

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 17-05E
DC Central Kitchen
(Modification Without a Hearing of Design Review
@ Square 613, Lot 10)
May 29, 2025

Pursuant to notice, at its May 29, 2025 public hearing, the Zoning Commission for the District of Columbia (“Commission”) considered the application (“Application”) of DC Central Kitchen (“DCK”) for a Modification Without a Hearing of Design Review (Z.C. Order No. 17-05, as modified by Z.C. Orders 17-05A, 17-05B, 17-05C, and 17-05D) pursuant to Subtitle Z § 703 (the “Application”), under the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations,” to which all subsequent citations refer unless otherwise specified). The property that is the subject of the Application is Square 613, Lot 10 (the “Property”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of the Zoning Regulations. For the reasons stated below, the Commission **APPROVES** the Application.

**** SUMMARY ORDER ****

Background

1. Pursuant to Z.C. Order No. 17-05 (“Order”), effective March 2, 2018, the Commission approved a design review for the adaptive reuse of the former Coast Guard headquarters building as a multi-family building consisting of approximately 480 residential units with approximately 71,120 square feet of ground floor retail (“Building”). Because the Property is located in the CG-5 zone, design review approval was required pursuant to Subtitle K § 512 of the CG zone provisions of the Zoning Regulations.
2. Pursuant to Z.C. Order No. 17-05A, effective November 9, 2018, the Commission approved a modification of consequence to allow modifications to the approved plans. Pursuant to Z.C. Order No. 17-05B, effective August 28, 2020, the Commission approved a modification of significance to allow WhyHotel, a lodging use, to operate in the Building on a temporary basis. Pursuant to Z.C. Order No. 17-05C, effective August 28, 2020, the Commission approved a modification of consequence to allow DCK to operate in the approved retail space and add a 15,000 square-foot partial second floor. Pursuant to Z.C. Order No. 17-05D, effective December 23, 2022, the Commission approved a modification of consequence to allow an expansion of retail space by 2,712 square feet to accommodate a new restaurant.

Parties and Notice

3. The only party, other than the Applicant, was Advisory Neighborhood Commission (“ANC”) 6D, the “affected” ANC pursuant to Subtitle Z § 101.8.
4. On April 4, 2025, the Applicant served the Application on ANC 6D, and the D.C. Office of Planning (“OP”), as attested by the Certificate of Service submitted with the Application (Exhibit [“Ex.”] 2).

The Application

5. On April 4, 2025, the Applicant filed the Application to add a total of 6,533 square feet of gross floor area of retail/service use to expand DCCK’s existing operations in the Building. The new GFA will be comprised of 383 square feet resulting from the enclosure of an exterior vestibule and 6,150 square feet of new mezzanine space on the second floor of the Building (Ex. 1-2D).
6. The Application stated that the proposed addition of 6,533 square feet of gross floor area (“GFA”) will result in an increase in the Building FAR from 4.60 to 4.66 (i.e., .06 FAR).¹ This is still below the maximum FAR of 5.0 permitted in the CG-5 zone in buildings that provide at least 2.0 FAR of residential uses.² In this case, the Building contains 3.83 FAR of residential uses; therefore, it exceeds the 2.0 FAR residential uses minimum required for the Commission to grant discretionary bonus density, pursuant to Subtitle K § 505.3(c) (Ex. 2, 2D).

The Applicant’s Justification

7. The Applicant stated that the Application met the requirements for a modification without hearing, under Subtitle Z § 703.6, because the proposed modifications are a redesign or relocation of architectural elements, for which the impact may be understood without witness testimony (Ex. 2, 2D).

Responses to the Application

8. On April 25, 2025, OP submitted a report (“OP Report”) recommending approval of the Application (Ex. 4).
9. On May 23, 2025, ANC 6D submitted a report stating that at a properly noticed public meeting with a quorum of 5 out of 8 commissioners present, the ANC voted 5-0 in support of the Application (Ex. 6).

CONCLUSIONS OF LAW

¹ The proposed 6,533 square foot increase in GFA for service use will trigger a parking requirement for eight additional vehicle parking spaces, one additional long-term bicycle parking space, and two additional short-term bicycle parking spaces; however, the Building currently exceeds vehicle parking space, and long-term and short-term bicycle parking space requirements (*See* Ex. 2).

