



May 14, 2026

Chairman Hood and Members of the Zoning Commission:

Re: Case No. 25-13 - Text & Map Amendments to Create New Wisconsin Avenue Mixed Use Zones

The Committee of 100 on the Federal City (C100) offers the following comments on the Office of Planning's Supplemental Report II (the "Supplemental Report") relating to the proposed zoning text amendments to create and map a new Wisconsin Avenue mixed-use corridor (Case No. 25-13). We appreciate that the Zoning Commission decided to reopen the case record to allow public comment on the Supplemental Report. Public participation should be encouraged, not discouraged. Comments from the public during the December 11, 2025, public hearing were a reason that the Commission asked OP to reconsider design review, which it had previously rejected. As addressed below, this revision represents an improvement in the proposal from OP's initial proposal.

Before commenting on the substantive planning and zoning topics in the Supplemental Report, we feel it necessary to address two statements in the Supplemental Report that reflect OP's biases. First, OP makes it clear that it met with Ward 3 Vision and the Smart Growth Coalition after the December hearing and that the Supplemental Report was highly influenced by their views. OP allowed representatives of one point of view to put a thumb on the decision-making scale by allowing these representatives to continue bringing their views before the Commission (through OP) after the record ostensibly was closed. The selective consultation employed here shows which interest groups OP really cares to listen to.

Second, C100 takes issue with the gratuitous and biased statement in the above-described Report filed by OP that there are unspecified persons who will take advantage of Design Review for the sole purpose of filing an appeal, which could slow a project for some time. The Administrative Procedure Act states certain principles, including the right to appeal. These procedural rights should be honored in all circumstances. Since when is it the mission of OP to argue when these rights should apply or when they should not be tolerated? The important consideration in zoning matters is to get to the right result. Unstated by OP is that there have been only a handful of appeals of zoning decisions over the last few years. In fact, the Office of Zoning's case status page currently lists only three pending open cases (all relating to BZA cases). Also, we find it ironic that OP indicates a concern over delay, since there has already been a delay of more than four months in this case directly attributable to OP's request for time to respond to the requests from the Zoning Commission.

Design Review

The Wisconsin Avenue Development Framework (WADF), the predicate for this zoning action, was issued in February 2024. Importantly, the WADF stated: "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.” Many were surprised when they found that this requirement was missing in OP’s proposed text amendment.

The rulemaking in this case is improved by the inclusion of design review. C100 strongly recommends that design review be retained when the Zoning Commission acts on the proposed text amendment. We do, however, recommend inclusion of clarifying rules as described below.

The latest version of the proposed text amendments, issued with the Supplemental Report, add a review process that incorporates the substance of the WADF standards, e.g., stressing the importance of pedestrian friendly environments and active ground floors, as well as a design review process. The Supplemental Report also draws on the 2016 Zoning Code’s Subtitle X, Ch. 6. Subtitle X contains generally applicable design review standards and establishes a process, including a provision that a project subject to design review may seek special exception or variance relief concurrently with design review. Design review will be conducted under the hearing requirements of Subtitle Z.

The proposed text amendment adds additional design criteria. See Subtitle X § 808, Subtitle X §908, and Subtitle X §1008.1. We are pleased that all three sets of design standards contained in the proposed rule recognize the need to respect nearby residences, stating that new construction shall “Be protective of lower scale residences and be in context with the surrounding neighborhood;” 808.1(2) (MU-10/FHM); 908.1(2) (MU-10/TTM); 1008.1(2) (MU-8A/WA).

We suggest adding: “Compliance with established buffering and other transitional rules shall not conclusively establish protection of lower scale residences if persuasive evidence demonstrates that greater protection is needed.”¹

C100 recommends that the Commission clarify the proposed rule by adding that, in protecting lower-scale residences, OP and the Commission will specifically take into consideration set-backs, stepbacks, screening, and other development standards.

Residents are alarmed by the extreme height and density proposals adjacent to established low-scale neighborhoods. Thus, it is significant that OP included some setbacks to address the most dramatic differences in height. These minimal protections should not be waivable. We also suggest that the design standards should prohibit special exception relief easing set-back and upper-level step back rules. This would be stricter than either Subtitle X-603.1, which allows relief from such transitions, and the proposed Wisconsin Avenue rules in the Supplemental Report.

