



# **ADVISORY NEIGHBORHOOD COMMISSION 3E**

**TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS**

c/o Lisner Home 5425 Western Avenue, NW Washington, DC 20015 202-244-0800

August 17, 2006

Ellen McCarthy, Director  
Office of Planning  
801 North Capitol St., NW  
Suite 4000  
Washington, DC 20002

RECEIVED  
D.C. OFFICE OF ZONING  
2006 AUG 21 PM 12: 22

Re: Zoning Commission Case 06-31  
PUD and Related Map Amendment  
5220 Wisconsin Avenue, N.W.

Dear Ellen,

On June 8, 2006, ANC 3E approved a resolution requesting that the Zoning Commission deny a set down hearing for the application by Akridge for a PUD and related map amendment at 5220 Wisconsin Avenue, N.W.

The June 8 ANC 3E resolution, passed unanimously, opposing this application, evaluated the project exactly as described in the applicant's June 19 submission. As stated in the resolution, the Akridge proposal is inconsistent with the Comprehensive Plan, and the Office of Planning should not recommend this application for set down.

ANC 3E made multiple attempts to solicit the applicant's cooperation in working directly with the various community groups most opposed to this project. We were met with resistance at every request and are of the firm belief that the community meetings which were held were done so the applicant could claim community outreach and input. The refusal of Akridge to meet with all concerned serves only to create a divisive atmosphere in the community and this is not acceptable.

Because the opinion of the ANC is to be accorded "great weight" in deliberations on issues that have significant impact on our community, we strongly urge that your office recommend against a set down hearing for the project at this time. We further request that you advise the applicant to return to the community to explore development within the bounds of the existing zoning category or within the designation as low-density commercial in the Generalized Land Use Map.

ZONING COMMISSION  
District of Columbia

CASE NO. 06-31  
EXHIBIT NO. 13  
ZONING COMMISSION  
District of Columbia  
CASE NO. 06-31  
EXHIBIT NO. 13

Although negotiations can continue after a set down and prior to a public hearing, ANC 3E feels that because of the overwhelming community opposition to this project and the developer's unwillingness to work with all members of the community, it is imperative that a public hearing not be scheduled before the developer is asked to return to the community for additional talks. With continued efforts by the ANC, community groups and Akridge, we are certain an agreement can be made with which the community and the developer can be satisfied.

I look forward to hearing from you.

Sincerely,



Amy McVey,  
Chair, ANC 3E

cc: Carol Mitten ✓  
Jennifer Steingasser  
Melissa Bird  
Matt Jesick  
Kathy Patterson  
Phil Mendelson

**ADVISORY NEIGHBORHOOD COMMISSION 3E**  
**TENLEYTOWN • AMERICAN UNIVERSITY PARK • FRIENDSHIP**  
**HEIGHTS**

Lisner-Louise-Dickson-Hurt Home  
5425 Western Avenue NW  
Washington, DC 20015

**Resolution of ANC 3E Opposing Set Down of John Akridge Development Company's  
Application for Consolidated Review and Approval of  
a Planned Unit Development and Zoning Map Amendment  
of  
Square 1657, Lots 810, 811 and 812  
at 5220 Wisconsin Avenue, NW**

**WHEREAS** The John Akridge Development Company ("Akridge") has given notice of its intent to file an application for consolidated review and approval of a Planned Unit Development ("PUD") and an amendment to the Zoning Map for the property known as 5220 Wisconsin Avenue, NW, Square 1657, lots 810, 811 and 812;

**WHEREAS** the property is currently zoned R-5-B and Akridge has given notice of its intent to seek a Planned Unit Development (PUD) and a map amendment to rezone the property to C-2-B;

**WHEREAS** R-5-B zoning for Square 1657, Lots 810, 811 and 812 currently allows a height of 50 feet, a Floor Area Ratio ("FAR") of 1.8, residential development of 40,500 square feet of gross floor area;

**WHEREAS** Akridge has given notice of its intent to file an application to construct a new condominium apartment house with between 55 and 70 units, with the first floor of the proposed building devoted primarily to retail use, including approximately 13,000 square feet of retail gross floor area, and a total FAR of the 5.25 (approximately 118,125 square feet of gross floor area);

**WHEREAS** Akridge has given notice of its intent to file an application to have a maximum height for the project on this site of 79 feet, more than 50% greater than that allowed by matter of right zoning;

