



ADVISORY NEIGHBORHOOD COMMISSION 3E

**TENLEYTOWN
CHEVY CHASE**

**AMERICAN UNIVERSITY PARK
WAKEFIELD**

**FRIENDSHIP HEIGHTS
FORT GAINES**

c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015

<https://anc3e.org>

Meeting Minutes December 1, 2022, 7:30 pm

The meeting convened via Zoom at 7:36 PM. Commissioners Bender, Hall, Gianinno and Quinn were in attendance.

Discussion and possible vote on a resolution/memorandum of understanding regarding Federal Realty's PUD application to build a mixed-use project 5333 Wisconsin Avenue

Commissioner Bender opened the meeting and stated that the Commission has been negotiating with the applicant up to this moment. Their zoning hearing will take place on Monday, December 5.

Geoff Sharpe with Federal Realty summarized the public benefits and amenities package which includes 15.43% Inclusionary Zoning (IZ) (with two units at 30% Median Family Income (MFI), 7.93% at 60% MFI and remainder at 50% MFI), LEED Gold certification, 10 electric vehicle chargers (two of which will be in the public part of the garage and available to the public), 10 bike parking spaces on the ground floor, a photovoltaic array (solar roof) at IONA, intersection improvements at Military Rd and 43rd St, update all of the trees on the whole eastern side of the block not just in front of their building, and landscaping improvements at Chevy Chase Park, construction impact mitigation agreement, retail leasing agreement (no more than 1 bank, no mattress stores, committing to leasing to minority, woman-owned businesses as well as the DCDDC (DC developmental disability council) on initial lease up.), minimum retail area increased to 10,500 sq ft, two ANSI A accessible units upon opening (one at market rate and one IZ)).

Sharpe stated they will be bringing the largest affordable housing project in Ward 3 and they want to help revitalize Friendship Heights. They have received support from the Courts of Chevy Chase (townhouses behind the property) and the Department of Public Works, The Office of Planning and DDOT.

Attendees:

- An attendee speaking on behalf of Washington Interfaith Network and the Ward 3 Affordable Housing Network stated that they while would love to see 20% IZ, they are happy they are doing more than the minimum. They will not be supporting the agreement but won't oppose it either.
- An attendee speaking on behalf of Ward 3 Housing Justice stated they are looking for a proposal that matches the potential. This is a PUD in a regional center and should provide recreation and employment. While they welcome the commitment to work with black and brown business owner, they believe black and brown residents are likely to be excluded from affordability and would like to see an additional 5% IZ at 40% MFI. They are also concerned that the retail space could fall below 14,000 sq ft. They are opposing the proposal.

- An attendee speaking as a resident and on behalf of the Friendship Children’s Center stated they support the proposal and the amenities. They want the improvements to the intersection of 43rd and Military Rd.
- A resident from the Courts of Chevy Chase stated that the existing land use is a problem and this should become a precedent for the neighborhood. They believe that IZ is not a solution to the affordable housing problem.
- Stated that this project goes above and beyond in terms of the benefit package, especially the 2 30% MFI units. They believe the ZC will support this whether the ANC supports this or not.
- Lily Bullitt with the Office of AG, Equitable Land Use Section stated they will be filing a brief with the ZC on this project. They believe that because this is located in a Future Planning Analysis Area, the Comprehensive Plan requires them to offer 33% IZ proffer at 60% MFI. Moreover, because this area was Up-FLUMed in the 2021 Comprehensive Plan update, OP is required to determine what the impact of this project will be on utilities and infrastructure District-wide. Because there are specific affordable housing targets in the RCW planning area, the housing needs to be planned for. There is an exception for PUDs but they need to undergo the planning analysis. The 33% IZ can be less if housing is offered at lower MFIs. Finally, PUDs need to be superior than MOR projects and MOR projects need to meet the IZ+ program which requires 18% IZ.
- Stated that this application leap frogs the planning process.
- Stated that this high rise doesn’t fit into the surroundings and there are many ways to have housing better conducive to the environment in medium density developments. At a minimum, the project should wait until the planning process is completed.
- Stated that they have concerns that developers that offer green roofs and terraces do not maintain them. Sharpe replied that they are required to maintain them or the city will maintain them and will bill the developers.

Sharpe asked whether he could respond to the legal reading of the AG position. Commissioner Bender stated that the ANC’s resolution does not take a position on it, and they can address the issue at the Zoning Commission hearing.

Commissioners:

- Commissioner Bender offered friendly amendments to Commissioner Quinn’s resolution.
- Stated that they are conflicted about this proposal. While it is a beautiful project and it is much needed to help revitalize the area, it is missing items to help meet the regional center designation and it is ahead of the planning process. They are also disappointed that the retail could be as low as 9,000 sq ft rather than the 14-15,000 sq ft. they spoke about during the meetings.
- Believed they stretched a lot especially given state of Friendship Heights right now.
- Stated that they are also concerned about the project being ahead of the planning process and the minimum retail square footage, their concerns are listed in the resolution and on balance thought this is a good project.
- Stated that if residents want to have economic diversity, we need IZ and this will be the largest IZ project in the city that isn’t subsidized.
- Would have preferred to have less parking.
- Stated they would like a dense residential neighborhood with neighborhood serving retail.
- Stated that IZ is a flawed program in which market rate units subsidize the IZ units and noted that if they had increased the size of the Mazza Gallerie development above the MOR even with

a lower percentage of IZ units it still would have generated more units than a higher percentage in a MOR project.

- Noted that having two ADA units for people with mobility issues to live right on top of the Metro is a good thing.
- They couldn't put solar on their roof because of the stepped down design, so having them give solar power to Iona is win for the community.
- Excited to fix the trees along Wisconsin Ave and for the landscaping improvements at the park at 41st and Western.

Commissioner Bender moved, and Commissioner Quinn seconded a motion to approve the amended resolution and memorandum of understanding in support of Federal Realty's PUD application to build a mixed-use project at 5333 Wisconsin Avenue. The motion was approved by a vote of 3-1-0 with Commissioner Gianinno objecting.

The meeting was adjourned by acclamation at 9:16 PM.