



CLEVELAND PARK HISTORICAL SOCIETY 3101 HIGHLAND PLACE, N.W. CLEVELAND PARK, D.C. 20008 (202) 244-1276

ORIGINAL

July 6, 1987

Zoning Commission of the
District of Columbia
The District Building
1350 Pennsylvania Ave., N.W.
Washington, DC 20004

Re: Connecticut Avenue (Cleveland
Park) Rezoning

1987 JUL - 7 AM 9:50
ZONING COMMISSION
DISTRICT OF COLUMBIA

Dear Chairman Williams and Members of the Commission:

I. PURPOSE

The purpose of this letter is to formally petition the Zoning Commission to initiate a zoning case pursuant to Title 11 § 3010 of the D.C. Municipal Regulations.

This Petition summarizes ten years of unanimous recommendations from virtually every Ward 3 citizens' organization and ANC. It underscores the Advisory Neighborhood Commission 3-C's Resolution on the Draft Ward 3 Plan (October 27, 1986), the Cleveland Park Historical Society's public testimony of October 7, 1986, its letters to Mr. Greene, Director of Planning, of March 27, 1987 and April 1, 1987(attached); and the recommendations of both the Community Advisory Committee to the Draft Ward 3 Plan and the Connecticut Avenue Corridor Committee.

II. REQUESTED REZONING

Petitioners are requesting a rezoning on both the east and west sides of Connecticut Avenue between Macomb and Porter Streets (the subject area) from the current C-2-A zoning to one or more of the following: C-1; or a new zoning classification or overlay zone (district) which would more truly reflect, and be compatible with, the existing height, density, uses, and historic character of the subject area; or such other zoning classification (district) which the Zoning Commission deems appropriate.

ZONING COMMISSION

CASE No. 86-26
ZONING COMMISSION
District of Columbia
EXHIBIT No. 27
CASE NO. 86-26
EXHIBIT NO. 27

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III. PETITIONERS

Petitioner Cleveland Park Historical Society (CPHS) is a nonprofit, tax-exempt organization with 41 directors and an active membership of over 600 residents. It was a successful co-applicant (with ANC 3-C) before the Historic Preservation Review Board for the Cleveland Park Historic District, containing over 5,000 residents. This District, which includes the subject area in its entirety, was formally designated under D.C. Law 2-144 on November 19, 1986 and listed on the National Register of Historic Places on April 27, 1987. CPHS is greatly concerned about maintaining the character and integrity of the historic district and the qualities which led to its designation.

Petitioner Advisory Neighborhood Commission 3-C is a body established pursuant to §738 of the Home Rule Act and §1-261 of the D.C. Code, consisting of elected representatives of the Cleveland Park and nearby neighborhoods. It speaks for some 18,000 residents. ANC 3-C was a co-applicant with CPHS for the Cleveland Park Historic District. By law, the Commission must give "great weight" to advice it receives from the ANC. D.C. Code §1-261.

IV. SUMMARY OF REASONS

Cleveland Park is a fragile urban neighborhood (and new historic district) which faces imminent and serious threats to its continued livability and integrity from Connecticut Avenue's overdevelopment, traffic congestion, noise, pollution and lack of adequate parking facilities.

The reasons for our request are basically threefold. First, we fall squarely within D.C. Code §5-414 (Zoning Regulations) because our petition seeks an amendment to the zoning regulations, "...to lessen congestion in the streets...to promote such...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...." Second, the recent designation of the Cleveland Park Historic District under D.C. Law 2-144 and its concomitant listing on the National Register of Historic Places create a compelling new reason to seek additional zoning protection for the character and integrity of the subject area. Third, the requested rezoning will be much more consistent than current zoning with the Comprehensive Plan, the Draft Ward 3 Plan, and the recommendations of Ward 3 civic organizations.

