusetts Avenue Park and Shop center. It also functions as the kitchen for their barbecue and catering businesses, which occupy space in the current Super Fresh structure. These are grave impacts to the oldest deli in the city and their employees, not to mention neighborhood residents, and commuters.

- Jean Paul's Hair Salon at 4820 Yuma Street, NW, is a successful hair salon used by the local residents has closed. The neighborhood is worse off for it.

These losses cannot be mitigated by the proposed development. This is not "preserving the neighborhood character, as required in the Comprehensive Plan.

Several alternatives would be better suited to the neighborhood.

Instead of the current, ill-conceived plan, the developer should consider alternatives, which would better fit the neighborhood. The proposed massive structure is more suitable to an existing "Great Street" corridor, like Wisconsin Avenue. Unfortunately, the developer has refused to discuss options.

Some alternatives include:

- A group of high-end townhouses, which would be less massive, reduce parking and traffic issues, and actually improve property values in the neighborhood;
- Leasing or subleasing the existing space (or renovated space) to nearby businesses, such as Johnson's Florist and Garden Center or other small retailers.
- Renovation of the existing building and creating a marketplace (numerous stalls supporting various food, grocery, and retail vendors) occupying the lower level facing Yuma and the current alley. Lowering the residential down to a level not utilizing a retail component on the ground level. Improving the alley to resemble a Promenade with a pedestrian focus.

These ideas been brought up at ANC 3E meetings and have gained favor with residents, but they have fallen on deaf ears.

I reiterate my opposition to the Valor development plan.

This project is not suitable for this neighborhood and provides no measurable benefits. It will increase traffic, create parking problems, and decrease pedestrian safety. It is inconsistent with the Comprehensive Plan, because it does not preserve the characteristics of our neighborhood, it makes it worse. The grocery store here is unnecessary, but is sorely needed in other parts of the city. Local businesses will close forever and those that remain, if any, will suffer.

Respectfully yours,



Richard Tatum

American University Park

## Enclosure 1: Comprehensive Plan Analysis for Inconsistencies

The following table quotes text from Volumes 1 and 2 of the Comprehensive Plan that primarily apply to neighborhoods, housing, transportation, and developments. The city-wide and local elements considered were:

- Volume 2, Chapter 23 Rock Creek West Area Element
- Volume 1, Chapter 3 Land Use Element
- Volume 1, Chapter 4 Transportation Element
- Volume 1, Chapter 5 Housing Element
- Volume 1, Chapter 9 Urban Design Element
- Volume 1, Chapter 10 Historic Preservation Element
- Volume 1, Chapter 12 Educational Facilities Element
- Volume 1, Chapter 13 Infrastructure Element

Other Chapters were less applicable to the direct concerns of the neighborhood about this project. In some places, I have applied bold emphasis to emphasize important concepts, policies, or characteristics that relate to our concerns.

