



ANC 3/4G Zoning, Design and Development Standing Committee

TO: Commissioners, ANC 3/4G

FROM: Zoning, Design and Development Standing Committee

DATE: April 27, 2023

Re; Recommendation Regarding Deed Restriction on Civic Core Site

The Zoning, Design and Development (ZDD) Standing Committee recommends that ANC 3/4G declare that it is in the interest of the community and the city that a 1909, “no-apartment” deed covenant on a portion of the Chevy Chase Community-Library site be removed and ask the District government to take whatever steps would be most effective to challenge and eliminate the restriction.

Specifically, as outlined in a memorandum written by Jim Feldman, Greg Schmidt, and Eric Rome dated April 21, 2023, the ZDD recommends that the ANC ask the city to either (a) attempt to agree with the other party on the deed at issue, the Chevy Chase Land Company, on a release from any obligations under the no-apartment covenant, and appropriately file and defend that release; or (b) enact appropriate legislation that would, in light of the District’s current housing crisis, declare no-apartment covenants, either in specific areas or more widely, to be against public policy and therefore invalid. If there are other, equally, or more effective or efficient ways to challenge the no-apartment covenant, the city should take those actions.

APPROVED by the Commission at a regular public meeting, notice of which was properly given and at which a quorum of four (4) or seven (7) members was present on May 8, 2023 by a vote of **X** yes, **X** no, **X** abstentions.

Lisa R Gore, Chair

James L. Nash, Secretary