



Expanding affordable housing and economic opportunities in NW DC

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### Zoning Commission Testimony, Case 25-13

December 11, 2025

I am Meg Maguire, Chair of NW Opportunity Partners CDC. As advocates for affordable housing and minority business development, we believe that ***if you work in Ward 3 you should be able to live in Ward 3.***

The publicly owned air rights along Wisconsin Ave. from Rodman Street to the Maryland border are a **gold mine** of opportunity to achieve the housing and economic development goals for Rock Creek West established in the Comprehensive Plan, the High-Needs Areas Tax Abatement (HANTA) program, the Wisconsin Ave. Development Framework, and the Office of Planning's (OP) Set-Down Report for Case 25-13:

- ample affordable family housing, racial equity and racial diversity
- thriving local businesses
- design compatibility with established neighborhoods
- adequate infrastructure

In the case before you, the Office of Planning proposes to steeply discount the price of this gold by granting extraordinary matter-of-right development for 100+ properties without commensurate affordable housing, with no plan for new schools or other infrastructure, with no small business protections against displacement or assurances for relocation in new development, and with no provision for Advisory Neighborhood Commissions (ANC) and the Zoning Commission (ZC) to influence design of future development in perpetuity. *Matter-of-right seems headed to become matter-of-wrong.*

We support sound redevelopment along this corridor accompanied by significantly greater public benefits. Inclusionary Zoning Plus (IZ+) is insufficient to produce the amount and kinds of affordable housing called for in the Framework. Therefore, we recommend the following:

1. Set the IZ income eligibility in the new zones at 30% to 50% Median Family Income (MFI). The MFI for black DC residents is less than 40% of area MFI. IZ's 60% MFI rental level is, therefore, racially inequitable.

2. Establish the IZ set aside requirement at 30% for the increased residential Floor Area Ratio (FAR) density. Air rights are a public asset. Granting unearned development rights is analogous to both disposition of public land (requiring 30% IZ) and a HANTA tax abatement (requiring 33% IZ). We urge you to apply regular IZ+ to the existing FAR, with the 30% requirement applied to the increase.

3. Remove the cap on IZ+ at 125% increases in density. Whatever the rationale for capping the density IZ increase at 125%, all bonus density should be included in the IZ requirements and continue to ladder up the IZ+ requirements above 125%. While we are recommending that you amend the IZ+ regulations to continue the ladder for all amounts of increased density, we are recommending a special requirement the Wisconsin Avenue zones that requires 30% IZ set aside, which is less than would be required on some lots if the ladder mechanism was not capped.

4. Mandate that 20% of the increased FAR be for family sized two- and three-bedroom units. To meet a critical need for larger units and to create a stable, engaged community of long-term residents, family housing is essential.

5. Subject Washington Metropolitan Area Transit Administration (WMATA) properties to the same IZ requirement as other properties in the MU10 zone. With assistance from noted architect Phil Esocoff, we produced a study, *2 Sites/1 Plan: Options for Redeveloping Lord and Taylor Site and Current WMATA Bus Garage*. These sites hold tremendous potential for a state-of-the-art electric bus garage, community facilities, and both rental and ownership housing. We invite you to look at this study on our website, <https://nwopcdc.org/2-sites-1-plan-2/>

Please also read the attached discussion of other concerns we have with this case:

- Ensure ongoing ANC and Zoning Commission review of design decisions.
- Adopt appropriate neighborhood commercial area zoning for Tenleytown.
- In all future rezoning cases, require OP to use ArcGIS 3-D visualization to study development options both in community planning and in presentation before this Commission.

Ten years from now, who will live along Wisconsin Ave? Will those who work in Ward 3 have an opportunity to live in Ward 3?

- *Small business owners*
- *Grocery store workers*
- *Health care and child-care workers*
- *Beauticians and barbers*
- *Construction workers*
- *Office assistants and postal carriers*
- *Teachers and teachers' aides*
- *Those living on fixed incomes*

The Zoning Commission can and must act now to ensure the gold mine of development rights on Wisconsin Ave. is wisely invested in the long-held aspirations and oft-repeated promises for truly diverse, vibrant and equitable communities.

Thank you.

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## **ATTACHMENT to NWOP CDC Testimony on Case 25-13**

OP's proposed upzoning of upper Wisconsin Ave. raises many concerns in addition to affordable housing. Our position on just three of these is as follows:

1. We oppose granting matter of right densities that foreclose ANC or Zoning Commission review of future development projects along the entire Wisconsin Ave. corridor. For example, in Friendship Hts. the interface between 130' (+20' penthouse) buildings and the adjoining neighborhoods must be carefully calibrated to avoid overwhelming the character and livability of these stable residential areas. In addition, both high quality contextual design along the entire corridor, and timely infrastructure improvements including new school capacity, must be ensured for the future of this redeveloped corridor.
2. We oppose upzoning Tenleytown to MU10. Instead, we recommend a special Neighborhood Mixed Use zone. This neighborhood commercial area is not like either Friendship Hts. or the central business district. MU10 will overwhelm the adjacent residential areas with massive buildings and increased congestion. While zoning cannot set aside land for education, there should be stated a recognition that this education-rich community will need school expansion to accommodate new families.
3. Finally, we strongly urge the Zoning Commission from this time forward to require that, for all proposed zoning changes, OP must use ArcGIS interactive visual technologies to illustrate development impacts so that the public is not blind-sided by massive development but can look at change before it occurs. Instead, these far-reaching land use decisions are based entirely on "zoning speak" (e.g. FAR, IZ, etc.), a language that very few people understand and even fewer can accurately visualize. We can think of no greater improvement in government transparency than making available to the public the same advanced, 21<sup>st</sup> century visualization technology used in cities worldwide, but denied to the public and available only to developers in DC.