



**Chevy Chase  
Advisory Neighborhood Commission 3G**

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November 5, 2002

HAND DELIVERED

Ms. Carol J. Mitten  
Chair  
Zoning Commission  
Office of Zoning  
441 4th Street, NW - Suite 220  
Washington, DC 20001

RECEIVED  
D.C. OFFICE OF ZONING  
2002 NOV -5 PM 12: 26

RE: CASE NO. 02-17 - REQUEST FOR PARTY STATUS  
PUD and Map Amendment @ Square 1663, Lot 805  
and a Portion of Lot 7-5401 Western Avenue, NW

Dear Ms. Mitten:

PARTY STATUS REQUEST

The Chevy Chase Advisory Neighborhood Commission (ANC 3/4G) hereby requests **PARTY STATUS** in Case No. 02-17 in order to represent ANC 3/4G residents in close proximity to the subject site, as well as constituents who reside along the Military Road, Western Avenue and McKinley Street corridors leading to the subject site.

ANC 3E, an automatic party, has yet to take a position on the application. ANC 3/4G, therefore, voted in public session on November 4, 2002 to request party status in order to represent and/or support its constituents' views.

ANC 3/4G was considered a party in Case No. 85-9P, the Miller mixed-use proposal covering the middle parcel of Square 1661 on Wisconsin Avenue in Friendship Heights (January 1986).

For the past decade, ANC 3/4G has monitored and reported on the traffic and public safety impacts of Friendship Heights development. In addition, ANC 3/4G spearheaded the formation of the Ward 3 Traffic Policy Committee; actively serves on the Friendship Heights Task Force and its Transportation Committee; and chairs the Friendship Heights Task Force's Public Safety Committee. For the past seven years, ANC 3/4G has investigated, and testified before City Council, about fire and emergency medical coverage of the upper northwest including Friendship Heights. The ANC is well versed on traffic and public safety concerns attendant to Friendship Heights development.

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ZONING COMMISSION  
District of Columbia  
Case 02-17  
Exhibit 97

ZONING COMMISSION  
District of Columbia  
CASE NO.02-17  
EXHIBIT NO.97

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#### **ANC 3/4G'S POSITIONS**

At its November 4, 2002 public meeting, ANC 3/4G voted, a quorum being four, to 1) **oppose the PUD and Map Amendment @ Square 1663, Lot 805 and a Portion of Lot 7-5401 Western Avenue, NW**, Case No. 02-17 (October 25, 2002 version) (vote 5-1); 2) request party status (vote 6-0); and 3) endorse this letter clarifying the ANC's position (vote 5-1).

The Commission's opinion reflects the community's interest in preserving the current R-5-B zoning for Square 1663, Lot 805 in order to maintain the property as a "transitional" buffer between the Wisconsin Avenue commercial district and surrounding low-scale, predominantly single-family residential neighborhoods. Lot 7-5401 Western Avenue is slated to remain R-2; however the Commission will testify as to the inclusion of this property in the PUD application, relative to the future needs of the Lisner Home and the specific zoning requirements covering day care centers.

#### **ANC 3/4G SPOKESPERSONS**

Commissioners **Robert Gordon** and/or **Allen Beach** are authorized to represent the ANC before the Zoning Commission and participate as a party. (vote 6-0, a quorum being 4)

#### **LEGAL COUNSEL**

The ANC reserves the right to have legal counsel, although an attorney has not yet been retained.

#### **WITNESSES**

ANC 3/4G reserves the right to engage technical assistance, if warranted. There was no time to consider witnesses at the November 4 public meeting, only a portion of which could be devoted to the developer's presentation, community reaction and the commission's vote. The testimony of any witness will be forthcoming.

#### **REASONS TO GRANT PARTY STATUS**

1) **How will the ANC be affected by the action requested of the Zoning Commission?** Up-zoning is a threat to the stability of single-family residential neighborhoods. The loss of any land that, in the 1970's, was designated as a transitional buffer between the commercial and single-family residential areas is a worry to nearby homeowners, especially when 15,000 sq. ft. of the remaining Lisner Home buffer is part of the PUD. The foundation of the Mayor's "Neighborhood Action" is to strengthen, not weaken, single-family residential districts, such as nearby 41st Street within ANC 3/4G.

