

**BEFORE THE ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA**

**Z.C. CASE NO. 24-16  
PREHEARING STATEMENT**

**ZONING MAP AMENDMENT  
FROM THE RA-5 ZONE TO THE ARTS-3 ZONE**

**GRACE REFORMED CHURCH  
1401-1405 15TH STREET, NW (SQUARE 210, LOT 827)**

**MR 1401 15TH STREET RETAIL LLC**

---

**March 17, 2025**

Respectfully submitted by:

**HOLLAND & KNIGHT LLP**  
800 17<sup>th</sup> Street, NW #1100  
Washington, D.C. 20006  
(202) 955-3500  
Christine M. Shiker  
Jessica R. Bloomfield

## TABLE OF CONTENTS

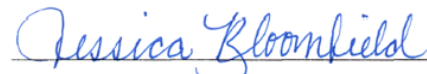
<b>CERTIFICATE OF COMPLIANCE .....</b>	<b>II</b>
<b>LIST OF EXHIBITS .....</b>	<b>III</b>
<b>PREHEARING STATEMENT OF THE APPLICANT.....</b>	<b>1</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. THE PROPERTY AND PROPOSED ZONING MAP AMENDMENT .....</b>	<b>1</b>
<b>III. SETDOWN AND REQUEST FOR PUBLIC HEARING .....</b>	<b>2</b>
<b>A. OP SETDOWN REPORT.....</b>	<b>2</b>
<b>B. SETDOWN BY ZONING COMMISSION.....</b>	<b>3</b>
<b>C. COMMUNITY ENGAGEMENT AND SUPPORT .....</b>	<b>4</b>
<b>D. COMPLIANCE WITH STANDARDS AND REQUEST FOR HEARING.....</b>	<b>4</b>
<b>IV. CONCLUSION.....</b>	<b>4</b>

**CERTIFICATE OF COMPLIANCE**  
**WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS**

Pursuant to 11-Z DCMR § 401.4, the undersigned, on behalf of MR 1401 15th Street Retail LLC (the “Applicant”), hereby certifies that the application and this supplemental filing comply with the provisions of 11-Z DCMR § 401.1 *et seq.* Further, and in accordance with Subtitle Z § 401.5, the application will not be modified less than thirty (30) days prior to the public hearing.

<b><u>Subtitle Z Subsection</u></b>	<b><u>Description</u></b>	<b><u>Page/Exhibit</u></b>
401.1(a)	Information requested by the Zoning Commission	Page 3
401.1(b)	List of witnesses prepared to testify on behalf of the Applicant	Exhibit A
401.1(c)	Written summary of testimony of all witnesses and a professional resume for any expert who may be called to testify	Exhibit A
401.1(d)	Additional information introduced by the Applicant	N/A
401.1(e)	Architectural plans	N/A
401.1(f)	List of maps, plans, and other documents readily available that may be offered into evidence	Exhibit B
401.1(g)	Estimated time required for presentation of the Applicant’s case	30 minutes
401.3(a)	Names and addresses of owners of all property located within 200 feet of the Property	Exhibit C
401.3(b)	Names and addresses of each person having a lease with the owner for all or part of any building located on the Property	N/A – No existing leases
401.8	Transportation memorandum prepared by traffic consultant	N/A

Respectfully submitted,

  
Jessica R. Bloomfield  
Holland & Knight LLP

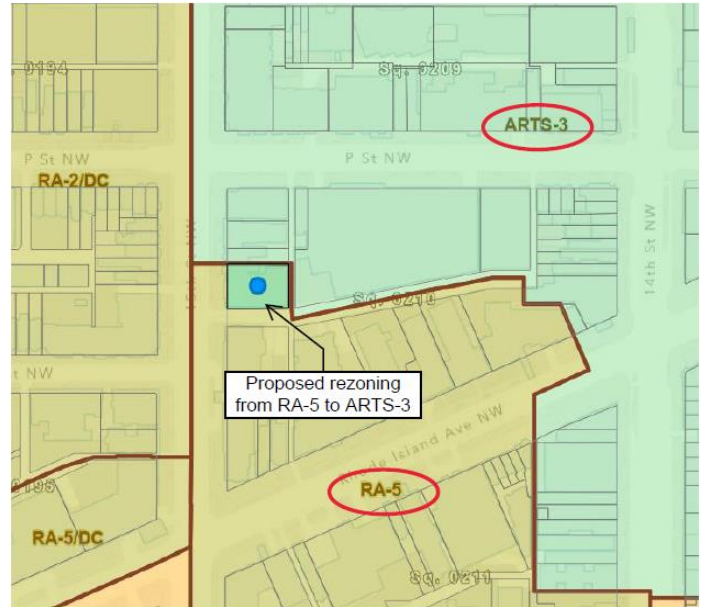
## **LIST OF EXHIBITS**

- Exhibit A:** List of witnesses, outlines of witness testimony, and resume for expert witness
- Exhibit B:** List of maps, plans, and other documents readily available that may be offered into evidence
- Exhibit C:** Names and addresses of owners of all property located within 200 feet of the Property
- Exhibit D:** Hearing Fee Calculator – Form 116
- Exhibit E:** ANC 2F Resolution in Support of Application

