

**TESTIMONY OF DR. JEFFREY KRASKIN
BEFORE THE DC ZONING COMMISSION**

Re: Z.C. Case No. 24-09

**The Wesley Theological Seminary of the United Methodist Church
Text Amendment to Subtitle C §1006.6(c) and Subtitle X §101 to allow new
dorm on the Wesley Campus for Wesley & American students
November 18, 2024**

Good day Chairman Hood and Commissioners. My name is Dr. Jeffrey Kraskin. I am a fourth generation Washingtonian and lived in Spring Valley for over 62 years. **In fact, ours was the first family of Jewish faith to live in what was once a restricted neighborhood.** I served the DC and Spring Valley community in many capacities over the years. I served both on the Board and as an officer of the Spring Valley Wesley Heights Citizens Association (SVWHCA); as a multi-termed ANC Commissioner representing the Spring Valley community directly adjacent to both the Wesley Theological Seminary and the American University; a resident representative on the Mayor's Spring Valley Scientific Advisory Panel investigating the World War I munitions project; the Horace Mann Elementary School Local Restructuring Team; and the Community Council for the Homeless. I also was Chair of the DC Licensing Board of Optometry and Chair of the Ward 3 Democratic Committee – just to name a few.

Professionally, I am a retired Doctor of Optometry who provided eye health and vision care to my patients from my home-office on Massachusetts Avenue in Spring Valley located only 140 feet from the Wesley Theological Seminary (Seminary). When I retired and closed the practice it had served DC for more than 100 years – originally by my grandfather, Dr. Lewis Kraskin, followed by my father, Dr. Robert Kraskin, and finally myself.

Throughout the years as issues arose with Wesley, I discussed, met, and held numerous meetings with the Seminary's presidents as a representative of both ANC-3D and SVWHCA. Some of those meetings centered on how to help the Seminary to increase the financial giving or income from the general community and the Seminary's donor community.

One of the more recent cases of concern came before this Commission in 2011 when Wesley

proposed amending its 2006-2015 Campus Plan to modernize existing housing and build a 76-bed residence hall known as the “New Dorm.” The Seminary proposed this new residence hall to encourage the seminary students to live on the campus and thereby increase the Seminary’s revenue stream. The New Dorm was constructed with neighborhood, ANC 3D, and SVWHCA support. The dream of “build it and they shall come” clearly did not work. Since Wesley’s students did not flock to the new residence hall, the Seminary, without proper approval of a modification to their Campus Plan, began leasing residence hall space to a small number of graduate students from the American University (AU). Again, SVWHCA stepped up and vigorously supported the leasing of residence space to AU graduate students on an extremely limited basis – limited number of beds and limited time period. Wesley has since taken advantage of this limited housing of AU graduate students, now desiring to expand that small number to an enormous commercial entity --- a 659 bed luxury student apartment complex built, managed, and operated by Landmark Properties, a commercial developer/management company.

Previously, the Seminary considered selling three lots along University Avenue consistent with the surrounding lot sizes zoned R-1B to enhance their financial stability. The three lots continue to exist today and were never placed on the real estate market. **The Seminary has testified over these last three years of Campus Plan cases that the financial stability of the Seminary is NOT in question.** Yet, the Seminary used a common marketing term “THRIVE” (see attachment) to “brand” their Campus Plan cases as “Thrive in Place” – along with an active threat to this Commission that the Seminary would move out of the District of Columbia if their plan was not approved as proposed to include the commercial luxury student apartment complex. Wesley’s Landmark project – and its ability to thrive in place – is built on non-Wesley college students of any age who will be attending AU.

This is not the first time that Wesley has threatened to relocate if it did not get support from the neighbors and the Zoning Commission. The same threat was made as part of Z.C. Case No. 05-40A in 2011 and 05-40 B in 2016.

Clearly, some Commissioners have interpreted the “THRIVE” slogan to mean a lack of financial stability which is not the case, according to previous testimony in these cases from Wesley

Seminary President David McAllister-Wilson. The threat to move from the District of Columbia seems instead to play on the Commission's religious sympathies, especially as some Commissioners at times have equated the Seminary to being a Church instead of a school. The Wesley Theological Seminary is an educational institution which happens to have a religious affiliation. This is no different than AU having been founded by the Methodist Church, Georgetown University with its Catholic and Jesuit heritage, Catholic University promoting Christian values, and Trinity Washington University grounded in the mission of the Sisters of Notre Dame de Namur just to name a few.