Note that many of the topics in the Rock Creek West Area Element focus on high density areas, like Wisconsin Ave. In fact, Massachusetts Avenue is barely mentioned and not in the context of high density nor the concept of a “corridor” identified in the Transportation Element. My interpretation is this means that the focus should be on these corridors, leaving others largely alone.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
<b>Rock Creek West Area Element</b>			
1	Ch. 23, page 23-11, item i	“...preserving neighborhood identity without regulating each detailed aspect of architectural design.”	The neighborhood identity is not preserved, but is forever changed by an overly large structure that looms over nearby homes and the shopping center (Figure 1).
2	Ch. 23, page 23-11, item d	“d. Protect and preserve existing low density residences in the vicinity, and the surrounding institutions and local public facilities from the adverse effects of development	The proposed development is far larger than any other residences nearby. The population in Ward 3 will increase by 8% at once due to its massive size.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
3	Ch. 23, page 23-11, item e	e. Maintain heights and densities at appropriate levels, with architectural design that is sensitive to the area's topography relative to the District.	The building height and density of this project will be far higher than the nearby single-family homes. The size and density are inconsistent with the FLUM, since it is larger than the required "low-to-moderate" density structure.
4	Ch. 23, page 23-1	Rock Creek West's most outstanding characteristic is its stable, attractive neighborhoods. These include predominantly single family neighborhoods like Spring Valley... these communities retain individual and distinctive identities (and) they share a commitment to...conserving neighborhood quality.	For reasons cited above (size, density, height), the proposed development is not consistent with this Comprehensive Plan concept.
5	Ch. 23, page 23-2	The neighborhoods themselves are an important cultural resource,	This proposed project destroys that single-family home character of our neighborhood and replaces it with high-density apartment living.
6	Ch. 23, page 23-2	The Rock Creek West area has strong economic momentum, leading to past and present concerns about the effects of unrestrained development on traffic, public services, and quality of life.	This development is "unrestrained" in that more than 500 people will be added to a small corner of the neighborhood instantly. It is inconsistent with the neighborhood character.
7	Ch. 23, page 23-	The need to appropriately control and guide growth, and to protect neighborhoods, remains a top priority throughout the community and is a major theme of this Element.	We residents are trying to protect our neighborhood. The ANC, which represents Tenleytown interests (Wisconsin Avenue Corridor) is trying to turn Mass. Ave. into another Wisconsin Avenue. The developer's proposal does not protect, but destroys the neighborhood character.
8	Ch. 23, page 23-9	Residents of the Rock Creek West Planning Area remain deeply concerned about growth. While there is support for development on underutilized sites along the major corridors, issues of height, scale, character, and density remain a source of concern as well as a source of debate within the community.	This is true. We want areas of higher density, like Wisconsin Avenue, but we also want areas of lower density, like Massachusetts Avenue. Differences are encouraged, but preserve our neighborhood!

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
9	Ch. 23, page 23-9	The reliance on planned unit developments (PUDs) has brought neighborhood amenities but has also resulted in density “bonuses” that are beyond what many residents find acceptable.	This is not the case. The character of the proposed development is not consistent with the neighborhood in terms of density, height, and size. The “amenity” of an added grocery store is unnecessary, since many grocers are only a short distance away and more are coming. Other amenities, such as the HAWK light, if it is claimed as such, should have been initiated by DDOT years ago to solve an old problem.
10	Ch. 23, page 23-9	The potential impact of density increases on schools, emergency response and safety, infrastructure, traffic, parking, environmental health and neighborhood character lead residents to conclude that the only acceptable growth rate is one which matches infrastructure capacity.	The developer has not made any effort to address these issues. Increased density at the proposed development means that the emergency response, for example, to a problem calls elsewhere is diluted, possibly to the point of failure.
11	Ch. 23, page 23-	High costs are having a negative effect on some of the area’s small businesses, leading to a loss of small “mom and pop” businesses and family-owned neighborhood institutions.	The local businesses adjacent to this development, like Wagshal’s Deli and Market are gravely threatened by the loss of major business components, like their kitchen. Others have closed (Jean Paul Salon) and DeCarlo’s restaurant, a long standing popular neighborhood-serving restaurant will close. If all these businesses are forced to move or close, our neighborhood character is reduced.
12	23-19	Parking is also an issue. On-street parking has been removed in some locations to facilitate traffic flow, which has exacerbated parking needs on side streets. Residential permit parking has helped, but additional parking management measures are needed.	The developer and DDOT are proposing parking plans that will encourage and increase unauthorized parking in the neighborhood. Parking enforcement will be dependent on the nearby homeowners, not the developers. City enforcement is poor now and will not improve.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
13		<p>Policy RCW-1.1.1: Neighborhood Conservation</p> <p>Protect the low density, stable residential neighborhoods west of Rock Creek Park and recognize the contribution they make to the character, economy, and fiscal stability of the District of Columbia. Future development in both residential and commercial areas must be carefully managed to address infrastructure constraints and protect and enhance the existing scale, function, and character of these neighborhoods.</p>	<p>How can this new project enhance the character of our neighborhood with its massive size, high density, and increased traffic. It is truly inconsistent with the Comprehensive Plan.</p>
14		<p>Policy RCW-1.1.3: Conserving Neighborhood Commercial Centers. Support and sustain local retail uses and small businesses in the area’s neighborhood commercial centers. These centers should be protected from encroachment by large office buildings and other non-neighborhood serving uses. Compatible new uses such as multi-family housing or limited low-cost neighborhood-serving office space (above local-serving ground-floor retail uses ) should be considered within the area’s commercial centers to meet affordable housing needs, sustain new neighborhood-serving retail and small businesses, and bring families back to the District.</p>	<p>The advent of this development is forcing existing, successful businesses out and will reduce employment in the District. The grocer is unnecessary, especially considering that the east side of the city is suffering from the lack of grocers. This neighborhood does not need any more grocers. As far as affordable housing, yes, there will be some, but the need in the district is so great, that the number of units proposed by the developer is insignificant and does virtually nothing to solve the city’s problems.</p>
15		<p>Policy RCW-1.1.4: Infill Development. Recognize the opportunity for infill development within the areas designated for commercial land use on the Future Land Use Map. When such development is proposed, <b>work with ANCs, residents, and community organizations</b> to encourage projects that combine housing and commercial uses rather than projects than contain single uses. <b>Heights and densities for such development should be appropriate to the scale and character of adjoining communities.</b> Buffers should be adequate to protect existing residential areas from noise, odors, shadows, and other impacts.</p>	<p>The developer has purposely avoided discussing project details with the neighborhood. Almost all public meetings were at the monthly ANC 3E and 3D meetings, in which discussions are limited. Heights, scale, and densities are not appropriate to our neighborhood. The 80-plus foot high project looms over the Massachusetts Avenue Park and Shops, a historic site, and the adjacent single family homes.</p>