V. BACKGROUND

A. History -- Connecticut Avenue is one of the great streets of Washington -- a distinctive, beautifully landscaped, richly ornamented, and handsome avenue. In the recent words of University of Maryland Professor, Roger Lewis:

"Perhaps Connecticut Avenue and its traditions -- of land use, site planning, and building design -- have something to teach us about making streets...." (Washington Post 4/16/86)

Moreover, Connecticut Avenue, itself, is an historic resource as one of the earliest (c.1920) examples in the nation of planned alternate residential and commercial development. The Cleveland Park commercial area has been hailed by the D.C. Historic Preservation Review Board staff, quoting George Washington University Professor, Richard Longstreth, as "the best remaining example in Washington of a linear neighborhood development." (Staff Report, Designation Case 85-10, p.5) The subject area is an integral part of the new Cleveland Park Historic District and one of the principal reasons the district was designated.

B. Present Description -- Today, the area is composed of roughly 60 commercial buildings. Approximately 70% of these are only one story high; 20% are two stories; and 10% are three stories. (There are also a few older 3-5 story apartment houses.) Each of the six blocks (Macomb to Newark, Newark to Ordway, Ordway to Porter) on both sides of Connecticut contains less than 100,000 square feet in total. The buildings are uniformly low density, small scale, remarkably well preserved, and house mainly neighborhood-oriented businesses. Longtime local merchants include restaurants, barber shops and beauty salons, a drug store, dry cleaners, florist, gas station, grocery store, library, liquor store, shoe repair, watch repair, and so forth. The stores and restaurants cater to, and, in turn are supported by, the nearby residential area and apartment houses.

Immediately behind the commercial area on the east side of Connecticut Avenue are distinctive, low-rise, garden apartment complexes such as Ordway Gardens and Cleveland Terrace. Immediately behind the commercial area on the west side of Connecticut lies a fine, well maintained single family residential area, wholly within the new Cleveland Park Historic District. Thus, the residential areas off both sides of Connecticut provide the City of Washington with quality housing, substantial tax revenues and important historic and cultural resources. In short, the whole area is a solid neighborhood, served well by a stable commercial sector which provides an excellent range of neighborhood-oriented retail shopping and services.

C. The Immediate Threat -- Current zoning for these blocks is C-2-A, allowing for a 50 foot height and a mixed-use FAR of 2.5. Already, one developer (Park and Shop site) has announced plans to request a PUD to construct a 65-foot, massive office building: a height, density and use which are clearly incompatible with the character of the existing historic district (to say nothing of the historic building which would be demolished in the process). Moreover, another party has assembled the properties across Connecticut from the Park and Shop site and indicated her intention to request a PUD for intensive development. In addi-

tion, other sites on the Avenue could be economically developed to and beyond C-2-A. These threats pose a serious and immediate problem for Cleveland Park.

VI. D.C. CODE §5-414

This section enumerates various reasons for making amendments to the zoning maps and regulations:

A. To Lessen Congestion In The Streets -- It is virtually certain that allowing development beyond the current buildout (i.e., to the full C-2-A envelope) and, by PUD, even beyond this envelope, will raise today's traffic congestion and lack of adequate parking to intolerable levels. The present crowd and traffic levels generated by the Uptown Theater, the nearby zoo, and the Cleveland Park commercial area now make congestion, pollution, and lack of adequate parking severe threats to the character and integrity of the neighborhood. Additional development can only make matters worse.

B. To Create Favorable Conditions -- Section 5-414 also contains language promoting health, civic activity, the general welfare, and educational and cultural opportunities. Rezoning, as requested herein, would greatly promote the general welfare of the neighborhood. Intense development along Connecticut Avenue adversely threatens the health, welfare, and property values of those citizens who live closest to this busy street. It is unsafe for children to play in any nearby areas; older citizens are overwhelmed by the increased traffic, pollution, and the mere effort to cross this busy thoroughfare; residents no longer can park in front of their own houses; their driveways are frequently blocked; and land values for residential purposes appreciably decline as one approaches the Avenue. Moreover, as development forces out neighborhood-oriented businesses and commercial office space replaces community services, a once vital, predominantly residential, quality neighborhood will begin to repeat the familiar pattern of urban deterioration; the community fabric will weaken; and the sense of neighborhood will be lost.

VII. THE NEW HISTORIC DISTRICT

A. Historical Resources -- The current zoning regulations (and districts) were put in place around 1958 in response to conditions no longer applicable today. One of the most significant of the changed conditions in the last thirty years is that in 1986 the entire subject area was included within the newly designated Cleveland Park Historic District under D.C. Law 2-144 (effective April 27, 1987). The subject area is historically, educationally, and culturally important to the City of Washington for three major reasons. First, Connecticut Avenue, itself, is an important example of planned residential and commercial development -- aimed at serving its adjacent local neighborhood.

