



ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS
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www.anc3e.org

RESOLUTION REGARDING PROPOSED DEVELOPMENT OF THE FORMER BABE'S BILLIARD SITE, ZONING COMMISSION CASE NUMBER 10-23

WHEREAS:

Background

1. The buildings at issue on the northwest corner of Wisconsin Avenue and Brandywine Streets, NW, a block and a half from the Tenleytown Metro stop, have been vacant for approximately eight years and the commercial space adjacent to the north of those buildings has been vacant for close to two years.
2. There has been a strong view in our community that increasing the vitality of the Wisconsin Avenue corridor by the Tenleytown Metro and eliminating the existing blight is an important goal.
3. In the meantime, we also hear concerns about traffic from residents within our jurisdiction, and spend a great deal of time addressing traffic-issues.
4. Accordingly, while we want to encourage growth in the corridor, we also want to minimize new traffic spawned by growth in our neighborhood.
5. Wisconsin Avenue, a major arterial street, runs through the neighborhood, so traffic is inevitable. When Wisconsin Avenue and other arteries in the neighborhood back up, commuters often cut through local streets, leading to widespread impacts.
6. The portion of Wisconsin Avenue in our neighborhood also includes two Metro stops, however. Many residents use Metro to commute, though they often have to walk several blocks to get to a Metro station.
7. Many, but not all, residents also own and use automobiles.
8. Few developable sites exist away from the Wisconsin Avenue corridor in our neighborhood.
9. A number of developable sites exist along the corridor, however, some quite close to Metro stations.
10. Holding all other things equal, if residents of newly-developed buildings along the corridor do not own cars, and instead rely on Metro and other transit modalities besides cars, growth in our neighborhood can occur without substantial increases in traffic associated with that growth. Furthermore increasing retail options in the neighborhood can reduce

vehicle movements by giving existing residents additional and better retail options within walking distance and adjacent to transit.

11. Adding multi unit residential density 3 blocks from the proposed American University Law School can also contribute to reducing vehicle movements by creating additional housing opportunities within walking distance.

The Subject Application

12. Douglas Development operating in this case as Jemal's Babes, L.L.C. ("Douglas") seeks to develop the property at 4600 and 4614 Wisconsin Avenue, N.W., in the District of Columbia and designated as Lots 820 and 817, respectively, in Square 1732 (the "Property") and has filed an application for a planned unit development ("PUD") with the District of Columbia Zoning Commission, ZC Case Number 10-23.

13. The Douglas PUD application proposes to amend and be incorporated into the zoning map amendment application filed by Douglas on September 17, 2010, in ZC Case No. 10-23. The map amendment application requests the Commission to rezone the Subject Property from C-2-A to the C-3-A District>

14. The Property, formerly known as Babe's Billiards, is a block and a half from the Tenleytown Metro station and occupies an important site in the Wisconsin Avenue Corridor has been vacant for the better part of a decade.

15. The existing Babe's building can, consistent with sustainable development principles, be preserved and reused as the foundation for a new development on the site.

16. The project Douglas seeks to build, which it calls the "Bond Building," would use the existing Babe's building as a foundation and include six stories, containing approximately 48,000 square feet of gross floor area dedicated to residential use, and approximately 20,000 square feet of gross floor area dedicated to retail/service uses (approximately 13,000 of which would count toward Floor Area Ration (FAR)).

17. Using the existing Babe's building as a foundation presents a choice. The ground floor of that structure could either be dedicated to a commercial use or to provide approximately 25 parking spaces. In the alternative, the site, a block and a half from the Tenleytown Metro, could remain at a low density use or the existing building could be torn down and a development pursued with a substantial underground garage. Given the special nature of this project and the unique nature of the site, we do not consider it a precedent for the separate discussion of the zoning rewrite. Rather, this is a case about a particular project on a particular block with particular existing conditions.

18. In that context, with the ANC's encouragement, Douglas chose to preserve the existing building and dedicate the majority of the ground floor to commercial uses and, as a result, except for one handicap parking space, the project includes no off-street parking.

19. Douglas has appeared at several public ANC meetings to discuss its plans with the broader community, and has worked closely with members of the ANC to address their concerns.

20. The end result has been a project that, in principle, can bring vitality to a blighted block without, we believe, substantially increasing traffic or parking burdens on the neighborhood.

21. The understanding between Douglas and the ANC is reflected in a Memorandum of Understanding (MOU) attached to this resolution.

22. Douglas will incorporate provisions in all residential tenants' leases forbidding them to obtain Residential Parking Permits or use guest RPPs to park in the neighborhood, upon pain of mandatory eviction. Furthermore, Douglas has obtained a promise from the District Department of Transportation (DDOT) that the agency will not fulfill requests for RPPs from residents of the Bond Building, likely reducing or eliminating the need for Douglas to take action to enforce the aforementioned lease provisions.

23. Douglas will also offer a variety of benefits that will make public transit easier to use.

24. The property will be marketed to prospective tenants that wish to live a car-free lifestyle. Given the property's propinquity to Metro, we believe the "carrots and sticks" enumerated in the MOU will indeed attract tenants who are serious about living without a car.

25. Especially given that the residential units in the Bond Building will be apartments, we believe that if residents' situations change, such that they decide that they want a car, they will simply move when their leases expire (or sooner if they are able to sublet their units).

26. Nonetheless, because this will be the first mixed-use building in Tenleytown without off-street parking, the approach proposed is to date untested in our community.

27. Thus, as a buffer, the ANC has asked Douglas, and Douglas has agreed, to make all commercially reasonable efforts to obtain 20 offsite parking spaces available to tenants on a monthly basis for ten years. We suspect that tenants will not make much use of these spaces, but usage data can help inform policy decisions about future developments.

28. Douglas has also agreed, among other things, to require any commercial tenants with establishments exceeding 3,500 sq. ft. to provide validation for free parking at neighborhood lots for one hour.

29. Likewise, Douglas has agreed not to rent commercial space to several classes of establishments that would fail to enliven, or even harm, the portion of the Wisconsin Avenue corridor on which the project is located. These restrictions increase the likelihood that Douglas will rent to establishments that likely will enliven the corridor, as it has pledged, albeit informally, to do.

30. Douglas has also agreed to contribute up to \$600,000 to move above-ground utilities in front of the project underground (“undergrounding”). Doing so will increase reliability in electrical service in an area prone to blackouts and enhance the attractiveness of the streetscape. We hope that if Douglas undergrounds the utilities in front of its site, other major landlords on Wisconsin Avenue may eventually follow suit.

31. Douglas will make numerous additional streetscape improvements, and has committed to building a project that will qualify for LEED Gold status.

32. Taken together, we believe the project has the potential to add vitality and vibrancy to our neighborhood while minimizing harm often associated with new growth.

NOW THEREFORE BE IT RESOLVED:

1. ANC 3E supports the PUD application for this Property, subject to the approval of the MOU, and respectfully urges the Commission to move promptly to approve it so that construction and the ultimate benefit to the community can occur soon.

2. ANC 3E and Douglas ask the Commission to incorporate each provision of the attached MOU into an order regarding the subject property.

The resolution passed by a vote of 5-0-0 at a properly noticed meeting held on October 11, 2012, at which a quorum was present, with Commissioners Bender, Frumin, Quinn, Serebin, and Sklover in attendance.

ANC 3E



by Matthew Frumin
Chairperson