



BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to Subtitle Z § 406.2 and Subtitle Y § 406.2 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	ZC 24-11	Case Name:	Jemal's Schaeffer LLC & Jemal's Bumper George LLC
Address or Square/Lot(s) of Property:	New York & Montana Aves. NE (Sq. 4268, Lots 6, 12, 14, 801, 804 & 819; and Parcels 153/113, 153/152 & 153/153) - Ward 5		
Relief Requested:	PUD and Map Amendment from MU-5B to PDR-1		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	09 / 11 / 25	Was proper notice given?:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Description of how notice was given:	Notice was posted on the 5C Commission's website on September 4.		
Additionally, notice was sent to residents via email, texts messages and neighborhood associations.			

Number of members that constitutes a quorum:		Number of members present at the meeting:	
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MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

See Supplemental

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

See Supplemental

AUTHORIZATION

ANC	5	C	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	6-0-0	
Name of the person authorized by the ANC to present the report:			Shawn Nelson		
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			Chairperson Tequia Hicks Delgado		
Signature of Chairperson/ Vice-Chairperson:				Date:	9/11/2025

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR SUBTITLE Z § 406 AND SUBTITLE Y § 406.

ZONING COMMISSION
District of Columbia
CASE NO. 24-11
EXHIBIT NO. 48



Government of the District of Columbia
Advisory Neighborhood Commission 5C
Arboretum | Brentwood | Fort Lincoln | Gateway | Langdon | Woodridge

Form 129 Report Supplemental
ZC 24-11

ANC 5C opposes the subject application for a Planned Unit Development and Map Amendment to rezone nearly five acres of Square 4268, commonly known as *Montana Triangle*, from MU-5B to PDR-1. After extensive community engagement and discussions with the Applicant, the Office of Planning, and subject-matter experts, the Commission concludes the following:

- **Community sentiment is strongly opposed** to this proposal, and for good reasons outlined in the unanimously opposed resident letters in the case record.
- **The new uses enabled by this proposal would impose significant, lasting costs and harms** on surrounding neighborhoods.
- **The PUD proffers are not commensurate with those harms**, failing to sufficiently address transportation, housing, and environmental needs or impacts.
- **The proposal is inconsistent with the Comprehensive Plan and the Future Land Use Map**, especially given the peculiar conditions created by **Amendment 9815**, which calls for a mix of high-density residential, commercial, and compatible production uses not provided by MU-5B, PDR-1, or any currently existing zone.
- **Allowing this interpretation of the FLUM to move forward would cause further harm** not just to the subject site and its existing plans and vision, but to the entire New York Avenue Corridor

Throughout the course of community engagement, the Applicant has repeatedly dismissed or minimized community concerns, relying on assertions that we find deeply problematic and legally questionable:

- **FLUM Interpretation:** The Applicant has argued that the Future Land Use Map (FLUM) allows a Map Amendment to PDR-1 without requiring a Planned Unit Development process, suggesting that the community benefits offered are purely voluntary rather than integral to balancing impacts.
- **Proffer Framing:** The Applicant has maintained that the value of proffers should be measured *only* against any increase in residential or commercial density, not against the new industrial uses enabled by the requested PDR-1 zoning. This framing discounts the

significant, long-term community costs introduced by these uses.

- **Mitigation Through Operational Conditions:** When pressed on harms associated with PDR-1 uses, which include waste facilities, automotive repair, and heavy manufacturing, the Applicant has insisted that operational controls on noise, odors, and vibrations (*Standards of External Effects* contained in DCMR 11 Subtitle U § 804) are sufficient safeguards. We strongly disagree that such conditions meaningfully address the fundamental incompatibility of these industrial uses with nearby residential neighborhoods, a reality borne out by the lived experiences of many in our community
- **Threat of Inaction:** On several occasions, the Applicant has warned stakeholders that rejecting this proposal would leave the site undeveloped for the foreseeable future, implying that communities must accept unfavorable zoning changes or face prolonged disinvestment. ANC 5C believes this framing is misleading and coercive, and it undermines a good-faith planning process.

For these reasons, **ANC 5C respectfully urges the Zoning Commission to reject ZC 24-11 as proposed.**

ANC 5C concurrently urges the Office of Planning to work collaboratively with ANC 5C and the Applicant to develop a zoning solution that better implements the intent of Amendment 9815. The latter request is detailed in the attached *Resolution Calling for a Mixed Industrial Zone*.

Attachment 1:

ANC 5C Resolution Calling for a Mixed Industrial Zone



Government of the District of Columbia
Advisory Neighborhood Commission 5C
Arboretum | Brentwood | Fort Lincoln | Gateway | Langdon | Woodridge

Resolution Calling for a Mixed Industrial Zone

Sponsor: Commissioner Nelson (5C04)

Co-Sponsor: Commissioner Kapur (5C07)

Whereas:

