

Testimony of Ann Lane Mladinov, Commissioner, ANC3A05
December 11, 2025
Before the Zoning Commission RE ZC 25-13

Thank you for the opportunity to testify on the proposed text amendment ZC 25-13. I am representing ANC 3A, one of the two ANCs affected by the text amendment, which covers the Wisconsin Avenue corridor from Western Avenue to Rodman Street NW. Wisconsin Avenue is the major arterial through our ANC, and what happens on Wisconsin Avenue affects our entire Commission area as well as the ward and region as a whole, including transportation services, jobs and housing opportunities, and retail or other commercial activities. I am a city and regional planner by training and my career has been in economic analysis, regulatory analysis, and transportation. I have been an ANC Commissioner since 2014, taking a lead on planning and zoning, first in ANC 3B in Glover Park and since the 2022 redistricting on ANC 3A which reaches north to Tenley Circle, within the area where ZC 25-13 would apply.

Since its early phases, ANC 3A has been participating in the presentations by the Office of Planning (OP) Wisconsin Avenue Development Framework, and submitted comments in November 2023 generally supporting the draft framework for development but adding calls for:

- additional affordable units beyond those required by IZ or IZ+;
- effective Design Review processes for projects where the proposed density would be significantly higher than currently allowed, including mandatory Design Review for areas around Metro station as OP proposed that would ensure avenues for ANC and public input;
- a means for encouraging property owners to go through a PUD process if they are assembling multiple parcels or otherwise planning very large and complex multi-use projects

ANC 3A has now reviewed the proposed text amendment and identified three areas of deficiencies that we want to highlight:

- Insufficient provisions for affordable housing
- Absence of provisions for public input on design of major proposed projects
- Inadequate information and community engagement with ANCs and residents

Those deficiencies caused us to oppose approval of the draft zoning language as it has been presented.

1. Insufficient provisions for affordable housing

Adding affordable housing is a priority for our ANC and for Ward 3 as a whole, including housing to accommodate individuals and households in a wide full range of income levels and family sizes.

a. Affordable housing proportionate to increased matter-of-right FAR

The proposed text amendment would also allowing a maximum Floor Area Ratio (FAR) several times higher than the FAR now allowed as a matter of right on the properties, but would apply the affordable housing requirements in the current IZ+ program which was designed to match a “bonus density” (FAR) up to 125% of the otherwise allowed FAR. The OP Setdown Report in this proceeding does not provide a quantitative basis for providing such a significant increase in the matter-of-right density without commensurate increases in the requirements for community benefits such as affordable housing. [The OAG slide presentation on ZC 25-13 states “Added density triggers commensurate increase in affordable housing” but by the usual definition the proposed increases in affordable housing are not “commensurate” to the added density provided.]

Also, there is no requirement in IZ+ that the affordable units be built for income levels below 80% of AMI. Most developers choose to build affordable units in their projects to accommodate households at 80% AMI not 60% or 50% AMI or lower. Building housing at 80% of AMI would exclude the great majority of people eligible for affordable housing. And most of the affordable units being built under IZ+ are studios or one bedrooms, not units with three or more bedrooms for families with children. That means that by just applying an IZ+ requirement, Ward 3 would continue to fall behind in providing opportunities for the full range of residents who need affordable housing, in number of units, income level, and size of units.

ANC 3A recommends that the Zoning Commission review the IZ requirements in ZC 25-13 and consider adjustments that would better match the increases in density and the needs for affordable housing. But we would still urge that affordable housing requirements for the Wisconsin Avenue corridor be set to include:

- an increased number of units to accommodate households at 80% of AMI
- a share of affordable units at 60% of AMI or lower (rather than 80% of AMI)
- a share of affordable units that would have 3 or 4 bedrooms, to accommodate families
- other community amenities (community meeting room, affordable day care center, etc.) to substitute for building additional affordable housing

There have been contentions that developers would not be able to afford to meet any requirements beyond IZ+. But the IZ+ standards were developed to meet revenue needs with 125% bonus density around the District, so the amount of added density proposed in ZC 25-13 should allow for additional affordable housing. The Zoning Commission adopted the IZ+ standards and could assess how the requirements fit expected market conditions and make adjustments to the requirements, based on the added density proposed for projects on the Wisconsin Avenue corridor. (Some say the current IZ+ requires too much to allow development in the current economy. If that is the case, then that is a separate question. One issue would be where the District is in the market cycle. Many experts say commercial real estate in the District is in a trough and the situation may change as interest rates are reduced and inflation goes down. Potentially the market will move beyond current challenges and the current IZ+ program could continue, with proportional increases for added density. Assessments of those market conditions would take more analysis and discussion.)