The **now** proposed Text Amendments and suggested alternate amendment would provide the Seminary with unique exceptions to the existing Regulations -- Subsection C § 1001.6(c) of § 1001, APPLICABILITY, of Chapter 10, INCLUSIONARY ZONING, of Subtitle C, GENERAL RULES; and Section 101, CAMPUS PLANS, of Chapter 1, CAMPUS PLANS, SCHOOL PLANS, AND MEDICAL CAMPUS, of Subtitle X, GENERAL PROCEDURES, is proposed to be amended by adding a new § 101.5, and renumbering current §§ 101.5 through 101.16 to 101.6 to 101.17.

The astounding part of all of this story -- and yes, it is a story to be told -- is that approval of these proposed Text Amendments creating exceptions to the Zoning Regulations would show that the Seminary has the Zoning Commission's blessing to steal students from AU to meet the Seminary's wants and desires. Even worse is that AU has shown no support for Wesley's Landmark proposal.

The Seminary cried out "Thrive in Place" during the initial Campus Plan hearings in 2022. The Seminary cried out "Thrive in Place" during the PUD hearings in 2023. And now the Seminary cries out again "Thrive in Place" in 2024 in this text amendments case. **Wesley has yet to show or document any specific obstacle to its ability to "Thrive in Place" as part of these hearings.** In fact, it's been the opposite as Wesley has testified it is financially healthy, but that its objective in moving forward with the Landmark project is to monetize the value of its land. The Zoning Commission, for some unknown reason, is willing to allow the Seminary -- an educational institution - to do something that, I believe, no other land developer or educational

institution would be allowed to do – **NOT SHOW ANY EVIDENCE TO SUPPORT THEIR CASE.**

Wesley's only EVIDENCE has been to make assertions that say "trust us" because Wesley is a religious institution. Fellow members of the Methodist Church have written letters of support which in essence also are simply "trust us – we are church related" – again playing on all our religious sympathies. Yet, when Neighbors for a Livable Community (NLC), the SVWHCA, the immediate neighbors, and even ANC 3E (the ANC of record for the property) spoke out providing all the detailed reasons and evidence why the Seminary's proposal to go into a commercial endeavor with Landmark was clearly outside of the existing Zoning Regulations and Laws, the Zoning Commission refused to put a stop to the action. The Zoning Commission continued to encourage the Seminary – not to change their proposed Campus Plan – but instead to find a way to circumvent Zoning Regulations and Laws.

The Office of Planning (OP) also continues to make assertions about Wesley's finances that are not based on any facts or evidence provided by the applicant. OP supported the initial Campus Plan without any acknowledgment that the Landmark commercial venture that continues to be outside the Campus Plan regulations. This was followed by OP supporting the PUD despite it also failing to meet the regulatory standards. Now, OP supports text amendments based on an applicant's market branding rather than specific evidence of dire financial need – and despite testimony by the Seminary, itself, that it is not facing a financial crisis that could force its closure.

Once the Seminary finally admitted that their proposal was not permitted under the Campus Plan regulations, AND finally acquiesced that their proposal is a COMMERCIAL endeavor, it was the Zoning Commission that suggested the Seminary find another path to advance the Landmark proposal while circumventing the Zoning Regulations and Laws. The Commission suggested consideration of a text amendment as a pathway for approval. Does this mean that the Zoning Commission is now advising anyone that may come before the Commission that – if you know the idea won't fly because it does not meet zoning standards, then come up with a Text Amendment --- Zoning Regulations and Laws be damned.

Why have any Text Amendment? Why not just change or better yet, eliminate all the regulations and laws relative to educational institutions – Campus Plans, School Plans, and Medical Campus Plans. In this way, ALL District of Columbia educational institutions can enjoy this open commercial concept of housing anyone in their student residences. Why not make “student” residences open to all? Why should only the Wesley Theological Seminary be allowed to benefit from such Zoning Commission action? If the Zoning Commission were to approve these text amendments and subsequent Wesley Campus Plan, then why should the Seminary’s commercial endeavor be limited to only AU students? Why shouldn’t students from Howard University, University of the District of Columbia, Bay Atlantic University, Georgetown, George Washington University, Catholic University, Trinity Washington University, Gallaudet University, Institute of World Politics, Inter-American Defense College, National Intelligence University, Strayer University, along with universities with satellite programs, i.e. Brown, William & Mary, Cornell, Pepperdine, Stanford, etc. be allowed to use this luxury student apartment complex?

