

Zoning Commission Case 25-13
Proposed Zoning Text and Map Amendments to create and map –
new Wisconsin Avenue Mixed Use zones:
Friendship Heights Metro Mixed Use Zone (MU-10/FHM); Friendship Heights Transition Area
(RA-2); Tenley Town Metro Mixed Use Zone (MU-10/TTM), and Wisconsin Avenue Mixed Use
Zone (MU-8A/WA) between Western Avenue and Rodman Street NW

Comments of Marilyn J. Simon
On the Office of Planning OP Supplemental Report II: Proposed Zoning Text and Map
Amendments to create and map a new Wisconsin Avenue Mixed Use Corridor
May 14, 2026

In these comments, I address several areas where the Office of Planning in its Supplemental Report II failed to adequately address the concerns raised by the Commission and the public:

SUMMARY of TOPICS

- (1) Infrastructure: In response to questions on the infrastructure analysis, OP did not provide any additional information and simply relied on the earlier, totally inadequate WADF Assessment, along with a note that they are waiting for an update from DC Water.
- a. The Infrastructure Assessment lacks sufficient information to evaluate the proposal: OP did not supply information on the buildout that is being evaluated, and did not describe how the infrastructure (such as the sewer system) could be improved to accommodate the increased development. There is no evaluation of the cost and associated disruption of necessary improvements, or who will pay the cost of necessary infrastructure improvements.
 - b. In the Infrastructure Assessment, it is clear from the data available that OP is understating the amount of development, above existing occupied development, that would be accommodated in the proposed zoning envelope. In addition, there was no actual assessment of the adequacy of the infrastructure for the low-ball numbers in their chart. The DDOT memo, which includes a partial analysis, is based on an increase in development of less than 60% of OP's estimate of the increase in development. Even if they had actually evaluated the adequacy of the infrastructure for OP's estimates, that wouldn't have provided evidence that the infrastructure could support or be improved to support the larger amounts of development that actually would be allowed with the proposed upzoning.
- (2) Affordable Housing: OP's Supplemental Report II is lacks a clear evaluation of how much additional affordable housing might result from this major upzoning, as well as the level of affordability and unit sizes. There is no evidence provided that the additional and/or deeper affordable housing would be provided with this text amendment commensurate with the massive increases in height and density, up to a 440% increase in density (as defined in Subtitle C), that are being given to the current landowners.

The Infrastructure Analysis Is Not Adequate

In the Supplemental Report II, OP has provided no new information on the adequacy of the infrastructure to support the proposed upzoning or the feasibility and cost of any upgrades to the infrastructure that would be necessary.

Water and Sewer is reported to be at capacity. The DDOT Study is fatally flawed. Schools, parks and recreation are not addressed.

OP’s response to the testimony pointing out the clear inadequacy of that assessment was simply to state that they were willing to rely on the WADF Assessment since they adopted the WADF recommendations. The WADF Infrastructure Assessment does not include anything to indicate that an actual infrastructure assessment was done, and OP indicates that no further work was done to resolve the open issues.

<i>12. Infrastructure</i>	As part of the WADF process a capacity and infrastructure assessment as done with input from several District agencies and utilities (PEPCO, DC WATER, DDOT, DPW). The study was based on the build out of the recommendations of the WADF. The assessment provided information to understand each infrastructure current system capacity and the process for capital improvement planning to meet future demand. The assessment is provided at Infrastructure Assessment . The proposed zones are based on the WADF and therefore OP did not see the necessity to undergo a second study when not much has changed in the area. However, OP did request an update from DC Water but to date has received no response. OP will continue to engage DC Water to have a response prior to Final Action.
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From OP Supplemental Report II, p. 7.

The submitted assessment provided no evaluation of the adequacy of the infrastructure to support the proposed upzoning. In addition, there is no support for the numbers that they asserted could be built within the new zoning envelope, and even looking at a handful of sites upzoned, it seems that those sites would account for most of the increase in housing units that they discussed.

Far more information and analysis is necessary in order for the Commission to evaluate whether the infrastructure in this area can support the proposed upzoning, and, if adding the required infrastructure is feasible, for the Commission to fully consider the cost of upgrading the infrastructure to support the development if the map amendments are approved. Once this map amendment is adopted, developers can increase the density along this corridor with no further consideration of the impact. While the analysis should have been done by the Office of Planning before proposing the FLUM changes, it wasn’t done then. So, it must be examined now, before there is a substantial increase in matter-of-right development rights.

