

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**  
**ZONING COMMISSION ORDER NO. 24-16**  
**Z.C. CASE NO. 24-16**  
**MR 1401 15<sup>th</sup> ST, LLC and 1405 15<sup>th</sup> St, LLC**  
**Zoning Map Amendment @ Square 210, Lots 839 and 840**  
**1401-1405 15<sup>th</sup> Street, N.W.**  
**June 26, 2025**

Pursuant to notice, at its public hearing on May 22, 2025, the Zoning Commission for the District of Columbia (the “Commission”) considered an application filed by MR 1401 15<sup>th</sup> ST, LLC and 1405 15<sup>th</sup> ST, LLC (collectively, the “Applicant”)<sup>1</sup> pursuant to Subtitle X, Chapter 5 and Subtitle Z §§ 201.2(e) and 304 of the District of Columbia Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (“DCMR”)), to which all references are made unless otherwise specified, for an amendment to the Zoning Map of the District of Columbia from the RA-5 zone to the ARTS-3 zone (the “Map Amendment” or “Application”) for property located at 1401-1405 15<sup>th</sup> Street, N.W. (Square 210, Lots 839 and 840) (the “Property”).<sup>2</sup>

The Commission considered the Application as a contested case pursuant to Subtitle A § 210 and Subtitle Z, Chapter 4. For the reasons stated below, the Commission hereby **APPROVES** the Application.

**FINDINGS OF FACT**

**I. BACKGROUND**

**PARTIES**

1. In addition to the Applicant, Advisory Neighborhood Commissions (“ANC”) 2B and 2F were automatic parties to the Application (Subtitle Z § 403.5). The Property is within the boundary of ANC 2F and across 15<sup>th</sup> Street, N.W. from ANC 2B; therefore, both are “affected ANCs” pursuant to Subtitle Z § 101.8.
2. The Commission did not receive any requests for party status.

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<sup>1</sup> The Application was originally filed by MR 1401 15<sup>th</sup> Street Retail, LLC, which at the time was the contract purchaser of the Property. On March 31, 2025, the Property was sold to MR 1401 15<sup>th</sup> ST, LLC, and thereafter MR 1401 15<sup>th</sup> ST, LLC sold Lot 840 to 1405 15<sup>th</sup> St, LLC. New authorization letters from the new owners and applicant were filed to the case record on April 9, 2025 at Exhibits 21 and 21B.

<sup>2</sup> At the time the Application was filed on November 18, 2024, the Property was known as Lot 827 in Square 210. Per Assessment & Taxation (“A&T”) Plat dated March 17, 2025, Lot 827 was divided into new Lots 839 and 840 in Square 210 (see Exhibit. 21A).

3. On September 25, 2024, the Applicant mailed a Notice of Intent to file the Application to all property owners within 200 feet of the Property and to ANCs 2B and 2F, as required by Subtitle Z § 304.5 (Exhibit (“Ex.”) 3I).
4. On December 4, 2024, the Office of Zoning (“OZ”) sent notice of the Application’s filing to:
  - The Applicant;
  - ANCs 2B and 2F;
  - ANC Single Member Districts (“SMDs”) 2B04 and 2F03;
  - Office of ANCs;
  - Office of Planning (“OP”);
  - District Department of Transportation (“DDOT”);
  - Department of Energy & Environment (“DOEE”);
  - Department of Buildings (“DOB”) General Counsel;
  - At-Large Councilmembers and the Chairman of the Council;
  - The Ward 2 Councilmember; and
  - OZ Legal Division (“OZLD”).(Ex. 11).
5. OZ published notice of the filing of the Application in the December 13, 2024, *District of Columbia Register* (71 DCR 15772 *et seq.*) (Ex. 10).
6. On April 2, 2025, OZ sent notice of the May 22, 2025, public hearing to:
  - The Applicant;
  - ANCs 2B and 2F;
  - SMDs 2B04 and 2F03;
  - Office of ANCs;
  - OP;
  - DDOT;
  - DOEE;
  - DOB General Counsel;
  - At-Large Councilmembers and the Chairman of the Council;
  - The Ward 2 Councilmember;
  - OZLD; and
  - Property owners within 200 feet of the Property.(Ex. 19, 19A).
7. OZ published notice of the May 22, 2025, public hearing in the April 11, 2025, *District of Columbia Register* (72 DCR 4452 *et seq.*) (Ex. 18, 19A).
8. The Applicant submitted evidence that it posted notice of the public hearing as required by Subtitle Z § 402.3 and maintained said notice in accordance with Subtitle Z § 402.10 (Ex. 20, 34).

## **THE PROPERTY**

9. The Property is located in the Logan Circle neighborhood of the District and specifically along the 15<sup>th</sup> Street mixed-use corridor. The Property is bounded by private property to the north, public alleys to the east and south, and 15<sup>th</sup> Street, N.W. to the west (Ex. 5, 3A).
10. The Property has approximately 7,200 square feet of land area and is generally rectangular in shape (Ex. 5, 3A).
11. The Property is improved with the Grace Reformed Church and Sunday School (together, the “Church”) and the Parish House (the “Parish House”), which collectively are (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 (Ex. 5, 3A, 3D).
12. The Church is located on the southern portion of the Property and is zoned RA-5; the Parish House is located on the northern portion of the Property and is also zoned RA-5 (Ex. 5, 5E).
13. Properties immediately surrounding the subject Property are zoned as follows: to the north and east along 15<sup>th</sup> Street and P Street, and farther east along the 14<sup>th</sup> Street corridor, properties are zoned ARTS-3; to the south and on the east side of 15<sup>th</sup> Street, properties are zoned RA-5; and on the west side of 15<sup>th</sup> Street, properties are zoned RA-2/DC (Ex. 5, 5E).
14. The Logan Circle neighborhood supports a wide variety of residential, retail, service, office, lodging, and other commercial uses. A mix of single- and multi-family residential buildings are located in the immediate vicinity, as are a large number of eating and drinking establishments, hotels, fitness studios, salons, theaters, and banks. A Whole Foods grocery store is located half a block to the east on P Street, N.W. Many public open spaces are also in close proximity, including Logan Circle to the east, Scott Circle to the southwest, and Stead Park to the west (Ex. 5).
15. The Church is comprised of the sanctuary building and the Sunday school. The Gothic Revival styled sanctuary building was designed by Paul J. Pelz and A.A. Ritcher and constructed in 1902-1903. The Sunday school addition at the rear of the sanctuary was designed by Paul J. Pelz and constructed in 1911-1912. The bay-fronted Victorian Parish House, preceding construction of the Church, was erected as a rowhouse in 1892 by W.H.H. Knight. The three structures are situated so that the sanctuary and Parish House front 15<sup>th</sup> Street, N.W., and the Sunday school addition faces a public alley that runs north-south through the square (Ex. 5, 3B, 3D).
16. The Application stated that the historic structures on the Property operated as a Church for many years but are currently vacant. The prior owner of the Property, the Central Atlantic Conference of the United Church of Christ (“CAC”), ended its services due to declining congregation numbers, high operating costs, and increasing capital improvement costs. CAC leased the Property to the Christ Reformed Church until 2019, and to the Community Church of Washington DC until 2022. Prior to selling the Property to the Applicant, CAC

was at a point where the capital required to renovate and maintain the Property was insurmountable, and declining congregation numbers and insufficient on-site parking for a typical congregation no longer made the Property a desirable location for religious use (Ex. 5, 3B, 3D).