Further, why should any commercial housing endeavor, whether identified as student or other, not be subject to Inclusionary Zoning rules? Students are certainly a group that could easily benefit from more affordable housing. A housing developer such as Landmark should have to meet the same requirements as any other housing developer. The Seminary and Landmark should not be given such free reign to discriminate within their high-end student residence apartment building by exempting them from Inclusionary Zoning and affordable housing unit requirements.

These Seminary cases have unnecessarily dragged the Zoning Commission through a mud bath of the Seminary’s making. The Seminary’s advisors should have been able to read and understand the regulations just as well as those in the community. Those in the community knew from day one in 2016 what the Seminary was considering was well outside of the Zoning Regulations associated with Campus Planning. If the Seminary had truly been interested in finding methods to “Thrive in Place,” – other than the Landmark proposal – all they had to do was ask community advocates instead of ignoring all the warning signs that had been provided

well before ever appearing before this Commission in 2022. The Seminary chose to ignore all the comments that the proposal was a commercial endeavor which was outside of the Campus Plan Zoning Regulations. The Seminary instead selected a path under the guise of religious pity and guilt in the hopes that the neighbors and the Commission would simply give them a pass yet again. The Seminary even chose to place smoke shields in the path of the Commission by leading the Commission to believe initially that the Seminary had full support of the American University to steal their student consumers away.

The Commission, itself, has conveniently forgotten that AU is operating under an approved Campus Plan through 2031 that includes the building of additional student residences to meet AU's projected housing need through 2031 of 500 new student beds. The Commission also may have forgotten that residents raised the prospect of the Landmark project as part of the 2021-2013 AU Campus Plan hearings (Z. C. Case No. 20-31) in 2021 and asked the Commission to review the AU Campus Plan within the context of Wesley's Landmark proposal. When AU said at those hearings that it would not cooperate with Wesley in the venture and planned to meet its housing need by building new residence halls on its own campus, the Commission said it would deal with the Wesley proposal when it was formally before the Commission. Based on the Commission's action in the AU Campus Plan case, AU's need for on campus student housing is already addressed in AU's 2021-2031 Campus Plan.

In order to keep within the existing Campus Plan Zoning Regulations and Laws, the Seminary has had a number of possible paths they could have explored in order to achieve the goal of "Thrive in Place" which include, but are not limited to the following:

- Merge with another educational institution;
- Add another educational institution to the campus as a satellite of that institution;
- Revise the Wesley Theological Seminary's mission which presently states, "The mission of Wesley Theological Seminary is to equip persons for Christian ministry and leadership in the church and the world, to advance theological scholarship, and to model a prophetic voice in the public square." A potential change to the mission might allow for non-Seminary students to receive services of the Seminary and thereby potentially allow non-

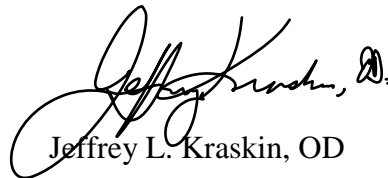
Seminary students to reside on the Seminary campus while receiving ministry;

- Sell the three lots on University Avenue to be used as zoned – residential housing;
- Sell other properties owned by the Seminary; and
- **Consider ANC-3D's recent suggestion of selling the present property to purchase a building in a DC commercial zone and retrofit for both educational purposes and residential purposes.**

In summary, the Wesley Theological Seminary of the United Methodist Church has shown over these nearly three years of Zoning Commission hearings along with the past two decades of financial-crying-wolf-without-any-evidence-of-true-need that there is absolutely no reason that any exception to existing Zoning Regulations and Laws should be considered. I resolutely ask the Zoning Commission to REJECT these Text Amendments and direct the Wesley Theological Seminary to return a viable Campus Plan consistent with the current regulations for review and consideration by the Zoning Commission.

Thank you for your attention and interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey L. Kraskin, OD". The signature is fluid and cursive, with the initials "JL" being particularly prominent.

Jeffrey L. Kraskin, OD

ATTACHMENT – THRIVE