This innovative zoning for alternate residential and commercial uses was striking for the time (c.1920).

Second, the subject area is a valuable architectural, cultural, educational, and historic resource in its own right. As the D.C. Historic Preservation staff report noted:

"The Colonial Revival firehouse which opened in 1916, is the oldest and [one] of the most significant building in the Cleveland Park commercial strip along Connecticut Avenue. Arthur B. Heaton's design for the Park and Shop picked up the Colonial Revival style of the Fire Station and Wardman rowhouses across the street. The Uptown Theater is a significant commercial Art Deco building. The 3400 block of Connecticut on the west side is remarkably unified in appearance.... The commercial strip from the Klinge Bridge to Porter Street has been called by Longstreth the best remaining example in Washington of a linear neighborhood development." (p.5)

Third, the subject area is thematically, architecturally, and by use bound together with the adjacent historic residences and apartment houses in a cohesive district. Again, quoting from the D.C. Historic Preservation staff report:

"The proposed Cleveland Park Historic District is a major cohesive urban neighborhood which includes 18th and 19th century estates coexisting with late 19th century Victorian houses, 20th century Art Deco apartment houses and shops, and Art Deco style and other contemporary residences. The development of Cleveland Park parallels the growth and development of Washington from land grant to metropolitan area." (p.6)

B. Coordination with Historic Preservation Concerns --

Under current zoning and PUD regulations, developers literally have an incentive to tear down these one and two story historic commercial buildings in order to build out to (and in the case of PUDs, beyond) the zoning envelope. Thus, current zoning regulations actually work to undermine the purposes of D.C.'s model historic preservation law (2-144), the Historic Preservation Element of the Comprehensive Plan, and the very qualities of commercial design and innovation which led to the Cleveland Park Historic District designation in the first place.

As CPHS's attached letter to Mr. Greene of March 27, 1987 points out, other cities when faced with this apparent conflict between their zoning regulations and historic preservation ordinances have coordinated the two by designing special zones, and overlays. These new districts address the problems both of zoning (height, density, and use) and of preservation (design, scale, compatibility). This is exactly what we ask the Commission to consider.

VIII. THE COMPREHENSIVE PLAN

While we submit that current C-2-A zoning is "inconsistent" with the Comprehensive Plan (CP) for this particular subject area, our major point is that C-1 zoning or a new preservation/overlay zone would be more consistent with the CP and highly desirable for the City.

A. Strong Neighborhoods -- Central to the Comprehensive Plan is the repeated theme of retaining good neighborhoods. "Ensuring good quality neighborhoods is of utmost importance to the District (p.11)." Cleveland Park's special village-like atmosphere will be shattered by the developments now proposed under current zoning and PUD regulations.

B. Land Use Element -- The Land Use Element of the Comprehensive Plan and its accompanying Map identify the Connecticut commercial area as a "low density" (1107(a)(1)), "local neighborhood center" (1108(b)(1)). The zoning category most suitable to our "low density, local neighborhood center" is C-1 not C-2-A because of its current low rise, small scale nature and because of its historic designation as a particular example of an early, low rise, small scale center. It should be remembered, that in a specific Map Amendment, the Connecticut Avenue area was pointedly changed from its prior designation as a "multi-neighborhood" center to a "local neighborhood" center -- the lowest commercial density/use category possible.^{1/}

C. Historic Preservation Element -- The Historic Preservation Element of the Comprehensive Plan obviously supports our claim for rezoning. The goal of preserving a neighborhood's historic character is repeatedly emphasized by such specific Plan policies as:

Sec. 806(12) "Adopt development controls ... that ... reflect the existing, valuable characteristics of the particular historic district...."

Sec. 806(13) "Encourage ... historic preservation by ... eliminating existing incentives to replace historic resources...."

Sec. 807 (p) "New construction ... in historic districts should be compatible with the historical architectural character and cultural heritage of the ... district. In design, height, proportion, mass, configuration, building materials, texture, color and location, new construction should complement these valuable features of the ... district, particularly features in the immediate vicinity to which the new construction will be visually related."

