

Government of the District of Columbia

ZONING COMMISSION



STATEMENT OF REASONS

(ZONING COMMISSION ORDER NO 87)

FRIENDSHIP HEIGHTS

February 12, 1974

On October 4, 1973, the National Capital Planning Commission adopted and referred to the Zoning Commission a proposed sectional development plan for the Friendship Heights area of the District of Columbia. Included within the plan are recommendations for the rezoning of the area within the District defined as Friendship Heights. Acting under the authority of the District of Columbia Administrative Procedure Act, D C Code 1-1505 (c) (1973 Ed), the Commission, in Order No 75, dated October 18, 1973, put into effect the zoning recommendations of the sectional development plan for a period not to exceed 120 days. On November 8, 1973, the Commission published notice of a public hearing to be held on December 10 and 11, 1973. This notice proposed certain minor modifications in the zoning recommendations contained in the sectional development plan. These modifications were described in the notice of hearing. Public hearings on the proposed zoning were held on December 10, and 11, 1973.

As a result thereof the Zoning Commission today has issued Order No 87 effecting the rezoning of the Friendship Heights area.

The rezoning carries out the following objectives:

- (1) protection of stable residential areas adjacent to the plan boundaries by concentrating intensive commercial development at the intersection of Western and Wisconsin Avenues where there will be immediate access to the Friendship Heights Metro Station,
- (2) controlling commercial and residential development within the plan area at a level consistent with the traffic capacity of the main arterial and feeder streets within the plan area,

- (3) rezoning certain property south of the intersection of Wisconsin and Western Avenues to a mixture of commercial and residential to encourage the development of apartments as well as neighborhood commercial facilities,
- (4) rezoning certain areas on the periphery of the plan area to medium density residential in order to provide a buffer between the high density commercial and mixed use portions of the plan area and the surrounding low density residential community

Before Order No 75, the zoning of the Friendship Heights area within the District was largely commercial C-3-A (medium bulk-major business and employment center) and C-2-A (community business center-medium density) Such zoning was adopted in 1958 and in the early 1960's, in anticipation of major highway changes in the Northwest corridor of the District of Columbia and adjacent portions of Montgomery County, which were never constructed The basis for such zoning was the 1950 recommendation of the National Capital Planning Commission that a major employment center be located at Friendship Heights In 1968 NCPC designated the area as an "Uptown Center"

Although the Friendship Heights area of the District has for the past 16 years been zoned for a major employment center, development of this area has occurred at a slow pace and often far below the permitted zoning envelope In recent years, however, commercial property values have increased rapidly within the area based partially on expectations of further zoning density increases in view of the location of a planned subway station at the intersection of Wisconsin and Western Avenues

Since 1958, the Maryland portion of the Friendship Heights area was also designated as a major commercial center Considerable office, and retail and residential development occurred on the Maryland side due in part to the existence of both more intensive commercial zoning and larger property assemblies than on the District side

As testimony indicated at the public hearing, commercial development in Friendship Heights on both sides of the line has created considerable traffic congestion at peak hours and on Saturdays This traffic threatens the stability of the adjacent single family residential communities

According to the NCPC-D C Government interagency task force, which prepared the draft zoning plan, further development under existing zoning on both sides of the line would add even more traffic congestion, which would necessitate major modifications to existing roadways. The task force testified that these modifications would be necessary even after the subway system was operating through Friendship Heights starting in 1978. The subway is expected to carry only 30% of all peak hour commuter trips in and out of the area.

The task force recommended against major widening of existing roadways because such action would result in further damage to the neighborhood and would also result in high public costs. The task force did, however, recommend a "Ring Road" on both sides of the line to provide better traffic circulation in the area. Such a roadway, much of it over existing roadways, would, in the opinion of the task force, protect the neighborhood by redirecting traffic away from local streets.

At the public hearing, the interagency task force stated that, even with the "Ring Road", the traffic capacity of the main arterial and feeder streets can accommodate in addition to through traffic, only 10,000 vehicular trips at the 5 to 6 p m peak hour into and out of the Maryland and District portions of the Friendship Heights area, and that existing and new development in the District and Maryland should be related to this available traffic capacity. The development computations and zoning envelopes of the District draft plan are based on these traffic considerations, assuming both the construction of the "Ring Road" and the availability of access to the subway system at Friendship Heights.