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
16		Policy RCW-1.1.12: Congestion Management Measures ... Traffic studies and mitigation plans should consider not only the impacts of the project under consideration but the cumulative impact of other projects which also may <b>impact the community</b> , as well as the impact of non-resident drivers using local streets...	The traffic study, authorized by DDOT and conducted by Gorove-Slade, is cursory, self-serving, and does not consider the neighborhood impacts on parking, pedestrian safety, and traffic increases.
17		Policy RCW-1.1.13: Parking. Consider the use of easements with private developers to provide additional public parking in the area’s commercial districts. On-street public parking should not be removed within these districts.	On-street public parking has been removed on 48 <sup>th</sup> Street due to inclusion of “alternative” modes of transportation, e.g., scooters, bicycles. The transportation plan creates more congestion on Yuma Street and 48 <sup>th</sup> Street and increases the potential encounters between vehicles and pedestrians, especially in the alley.
18		Policy RCW-1.2.2: Scenic Resource Protection. Conserve the important scenic and visual resources of Rock Creek West, including:  ...  f. Neighborhoods developed on hilly terrain on or near stream valleys such as Barnaby Woods, Forest Hills, Hawthorne, Spring Valley, and Woodland-Normanstone;	We don’t live in a scenic National Park, but we do have some scenic vistas. After this project is built, I will no longer see the distant trees on the west side of the shopping center. Additionally, the sun will set around 5 p.m. at my house in the summer because the sunset views are blocked by this development.
19		Policy RCW-1.2.5: Historic Resources. Conserve the important historic resources of the neighborhoods west of Rock Creek, including but not limited to... the Spring Valley Shopping Center.	The looming nature of this project over the historic shopping center (Figure 1) is not a preservation measure and is menacing when viewed from Massachusetts Avenue in the developer’s own drawings. Furthermore, the developer is moving density from the historic shopping center, which reduces any future benefits that the owner or the neighbors may conceive (and we can’t foresee).