^{1/} Section 1136(f)(11), Comprehensive Plan, Land Use Element, at p. 41 (1985).

Zoning, such as C-2-A in historic districts, which encourages demolition of historic structures, we submit, is incompatible with the Historic Preservation Element of the Comprehensive Plan.

D. Draft Ward 3 Plan -- Further, the Draft Ward 3 Plan, as prepared under the Comprehensive Plan, specifically calls for rezoning on Connecticut (pp. III-51-2, IV-8-20).

IX. CITY'S SUPPORT FOR REZONING (Case No. 86-26)

In the Draft Ward 3 Plan (June 16, 1986), the City recommends adoption of new development controls and design review criteria for particular historic districts that "reflect the existing valuable characteristics of...the district." (IV-14-1) It goes on to suggest that the zoning regulations be amended accordingly (id.).

On October 31, 1986, Mayor Marion Barry, Jr. publicly announced that he had instructed the Office of Planning (OP) to submit a report within 30 days to the Zoning Commission "...in support of new zoning changes in four areas of small-scale development in Ward 3...." One of these areas was Connecticut and Porter. A few days previously, on October 28, 1986, Mr. Greene, Director of OP, had written the Commission with regard to the subject area:

"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."

The Commission has given proceedings on Connecticut Avenue the Case No. 86-26, and we wish this petition to be considered either as a part of that case, if procedurally correct, or anew, as the Commission might determine.

Further, the Commission has received a recent update from OP on Case No. 86-26 (May 27, 1987) which indicated that the citizens have made out a strong case for a hearing. We agree.

CLEVELAND PARK HISTORICAL SOCIETY


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X. CONCLUSION

For the reasons stated above -- because of the immediate threats to the particular character, integrity, and historicity of the subject area and the surrounding neighborhood -- we respectfully request a rezoning along the lines indicated. We also ask the Commission to consider our petition for rezoning along Wisconsin Avenue (filed also today) jointly or severally herewith, as the Commission should determine. Thank you.

Respectfully submitted,

Cleveland Park Historical Society ANC 3-C

By: 
Tersh Boasberg, President

By: _____
Peggy Robin, Chairperson

Attachments

March 27, 1987 letter from CPHS to Mr. Greene, Director of Planning
April 1, 1987 letter from CPHS to Mr. Greene, Director of Planning

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EDWARD W. NORTON

March 27, 1987

Mr. Fred L. Greene, Director
Office of Planning
415 12th Street, N.W.
Washington, DC 20004

**Re: Cleveland Park: Coordination of Zoning and
Historic Preservation**

Dear Fred:

I am glad that you would like to study in more detail the desirable zoning approach to urban low density, local commercial centers such as those on Connecticut and Wisconsin Avenues in Cleveland Park. Central to this study should be the coordination of zoning and historic preservation concerns under the City's Comprehensive Plan, since the Connecticut strip lies wholly within the new Cleveland Park Historic District and the east side of Wisconsin Avenue (zoned for high rise apartments) also is within the District.

I am greatly concerned that unless O.P.'s recommended zoning classifications respect historic preservation essentials (compatible height, scale and appearance), our historic preservation law will be eviscerated, much to the detriment of our neighborhoods and our City. There is potential here for a head-on collision between zoning and historic preservation: politically, philosophically and legally. Nowhere is this better illustrated than in Cleveland Park.

1. Cleveland Park Particulars

A. Connecticut Avenue

The commercial strip between Macomb and Porter Streets contains 57 small, older commercial buildings. Forty of the buildings are only one-story high; 5 have 3 stories; and 11 have

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two.^{1/} The street is not only low in height, but it is quite small in scale and size as well. For example, the entire retail and apartment square footage of the two blocks on the east side of Connecticut between Macomb and Porter is only 175,000. These small scale, neighborhood oriented shops and buildings, in the words of the D. C. Historic Preservation Review Board's (HPRB) Staff Report, greatly contribute to Cleveland Park's "...unique character as a livable in-town suburban community of single houses, apartment houses and small businesses."^{2/} In other words, the size, scale, and historic nature of the Connecticut buildings were essential reasons why Cleveland Park was designated by the HPRB as an Historic District under Law 2-144 and nominated to the National Register of Historic Places.^{3/}

