



## **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 19-10).

**Whereas**, the project currently before us is substantially the same as the version we reviewed and supported in 2018, the main difference being the submittal of the project under the Planned Unit Development (PUD) zoning process versus the Voluntary Design Review (VDR) process of the previous proposal, the latter of which has been withdrawn by the Applicant.

**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 a 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 and the activation of several of the other public spaces at or near the site. There are other changes as well, including higher projected LEED scoring, which is now well within the Gold category, and an additional 2,415 square feet of Inclusionary Zoning (IZ) Gross Floor Area (GFA) beyond that required by code which is already yielding 27,440 square feet of required IZ GFA.

**Whereas**, the Applicant is not asking for additional height or density; the specific relief requested by Valor is for the rear yard setback and a penthouse exception for four of the five townhomes. 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.) The same rear yard setback relief is requested for the proposed townhomes. There are no other requests for relief from existing zoning regulations.

**Whereas**, the proposed aggregate 2.68 Floor Area Ratio (FAR) for the site under the PUD process is less than the 3.0 FAR for IZ and far less than the 3.6 FAR for a PUD indicating the aggregate density for the entire site represents a balanced and moderate development.

**Whereas**, the Applicant is proposing 228 dedicated parking spaces for the residential units as well as the linkage of additional parking spaces to the number of units built, 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, if not less, 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**, the site is well-served by public bus routes that connect it both to downtown destinations and the Friendship Heights Metro station as well as the Developer's proffered benefit to provide connectivity options to Tenleytown/American University Metro station.

**Whereas**, the Applicant has worked with the ANC and the community to propose a wide range of transit options in order to serve the site and the surrounding neighborhood, encompassing numerous offerings such as car sharing, bike sharing, electric scooters, electric bikes, electric mopeds, as well as provisions for future offerings as they become available.

**Whereas**, with only 2,606 GFA available for non-residential use, the Applicant cannot include a grocery store by right: they must pursue a PUD that includes the Massachusetts Avenue Park and Shop (MAPS) and its unused and unusable commercial density due to the Historic Preservation designation imposed on it.

**Whereas**, the community believes returning a portion of the site to a grocery store use, currently proposed to be MOM's Market, a full-service grocery store as defined by the District of Columbia's Alcoholic Beverage Regulation Administration (ABRA), 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 and organize the alley between the proposed new building and the MAPS 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 the height of one building by 6.5 feet and changing the second building into town homes.

**Whereas**, ANC 3E recognizes that the developer has made numerous efforts to solicit, recognize and address community concerns about the project and its impacts, including community meetings, ANC presentations and discussions, design changes, and concrete actions embodied in the accompanying Memorandum of Understanding.

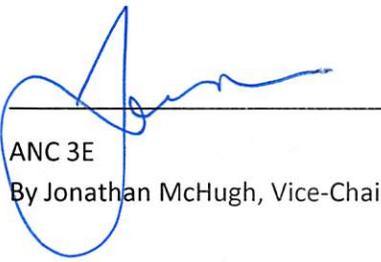
**Whereas**, the Applicant has embodied the foregoing promises and others in a Memorandum of Understanding (MOU) executed contemporaneously with this resolution (attached hereto), and has agreed to ask the ZC to embody the terms of the MOU in any ZC order regarding this matter.

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**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 4 - 0 at a properly noticed meeting held on October 25th, 2019, at which a quorum was present, with Commissioners Bender, McHugh, Hall, and Quinn, in attendance.



ANC 3E

By Jonathan McHugh, Vice-Chairperson

**ATTACHMENTS**

1. Memorandum of Understanding Between ANC 3E And Valor Development, LLC for the Development At 4330 48<sup>th</sup> St. NW