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
20		Policy RCW-1.2.7: Fire and EMS Services. Renovate and enlarge fire stations while remaining sensitive to their historic architectural qualities and avoiding the loss of adjacent open space. Ensure that there are a sufficient number of fire stations to serve the needs of area residents and businesses	The developer has made no attempt to measure the impact on the neighborhood of a potential overload of fire and EMS services creating additional risk for all residents.
21		Policy RCW-1.2.8: Schools and Libraries. Place a very high priority on the renovation and improvement of schools and libraries. The fact that a majority of the schools in this Planning Area are operating at or above capacity should be considered in DCPS facility planning, and in the approval of any residential development that could further exacerbate school overcrowding. Changes to school service boundaries and the development of additional school facilities should be aggressively pursued to ensure that school overcrowding is proactively addressed.	Local schools are overcrowded already and will see more students as a result of this development (8% increase in Ward 3 population). They have made no effort to discuss this problem with the appropriate city officials.
22		Policy RCW-2.2.2: Tenleytown Metrorail Station Area ...  d. Protect and preserve existing low density residences in the vicinity, and the surrounding institutions and local public facilities from the adverse effects of development; and e. Maintain heights and densities at appropriate levels, with architectural design that is sensitive to the area’s topography relative to the District. 23	In my opinion we are not Tenleytown, but if because of the name of our ANC some believe we are, clearly, this project does not protect the residences “in the vicinity” from adverse effects, does not maintain proper scaling relative to the homes in the neighborhood, and is not “sensitive to the area’s topography.” High density living is not part of our neighborhood, although it is not uncommon in “Tenleytown,” if it means the Wisconsin Avenue Corridor.
<b>Land Use Element of the Comprehensive Plan</b>			
23	Chapter 3, Page 3-1	More than any other part of the Comprehensive Plan, this Element lays out the policies through which the city will accommodate growth and change <b>while conserving and enhancing its neighborhoods</b> , commercial districts, and other areas. Because the Land Use Element integrates the policies and objectives of all the other District Elements, <b>it should be given greater weight than the other elements as competing policies in different elements are balanced.</b>	The proposed development does not conserve nor enhance this neighborhood. It is overly large and dense and out of character with its surroundings.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
24	Chapter 3, Page 3-2	Beyond the (high density) inner ring is an outer ring of less dense development, characterized largely by single family housing and garden apartments.	The outer ring is where this development lies. The scale and density clearly are out of place in our neighborhood of single-family homes.
25	Chapter 3, Page 3-5	Map 3.2 again illustrates the “ring” of fairly dense neighborhoods around the city center, and the denser residential development along major corridors like Connecticut Avenue NW and 14th Street NW. It also shows areas of fairly dense development east of the Anacostia River, primarily associated with large low rise garden apartment complexes in Far Southeast.	The map clearly shows that our neighborhood is in a low density area and is far from the higher density areas near the city core. Why is the developer trying to bring overly dense development to our neighborhood, which is not warranted and has no precedent?
26	Chapter 3, Page 3-5	Map 3.3 shows that employment is highly concentrated in Central Washington.	Our part of the city is relatively sparse in terms of businesses and jobs. This is not encouraging to anyone who commutes downtown. In addition, lower income residents must travel far to their jobs, spending their hard-earned salary on transportation, instead of their families.
27	Chapter 3, Page 3-8	The Land Use Goal is: Ensure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents, institutions, and businesses; <b>to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city</b> ; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries.	The proposed development is not consistent with the Land Use Goal, because it is out of character with our neighborhood and reduces stability by adding 500 or so residents at once in a small, concentrated space that is unlike anything nearby.
