

Testimony Of Mr. William Krebs
First Vice President, Spring Valley-Wesley Heights Citizens Association
Z.C. 16-23

Chairman Hood and Members of the Board:

Thank you for this opportunity to present the views of the Spring Valley-Wesley Heights Citizens Association, Neighbors for a Livable Community, and Spring Valley West Homes Corporation on the proposal to develop the former SuperFresh site with a project titled Ladybird

My name is William Krebs and I am the First Vice President of the Spring Valley-Wesley Heights Citizens Association. The SVWHCA was established in 1952 and since that time its mission has been to preserve the character the neighborhood in an ever-changing world. Contrary to what many may believe the Spring Valley Wesley Heights Citizens Association is not and never has been anti-growth or anti-development. For over 65 years its guiding principle has been that development must be viewed in the context of the existing neighborhood as well as the physical and geographic constraints that go with the Site.

For instance, the Association spearheaded the effort in 1989 to obtain historic designation status for the shopping centers on both sides of Massachusetts Avenue including the one subject to the instant application. The centers were unique in their blending of the commercial shopping buildings to be consistent with and to complement the surrounding neighborhoods.

The decision to seek those designations was motivated, in part, by the razing of low rise commercial buildings at 4800 block of Massachusetts Avenue, N.W. (referred to in this case as Lot 806) that housed a movie theatre and a hardware store and were consistent with the design of the Spring Valley shopping center complex. In its place, a new building – out of character with the rest of both Spring Valley and AU Park – was built to house professional offices on the upper floors and retail in a two-story atrium resembling a shopping mall. Not only was that building in

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both size and function inconsistent with the neighborhood, overall it was financially unsuccessful; the building was sold to AU to house its law school. Eventually, it became insufficient for the continued use of a law school, resulting in the Tenleytown Campus of the Washington School of Law. 4801 Massachusetts Avenue currently is used by AU for classrooms and offices. When AU purchased this building, it emptied the ground floor of all neighborhood retail amenities that included two restaurants, a pharmacy, an optical shop, a wine store, and a Talbot's clothing store. Although the uses of the building have changed over the years, it still remains an anomaly, to be kind, or a white elephant, to be accurate, in the Spring Valley commercial district and a reminder of what can happen if development is permitted without regard to the character of the neighborhood.

During the last meeting on this matter some members of the Board expressed reservations concerning the use of the historic designations that were not intrinsically deserving. We understand that concern. Of course we believe that designation for those sites was appropriate and worthy but more importantly for these purposes it was a watershed moment in preserving the character of Spring Valley and AU Park. With no protection, the movie theater and hardware store, as well as the buildings that housed them, were defenseless to becoming 4801 Massachusetts Ave. Without the historic designations buildings such as 4801, with each succeeding development being bigger and taller, would have eventually consumed both sides of Massachusetts Avenue.

No longer would Spring Valley be a low-density village but instead it would have run the risk of becoming Friendship Heights West.

That is why we come here today to oppose the design review project proposed by Valor.

As interesting as the issues presented by this application are with respect to the calculations and the source of the applicant's claimed permissible density, the transfer of building rights, and the application of the Comprehensive Plan, and the Future Land Use Map – the issue for Spring Valley and AU Park is quite simple. We do not support the construction of another white elephant in the neighborhood – especially where the community loses more than is gained by the anomaly.

Although Valor originally sought to sell neighbors on this project by promising a full-service grocery store, under the most recent submission Valor now offers 43,560 square feet of retail space – will result in a net loss to the community of nearly 27,000 square feet of retail space. Instead of a full-service grocery, the neighborhood will get a “market” of about 13,000 square feet.

So what is the benefit to the community if this project is approved and built? Under the most recent proposal we are not getting a full service supermarket or even a grocery store. Rather we are now being promised a market comparable to that which Wagshalls already provides. We should not have to accept the loss of existing retail space and the imposition of a massive project, sucking up the entire block's remaining density, in return for a redundant gourmet market.

I came here two weeks ago prepared to speak in detail concerning what we understood was the final proposal by Valor. It will undoubtedly increase traffic and decrease parking. And while those problems will exist, Valor has made it impossible to identify where the trouble spots will be.

