

July 5, 2022

Mr. Anthony J. Hood, Chairman
D.C. Zoning Commission
441 4th Street NW, 2nd Floor
Washington, D.C. 20001

RE: Zoning Commission Case No. 22-13 – Application of the Wesley Theological Seminary for Approval for a Campus Plan – NLC-SVWHCA Reply To June 27 Post-Hearing Filing By Wesley Theological Seminary

Dear Chairman Hood and Members of the Commission:

At the June 13, 2022 hearing in the above referenced case, the Zoning Commission requested that Wesley Theological Seminary (WTS) provide additional information on design issues, including the relationship between the new 659-bed commercial student apartment building and the iconic Chapel adorned with an image of Jesus Christ overlooking Massachusetts Avenue NW. (See Photo Below) **WTS's June 27 filing was not responsive to this request.**



(View of Wesley Seminary from Massachusetts Avenue NW. Iconic Chapel view with image of Jesus Christ with the Bell Tower further up the sloping hillside to the right.)

Our major design concern with the new building has always focused on its height and mass primarily because of the topography of the site and that the building will dominate the campus atop a hill overlooking Massachusetts Avenue NW and the Spring Valley neighborhood. **The building height has particularly fueled concerns about the design relationship between the existing Chapel along Massachusetts Avenue and the new building because of the iconic view presented by the Chapel with the image of Jesus Christ. Although the Seminary has included many images of the design of the building in its application, it has consistently failed to provide any design images that show the relationship between the new building and the Chapel despite numerous requests at community meetings.** The record in the case demonstrates that any design image shown from Massachusetts Avenue focuses on the driveway entrance and does not include views that highlight the design relationship between the new building and the iconic Chapel. And regrettably, the Seminary still has not provided this view in its response to the Zoning Commission.

The Commission specifically asked the Seminary to address the height of the Chapel in relation to the new building. Instead, the Seminary's post-hearing filing focuses on the height of the Bell Tower at the exclusion of the Chapel. The Bell Tower is also an iconic image of the Seminary that serves as a complement to the Chapel. The Seminary reports in its post-hearing filing that the Bell Tower will be taller than the new building. The question is not the height of the Bell Tower; the issue is the relationship between the new building and the Chapel with the iconic Jesus Christ statue embedded on the outside wall overlooking Massachusetts Avenue NW.

The Chapel and the image of Jesus Christ is a defining image of the Seminary that also creates a lasting impression on drivers and pedestrians entering and leaving the District – the border of which is just a few blocks away at Westmoreland Circle.

To fully assess whether the proposed new building height is objectionable under *Subtitle X, Section 101.2* of the Zoning Regulations, we believe it is important to be able to understand and appreciate the design relationship between the new building and the iconic Chapel. As pictured on Page 1 of this filing, the view from Massachusetts Avenue is of a Chapel adorned with an image of Jesus Christ built into a beautiful sloping hillside complemented in the background by a Bell Tower. The new building will comprise approximately 73 percent of the campus build-out, so no matter all the other design issues raised by the Commission about windows and material color changes, this building will dominate the campus from all angles. Moreover, how far the building is set back from the Chapel is less relevant to the height relationship between the two buildings given the sloping topography of the site.

The fact that Wesley has consistently refused to show these images sends a warning and fuels even more concerns that the views along Massachusetts Avenue NW will be permanently altered, the architectural integrity of the Chapel will be compromised, and the very unique impact made by the Chapel with the image of Jesus Christ will be lost. We can only conclude that Wesley’s reluctance to share some images – when they appear to be more than willing to show other more favorable images – is simply because the Seminary’s legal team does not want any of us to see the changes that it will create.

We ask the Commission to require the Seminary to provide images showing the views from Massachusetts Avenue NW of the relationship between the Chapel and the new building, as it requested at the June 13 hearing.

Issues Requiring “Mutual Cooperation” Between Wesley And American University

In its June 27 post-hearing filing, Wesley was also asked by the Commission to address access from the Wesley Campus to the Metro via AU’s shuttle. Wesley commented that its students and staff have utilized the shuttle for many years. Wesley would have you believe that this is a special arrangement between AU and Wesley Seminary when, in fact, AU has generously offered this access to everyone in the neighborhood for many years. However, it is our understanding that AU now plans to limit this service to all but AU students, AU faculty, and AU staff. Wesley’s June 27 filing does not indicate it is aware of this change that was announced publicly in recent weeks by AU at a neighborhood town hall with AU President Sylvia Burwell.

If there are any issues requiring “mutual cooperation” that need to be addressed, as Wesley seems to suggest in its post-hearing filing, the Zoning Commission should require Wesley to identify those issues and determine if those issues warrant resolution now as part of the Commission’s review of Wesley’s proposed 2022 Campus Plan instead of during a Further Processing.

It is significant to note that Wesley has acknowledged beginning work as far back as 2017 to recruit a commercial partner, like Landmark Properties, as part of this Campus Plan project to house AU students on the Wesley campus; and yet, AU and Wesley still have yet to address any issues that may require “mutual cooperation” associated with the Landmark-Wesley student apartment building. AU has made it clear during its own Campus Planning process that it has nothing to discuss with Wesley. And Wesley has made it clear that AU has been unwilling to talk with the Seminary about any issues that may require “mutual cooperation.”

In the recent neighborhood town hall, AU President Sylvia Burwell reiterated that AU has no interest in working with Wesley on the Landmark-Wesley proposal for a student apartment building housing primarily AU students – and that AU had no plan to work with Wesley in the future on the project.

Tax-Related Issues

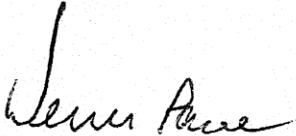
Finally, we note that the Seminary's June 27 post-hearing filing contains the applicant's opinion that the proposed Landmark commercial student apartment building on the Wesley campus will result in increased tax revenue for the District of Columbia. Wesley's filing did not offer any expert source or authority for this opinion or a detailed tax analysis. The Zoning Commission did not ask the Seminary to address the tax-related issue in its June 27 post-hearing filing. Instead, that request was directed by the Zoning Commission to the Office of Planning (OP). Wesley's opinion in the June 27 post-hearing filing also references similar comments included in Wesley's submitted-written Closing Arguments.

We have noted in a separate filing replying to OP's June 28 filing and want to reiterate those comments in this filing: Wesley violated the Zoning Commission's procedural rules by entering new tax-related "evidence" as part of its submitted-written Closing Argument without the possibility of subjecting this tax-related opinion to cross examination. In fact, Zoning Commission Chairman Anthony Hood warned the applicant about not including new evidence in its submitted-written Closing Argument. Wesley now doubles down on that error with an opinion in its June 27 post-hearing filing about the tax-related consequences of its proposed ground lease with Landmark, a national commercial developer of student apartment buildings.

Wesley's strategy appears to be intended to avoid a fully-informed assessment (and cross examination) of the finances of its deal with Landmark for a proposed new commercial student apartment building that Wesley says is the heartbeat of its proposed 2022 Campus Plan.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Paul".

Dennis Paul, President
Neighbors for a Livable Community

S/William F. Krebs
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Interim President and Counsel
Spring Valley-Wesley Heights Citizens Association
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Certificate Of Service

We hereby certify that on July 5, 2022, this was delivered via electronic mail to the following:

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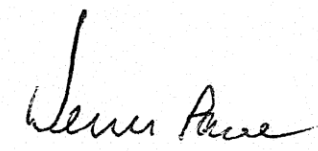
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