

ZC Case 25-13 - Wisconsin Avenue Corridor upzone Testimony of Judy Chesser in opposition

**RE: Tax increase immediate: Development maybe never and
Public Participation none in future.**

December 11, 2025

Why exactly are we upzoning these 116 lots at this time?

Looking at the Economy. These are observations made by DC officials.

- Poor market conditions and federal contraction are delaying construction.**
 - DC’s economic outlook is currently one of mild recession, driven by federal spending cuts, layoffs and the government shutdown.**
 - The DC Chief Financial Officer (CFO) projects a recession in FY 2026 followed by a gradual recovery but there is significant uncertainty due to ongoing federal policy decisions.**
 - Total DC revenue is expected to be lower next year (FY 2026) than this year (2025), with a forecast of a total revenue loss of \$1 billion through FY 2028 compared to previous estimates.**
 - Most businesses are pessimistic about the local economy and are not hiring or expanding.**
 - The DC Office of Revenue Analysis is forecasting a slight population decrease in 2027, which is expected to further impact tax collection, particularly property and business taxes.**
- https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/release_content/attachments/Updated%20Revenue%20Estimate%20Letter_September%202025.pdf
- The DC Office of Planning states that actual development and growth from these upzones before you “is not expected to occur for decades (if ever).”**

See OP Memo provided here:

To: Vahid Bilvardi, Manager,
Permit Operations, DC Water
Ogechi Okpechi, Director,
Permit Operations, DC Water

From: Ryan Hand, Associate Director, Citywide Planning, DC Office of Planning
Martin Brown, Senior Cross-System Planner, Citywide Planning, DC Office of
Planning
1100 4th St SW, Washington, DC 20024

Re: Infrastructure Assessment for the *Wisconsin Avenue Development Framework*

Date: January 23, 2024

EXCERPT - Specifically, OP needs to know for the *Wisconsin Avenue Development Framework* study area if there is sufficient capacity to handle 10,100 additional households, which OP estimates will house 13,900 additional residents, and 5,600 fewer jobs. The reduction in jobs is driven by the conversion of large commercial and office buildings to high-density residential buildings with ground-floor retail.

Because this additional population growth is not expected to occur for decades (if ever), the answer is likely to be no. To provide a more realistic picture, OP would also like to know if there is sufficient existing capacity to handle some additional population, but less than full buildout, 8,800 additional households (or 12,200 additional residents) and 4,000 fewer jobs. OP would also like to know generally if there are existing planned improvements that will help absorb some of the increased demand. (Bold and underline provided.)

- **And now we get to the immediate tax implications - increases.**
- **I turn to the DC Code.**

Code of the District of Columbia

§ 47-820. Assessments — Estimated assessment roll; frequency of assessments.

(a)(1) The assessed value of all real property as of the valuation date shall be listed annually on the estimated assessment roll for real property taxation purposes.

(2) Repealed.

(3) The assessed value for all real property shall be the estimated market value of such property as of the valuation date, as determined by the Mayor. In determining the estimated market value for various kinds of real property, the Mayor may do so manually or through the use of an automated system or systems such as the Computer-Assisted Mass Appraisal System. The Mayor shall take into account any factor that may have a bearing on the market value of the real property, including, but not limited to, sales information on similar types of real property, mortgage, or other financial considerations, reproduction cost less accrued depreciation because of age, condition, and other factors, income-earning potential (if any), zoning, and government-imposed restrictions. Assessments shall be based upon the sources of information available to the Mayor, which may include actual view.

.....

(b-1)(1) Beginning with tax year 1999 and for each tax year thereafter, all real property shall be assessed at least once every 3 years and the resulting assessment shall be in effect for the next 3 consecutive tax years unless the assessment is otherwise revised as a result of any of the following:

(A) An appeal filed pursuant to [§ 47-825.01a](#);

(B) An administrative correction made in accordance with [§ 47-825.01a](#);

(C) A supplemental assessment conducted pursuant to [§ 47-829](#);

(D) A substantive change in the use of the real property;

(E) A change in the zoning for the area in which the real property is located;

(F) A change in the classification of the real property, unless the change in classification is in furtherance of [§ 47-813\(c-4\)](#) due to the merger of former classes into a single class by operation of law;

(G) A substantial change occurs to the physical make up of the real property; or

(H) A substantial error occurs in the assessment of the real property.

