

# **SPRING VALLEY – WESLEY HEIGHTS CITIZENS ASSOCIATION WASHINGTON, D.C.**

## **Oral Testimony Of Mary Buckles Member, Board of Directors Zoning Commission Case No. 24-09: Wesley Theological Seminary Text Amendments November 18, 2024**

Chairman Hood and Commissioners: My name is Mary Buckles. I am a Spring Valley resident and testifying as a member of the Board of Directors on behalf of the Spring Valley-Wesley Heights Citizens Association (SVWHCA). Our President, William Krebs, also a Spring Valley resident, is unable to testify today. SVWHCA has been a close partner in support of Wesley Theological Seminary for many years – even before Wesley’s first Campus Plan was submitted in 2006. Although we have stood with Wesley on many issues over the years, we strongly oppose the proposed text amendments that are the subject of this case. Over the last three years, we have partnered with Neighbors for a Livable Community (NLC) in opposition to the central component of Wesley Seminary’s 2023-2033 Campus Plan: a 659-bed luxury student apartment building on Wesley’s Campus primarily for students of American University (AU). This apartment building will be built, owned, and operated by Landmark Properties, a national developer of off-campus luxury rental housing for students.

We first testified in opposition to the Landmark building before the Commission nearly three years ago saying that it was a commercial activity not permitted under the Campus Plan regulations (*Subtitle X, Chapter 1*). Wesley and Landmark, after telling you for three years that this was not a commercial activity, now ask you to exempt the project from the commercial limits through a text amendment to the Campus Plan rules. Also, we first raised the issue nearly

three years ago that the project would not be consistent with the IZ rules (*Subtitle C, Chapter 10*). Again, Wesley initially said the IZ rules would not apply in this case. Now, Wesley and Landmark ask you to exempt the project from the IZ rules or, alternatively, from some of the off-site IZ standards.

This case has been before the Commission for three years in the form of a Campus Plan case; a combined PUD and Campus Plan case; and now a text amendment case. Wesley and Landmark continue to cherry pick the rules for a zoning process they hope will lead to the commercial project's approval; but the real problem is that the Landmark project is unambiguously at odds with multiple provisions of the zoning rules. This project is such an anomaly that the proposed text amendments, if approved, would not give the Commission authority to approve this project because it still would not comply with the zoning standards.

The spot zoning requested by Wesley would give unprecedented special access to Landmark for the developer's commercial use of Wesley's land that is not permitted under the Campus Plan and Inclusionary Zoning rules and is inconsistent with the property's underlying RA-1 Zoning. Recognizing that we have only five minutes to outline our opposition, we submitted to the Commission early last week a detailed statement outlining the nine reasons for our opposition and the comprehensive analysis that led to our conclusions. I would refer you to that statement.

Some of the reasons cited in that statement include the following:

1. The text amendment process is not an appropriate mechanism to provide the regulatory relief required for approval of Landmark's commercial use of Wesley's campus, especially on property with an underlying RA-1 zone designation;

2. The proposed Campus Plan text amendment to *Subtitle X, Section 101* still would not permit Commission approval of Landmark’s commercial use of Wesley’s campus;
3. The proposed Inclusionary Zoning text amendment to *Subtitle C, Chapter 10* – and the last-minute alternative IZ text amendment proposed by Wesley and the Office of Planning (OP) that make this whole process a moving target – are not necessary. The zoning regulations already include mechanisms for consideration of partial or full relief from the IZ standards sought by Wesley and Landmark. It is important to note that IZ would not be required at all if the Commission approved the proposed text amendment;
4. The text amendments are inconsistent with the Future Land Use Map (FLUM); the Generalized Policy Map; the Land Use and Educational Facilities Elements of the Comprehensive Plan; and other District public policies. The Office of Planning’s analysis of the Landmark project through a racial equity lens (*Exhibit 10*) demonstrates the project also will not promote the District’s racial equity objectives; and
5. The petition filed by Wesley on behalf of the Landmark commercial project is legally insufficient, according to *Subtitle Z, Chapter 3, Section 305.5* of the regulations.

In this case, Wesley is using the text amendment process to seek extraordinary relief from the Campus Plan and IZ zoning regulations. Yet, Wesley has offered no substantive evidence that such relief is needed. It has relied on a vague assertion that the Landmark project is necessary “to thrive.” At the same time, Wesley has asserted that its survival is not at risk and that it is financially secure. Nevertheless, it has sought to up the ante in this case by threatening to relocate from its current site. This appears to have succeeded in triggering support from some in the neighborhood, including ANC 3D, due to concerns about how the land may be used in the future for new housing.

The proposed text amendments proposed by Wesley – and changing by the day – are defective and its application is inadequate. In fact, the public has had no opportunity to review the IZ alternatives proposed in this case making today's hearing premature. The spot zoning that would result from approval of the proposed text amendments is nothing more than a subterfuge for the commercialization of a university campus and a corporate give away.

Adoption of these text amendments will inject a new level of uncertainty and unpredictability in the Commission's application of the zoning rules. After this three-year circuitous route of review, debate and deliberation on the Landmark project, a decision by the Commission to approve such flawed and deficient text amendments as a means of providing the scope of relief needed by Landmark will shake public confidence in the integrity of the District's zoning process.

SVWHCA urges the Commission to reject these two amendments. Thank you.