

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

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 new housing for its students would secure its future at the site. Wesley announced its intent to partner with a student housing developer in 2016 during my ANC tenure. This time, Wesley said housing AU students on its campus would secure its future.

All we have heard tonight from Wesley is a rehash of the arguments and assertions made over the last three years without the benefit of evidence. Ms. Elliot’s interpretation of Subtitle B rules does not hold up to scrutiny, as previous hearings in this matter have demonstrated.

Neighbors’ concerns about commercial encroachment are not theoretical. During my ANC tenure, in 2011, AU 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; that experience prompted ANC 3D and neighborhood groups to advocate for tighter limits on commercial uses on a college campus as part of the 2016 Zoning Regulations Rewrite. The 2016 regulations were carefully crafted to protect the neighborhood from commercial uses on college campuses, like the proposed new Landmark building.

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, 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 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. The burden is on Wesley to demonstrate that compliance with the rules will result in an economic hardship. Wesley has not done that.

Is it fear that the property might be purchased for new housing development? Nothing stays the same, as Chairman Hood said. Housing in Ward 3, including affordable housing, is a District priority? The Landmark project should be reviewed within the context of the zoning regulations, not speculation on how the property might be used in the future if it is sold.

The text amendments, which are inextricably linked to the Wesley Campus Plan case, 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 their unintended and unanticipated consequences.

Thank you.