We also submit that, due to the corridor nature of the OP’s proposal, these standards need to be expanded to reflect the goal of promoting superior architecture. Specifically, C100 recommends that the Commission expand the design criteria in each of the three design review sections referenced above to include the following standards:

¹ The Commission has had recent experience with inadequate buffering. In ZC Case No.23-02 (1617 U Street), the Commission required significant changes to heights and step backs to protect one-and two-story buildings from being overwhelmed by the MU-10 envelope proposed by OP.

- Architectural diversity (considered in relation to existing buildings and proposed projects) to foreclose cookie-cutter development; and
- Respect for nearby historic structures.

C100 believes that the design standards can also be improved with several other additions, including by clarifying that a project proposed to be built to the letter of the rules, where the owner seeks no relief from height or any other dimension, nevertheless may be found to adversely affect neighboring structures.

The map and text amendments in this case are something new—a major corridor is being redesigned in painstaking detail without any specific project in view. Prior design review cases were decided in light of the facts on the ground. These standards are being written for projects that may come to fruition 10 or more years down the road. Standards written today may adversely affect neighboring properties in ways not contemplated now. The public must be assured that they will have an adequate opportunity to speak at the appropriate time.

Finally, a substantial portion of the design standards address the creation and maintenance of active ground floor and street uses. Given Wisconsin Avenue's recent retail challenges (i.e., the Mazza Gallerie and Lord and Taylor closings and other shutdowns), there may be a spate of requests for variance relief that would undermine the vibe WADF aims to create. We propose that limits be placed on the percentage of square footage that can be repurposed.

Proposed Zones

The Comprehensive Plan designates MU-9 as the appropriate zone for the Friendship Heights and Tenleytown Metro Station Areas. OP seems to agree. See the Table set forth on page 2 of the Supplemental Report. Nonetheless, OP now proposes MU-10 for these areas.

OP mentions that the WADF supports MU-10 as the appropriate zone for both metro station areas. On this point, the WADF was not a deliberative process. OP chose MU-10 for the WADF and it chose MU-10 for the map amendment. It is incorrect to rely on the WADF as authority for the conclusion that MU-10 is the right zone and it is baseless to then conclude that MU-10 should be approved as the new zone because it was in the WADF.

OP does not provide arguments why MU-10 is the right zone. At best, OP says that residents at public meetings on the WADF expressed a desire for maximum heights and densities. OP's evidence is set forth in Attachment 1 to the Supplemental Report, which shows design option boards with 6-12 unreadable sticky notes attached. None of the presentation options on the boards mention heights or densities. What the boards present are potential units of market-rate and affordable housing. Participants may have expressed support for affordable housing capacity on the sticky notes, but that does not mean they support any building height or density. That is a separate issue and OP's presentation boards did not address it.

OP further states in the Supplemental Report that MU-10 is not inconsistent with the Future Land Use Map of the Comprehensive Plan because the phrase "other zones may apply" allows OP unlimited flexibility. If that were true, the Council would not have listed specific zones as consistent with a particular density. The Zoning Commission should not allow OP to disregard the clear guidance from the

Council. OP admits that MU-9 is listed in the Comprehensive Plan Framework Element as the mixed-use zone consistent with a high-density designation on the FLUM.

Under current law, MU-9 allows 100 feet as shown on the Table on page 2 of the Supplemental Report, OP is proposing greater heights for both Friendship Heights and Tenleytown - 130 feet in Friendship Heights and 110 feet in Tenleytown. The additional height for Tenleytown is particularly problematic given the lower densities there. The current maximum FAR in Tenleytown is 4.8. The proposed increase to 7.2 is too much and would cause any proposed development to be out of scale with the surrounding residential area, thus violating the Comprehensive Plan.²OP makes the preposterous statement in its supplemental submission that it added height to the most intense mixed-use zone to compensate for applying IZ+. As the Zoning Commission knows, IZ+ is only applied for map amendments when significant amounts of increased density are proposed. The public benefit for awarding large amounts of unearned density is a greater percentage of affordable housing through IZ+. In this case, the density award is greater than the density IZ+ contemplates. There is no reasonable argument that can be made that map amendments with extreme density awards are disadvantaged because IZ+ is applied.

