



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3D
PO Box 40846, Palisades Station
Washington, DC 20016

***PALISADES – KENT – SPRING VALLEY – WESLEY HEIGHTS – NEW MEXICO/CATHEDRAL –
THE AMERICAN UNIVERSITY – FOXHALL VILLAGE – BERKELEY***

December 12, 2016

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

RE: Zoning Commission (Z.C.) Case No. 16-23: Application by Valor Development, LLC for Zoning Commission Voluntary Design Review, Square 1499, Lots 802, 803, 807

Dear Chairman Hood and Members of the Commission:

At its regularly scheduled and duly noticed public meeting on December 7, 2016, and with a quorum (5) present at all times, Advisory Neighborhood Commission (ANC) 3D voted 6-1 to recommend that the Zoning Commission oppose the application of Valor Development, LLC for Voluntary Design Review for Square 1499, as proposed. A resolution outlining ANC 3D's recommendation is attached. This action was taken by ANC 3D following two public meetings on the Valor application.

ANC Commissioner Alma Gates has been designated to represent ANC 3D in these proceedings before the Zoning Commission.

Although ANC 3D is an automatic party in this case, the new development proposed by Valor is located within ANC 3E just across the ANC district boundary. Practically, however, the impacts of the project will be experienced as much by residents of ANC 3D as residents of ANC 3E. In fact, the boundaries between the two ANC's are largely meaningless for residents who will either experience the benefits or the ill effects of the project. Like residents of ANC 3E, residents of ANC 3D, particularly the Spring Valley community, will be impacted by the density and traffic-related issues that are a consequence of this proposed development.

Valor proposes two buildings that will house 230 new condominium and rental units as well as 60,000 gsf of new retail, including a 55,000 gsf supermarket. The development will be built on the site of a now-empty grocery store that is about one-third the size of the proposed

grocery store. The former grocery store was highly valued by residents of ANC 3D. Most residents would like to have a grocery store in the neighborhood and it is precisely this appeal that Valor seeks to exploit by proposing a development that ANC 3D believes is simply too dense and out of scale with the existing residential and commercial properties that would surround the new development.

Valor presented its proposal at a meeting of ANC 3D on August 15, 2016. There were approximately 100 residents in attendance. Many expressed their opposition to the project and cited its density, the lack of a transportation infrastructure, and concerns about traffic and parking. Residents also noted that the project is not in alignment with the guidance offered in the Rock Creek West element and other elements of the Comprehensive Plan. Although nearly all residents embraced the addition of a new grocery store, many expressed concern that the size of the grocery store would create a destination grocery store. No resident at the meeting spoke in support of the Valor application. ANC 3D was also provided with a set of petitions from residents – primarily of Spring Valley – opposed to the project.

ANC 3D convened a meeting on December 7 to consider the application with an expectation that Valor would have changed the application based on suggestions offered at the August meeting. Valor representatives were invited in October to attend the December 7 meeting and Valor indicated on October 27 that they would attend the meeting. Also invited to make a presentation at the December ANC meeting was Citizens for Responsible Development, a grassroots neighborhood group, which is opposed to the project. ANC 3D was informed on December 6 by Valor that Valor representatives would be unable to attend, but indicated that the plans and application for the project had not changed since the August 15 presentation.

About 60 residents were in attendance at the December 7 ANC meeting. Again, there was strong opposition to the project expressed by residents, especially representatives of the Spring Valley West Homeowners Association. Residents warned of the traffic gridlock because access to the retail, including the supermarket loading dock, and the residences would be through a 20 foot alleyway off Massachusetts Avenue. They warned of increased cut-through traffic resulting from motorists seeking to avoid the congestion along Massachusetts Avenue and increased parking problems in the neighborhood since only 77 parking spaces are proposed for the 230 residences to be built in an area that is not accessible to Metro and with inadequate bus service.

But, mostly residents of Spring Valley expressed alarm that the height of the building from the Massachusetts viewpoint would be 88 feet with the penthouse. They warned the new structure would tower over a one-story historically landmarked shopping center along Massachusetts Avenue.

The recommendation made by ANC 3D reflects neighbors' expressed views that this project needs to be scaled down.

In making its recommendations, ANC 3D weighed compliance with Subtitle X, Chapter 6, the ZR Design Review standards. ANC 3D determined that the combination of the density of the proposed project and the lack of adequate parking for the size of the development would

result in adverse neighborhood impacts and may lead to more cut-through traffic and parking the Spring Valley and American University Park neighborhoods. ANC 3D also determined that the new project would have adverse impacts on the neighborhood and would not meet the standards outlined in Sections 604.6; 604.7(c); and 604.7(f).

ANC 3D is not opposed to development of the existing site and, in fact, ANC 3D believes the site is appropriate for new development. However, the proposal by Valor is simply too much density; not in compliance with the guidance offered in the Comprehensive Plan; and can and should be scaled back, as recommended by ANC 3D's constituents.

