

## **SECOND SUPPLEMENTAL MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** Maxine Brown-Roberts, Development Review Specialist  
 JL Joel Lawson, Associate Director, Development Review  
 Jennifer Steingasser, Deputy Director, Development, Design and Preservation

**DATE:** December 17, 2024

**SUBJECT:** OP Second Supplemental Report - Proposed Zoning Text and Map Amendments to create and map new Chevy Chase Neighborhood Mixed Use Zones - NMU-4/CC1 and NMU-4/CC2.

At its July 11, 2024 public meeting, the Zoning Commission took proposed action to approve ZC Case 23-25. The Commission did not request additional analysis or changes to the proposal from OP. OP is providing this short supplemental in response to the recent ANC filing at Exhibit 469A.

OP continues to appreciate the input and constructive communication with the ANC and the community – this has, as outlined in previous reports, led to significant changes to the OP proposed zoning, as discussed by the Commission members as part of their Proposed Action deliberations.

OP is not proposing additional modifications to the zoning map or text amendment, which:

- Is not inconsistent with, and furthers, policy direction of the Comprehensive Plan (Comp Plan) including the Future Land Use Map, Generalized Policy Map, Citywide Elements, and Rock Creek West Area Element and Connecticut Avenue Policy Focus Area;
- Incorporates the land use and design criteria of the Chevy Chase Small Area Plan (CCSAP); and
- Would further objectives of other important policy documents including the Rock Creek West Roadmap and the 2025 Housing Equity Goals.

In their Resolution at [Exhibit 469A](#), the ANC re-affirmed support for eliminating the NMU-4/CC-2 zone for the civic site, and instead applying the NMU-4/CC-1 zone to the civic site as well as the rest of the corridor. OP continues to oppose this approach, as this would be less consistent with the Comprehensive Plan and CCSAP direction. Both CC zones have MU-4 as the base, but the NMU-4/CC-1 zone includes design related requirements specific to the guidelines for the corridor which would not be appropriate for the civic site, while the NMU-4/CC-2 zone includes different criteria for the civic site that would be lost under a single zone approach.

In addition to re-affirming previous elements of their original resolution, the ANC modified it in two specific ways. The table below provides the ANC language for these changes, and a response based on OP's understanding of the ANC resolution:

<b>ANC 3/4G Resolution at Ex. 469A – Assessments and Resolved:</b>	<b>OP Response</b>
It (the ANC amendment to the resolution) raises the maximum allowable building height with permissible penthouses and various height bonuses that the ANC seeks for the modified	The ANC proposed heights are inclusive of penthouse space. As such, in zoning terms, this proposal is for a building height of 50 feet with a 15-foot tall penthouse if provided.

<b>ANC 3/4G Resolution at Ex. 469A – Assessments and Resolved:</b>	<b>OP Response</b>
<p>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.</p>	<p>The ANC proposes that this should apply to the entire corridor, including the civic site, which OP opposes. OP appreciates that the ANC proposal would increase the permitted building height by five feet. This modified proposal would be generally consistent with the OP proposal for the NMU-4/CC-1 zone. However, it would remain significantly lower than the proposal for the NMU-4/CC-2 zone for the civic site - a building maximum height of 65 feet, plus a penthouse of 12 feet max. for habitable or 15 feet for mechanical space, for a total maximum of 80 feet to the top of a penthouse. Particularly when combined with the lot occupancy restriction and set back and step-back proposals for the civic site, the ANC proposed change would limit the ability to replace existing civic facilities and provide the housing and affordable housing opportunities envisioned in the policy and planning direction for this site. As such, OP would not support this change.</p>
<p>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 ... to take into account the needs for affordable housing incentives and the ability to create continuous retail storefront along Connecticut Avenue. (This is an adjustment from the original proposal with recommended a uniform lot occupancy maximum of 60 percent.)</p>	<p>This appears to be consistent with the OP proposal: NMU-4/CC-1 zone - 60 % for residential or 75% with IZ, and not limited for non-residential</p>
<p>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.</p>	<p>This appears to be consistent with the OP proposal: NMU-4/CC-2 – 60% max. lot occupancy for all uses</p>

The ANC also reaffirmed 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. OP appreciates the extensive input of the ANC into this Comp Plan zoning implementation case, and notes that the ANC and community will continue to have their normal roles in providing input into the RFP process for the civic site and review of any BZA, ZC, or other discretionary cases that may be filed.

In summary, OP continues to support the proposed amendment to create and map new Chevy Chase Neighborhood Mixed Use Zones NMU-4/CC1 and NMU-4/CC2, as advertised in the Notice of Public Hearing.