

**TESTIMONY OF JONATHAN MCHUGH
VICE-CHAIRMAN, ANC 3E
BEFORE THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA
IN Z.C. CASE NO. 19-10**

OCTOBER 7, 2019

Good evening Mr. Chairman and fellow Commissioners. I am Jonathan McHugh, the Vice-Chair of ANC 3E and I will deliver the testimony of the ANC regarding the project proposed in Z.C. Case 19-10.

The proposal presented to you tonight is the result of a long 4 year process, one that has already been reviewed by the Commission before. While this has been a difficult path, the ANC has spent incalculable hours meeting, discussing, reviewing, analyzing and ultimately voting on the proposals, we believe the final product, the one you are to review tonight, is a proposal that has substantial benefits for the community and the city, and mitigates the potential impacts of those benefits.

THE REJUVENATION OF A CURRENTLY MORIBUND SITE

The Superfresh Grocery Store that is currently the largest building on the site has been closed for approximately 6 years. This project will inject new life into the site and create needed housing choices, the new residents and attractive retail space the Project brings will enhance the vibrancy of the neighborhood.

BENEFITS

The project will deliver, as proposed, 214 apartment units, 132 of which will be 2 or 3 bedrooms, 5 townhomes, a neighborhood full service grocery store, and a number of transit improvements for the area including a mid-block HAWK signal on Massachusetts Avenue that will create a safe connection between the two shopping centers on either side of the street. In addition, there will be approximately 26 units of affordable housing created, 18 of which will be 2 or 3 bedrooms. The building's design has been changed to be compatible with the surrounding neighborhood, in aesthetics, massing and scale, and is lower and smaller than the previous iterations of the project.

POTENTIAL IMPACTS

The biggest potential impacts associated with development like this are traffic increases, parking shortages and pedestrian transit conflicts. Here, the Applicant's traffic study shows a net decrease in traffic predicted from the Project relative to the existing buildings it would replace. Mr. Chairman, we look at claims like this with a critical eye. Here, however, the assertion is credible, because the Project would replace the multiple commercial uses currently at the site with one use, the proposed grocery store, along with lower traffic counts from a residential building. The parking is addressed with more parking than is required by code, more than DDOT recommends. The traffic and pedestrian issues are addressed with a number of mitigation solutions within the site and around it and are aided by the Applicant's commitment to a number of multi-modal solutions to reduce car use.

PARKING

The project includes more parking than is required by law, per DDOT's report, so much so that they asked the Applicant to use the remarkably conservative mode split of 90% versus the more typical 65 – 70% for an area like this. Nonetheless, we have found that in other buildings within our ANC with underground parking, some residents still prefer to obtain Residential Parking Permits and park on the street for free, rather than pay a monthly fee for underground parking. The block on which the Property is located is not eligible for RPPs. At the ANC's request, the developer has agreed to oppose any effort to change that state of affairs. Moreover, the developer has agreed that it will prohibit tenants from obtaining RPP permits upon pain of mandatory lease termination, in the unlikely event that RPP should become available to the Property. This belt and suspenders approach reduces to near zero the possibility that the new residents of this project will cause parking problems in the neighborhood.

TRAFFIC

The project has undergone two Comprehensive Transportation Reviews, the latest concluding a net DECREASE in traffic compared to the current status, which does not have an operating grocery store larger than the one proposed. Both studies were reviewed and critiqued by DDOT. The Zoning Commission also had an opportunity to request changes and improvements as a result of the previous zoning process in Case 16-23. The Applicant has proposed changes to address those concerns in addition to ones suggested by the community and the ANC.

HISTORIC PRESERVATION

The ANC 3E presentation details the effects Historic Preservation has on the City's Comprehensive Plan and the goals embodied in it. Designations have real consequences for creating affordable housing, multi-family housing, vibrant commercial centers and multi-modal transit options, in particular pedestrian friendly ones. The designation of most the lots in the area as Historic severely limits addressing those consequences. The project's proposed unit mix, affordable housing, return of a neighborhood grocery store, and diversity of transit choices, in a design that is compatible with both the surrounding homes and the Historic MAPS shopping center adjacent to it, balances the need to complement the Historic site next to it with fulfilling the Comprehensive Plans goals and priorities. The letter from David Maloney of the State Office of Historic Preservation, Exhibit 187, confirms this conclusion.

AFFORDABLE HOUSING

The City's Comprehensive Plan highlights the need for affordable housing THROUGHOUT the city. ANC 3E, and this area in particular, are no exceptions in helping address this need. This project proposes delivering 26 units of affordable housing, 18 of those units being 2 and 3 bedroom units. While this is not a silver bullet for solving the larger housing problem, it is a significant amount of family friendly units where there currently none, and also adds a diversity of housing choices to an area that has few, especially the addition of 2 and 3 bedroom apartments and several townhomes.

MEMORANDUM OF UNDERSTANDING

The Applicant has committed to provide a substantial suite of additional amenities, below is a summary of the most notable of them:

Benefits

- A guarantee to reserve at least 13,000 sf of retail space within the project solely for use by a full-service Grocer
- Agree to set aside no less than 11% of the residential GFA for IZ (previously 10%)
- Commit to LEED Gold certification
- Agree to fund the study and installation of a HAWK light across Massachusetts Avenue to provide safe pedestrian passage between the two shopping centers
- Agree to provide \$100,000 for connecting to Metro, currently envisioned as a geo-fenced ride hailing service.
- Agree to reorganize, clean and expand existing public alley
- Agree to fund a transportation study, using data collected from the CTR, of Massachusetts Avenue from 49th St to 48th/Fordham Road to examine more efficient turning movements and safer pedestrian movements. The maximum cost of the study would be \$15,000.
- Agree to spend \$15,000 on public space improvements on and around the site.

Mitigations

- Agreements for mitigating building uses such as
 - Waste Management
 - Restaurant Venting
 - Rooftop Terrace impacts
 - Alternate lease uses
- Agreements to mitigate transportation and parking impacts such as pedestrian infrastructure, loading, and parking

- Agree to implement Pedestrian Infrastructure and Traffic Calming surrounding the site
- Agree to implement a Parking plan that restricts building residents from participating in the RPP Program
- Agree to a parking plan that guarantees 370 parking spaces will be available to the plan
- Agreements to mitigate construction activity

The Applicant has embodied the foregoing promises and others in a Memorandum of Understanding (MOU) executed contemporaneously with this resolution (attached to our resolution) and has agreed to ask the ZC to embody the terms of the MOU in any ZC order regarding this matter.

CONCLUSION

For all the reasons I've just described, and for all the reasons set forth in our written submissions, we respectfully urge this Commission to support the present application and to incorporate the terms of the MOU between ANC 3E and Valor Development into its order regarding the property.

Thank you for the opportunity to testify