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D.C. OFFICE OF ZONING

Coalition to Stop Tenleytown Overdevelopment

06-31

August 28, 2006

District of Columbia Office of Zoning
441 4th Street, NW
Suite 210 South
Washington, DC 20001

ZONING COMMISSION
District of Columbia

Attention: Ms. Carol Mitten

CASE NO. 06-31

EXHIBIT NO. 18

Dear Ms. Mitten:

The Coalition to Stop Tenleytown Overdevelopment opposes the setdown of the Akridge project at 5220 Wisconsin Avenue. We concur with the ANC Resolution passed unanimously June 8, 2006, opposing setdown of this project, for the following reasons:

- The project is in clear conflict with the intent of the current Comprehensive Plan; the site is zoned R-5-B, a low-density designation. The proposed upzoning to C-2-B with a PUD is completely inappropriate;
- The project, with its massive scale and size, creates an impossible situation with regard to the loading dock and the alleyway; the alley is too narrow to accommodate the large trucks and moving vans that a building that size requires;
- Akridge has not consulted with the most concerned members of the community despite ANC Commissioner Amy McVey's asking them to do so in two separate messages. Negotiation in good faith with organizations composed of residents should be required **before** setdown occurs. Once a project is set down, the playing field is no longer even; the developer has the advantage of tacit approval from the Office of Planning.

We ask that you do not set down this project until Akridge has modified its application to present a project in keeping with the Comprehensive Plan's clear intent for that site, until they have reduced the scale to allow for a realistic use of the alleyway and minimal impact on adjoining streets, and until they have negotiated in good faith with concerned neighborhood organizations.

Thank you.

Jane Waldmann, Carolyn Sherman, Louis Wolf, Marti Edmondson, Carol Cummins, Paul Fekete, Board Members

Coalition to Stop Tenleytown Overdevelopment

Paul Fekete Carolyn Sherman
Carol Cummins Jane Waldmann
Marti Edmondson

ZONING COMMISSION
District of Columbia
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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 ANCs 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.

Lucy Eldridge

Vice-chair, ANC 3E