

ANC 5F06

Joe Bishop-Henchman
Commissioner, ANC 5F06
5F06@anc.dc.gov

ANC 5F02

Aru Sahni
Commissioner, ANC 5F02
5F02@anc.dc.gov

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D.C. Zoning Commission
441 4th Street NW #200
Washington, DC 20001

Re: Comments in Opposition to Requested Relief in ZC 24-11

We are ANC commissioners that represent the area immediately west of ANC 5C, just over 1 mile from the Montana Triangle site at New York Avenue and Montana Avenue NE. Our ANCs include a significant amount of mixed use and industrial land, and we have participated in many zoning cases affecting these issues. We have also worked with our neighboring ANCs on a number of mutually impactful zoning, transportation, and environmental matters.



This application would delete over 1,400 badly needed homes from the District of Columbia. The applicant proposes to rezone the site from Mixed Use (MU-5B) to Industrial (PDR-1), and the Office of Planning has concluded that this would meet the standard of being “not inconsistent with the Comprehensive Plan.” **What would be more inconsistent than rezoning land that the lengthy and involved Comprehensive Plan process designated for dense residential development with community amenities, to industrial use?** We join two Advisory Neighborhood Commissions, two neighborhood civic associations, Councilmember Parker, and scores of residents in opposing the downzoning in this application, as it is clearly inconsistent with the Comprehensive Plan’s designation of this

location for dense residential development with community amenities. We are very concerned by the precedent that may be set if the Zoning Commission adopts the view that transforming residential zoning into industrial zoning meets the “not inconsistent with” standard.

At minimum, we believe the application and the OP report should be significantly revised to address several serious omissions and outstanding questions:

- In 16 places, the OP report refers to the application as a warehouse. This is a *zoning change* application, which would enable a host of noisy and polluting uses totally inconsistent with dense mixed-use development, not just a warehouse. A warehouse - with tranquil renderings of people walking by a large building - may be the use that would least alert the Zoning Commission to what they are being asked to approve here. The applicant proposes to forswear some, but not all, of these potential uses. (See Section F of the Applicant’s Supplemental Prehearing Submission.) But waste facilities, automotive repair, and heavy manufacturing would oddly still be allowed under the proposal, unusual if the real goal here is a mere warehouse. **When the ZC approves rezoning to industrial, it is approving noisy, polluting uses beyond warehousing.** OP, for their part, explains that the rezoning will only affect a small portion of land, and even claims (page 6) that it is “preserving” industrial land even though it is currently designated mixed-use. But the OP does not acknowledge that adding such industrial uses will make the adjacent mixed-use land much more unlikely to ever be developed.
- The application proposes 198 parking spaces across 3 lots, far in excess of the 62 parking spaces required by the zoning code. DDOT in their report observes that it would consider 93 spaces to be the *maximum* they would advise for a warehouse project of this size. **Why so much parking if this is just a warehouse?** DDOT also observes that intersections will degrade from additional industrial traffic, which will only further the risk to pedestrians and motorists in an injury-prone corridor.
- In October 2024, in its *Production, Distribution, Repair Land Use Report*, the Office of Planning recommended the creation of a new Mixed-Use PDR zone that would “enable needed housing to be built while producing space for businesses to make goods and provide services for District residents.” Such a zone would have a more limited set of PDR uses consistent with dense development, with the report giving the examples of “low-impact PDR uses, such as commercial kitchens.” **This application is totally inconsistent with the recommendations of that report.** Councilmember Parker is correct in his letter (Exh. 110) that the application should be recast into one that creates a real MU-PDR zone “for high-density residential, high-density commercial, and low-impact production, distribution, and repair.”

- In November 2023, in its *New York Avenue NE Vision Framework*, OP had this to say about the Montana Triangle site, which they called an “Anticipated New House Area”: “This site is being redeveloped as a mixed-use community that will include housing and retail. Once built, it will provide another community center. Over time, Montana Triangle will offer amenities and help prove the market’s demand for housing that will encourage property owners of the gas station and aging hotels to redevelop their properties as apartments and mixed-use buildings.” Elsewhere, it describes Montana Triangle as a place where “[r]esidents will be able to access fresh food, health care, and childcare close to home. There will be great public spaces where residents gather for block parties and farmers markets. Sidewalks, plazas, and gathering spaces will be shaded by lush trees.” **This application goes completely backwards from that document from just two years ago, and would preclude the vision it describes.** OP acknowledges this, stating in their report that “the PUD does not fully realize this vision.” There is a word for this: *inconsistent*.



Every single community group and elected official that has reviewed this application has found it to be deficient. While the Office of Planning supports it, their report is inconsistent with previous recommendations, does not adequately respond to real concerns about the compatibility of industrial uses with the mixed-use vision for New York Avenue, and proposes setting a dangerous residential-to-industrial downzoning precedent.

Please reject this case and send it back for real community engagement.

Respectfully submitted,

Joe Bishop-Henchman
Aru Sahni
ANC 5F Commissioners