



Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G

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ANC 3/4G
Resolution Amending
ANC's April 25, 2024 Resolution on
Proposed Rezoning of
Upper Connecticut Avenue NW
December 9, 2024

SUMMARY

This resolution adjusts the Commission's April 25, 2024 resolution concerning the proposed rezoning of upper Connecticut Avenue NW in hopes of striking a reasonable compromise with the District's Zoning Commission (ZC).

DISTRICT PROPOSAL

- 1) In Zoning Case #23-25, the District, through OP, proposes to establish three types of new zones for the upper Connecticut Avenue commercial core of the Chevy Chase DC community from Livingston Street NW to the Chevy Chase Circle. The first, Neighborhood Mixed Use-4/Chevy Chase 1 (NMU-4/CC1) would apply to both the east and west sides of the Avenue from Livingston Street NW to the Chevy Chase Circle, except for the Community Center-Library site. The second, Neighborhood Mixed Use-4/Chevy Chase 2 (NMU-4/CC2) would apply to the Community Center-

Library parcel. The third Residential Flat-1 (RF-1) would apply to three relatively small parcels that are now parts of parking lots behind the CVS drug store, the PNC Bank and at the back of the Safeway lot.

- NMU-4/CC-1 would allow new buildings of up to **70 feet**, inclusive of permissible penthouses and bonuses for such things as affordable housing and generous ground-floor space. Current zoning permits buildings of up to **55 feet** with permissible penthouses.
 - The proposed zone would set residential lot occupancy at 60 percent or 75 percent with Inclusionary Zoning. It would not limit non-residential lot occupancy.
- NMU-4/CC2 would allow new buildings of up to **80 feet**, inclusive of permissible penthouses. Current zoning permits buildings of up to **55 feet** with penthouses.
 - The proposed zone would set residential and non-residential lot occupancy at 60 percent.
- RF-1 would allow up to **two** detached or semi-detached buildings of up to **35 feet** or 40 feet with special exception. Current zoning allows one structure of up to **40 feet**.

ANC'S ORIGINAL RESOLUTION

- 2) On April 25, 2024, the ANC voted four "yes," (Gore, Sherman, Zeldin, Gosselin) to three "no," (Nash, Lynch, Ferguson) to approve a resolution seeking modification of OP's NMU-4/CC1 proposal to:
 - Reduce the maximum allowable height with permissible penthouses and various height bonuses to 60 feet;
 - Set a uniform lot occupancy maximum of 60 percent.
- 3) The resolution also sought to have the NMU-4/CC2 zone eliminated and the provisions of the NMU-4/CC1 zone, as modified, applied to the entire upper Connecticut Avenue commercial corridor.

ZC HEARINGS & COMMUNICATIONS WITH OP

- 4) Thus far, the Zoning Commission has held nine hours of hearings on OP's proposal for upper Connecticut Ave. NW over two days, April 29 and May 23, 2024. The Zoning Commission initially approved the proposal, taking "proposed action" on a 4-0 vote July 11, 2024. At the April 29th session Commissioners Gosselin and Sherman testified in support of the ANC's April 25th resolution. Commissioner Nash testified in opposition to it.
- 5) While ZC commissioners repeatedly cited the need for zoning changes to accommodate new affordable housing, they suggested they might consider some modification of the OP proposal. For example, during the April 29th hearing, ZC Commissioner Joseph Imamura said, "[T]here are perhaps some finer details; (there) may be some additional finetuning perhaps that can done." (See: <https://play.champds.com/dczoning/event/1050> at 2:30:45 mark.)

At the end of the May 23rd hearing, the ZC asked ANC commissioners Gosselin and Sherman to submit a compromise proposal, if they have one, by June 13th.

- 6) In light of such indications of flexibility on the part of the ZC, Gosselin and Sherman wrote to Joel Lawson, OP's associate director, on May 10, 2024, suggesting several adjustments in the ANC's April 25th resolution for which they said they might be able to garner majority ANC support. Lawson and Jennifer Steingasser, OP's deputy director for development review, subsequently told the ZC their agency is studying the suggestions.

ASSESSMENTS & RESOLVED

- 7) The ANC reaffirms the major elements of its April 25, 2024 resolution. These include:
- Support for OP's framework for the NMU-4/CC1 and RF-1 zones, but a belief that the maximum allowable height with permissible penthouses and various height bonuses for the NMU-4/CC1 zone of 70 feet and lot occupancy of 60 percent for residential or 75 percent with affordable housing and unlimited for non-residential are outsized and would permit development out of scale with the current commercial corridor.
 - Reservation of judgement concerning OP's proposed maximum floor area ratios, side-yard requirements and inclusion by reference of District parking minimums and maximums.
 - Belief that NMU-4/CC2's proposed building height maximum with penthouses bonuses of 80 feet could result in a building or buildings out of scale with the rest of the commercial corridor and there fore a request for the Zoning Commission to eliminate the NMU-4/CC2 zone and apply the NMU-4/CC1 provisions, as modified, to the entire upper Connecticut Avenue commercial corridor, including the Community Center-Library site.
 - A call for the Zoning Commission to include provisions in the rezoning that ensure the same amount or more green/open space in the upper Connecticut Avenue commercial corridor to include the square footage of non-parking space at the Community Center-Library site as well as sidewalks and tree boxes along the Avenue.
 - A call for the Zoning Commission to ensure adequate parking along the entire length of the upper Connecticut Avenue corridor by, among other things, requiring that any parking lost to development in the proposed RF-1 zones be replaced.
- 8) The ANC modifies its April 25, 2024 resolution in two ways:
- It raises the maximum allowable building height with permissible penthouses and various height bonuses that the ANC seeks for the modified NMU-4/CC1 zone from 60 feet to 65 feet to address concerns about floor loss and crowded mechanical space that OP described at the April 29th Zoning Commission hearing.
 - It adjusts its call for a uniform lot occupancy maximum of 60 percent to take into account the needs for affordable housing incentives and the ability to create continuous retail storefront along Connecticut Avenue. The ANC now

calls for 60 percent lot occupancy for residential or 75 percent with inclusionary zoning and up to 100 percent lot occupancy for non-residential.

- Because of the need to ensure adequate open space at the Community Center-Library site, ANC seek a uniform 60-percent lot occupancy maximum for that site.
- 9) The ANC reaffirms that it must continue to play a substantial role in decisions about the built environment of upper Connecticut Avenue as a sounding board for residents, conveyor of local sentiment and representative of the community in interactions with District agencies, developers and property owners.

APPROVED at a special public meeting of ANC 3/4G, notice of which was properly given and at which a quorum of four (4) or seven (7) members was present on December 9, 2024 by a vote of **4** yes, **1** no, **1** abstention.



Lisa R. Gore, Chair



Bruce Sherman, Secretary