

Statement Of Thomas M. Smith
Former Chair, Advisory Neighborhood Commission 3D
Zoning Commission Case No. 24-09:
Wesley Theological Seminary Text Amendments
November 18, 2024

Chairman Hood and Members of the Commission: My name is Thomas Smith. I served 10 years on ANC 3D – six as Chair – representing Wesley Seminary and Wesley’s neighbors. In that capacity, I worked successfully from 2010-2012 to bridge disagreements between neighbors and Wesley on construction of what is known as the New Residence Hall along University Avenue. Wesley claimed that this new student housing would secure Wesley’s future at the site.

Wesley first announced its intent to partner with a student housing developer in 2016 during my ANC tenure. In what should sound familiar, Wesley said at the time that housing AU students at the Seminary would secure its future. Although I no longer reside in Spring Valley, I have been volunteering to advise neighbors based on my 40 years of political and community activism in the city. At her request, I also advised ANC Commissioner Elizabeth Pemmerl, one of my successors, in this case. Commissioner Pemmerl testified before this Commission on behalf of ANC 3D in 2022 in support of the Landmark project on the condition that the building density be reduced significantly.

Neighbors’ concerns expressed in this case about commercial encroachment are not theoretical. During my ANC tenure, in 2011, AU’s proposed Campus Plan proposed the development of a commercial business zone on its East Campus adjacent to Wesley Heights and Westover Place. After strong opposition, AU withdrew the proposal; but that experience prompted ANC 3D and neighborhood associations to advocate for tighter limits on commercial uses on a college campus as part of the 2016 Zoning Regulation Rewrite. The 2016 regulations

were carefully crafted to protect the neighborhood from commercial uses on college campuses, like the proposed new Landmark building.

As this text amendment process has evolved in recent months, I have thought about how I might consider this application if I was still the neighbors' ANC representative. The Campus Plan rules, the IZ rules, the PUD rules – none of them have worked for Wesley in this matter. ANC 3D Commissioners now involved in this project have told neighbors that zoning falls outside ANC 3D's lane. ANC 3D cannot submit an informed recommendation to this Commission if it does not appreciate the extraordinary relief that is being sought by virtue of filing a text amendment application. It is unclear whose views are being represented by ANC 3D – whether it's the residents' views or just the preferences of individual Commissioners – none of whom are directly impacted by Wesley as a consequence of the last round of ANC redistricting.

The relief being sought by Wesley through the text amendments is extraordinary. In the absence of any evidence in the record to justify the relief being sought, what is it that makes Wesley so special that this issue is still before the Commission after nearly three years of hearings and deliberations? Is it because Wesley is a seminary with a religious affiliation? The public has the right to expect that a Campus Plan zoning application is reviewed without religious bias. Is it Wesley's threat to leave the property – one that it has made on previous occasions over the last 20 years? The Zoning Commission should not engage in spot zoning simply to enable an educational institution to monetize the value of its property when its scheme is so blatantly contrary to the city's rules.

Is it fear that the neighborhood would lose green space if the property is purchased for new housing development? But, isn't more housing in Ward 3, including affordable housing, a

District policy priority? This case should be reviewed within the context of the zoning regulations, not speculation on how the property might be used in the future.

The text amendments are not being offered to correct an inequity or error in the zoning regulations. They are being proposed to undo what neighbors fought for: to limit the scope of commercial activity on residentially zoned land available for university education use. They are being proposed to secure more cash for Wesley and to help a national student housing developer gain a foothold in the Washington, D.C. market. Contrary to OP's reasoning, everything you do is a precedent. If you can't approve this project under the Campus Plan rules, the PUD rules, the IZ rules – with all the zoning mechanisms for seeking relief in place – then you should be wary of spot zoning text amendments and the unintended consequences you cannot even begin to anticipate that neighbors – long after you have moved on – will have to deal with months or years into the future. Thank you.