17. The Application stated that given the Property's landmark designation and unique architectural configuration, there are few realistic options for adaptive reuse. Notably, the Church was evaluated for residential use, but such conversion was difficult for a variety of reasons, including complexities in meeting Building Code requirements and obtaining Historic Preservation Review Board ("HPRB") approval for exterior modifications (Ex. 5, 3D). The Application also stated that the Church would be well-suited for reuse as an eating and drinking establishment or other commercial establishment, thereby necessitating the Zoning Map amendment to the ARTS-3 zone. The Zoning Map amendment would allow the Property to accommodate a mix of residential and non-residential uses that serve the surrounding community, which is consistent with the purposes of the ARTS zones, as set forth in Subtitle K § 800.1, which include increasing the housing supply, promoting retail activity, and encouraging the adaptive reuse of existing buildings (Ex. 5, 3D).
18. The Property is located in a transit-rich area. The Dupont Circle Metrorail station is located approximately 0.6 miles to the west of the Property, which services the red line, and the McPherson Square Metrorail station is located approximately 0.5 miles to the south of the Property, which services the blue, orange, and silver lines. A variety of Metrobus lines run along corridors immediately adjacent to the Property, including the G2 line, which runs along P Street, N.W., the 52, 54, 59, and WP-AM lines, which run along 14<sup>th</sup> Street, N.W., and the S2, S9, 315, and 325 lines, which run along 16th Street, N.W. Numerous Capital Bikeshare stations are also located within several blocks of the Property, including one at the corner of 15<sup>th</sup> and P Streets. Accordingly, access to public transportation from the Property is convenient and easily accessible (Ex. 5).

### **EXISTING ZONING**

19. The Property is zoned RA-5. The purposes of the RA zones are to: (a) permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts; and (b) permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones (Subtitle F § 101.3). The RA-5 zone provides for areas developed with predominantly high-density residential uses (Subtitle F § 101.8).
20. The maximum permitted density in the RA-5 zone is 6.0 FAR for an apartment house or hotel, 1.8 FAR for a public recreation or community center, and 5.0 FAR for all other structures (Subtitle F § 201.1). Up to 7.2 FAR is permitted for an Inclusionary Zoning ("IZ") development (Subtitle F § 201.4). The maximum permitted building height in the RA-5 zone, not including a penthouse, is 90 feet (Subtitle F § 203.2). The RA zones do not permit retail or eating and drinking establishment uses as a matter-of-right or as a special exception (Subtitle U, Chapter 4).

### **COMPREHENSIVE PLAN (TITLE 10A OF THE DCMR or the “CP”)**

21. Pursuant to Subtitle X § 500.3, the Commission shall find that a Zoning Map amendment is not inconsistent with the CP and with other adopted public policies and active programs related to the Property.
22. The CP requires the Commission to apply the standard of review applicable to a Zoning Map Amendment through a racial equity lens (CP §§ 2501.4-2501.8). Consideration of equity is intended to be based on the policies of the CP and part of the Commission’s considerations of whether the Zoning Map amendment is “not inconsistent” with the CP, rather than a separate determination about a zoning action’s equitable impact.
23. The CP Framework Element states that equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities, but is not the same as equality (CP § 213.6). Further, “[e]quitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices [and] holistically considers land use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, healthcare, technology, workforce development, and employment opportunities.” (CP § 213.7). The District applies a racial equity lens by targeting support to communities of color through policies and programs focusing on their needs and eliminating barriers to participate and make informed decisions (CP § 213.9).
24. In addition, CP § 2501.8 suggests the preparation and implementation of tools to use as a part of the Commission’s evaluation process. Consistent with CP guidance, the Commission utilizes a Racial Equity Analysis Tool in evaluating zoning actions through a racial equity lens. The Racial Equity Analysis Tool requires submissions from applicants and OP that analyze the zoning action’s consistency with the Citywide and Area Elements of the CP and Small Area Plans, if applicable (Part 1); a submission from applicants including information about their community outreach and engagement efforts regarding the zoning action (Part 2); and a submission from OP including disaggregated race and ethnicity data for the Planning Area affected by the zoning action (Part 3).

### **GENERALIZED POLICY MAP**

25. The purpose of the Generalized Policy Map (“GPM”) is to categorize how different parts of the District may change between 2005 and 2025. It highlights areas where more detailed policies are necessary, both within the CP and in follow-up plans, to manage this change (CP § 225.1). The GPM is intended to guide land use decision-making in conjunction with the CP text, the FLUM, and other CP maps. Boundaries on the GPM are to be interpreted in concert with these other sources as well as the context of each location (CP § 225.2).
26. Most of the Property is designated as a Neighborhood Conservation Area on the GPM. A small portion at the north end of the Property could be interpreted as being designated as a Main Street Mixed Use Corridor on the GPM.<sup>3</sup>

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<sup>3</sup> The Applicant’s original application filing and CP Evaluation (Ex. 3, 3H), revised application filing and CP Evaluation (Ex. 5, 5H), and the OP Setdown Report (Ex. 13) all stated that the GPM designation for the Property was a Neighborhood Conservation Area only. The OP Hearing Report (Ex. 28) stated that “a small portion at the

27. Neighborhood Conservation Areas have little vacant or underutilized land. They are generally residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will typically be modest in scale and will consist primarily of infill housing, public facilities, and institutional uses. Major changes in density over current (2017) conditions are not expected but some new development and reuse opportunities are anticipated, and these can support conservation of neighborhood character where guided by CP policies and the FLUM (CP § 225.4).
28. The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs. Limited development and redevelopment opportunities do exist within these areas. The diversity of land uses and building types in these areas should be maintained and new development, redevelopment, and alterations should be compatible with the existing scale, natural features, and character of each area. Densities in Neighborhood Conservation Areas are guided by the FLUM and CP policies. Approaches to managing context-sensitive growth in Neighborhood Conservation Areas may vary based on neighborhood socio-economic and development characteristics. In areas with access to opportunities, services, and amenities, more levels of housing affordability should be accommodated. Areas facing housing insecurity (see Section 206.4) and displacement should emphasize preserving affordable housing and enhancing neighborhood services, amenities, and access to opportunities (CP § 225.5).
29. Main Street Mixed Use Corridors are traditional commercial business corridors with a concentration of older storefronts along the street. The area served can vary from one neighborhood (e.g., 14<sup>th</sup> Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper-story residential or office uses. Some corridors are underutilized, with capacity for redevelopment. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment (CP § 225.14).

### **FUTURE LAND USE MAP**

30. The FLUM shows the general character and distribution of recommended and planned uses across the District, and, along with the GPM, is intended to provide generalized guidance.

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north end of the site could be interpreted as being within the Main Street Mixed Use Corridor designation” and provided an analysis of how the Application was not inconsistent with the GPM designations for both a Neighborhood Conservation Area and a Main Street Mixed Use Corridor (Ex. 28, pp. 12-13). At the public hearing, the Applicant stated its agreement with OP’s analysis and review of the GPM and provided a summary of how the Application was not inconsistent with the GPM designations for both a Neighborhood Conservation Area and a Main Street Mixed Use Corridor. See Applicant’s PowerPoint Presentation at Ex. 36 and testimony at the public hearing (May 22, 2025, Hearing Transcript at 6-25).



The FLUM shows anticipated future land uses, which may be the same, or different than the current land uses (CP § 200.5, 224.4).