Massive increases in the zoning envelope are being proposed for upper Wisconsin Avenue, but not clear that they are included fully in the infrastructure assessment:

The proposal includes massive increases in the zoning envelope and it is not clear that the Infrastructure Assessment is considering the full increase in the amount of development, above existing development that would be allowed as a matter of right.

The following table gives the amount of development that would be allowed on seven sites, along with the existing development on those sites. For just these seven sites, matter of right

development can exceed 6 million SF, where together these sites currently have just a few hundred thousand SF occupied space.

	Existing Development*	MOR with proposed upzoning
Lord & Taylor (FH Metro zone)	Vacant (vacant building is 153,424 SF)	2,134,275 SF
WMATA Bus Garage (FH Metro Zone)	52,760 SF	1,280,292 SF
"Home Plate Lot", Square 1660, Lot 0811 (FH Metro Zone)	Vacant	608,127 SF
Buick Site, 5220 Wisc. (FH Metro Zone)	Vacant	158,240 SF
Whole Foods Block (Albemarle to Brandywine, Wisconsin to 40 th St) (TT Metro Zone)	142,449 SF	1,025,633 SF
Brandywine to Chesapeake, 40th to 41st (Square 1769) (TT Metro Zone). Data for existing development is from 2004, since then some occupied buildings are vacant or demolished, and some largely vacant	159,698 SF	675,115 SF
Martens Volvo, 4800 Wisconsin (Wisconsin Ave Mixed Use Zone)	Vacant	215,4167 SF
Total Development allowed as a MOR with the proposed upzoning on these seven sites		6,097,099 SF

*Existing development and land area data was provided by the Office of Planning in 2004, edited to take into account sites that have subsequently become vacant.

In addition, there were seven sites under construction or planned at the time of the WADF analysis. Added density in these projects was in the WADF infrastructure assessment.

Seven Projects Under Construction or Planned considered in WADF Infrastructure Assessment	Residential units	Commercial SF
Federal Realty	310	10,500-15,000
UIP	146	10,984
Fox5	214	1,500
Mazza	325	70,000
Dancing Crab	41	4,971
Upton Place	689	105,000
City Ridge	690	360,000
Total	2,415 Units	562,955 SF

OP's Infrastructure Assessment is based on an increase of 10,100 housing units and a 54% reduction in employment. These fourteen sites account for an increase of 2,415 housing units and over a half-million SF of commercial space (under construction or planned) and nearly 5.5 million SF of additional development, largely residential. Combined (depending on the average unit size and amount of commercial space), this could account for nearly all the assumed maximum increase of 10,100 housing units. It might even exceed that amount for smaller average unit sizes.

This estimate for 14 sites does not include the 127 housing units planned east of Wisconsin on Garrison Street, or the large area west of Wisconsin between Garrison and Harrison which is currently trees and parking that will have a 440% increase in the allowable density, from R-2 to RA-2. It also does not include many of the lots listed on pages 36-37 of OP's Supplemental Report being upzoned from R-1-B, RF-1, RA-2, MU-3A, MU-4, MU-5A and MU-7B to MU-8A/WA, with a height of 75 feet (plus penthouse) and an FAR of 5.4. While some of these have fairly low FAR limits, and a few higher, most of the land in this zone is current MU-4, with a base FAR of 2.5, and 3.0 with the 20% IZ bonus density. An increase in FAR from 3.0 to 5.4 is sizeable. There could be substantial increases in housing and commercial space on those lots.

The WADF Assessment, with an increase of 10,100 housing units and a reduction in employment does not reflect the full increase in the zoning envelope.

Infrastructure: Water and Sewer

Without getting into the weeds, it is clear that Water and Sewer is an issue: Water and Sewer is currently at capacity.¹

Water and sewer is critical infrastructure and costly to upgrade, an upgrade which can involve major disruptions. Upgrades are also lumpy, i.e., they cannot be done by developers incrementally. According to the information OP submitted, water and sewer are at capacity. (WADF Infrastructure Assessment, p. 4)

DC Water (sewer and water capacity): The Wisconsin Avenue Development Framework study area's existing local sanitary sewer systems are running at full capacity. The wastewater generated by future developments may impact some local sanitary sewers. The existing water system in this area is also running at full capacity. Developers should work with DC Water to ensure there is adequate capacity to serve new development. Currently, DC Water has one capital improvement planned for the area, which includes small diameter water main along Wisconsin Ave, NW from Fessenden St, NW to Western Ave, NW.