28	Chapter 3, Page 3-8	<b>Policies and Actions LU-1 Shaping the City.</b> 303 This section of the Land Use Element describes the desired pattern of growth and development in the District of Columbia over the next 20 years. <b>Its focus is on the specific areas or types of areas within the city where change is most likely to take place.</b> The section begins with guiding policies for the center of the city. It then turns to the large sites around Washington where future changes are envisioned. This is followed by a discussion of the opportunities for change along the city’s corridors and around its transit station areas	The proposed development is inconsistent with the COMPREHENSIVE PLAN future growth policy. Our neighborhood is not included in the focus are for growth. We are far from the city center.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
29	Chapter 3, Page 3-17	LU-1.3 Transit-Oriented and Corridor Development 3	This section designates “Great Streets” and possible future Great Streets. Wisconsin Avenue is one of them, <b>but Massachusetts Avenue is not</b> . Do not force overly large projects like this one onto a neighborhood that does not meet any of the criteria. It is far from a Metro station and other high-density residential and commercial development.
30	Chapter 3, Page 3-22	In residential areas, infill sites present some of the best opportunities in the city for “family” housing and low-to moderate-density development.	This project fails, when compared to this concept. We welcome reasonably-sized projects to meet these goals, but the project under consideration is not one of them. These principles apply to any site.
31	Chapter 3, Page 3-23	In both residential and commercial settings, infill development must be sensitive to neighborhood context. High quality design standards should be required, the privacy of neighboring structures should be respected, and density and scale should reflect the desired character of the surrounding area.	The proposed overly large project is not sensitive to the neighborhood context nor does it respect the privacy of neighboring structures (neither the homes nor the shopping center) and obviously does not “reflect the desired character of the surrounding area.” These principles apply to any site.  does not meet any of these criteria
32	Chapter 3, Page 3-23	Policy LU-1.4.3: Zoning of Infill Sites. Ensure that the zoning of vacant infill sites is compatible with the prevailing development pattern in surrounding neighborhoods.	Although this site is not a vacant, infill site, the message described in the is policy should apply to this development site. This project must be smaller to fulfill this policy goal. These principles apply to any site.
33	Chapter 3, Page 3-25	Washington has no fewer than 130 distinct and identifiable neighborhoods today. They range from high-density urban mixed use communities ... to quiet low-density neighborhoods ... Spring Valley.	The proposed project will change the character of our neighborhood from “quiet low density” to a high-density, out-of-scale facility that is quite the opposite.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
34	Chapter 3, Page 3-25	A different set of land use strategies has been applied in “stable” neighborhoods, emphasizing neighborhood conservation and appropriate infill. Land use policies in these areas have focused on retaining neighborhood character, mitigating development impacts on services and infrastructure, preventing demolition in historic districts, and improving the connection between zoning and present and desired land uses.	Our neighborhood is characterized as a “stable” neighborhood. The proposed development is inconsistent with the COMPREHENSIVE PLAN. It will not “conserve” the neighborhood – meaning it will preserve the single-family home environment - nor will it retain the neighborhood character because of its size, scale, density, and height.
35	Chapter 3, Page 3-25	<p>...the District will keep striving for increased stability in its transitional, emerging, and distressed neighborhoods. This does not mean that all neighborhoods should become the same, or that a uniform “formula” for stability should be applied to each community. Rather, it means that each neighborhood should have certain basic assets and amenities (see text box below). These assets and amenities should be protected and enhanced where they exist today, and created or restored where they do not.</p> <p>Note: the text box states: <b>“The positive elements that create the identity and character of each neighborhood should be preserved and enhanced in the future.”</b></p>	<p>This project is not consistent with the COMPREHENSIVE PLAN. The developer is trying to make our stable neighborhood of single-family homes look like the high-density overly large buildings that are more appropriate in the downtown core or on a “Great Corridor.” We object and expect the ZC and argue that the current plan is inconsistent with the COMPREHENSIVE PLAN in this regard. What is the argument for completely changing the character of structures and density, when the COMPREHENSIVE PLAN argues against it?</p> <p>Enhance???????</p>
36	Chapter 3, Page 3-25	Policy LU-2.1.1: Variety of Neighborhood Types. Maintain a variety of residential neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods. The positive elements that create the identity and character of each neighborhood should be preserved and enhanced in the future.	How can this development help to maintain our low-density single family neighborhood?