The Zoning Commission notes that there is presently underway in Montgomery County, Maryland, a planning and zoning process affecting the Friendship Heights area that bears a close relationship to the processes within the District of Columbia with respect to Friendship Heights. Contemporaneously with the work undertaken by the Interagency task force, the Montgomery County Planning Board adopted a sector plan and rezoning proposal which was forwarded to the Montgomery County Council, that jurisdiction's zoning authority. That body has held public hearings on the sector plan and rezoning. The matter is now under consideration for decision. During the planning process there was a full exchange of all pertinent information between the planning officials of the two jurisdictions and the two zoning bodies have received for their records the proposals of the other jurisdiction. As in the District, the development computations and zoning envelopes of the proposed plan are based on the protection of stable residential areas, and the regulation of commercial development within traffic constraints, including the construction of the "Ring Road" and provision of subway access.

It is clear from the record of this case that the zoning in the District prior to Order No. 75 and the existing zoning in Maryland, within the Friendship Heights area, would result in development that would create traffic volumes far in excess of the capacities of the area's roads and streets. This traffic congestion would have a destructive effect on the adjacent residential communities and the development goals of the District of Columbia. Thus, the public interest requires that the existing zoning at this particular location be revised so as to reduce the potential for high-density traffic generating uses beyond the capacities of the street system

The rezoning would convert portions of the C-3-A and C-2-A areas of Friendship Heights to high density mixed use residential/commercial (C-2-B) and medium-density residential (R-5-B). These changes are intended to reduce the previous emphasis on high intensity predominantly commercial use, substituting a mixture of uses including multi-family residential development while maintaining the economic viability of properties in the area.

If development occurs as provided for by the rezoning, the mixture of residential and commercial uses provided for in the rezoning will

- (1) serve to stabilize land values in the area,
- (2) provide new and much-needed housing,
- (3) maintain and supplement commercial shopping facilities for this area of the city, and,
- (4) provide a level of employment opportunities consistent with the character of Friendship Heights

The rezoning can help to create a variety of appropriate commercial uses, without adverse impact on the surrounding neighborhood arising from traffic congestion at peak hours on the arterials and feeder streets.

In a minor modification of the plan the Commission directed that the Wisconsin Avenue frontage of Square 1669 be retained in C-2-A and that the remainder of the Square, the portion that was formerly zoned R-2 be zoned R-4 (townhouses). This change conforms to the recommendations of the Friendship Heights Neighborhood Coalition. The plan previously proposed to zone the entire Square R-5-B.

A number of property owners testified that the rezoning would cause them financial loss because of expected diminution of property values. Much of this testimony was addressed primarily to anticipated market value changes. The Commission considers this to be a matter of serious concern. The Commission is desirous of minimizing any adverse

effects that might occur in these zoning actions, and it especially concerned itself with trying to mitigate the burden that may possibly be imposed on a relative few in order to achieve the best result for all. In that regard, the Commission recognizes its responsibilities set forth in the Zoning Act at Section 5-414 of the D.C. Code as follows:

"Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein."

Meeting the requirements of the statute obliges the Commission to weigh carefully the sometimes competing statutory criteria and the sometimes conflicting interests of all diverse parties including the concerns of the City itself. It must be recognized that many complex factors including public action affect the appreciation and depreciation of land values.

Having considered all of the facts, interests and claims presented to it, and after carefully deliberating upon and balancing them, the Commission, to fulfill its statutory responsibilities, determines in accordance with the above stated reasons that the public interest requires that the Friendship Heights area of the District of Columbia be rezoned as set forth in Order No. 87, approved today by the Zoning Commission.

In connection with the Commission's consideration of possible adverse effects of the proposed rezoning, careful attention was paid to the problems cited by owners whose properties would become non-conforming. The Commission recognizes that in certain circumstances it is not possible to avoid the creation of non-conforming uses or structures, but it believes that such instances should, and can, be minimized. Accordingly, the Commission has directed the staff to prepare for public hearing a proposed amendment to the Zoning Regulations that would deal with this matter in cases where commercial districts are rezoned to other commercial districts.

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