What other upgrades will be necessary and what is the cost and disruption associated with the upgrades? If large new developments used all available capacity, and new construction must wait for necessary infrastructure projects to be completed, will neighboring homeowners be denied a permit to add a first-floor bathroom they desire so that they can age in place? Will the developers who are benefiting from the gifted increase in the allowable zoning envelope pay for those necessary infrastructure improvements or will the costs be borne by the DC ratepayers?

Infrastructure: Transportation

There has been no new information provided on the adequacy of the transportation infrastructure to support the development possible with the proposed map and text amendments. The transportation analysis is fatally flawed, using a base of a hypothetical full

¹ DC Water states: "This area's existing local sanitary sewer systems are running at full capacity." OP Infrastructure Analysis, p. 4.

buildout with current zoning rather than existing conditions. And no actual analysis was even done assuming those numbers.

OP has not provided additional information on the adequacy of the transportation infrastructure, but simply stated that the earlier analysis was sufficient.

As noted earlier, The Transportation Analysis in DDOT Report (ZC 25-09, Exhibit 150, November 21, 2025) is fatally flawed and does not provide the Zoning Commission and the Office of Planning with the information they need to evaluate whether the existing infrastructure (with possible improvements) can support future development that would be matter-of-right if these amendments are approved. **The DDOT Report evaluates an increase of 5,801 housing units and no additional retail. While OP has estimated an increase of 10,100 housing units, which probably understates the actual increase from existing occupied square footage..**

The DDOT Report does not include: (1) an evaluation of existing conditions, which should include existing development in the area, traffic counts for critical intersections and a review of the level of service for critical intersections;² (2) projections of additional trips (from existing conditions) and projected levels of service, assuming a full buildout in the area to current zoning limits; and (3) projections of additional trips (from existing conditions) and projected levels of service assuming a full buildout in the area if the proposed amendments are adopted.

The Report should also include sufficient detail, such as block-by-block data on assumed development, units, residents, employees, and trip generation, for each of these three scenarios so that the community can review the analysis. For the analysis of existing conditions, and calculating the additional development in the buildout scenarios, currently unoccupied buildings should be assumed to be generating no trips.

The Report should include an examination of key intersections to estimate the level of service that would be expected and what changes would be necessary to maintain an acceptable level of service. For currently unoccupied buildings, additional trips for the other two scenarios would be the total number of trips generated with the full buildout of those sites.

Detailed analysis to evaluate massive upzoning has been done before

About 20 years ago, 2003 through 2005, OP had proposed major upzoning along upper Wisconsin Avenue, the Upper Wisconsin Avenue Corridor Study, UWACS. The proposed upzoning was modest compared with what is being considered today. At the request of Kathy Patterson, the Ward 3 Councilmember, DDOT conducted two transportation studies, the 2003

² "To complete the analysis, DDOT first assessed the theoretical maximum development potential of the site based on current and proposed zoning." DDOT Report, p.3.

This was not existing development, but the amount of development that would be allowed with current zoning. The increased traffic that DDOT examined was less than the increase from existing development. By considering a full buildout at current zoning as the base rather than existing conditions. DDOT estimates that the maximum development as a MOR with current zoning would have 3,761 Multi-Family Dwellings and 863,000 SF of retail. They assume that with the upzoning, the maximum future MOR development would be 9,562 Multi-Family Dwellings and 863,000 SF of retail. So, DDOT evaluates an increase of 5,801 housing units and no additional retail space in the entire upzoned area. DDOT Report, p. 3, and Table 1, p. 4.

Friendship Heights Transportation Study, FHTS, (and 2005 FHTS Addendum) and the 2005 Wisconsin Avenue Corridor Transportation Study, WACTS, to evaluate the adequacy of the infrastructure to support the Office of Planning’s recommended upzoning along Wisconsin Avenue. Those studies included an examination of existing conditions in the study area along with a projection of future conditions in several scenarios, including a full buildout of the corridor to the density limits under then existing zoning and a full buildout of the corridor to the density limits under the proposed zoning. DDOT evaluated the current levels of service at critical intersections, along with the projected conditions under the two buildout scenarios.

The DDOT Report for the proposed zoning changes does not evaluate current conditions, and does not look at the additional development (from the existing development) that could occur if the text and map amendments are adopted. Instead, it only gives information on the difference between potential development in the study area with current zoning and potential development in the study area with the proposed text and map amendment.

The amount of additional development that they consider is less than 60% of the additional development that OP estimates. This comparison does nothing to inform the Commission about whether the infrastructure can support the development that can occur with the proposed text and map amendments.