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
37	Chapter 3, Page 3-26	Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods. Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.	This neighborhood is not one which requires “revitalization.” This development does not maintain the balance of single family homes nor does it protect the neighborhood character. It is almost a mile to the nearest residential building of a similar density and scale.
38	Chapter 3, Page 3-26	Policy LU-2.1.4: Rehabilitation Before Demolition. In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and <b>adaptive reuse of existing buildings rather than demolition.</b>	How did the developer try to make use of the existing structure? There is an alternate plan (not developed by this developer) that excites the neighbors and makes use of the existing structure. It is has been impossible to discuss alternatives with the developer, even when Councilwoman Cheh tried to arrange a meeting.
39	Chapter 3, Page 3-26	Policy LU-2.1.5: Conservation of Single Family Neighborhoods. Protect and conserve the District’s stable, low density neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single family neighborhoods in order to protect low density character, preserve open space, and maintain neighborhood scale.	This development is inconsistent with every criteria cited in this policy.

#	Reference	Citation (quoted from the Comprehensive Plan*)	Inconsistencies with the Comprehensive Plan Elements
40	Chapter 3, Page 3-27	<p>Policy LU-2.1.11: Residential Parking Requirements. Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, <b>and unit locations (including proximity to transit)</b>. Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated</p>	<p>This development is one mile from the nearest Metro stop and is served by only two bus lines. Parking is insufficient, because in most instances vehicles will be required to commute to work and for other purposes. Reduced parking the development means that many residents will be forced to park on the street, increasing congestion and reducing pedestrian safety. Furthermore, all discussions indicate that everyone works downtown, so simply getting on a bus or walking to the Metro will work. No so. I spent most of my working life (30 years) commuting to Northern Virginia and Maryland – a reverse commute. Public transportation was not an efficient way to get to work. Consideration must include people who work outside of DC to take advantage of reverse commuting opportunities.</p>
41	Chapter 3, Page 3-33	<p><i>Action LU-2.3.A: Zoning Changes to Reduce Land Use Conflicts in Residential Zones. . . .c.</i> Ensure that the height, density, and bulk requirements for commercial districts balance business needs with the need to protect the scale and character of adjacent residential neighborhoods...</p>	<p>Although there is no zoning change requested for this development, how is the character of our neighborhood adjacent to this massive project protected? Clearly, it is inconsistent with the Comprehensive Plan.</p>

\*Reference:

District of Columbia Comprehensive Plan, District of Columbia Office of Planning, 2006, as amended in 2011.

Enclosure 2. Grocery stores near the proposed development.

*Major stores and distances (1 to 2 miles):*

1. <1 Whole Foods – Tenley
2. <1 Rodman’s
3. <1 Whole Foods – Willard Ave
4. 1.0 Wegman’s (future)
5. 1.2 Giant – Friendship
6. 1.4 Safeway – Sangamore
7. 1.4 Giant – Cathedral Comm.
8. 1.5 Whole Food’s River Road
9. 1.5 Soapstone Mkt
10. 1.8 Giant Westbard
11. 1.6 Safeway Chevy Chase
12. 1.6 McGruder’s
13. 1.7 Giant Conn Ave Van Ness

*Major stores and distances (2.0 to 2.5 miles):*

1. 2.44 Giant Bethesda
2. 2.3 Safeway Bethesda
3. 2.23 Trader Joe’s
4. 2.5 Safeway – Social Safeway
5. Others: MOM’s, Harris Teeter

### Exhibit 3. Deficiencies in the CTR and DDOT Memo.

Below are page references and some specific shortcomings I have identified in the CTR.

- Page 9 of the CTR. The ongoing Rock Creek Far West Livability Study has merited an entire section of the CTR, but it is not completed and, as far as I know, has not issued even a draft report. The study does not exist for the purposes of these hearings until such time as the studies are finalized. Discussion of approved programs, like Vision Zero and Street Smart are not mentioned.
- Page 10 of the CTR. In the “Planned Development” section the CTR inaccurately addresses an expansion of the Spring Valley Shopping Center. This is not an expansion of the shopping center, but a separate development that was completed before the traffic measurements.
- Pages 68 and 69 of the CTR. The Tenleytown Metro studies and Transit stop requirements are dwelled upon, but they are not relevant to this report. For example, provisioning of benches at this Metro stop are mentioned. What is the impact on this development.
- Page 69. It appears that residents of the development will make only 4 transit trips total during weekday mornings and 5 in the afternoon. If this is the case, why is “walkability” such an important topic? With the addition of over 500 people as a result of this development are these numbers even accurate?
- Figures and Tables. The CTR contains 43 figures and 17 tables. With few exceptions, none of these depict the “before” and “after” conditions in a graphical form that most people can understand quickly. Instead, the figures and tables are largely a sea of numbers that obfuscate the changes brought on by this development. Most people (including the Zoning Commission members) will not take the time to analyze the differences.

Below are issues I have identified with the DDOT Memo, but they also apply to the CTR, since the former mirrors the latter.