ANC 3D requests that its vote of 6-1 in opposition to Case No. 16-23 be given the great weight to which it is entitled under DC statute. Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Tom Smith". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Thomas M. Smith
Chair, ANC 3D

Attachment



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PO Box 40846, Palisades Station
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**ANC 3D RESOLUTION ON VALOR DEVELOPMENT
OF FORMER SUPERFRESH SITE**

Whereas, Valor Development has submitted an application for Zoning Commission Voluntary Design Review as provided for in Subtitle X, Chapter 6 of ZR 16, for development of Lots 802, 803, and 807 in Square 1399 – more commonly referred to as the former SuperFresh site;

Whereas, Valor defines the site as a “transitional site” because it falls between R-1-B zoned single family homes and two separate commercial properties – one of which is a single story shopping center designated as a historic landmark in 1989 and the other built as a 5-story commercial office building now used by American University for classrooms and offices;

Whereas, the Valor Development is located within an MU-4 zone district which are defined as a low density commercial areas;

Whereas, the Comprehensive Plan’s Future Land Use Map defines Low Density Commercial areas (MU-4) as shopping and service areas that are generally low in scale and character. Retail, office, and service businesses are the predominant uses. Areas range from small business districts that draw primarily from the surrounding neighborhoods to larger business district uses that draw from a broader market area. Their common feature is that they are comprised primarily of one-to three-story commercial buildings.

Whereas, Valor proposes to build two new buildings on the site: one a mixed use residential building and the second an all-residential building – combined consisting of 230 new residential units (rental apartments and condos); 60,000 gsf of retail, including a 55,000 gsf grocery store; and three levels of underground parking containing approximately 460 parking spaces – only 77 of which will be reserved for residential parking and another 147 for retail parking (the remainder being set-aside for American University under a prior agreement);

Whereas, as acknowledged in Valor’s application, the density of the project, as currently proposed, exceeds that available on the SuperFresh lot as a matter-of-right;

Whereas Valor is seeking Special Exception relief under Subtitle G § 405.2 of ZR 16, which requires a minimum rear yard of fifteen feet (15 ft.) in the MU-4 zones;

Whereas, Subtitle X, Chapter 6 of ZR 16 requires the applicant to demonstrate the project will result in a finding of no adverse impact on the neighborhood;

Therefore, be it resolved, ANC 3D supports development of the former SuperFresh site, including the addition of retail services, such as a neighborhood grocery store, but opposes the project as currently planned by Valor and its application for Design Review on the basis that it is inconsistent with the Comprehensive Plan as well as the general low density character of the surrounding neighborhood and fails to demonstrate it will result in no adverse impacts to the surrounding neighborhoods for the following reasons:

- 1.) As a transition site, the density of the proposed development, which at points will have heights from the ground of approximately 73 feet (88 feet including the mechanical penthouse), is excessive, especially given that it immediately borders single family residential homes limited to 40 feet in height and that the bulk of the existing commercial area adjacent to the new development consists of the one-story historically landmarked Massachusetts Avenue Park and Shops (often referred to as the Spring Valley Shopping Center); and that such density will create both parking and traffic issues for the surrounding neighborhood inconsistent with Subtitle X, Section 604.6 of Chapter 6 of ZR 16.
- 2.) The proposal for only 77 spaces for 230 residential units is inadequate, especially given the development is not approximate to a Metro line and Metro bus service in the neighborhood is undependable. This could prompt residents of the new building to seek parking on nearby neighborhood streets or reduce available parking for other retail uses of the building, and limit access by American University to parking within the structure also forcing these patrons to find parking on neighborhood streets – also inconsistent with Subtitle X, Section 604.6 of Chapter 6 of ZR 16.
- 3.) Primary access for the new structure, including the loading docks for the grocery store, will be a 20 ft. wide public alley off Massachusetts Avenue, which now also services the existing Park and Shops, and will create additional traffic congestion along Massachusetts Avenue and generate pedestrian and bicycle-vehicular conflicts within a commercial block of Massachusetts Avenue inconsistent with Subtitle X, Section 604.7 (f) of Chapter 6 of ZR 16.
- 4.) The combination of the density of the proposed structure and the large size of the grocery store, and the lack of adequate parking for the size of the development, will result in adverse neighborhood impacts, and may lead to more cut-through traffic and parking in the Spring Valley and American University Park neighborhoods.
- 5.) The proposed project does not respect the existing Massachusetts Avenue Park and Shops historic landmark and the Spring Valley Shopping Center historic landmark in that the height of the new project (which will be approximately 88 feet tall abutting the Park and Shops) will not respect the views of the landmarks, as required under Subtitle X, Section 604.7 (c) of Chapter 6 of the 2016 Zoning Regulations.

- 6.) The proposed French Empire architecture is so strikingly in conflict with the Colonial Revival style of the surrounding homes and commercial buildings as to not promote a continuity of neighborhood architectural character, as required under Subtitle X, Section 604.7 (c) of Chapter 6 of ZR 16.

Be it Further Resolved that ANC 3D encourages Valor to rework the project so as to reduce density in a way that will mitigate traffic and parking impacts and provide for a mixed use development that truly reflects a transition from the single family homes to the lower density commercial buildings that are found on Massachusetts Avenue.

Approved By ANC 3D On December 7, 2016 By A Vote Of 6-1.

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2016 copies of the attached were delivered via e-mail to the following:

Jennifer Steingasser
District of Columbia Office of Planning
1100 4th Street SW
Suite 650 East
Washington, DC 20024

Advisory Neighborhood Commission 3E
c/o Lisner Home
5425 Western Avenue NW
Suite 219
Washington, DC 20015

Christopher H. Collins
Holland & Knight
800 17th Street NW, Suite 1100
Washington, DC 20006

Mr. Will Lansing
Valor Development, LLC
4619 41st Street NW
Washington, DC 20016



Thomas M. Smith
Chair