Infrastructure: Schoos, Parks and Recreation

The Infrastructure Assessment should also consider the need for additional schools, parks and recreation facilities to serve this large increase in population. Where will additional schools and parks be located? Has OP planned for these facilities? Where will they be located? Can DC acquire the land needed for new schools or parks?

Infrastructure: Conclusion

The 2004 proposed upzoning along Upper Wisconsin Avenue was withdrawn after OP was not able to produce even one of the required reports demonstrating that there was sufficient infrastructure to support the proposed development. After the DDOT Report showed failing service levels at many major intersections, OP did not conduct any of the other requested reports.

Yet the proposed zoning in 2004 was much less intense than the ZC 25-13 zoning changes.

	UWACS MOR	ZC 25-13 MOR
Lord & Taylor	480,106	2,134,275
WMATA Bus Garage	904,452	1,280,292
Home Plate Lot	467,790	608,127
Buick Site	135,000	158,240
Whole Foods Block	641,020	1,025,633
Square 1769, Brandywine to Chesapeake, 40th to 41st	281,298	675,115
Martens Volvo	119,676	215,417

*It was assumed that the L&T site would not be redeveloped since there was a long term (60 yr) lease and L&T stated that they weren’t planning on leaving.

Twenty years ago, OP proposed a far more modest upzoning of the Wisconsin Avenue corridor, and withdrew the proposal after being asked to demonstrate that there was sufficient infrastructure to support the anticipated increase in development. The proposed map amendments in ZC 25-13 involve significantly greater increases in height and density, but in the Supplement Report II, OP has still failed to provide the necessary infrastructure analysis, and chooses instead to just kick the can down the road.

Can the infrastructure support these extensive increases in density? Can the infrastructure be improved to support these increases, and if so, what are the costs of those improvements? Who will bear the costs? Will it be the current residents, rate-payers and tax-payers, or the developers who benefit from the increase in the zoning envelop on their properties?

IZ-Plus and Affordable Housing

With the recommended upzoning, OP is granting a substantial increase in development rights on the upzoned sites, with increases in density as defined in C§1003.4 of 170% to 440%. OP asserts that this upzoning and the application of IZ-Plus will “allow and encourage residential development and a greater range of resident diversity to advance the District’s housing equity goals” and increase the amount of dedicated affordable housing in Ward 3.³

The proposed map amendments result in possible percent increases in Total FAR Utilized as used in C§1003.4) and defined in C§1003.5(b) as high as 440%.

Proposed Density Increases on Wisconsin Avenue		
Area	Proposed Map Amendment	Percent Increase in Total Density*
Friendship Heights Metro	RA-2 to MU-10/FHM	333%
Friendship Heights Metro	MU-4 to MU-10/ FHM	212%
Friendship Heights Transition	R-2 to RA-2	440%
Tenleytown Metro	MU-4 to MU-10/TTM	188%
Area between Metro stops	RA-1 to MU-8A/WA	200%
Area between Metro stops	MU-3B to MU-8A/WA	170%

* The Percent Increase in Total FAR as calculated in C§1003.4.

Limitation of the IZ+ set-aside requirement to 18% of residential floor area: In response to comments about the IZ+ requirement being limited to 18%, in spite of the excessive density

³ Note that Ward 3 has a substantial amount of other affordable housing, including rent control units, other naturally affordable housing in older buildings, and vouchers.

increases in ZC 25-13, OP provided the following explanation.

Issue	Response
	<p>Consistent with the matter-of-right IZ program dating back to 2006, the IZ+ analysis measured the impact on land values when the IZ requirements and density were changed. The model included the impact on construction costs when increasing density led to a necessary increase in height and required projects to go from wood frame construction to more expensive high-rise steel and concrete construction. The recommendation balanced the affordability requirements with the increases in density so as not to harm development and limit overall housing production.</p> <p>The IZ+ analysis stopped at an 80% - 125% increase in density and 18% - 20% affordability requirements for three reasons:</p> <ul style="list-style-type: none"> - First, going beyond an 80% or 125% increase tended to shift low-rise construction to more expensive steel and concrete. - Second, a 20% affordability requirement enables a project to receive Tax Exempt bonds and 4% Low-Income Housing Tax Credits (LIHTC). - Third, increases beyond 80% - 125% very quickly exceed theoretical limits of lot occupancy and stories within the District.

OP’s explanation does not hold water.