- Page 2. DDOT makes traffic comparisons of existing traffic related to “reoccupying” the existing retail and grocery uses of the site. This has never been a choice. The grocery has been closed for over 5 years, so the actual baseline traffic comparison should be made according to the current uses of the site. A comment on Page 13 of the DDOT Memo (below) further explains.
- Page 2. DDOT assumes a “worst case” traffic scenario of 90% vehicle share rather than 65%-70% which “would typically be studied for a site nearly 1.0 mile from Metrorail.” They claim this is a “very conservative” assumption. Why? This neighborhood is NOT in the downtown core. People would be expected to use their vehicles more, since many people work OUTSIDE DC and the density of local retail and services is reduced.
- Page 2. DDOT concludes that “Projected vehicle trips will be dispersed across three alley entrances.” This will not be the case. The east-west alley will be much more highly used by autos than the north-south alley, because the street entrance on 48<sup>th</sup> Street is much closer to

the project parking garage entrance. Furthermore, autos will be more likely to have conflicts with delivery trucks serving the shopping center and this project in the north-south alley.

- Page 3. DDOT (and the CTR) state that “the Applicant has agreed with DDOT to implement a robust TDM program...” What is a “robust” TDM program? How can one judge a “poor” from a “robust” one? Where is the evidence that the TDM is “robust.” Where are the standards for review? By how much is traffic reduced by the TDM?
- Page 3. DDOT states, “The Applicant has proposed numerous neighborhood pedestrian network upgrades as both mitigation and in the Community Benefits Agreement.” Mitigation for what? Neither the CTR nor the DDOT Memo state what the existing pedestrian issues are - the baseline. What alternatives are available to solve these problems and why were certain measures, like the HAWK light chosen? What will be the impact on the pedestrians and the neighborhood? What will be the impact of the HAWK light on Massachusetts Avenue traffic, especially at rush hours? Much of the DDOT Memo and the CTR address meeting regulatory requirements, but not the actual issues around the site.
- Page 3 (and other pages). DDOT claims the north-south alley is being widened by 7 feet. I disagree. The current “roadway” in this alley is 20 feet wide. They are not actually widening it, they are merely removing various items, like trash bins.
- Page 3. How can DDOT “concur” that the Massachusetts Avenue location for a HAWK light is a “good candidate location?” Why? Where is the description of the pedestrian crossing problem? What alternatives were considered? Why is this a good solution? Neither the DDOT Memo nor the CTR address this and similar issues in a formal, stepwise manner in accordance with good engineering reporting.
- Page 5. The Transportation Analysis section is not an analysis section at all. It merely describes the current situation and restates the CTR “mitigations” for unidentified problems. The “analyses” are related to meeting regulatory requirements, not necessarily site conditions.
- Page 8. “DDOT finds the amount of vehicle parking proposed on-site to be higher than expected given the project size, mix of uses, and distance from transit.” This is a curious statement, since if the site is far from transit, one would expect the need for people to have more vehicles and, consequently, need more parking. However, they could mean that the two bus lines on Massachusetts Avenue are sufficient, so parking should be reduced. In fact, the two bus lines are inadequate for serving the needs of potentially hundreds of new residents who may work all over the District and in Maryland or Virginia (as I did).
- Page 8. “DDOT recommends that the Applicant ... implement a robust TDM program to encourage walking to and from the site rather than driving...” This is also a curious statement. Where are these people going? Why? They are not walking to work, as there is little employment for most people nearby. They are not likely walking to the Metro, which is 0.95 miles away by walking (not the 0.8 mile radial distance claimed in the report) (Only 5-6 persons

will be using the Metrorail, according to the CTR). Will the TDM realistically reduce traffic? By how much?

