

# Memorandum

Government of the District of Columbia

TO: D.C. Zoning Commission

FROM: Fred L. Greene, Director  
Office of Planning

SUBJECT: Preliminary Report - Request for a Map Change from  
R-5-C to R-3 west of Connecticut Avenue between Chevy  
Chase Parkway and Military Road

Department,  
Agency, Office: Planning

Date: OCT 27 1986

The Chevy Chase Citizens Association and Advisory Neighborhood Commission 3G have brought to the attention of the Zoning Commission and the Office of Planning through their communications dated July 11, 1986 and October 3, 1986 (see attachments), that in their view, there is a discrepancy in the existing R-5-C zoning on the west side of Connecticut Avenue from Chevy Chase Parkway to Military Road. This segment of the Avenue is designated for moderate density residential use on the Generalized Land Use Map of the Land Use Element of the Comprehensive Plan. Additionally, it is stated that this land is encumbered with a private covenant that restricts its development to single-family homes. It is requested, therefore, that the zoning on the subject property be changed to a more restrictive category such as R-3 or lower.

In reference to the covenant, our view is that it is a restriction placed upon development of land as agreed upon by private parties and is independent and distinct from other applicable city regulations such as zoning. Private covenants are a vehicle mainly to protect private interests as perceived by the parties. The city regulations are, on the other hand, designed to promote policies and objectives to be applied uniformly on a city-wide basis and not selectively. We think that the covenant referred to by the Chevy Chase Citizens Association and the ANC 3G does not relate to zoning. Nonetheless, the Office of Planning has the following comments in this matter.

ZONING COMMISSION

CASE No. 86-26

EXHIBIT No. 12

86 OCT 27 PM 2:24  
ZONING SECRETARIAT,  
DISTRICT OF COLUMBIA  
ZONING COMMISSION  
District of Columbia  
CASE NO. 86-26  
EXHIBIT NO. 12

- (1) The Land Use Map of the Land Use Element of the District of Columbia designates the subject strip of land on the west side of Connecticut Avenue for moderate density residential as characterized by rowhouses and garden type apartments, whereas the property is zoned R-5-C which would allow highrise apartments also. We think that this is a legitimate land use issue and requires further investigation and consideration by the Zoning Commission. We note that the Council of the District of Columbia specifically changed the classification of this segment of Connecticut Avenue from High Density Residential to Moderate Density Residential.

The Office of Planning is presently conducting a study of the Connecticut Avenue Corridor. This study will evaluate locations on Connecticut Avenue where development forces may be at variance from the policies and objectives of the city and where some zoning adjustments may be necessary. Without prejudicing the findings of this study, we note that this strip is now developed with low-rise buildings as reflected by the moderate density designation of the Land Use Map of the Comprehensive Plan, rather than highrise buildings as permitted by the existing R-5-C zoning.

- (2) Despite the existence of a private covenant which has recently prevented development of one property there with an R-5-C type apartment building, we think that the issue at least warrants a public hearing to consider the merits in detail, especially in regard to the Comprehensive Plan. The Office of Planning accordingly recommends that such a hearing be scheduled.

Report Prepared By:  
PS/ZS  
NA:mas

### Park and Shop

Also on the Connecticut Avenue Corridor is the Park and Shop, the first shopping center in the Washington area, located on the east side of Connecticut Avenue at Porter Street. This is also the location of the Cleveland Park Metrorail station, an entrance to which is located immediately in front of the property.

The Park and Shop is a low-scale cluster of stores (now vacant) oriented around a substantial parking area. It is located in a C-2-A District, which permits buildings of up to 50 feet, i.e., normally four or five stories. The permitted density is 1.5 FAR for office, retail and other commercial uses, and 2.5 FAR for residential or mixed use buildings.