As significant the impact on our community will be, this Board's process and decision in this case will profoundly affect the approval process of this Board for years, if for not for decades, to come. This is the first major project the board has reviewed using the new Design

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Review procedure. We find it incomprehensible that the applicant should be allowed to seek final plan approval under the Design Review when critical information has not been provided and fundamental decisions have not been made. This massive project incredibly would result both in the loss of retail space and variety, while still causing an increase in traffic both generally and in the neighborhoods.

To suggest that a project of this size will have no traffic impact on the neighborhood simply defies logic. Valor's plans also will create new dangerous conflicts between cars and pedestrians. It proposes a new mid-block traffic light – that isn't really mid-block – between 48th and 49th Streets on Massachusetts Avenue. There has been no analysis of the potential impact of such a signal on traffic flow in this already-busy block on Massachusetts Avenue - - not even queuing data.

In short, what Valor proposes as a neighborhood amenity – the mid-block signal – will actually exacerbate traffic conditions and result in increasingly unsafe traffic conditions for pedestrians. Pedestrians may be best served by relying on pedestrian signals already in place at the two intersections at 48th and 49th Streets. But then again, Valor has avoided paying for a bicycle station because of its willingness to pay for a hawk light that neither it nor the Department of Transportation knows whether it is needed or appropriate.

The inescapable conclusion is that the project is nowhere near ready for this Board's approval. Valor does not know whether it will have over 300 parking places in the garage or less than 20 spaces. Valor does not know the impact that the operations at 4801 Massachusetts Avenue may have on the community or on its project, even though American University is a co-applicant, solely because of its ownership of 4801 and its impact on this project. Valor does not know whether it would be advantageous to encourage cars at the Park and Shoppes Center to exit

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directly on Massachusetts Avenue in between signals and where there is a medium which would require them to turn right and encourage them to make U-turns at the 49th St. intersection to go southbound on Mass. Valor does not know whether it is advisable to force traffic coming out the Park and Shoppes through the gas station to turn right of 49th St. and then either drive-through AU Park or circle the project to turn back on Massachusetts at the at the 48th St. traffic light. Valor does not know whether the two buildings will be an apartment rental building and condominium building or whether they will have simply two rental buildings. When questioned as to why and when the condominiums appear to have disappeared, Valor candidly said that no final decision has been made because it will be an economic business decision at the time.

And that is the rub. That can be said of most everything that is unknown or incomplete in this project. How many parking places it obtains from AU will be a result of their negotiations and an economic decision based on cost-benefit. Traffic management and the reliance on the alleys are the result of a cost-benefit analysis. The elimination of 27,000 ft.² of retail space is the result of a cost-benefit analysis. The shuttering of the restaurant, hair salon and the catering service results from a cost-benefit analysis.

From Valor's perspective the cost-benefit analysis is all that matters. It does not live in the neighborhood. Its principals will not have to deal with the traffic, the congestion, or the lack of amenities. They do not even ask the question at whose cost and whose benefit?

Before I turn to my colleagues to address these issues in more detail, I want to acknowledge that there are some in our neighborhood who see this project and virtually any project – as a measure of progress. Many of them are sincere, however some of those individuals only see the value added by a project– without regard to the cost in quality of life paid by other members of the community. To some of those individuals compliance with existing

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zoning regulations, proffers or other legal restraints, are merely obstacles to be sidestepped or ignored. They enjoy the benefits of the project and leave it to their neighbors to pay the cost by dealing on a daily basis with the traffic, parking, and congestion. We believe we have a responsibility to represent all of our neighborhood's interests, and that all should be heard however, we also believe those who are who live closest to the commercial corridor and are likely to be impacted the greatest by this proposal are entitled to great consideration and that their voices should be given the greatest weight.

Although this appears to be a complex project when on paper, when viewed in real terms the decision is an easy one. Under this proposal, the harm to be suffered by the community greatly outweighs the few benefits its advocates promise. The project will have an adverse impact on our neighborhood – compelling a finding that it is inconsistent with the design review standards and regulations outlined in Subtitle X, Chapter 6 of ZR 16.