- Square 4268, commonly known as *Montana Triangle*, is approximately 16 acres located at the District's eastern gateway, bounded by New York Avenue NE, Montana Avenue NE, and Bladensburg Road NE
- Montana Triangle has been identified for decades as a potential mixed-use neighborhood, with significant public and private investment in advancing this vision:
 - In 2006, the DC Office of Planning (OP) and DC Council designated Montana Triangle in the Comprehensive Plan Future Land Use Map (FLUM) for *Residential Medium Density* and *Commercial Moderate Density*
 - In 2007, the Zoning Commission approved ZC 06-15¹, a PUD and Map Amendment by Abdo New York LLC to rezone the 15-acre "Schaeffer Assembly" within Montana Triangle to CR (later MU-10), authorizing eight mixed-use buildings with 3,400–3,600 homes and 148,121 SF of retail
 - In 2014, OP proposed, in ZC 14-16², a new C-2-B-1 zone (later MU-5B) via Text Amendment and concurrently applied it to the Schaeffer Assembly via Map Amendment
 - In 2015, the Zoning Commission approved ZC 14-16, creating the zoning framework on Montana Triangle that remains today
 - In 2016, Douglas Development submitted a Large Tract Review³ for 2,380 homes, 338,464 SF of retail, and 177,889 SF of office space on the Schaeffer Assembly

¹ https://app.dcoz.dc.gov/Home/ViewCase?case_id=06-15

² https://app.dcoz.dc.gov/Home/ViewCase?case_id=09-06

³ https://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/LARGE%20TRACT%20REVIEW_NEW%20CITY_Compressed%20Filing.pdf

- In 2017, Douglas Development completed acquisition of the Schaeffer Assembly⁴ as well as Parcel 153-111 (then occupied by Washington Mathematics Science Technology PCS, closed in 2018⁵), consolidating control for a mixed-use plan
- In the 2021 Comprehensive Plan update, OP advanced Amendment 9815⁶, redesignating much of the New York Avenue corridor, including Montana Triangle's New York Ave frontage, to *Residential High Density*, *Commercial High Density*, and *Production/Technical*, reintroducing the prospect of industrial use
- In 2023, OP published the *New York Avenue Vision Framework*⁷ after extensive public engagement, referencing Montana Triangle at least six times as a major mixed-use hub to anchor housing production and corridor revitalization
- in 2024, Douglas Development submitted ZC 24-11⁸, a proposal to rezone nearly five acres of Montana Triangle fronting New York Avenue from MU-5B to PDR-1, an industrial zone that permits matter-of-right uses such as waste management facilities, automotive repair, and heavy manufacturing, to notionally construct a 183,170 square-foot “warehouse” building
- execution of such a plan would foreclose housing and community-serving retail potential on this prominent frontage for a generation, chilling neighboring redevelopment opportunities along with it
- in its Setdown Report for ZC 24-11, OP observed that “*MU-5B does not permit PDR or industrial land uses so a change in zoning from the MU-5B is necessary to be fully consistent with the FLUM’s PDR recommendation in this area. At present, the zoning regulations do not include a zone which permits the range of residential, commercial, and PDR uses indicated by the FLUM designation*” thereby suggesting PDR-1 is somehow more FLUM-compliant than MU-5B, despite neither being in full compliance with the three-category FLUM designation OP itself created just four years prior
- other jurisdictions, recognizing this exact need, have crafted zoning districts to mix housing, retail, and clean production while prohibiting harmful industrial uses, including Philadelphia’s Industrial/Residential Mixed-Use zone (which combines housing with light industry but bans heavy industrial), New York City’s M1/R “MX” districts (which layer residential with light industrial under strict use limits), Somerville, Massachusetts’ Fabrication District (which protects space for artisans and clean production while excluding storage yards), and San Francisco’s Production, Distribution, and Repair zones (which permit small-scale food processing like coffee roasting but exclude waste facilities)

⁴ <https://www.commercialsearch.com/news/douglas-development-buys-66m-land-for-dc-project/>

⁵ <https://dcpcsb.org/closing-information-wmst-pchs-families-and-students>

⁶ https://plandc.dc.gov/sites/default/files/dc/sites/Comprehensiveplan/page_content/attachments/PUBLIC_REVIEW_DRAFT_Comp%20Plan%20Proposed%20Map%20Amendments%20with%20Evaluation_Oct%202019.pdf

⁷ https://planning.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/New%20York%20Ave%20NE%20Vision%20Framework%2020231130%20web.pdf

⁸ https://app.dcoz.dc.gov/Home/ViewCase?case_id=24-11

- OP has a responsibility to actuate its own recommendations, particularly where it is well within its purview to do so, and it has a history of proposing concurrent text and map amendments for Montana Triangle specifically

Therefore, be it resolved that ANC 5C:

- **calls on the Office of Planning to apply to the Zoning Commission for a Text Amendment to create a Mixed Industrial Zone**, actuating the FLUM category mix of Amendment 9815 and allowing minimal industrial concurrence with high-density mixed-use development
- **further calls on OP to concurrently apply to the Zoning Commission for a Map Amendment** to apply that new zone to the entirety of the Amendment 9815 area along New York Avenue, and stop relying on private landowners to implement OP's intentions
- **urges OP to join ANC 5C and 5D in opposing ZC 24-11**, as it is not a realization of the recommendations OP itself put forward in the *New York Avenue Vision Framework*
- **authorizes ANC 5C Commissioners Shawn Nelson (5C04) and VJ Kapur (5C07) to speak on behalf of the Commission** in advocating for the aforementioned

Certification: Adopted on **9/11/2025** by a vote of **6-0**, with four commissioners required for quorum, at a regularly scheduled and duly noticed public meeting with a quorum present.



Tequia Hicks Delgado
Chair, ANC 5C