31. The FLUM designates the Property as Mixed Use Medium Density Residential and Moderate Density Commercial.
32. The FLUM indicates areas where the mixing of two or more land uses is especially encouraged, which generally applies in established pedestrian-oriented areas, commercial corridors where more housing is desired, large sites, and development that includes residential uses, particularly affordable housing (CP § 227.20). The general density and intensity of development within a given Mixed-Use area is determined by the specific mix of uses shown therein. The CP Area Elements may also provide detail on the specific mix of uses envisioned (CP § 227.21). The “Mixed Use” designation is intended primarily for larger areas where no single use predominates, or areas where multiple uses are specifically encouraged in the future (CP § 227.22). A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities (CP § 227.23).
33. The CP defines Medium Density Residential as a designation used to define neighborhoods or areas generally, but not exclusively, suited for mid-rise apartment buildings. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. Pockets of low and moderate density housing may exist within these areas. Density typically ranges from 1.8 to 4.0 FAR, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-3 Zone District is consistent with the Medium Density Residential category, and other zones may also apply (CP § 227.7).
34. The CP defines Moderate Density Commercial as a designation used to define shopping and service areas that are somewhat greater in scale and intensity than the Low-Density Commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Buildings are larger and/or taller than those in Low Density Commercial areas. Density typically ranges between a FAR of 2.5 and 4.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-5 and MU-7 zones are representative of zones consistent with the Moderate Density Commercial category, and other zones may also apply (CP § 227.11).

#### **NEAR NORTHWEST AREA ELEMENT**

35. The Property is located within the Near Northwest Area Element of the CP. The Near Northwest Area Element states:
  - Near Northwest is known for its historic architecture, well-established neighborhoods, lively shopping areas, and nationally recognized institutions (CP § 2100.2);
  - Near Northwest neighborhoods contain some of the most diverse housing stock in the District, varying from single-family homes to high-rise apartments. Townhouses and mid-rise apartment buildings dating from the mid-19<sup>th</sup> to early 20<sup>th</sup> centuries define the

area's residential neighborhoods; they are most prominent in Georgetown, Burleith, Dupont Circle, Foggy Bottom, Logan Circle, Shaw, and Mount Vernon Square (CP § 2100.3);

- The area is well connected to other parts of the District and region by mass transit, including the Red, Green, Orange, Blue, and Silver Metrorail (Metro) lines and multiple bus lines. The overall street pattern reflects the L'Enfant Plan, with prominent diagonal boulevards bisecting a rectangular grid (CP § 2100.4);
- The more prominent retail areas are on the major streets and avenues, including Connecticut Avenue, U Street, and 7<sup>th</sup>, 9<sup>th</sup>, and 14<sup>th</sup> Streets, N.W. There are smaller retail districts throughout the area and corner stores in almost every residential neighborhood (CP § 2100.5); and
- 14<sup>th</sup> Street, N.W. is home to the Studio Theater, as well as other performing arts venues and galleries. After years of disinvestment following the unrest in 1968, 14<sup>th</sup> Street has experienced intense development activity and restaurant openings, which have contributed to establishing the corridor as one of Washington, DC's premier food and entertainment districts. Foreign embassies are concentrated along Massachusetts Avenue, N.W., in the Dupont Circle neighborhood, and in Kalorama (CP § 2100.6).

### **LOGAN CIRCLE NEIGHBORHOOD INVESTMENT PLAN**

36. The Property is located within the study area of the Logan Circle Neighborhood Investment Plan ("LCNIP"), which was approved by the D.C. Council by Resolution on December 2, 2008 (R17-0881). The Neighborhood Investment Fund ("NIF") area is bound by U Street to the north, Massachusetts Ave to the south, 9<sup>th</sup> Street to the east and 15<sup>th</sup> Street to the west (LCNIP, p. 9).
37. The LCNIP was "designed to identify community priorities for NIF investments and to set an investment agenda for NIF resources over a five year period." It was created by OP and the Office of the Deputy Mayor for Planning and Economic Development with the aim of directing funding from the NIF to projects that align with community-driven goals for economic development and neighborhood revitalization in the Logan Circle area (LCNIP, p. 5).
38. The LCNIP outlines a strategic approach to revitalizing the Logan Circle neighborhood through targeted investments and community engagement. Key points from the LCNIP include promoting arts and culture, improving and attracting retail, enhancing the public realm, preserving affordable housing, supporting community-driven projects, recognizing historical significance, highlighting development projects, and prioritizing community outreach efforts (LCNIP, pp. 19-24).

## **II. THE APPLICATION**

### **APPLICANT'S FILINGS**

39. The Applicant made the following submissions to the record in support of the Application proposing to rezone the Property from the RA-5 zone to the ARTS-3 zone:



- On November 18, 2024, the Applicant submitted the Application which included:
  - OZ's application form for a Zoning Map amendment (Ex. 1);
  - A cover letter (Ex. 2);
  - A Statement in Support of the Application, attaching (Ex. 3-3L):
    - Surveyor's Plat;
    - National Register Registration Form;
    - Photographs of the Property;
    - 2022 HPO Report;
    - Portion of Zoning Map;
    - Portion of the FLUM;
    - Portion of the GPM;
    - CP and Racial Equity Analysis ("CP Analysis" and "Racial Equity Analysis");
    - Certificate of Notice, Notice of Intent, and list of owners of property located within 200 feet of the Property;
    - Application signature page;
    - Authorization letter; and
    - Certificate of Proficiency;
- On December 2, 2024, the Applicant submitted revised portions of the Application to accurately request the rezoning of the entire Property from the RA-5 zone to the ARTS-3 zone. This revision was made after the Applicant was informed by OZ that the Official Zoning Map had incorrectly depicted the Property as split-zoned, when in fact the entire Property is zoned RA-5. The revised portions of the Application included:
  - A revised cover letter (Ex. 4);
  - A revised Statement in Support of the Application, attaching (Ex. 5, 5E, 5H):
    - Revised portion of the Zoning Map; and
    - Revised CP and Racial Equity Analysis ("CP Analysis" and "Racial Equity Analysis");
- On March 17, 2025, the Applicant submitted its Prehearing Submission, which included:
  - Cover letter (Ex. 15);
  - Prehearing Statement, attaching (Ex. 16-16E):
    - List of witnesses and time for the Applicant's hearing presentation;
    - Outlines of witness testimony and resume for the Applicant's proffered expert witness;
    - List of public documents on which the Applicant would rely;
    - List of owners of property located within 200 feet of the Property;
    - OZ hearing fee form; and
    - ANC 2F Report in support of the Application;
- On April 9, 2025, the Applicant submitted its Affidavit of Posting (Ex. 20);
- On April 9, 2025, the Applicant also submitted a cover letter explaining that the Property had been divided into two new tax lots and sold to two new owners (Ex. 21-21B). The Applicant submitted the following attached to the cover letter:
  - New A&T plat showing new tax lots 839 and 840; and

- Two letters authorizing Holland & Knight LLP to represent the new owners of the Property;
- On May 19, 2025, the Applicant submitted its Affidavit of Maintenance (Ex. 34);
- On May 21, 2025, the Applicant submitted a copy of its hearing presentation (Ex. 36); and
- On June 4, 2025, the Applicant submitted a cover letter and draft findings of fact and conclusions of law (Ex. 40-40A).