<https://code.dccouncil.gov/us/dc/council/code/sections/47-820>. See section 3.

- **To exacerbate the situation, the property owners on Wisconsin Avenue have received no notice that this upzone is being proposed.**
- **By comparison, in Cleveland Park, OP was capable of notifying all property owners and everyone within 200 feet.**
- **But a few blocks away, on Wisconsin Avenue, OP claims they have no ability to notify property owners or those within 200 feet.**

Exact words from ZC 25-09 Cleveland Park and 25-13 Wisconsin Avenue

In Cleveland Park, although not required, OP sent notices to all owners, including within 200 feet. By contrast, in Wisconsin Ave, OP is incapable of achieving the same notice.

Cleveland Park - 101 lots

ZONING COMMISSION District of Columbia CASE NO.25-09 EXHIBIT NO.2, p.1, OP Setdown Report

OP also requests that the Zoning Commission waive the requirements of Subtitle Z § 502.1 (e) to post notices on properties regarding the proposal. The waiver is requested as the applicant in this case is OP and none of the properties to be rezoned are owned by the government and OP cannot post signs on private property. Similarly, OP is not permitted to post signs on electrical or light standards.

OP has taken steps to notify the public through many meetings with the ANC and other community organizations. Although not required, OP sent notices to the owners of property to be rezoned as well as to owners within a radius of 200 feet of the properties proposed to be rezoned. OP's community engagement is detailed in Section V of this report. To date, comments have been positive and supportive of this initiative to implement Council policy. OP anticipates additional outreach and community outreach prior to a public hearing

Wisconsin Ave Upzone - 116 lots

ZONING COMMISSION District of Columbia CASE NO.25-13 EXHIBIT NO.2, pp 1-2, OP Setdown Report

OP requests that the Zoning Commission waive the requirements of Subtitle Z § 502.1 (e) to post notices on properties regarding the proposal. The waiver is requested as the applicant in this case is OP and few of the properties to be rezoned are owned by the government and OP cannot post signs on private property. Similarly, OP is not permitted to post signs on electrical or light standards.

OP has taken steps to notify the public through many meetings with the ANCs and other community organizations. This zoning map and text amendment is also the culmination of a lengthy public planning process, including amendments to the Comprehensive Plan with a Council Public Hearing, and development of the Wisconsin Avenue Development Framework with multiple public meetings. The extensive outreach effort is described in more detail later in this report. If set down for a public hearing, OP requests flexibility to work with the Office of Zoning Legal Division (OZLD) on the draft language for the public hearing notice. This report also serves as the Pre-hearing Statement.

Public Notice and Participation

Consistent with the undemocratic approach being taken here, not only are the property owners not being notified that this is happening but in addition those same property owners and their nearby neighbors will be barred from any participation in the future - for decades.

There is no Council endorsement in the Comp Plan, and none is being cited, of this drastic and undemocratic silencing of the public forever so long as a developer stays within the very expansive upzone.

In fact, the Council rejected an attempt to require that a \$250,000 bond be posted for anyone to appeal a zoning decision. The Council released a memo opposing that and stating that any problem of delay in zoning decisions could and was being addressed in more constructive ways.

Silencing the public is totally a creation of the Office of Planning and, if you approve, the Zoning Commission.

CONCLUSION

You are upzoning 116 lots from - from Rodman Street to the Maryland border. Although development may not take place for decades, if ever, the tax increases will be immediate.

The Statute I just read does not say the Mayor *may* take into consideration zoning changes it says the Mayor *shall* take into consideration the zoning changes you are making.

These real property tax increases will be yet another burden on the DC business owners in these areas and if you are a tenant these increases will be passed along in rent increases.

Many of these businesses struggled to make it through covid and are still struggling.

Will they be able to afford the increased taxes you are about to trigger or will they go out of business.

This seems like a very, very important issue to consider. I urge you to do so.

Finally, it is imperative that you honor our country's and city's democratic principles. Please do not bar public participation from all future development decisions. It is wrong.

Thank you.