Current zoning for these blocks is C-2-A, allowing for 50 feet and a 2.5 FAR. Already one developer (Park and Shop site) has announced plans to request a PUD (beyond even current zoning) to construct a 65-foot, 178,000 sq. ft. office building: a height, density and use which are clearly incompatible with the character of the existing historic district (to say nothing of the historic building which would be demolished in the process). Moreover, another party has assembled approximately 50,000 square feet across Connecticut from the Park and Shop site and has announced (at the first meeting of the Connecticut Avenue Corridor Committee) that she intends to request a PUD for development to its full potential. In addition, the Uptown Theatre and the Macklin-Four Provinces sites could be economically developed to and beyond C-2-A.

B. Wisconsin Avenue

The one-story commercial strip on the west side of Wisconsin from Lowell to Idaho (Giant, Murphy's) has very deep lots, is currently zoned C-2-A, and is in immediate danger of

^{1/} The Uptown Theatre is the 57th. There are also 8 older apartment houses ranging from 3 to 5 stories.

^{2/} HPRB Staff Report, Designation Case No. 85-10 at p. 4 (1986). Report enclosed.

^{3/} A 111-page detailed historical and architectural examination of the commercial properties on Connecticut Avenue is enclosed, The Development of Connecticut Avenue in Cleveland Park by Cherrie Anderson and Ned W. Dearborn (1986).

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rapid assembly and development. It is directly opposite the residential Wisconsin boundary of our Historic District.

The east side of Wisconsin is within the District and contains portions zoned for R-5-B and R-5-C (60 and 90 foot apartments) -- a terrific incentive to demolish the few historic houses left. Witness the demolition of the residence at 3217 Wisconsin on March 14, 1986 (two days after our historic district hearing), the building permit for which calls for a 7 story, 25 unit apartment house. A demolition permit also has been requested for the corner house on Wisconsin and Macomb (3620 Macomb) but, fortunately, a landmark application will delay demolition until HPRB hearing.

Thus, it is amply clear that both on Connecticut and Wisconsin current zoning classifications create powerful economic incentives to demolish historic structures, encourage new construction and, consequently, greatly undermine the efficacy of the District's important and much copied Law 2-144.

2. Historic Preservation and Zoning: The Policy Challenge

The expansion of the historic preservation movement in the last ten years has been truly spectacular as cities and citizens revitalize their communities and come to respect the history, diversity and human scale of their built environment. Since 1976, the National Park Service reports that 16,000 projects totalling over \$11 billion have qualified for federal rehabilitation tax incentives.^{4/} In this same period, listings on the National Register have grown from 13,492 to 46,967, including 5,800 historic districts (like Cleveland Park) containing over 500,000 contributing structures.^{5/} There are now over 1,200 local historic preservation commissions around the country and every state and virtually every large and medium sized city has enacted laws like 2-144 encouraging historic preservation.

Often the relatively recent historic preservation laws (ours was 1978) have not been fully coordinated with earlier enacted

^{4/} Telephone conversation with H. Ward Jandl, Chief, Technical Preservation Services, National Park Service, Department of Interior, Washington, D.C.

^{5/} Telephone conversation with John Burns, statistician, National Register of Historic Places, Department of Interior, Washington, DC.

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municipal zoning laws. As a consequence, D.C.'s zoning, like that of other cities, does not take historic preservation into serious account.

On the other hand, cities that have recently reexamined the interplay between their zoning and historic preservation laws have integrated the two in a mutually supportive manner. For example, the City of Roanoke, Virginia aided by a grant from the National Trust, recently enacted a comprehensive development plan that created two new historic preservation zoning categories. As the Roanoke report noted:

"While some of elements of the new plan and ordinance are innovative, the purpose was not merely to devise new techniques, but rather to revise and coordinate all aspects of the city's official land development policies and regulations to promote preservation, design quality and neighborhood conservation. . . . The success of this approach in Roanoke shows that other cities can also take the lead in developing a cooperative approach that makes preservation and neighborhood concerns important elements of the land use decision-making process."^{6/}

Similarly in San Francisco, Denver, Seattle, and Dallas, zoning laws are being revised to enhance the gains made by recent historic preservation designations in both residential and commercial neighborhoods and in downtown areas as well. I am enclosing two short articles illustrating the advantages of coordinating zoning and historic preservation. The first is an excerpt from (Washingtonian) Chris Duerksen's note on historic preservation in 1984 Zoning and Planning Law Handbook (Clark Boardman Co., Ltd.), and the second is from my own chapter on local ordinances in Boasberg, Coughlin and Miller's Historic Preservation Law and Taxation (Matthew Bender and Co.). I hope you will find these helpful.

