

Testimony in Zoning Commission Case 08-15
May 4, 2009

I am Margaret Lenzner. I grew up on Porter Street in Cleveland Park and have lived two blocks east of the Giant since 1969. I shop at the Giant almost daily, and regularly use the bank and other retail in the Friendship Shopping Center.

The residential community around the Giant has single family homes, apartment buildings, neighborhood commerce, parks and playgrounds, two landscape conservancies, 13 schools, and the Cathedral -- a major tourist attraction.¹

Balancing these diverse elements is vital to our community's well-being. I've worked with my neighbors to respond to many development and zoning issue, often involving the many schools in this area.² Other notable efforts established firm land use. For example:

- In the seventies, we protected McLean Gardens from demolition and high rise redevelopment.
- We created the Cleveland Park Historic District.
- Working with the Wisconsin Ave. Corridor Committee, we sought to protect our small, neighborhood shopping center. It became part of the Macomb-Wisconsin Overlay, and C-1 zoning was embedded in the Comprehensive Plan. *in 1989.*

We succeeded in these and other community efforts with DC officials and political representatives as helpful allies.

Given this history, I hope the Commissioners understand why many residents are alarmed by the large-scale redevelopment now proposed and the rezoning and waivers that the PUD application demands. Most distressing to me is that OP, DDOT and some of our elected representatives have not been interested in our concerns. You and ANC3C received a petition last October from 171 neighbors of the project expressing the same concerns you have heard tonight. No one

¹ The Travel Itinerary of the National Register of Historic Places describes the Cleveland Park Historic District as "a site that has major interrelated historic, architectural, and cultural significance. The particular qualities that make it significant arise from its unique character as a livable intown community (almost like a village) of single-family houses, apartment buildings and small businesses." www.nps.gov/history/NR/travel/wash/dc4.htm

² Schools within walking distance of the PUD site are: Hearst PES, Sidwell Friends MS and US, Washington Hebrew Congregation PreSchool, Washington Latin PCS, Annunciation, Washington International School, Maret School, Beauvoir School, National Cathedral School, St Albans School, NCRC PreSchool, Eaton PES

replied or asked for more information. It took the ANC a long time to recognize at least some of the plan's deficiencies, but OP and DDOT blatantly ignore many facts and major concerns.

Many sent letters to Ms. Cheh also, so I was particularly shocked by her appearance here on February 19. Her simplistic advocacy for the project was in stark contrast to what she promised on November 1, 2006 in a posting on the Cleveland Park listserv just before her election, when she said:

“For Ward 3, the main corridors of Connecticut and Wisconsin are already developed and/or have zoning overlays, such as historic and commercial overlays, which I fully support.”

She also said “the councilmember has no direct role, but can serve to bring residents and government together to forge consensus.” Had she also heeded this advice, all the concerns you have heard could have been addressed long ago.

The Applicant, appearing only through the project's designer and PR firm, asserts that to get a better Giant the community has to accept the entire development package. Many seem to have fallen for this implied threat. I can only hope that the Commissioners, who are expert at assessing the details in development proposals, are not so easily seduced, and will heed Mr. Mendelson's warning that approving this PUD will send a message to developers that they can make end-runs around overlays with such proposals.

I want to explain why our concerns about ~~the~~ project have not been addressed — and ~~why~~ perhaps why you are surprised to hear them well-articulated today.

- 1) At ^{every} ~~meeting~~ community with Mr. Heapes (since (I believe 2007) ~~we have raised~~ these concerns were raised ^{about a year ago} ~~about a year ago~~ ~~At one meeting~~ ^{At one meeting} I asked him ~~what would happen with the rest of parking~~ ~~without~~ where the restaurant patrons could park up out the Giant lot, since the neighborhood streets are filled. He said that isn't Giant's problem — when I pointed out a PUD can't be approved ~~if~~ ^{if} it results in neg. impacts — he ~~said~~ ^{reiterated} that neighborhood parking issues were of no concern to Giant.

October 14, 2008

TO: Anthony Hood, Chair
DC Zoning Commission
441 4th Street NW
Washington, DC 20001

ANC3C
Nancy MacWood, Chair
4025 Brandywine St NW
Washington, DC 20016

FM: All Signers on attached Petition

Contact: Margaret Lenzner
3530 Newark St NW
Washington DC 20016

RE: ZC #08-15 (Friendship Shopping Center, 3336 Wisconsin Ave NW

We are submitting herewith for your consideration the attached letter signed by 168 neighbors of the subject proposed PUD development. We are all knowledgeable about the proposal and many of us have attended one or more of the meetings that StreetWorks, the project's designer, has had with the community. We all share the concerns expressed in the letter.

We did not seek out everyone in our neighborhood, but found that many neighbors were eager to sign this to make their concerns known. A memo describing some specific concerns and a diagram showing how the proposed development compares with the existing commercial area is attached, to indicate aspects of the redevelopment as we understand it to be.

We look forward to participating in the hearings that will be scheduled and hope that some modifications will be forthcoming to make this a project we can all support.

Thank you for your consideration.