First, for the current zoning, the heights and densities already bring a matter of right project into the more expensive steel and concrete construction method. So, there is no increase there. And if there was, the switch to the table with lower requirements in IZ or IZ Plus would take that into account.

In terms of thresholds for other affordable housing subsidies, the possible use of multiple subsidies ignores the fact that, with IZ or IZ+, the developer is being compensated for providing affordable housing with the gift of bonus density, an increase in the zoning envelope that is especially valuable in higher rent neighborhoods, like Upper Wisconsin Avenue.

Third, it is clear that percent increases in the total FAR beyond 125% do not exceed the theoretical limits for lot occupancy and stories in the District. It is clear that buildings that exceed those percent increases in density are possible with the heights and lot occupancies included in the MU-10/FHM, MU-10/TTM, MU-8/WA zones and of course in the RA-2 zone, which has a percent increase of 440% for the lot behind Rodman’s. Even so, the set-aside requirement is based on utilized bonus density. There cannot be a utilized bonus density beyond the theoretic limits of lot occupancy and stories.

1. How much additional affordable housing might result from upzoning and IZ-Plus?

For Tenleytown and Friendship Heights, OP should be providing the Commission:

- (1) for some of the larger sites:
 - a. estimates of the amount of housing and the amount of affordable housing that might be expected on those sites, if the sites were developed with current zoning,
 - b. estimates of the amount of housing and the amount of affordable housing that might be expected with the proposed zoning,

- c. how much affordable housing would be provided if the developer elects to take a 20% reduction in the requirement as provided in C§1003.9 for the inclusion of a sufficient number of affordable and market rate three-or-more-bedroom units. With that reduction, how many affordable units would be included and how many larger units (affordable and market rate) would be provided.
 - d. What would be the impact if WMATA is granted a waiver from IZ requirements on either or both sites in Friendship Heights.
- (2) For the remaining upzoned areas, OP should provide block by block estimates of the amount of additional affordable housing and additional market rate housing for current zoning with IZ and for the proposed zoning with IZ-Plus


The Office of Planning should be giving the Zoning Commission solid numbers on how much additional affordable housing would be provided with IZ-Plus in exchange for the massive increase in development rights being granted here.

With this information, the Commission will be better informed on the extent to which IZ+ moves the needle in reaching these affordability and diversity goals.


2. Does IZ-Plus provide affordable housing to the intended households where the stated goal is to accommodate a greater range of resident diversity to advance the District’s housing equity goals?

IZ-Plus provides some additional housing available at 60% AMI for rental units and 80% of AMI for ownership units. Both IZ and IZ-Plus have an affordable housing requirement at 50% of AMI based on habitable penthouse space. The required housing at 50% AMI is relatively small.

The following table shows the maximum income for inclusionary units based on family size for 2026:



GOVERNMENT OF THE DISTRICT OF COLUMBIA
 DC Department of Housing and Community Development
 1909 Martin Luther King Jr. Avenue SE | Washington, DC 20020
 202-442-7200 | dhcd.dc.gov



INCLUSIONARY ZONING PROGRAM
 2026 MAXIMUM INCOME, RENT AND PURCHASE PRICE SCHEDULE

Effective: January 30, 2026

Household Size (number of people)	Maximum Annual Income (\$s)					
	30% of MFI	50% of MFI	60% of MFI	80% of MFI	100% of MFI	120% of MFI
1	\$34,400	\$57,350	\$68,850	\$91,800	\$114,750	\$137,700
2	\$39,350	\$65,550	\$78,650	\$104,900	\$131,100	\$157,350
3	\$44,250	\$73,750	\$88,500	\$118,000	\$147,500	\$177,000
4	\$49,150	\$81,950	\$98,340	\$131,000	\$163,900	\$196,700
5	\$53,100	\$88,550	\$106,260	\$141,600	\$180,300	\$212,400
6	\$57,050	\$95,100	\$114,120	\$152,100	\$196,700	\$228,150
7	\$60,950	\$101,650	\$121,980	\$162,600	\$213,050	\$243,900
8	\$64,900	\$108,200	\$129,840	\$173,100	\$229,450	\$259,600

Does providing dedicated rental affordable housing only to these income limits advance the stated goals?

Conclusion

The OP Supplemental Report does not adequately address the Commission's questions on infrastructure or affordable housing.

It is time to pump the brakes, so that proper planning can take place and we can determine whether the infrastructure can support this massive zoning envelope, or how it might be expanded to accommodate these increases.

The Commission should either reject the proposed map amendment or request that OP come back with another Supplemental Report to address these issues and other issues that might be raised in the comments.