



## **ADVISORY NEIGHBORHOOD COMMISSION 3E**

**TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS**  
c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015  
[www.anc3e.org](http://www.anc3e.org)

### **Resolution Supporting Valor Development's Proposed Development of the Superfresh site at 4330 48th Street NW**

**Whereas**, Valor Development LLC, ("Applicant" or "the Applicant"), has proposed to build the Ladybird, a mixed use development ("Project"), at 4330 48th Street NW, that is underutilized in ANC 3E (Zoning Case 16-23);

**Whereas**, the project currently before us is substantially the same as the version we reviewed and supported in 2017;

**Whereas**, the substantive changes in the proposal over this time period include: (1) a reduction in gross floor area by roughly 42,000 square feet; (2) a reduction in the massing of the project so that it is now 3.5 stories plus set-back penthouse along 48th Street, NW at Warren Street, NW; (3) an increase in the gross floor area for the grocery store of roughly 2,300 square feet; (4) the conversion of the smaller 19-unit building into five townhomes; (5) replacement of the previous grocer with an alternative more desired by the community; and (6) the replacement of Windom Walk at 48th Street, NW and Warren Street, NW with a pocket park. There are other changes as well, including higher projected LEED scoring, which is now solidly in the Gold category, and an additional inclusionary zoning unit, albeit with less overall square footage;

**Whereas**, the Applicant is not asking for additional height or density; the specific relief requested by Valor is for the rear yard setback. Zoning requirements call for a 15-foot rear yard setback, the Applicant is requesting flexibility for a rear yard setback of 10-15 feet along part of the building adjacent to an existing 20-foot public alley. (In other words, instead of a mandated 15-foot rear yard setback, the Applicant proposes a 20-foot public alley with an additional 10-foot setback.) There are no other requests for relief from existing zoning regulations;

**Whereas**, the Applicant is proposing 220 dedicated parking spaces for the residential units, well in excess of what District regulations require and the Applicant will be providing 236 parking spaces to satisfy an existing easement held by American University, 180 of which will be leased back as exclusive spaces to be used solely for the residential use of the project;

**Whereas**, vehicular traffic under the Applicant's proposal is estimated to be about the same as it would be if the existing (now vacant) buildings were occupied due to the fact that the Applicant's proposal reduces the available commercial square footage at the site from 44,283 SF to 21,201 SF while adding 219 residential units;

**Whereas**, with only 2,606 GFA available for non-residential use, the Applicant cannot include a grocery store by right: they must purchase unused commercial density from the Spring Valley Shopping Center, which the Zoning Commission will consider under the Design Review process;

**Whereas**, the community believes returning a portion of the site to a grocery store use, currently proposed to be MOM's Market, is a net benefit to the community;

**Whereas**, the proposed package includes significant improvements to the currently unattractive and pedestrian unfriendly alley, improvements to Massachusetts Avenue in the form of a HAWK signal that will improve pedestrian safety and connectivity in the Spring Valley area, that will enhance the site;

**Whereas**, the Applicant has agreed to clean up the alley between the proposed new building and the SVSC and the public space on the south side of the 4800 block of Yuma Street by removing and consolidating dumpsters, organizing and defining loading areas, and installing a pedestrian sidewalk;

**Whereas**, the Applicant has committed to building a LEED GOLD building;

**Whereas**, ANC 3E acknowledges that several neighbors have raised concerns about the size of the proposed buildings and the transitions to the residential homes on 48th Street and Yuma Street and the developer has modified the project reducing height of one building and changing the second building into town homes; and

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

**NOW THEREFORE BE IT RESOLVED:**

1. In reliance on the promises contained in the attached MOU and materials submitted in connection with the above-referenced application, ANC 3E supports the application, and respectfully joins the Applicant in asking the ZC to incorporate each and every provision in the MOU in any order issued in connection with the above-referenced application.
2. ANC 3E authorizes Commissioners Amy Hall and Jonathan McHugh to testify for the ANC at any proceedings connected to the above-referenced application.

The resolution passed by a vote of \_\_ - \_\_ - \_\_ at a properly noticed meeting held on December 13, 2018, at which a quorum was present, with Commissioners Bender, Ehrhardt, Hall, McHugh, and Quinn in attendance.

ANC 3E

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by Jonathan Bender  
Chairperson