The conclusion of ANC 3A is that the proposed text amendment as presented does not offer acceptable policy for the Wisconsin Avenue corridor, when there is such a great shortage of affordable housing, and the District must offer additional solutions. There is so little publicly owned land in Ward 3 that might be available for construction of more deeply affordable housing that if we do not provide for affordable housing beyond the requirements of the current IZ+ program on all the privately-owned land on the main commercial corridors, ANC 3A struggles to imagine where affordable units could be built in the ward for households at 60% or 50% of AMI or less, including units with enough bedrooms for families with children.

2. Absence of provisions for ANC or community input on design

The Wisconsin Avenue Development Framework issued by OP in February 2024 emphasized the importance of attractive development on Wisconsin Avenue with ample open space and public amenities as well as design sensitive to the scale and character of surrounding residential streets and blocks. The Framework also called for design review, and the ANCs and other stakeholders have continued to expect and want some form of design review at least for some projects. But OP did not provide for any design review in the proposed text Amendment, beyond a checklist of measurable design features that would be required by the Department of Buildings in its project review. If ZC 25-13 is approved as presented, development projects will be a matter of right up to the maximum possible height and density that could be allowed on the property under the current Comprehensive Plan and Future Land Use Map, and there would be no design input from ANCs or the public on any projects on the corridor. Though OP notes that PUDs would still be an option, it appears that there would be little incentive for a PUD in the Wisconsin Avenue corridor if ZC 25-13 is adopted.

If no provisions for requiring design review by ANCs or members of the community are adopted as part of ZC 25-13, ANC 3A would ask property owners and developers along the Wisconsin Avenue corridor to attend an ANC public meeting to describe their project and take questions and comments on design and other elements of the proposal. It can always be helpful to have that kind of communications and input, but that process would be voluntary, not mandatory.

3. Inadequate Communication and Community Engagement

ANC 3A was also disappointed and troubled by the shortcomings in information sharing and community outreach by OP staff on the proposed text amendment ZC 25-13. OP has told us they are relying on local

ANCs for communicating with the public about plans and proposed text amendments. On this proposal, we got very little information about the zoning language or its likely effects, there were no ANC Commissioner forums, and no community forums. OP was not in touch with ANC 3A about presenting the proposed zoning language in the text amendment until after we contacted them in early October to request a presentation on ZC 25-13. That is not sufficient. There was very little chance for members of the public to hear about the proposed text amendment or get questions answered. Some of the participants in recent ANC meetings noted that OP had not met with local schools or other institutions, neighborhood associations, or groups advocating for housing. Most of those participating in the discussions at the ANC meetings this fall and offering comments seemed to know about the issue because of their organizational affiliations. The Zoning Commission itself urged wider community outreach at its July 31 meeting to vote on setdown. When OP was developing the Wisconsin Avenue Development guidelines, the two affected ANCs organized a joint community forum to disseminate information on the plans. We would be glad to do something similar on the proposed text amendment, but to this point, we have not had enough information or time to do that.

We also do not have effective illustrations of what projects would look like if property owners made use of the maximum height and FAR proposed in the text amendment. A similar comment came from the ANC 3A Commissioners and also from the Zoning Commission at the Setdown Meeting on July 31. It should be possible for OP to develop illustrations showing what the zoning changes could mean for the appearance of new structures on Wisconsin Avenue and for the appearance of the corridor, shown both from Wisconsin Avenue and from surrounding residential areas, compared to the appearance of the same locations today.