3. Historic Preservation and Zoning: The Legal Challenge

Not only do we have a real political and philosophical problem with zoning laws which encourage demolition of historic structures, but under D.C. law we have a potentially irreconcilable legal conflict as well. For example, in Cleveland Park, the

^{6/} Roanoke Vision, Zoning: A Process for Balancing Preservation and Change, 1986, at p. 6. Copy enclosed.

Mr. Fred L. Greene
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Park and Shop developer would have to first go to the Zoning Commission for a PUD (or if he wanted to stay within C-2-A limits, he could do so as a "matter of right"). However, the developer would then have to go through an entirely separate historic preservation review process under 2-144.

Even though the developer may have Zoning Commission approval for a PUD (or have "matter of right" zoning), still he would have to prove, under 2-144, that the proposed new construction was both (1) a project of "special merit" in order to demolish the old Park and Shop (D.C. Code § 5-1003, 1004), and (2) compatible in "design" with the "character of the historic district" (§ 5-1007). Since the term "design" includes "height" and "appearance" (i.e., bulk, scale) under § 5-1002(4), it is quite possible that the HPRB (or the Mayor's agent) would hold that the height and bulk allowed by the Zoning Commission (or by "matter of right") were not proper under 2-144. This potential conflict between the two commissions could not be resolved under current law.

4. The Solution

We hope your study will recommend one of three possible solutions to the dilemma in D.C.

A. A new "historic preservation zoning" classification for low density, historic, commercial areas like those on Connecticut and Wisconsin which could be tailored in height, FAR and use to their surroundings;

B. An historic district "overlay" zone on Connecticut and Wisconsin which would impose the same constraints on compatibility of new construction as does D.C. Law 2-144; but would be administered in a joint fashion by the Zoning Commission and the HCRB; or

C. A rezoning to C-1 on Connecticut and the west side of Wisconsin, with R-5-A on Wisconsin's east side.

All these suggestions would fully accommodate existing businesses. The new zoning categories would serve to discourage demolition and non-adaptive reuse by reducing the economic incentives for inappropriate, large-scale development. At the same time, by furthering historic preservation, the City would greatly encourage rehabilitation and adaptive use (helped by Federal tax incentives) of existing commercial structures -- thereby increasing the City's tax revenues. It would also stop the

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deterioration in property values of nearby residential parcels on the side streets; further enhance the livability of our older urban neighborhoods; significantly lessen traffic congestion, noise and pollution; and direct new office construction to other parts of the City where it is desired and appropriate.

I have stated only the historic preservation concerns for rezoning in Cleveland Park. My next letter will direct itself to the other reasons for rezoning as expressed in the Comprehensive Plan, and by the ANCs and citizens' organizations.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Teresh' followed by a stylized flourish.

Teresh Boasberg, President
Cleveland Park Historical Society

TB/ach
Enclosures

cc: Councilman James Nathanson
James T. Speight, Jr.
Lindsley Williams
Carol Thompson
Nate Gross
Ken Karkeet

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April 1, 1987

Mr. Fred L. Greene, Director
Office of Planning
415 12th Street, N.W.
Room 300
Washington, DC 20004

re: **Cleveland Park: The Need for Rezoning
on Connecticut and Wisconsin Avenues**

Dear Fred:

I write you on behalf of the 41 Directors of the Cleveland Park Historical Society (CPHS) and the 5,000 residents of the new Cleveland Park Historic District. We urge that in your forthcoming report to the Zoning Commission you recommend rezoning within Cleveland Park for: (a) the commercial areas on Connecticut and Wisconsin from **C-2-A** (50 ft. height, FAR of 2.5) to **C-1** (40 ft., FAR of 1); and (b) the residential (east) side of Wisconsin from **R-5-B** and **R-5-C** (60, 90 ft.) to **R-5-A** (40 ft.).

