

Saturday, January 10, 2009

CLEVELAND PARK COMMUNITY ASSOCIATION (CPCA)

“The Proposed Giant and the Community”

President George Idelson called the meeting to order at 10:15 AM. More than 55 people attended. Idelson briefly summarized the 7 (9?) year history of the proposed Giant renovation and CPCA and Advisory Neighborhood Commission efforts to persuade Giant to retain neighborhood values in its development. .

The original supermarket design submitted by Giant to the Office of Planning followed a suburban store model; entrance to the store from the parking lot with the entire block-long Wisconsin Ave frontage a solid brick wall. This totally inappropriate design was vigorously opposed by many in the community who also were distressed about Giant’s removal of treasured neighborhood stores – particularly Murphys, Shemalis, and a paint store.

After unsuccessful neighborhood proposals to modify Giant’s plan, as a last effort CPCA filed an application to the city’s Historic Preservation Review Board (HPRB) to “landmark” the Giant property known as the Friendship Shopping Center. To avoid this prospect, Giant signed an agreement with CPCA and the Historic Preservation Office of DC’s Office of Planning, providing for an active streetscape, with appropriate landscaping, several entrances to appropriate retail departments on Wisconsin Ave. and set other limits for Giant’s development. (George –fill in) However, due to internal company problems. (Giant was purchased by Stop and Shop, owned by a Dutch company that subsequently experienced financial difficulties) for several years there was no action at all by Giant.

In 200? Nancy McWood, Chairman of the ANC, took the initiative to hire an architect who sent Giant proposed revised plans. Subsequently, Giant (S&S) hired Street-Works (a design firm?) to develop a new plan and consult with the community in this process. Street-Works held several public meetings with community groups. Giant’s current, expanded 2-block commercial/residential proposal includes some changes reflecting neighborhood concerns. Because this proposal requires substantial upzoning, the DC Zoning Commission must judge its adherence to DC’s Comprehensive Plan as well as its benefits and impact on the community. Giant will present the proposal to the Zoning Commission on February 19. Community groups and members of the community also may testify at this hearing.

Mr. Richard Heapes (Title) of Street-Works showed attendees renderings of the proposed project, and described the firm’s planning and community consultation process since starting work in 2005. He emphasized that this process is still ongoing, that Giant is open to proposals to improve and modify the plan before the Feb. 19

hearing, and said that even that hearing is not the end of the process. He summarized changes made in response to community concerns since the last public presentation.

The project involves two land parcels: the South Block (Macomb-Newark) and North Block (Newark-Idaho). He said Giant's first priority is the new full-service supermarket (50,000+ sq. ft.-- about twice the size of the present store) and that development for the rest of the site (unlike earlier plans)) has been modified to have "the least impact and greatest benefit" for the neighborhood.

In addition to the expanded supermarket, the project includes a 2--story building on the South Block, with small retail stores on the first floor, professional offices on the second floor, 8 townhouses and 14 lofts. On the North Block it proposes a 5 story building with (167??) condominium apartments and retail stores on the first floor.

The supermarket will have 535 (?) parking spaces on 2 levels below the store, for Giant customers and space for patrons of other local commercial establishments, plus 124 parking spaces for condominium residents . Issues still being considered include building heights, placement and impact of loading docks for Giant and other retail, and traffic and parking impact on the neighborhood. He said that Giant has committed an escrow fund of \$100,000 for future "traffic calming" improvements that may be recommended when traffic impact studies are completed.

Isabel Furlong, past-President of CPCA, briefly described the background of the contractual agreement regarding future development signed by Giant,

CPCA and the HPRB in 2002. Originally, Giant had asserted that it could proceed as a "matter of right" under zoning law with its design creating a solid brick wall on Wisconsin Ave. Despite neighborhood protests, Giant was adamant that this was the way that it built all its stores, and there appeared to be no zoning or other legal process to prevent this. As a last resort, CPCA took the controversial step of requesting the city's Historic Preservation Review Board to "landmark" the existing building and preserve the vitality and neighborhood service of the varied retail establishments on Wisconsin Ave.

Under this threat, Giant signed an agreement committing it to provide an interactive streetscape on Wisconsin Ave., with retail stores to serve the community, and...
(George ----fill in anyother basic info)

Ms. Furlong said it was extremely disappointing that after displacing many valued community stores Giant failed for many years to do anything to improve its store or develop vacant properties. However, she called the current proposal a vast improvement over the original one, and in general, compatible with the terms of the agreement signed with CPCA.

Barbara Zartman , Chair of the Zoning Committee of the Committee of the Federal City, described the zoning process required for the Giant proposal., emphasizing that public participation in this process requires much patience.