In some locations in the city, especially on relatively large sites, new office buildings in C-2-A Districts have replaced the previously existing one to two story retail buildings which provided a wide range of neighborhood-serving establishments. Typically, the higher ground-floor rents required in a new office building allow only financial institutions and a more limited range of "upscale" retail and service establishments to come back to the site after redevelopment. Thus, the planning and neighborhood concerns are: a weakening of neighborhood shopping services, requiring residents of the neighborhood to travel some distance by automobile for more of their convenience shopping; the attraction of automobile commuter traffic to the office building; and, in some situations, the height of the office building if it is built to 50 feet within a neighborhood shopping cluster which is otherwise developed with one to two story neighborhood stores.

At the Park and Shop location competing policy interests are being expressed. Neighborhood activists and residents are expressing the concerns noted above. Development interests are arguing that the location at a Metrorail station means that an office building or a mixed use building at greater than C-2-A density would be desirable for economic development, and a multi-story building has been discussed by a potential developer. Historic preservationists are interested in securing preservation of the Park and Shop complex as a historic example of an early shopping center. A public hearing has been held by the State Historic Preservation Review Board, and a decision is pending. The Comprehensive Plan designates this shopping area as a Local

Neighborhood Center with a land use classification of Low Density Commercial. These designations would imply relatively low scale retail and service uses plus very limited office space or perhaps limited residential in a mixed use building as permitted under C-2-A zoning.

The land use and zoning study will accordingly analyze the foregoing issues and make zoning map, text or historic preservation proposals as appropriate.

Spring Valley Shopping Center -- 49th and Massachusetts Avenue, N.W.

Another uptown shopping cluster which is zoned C-2-A and which raises many of the issues present at the Park and Shop is the Spring Valley Shopping Center at 49th and Massachusetts Avenue, N.W. However, in this location, a substantial amount of office development has occurred, raising policy issues of whether further office development would unalterably change the character of what historically has been a neighborhood shopping area.

The heart of the commercial area is a small shopping center oriented around a relatively large parking area. Adjacent to the rear is a major supermarket. To the southeast and fronting on Massachusetts Avenue is a mid-rise office building on a large site which was constructed on the site of a movie theatre which was razed approximately 10 years ago. The office building was a matter-of-right C-2-A building, which was effectively enlarged in size by the closing of an alley which joined two smaller lots.

Across Massachusetts Avenue is another shopping center devoted primarily to specialty goods plus extensive parking. At the southwest corner of 49th and Massachusetts Avenue is an existing, older office building plus several new office buildings under construction as approved in Zoning Commission Case No. 83-1. The zoning changes involved were minor adjustments in the boundaries of the C-2-A District rather than an enlargement, but the total square footage of office space will be approximately 121,000 square feet of floor area, a substantial amount for a neighborhood shopping area, again designated Local Neighborhood Center and Low Density Commercial on the Generalized Land Use Map. These office buildings are restricted by covenants, however, which limit total new space to 121,671 square feet in addition to the existing 36,000 s.f. building. This compares with a potential matter-of-right under C-2-A of 235,581 square

feet. The covenant also restricts the design of the buildings, limits the maximum height to three stories and mandates the number of parking spaces provided.

The extent of parking areas which exist in conjunction with the smaller retail stores in the two shopping clusters raise the same planning issues as at Park and Shop but without the historic preservation issue. That is: potential office redevelopment with loss of a wide range of older retail services; scale and height of office construction; and, impact on neighborhood from office building height and increased automobile commuting. This location, of course, is not near a Metrorail station.

#### Wisconsin Avenue at Newark and Macomb Streets

On the west side of Wisconsin Avenue near Newark and Macomb is another neighborhood shopping cluster zoned C-2-A. It is anchored by a major supermarket with a large parking area, a drug store, variety store and various smaller establishments and limited office space. Again the designation in the Comprehensive Plan is Local Neighborhood Center and Low Density Commercial land use. Again, the planning issues are the suitability of the controls of the existing C-2-A zoning in relationship to development potential and the objectives of the Comprehensive Plan.