## **PROPOSED ZONING**

40. The Application proposed to rezone the Property from the RA-5 zone to the ARTS-3 zone. The Application asserted that the rezoning is not inconsistent with the CP or with other adopted public policies and active programs related to the Property, particularly when analyzed through a racial equity lens.
41. The ARTS-3 zone is consistent with the density parameters established for the Medium Density Residential and Moderate Density Commercial land use designations, as outlined in the CP Framework Element (CP § 227.7 and 227.11).
42. The ARTS-3 zone is intended to permit medium density, mixed-use development, with a focus on employment (Subtitle K § 800.4).
43. The maximum permitted density in the ARTS-3 zone is 4.0 FAR and 4.8 FAR as an IZ development, of which up to 2.5 FAR may be devoted to non-residential uses (Subtitle K § 801.1). The maximum permitted building height in the ARTS-3 zone, not including a penthouse, is 65 feet or 75 feet with an IZ development, with no limit on the number of stories (Subtitle K § 803.1).

## **APPLICANT'S JUSTIFICATION FOR REZONING**

### **Not Inconsistent with the CP**

44. The Application asserted that the Zoning Map amendment is not inconsistent with the CP, including the Property's designations on the GPM and the FLUM, advances the objectives and recommendations of the Near Northwest Area Element and Citywide Elements of the CP, including particularly relevant policies under the Land Use, Transportation, Housing, Environmental Protection, Economic Development, and Historic Preservation Elements. The Application also explained how any potential inconsistencies with the CP are outweighed by other CP policies or competing considerations, and that the outcomes of the Zoning Map amendment would advance racial equity (Ex. 5, 5H).

### **GPM**

45. The Application asserted that the Zoning Map amendment is not inconsistent with the GPM's designations for the Property as a Neighborhood Conservation Area and Main Street Mixed Use Corridor because (Ex. 5, 5H, 36):
  - The proposed rezoning is consistent with the definition of a Neighborhood Conservation Area as set forth in CP § 225.4. The CP specifies that Neighborhood Conservation Areas have little vacant or underutilized land and are generally residential in character. Where change occurs, it will typically be modest in scale and will consist

- primarily of infill housing, public facilities, and institutional uses. Major changes in density over current (2017) conditions are not expected but some new development and reuse opportunities are anticipated, and these can support conservation or neighborhood character where guided by CP policies and the FLUM;
- The proposed rezoning is also consistent with the definition of a Main Street Mixed Use Corridor as set forth in CP § 225.14. The CP states that Main Street Mixed Use Corridors are traditional commercial business corridors with a concentration of older storefronts along the street. Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper-story residential or office uses. Some corridors are underutilized, with capacity for redevelopment. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment; and
  - The proposed rezoning from RA-5 to ARTS-3 is not inconsistent with the GPM designations of Neighborhood Conservation Area and Main Street Mixed Use Corridor. While Neighborhood Conservation Areas are generally residential in character, the CP anticipates limited change, including infill and reuse that supports neighborhood conservation goals. The ARTS-3 zone permits compatible non-residential uses that reinforce neighborhood vitality without introducing major density changes. Additionally, the rezoning aligns with the Main Street Mixed Use Corridor designation, which encourages pedestrian-oriented, mixed-use development that enhances economic and housing opportunities. The proposed change supports these objectives by facilitating context-sensitive reinvestment and improved neighborhood-serving uses.

## **FLUM**

46. The Application asserted that the Zoning Map amendment is not inconsistent with the FLUM's mixed-use Medium Density Residential and Moderate Density Commercial designations for the Property because (Ex. 5, 5H):
- The Medium Density Residential designation applies to neighborhoods generally suited for mid-rise apartment buildings and can also include pockets of low and moderate density housing within a predominantly medium-density context. Density typically ranges from 1.8 to 4.0 FAR, although greater density may be permitted through an IZ development or a PUD;
  - The Moderate Density Commercial designation is intended for shopping and service areas that are greater in scale and intensity than those found in Low Density Commercial areas;
  - Predominant uses in Moderate Density Commercial areas include retail, office, and service businesses, with a range of businesses serving neighborhood to broader market areas;
  - Buildings in these areas are generally larger and/or taller than in Low Density Commercial areas, with typical density ranging from 2.5 to 4.0 FAR, although greater density may be permitted through an IZ development or a PUD; and

- The ARTS-3 zone allows for a density of 4.0 FAR or 4.8 FAR with IZ, which aligns with the Medium Density Residential and Moderate Density Commercial designations. Specifically, non-residential uses may occupy up to 2.5 FAR, which is consistent with the Moderate Density Commercial designation, which encourages retail, office, and service businesses.

### **Near Northwest Area Element**

47. The Application asserted that the Zoning Map amendment advances the planning objectives outlined in the Near Northwest Area Element because (Ex. 5H):
- Rezoning the Property to the ARTS-3 zone permits non-residential uses, such as retail and eating and drinking establishments, within the existing historically designated Church building. This type of adaptive reuse supports the continued use of the structure and contributes to the vitality of established commercial areas, particularly along pedestrian-oriented streets (NNW-1.1.2);
  - Rezoning the Property to the ARTS-3 zone will ensure that new commercial uses will complement neighboring properties, enrich the community, and contribute to the overall vibrancy of the surrounding area (NNW-1.1.4);
  - The Property's proximity to the cycle track on 15<sup>th</sup> Street, along with improved streetscape maintenance associated with future redevelopment, will encourage safer and more accessible connections for both pedestrians and cyclists (NNW-1.1.10);
  - Revitalizing the Church with new retail uses will foster stronger pedestrian connections and contribute to a more comfortable and inviting environment for the community, consistent with the goal of improving pedestrian links throughout the Near Northwest area (NNW-1.1.11); and
  - The historic preservation design review process will be utilized to promote high-quality architecture and urban design within designated historic districts (NNW-1.2.9).

### **Land Use Element**

48. The Application stated that proposed rezoning is not inconsistent with the policies of the Land Use Element as it will allow non-residential, community serving uses, such as retail and eating and drinking establishments, to occupy the Property, thereby encouraging active, walkable, and transit accessible adaptive reuse of a historic landmark. The adaptive reuse enabled by the proposal will create local business and job opportunities, preserve a valued neighborhood institution through rehabilitation, and continue to allow for residential uses on the Property (Ex. 5H; LU-1.4.1, LU-1.4.2, LU-1.4.5, LU-1.4.6, LU-2.1.4, LU-2.2.2).

### **Transportation Element**

49. The Application stated that the proposed Zoning Map amendment is not inconsistent with the Transportation Element and the ARTS-3 zone would enable adaptive reuse of the historic Property with neighborhood-serving non-residential uses within walking distance of two Metrorail stations, several bus routes, and adjacent bike lanes; encourage streetscape improvements and infrastructure upgrades to promote pedestrian and bicycle safety; and encourage pedestrian oriented commercial uses along a dense, mixed-use corridor consistent with the District's goals of discouraging automobile-oriented development (Ex.

5H; T-1.1.4, T-1.2.1, T-1.2.3, T-2.1.1, T-2.1.3, T-2.1.10, T-2.2.1, T-2.3.1, T-2.3.3, T-2.3.7).

### **Housing Element**

50. The Application stated that the proposed Zoning Map amendment is not inconsistent with the Housing Element because the provision of both commercial and residential uses allowed by ARTS-3 zoning acknowledges the practical constraints of the Property—the historic Church is better suited for commercial rather than residential use, while the Parish House can accommodate residential use. The proposed ARTS-3 zone will facilitate mixed-use development, supporting neighborhood vitality in an active commercial corridor and the creation of housing, including affordable housing, in a high opportunity area (Ex. 5H; H-1.1.1, H-1.1.4, H-1.1.8, H-1.4.6).