She noted that the city's zoning code, adopted in 1957, is now being revised, but that in general, it requires review to assure that projects (get the actual quote) "provide for public health, safety, convenience, order and general welfare". She also noted that the Zoning Commission has several new members, representing the city, in addition to the Architect of the Capitol and the National Park Service. The Commission gives the applicant priority to present its case; the ANC and other community organizations or members may then provide their comments.

Giant is requesting escape from existing zoning requirements (to get significant increased development density) through creation of a special Public Utility District (PUD).. For PUD approval the applicant must show that it is providing some exceptional benefit that outweighs any negative community impact of its proposal. It must prove that the proposal will not hurt the community and show additional benefits that it will provide now and in the future. Valid community concerns about the construction process must be considered, as well as the overall development impact. The District's Office of Planning is supposed to do an independent cost/benefit analysis of every PUD request, but it has not done so.

Peter Espenschied, First Vice-President, CPCA. described CPCA's concern that Giant's current proposal would remove some specific zoning protections of the Macomb-Wisconsin Neighborhood Commercial Overlay District. The Overlay requires review of a large special institution development (Giant) to ensure compatibility with its provisions for this local commercial district. The PUD not only would upzone the Giant-owned land from C-1 to C2 (providing for much greater density) It would remove the Overlay District provision that contains this review requirement..

Leila Afzal, Commissioner, ANC305 stated that while most of her constituents support the project in general, serious concerns remain about its impact on residents, particularly the impact of traffic and parking, and location of loading docks for Giant and other stores. Residents want to know if adverse impacts can be mitigated now, and what benefits the developer will provide that might outweigh such impacts. They want traffic and parking impacts considered **before** approval of the project, rather than waiting to see what happens with promises of future mitigation.

The District Department of Transportation and Office of Planning should include a traffic plan in the PUD; with a specific sum for Giant to place in escrow for future needed "traffic calming, and include a needed enforcement mechanism. These agencies also should consider new plans for additional 99 condominiums at Newark & Wisconsin and distinguish Giant's share of responsibilities for added traffic.

An inadequate traffic study has been conducted; it reflected only 1 day's picture, and did not include impact on Ordway St. east of 34th st. Other concerns relate to impact on Ordway traffic and parking, a proposed new traffic light at Wisconsin /Ordway, inadequate parking for North Block retail customers and the placement of loading docks.

Panelists provided additional information In response to many questions from the audience:

Ms. Zartman explained the role of the Office of Planning(OP). The Office is required to evaluate the proposal and report to the Zoning Commission. It has conducted a “setdown” meeting and recommended it for Zoning Commission hearing; however, she does not believe this Office has resources to do needed complex analyses, It relies on reports from the Department of Transportation and other agencies, . Citizens can disagree with the Office. A non-profit organization can develop a special covenant with a developer that runs with the land , to be enforced by OP.

Mr. Heapes stressed that the PUD allows for specific provisions. He said ”we will have a covenant that goes with the land“ enforceable by the city, ‘ and stated that one of the parties responsible for enforcement should be someone with” standing” in the community. This requirement remains to be negotiated.

There was discussion of advantages gained by the developer with a change from C-1 to C-2 zoning, including larger retail development and higher height limits. Mr. Heapes stressed that Giant generally agrees with the present Overlay restrictions contained in the C-1 requirements, but not its limitation of 25% of total street frontage for restaurants and bars.

Mr. Heapes noted that existing restaurants now take up 21% of frontage; he said Giant would be happy to observe principles of the overlay but needs opportunity for at least 1 more restaurant. Mr. Espenschied said the overlay provides for special exceptions, and that there has been no major opposition raised to adding a restaurant on the North Block, so that Giant could apply for a special exception without eliminating the Overlay itself. (However, this will raise parking issues.?)

Other questions concerned placement of entrances, waiting locations, and measurement of trucks and loading docks for Giant and other retail establishments. Mr. Heapes provided some answers but acknowledged the difficulty and complexity of these issues.. Questioners also were concerned about inadequate parking capacity for existing and new restaurants, particularly on weekend nights. There was a call for expert review of parking issues to distinguish those for which Giant may be responsible.

A questioner asked if there might be another attempt to file a landmark request to preserve the existing Giant and if so would it be supported. Mr. Espenschied assured him that neither CPCA nor any other group has such a present intent.

Ms. Zartman warned those anxious for quick approval of Giant’s proposal that the PUD hearing likely will continue for several additional sessions ; that theZoning Commission’s final decision will take many months(?), and that both applicants and other community parties can appeal this decision.

The meeting was adjourned at ????