

Lois-Wisconsin LLC

July 22, 2026

VIA IZIS

Anthony Hood, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Suite 200-S
Washington, DC 20001

Re: **Zoning Commission Case No. 25-13**
Proposed Zoning Text and Map Amendments to Create and Map New
MU-10/FHM, MU-10/TTM, and MU-8A/WA Zones, and Map the Existing
RA-2 zone for the Friendship Heights Transition Area
Response to OP Supplemental Report

Dear Chairperson Hood and Members of the Commission:

On behalf of Lois-Wisconsin Ave LLC, the owner of property at 4551 Wisconsin Avenue, NW (the “Property”), please accept these comments and recommendations into the record for Z.C. Case No. 25-13 regarding the establishment of a design review process for future developments along the Wisconsin Avenue corridor, and the plaza requirement that is applicable in the MU-10/TTM zone.

Design Review

We are opposed to requiring design review for all new development and believe it is contrary to the District’s goals and objectives to significantly increase affordable housing in Rock Creek West through, among other mechanisms, expanding the supply of housing along major corridors through matter-of-right increases in height and density. From a private equity and development perspective, the successful achievement of these objectives is contingent upon three major factors as related to zoning: (i) expanding development potential through increased height and density, (ii) balancing the increased development potential with a workable IZ set aside requirement, and (iii) minimizing regulatory and procedural hurdles by maximizing access to the increased development potential through matter-of-right construction. With respect to this third factor, the imposition of a mandatory design review process on development along the corridor will insert significant time and risk into the development process. Consequently, this will undoubtedly temper any increased interest in investing and developing along the corridor that might result from the proposed upzoning – even if design review is limited to properties of 15,000 square feet or more or that meet other limited criteria.

In its July 21, 2025, setdown report, the Office of Planning (“OP”) discusses how the proposal represents the culmination of a lengthy public planning process, which started in 2019 when Mayor Bowser issued her order on housing. The order not only mandated changes to zoning and land use entitlement processes to promote increased housing but also called upon agencies to accelerate permitting and modify or eliminate unnecessary and burdensome regulations and processes. Since issuance of the Mayor’s order, numerous steps have been taken by District agencies to advance its implementation. Two important steps that directly relate to the proposed rezoning include the 2021 amendments to the Comprehensive Plan (“Comp Plan”), which included substantial changes to the Future Land Use Map along Wisconsin Avenue that support increased development (height and density), and OP’s preparation of the Wisconsin Avenue Development Framework (“WADF”), which builds upon the Comp Plan by providing a finer-grained set of contextual planning and design-related recommendations.

Informed by the extensive planning and outreach that underpins the Comp Plan and WADF, we believe the Commission already has the information it needs to confidently adopt the proposed rezoning without the need to subject future developments to an additional discretionary design review process. Further, the proposal already includes sufficient considerations and protections to allow for compatible, context-sensitive buildings along the Wisconsin Avenue corridor without needing a separate design review process that is likely to be counter-productive to the production of housing and investment in this corridor.

Plaza Requirement

In its supplemental report, OP recommends maintaining the plaza requirement except for developments that have a pedestrian connection mainly due to the WADF’s support for additional open space. While we acknowledge the importance and advantages of open space within the urban context, we believe as proposed **the regulations will not achieve the stated purposes of the plaza regulations or the WADF**. Furthermore, we believe there is an internal conflict within the proposed regulations that will require owners to seek discretionary relief from the BZA. As discussed below, to the extent there is an actual need for additional open space along the corridor, we believe there is an alternative way to meet this need in a manner that:

- i. Is clearer, more efficient, and more reliable for property owners and the District;
- ii. More definitively meets the stated purposes and intent of the plaza regulations;
- iii. Maximizes the connectivity of additional open space in a form and location that is most useful, and can be coordinated with adjacent public space; and

- iv. Increases the degree to which the design standards within the proposed regulations yield “form-based” outcomes desired by some stakeholders.