### **Environmental Protection Element**

51. The Application stated that the Zoning Map amendment is not inconsistent with the Environmental Protection Element and that the rezoning would present an opportunity to address racial and environmental inequities by advancing sustainability and resilience policies. The adaptive reuse of the existing Church and Parish House, and incorporation of streetscape, stormwater, and landscape improvements would directly contribute to policies aimed at mitigating the urban heat island effect, managing stormwater, and promoting green building practices (Ex. 5H; E-1.1.2, E-2.1.2, E-2.1.3, E-4.2.1).

### **Economic Development Element**

52. The Application stated that the Zoning Map amendment is not inconsistent with the Economic Development Element and the ARTS-3 zone will enable the establishment of commercial space to adaptively reuse a historic building aligning with District goals of promoting non-residential density and mixed-use development. The proposal will reinforce an existing retail node and encourage new commercial uses potentially attracting a diverse range of business owners/tenants, creating job opportunities for local residents, and serving neighborhood needs and broader market demand (Ex. 5H; ED-1.1.4, ED-2.2.1, ED-2.2.3, ED-2.2.5, ED-2.2.9, ED-3.1.1).

### **Historic Preservation Element**

53. The Application stated that the Zoning Map amendment is not inconsistent with the Historic Preservation Element because the rezoning would allow for mixed-use development while enabling adaptive reuse without compromising the historic integrity of the Church and Parish House. The Application stated that the historic integrity of the Church and Parish House, which are contributing structures to the area and historic landmarks, will be maintained because the exterior of the buildings may not be altered without Historic Preservation Review Board approval, ensuring preservation of the buildings' historic façades and architectural features. The Applicant also stated that the interior finishes will be restored and preserved with minimal changes, and the proposal will allow interior renovations and adaptations for new uses, such as residential, retail and dining, while maintaining historic integrity (*See* May 22, 2025 Hearing Transcript (“Tr.”) at 13, 26, 28). Allowing adaptive reuse of the historic buildings, to include new commercial

and residential uses, supports a thoughtful historic preservation review process and promotes long-term preservation and relevance for modern uses without compromising historic integrity (Ex. 5H; HP-1.6.1, HP-1.6.3, HP-1.6.4, HP-2.4.1, HP-2.5.2, HP-2.5.5, HP-2.5.6).

### **Logan Circle Neighborhood Investment Plan**

54. The Application included a detailed analysis of how the Zoning Map amendment would help to advance many of the general recommendations within the LCNIP, including its goals for affordable housing, neighborhood-oriented retail, public realm enhancements, and revitalization through arts and culture (Ex. 5H). Thus, the Application concluded that the Zoning Map amendment would enable future reuse of the Property that would contribute to the long-term growth and vitality of the area, consistent with many of the goals of the LCNIP.

### **Racial Equity**

55. The Application stated that equity is conveyed through the CP, particularly in the context of zoning, where certain priorities stand out, including affordable housing, preventing displacement, and access to opportunity. In light of the guidance provided by relevant CP policies, the Application asserted that the Zoning Map amendment would not be inconsistent with the CP when evaluated through a racial equity lens. In support of its assertion, the Applicant evaluated the Zoning Map amendment's consistency with the CP through a racial equity lens by applying the Commission's Racial Equity Tool (Ex. 5H, 36).
56. The Applicant made the following observations and conclusions about the neighborhood in its responses to the Community Outreach and Engagement component of the Commission's Racial Equity Tool (Ex. 5H, 36):
- The area most likely to be impacted by the Zoning Map amendment is the Logan Circle neighborhood, which has specific historic, demographic, economic, development, connectivity, and cultural/social identities. The Applicant described these characteristics in its CP Analysis;
  - Residents living in the area immediately surrounding the Property would be most likely to be burdened as a result of the Zoning Map amendment. The Application explained that the impacts could potentially be related to construction in the short-term and tax increases in the long term. The Application explained that the Applicant would incorporate measures to reduce any potential impacts during construction, and that a variety of successful programs exist to provide tax relief. The Application also included specific information about how the Zoning Map amendment would benefit the surrounding community;
  - The Application provided information about past and present racial discrimination, including data from the Ward 2 Heritage Guide, which describes Logan Circle's history of residential segregation, urban decay due to federal policies related to the distribution of loans, displacement from urban renewal, exclusion from new suburbs, housing inequity, educational disparities, economic marginalization, and health disparities. Such systemic challenges have shaped the Logan Circle community and provide an important context for future investment;



- The Application also included a summary of the ongoing efforts in the community that are working to address past discrimination, including the Black Homeownership Strike Force, the District’s Upward Mobility Action Plan, and tax incentives through the Office of Tax and Revenue. These initiatives work in combination with other existing programs within the District to provide resources to residents throughout the District, including in and around the community that would be directly impacted by the Zoning Map amendment;
  - The Application stated that the Applicant conducted outreach regarding the Zoning Map amendment primarily with ANC 2F and its Community Development Committee, including meeting with the ANC on a variety of occasions, touring the Property with ANC representatives, and presenting the application at an ANC public meeting. The Applicant also met with ANC 2B, the Historic Preservation Office, and the Office of Planning regarding the Application; and
  - The Application stated that no direct displacement is anticipated as a result of the Zoning Map amendment because the site is currently a vacant church and does not contain any housing units or commercial space.
57. Based on the foregoing, and as further described in the Applicant’s CP and Racial Equity Analysis, the Application concluded that the Zoning Map amendment to the ARTS-3 zone would advance policy goals and objectives of the CP, and therefore, the Application is not inconsistent with the CP, including when evaluated through a racial equity lens.

#### **Potential Inconsistencies With The CP**

58. The Application identified five CP policies that were potentially inconsistent with the proposed Zoning Map amendment to the ARTS-3 zone, specifically: (i) Policy H-1.1.8: Production of Housing in High-Cost Areas; (ii) Policy E-3.2.2 Net Zero Buildings; (iii) Policy E-3.2.3 Renewable Energy; (iv) E-4.1.1: Maximizing Permeable Surfaces; and (v) E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff. However, the Application concluded that while these CP policies may be viewed as inconsistent, the potential inconsistencies are outweighed by the Zoning Map amendment’s overall consistency with the Property’s designations on the CP maps and CP policies of the Citywide Elements— land use, housing, transportation, environmental protection, economic development, and historic preservation—that would be advanced by the Zoning Map amendment, as discussed above (Ex. 5H; see Finding of Fact (“FF”) 48-53).

#### **Public Hearing Testimony**

59. At the public hearing on May 22, 2025, the Applicant presented its case, including testimony from Ms. Brandice Elliott, Director of Planning Services, Holland & Knight, LLP, whom the Commission recognized as an expert in land planning and zoning (Tr. at 6-25).

### **III. RESPONSES TO THE APPLICATION**

#### **OP REPORTS AND TESTIMONY**

60. OP submitted a report dated January 24, 2025 (the “OP Setdown Report”), recommending the Commission set down the Application for a public hearing (Ex. 13).