## **PREHEARING STATEMENT OF THE APPLICANT**

### **I. Introduction**

On behalf of MR 1401 15<sup>th</sup> Street Retail LLC (the “Applicant”), the contract purchaser of property located at 1401-1405 15<sup>th</sup> Street, NW (Square 210, Lot 827) (the “Property”), we hereby submit this Prehearing Statement in support of an application to amend the Zoning Map of the District of Columbia (the “Zoning Map”) pursuant to Subtitle X, Chapter 5 and Subtitle Z §§ 201.2(e) and 304 of the Zoning Regulations of the District of Columbia (Title 11 of the District of Columbia Municipal Regulations (“DCMR”)) to which all subsequent citations refer unless otherwise specified. The Property is currently zoned RA-5, and the Applicant seeks to rezone the Property to the ARTS-3 zone.



### **II. The Property and Proposed Zoning Map Amendment**

The Property is improved with the Grace Reformed Church and Sunday School (together, the “Church”) and Parish House (the “Parish House”), which are collectively (i) designated as an historic landmark in the D.C. Inventory of Historic Sites; (ii) listed in the National Register of Historic Places; and (iii) contributing structures to the Greater 14<sup>th</sup> Street Historic District. The purpose of the rezoning is to allow for the adaptive reuse of the existing historic structures in a manner that is not inconsistent with the Comprehensive Plan and with other applicable District programs and policies.

The existing RA-5 zone does not allow for ground floor retail or similar non-residential uses. While the landmark status of the existing structures will preclude any material expansion or increase in height and density at the Property, the proposed ARTS-3 zone will allow for limited commercial uses within the existing structures. Thus, the Zoning Map amendment is intended to fulfill the District’s goals of creating areas with access to opportunities, services, employment, and amenities for District residents, and reusing existing structures in a sustainable and productive manner.

As required to be demonstrated pursuant to Subtitle X § 500.3, the requested Zoning Map amendment is not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the Property, particularly when analyzed through a racial equity lens. The Property’s designation on the Comprehensive Plan Future Land Use Map (“FLUM”) is Mixed-Use Medium Density Residential / Moderate Density Commercial. The Property’s designation on the Comprehensive Plan General Policy Map (“GPM”) is a Neighborhood Conservation Area. The proposal to rezone the Property from the RA-5 zone to the ARTS-3 zone is not inconsistent with the Property’s designations on the FLUM and GPM and helps to advance numerous policies within the text of the Comprehensive Plan.

The proposed ARTS-3 zone will result in positive outcomes for the Property, the Near Northwest Planning Area, and the District overall. Approval of the requested Zoning Map amendment will specifically achieve the following:

1. Establish zoning on the Property that is not inconsistent with the Comprehensive Plan, as required under the Home Rule Charter.
2. Establish zoning on the Property that will allow for the adaptive reuse of the existing historic structures in a manner that is not inconsistent with the Mixed-Use Medium Density Residential / Moderate Density Commercial FLUM designations or with the Neighborhood Conservation Area GPM designation.
3. Advance the goals and objectives of the Logan Circle Investment Plan, issued by the Deputy Mayor for Planning and Economic Development and the Office of Planning, which identifies community priorities and sets an agenda for investment resources.
4. Facilitate progress towards achieving racial equity by advancing numerous Comprehensive Plan policies geared towards fostering an inclusive city, reusing and preserving historic structures, and establishing neighborhood serving retail and service uses in a mixed-use, walkable, and transit-accessible area.
5. Support the protection, preservation, and revitalization of historic structures while putting them back into productive use, thus advancing sustainability goals, encouraging economic development, and allowing for thoughtful design within the context of the historic community.

A detailed analysis of how the Application is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the Property is set forth in the Applicant's Revised Evaluation of Consistency with the Comprehensive Plan and Applicable Small Area Plans and Studies (Ex. 5H).