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Moreover, Military Road, Western Avenue and McKinley Street in ANC 3/4G carry the brunt of traffic, including construction and commercial vehicles, to and from Friendship Heights each day. 35,000 vehicles/day use Military Road, a large portion of which are headed towards Friendship Heights. Although not mentioned in D-DOT's report, the department is about to undertake a Military Road/Missouri Cross-town Transportation Study of east/west-bound traffic from Prince George's County to Montgomery County which will include Friendship Heights.

Residential streets in Chevy Chase bear the traffic burden connected with any development in Friendship Heights. Military, Western, and McKinley homeowners continue to complain to the ANC, MPD, D-DOT, the Mayor and City Council about traffic enforcement, traffic signalization, pedestrian safety, parking, vehicular pollution, and overweight trucks relating to cross-town traffic. ANC 3/4G must voice their traffic/pedestrian/environmental/public safety concerns to the Zoning Commission, as they relate to this application.

**2. What is ANC 3/4G's legal interest?** ANC 3/4G, as an elected body, has an obligation to represent, before the Zoning Commission, the constituents of Chevy Chase who reside in close proximity to the subject site, as well as those who own property along the Military Road, Western Avenue and McKinley Street corridors who are affected by the traffic, pedestrian and public safety concerns generated by Friendship Heights development.

**3. What is the distance from the ANC's area to the subject site?** ANC 3/4G's district begins at 41st Street and Western Avenue, two blocks from the subject site. The ANC's jurisdiction covers the single-family homes that border ANC 3E, the adjacent advisory neighborhood commission, as well as those residences along the Military Road, Western Avenue, McKinley Street corridors to Friendship Heights.

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4) **What are the environmental, economic or social impacts that are likely to affect the ANC if the action requested of the Zoning Commission is approved?** The public safety and environmental impacts on the Chevy Chase community from over-development at the tip of Military Road, coupled with mid-2003 construction on the Chevy Chase Land Company and Hecht Company sites across Western Avenue, will threaten the quality of life and stability of single-family residential neighborhoods in Chevy Chase given the City's inadequate safeguards to control vehicular and truck traffic and respond, in a timely manner, to public safety emergencies in the upper northwest.

5) **How would ANC 3/4G's interest be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons in the general public?**

a) ANC 3/4G's constituents would lose the "transitional buffer" R-5-B zoning that now protects the ANC's near-by, single-family residences from added height and bulk of R-5-C districts;

b) The ANC's constituents would suffer the hardship of additional Friendship Heights-bound traffic, including traffic generated by this development, that would traverse the Chevy Chase corridors of Military Road, Western Avenue and McKinley Street, affecting the quality of life, health and safety of even more constituents residing along those routes within ANC 3/4G's boundary.

c) The ANC's constituents' quality of life, health and safety would be compromised from over-building on the subject site resulting in additional pollution from increased Friendship Heights traffic, as well as increased demands on the city's inadequate fire companies, emergency medical units and police department.

**SUMMARY**

ANC 3/4G seeks the right to cross examine witnesses on a variety of pertinent subjects relating to this development about which the ANC has significant expertise so that it can exercise its responsibility to fully represent affected constituents.


(continued)

I hereby certify that, on November 5, 2002, a copy of the foregoing CASE NO. 02-17 - REQUEST FOR PARTY STATUS was served by first-class mail on:

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ANC 3/4G

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The effects of escalating development in Friendship Heights reverberate far beyond 200' of the subject site. ANC 3/4G requests party status in order to speak for hundreds of Chevy Chase constituents who will be directly impacted by the traffic, public health and safety issues surrounding this development just beyond the ANC's border.

And one final note ... a Construction Management Plan (Supplemental Prehearing Statement, p. 12) is a community requirement, not a "Community Amenity and Benefit."

ANC 3/4G thanks the Zoning Commission for weighing the merits of its presentation for party status.

Sincerely yours,



Frank D. Buchholz  
Vice Chair, ANC 3/4G

cc: Whayne Quin, Esq.  
Andrew Altman, Director, DC Office of Planning  
Jill Diskan, Chair, ANC 3E