



ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
CLEVELAND PARK • MASSACHUSETTS AVENUE HEIGHTS •
WOODLAND-NORMANSTONE • WOODLEY PARK

Single Member District Commissioners

01-Samuel Littauer (Secretary); 02-Adam Prinzo (Vice Chairperson);
03-Janell Pagats (Chairperson); 04-Erin Beard; 05-Peter Miles;
06-Jay Bose; 07-Gawain Kripke (Treasurer); 08-Rick Nash

P.O. Box 4966
Washington, DC 20008
Website <http://www.anc3c.org>
Email: 3C@anc.dc.gov

By Electronic Mail

February 17, 2025

The Honorable Chairperson and Members of the Zoning Commission
Zoning Commission for the District of Columbia
441 4th Street NW, Suite 200-S
Washington, D.C. 20001

RE: Response to Councilmember Frumin's Letter (Exhibit 247) regarding Z.C. Case Nos. 25-09 and 25-13

Dear Honorable Chairperson and Members of the Zoning Commission:

At a regularly scheduled and properly noticed public meeting on February 17, 2026 with a quorum present, a quorum being five commissioners, Advisory Neighborhood Commission (ANC) 3C voted 7-1-0 to submit the following written comments into the record for Zoning Commission Case Number 25-09.

ANC 3C writes to provide a necessary response to the January 29, 2026, letter from Councilmember Matthew Frumin regarding Zoning Commission Cases 25-09 and 25-13. While the Councilmember urges the Commission to keep the record open for further analysis and public comment, ANC 3C remains steadfast in our **strong and unequivocal support** for the immediate approval of Case 25-09.

As the representative body for Cleveland Park and Woodley Park, we must clarify that the "public comment" the Councilmember suggests has been missing has, in fact, been the bedrock of this process for years.

1. The Public Has Already Spoken Extensively

The Councilmember's request for additional time suggests that the current proposals lack community vetting. This could not be further from the truth. ANC 3C has conducted a multi-year, robust engagement process, including:

- **Widespread Consensus:** Our formal survey showed **72% support** for these zoning changes

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across our neighborhood.

- **Iterative Meetings:** We have held numerous public sessions, webinars, and "drop-in" sessions specifically to discuss these amendments.
- **Transparent Debate:** The community has already weighed in on every "key matter" mentioned by the Councilmember, including height, massing, and the critical need for increased housing supply near transit.

2. Delay is a Form of Inaction The Councilmember notes that the Office of Planning (OP) may need "several months" for further analysis. We caution the Commission that further delay only serves to prolong the economic stagnation that has plagued our commercial corridors for decades. The current "Low Density Commercial" designation has stifled growth and contributed to the decay of our aging building stock. We have already moved from the 2021 Comprehensive Plan to the 2023 Development Guidelines; the time for "analysis" must now give way to implementation.

3. Historic Preservation and Design Review are Already Addressed The Councilmember highlights concerns regarding design review and historic compatibility. We remind the Commission that the Historic Preservation Review Board (HPRB) already unanimously approved the Connecticut Avenue Development Guidelines in September 2023. As ANC 3C has previously stated, the HPRB is the "proper and sufficient time and place" for evaluating design compatibility; the Zoning Commission need not add further layers of bureaucracy that would only serve as a barrier to much-needed housing.

4. Commitment to Affordability and Infrastructure Our support for Case 25-09 is specifically rooted in the District's commitment to equitable development and Inclusionary Zoning Plus (IZ+). Furthermore, we accept the OP's Infrastructure Assessment, which concludes that growth is a long-term projection and that further assessments can and should be handled on a project-by-project basis during the permitting process.

Conclusion We urge the Zoning Commission to prioritize the demonstrated will of the local community—expressed through years of public discourse and formal ANC resolutions—over requests for open-ended delays. The community-vetted policy before you is the necessary tool to unlock our corridor's potential for housing and economic revitalization.

In Addition It is a matter of public record that Commissioner Rick Nash (3C08) is currently a plaintiff in active litigation against the District of Columbia. His attorney, Renee Bowser, submitted testimony to the Zoning Commission on Z.C. Case 25-09 on November 30, 2025 ([Exhibit 215](#)), stating:

'I represent plaintiff, Rick Nash, in DC Superior Court Case 2021 CA 001651 B and DC Court of Appeals Case 24-CV-0728, implicating rights and imminent harms directly related to ZC Case Nos. 25-09.'

The submission further details that the consequences of these zoning changes will 'materially affect the value and enjoyment' of Commissioner Nash's property and that the amendments present

'heightened risks of injuries to his concrete personal and property interests.'

Under D.C. Official Code § 1-1162.23, a public official is prohibited from participating in any matter that has a 'direct and predictable effect' on their personal or financial interests. By his own attorney's admission, Commissioner Nash's lawsuit is 'directly related' to the very zoning cases currently before this Commission.

To protect the 'Great Weight' of ANC 3C's official recommendations and to avoid the appearance of using the ANC public office to bolster private litigation, Commissioner Nash was asked to consider voluntarily recusing himself from all future discussions and votes related to ZC Case No. 25-09 and any other matters directly implicated by his ongoing lawsuits. He refused to do so at our February 17, 2026 meeting where this letter was discussed and voted on.

The Commission authorizes the Chair and the Commissioners for 3C01, 3C02, 3C05, and 3C06 and/or their approved designee(s) to represent the Commission on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Janell Pagats', written in a cursive style.

Janell Pagats
Chair ANC3C
Single Member District 3C03

This letter was approved 7-1-0 by roll call vote on February 17, 2026, at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 8 commissioners) was present. (3C01-YES, 3C02-YES, 3C03-YES, 3C04-YES, 3C05-YES, 3C06-YES, 3C07-YES, 3C08-NO)