### **III. Setdown and Request for Public Hearing**

#### **A. OP Setdown Report**

The Office of Planning ("OP") filed a report dated January 24, 2025, recommending that the Commission set down the Application for a public hearing. *See* Ex. 13 (the "OP Setdown Report"). OP concluded that the "proposed zoning map amendment would be not inconsistent with the [FLUM and GPM] map designations." *See* Ex. 13, p. 5. The OP Setdown Report also made the following findings:

- "[T]he proposal would not be inconsistent with both Comprehensive Plan Generalized Policy and Future Land Use maps. The proposed development, would particularly further the policies of the Land Use, Transportation, Housing, and Economic Development Elements. It would further many policies of the Near Northwest Area Element." (Ex. 13, pp. 8-9.)
- "The rezoning could allow the property to be adaptively reused with commercial and residential uses as supported by the Comprehensive Plan

- Future Land Use Map, Generalized Policy Map, and proposed zoning designation which would enhance the existing neighborhood.” (Ex. 13, p. 8.)
- “On balance, the ARTS-3 zone is more appropriate for the site as it permits the types of uses envisioned by the mixed-use designation on the FLUM map.” (Ex. 13, p. 6.)
  - “The proposed rezoning, while technically a downzoning, allows for more flexibility regarding matter-of-right uses, that would enable the small site to be adaptively reused and add vitality to the neighborhood consistent with the intent of the neighborhood conservation designation within the Generalized Policy Map.” (Ex. 13, PP. 7-8.)
  - “OP is recommending this map amendment not be subject to IZ Plus.” (Ex. 13, p. 4.)

The OP Setdown Report did not request any additional information from the Applicant.

### **B. Setdown by Zoning Commission**

The Commission considered the Application for setdown at its public meeting on March 13, 2025, and voted 5-0-0 to schedule the Application for a public hearing. At the public meeting, the Commissioners discussed the importance of adaptively and creatively reusing historic structures for a variety of uses, including residential. The Commissioners also discussed whether IZ Plus should apply in this case, despite OP’s recommendation that this Application should not be subject to IZ Plus.

The Applicant agrees that there is significant opportunity at the Property for adaptive reuse of the existing historic structures. The proposed ARTS-3 zone would allow for a great variety of uses, including both residential and commercial, and the Applicant intends to explore all options for all portions of the historic structures on the Property, consistent with the historic preservation goals for the Property. The current proposal is to renovate the Parish House into residential units.

As it relates to the Commission’s comments regarding IZ Plus, IZ Plus is intended “to apply when a property owner requests a map amendment to rezone a lot to a *higher density* than what is currently permitted by the current zoning classification.” See OP Setdown Report in Z.C. Case No. 20-02 adopting IZ Plus (emphasis added). The rationale is to provide an increased IZ requirement based on the “percent increase” of the density used for development following a Zoning Map amendment. In this case, the existing RA-5 zone permits 6.0 FAR and 7.2 FAR for an IZ development, whereas the proposed ARTS-3 zone only permits 4.0 FAR and up to 4.8 FAR as an IZ development. Consequently, even if the full residential density was developed, the percent increase would be a negative number. As such, if the Property is designated as IZ Plus on the Zoning Map, it would be subject to a higher IZ requirement while not receiving the associated benefit of additional density. For these reasons, the Applicant agrees with OP that this Zoning Map amendment application should not be subject to IZ Plus.

Finally, the Commission asked OP to confirm whether the eating and drinking establishment use is permitted as a matter-of-right in the ARTS-3 zone. OP confirmed at the meeting that it was. The Applicant agrees with OP that the eating and drinking establishment use

is permitted as a matter-of-right in the ARTS-3 zone pursuant to Subtitle K § 811.3 and Subtitle U § 700.6(f).

### **C. Community Engagement and Support**

As noted in the Application Statement (Ex. 5), the Applicant has worked closely with the affected ANC 2F regarding the Application. As set forth in the ANC's Resolution in Support, dated October 15, 2024, ANC 2F voted unanimously (4-0-0) to support the Application at its regularly scheduled and duly noticed public meeting of October 2, 2024, at which a quorum of Commissioners was present.<sup>1</sup> A copy of the ANC's resolution is attached hereto as Exhibit E. The Applicant will continue to work closely with the ANC and will provide any further updates on its community engagement prior to the public hearing. Moreover, as of the time of this filing, the Applicant is not aware of any opposition to the Application.

### **D. Compliance with Standards and Request for Hearing**

As demonstrated by the Certificate of Compliance above, this Prehearing Statement and the attached exhibits meet the filing requirements of 11-Z DCMR § 401.1 *et seq.* Accordingly, the Applicant requests that the Commission schedule a public hearing on the Application.

## **IV. Conclusion**

In accordance with Subtitle X, Chapter 5 and Subtitle Z, this Prehearing Statement, along with the materials previously submitted to the case record, satisfy the requirements for a contested Zoning Map amendment. Accordingly, the Applicant respectfully requests the Commission schedule a public hearing on the Application.

---

<sup>1</sup> Although the Application was modified since the ANC's vote (due to the zone boundary line being shown incorrectly on the Office of Zoning's online Zoning Map), the ANC vote was to support the entire Property being zoned ARTS-3, which is fully consistent with the Application as modified.