The zoning regulations require the application of IZ+, and as has been pointed out in testimony the regulations permit massive amounts of unearned density to evade an escalating increase in the required percentage of affordable housing. It is nonsensical for OP to recommend 10-30 feet more height for the proposed new zones based on IZ+.

This notion, if it is accepted by the Zoning Commission, will establish that IZ+, as limited as it is when there are large amounts of density on the table with a map amendment, is too onerous and more development bonuses are warranted. The C100 thinks this is absurd and the Zoning Commission should reject it forcefully.

There is no reason to add height to MU-9, the most intense mixed-use zone. Downtown heights are not appropriate in Tenleytown or Friendship Heights, which are surrounded by neighborhoods that are designated Conservation Zones on the Generalized Policy Map. Density and height are not inconsequential when they are realized by construction. They can alter an area forever and create unmitigable impacts on neighborhoods and residents that never envisioned this scale of development. There is no demand for large office buildings in northwest DC, neighborhood serving retail and services have replaced destination services, and hundreds of new housing units have already been built on Wisconsin Avenue. We urge the Zoning Commission to consider what would be a reasonable zoning action for these transitioning areas with stable neighborhoods rather than what would shock other metro neighborhoods for its audacity.

IZ Plus

The Committee of 100 appreciates that OP added language in the Proposed Rezoning sections of the amendments specifying that the IZ+ designation applies to all the listed lots, resolving any possible ambiguity in the earlier draft. However, C100 continues to be concerned that the IZ+ formula caps the set-aside requirements at 18% of residential floor area.

² We note that the Land Use section of the Comprehensive Plan provides that: "Zoning and design standards should ensure that height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonable impact them." Policy LU-2.4.5

This cap essentially stops the creation of higher set-aside requirements for affordable housing units after the percent increase in total density utilized reaches 125% . OP’s proposed map amendments would accommodate percent increases in total density utilized far beyond 125%, as shown on the table below.

Proposed Density Increases on Wisconsin Avenue		
Area	Proposed Map Amdt	% Density Increase*
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 C81003.4.

C100 suggested in its original comments that after the 18% cap is reached, the IZ+ formula be amended to continue increasing the set-aside requirement by 2% for every 25% increase in the percentage increase in total density utilized, which expands on the basic IZ+ formula.

In the Supplemental Report, OP stated that increasing the set-asides as density increases is economically infeasible based on its 2020 analysis. That analysis did not include densities at the level of the ZC 25-13 proposal being discussed here. It is hard to believe that it is not economically feasible for developers to provide additional affordable housing as densities rise astronomically.

The Supplemental Report and the DHCD letter to the Zoning Commission (Exhibit 233) state that IZ and IZ+ are intended to be used with public subsidies, including LIHTC and tax-exempt bonds. In the 2002 OP report, OP admitted that those resources have very limited utility for developments subject to IZ. The Zoning Commission should not ignore that Ward 3 has only once in 38 years received a HPTF loan or grant and it has never received LIHTC, which has little reach citywide. The resources OP and DHCD cite are not reasonable alternatives to creating an IZ program that expands affordable housing for households with incomes that cannot afford to live in the housing being created through Zoning Commission-approved projects, some of which are made hugely more profitable by Zoning Commission actions like map amendments.

OP’s statement that it is proposing unprecedented heights to compensate for IZ+ conflicts with the purpose of IZ+. IZ+ was created in anticipation of the 2021 Comprehensive Plan Amendments which designated certain areas for more density and consequentially for higher zones with more increased development standards. It was determined by the Zoning Commission that this unearned bonus which carried more profitability should be accompanied by a public benefit.

The resulting rule is the IZ+ table that C100 challenges as incomplete because the public benefit stops escalating as the density continues to increase above 125%. It is ludicrous for OP to support stopping the escalation of public benefit and then to state that in addition to not having an increased affordable housing requirement, developments along Wisconsin Avenue should have the unprecedented bonus of

height increases beyond what the highest zones provide. How is this fair or reasonable? At what point should developers be asked to share in addressing the most critical housing need in DC? There is no critical need for market-rate housing; there is a critical need for housing for very low-income residents.