61. The OP Setdown Report stated that it did not recommend IZ Plus in this case because the proposal will rezone the Property from a higher maximum FAR, allowed under the existing RA-5 zone, to a lower maximum FAR, allowed under the proposed ARTS-3 zone; therefore, IZ Plus would not apply to the Zoning Map amendment per Subtitle X § 502.1(b). Additionally, because the Property is fully developed with a structure on the National Register of Historic Places, the development capacity of the Property is significantly limited. Due to historic preservation regulations limiting exterior changes or expansion, the Property does not have a development capacity for additional density beyond the existing building envelope (Ex. 13, pp. 1, 4).
62. The OP Setdown Report made the following findings:
- The proposed ARTS-3 zone would be more consistent with the Property's designations on the FLUM as compared to the existing RA-5 zone. Unlike the RA-5 zone, the ARTS-3 zone allows mixed use development with medium density residential permitted. The RA-5 zone is a high-density residential zone which is not fully consistent with the FLUM map designation. 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. In addition, the ARTS-3 zoning could potentially help the Property move from vacant unused buildings to become adaptively reused (Ex. 13, p. 6, 18);
  - The ARTS-3 zone would not be inconsistent with the GPM designations for the Property, which would enable the small site to be adaptively reused and add vitality to the neighborhood consistent with the intent of the Neighborhood Conservation Area designation within the GPM (Ex. 13, pp. 7-8)<sup>4</sup>;
  - The Zoning Map amendment, on balance, would not be inconsistent with the Citywide Elements of the CP and would particularly further the policies of the Land Use, Transportation, Housing, Environmental Protection, Economic Development, and Historic Preservation Elements. It would also further many of the policies in 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 FLUM and GPM. The proposed zoning designation would enhance the existing neighborhood and would be consistent with themes for racial equity found in the CP (Ex. 13, p. 8); and
  - The Application would not be inconsistent with the LCNIP (Ex. 13, p. 18).
63. The OP Setdown Report included disaggregated race and ethnicity data for the Near Northwest Planning Area, in which the Property is located, in response to the Commission's Racial Equity Tool and noted the following:
- Between 2012-2016, the largest portion of the population in the Planning Area were White residents at 69.54% of the area residents. The next highest group was Black residents at 13.98%. In the 2018-2022 period, White residents continued to make up the largest portion of the population but fell slightly to 66.11%. The Black percentage

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<sup>4</sup> The OP Setdown Report stated that the Property was designated only as a Neighborhood Conservation Area on the GPM. As previously noted, OP's Hearing Report provided further analysis that "a small portion at the north end of the site could be interpreted as being within the Main Street Mixed Use Corridor designation."

of the population also fell in this period, with increases in Asian, Two or More Races, and Hispanic groups within the Planning Area. The largest increase was the Two or More Race segment of the population increasing from 3.96% to 8.15%;

- The median income of the Planning Area was higher than that of the District in both the 2012-2016 and 2018-2022 time periods. The Black or African American population had the lowest median income of all segments of the population during both time periods, (\$29,645 and \$46,611, respectively), and the second lowest increase (\$16,966) after two or more races (\$11,344) between the two time periods. White, Asian, and two or more races had the higher incomes for the Planning Area with Whites having a \$30,254 increase in income between the two time periods. The relatively high incomes are also reflected in the lower poverty rate in the Near Northwest which was 12.14% compared to a District wide total of 15.1% for the 2018-2022 time period; and
- In the Planning Area, White, Asian, and Two or More Race households had the highest percentage of owner-occupied housing at 41.9%, 38.1% and 36.1% in the 2018- 2022 period. Black and African American and Other race households had the lowest owner occupancy with 23.3% and 22.0% for the 2018-2022 period (Ex. 13, pp. 12-15).

64. OP submitted a report dated May 12, 2025 (the “OP Hearing Report” and together with the Setdown Report, the “OP Reports”), which reiterated the OP Setdown Report’s conclusions and recommended approval of the Application (Ex. 28).
65. At the public hearing, OP reiterated its support for the Application as detailed in its reports (Tr. at 37-40).

#### **DDOT REPORT AND TESTIMONY**

66. DDOT submitted a report dated May 9, 2025 (the “DDOT Report”), stating that it had no objection to the approval of the requested Zoning Map amendment (Ex. 27).
67. DDOT did not testify at the public hearing.

#### **ANC REPORT AND TESTIMONY**

68. ANC 2F submitted an ANC Setdown Form, on December 9, 2024, stating that at its October 2, 2024, properly noticed and regularly scheduled public meeting, with a quorum present, the ANC voted 4-0-0 to support setting down the Application for a public hearing (Ex. 12). The ANC Setdown Form stated that the Property is “severely dilapidated with pest infection” and that the “proposal raised no controversy among the [ANC Community Development Committee], Commission, or public and the CDC recommended that the ANC support the application for the zoning map amendment.”
69. The Applicant’s pre-hearing statement, submitted on March 17, 2025, included a letter from ANC 2F, dated October 15, 2024 (the “ANC Letter”), stating that at its regularly scheduled properly noticed public meeting on October 2, 2023,<sup>5</sup> with a quorum present, the ANC voted 4-0-0 in support of the Application (Ex. 16E).

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<sup>5</sup> The ANC Report incorrectly references that the public meeting was held on October 2, 2023; the correct date was October 2, 2024.

70. ANC 2F did not testify at the public hearing.
71. ANC 2B did not submit a report on the Application or testify at the public hearing.

### **PERSONS AND ORGANIZATIONS**

72. Three persons appeared at the hearing to testify in opposition to the Application:
- Ms. Britney Sawyer testified in opposition to the proposed rezoning, stating that another church congregation was prepared to purchase the Property, with the intent to maintain its use as an active church. She expressed concern that conversion of the Church to a commercial use would fail to preserve the Property's historic legacy and would be inconsistent with its longstanding religious and cultural significance;
  - Ms. Selwa "Lucky" Roosevelt testified in opposition to the Zoning Map amendment, describing the Church's historical and personal significance as the spiritual home of President Theodore Roosevelt. She stated that converting the Church to a commercial use would dishonor its civic and religious legacy, undermine historic preservation efforts, and erase a valuable piece of the city's cultural heritage. She urged the Commission to reject the proposal and preserve the Church as a space for community inspiration, reflection, and historical continuity; and
  - Mr. Christopher Moerman testified in opposition to the proposed Zoning Map amendment, also emphasizing the Property's historic significance and its association with President Theodore Roosevelt. He noted that there have been multiple offers to purchase the Property that would preserve its historic and spiritual character and expressed concern that approving the rezoning would effectively endorse the Property's neglect and disregard its historical importance (Tr. at 44-51).
73. Several individuals also submitted letters to the case record expressing their opposition to the Application on the grounds that they did not want the buildings on the Property to be redeveloped due to their historic significance (Ex. 25-26, 29-33, 35, 37-38). The written letters highlighted the buildings' historic and spiritual significance, including its association with President Theodore Roosevelt, and expressed concerns with potential conversion to commercial use.

### **NATIONAL CAPITAL PLANNING COMMISSION**

74. The Commission referred the Application to the National Capital Planning Commission ("NCPC") on May 22, 2025, for the 30-day review period required by § 492(b)(2) of the District Charter (Dec. 24, 1973, Pub. L. 93-198, title IV, § 492(b)(2); D.C. Official Code 6-641.05)) (Ex. 39).
75. On July 11, 2025<sup>6</sup>, NCPC filed a report stating that the proposal is not inconsistent with the Comprehensive Plan for the National Capital and would not adversely impact any other identified federal interests (Ex. 41).