This letter builds on ten years of unanimous recommendations from virtually every Ward 3 citizens' organization and ANC. It underscores WACC's letter to you of February 18, 1987, ANC-3C's Resolution on the Draft Ward 3 Plan (October 27, 1986), CPHS's public testimony of October 7, 1986, and the recommendations of both the Community Advisory Committee to the Draft Ward 3 Plan and the Connecticut Avenue Corridor Committee. **In other words, you know our concerns well.**

THE PROBLEM

I need not reiterate in detail the problems Cleveland Park residents face from proposed overdevelopment, traffic congestion, lack of adequate parking, noise and pollution. The Park and Shop developer plans a massive, downtown-style, 65 ft. high, 178,000 sq. ft. office building (that's more square feet than in all the apartments and stores on the eastern **two blocks** of Connecticut

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between Macomb and Ordway). The site opposite Park and Shop has been assembled and the owner has publicly announced her plans to develop it fully.

On Wisconsin, the historic house at 3217 was demolished (two days after our historic district hearing) for a planned 7-story apartment; and a demolition permit for the house built in 1901 at Wisconsin and Macomb was requested March 5, 1987. Moreover, on the west side of Wisconsin, neighborhood stores have lost their leases, and the large, deep parcels are ripe for the kind of development taking place a few blocks to the north. **In short, the danger to our neighborhood is immediate and compelling.**

WHY WE FAVOR REZONING

First: Our New Historic District

As I wrote you on March 22, 1987, our Cleveland Park Historic District, designated under D.C. Law 2-144 on November 19, 1986 and nominated to the National Register of Historic Places on March 19, 1987, gives us a **new and persuasive legal reason** why this neighborhood should be protected by the requested rezoning. The current zoning (enacted in 1958 for entirely inapposite reasons) provides powerful economic incentives for developers to tear down smaller, historic structures and build new high-rise office buildings to the maximum zoning envelope. This destroys the community fabric of our historic neighborhood and undercuts the very reason we were designated: "The particular qualities that make Cleveland Park significant arise from its unique character as a livable in-town suburban community of single houses, apartment houses and small businesses."^{1/}

Second: The Comprehensive Plan (D.C. Laws 5-76, 5-187)

D.C. law requires that zoning maps and regulations not be inconsistent with the Comprehensive Plan.^{2/} Current zoning on Connecticut and Wisconsin in Cleveland Park clearly is inconsistent with the Plan.

A. Strong Neighborhoods -- Central to the Comprehensive Plan is the repeated theme of retaining good neighborhoods. "Ensuring good quality neighborhoods is of utmost importance to

^{1/} Historic Preservation Staff Report, Designation Case No. 85-10, at p. 4 (1986).

^{2/} D.C. Code § 5-414 (1973).

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the District."^{3/} "District neighborhoods are the cornerstone of the District's social and physical environments."^{4/} Cleveland Park's special village-like atmosphere will be shattered by the developments proposed under current zoning. This violates the Plan's central theme of enforcing neighborhood stability.

B. Land Use Element -- The Land Use Element of the Comprehensive Plan (effective March 16, 1985) and its accompanying Map identify **both** the Connecticut and Wisconsin commercial areas as "low density" (1107(a)(1)), "local neighborhood centers" (1108(b)(1)). These commercial areas fully meet the Plan's definitions of "low density" (as distinguished from moderate, medium and high density) and "local neighborhood" (as distinguished from multi-neighborhood and regional) centers. The zoning category most suitable to such "low density, local neighborhood centers" is **C-1 not C-2-A**. It should be remembered, that in a specific Map Amendment, the Connecticut Avenue area was pointedly changed from its prior designation as a "multi-neighborhood" center to a "local neighborhood" center -- the lowest commercial density/use category possible.^{5/}

We want to **keep** our local neighborhood-oriented stores and encourage similar retail services. The large new developments fostered by current C-2-A zoning can serve only to drive up ground floor rents, thus attracting commercial uses like national and regional chain stores, banks and S&Ls, auto-truck showrooms, fast-food parlors and new movie theaters. These we don't need and don't want.