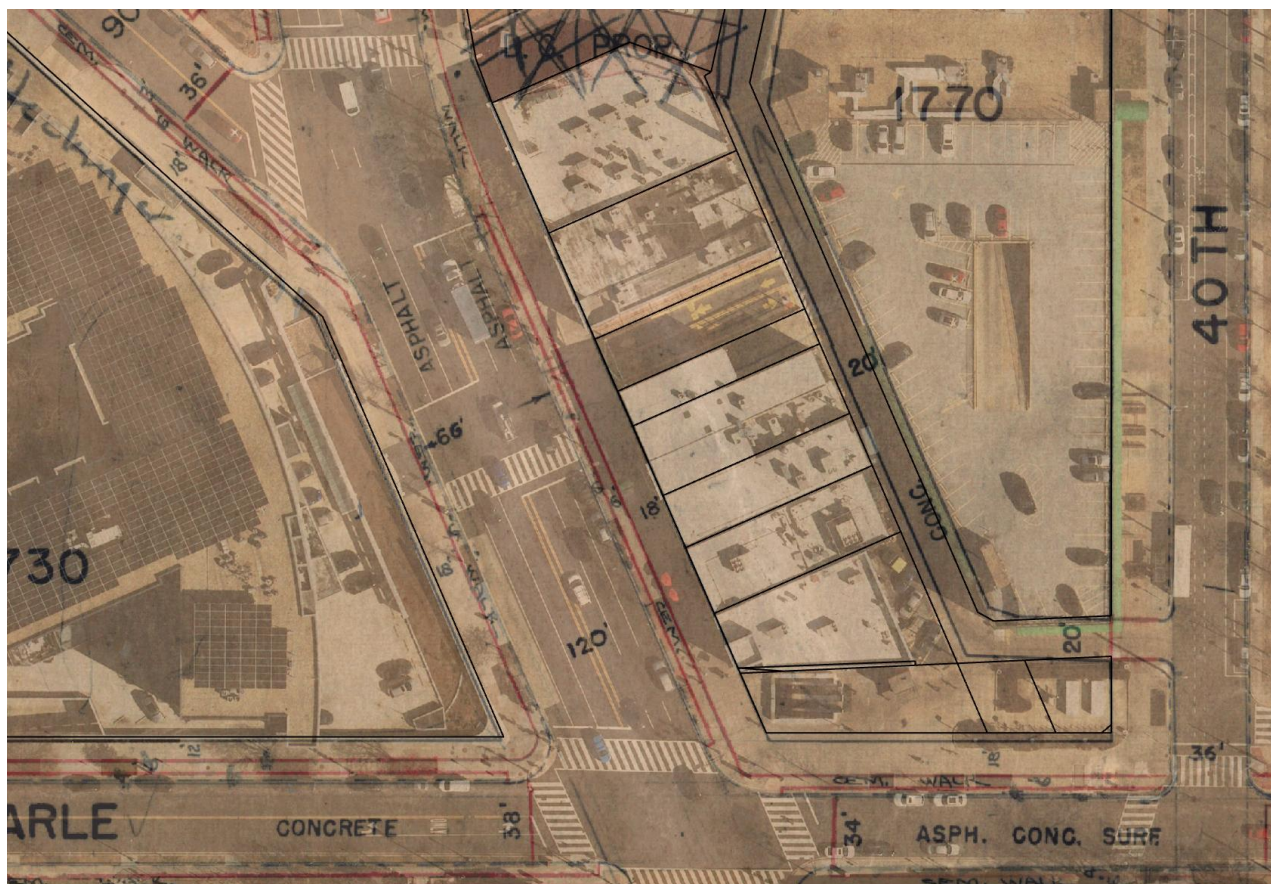
As proposed, future development in the MU-10/TTM and MU-10/FHM zones would be subject to the plaza requirement of the underlying MU-10 zone. Pursuant to Subtitle G § 212.1, a plaza comprising 8% of the lot area is required for any development on a lot that is greater than 10,000 square feet. For our property, this amounts to a plaza of approximately 2,200 square feet, which would be in addition to the required rear yard. When applicable, the required plaza must satisfy the plaza regulations set forth in Subtitle C, Chapter 17, **which expressly encourage** plazas “to be publicly accessible and...**built adjoining other plazas to maximize open space.**” Emphasis added. See 11-C DCMR § 1700.2. Among other criteria, the plaza must be “located immediately adjacent to the main entrance to the principal building or structure on the lot and shall serve as a transitional space between the street or pedestrian right-of-way and the building or structure.” Unfortunately, as currently proposed **property owners within the MU-10/TTM and MU-10/FHM zones will not be able to meet the above stated intent and criteria of the plaza regulations without having to seek relief from the BZA or as part of a Zoning Commission design review application.**