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<sup>6</sup> The Commission notes that the NCPC report was filed to the case record on July 11, 2025, following the Commission taking final action on the map amendment application at its June 26, 2025 public meeting. Under Subtitle Z § 604.2,

## **CONCLUSIONS OF LAW**

1. Section 1 of the Zoning Act of 1938 (effective June 20, 1938, as amended, 52 Stat. 797; D.C. Official Code § 6-641.01 et seq. (2012 Repl.)) (the “Zoning Act”) authorizes the Commission to create zones within which the Commission may regulate the construction and use of property in order to “promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital.”
2. Section 2 of the Zoning Act (D.C. Official Code § 6-641.02) further provides that:  
*Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital and zoning regulations shall be designed to lessen congestion on the street, to secure safety from fire, panic, and other dangers to promote health and general welfare, to provide adequate light and air, to prevent the undue concentration and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection or property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.*
3. The Commission must ensure that the Zoning Map, and all amendments to it, are “not inconsistent” with the CP pursuant to § 492(b)(1) of the District of Columbia Home Rule Act (§ 2 of the Zoning Act; D.C. Official Code § 6-641.02). Subtitle X § 500.3 incorporates this intent to the Zoning Regulations by requiring that Zoning Map amendments be “not inconsistent with the CP and with other adopted public policies and active programs related to the subject site.”
4. The Commission concludes that the Application advances the purposes of the Zoning Act and is not inconsistent with the CP and with other adopted public policies and active programs related to the Property for the reasons discussed below.

### **NOT INCONSISTENT WITH THE COMPREHENSIVE PLAN (SUBTITLE X § 500.3)**

5. Pursuant to Subtitle X § 500.3, the Commission shall find that the Zoning Map amendment is not inconsistent with the CP and with other adopted public policies and active programs related to the Property.

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the Commission may proceed with final action on a contested case map amendment following receipt of the written report of NCPC or after thirty (30) days from the date of referral to NCPC, whichever is sooner. Here, the map amendment application was referred to NCPC on May 22, 2025 and the Commission took final action 30 days after the referral date on June 26, 2025 (*See Finding of Fact No. 75*).



6. The Commission concludes, based on the filings and testimony of the Applicant and OP, that the Zoning Map amendment from the RA-5 zone to the ARTS-3 zone for the Property is not inconsistent with the CP in its entirety, including the CP Maps and Elements, and will advance a number of CP Element policy objectives.
7. Even if the Zoning Map amendment conflicts with one or more individual policies associated with the CP, this does not, in and of itself, preclude the Commission from concluding that the Zoning Map Amendment would be consistent with the CP as a whole (*See Durant v. D.C. Zoning Comm'n*, 65 A.3d 1161, 1168 (D.C. 2013)).
8. The Commission finds that the Zoning Map amendment is not inconsistent with the CP on the whole. While the proposed ARTS-3 zone may be potentially inconsistent with certain individual CP policies, the Commission finds any potential CP inconsistencies to be outweighed by the CP policy goals and objectives of the Citywide Elements and the Near Northwest Area Element that would be advanced by the proposal, as discussed below.

### **RACIAL EQUITY**

9. The Commission concludes that the Zoning Map amendment is not inconsistent with the CP when evaluated through a racial equity lens. The Commission reached this conclusion based on the case record, including the Racial Equity Analysis provided by the Applicant, inclusive of community outreach and engagement information, and OP, which included disaggregated race and ethnicity data for the Near Northwest Planning Area (FF 56, 63). The Commission finds the community outreach and engagement information provided by the Applicant demonstrates engagement efforts regarding the Application with ANCs 2F and 2B, OP, and the Historic Preservation Office (FF 56). The Commission finds the Near Northwest Planning Area data provided by OP demonstrates certain racial disparities and is encouraged that reactivation of this currently vacant historic Property as facilitated by the Zoning Map amendment will result in positive outcomes (FF 62-64). The Commission notes that the proposal will not result in any direct displacement of residents or commercial uses because the Property is currently vacant (FF 16, 56). The Commission concludes that the racial equity analyses provided addressed the components of the Commission's Racial Equity Tool, and that the Zoning Map amendment will further CP racial equity goals (FF 44-57, 62-64).

### **GPM**

10. The Commission concludes that the Zoning Map amendment is not inconsistent with the GPM's designations of the Property as a Neighborhood Conservation Area and a Main Street Mixed Use Corridor (FF 27-29). The Zoning Map amendment will enable the adaptive reuse of existing historic structures to accommodate a new mix of uses, thereby introducing neighborhood-serving uses that will serve the surrounding community. This aligns with the goal of increasing access to services and amenities at well-located properties, particularly those with access to public transportation, while preserving the historic character of the neighborhood (FF 45, 62, 64).



### **FLUM**

11. The Commission concludes that the Zoning Map amendment is not inconsistent with the Property's FLUM designations as Mixed-Use Medium Density Residential and Moderate Density Commercial because the ARTS-3 zone would allow for a density of 4.0 FAR, or 4.8 FAR with IZ, which aligns with the density ranges contemplated by both the Medium Density Residential and the Moderate Density Commercial designations (FF 33, 34). The Commission also concludes that the Zoning Map amendment from the RA-5 zone to the ARTS-3 zone will allow for a maximum non-residential density of 2.5 FAR, which is also consistent with the Moderate Density Commercial designation and encourages retail, office, and service uses (FF 43, 46, 62, 64).

### **NEAR NORTHWEST AREA ELEMENT**

12. The Commission concludes that the Zoning Map amendment furthers the policies of the Near Northwest Area Element by allowing for future reuse of the historically designated Property. Rezoning to the ARTS-3 zone will enable both residential and non-residential uses at the Property, which will revitalize the vacant site, contribute to the area's unique character, and provide services that meet the needs of residents, workers, and visitors. The proposal could enhance pedestrian-oriented streets, complement neighboring properties, and promote a vibrant mixed-use corridor (FF 35, 47, 62, 64).

### **LAND USE ELEMENT**

13. The Commission concludes that the Zoning Map amendment furthers the Land Use Element because it supports the adaptive reuse of the historic Property by permitting both residential and non-residential uses. Situated near two Metrorail stations and well-served by transit infrastructure, reuse of the Property will foster a walkable, transit-oriented environment, reduce reliance on automobiles, and improve access to jobs, services, and amenities (FF 48, 62, 64).

### **TRANSPORTATION ELEMENT**

14. The Commission concludes that the Zoning Map amendment furthers the Transportation Element because it will support transit-oriented development, improve pedestrian and bicycle infrastructure, and enhance multimodal connectivity in a walkable, mixed-use neighborhood. By allowing both residential and non-residential uses, the Zoning Map amendment will enable the activation of an underutilized site adjacent to protected bike lanes and near major bus routes, strengthening last-mile connections and reducing reliance on cars. The adaptive reuse of existing buildings enabled by the Zoning Map amendment will create direct multimodal links between neighborhoods, while upgraded pedestrian environments will further support a safe and connected transportation network (FF 49, 62, 64).

### **HOUSING ELEMENT**

15. The Commission concludes that the Zoning Map amendment furthers the Housing Element because it facilitates a balanced mix of uses within the existing structures, expanding housing opportunities while supporting neighborhood-serving retail. This approach promotes vibrant, transit-accessible development that enhances access to jobs, amenities, and essential services. The adaptive reuse of existing buildings respects historic

preservation goals and encourages private-sector participation in revitalization efforts (FF 50, 62, 64).