**WHEREAS** the land area for this site is 22,500 square feet;

**WHEREAS** the minimum land area for a PUD in an R-5-B District is one acre [43,560 square feet] and the Zoning Commission may waive no more than 50% of the minimum area requirement, provided that the project is of exceptional merit and in the best interest of the city or country;

**WHEREAS** this site was downzoned to R-5-B as part of a buffer between the high density commercial and mixed use portions of the area and the surrounding low density residential

community. In particular, the Statement of Reasons for Zoning Commission Order 87 states that the purpose of the downzoning was to carry out the following objectives:

“protection of stable residential areas adjacent to the plan boundaries by concentrating intensive commercial development at the intersection of Western and Wisconsin Avenues where there will be immediate access to the Friendship Heights Metro Station; controlling commercial and residential development within the plan area at a level consistent with the traffic capacity of the main arterial and feeder streets within the plan area; rezoning certain property south of the intersection of Wisconsin and Western Avenues to a mixture of commercial and residential to encourage the development of apartments as well as neighborhood commercial facilities; rezoning certain areas on the periphery of the plan area to medium density residential in order to provide a buffer between the high density commercial and mixed use portions of the plan area and the surrounding low density residential community.”

**WHEREAS** the Generalized Land Use Map of the District of Columbia shows this site as Commercial-low density, which corresponds to a zoning category of C-1 or C-2-A at most;

**WHEREAS** this site is outside the area that is designated as part of the Friendship Heights regional center;

**WHEREAS** the Comprehensive Plan includes the following policy:

to "Maintain heights and densities in established and proposed regional centers which are appropriate to the scale and function of development in adjoining communities, and develop buffer areas for neighborhoods exposed to new moderate, medium, and medium-high commercial densities;" [Section 1108.1(h)]

**WHEREAS** the proposed FAR for Akridge's proposed project is higher than that of any building in the Friendship Heights regional center, or along the upper Wisconsin Avenue corridor;

**WHEREAS** only two buildings, both on Square 1661, in the Friendship Heights regional center in the blocks bounded by Western Avenue on the north, have heights exceeding the height sought in Akridge's proposal, and no other buildings in the Friendship Heights regional center or along the neighboring sections of the upper Wisconsin Avenue corridor have heights above 65 feet;

**WHEREAS** the proposed density and scale is inappropriate for this site;

**WHEREAS** Akridge has given its notice of intent to file this application which appears to request additional zoning flexibility, including, but not limited to, lot occupancy and loading docks;

**WHEREAS** the 5 ANCs and the surrounding community affected by the Upper Wisconsin Avenue Corridor Study (UWACS), a small area plan developed by the Office of Planning focused on increasing the heights and densities and planned unit developments in the upper Wisconsin Avenue area and officially withdrawn by OP from consideration during October 2005

due to community opposition that was determined through three well attended, moderated public meetings hosted by the ANC 3E and 3F, overwhelmingly rejected the plan in favor of retaining the existing Ward 3 Element Comprehensive Plan protections and enhancements and existing matter-of-right development limits; and

**WHEREAS** the following organizations also filed comments opposing the UWACS: Friendship-Tenleytown Citizens Association, The Friendship Neighborhood Association, Tenleytown Neighbors Association, Cleveland Park Citizens Association, McLean Gardens Condominium Association Board of Directors, the Coalition to Stop Tenleytown Overdevelopment; and

**WHEREAS** Strong and significant opposition to the Akridge proposal was voiced at 2 public meetings and in letters written by many residents near the proposed project, yet Akridge did not meet with community groups that had objections to the proposal in order to try to reach consensus on the project as requested by the ANC 3E; and

**WHEREAS** Akridge held an amenities meeting outside of the ANC 3E meeting in a refusal to abide by the request from the ANC 3E to hold said meeting at a regularly scheduled public ANC 3E meeting after many of the objections to the proposed project had been addressed;

**NOW, THEREFORE, BE IT RESOLVED** that the Advisory Neighborhood Commission 3-E hereby requests that the Zoning Commission deny a request for set down of this Application, without prejudice, and recommend that the Applicant work with the community to explore development within the bounds of the existing zoning category or within the designation on the Generalized Land Use map.

ANC 3-E approved this resolution by a vote of 4 - 0 at its monthly public meeting on June 8, 2006. Commissioners present were Amy Hoang Wrona, Carolyn Sherman, Lucy Eldridge and Anne Sullivan.

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Lucy Eldridge

Vice-chair, ANC 3E