Infrastructure

Although the required infrastructure report was not formally submitted for the record by the Office of Planning, the March 2024 Infrastructure Assessment Report is publicly available on OP's website and through a link in the Supplemental Report.³ Importantly, the report starkly states that water and sewer systems are already operating at capacity. Nonetheless, OP now says there is no need for a new infrastructure report when "not much has changed in the area."

a. Water and Sewage

At full build out, OP anticipates the Wisconsin Avenue corridor will expand from 3,000 households to 13,100 households, a more than 400% increase in the number of households.⁴ The report concludes that "the 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."⁵ OP does not comment on how this information should inform the Zoning Commission's decision on Case 25-13.

Clearly, the Council thought infrastructure status should affect zone decisions based on FLUM changes in density allowance. It was the only specific data the Council said must be available before the FLUM changes could be implemented by the Zoning Commission. The Zoning Commission should insist that OP make a recommendation based on the DC Water official statement that there is no infrastructure capacity for new development at the proposed intensity level.

b. Schools and Recreational Areas

We know the schools in the area are already overcrowded. There also is a current need for more recreation (parks, sports fields, etc.) and other facilities in the area. The stress on existing facilities will increase unless space is specifically set aside for these purposes. C100 suggests that the Commission request information from OP on how these critical needs will be met, given the projected population increase OP is forecasting.

³ The Infrastructure Assessment can be found on OP's website here: [Infrastructure Assessment](#).

⁴ See Wisc Ave Development Framework: Infrastructure Assessment, Mar 2024, at p. 3.

https://planning.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/WADF_Infrastructure_Assessment_2024.pdf.

⁵ See Wisc Ave Development Framework: Infrastructure Assessment, Mar 2024, at p. 4.

https://planning.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/WADF_Infrastructure_Assessment_2024.pdf.

c. Traffic

OP has provided no plan to address traffic issues. There is no study of how Metro or existing roadways can accommodate the estimated 13,900 new people in the area, with an estimated 2,700 additional transit riders and almost an additional 3,000 cars on Wisconsin Avenue each day.

Three Bedroom Units

The Supplemental Report notes that the Commission requested OP look at requiring 2- and 3-bedroom units in the proposed zones, noting that the WADF supported the inclusion of larger family units. Specifically, the WADF states that: "Housing units with three or more bedrooms can meet the needs of larger households, providing options for families.....Along Wisconsin Avenue in particular, large multifamily buildings skew heavily towards one-bedroom units."⁶ The WADF states that one of the themes of its recommendations is the creation of more multifamily housing, especially affordable housing, that accommodates a range of household types and sizes.⁷

In response to the Commission's request, OP adds to the purpose section for each of the three zones the following purpose: "Encourage housing with units that are three (3) bedrooms or more." However, this addition fails to activate the goal of creating more three-bedroom residences. Experience informs that, without an enforceable requirement, we'll end up with mostly studio and one-bedroom apartments. Even though there is a need for larger size units, one-bedrooms and studios are more profitable for developers. That's why the Commission needs to set requirements.

C100 recommends that the Commission require specific set-asides for this purpose, both for market-rate and IZ units. A good example can be found in the Commission action in Case No. 24-12 (Harrison Wisconsin Owner, LLC). In this case, which involves the parking lot behind the former Fox5 headquarters, the final Commission Order provides that, of the 126 proposed rental units, a minimum of nine units must have three bedrooms. Further, at least two of the thirteen units included in the IZ set aside must be three-bedroom units.⁸

Pedestrian Connections: Square 1770

OP's final report recommended three pedestrian connections along the corridor, which met opposition from representatives of the landowners. OP no longer recommends one of the connections (the one referred to as 4800 Wisconsin).

a. Alley

C100 is opposed to the suggested alley closure between Wisconsin Avenue and 40th Street at Square 1770.

OP mentions in the Supplemental Report that the alley should be closed, as the connection will conflict with vehicle traffic. This alley is heavily used by pedestrians and vehicles. The main entrance to Whole Foods is on this alley. Currently, there is a connecting passage between Wisconsin Avenue and Whole Foods that includes a crosswalk for pedestrians to walk across the alley. Currently, this crosswalk does not interfere with vehicle traffic in the alley. In addition, there are sidewalks on one side of most of the

⁶ WADF, p. 13.

⁷ Id., p. 56.

⁸ Case No. 24-12; Final Order, pp. 12 and 52.

alley which make it easy for pedestrians and drivers to coexist. If there is concern about pedestrian safety, another sidewalk could be inserted in the alley entrance on 40th Street.