Outside of the proposed MU-10/TTM and MU-10/FHM zones, the plaza requirements also apply to developments within the base MU-10 zone and CG-4 zone. In both of these zones, the plaza regulations have not consistently produced usable open spaces, and in every known instance where relief or flexibility was requested by an applicant; it has been granted. Notwithstanding, unlike the current proposal, the MU-10 and CG-4 zones **do not** have an additional build-to standard that requires a specific percentage of a building’s street wall to be constructed to the street lot line. As a result, owners within these two other zones can satisfy the plaza requirement by setting their building back from the street lot line and thus placing the plaza immediately adjacent to existing public space **where it can truly serve as a transition space and augment existing public space for cafes, seating, and other programming.**

In contrast, developments in the proposed MU-10/TTM and MU-10/FHM zones are unable to do this due to the requirement that 75% of a building’s street wall at the ground level must be constructed to the street lot line. As we demonstrated in our prior comments at Exhibit 167 of the case record, this essentially pins one dimension of the required plaza to no more than 25% of the street frontage and then requires an owner to extend the plaza deep into their property until they reach the required plaza square footage. We believe this results in two significant unintended and undesirable outcomes. First, this will result in several **disconnected plaza spaces that cannot adjoin neighboring required plazas.** Second, the resulting depth of these open spaces are likely to cause **programmatically**

operational, and security challenges for property owners due to the requirement that plazas remain “open and available to the general public on a continuous basis.” See 11-C DCMR § 1701.4. **The Commission should take these factors into consideration as it contemplates whether the plaza requirement is the best approach to achieving the functional open space that is desired in this case, or whether the approach suggested further below in this letter would be more effective.**

Generally, we do not believe there is a significant enough need for additional open space along the Wisconsin Avenue corridor such that the plaza requirement should be retained. In fact, we believe there is already ample open space along the corridor that greatly needs to be better maintained, managed, designed, and programmed. This includes Fessenden Park, Fort Reno, Tenley Circle, publicly accessible open spaces at nearby institutions, and, importantly, the public [right-of-way] space that already exists along Wisconsin Avenue. Indeed, as shown on the image below, the existing public [sidewalk] space along Wisconsin Avenue through Tenleytown **is already approximately 24 feet wide (approximately 30 feet inclusive of the street furnishing / tree box area)**, which is more than adequate to support sidewalk cafes, seating, and pedestrian circulation. In fact, this width far exceeds DDOT’s 16-foot minimum sidewalk width for downtown.



However, should the Commission deem there is still a need for additional open space, we recommend that this be accomplished through a modest (three (3) feet) setback requirement along Wiscosin Avenue rather than through the plaza requirement. The provision of a prescribed ground-level building setback is a commonly used zoning technique to achieve additional open space, and in fact is exactly the approach utilized in the design review guidelines that apply along South Capitol Street. The benefits of this approach as opposed to retaining the plaza requirement are three-fold. First, a clearly defined three (3) foot setback can be **consistently applied and regulated** along the entire street frontage of each development. Second, this approach would **locate the additional open space where it would yield the most reliable, form-based, urban design outcome.** Third, consistent with an observation made by Commissioner Wright during the public hearing, **this approach would maximize functional open space along the corridor by directing the additional open space to align and adjoin with the open space on neighboring properties and augmenting the ample public space that already exists along the corridor, which together could then be programmatically integrated in coordination with DDOT as part of the public space review process.**

Based on the foregoing, we recommend that, as part of its proposed action, the Commission ask OP to make the following changes to the proposed text for the MU-10/TTM and MU-10/FHM zones prior to publication of the notice of proposed rulemaking in this case:

- i. Add a new provision in G-806 and G-906 that expressly states the plaza requirement of G-212 is not applicable,
- ii. Add a new provision in G-807 and G-907 that requires a three (3) foot setback along the entire frontage of the street lot line adjacent to Wisconsin Avenue, and
- iii. Modify G-806.1(g) and G-906.1(g) to require not less than 75% of the street wall to be constructed to the street lot line abutting Wisconsin Avenue or, when applicable, the three-foot setback line.

These recommended changes are permissible as the Commission's original intent to achieve greater open space along the corridor will still be achieved, only now it would be through the use of a prescribed setback instead of using the plaza requirement:

Conclusion

We appreciate the opportunity to provide these additional comments and thank the Commission and OP for your sustained effort to advance these long-needed zoning

changes. We look forward to seeing this process continue to move forward, and to the new investment and production of housing and affordable housing that it will yield.

Sincerely,

Lois-Wisconsin Ave LLC

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