

John Patrick Brown, Jr., Esq.  
[jpb@gdllaw.com](mailto:jpb@gdllaw.com)

Lyle M. Blanchard, Esq.  
[lmb@gdllaw.com](mailto:lmb@gdllaw.com)

December 9, 2024

**BY IZIS**

Mr. Anthony J. Hood, Chairman  
D.C. Zoning Commission  
One Judiciary Square  
441 4th Street, N.W.  
Second Floor  
Washington, D.C. 20001

Re: Applicant's Response to ANC 3E's Post-Hearing Submission  
Z.C. Case No. 24-09  
Petition for Text Amendments to Subtitle C, §1006.6(c) and  
Subtitle X, §101 ("Petition")

Dear Chairman Hood and Members of the Commission:

On behalf of The Wesley Theological Seminary of The United Methodist Church ("Wesley"), we respectfully submit this response to the ANC 3E submission which offered two alternative proposed text amendments to Subtitle C, Sec. 1006.10.

Wesley has carefully reviewed the proposed alternatives directly with the Office of Planning, ANC 3E and ANC 3D. As a result of this consultation process, Wesley has determined that it does not agree with either of the two alternatives suggested by ANC 3E. Instead, Wesley reconfirms its previously acceptance of the OP alternative text amendment, below.

**OP PROPOSED INCLUSIONARY ZONING TEXT AMENDMENT**

1006.10 Wesley Theological Seminary shall provide off-site IZ located in Ward 3 as an enforceable condition to its 2022-2032 Campus Plan further processing to construct a dormitory, provided that the requirements of Subtitle C, §§1006.1 - 1006.3(a)-(g), may be waived by the Zoning Commission for the off-site IZ. Depending on construction type, **the off-site IZ provided shall be no less than Subtitle C, §1003.1 [8%] or §1003.2 [10%] requirements,** as applicable, and subject to the requirements of Subtitle C, §§1006.5 - 1006.9. (Emphasis and brackets added).

The OP proposal is consistent with the Zoning Regulations and maintains the integrity of the established minimum standards imposed for IZ. ANC 3E has expressed the concern that OP's

Mr. Anthony J. Hood, Chairman  
December 9, 2024  
Page 2 of 2

language could be read to permit Wesley to satisfy only these minimum standards, and that it provides no opportunity for the Zoning Commission to require additional IZ. Wesley believes that the “no less than” standard enforces a minimum standard that is currently applicable to all new projects, but also allows the Zoning Commission to exercise its discretion at the Campus Plan phase to impose a higher standard that it deems appropriate under all the circumstances. To ameliorate ANC 3E’s concerns about potential ambiguity, Wesley hereby waives any claim that the OP proposal does *not* permit the Zoning Commission during the Campus Plan proceedings to impose an IZ requirement greater than the minimum standard that is otherwise applicable.

It would be premature and lacking in complete information for the Commission to impose a different or higher standard without the benefit of a detailed off-site IZ plan proposed by Wesley and subjected to the rigors of a contested case examination by all the parties. Further, the OP proposed amendment anticipates further negotiations by Wesley with OP, ANC 3E and 3D, and other parties of the specific details of the Ward 3 off-site IZ program which is the normal course in Commission contested cases.

Wesley greatly appreciates ANC 3E’s active participation in preparation of this response and looks forward to continuing cooperation during the Campus Plan phase.

Thank you for the Commission’s assistance with this Petition and respectfully requests Proposed Action on December 19.

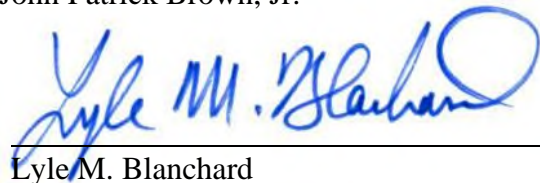
Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.



---

John Patrick Brown, Jr.



---

Lyle M. Blanchard

## **CERTIFICATE OF SERVICE**

I hereby certify that on December 9, 2024, the foregoing Applicant's Response to ANC 3E's Post-Hearing Submission was filed in IZIS and delivered via electronic mail to the following:

**Ms. Jennifer Steingasser**  
**Mr. Joel Lawson**  
**Ms. Maxine Brown-Roberts**  
D.C. Office of Planning  
1100 4th Street, SW  
Suite E650  
Washington, D.C. 20024  
jennifer.steingasser@dc.gov  
joel.lawson@dc.gov  
maxine.brownroberts@dc.gov

**Mr. Erkin Ozberk**  
D.C. Department of Transportation  
55 M Street, SE, Suite 400  
Washington, D.C. 20003  
erkin.ozberk1@dc.gov

**ANC 3D**  
3D@anc.dc.gov

**Ms. Tricia Duncan**, Chair, ANC 3D  
3D02@anc.dc.gov

**Mr. Chuck Elkins**, ANC 3D01  
3D01@anc.dc.gov

**ANC 3E**  
3E@anc.dc.gov

**Mr. Jonathan Bender**, Chair, ANC 3E  
jonbender@gmail.com

**Commissioner Ali Gianinno**, ANC 3E06  
3E06@anc.dc.gov

**Commissioner Amy Hall**, ANC 3E02  
3E02@anc.dc.gov

**Mr. Diego Carney**, ANC 3E07  
3E07@anc.dc.gov

**Mr. Rohin Ghosh**, ANC 3E08  
3E08@anc.dc.gov

**William Clarkson**  
Spring Valley Neighborhood Association  
wclarksonv@gmail.com

**Dennis Paul**  
Neighbors for a Livable Community  
dennis.paul@verizon.net  
nlc.washdc@gmail.com

**William F. Krebs**  
Spring Valley-Wesley Heights Citizens Association  
w\_krebs@msn.com

**Thomas M. Smith**  
Neighbors for a Livable Community/Spring Valley  
– Wesley Heights Citizens Association  
tmfsmith@rcn.com



---

John Patrick Brown, Jr.

Note: As a courtesy, the Certificate of Service includes all the Parties in the related Z.C. Case No. 23-08(1).