C. Historic Preservation Element -- The Historic Preservation Element of the Comprehensive Plan obviously supports our claim for rezoning. The goal of preserving a neighborhood's historic character is repeatedly emphasized by such specific Plan policies as:

Sec. 806(12) "Adopt development controls ... that ... reflect the existing, valuable characteristics of the particular historic district...."

^{3/} Comprehensive Plan at p. 11 (1984).

^{4/} Comprehensive Plan, Land Use Element, at p. 4 (1985).

^{5/} Section 1136(f)(11), Comprehensive Plan, Land Use Element, at p. 41 (1985).

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Mr. Fred L. Greene
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Sec. 806(13) "Encourage ... historic preservation by ... eliminating existing incentives to replace historic resources...."

Sec. 807 (p) "New construction ... in historic districts should be compatible with the historical architectural character and cultural heritage of the ... district. In design, height, proportion, mass, configuration, building materials, texture, color and location, new construction should complement these valuable features of the ... district, particularly features in the immediate vicinity to which the new construction will be visually related."

Zoning such as C-2-A, which encourages demolition of historic structures, clearly is incompatible with the Historic Preservation Element of the Comprehensive Plan.

D. Transportation Element -- It is true that the Transportation Element of the Comprehensive Plan supports increased METRO ridership; but as the Draft Ward 3 Plan notes, there should be METRO-related development only at "appropriate" stations.^{6/} Not every METRO station is "appropriate" for development. We submit that the proposed Park and Shop-type of massive development (in excess of even C-2-A) definitely is not appropriate in National Register and D.C. Historic Districts such as Cleveland Park or Capitol Hill. At the same time, we are not opposed to development under C-1 zoning at the Cleveland Park METRO or other appropriate sites, especially those which adaptively use historic structures.

E. Draft Ward 3 Plan -- Further, the Draft Ward 3 Plan, as prepared under the Comprehensive Plan, specifically calls for rezoning on Connecticut (pp. III-51-2, IV-8-20), and we asked for the same treatment on Wisconsin in our October 7, 1986 public testimony on the Plan. Indeed, the 1984 Comprehensive Plan, the 1985 Land Use Element and Map, and the 1986 Draft Ward 3 Plan all strongly plead our case for this modest rezoning.

Third: Traffic, Parking and Pollution

If you came to either Wisconsin or Connecticut Avenues in Cleveland Park any day of the week, including Saturdays and zoo-filled Sundays (and every night the Uptown has a good movie), you would see why the threat of expanding from today's one-story shops to tomorrow's five-story office buildings and multiplying

^{6/} See p. IV-14-3 (306(4), 308(3)).

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the allowable density by two and one-half times under C-2-A fills us with unprintable thoughts.

Fourth: The Mayor's Pledge

On the evening of October 21, 1986, the Mayor (and you) met with the Directors of the Cleveland Park Historical Society and other interested neighbors. He said quite specifically that he "favored adjusting the zoning on both Connecticut and Wisconsin to conform with their designations as low density, local neighborhood centers under the Comprehensive Plan." And this statement was made before our historic district designation. Moreover, the press release from the Mayor's Office of October 31, 1986 announced that he instructed your Office of Planning to report to the Zoning Commission within 30 days "... in support of zoning changes..." on Connecticut and Wisconsin. The residents of Cleveland Park know that the Mayor (and your office) intend to honor this pledge.

THE SOLUTION

As I have written and discussed with you, we favor a new historic preservation zone for Cleveland Park (and other historic neighborhoods) which would encourage retention and adaptive use of older structures and provide for compatible new construction, i.e., three to four stories, FAR of 1 to 1.5, neighborhood uses (not office space, fast-food parlors or entertainment facilities), and ample parking requirements. Failing such a new zone, we believe that only C-1 (and R-5-A on Wisconsin) can adequately protect us from the kind of massive development and traffic congestion which will destroy our historic, stable, and beautiful neighborhood.

We are prepared to ask the Zoning Commission for these changes. We hope the City will support us.

Sincerely,



Tersh Boasberg, President
Cleveland Park Historical Society

TB/ach

cc: Mayor Marion Barry, Jr.