OP is proposing that vehicles not be allowed to access parking, loading, or trash collection from Wisconsin Avenue in Tenleytown, we are not sure where they can be accessed if the alley in Square 1770 is closed.⁹

Finally, C100 notes that the Zoning Commission has no authority to close an alley, so any text mentioning the disposition of an alley should be deleted.

b. Pedestrian connection

The pedestrian connection located in the middle of Square 1770 would be a 25-foot-wide area between two potentially 130-foot buildings under OP's proposed schematic. The connection would presumably be in constant shadow. It would go from the Domino's Pizza site through the Whole Foods grocery. There would be no vista of note. This corridor would look at the covered extension between Jackson Reed High School and the Wilson Aquatic Center. The corridor would have a slope of approximately 20 feet - not suitable for most, if any, stationary activity.

This is a bad idea that should be deleted.

Impacts on Small Businesses

Predictable displacement of existing small businesses and residents should be avoided and should not be a consequence of redevelopment. OP's reaction to this concern in Case 25-13 is casual as it concludes it won't happen – when experience shows it will happen.

Most of the businesses along the Wisconsin Avenue corridor are small businesses. OP states in the Supplemental Report that these businesses will be displaced should their building be redeveloped. Since OP has not provided actual notice to the owners and especially to their tenants, many of these businesses are unaware that they may be asked to pack up and leave. OP further acknowledges rezoning might result in additional new commercial space, which could be at a higher cost to small and minority owned businesses. Property tax laws require that rezonings lead to property reassessments and tax increases, often before any development takes place. Nonetheless, OP concludes that on balance the impact should be minimal. For a small business, being displaced will be disastrous, perhaps wiping out the years it took to build a business. For this reason, C100 recommends that the purpose statement for each new zone includes a statement that it is the intention of the zone to maintain existing small

⁹ The District has struggled to balance its preference for lively, pedestrian friendly street frontages with the need to accommodate deliveries, trash collection and other service needs. In downtown office blocks, where alleys were closed to permit denser development, it restricted the number of driveway entrances on street frontages (usually the lettered street) and shifted them to the side. In creating the Mount Vernon Triangle zone, the Commission prohibited any driveway on the north and south sides of K Streets between 5th and 7th streets. In drafting the 2016 Zoning Code, the District faced such practical problems as how to accommodate the larger trash trucks and delivery vehicles that had come into use since the downtown office boom. As the District seeks office to residential conversion of downtown office space, the impediment posed by office blocks with through-plates are well known. Equally well known are the ongoing congestion problems caused by absence of commercial delivery access to ground floor retail on 17 street NW and H street NE.

businesses and to avoid displacement. As part of any proposed development, the developer should be required to compensate any small business that is forced to vacate.

Conclusion

C100 asks the Zoning Commission to consider how much we do not know. It could be 20 years or more before many of the lots along Wisconsin Avenue are redeveloped. It is important for the Zoning Commission to recognize that the area could evolve in unpredictable ways and that zoning such a large area must build in flexibility. Design Review is a positive factor that moves in the right direction because it permits decision makers to adapt to a changing environment and, most importantly, it allows for public participation.

Changes that could be made now that would improve outcomes for the Wisconsin Avenue corridor would include adding family-friendly provisions like larger units, maximizing affordable units, and protecting existing small businesses to avoid displacement. The Council has challenged the Zoning Commission to pay attention to infrastructure capacity. This may be a more difficult challenge to meet, given that we don't know the future. Does this mean that the least density consistent with the FLUM designation is warranted if there is no unused capacity, as DC Water has stated? How will the zoning decision impact existing and future residents if infrastructure is ignored and kicked down the road? How much height and density are reasonable?

This isn't a table planning exercise – this area could go in many directions under the proposal before the Zoning Commission. Will we end up with an area that will improve the diversity of income and race in Ward 3. Or will we end up with mostly luxury housing where amenities are many and mid-income families are displaced? Is there sufficient demand for the housing expected? If not, we may end up with housing vacancies in expensive signature buildings because no one can afford the rents or prices. The WADF has prophetic statements about using this area to bridge the exclusiveness of Georgetown and the high-end shopping center in Bethesda. This notion didn't surface in the hearings but the framework to enable it is in the zoning proposal. We urge the Commission to view this rezoning as a stepping stone rather than the last bite at the apple.

Thank you.

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Chair, Committee of 100

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