- Pages 13 and 14. DDOT (and the CTR) makes a traffic comparison between a hypothetical grocery store occupying the Super Fresh site and actual uses of this site today to the proposed uses, i.e. , the project. This is outrageous, unfair, and wrong. The grocery store has been closed for over 5 years. There has never been a suggestion from the neighborhood or the developer that the existing grocery store structure be reopened as an alternative development. In addition, the existing grocery structure is over 24,000 square feet, while the “replacement” could be as few as 13,000 square feet<sup>9</sup>. The comparison should have been made between the current site, which is mostly a parking lot with limited commercial uses, and the proposed development. The resulting difference in traffic due to the development will be significantly higher for the proposed development.
- Page 14. A total of 10 hours of traffic counting (6 hours on a Tuesday at rush hours and 4 hours on a Saturday midday) were devoted to data collection. DDOT states that the “busiest period on Saturday would not be studied further.” With this meager amount of data collected, how can they identify the busiest periods on Saturday or any other day? Traffic counting is statistical in nature. Are these counts statistically significant? What is the confidence level in their measurements? How can they be sure that the counts on Tuesday are equal or greater than the counts on Wednesday? Can anyone depend on these results?
- Pages 14-18. The “Analysis” section is a mix of statements of fact, regulatory requirements, and descriptions of existing conditions. Where is the analysis of local issues, for example, existing pedestrian problems. The developer has offered to fund a HAWK light across Massachusetts Avenue, which DDOT has embraced. Why? Is this a case of mitigating a problem that the CTR doesn’t define?
- Page 18-20. The “Mitigation” section proposes a number of measures to meet regulatory and ANC 3E requirements. But what problems are they actually mitigating. The opening statement in the DDOT Memo “requires the Applicant to mitigate the impacts of the development,” but there is no statement of what these impacts are, either in the Memo or the CTR. What problems are they solving, aside from regulatory requirements, which may not even make sense for this site and will actually improve the neighborhood?
- Pedestrian safety affects people, not the transportation network, as the purpose of the CTR and DDOT Memo state. Where are existing pedestrian safety problems and new problems caused by the development described? How will the “mitigations” (mostly in answer to regulatory requirements) improve our situation? How much will pedestrian safety be improved? How can

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<sup>9</sup> Exhibit 2, Application for a Consolidated Planned Unit Development, Square 1499, Lots 802, 803, 806 and 807, May 6, 2019, Section 2 Design Flexibility Requested, item g.

one measure safety “improvements” if no baseline exists (over 500 people are being added to this small area)? Where are the references to Vision Zero and Street Smart programs.

DDOT and the developer’s treatment of pedestrian safety in the north-south alley is inadequate and does not recognize the City’s push to reduce pedestrian fatalities. First, an “alley” is never defined in the CTR, the developer’s plans, nor the DDOT Memo. This does not mean that it doesn’t exist, but it is important to distinguish and alley from a street. DDOT has consistently treated this alley as a “second class street” (my term) that does not require the same safety measures as the “real streets” around the block (Yuma, 48<sup>th</sup>, 49<sup>th</sup>, and Massachusetts Avenue). The importance of the definition and this unwavering attitude become clear when the north-south alley related to this project is considered. From the northwest corner of the proposed structure near the alley, the Pizza Paradiso sign and shop across Massachusetts Avenue are clearly seen. Why is this important? It shows how close the nearby retail spaces are by way of the alley.

I submit that this alley will become a “street” in addition to its role as a conduit for parking cars and delivery trucks. I have not seen any comparison between this alley and those downtown. Most downtown alleys are used mostly for their intended purpose (truck paths, parking, and deliveries), but this alley will provide an attractive path for pedestrians as well. Residents (500+) in the proposed development, as well as neighbors east of the site will use this alley as a shortcut to the shops along Massachusetts Avenue, including the Spring Valley Shopping Center. It is simply a shorter walk and human nature being what it is, will take the shortest route. The peak vehicle traffic hours will be around the morning coffee time and then dinner time – the same times that pedestrian alley traffic will increase. As a result, the risks of vehicle/pedestrian conflicts are increased. The risks are further increased due to the narrow sidewalk that the developer proposes - a substandard (3 feet) - which will not support wheel chairs or wide strollers. Also, it does not provide enough buffer space between pedestrians (if they even use the sidewalk!) and vehicles.

Finally, at the regular September 2019 ANC 3E meeting, the ANC commissioners proposed an “alternative transportation corridor” along 48th street – a street filled with electric bikes, electric scooters, and cars for sharing. This is not a subject of study in the CTR, nor was it ever seriously discussed with the ANC. At that meeting, the ANC commissioner limited discussions on topics related to this development, since it had been a topic at numerous meetings. This topic has never been brought up in the past and was never discussed with the neighborhood prior to the meeting. What would be the impact on traffic? On the neighborhood? On parking? It has not been addressed anywhere and will likely not be popular with the neighbors, especially those near 48th Street.