

Dear Zoning Commission,

Please consider this addendum to my previous comment in **support of case 23-02**, a proposed change of zoning at 1617 U St NW and 1620 V St NW to zoning MU-10. Advisory Neighborhood Commission (ANC) 1B has already passed a resolution in support of the proposed change in zoning; I am writing here in my personal capacity and not on behalf of ANC 1B.

There are additional concerns that neighbors have that are based in good faith, but are not relevant to the question of changing zoning. Please see why those concerns should not prevent changing zoning at this site.

**1. Land that is adjacent to, but outside of, a Historic District is not bound by any restrictions that are specific to that Historic District.**

DC has seventy historic districts, each with its own unique character and each with well-defined boundaries. There is a process for amending these boundaries. It is important that ZC and other bodies do not circumvent this process and result in the de facto annexation of additional DC land into these Historic Districts. To do so would not only be a seizure of power but also lead to a situation with no limiting factor. If a plot of land next to a Historic District is also considered to be de facto in that Historic District, then how about the plot of land next to that one? And the one next to that? Left unchecked, this argument would have the whole of DC considered a Historic District, without the people of DC ever having voted to undertake such a designation. (Even if it were appropriate to extend historic rules outside of a Historic District, it is certainly outside of the mandate of the ZC to do so – see point 3 below). ZC must disregard any arguments that rely on this site's proximity to any Historic District because they are not relevant.

**2. ZC must consider only the question at hand, which is whether MU-10 zoning is consistent with the current FLUM designation.** Some opponents of the zoning change argue that other zoning is *also* compatible with the current FLUM designation. Most of these arguments are false – for example, the Dupont Circle Civic Association (DCCA) asserts that the current MU-4 zoning is compatible with the FLUM designation. It is not. But even if it were, that is not the question that is being debated. It is possible – it is even likely – that multiple types of zoning would be compatible with the current FLUM designation. The question at hand is whether MU-10 is compatible, not whether other uses are also compatible. ZC may ask the Deputy Mayor's office of Planning and Economic Development (DMPED) why they are asking for this zoning versus other possibilities, of course. But ultimately ZC must only consider whether MU-10 is compatible with the FLUM, and disregard red herring questions about whether other zoning designations might also be compatible.

**3. ZC must not consider arguments that exceed its mandate.** For example, some opponents of this zoning change say they oppose it because they do not like the idea of the long-term leasing of DC land. Others say they oppose this zoning change because they want to oppose construction at this site until DC develops social housing. While I am a strong supporter of social housing, the question of social housing in DC and the question of the zoning for this site are two entirely separate questions, and they must be kept that way. It would be beyond the mandate of the ZC to hold hostage a decision on zoning until the Mayor and Council passed new laws that ZC prefers over the current laws (like social housing), or make other decisions about the administration of DC resources that ZC prefers over current decisions (like long-term leases). It would be illegal and blatantly undemocratic to do so. Those are political decisions and must be debated in a political body like the DC Council – not an unelected body of technical experts like ZC. ZC's mandate depends on its unique skillset of its technical expertise and ZC must reject arguments asking it to exceed that mandate.

If there are any questions about the reasons for my support, please contact me.

Sincerely,

Tucker Jones

Commissioner, ANC 1B (SMD 1B09)

2631 13th St NW, Washington, DC 20009

1b09@anc.dc.gov

Submitted on 11/19/2023 by:

Tucker Jones

2631 13th St NW

ZONING COMMISSION  
District of Columbia  
CASE NO.23-02  
EXHIBIT NO.458