Even though ZC 25-13 is already at the hearing stage and the Zoning Commission could take it up for a first vote, we would strongly recommend that OP undertake additional outreach to local stakeholders and provide further information to residents, businesses and institutions about what OP has proposed for the Wisconsin Avenue corridor and what that could mean for the appearance of the community, including more illustrations of the blocks in our ANC area.

If the Zoning Commission decides to take a first vote on the proposed text amendment after this initial hearing about ZC 25-13, we would also encourage allowing more than just 30 days before a second vote, to provide enough time for additional community presentations, public discussions and comments. That is especially important when a proceeding is held at this time of year, when so many people are taking time off and not following their regular schedule and are not available to attend meetings, handle email, analyze issues, or prepare comments.

We recognize the pressure to take action and not delay putting new zoning regulations in place, so property owners will have clear guidelines about what will be allowed on their holdings on Wisconsin Avenue. But with the combination of interest rates, cost increases, and uncertainty about future demand, this is not a time when the commercial real estate market appears so strong that we should rush a decision. Several residential developments on Wisconsin have not been fully occupied, and others are just being completed and looking for residents to occupy those units. Some local developers are pulling back their plans because District population growth would not support the market demand their projects would need.

ANC 3E and other groups have also asked for the Zoning Commission to consider changes in the text amendment that would require more time. A short delay in adopting a text amendment for Wisconsin Avenue would not seem likely to substantially disrupt long-term real estate development.

In addition, if sweeping changes in zoning were to go into effect for all the properties along the upper Wisconsin Avenue corridor, it would be difficult to change the rules once that regulatory framework was adopted. Taking away what has been a matter of right affects the market value of property and the opportunities available to developers, many of whom would already have made an investment based on a different expectation of their options, and that would raise both legal and financial obstacles to raising requirements in the zoning regulations.

That concludes my testimony. See below for the complete list of recommendations in the ANC resolution.

RECOMMENDATIONS IN ANC 3A RESOLUTION

Additional Requirements for Affordable Housing

→ ZC 25-13 should require property owners proposing projects along the Wisconsin Avenue corridor to provide affordable housing in proportion to the increased FAR requested for the project compared to the FAR currently allowed as a matter of right. We suggest this could involve a number of different options, or a combination (beyond the proposed 12% to 18% or 20% of units that would be affordable, as currently required under IZ+), such as:

- an increased number of units to accommodate households at 80% of AMI
- a share of affordable units at 60% of AMI or lower (rather than 80% of AMI)
- a share of affordable units that would have 3 or 4 bedrooms, to accommodate families
- other community amenities (community meeting room, affordable day care center, etc.) to substitute for building additional affordable housing (beyond the proposed

→ Any exemptions to inclusionary zoning requirements applicable to proposed residential projects along the Wisconsin Avenue corridor should have to be requested for the individual project.

Options for Design Review

→ If no provisions for requiring design review by ANCs or the public are adopted as part of ZC 25-13 for proposed projects significantly beyond what is possible under current zoning along the Wisconsin Avenue corridor, the ANC would ask that property owners and developers attend an ANC public meeting to describe their project and take questions and comments on design and other elements of the proposal. (The presentation would be voluntary, unless the project is a PUD or a Large Tract Review is required, or the Zoning Commission decides to adopt provisions such as those that OP proposed in its Wisconsin Avenue Development Framework issued in February 2024 at p. 42 of 60: “It is recommended that Design Review, as currently described in the zoning regulations, be applied to the high-density mixed-use areas covered by the proposed Friendship Heights Metro Zone and Tenleytown Metro Zone. The purpose of Design Review is to promote high-quality, contextual design, by allowing for review against specified criteria as identified in this Development Framework. The process entails a public hearing with review and approval by the Zoning Commission.”)

Additional Communication and Community Engagement

→ The Zoning Commission should ask OP to undertake additional outreach to local stakeholders and provide further information to residents and businesses and institutions about what OP is recommending in ZC 25-13 for changes in zoning regulations covering the Wisconsin Avenue corridor.

→ If the Zoning Commission decides to take a first vote on the text amendment after the initial hearing on ZC 25-13, the schedule should allow more than just 30 days before a second vote, to provide enough time for community presentations, public discussions and comments, especially during the holiday season when many people are not following their regular schedule of work days, meetings, email and other communications.