² Pursuant to Subtitle K § 505.3(a), the CG-5 zone permits 4.0 FAR or 4.8 FAR with Inclusionary Zoning with a maximum residential FAR of 2.0. Pursuant to Subtitle K § 505.3(c), the Commission may grant bonus density for residential development in a building or a combined lot development, using a guideline of 1.0 FAR in excess of the normally allowed maximum of 4.0 FAR provided that certain conditions are met.

1. The Commission concludes that the Application qualifies as a Modification without Hearing within the meaning of Subtitle Z § 703.6, as a redesign or relocation of architectural elements for which the impact can be understood without witness testimony; therefore, the Application can be granted without a public hearing, pursuant to Subtitle Z § 703.1. The Commission also finds it appropriate to exercise discretionary authority, pursuant to Subtitle K § 505.3(c), to grant the bonus density requested in these factual circumstances.

“GREAT WEIGHT” TO THE RECOMMENDATIONS OF OP

2. The Commission must give “great weight” to the recommendations of the OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.) and Subtitle Z § 405.9 (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).
3. The Commission finds OP’s recommendation that the Commission approve the Application persuasive and concurs in that judgment.

“GREAT WEIGHT” TO THE WRITTEN REPORT OF THE ANC

4. The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (D.C. 1978) (citation omitted)).
5. The Commission finds ANC 6D’s recommendation to approve the Application persuasive and concurs in that judgment.

Summary Order

6. Since no persons or parties appeared in opposition to the Application and the affected ANC supported the Application, a decision by the Commission to grant this Application would not be adverse to any party. Therefore, pursuant to Subtitle Z § 604.7, the Commission authorized a summary order in this case and determined it may waive the requirement that findings of fact and conclusions of law accompany the Order because such waiver will not prejudice the rights of any party.

DECISION

In consideration of the record, the Commission concludes that the Applicant has satisfied its burden of proof and, therefore, **APPROVES** the Application for a Modification Without Hearing

to the approved plans of Z.C. Order No. 17-05, as modified by Z.C. Order Nos. 17-05A through 17-05D, to add a total of 6,533 square feet of gross floor area of retail/service use to expand the existing DCCK space in the Building. The conditions of Z.C. Order 17-05 remain unchanged except that Condition No. 1 of Z.C. Order 17-05, as amended and modified by Z.C. Order Nos. 17-05A through 17-05D, is hereby revised to read as follows (deletions shown in **bold** and ~~strikethrough~~ text; additions in **bold** and underlined text) as follows:

1. Project Development. The Project shall be built in accordance with:
 - The plans, including flood proofing plans, and elevations dated May 16, 2017, and marked as Exhibit 16A of the record of Z.C. Case No. 17-05; as modified by the drawings submitted as Exhibits 26A, 30A, and 34A of the record of Z.C. Case 17-05;
 - As modified by the guidelines, conditions, and standards contained in Z.C. Order 17-05;
 - As amended by the plans submitted on August 10, 2018, marked as Exhibit 1C of the record of Z.C. Case No. 17-05A;
 - As amended by the plans submitted on April 24, 2020, marked as Exhibit 2H of the record of Z.C. Case No. 17-05C;
 - As amended by the plans submitted on September 20, 2022, marked as Exhibit 5A of the record and the additional detail regarding the canopy system marked as Exhibit 5B of Z.C. Case No. 17-05D; ~~and~~
 - **As amended by the plans submitted on April 4, 2025, marked as Exhibit 2D of the record of Z.C. Case No. 17-05E; and**
 - As modified by the guidelines, conditions, and standards herein.

FINAL ACTION


VOTE (May 29, 2025): 5-0-0

(Joseph S. Imamura, Gwen Wright, Anthony J. Hood, Robert E. Miller, and Tammy Stidham to approve).

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 17-05E shall become final and effective upon publication in the *District of Columbia Register*; that is, on July 11, 2025.

BY ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.


ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION


SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION,

FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.