September 26, 2008

TO: Zoning Commission and ANC3C

FM: Wisconsin Avenue Giant Neighbors

We are familiar with the plans for redevelopment through a Planned Unit Development of the Friendship Shopping Center in the Macomb-Wisconsin Neighborhood Commercial area. We welcome a new and improved grocery store and a revitalized commercial area. We want a plan we can support, one that can be approved without opposition. But before this goal can be achieved, our concerns in a variety of areas must be addressed.

These important concerns have to do with the overall size of the project, the requested zoning changes, the negative impact of traffic and parking, and uses in the new commercial space.

We urge the applicant to be sensitive to the nature of the well-established neighborhoods on both sides of Wisconsin Avenue where this project will have a very great impact. We urge the Zoning Commission to ensure

- that the plan is reduced in size to minimize the negative impact on our community;
- that it honors the intentions of the Comprehensive Plan and existing zoning for a neighborhood shopping district;
- that it includes a variety of neighborhood-serving businesses, with limits on bars, restaurants and fast food in keeping with the existing zoning Overlay;
- that a plan for adequate parking and traffic management for the entire commercial area and neighboring residential streets is in place before the redevelopment is approved.

SIGNED:

Name

Address

TESTIMONY REGARDING ZONING CASE 08-15
(Friendship Shopping Center, Wisconsin Avenue & Newark Street, NW)
by Phil Mendelson April 6 2009

I am Phil Mendelson. I lived for 33 years at McLean Gardens, including 15 years on Newark Street, two blocks from this development. I represented the area subject to this zoning application while ANC Commissioner from 1979 until 1999. I was involved in the rezoning of this area to C-1 and mapping it with a neighborhood-commercial overlay in 1989. I support redevelopment of Squares 1920 and 1920N. But I do not support the PUD application before you.

For as long as there has been a home-rule adopted comprehensive plan, the Wisconsin/Newark commercial district has been designated low density commercial. The most recent version of the Comprehensive Plan designates this area as low density commercial. Not mixed use with moderate density residential on the north parcel, as proposed in this case.

The rezoning and overlay mapping in 1989 rendered this area consistent with the Comprehensive Plan. It was done because the community and city recognized that the focus of this commercial node along Wisconsin Avenue was low density, neighborhood shopping. Nothing has changed in the Plan or reality over the subsequent 20 years to alter this vision.

There are elements of the proposed PUD that are at odds with this vision. But the primary point I wish to make is that the proposal before you will destroy the neighborhood commercial overlay for this particular area, and, of even greater concern, it will set a precedent that jeopardizes overlays elsewhere in the city.

- First, the PUD would remove all of Square 1920N and virtually all of Square 1920 from the overlay and little would be left in the overlay district.
- Second, the PUD would start over the count for limitations on restaurants and drinking establishments, and would start over the count for limitations on office-type retail (e.g., banks, etc.) - in effect, expanding these uses within the area currently comprising the overlay.
- Third, the PUD will increase height and density, not only above what is permitted under the current zoning, but what is permitted matter-of-right under the proposed zoning.

You might ask: what difference does this make? The added density is primarily residential, and the added height is perhaps 11 feet. Further, the bulk of the massing is near Idaho Avenue where there is already a mid-to-high-rise

building at McLean Gardens.

The difference to be considered is the significant policy implication of gutting an overlay - and doing so not as part of a larger planning exercise, but rather in response to a site-specific development proposal.

The Wisconsin/Macomb Neighborhood Commercial Overlay District is not the only overlay that constrains PUD heights and density to matter-of-right limits (11 DCMR 1305). This constraint applies to every neighborhood commercial overlay, and to the Dupont Circle Overlay District as well. The purpose of this constraint is to discourage PUD end-runs around the overlay. But that is precisely what is before you.

This is a significant policy matter. If you approve the PUD as proposed, you send a signal to developers regarding every one of these overlays. A precedent has been set: that the Zoning Commission will entertain changes to height and density on a case by case basis, in spite of the broad policy constraint. The policy has no teeth. The policy, written broadly, is intended to stop case-by-case changes, but now it is to be subject to exceptions, entertained on a case-by-case basis. In terms of height and density, the overlay becomes meaningless.

The Office of Planning does a great disservice by ignoring the broad implication of what it is recommending. The OP report gives no discussion.

The greater heights and density in the proposal before you raise other planning concerns. When the Wisconsin/Macomb commercial district began maybe a century ago, the center was along Macomb Street, NW. After the development of McLean Gardens during World War II, the Friendship Shopping Center was built and the center of the commercial district was more appropriately located at Wisconsin and Newark.

But from a land use planning perspective, the proposed PUD would move the center of the commercial district to its northern border. That is where the greatest height and density will be found - at Wisconsin and Idaho. One would expect something contrary: usually the edge of a district steps down in height and density and acts as a buffer.

I want to make one other point. I join with residents throughout the area seeking a new, revitalized shopping center with a better supermarket. The current landowner, or a developer, can do this within the constraints of the neighborhood commercial overlay, especially with a rezoning to C-2-A. Indeed, that was the basis of several proposals throughout most of this decade.

Thank you for consideration of my views.