#### **ENVIRONMENTAL PROTECTION ELEMENT**

16. The Commission concludes that the Zoning Map amendment furthers the Environmental Protection Element because it supports environmentally responsible development through the adaptive reuse of existing structures and the potential for enhanced landscaping and green infrastructure. The Zoning Map amendment will allow the reuse of a historic landmark building, and thereby mitigate the urban heat island effect, and support sustainable transportation due to the Property's proximity to public transit, bike lanes, and pedestrian infrastructure (FF 51, 62, 64).

#### **ECONOMIC DEVELOPMENT ELEMENT**

17. The Commission concludes that the Zoning Map amendment furthers the Economic Development Element because it will enable the adaptive reuse of an underutilized property into a vibrant mixed-use space that can support local entrepreneurship, attract diverse business owners, and strengthen neighborhood retail offerings. By facilitating a mix of commercial and housing uses near transit and pedestrian infrastructure, the Zoning Map amendment promotes economic activity and job creation, particularly in entry-level sectors such as retail and food services. This increased access to employment and commercial opportunities benefits surrounding residents and contributes to a more dynamic and resilient local economy (FF 52, 62, 64).

#### **HISTORIC PRESERVATION ELEMENT**

18. The Commission concludes that the Zoning Map amendment furthers the Historic Preservation Element because it facilitates the adaptive reuse of historically significant buildings in a manner that retains their architectural integrity and ensures their continued relevance in the community. By preserving the historic Church and Parish House and allowing them to accommodate new, neighborhood-serving uses and housing, the proposal protects the character and identity of the area while promoting compatible development. This approach discourages demolition and facadism, prioritizing the integrity of the original structures and enhancing the neighborhood's cultural fabric (FF 53, 62, 64).

#### **LOGAN CIRCLE NEIGHBORHOOD INVESTMENT PLAN (LCNIP)**

19. The Commission concludes that the Zoning Map amendment is not inconsistent with the LCNIP because it would support key revitalization strategies by promoting neighborhood-serving retail, enhancing the public realm, and fostering cultural vibrancy. By allowing for commercial uses through the adaptive reuse of existing structures, the Zoning Map amendment contributes to a more active and attractive streetscape, increases pedestrian activity, and strengthens the local economy. These uses also align with efforts to support arts and culture by creating spaces that serve as social and community hubs (FF 36-38, 54, 62, 64).

#### **POTENTIAL INCONSISTENCIES OUTWEIGHED**

20. The Application identified five CP policies that were potentially inconsistent with the Zoning Map amendment, specifically: (i) Policy H-1.1.8: Production of Housing in High-

Cost Areas (ii) Policy E-3.2.2 Net Zero Buildings; (iii) Policy E-3.2.3 Renewable Energy; (iv) E-4.1.1: Maximizing Permeable Surfaces; and (v) E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff. The Commission's evaluation in a map amendment is limited to whether the matter-of-right development standards and uses of the proposed zoning are not inconsistent with the CP and with other adopted public policies and active programs related to the subject site (Subtitle X § 500.3). The Commission agrees that the Housing Element policy identified by the Applicant is potentially inconsistent with the ARTS-3 zoning because it will reduce the amount of density allowed on the Property and allow commercial uses on the Property along with residential uses (FF 20, 43). However, the other CP policies identified by the Applicant relate more to the potential limitations associated with future development of this historic Property rather than the appropriateness of the ARTS-3 zone development standards and uses for the Property. The Commission is not approving a future development project in its evaluation of this Zoning Map amendment. Nonetheless, the Commission concludes that the extent to which the Zoning Map amendment to the ARTS-3 zone may be viewed as potentially inconsistent with these identified CP policies, the potential inconsistencies are outweighed by the ARTS-3 zone's overall consistency with the Property's FLUM and GPM designations and CP written elements, including policies of the Land Use, Housing, Transportation, Environmental Protection, Economic Development, Historic Preservation, and Near Northwest Area Element, that would be advanced by the map amendment (FF 44-53, 58, 62, 64).

#### **GREAT WEIGHT TO THE RECOMMENDATIONS OF OP**

21. The Commission must give "great weight" to the recommendations of 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)).
22. The Commission concludes that the OP Reports, which provided an in-depth analysis of the Zoning Map amendment, are persuasive and the Commission concurs with OP's recommendation that the Property's rezoning to the ARTS-3 zone would not be inconsistent with the CP overall, including the GPM and FLUM, the Citywide Elements, and the Near Northwest Area Element, and would advance CP racial equity goals when evaluated through a racial equity lens (FF 62, 64). The Commission also agrees with OP's conclusion that IZ Plus does not apply to the Zoning Map amendment, per Subtitle X § 502.1(b), because the ARTS-3 zone will not allow a higher maximum FAR than the existing RA-5 zoning. Accordingly, an IZ Plus set-aside requirement is not appropriate for this Zoning Map amendment (FF 61).

#### **GREAT WEIGHT TO THE ANC REPORT**

23. 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. D.C. Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted)).

24. The ANC 2F Report expressed the ANC’s recommendation of support for the Zoning Map amendment and did not raise any issues or concerns. The Commission concurs with ANC 2F’s recommendation (FF 68, 69).
25. ANC 2B did not participate in this proceeding (FF 71).

### **CONCLUSION**

26. The Commission acknowledges the opposition testimony submitted to the record and presented at the public hearing and understands the concerns related to preserving the historic structures on the Property (FF 72, 73). While such concerns are valid, the Commission’s purview is limited to zoning and land use, and the Commission’s evaluation standard in a map amendment case is limited to whether the matter-of-right development standards and uses of the proposed zoning are not inconsistent with the CP and with other adopted public policies and active programs related to the subject site (Subtitle X § 500.3). The Commission understands that the Church and Parish House buildings on the Property are historically significant and listed on the National Register of Historic Places as well as contributing buildings within the 14<sup>th</sup> Street Historic District (FF 11, 15). A property’s historic landmark status is distinct from its zoning. Historic preservation and review of designs for properties with historic landmark status are within the purview of the Historic Preservation Review Board not the Commission. Given the Property’s historic landmark status, any future exterior alterations of the existing buildings on the Property will be subject to review by the Historic Preservation Review Board. But the Commission is only approving appropriate zoning in this Zoning Map amendment case and is not approving any future development project on the Property site. For the reasons stated herein, the Commission finds that the Application meets the standards for approval of a Zoning Map amendment under Subtitle X, Chapter 5, and that any future adaptive reuse of the buildings on the Property under the ARTS-3 zoning will not be inconsistent with the CP and will be subject to all applicable historic preservation laws because of the Property’s historic status. Rezoning to ARTS-3 does not affect existing historic protections and is not a determination on future use. Notably, the Property’s existing RA-5 zoning is intended to permit high density residential uses while the ARTS-3 zone is intended to permit medium density mixed-use development and allows for less intense development in terms of density and height than the existing RA-5 zoning (FF 20, 43, 61). The Commission finds the lower intensity of the ARTS-3 zone more compatible with the Property’s FLUM designations than the existing RA-5 zone (20, 32-34, 41, 43, 46, 62). As set forth in the Applicant’s materials submitted to the case record, the Commission finds that the purpose of this Zoning Map amendment is to allow for greater flexibility in the types of uses that could potentially be permitted to occupy the interior of the vacant historic structures on the Property. The Applicant stated its intent to preserve the interior of the buildings with minimal changes and to maintain and preserve the exterior of the buildings entirely (Tr. at

13). The Applicant also stated that converting the Property to residential use entirely was infeasible due to a variety of reasons and would result in more significant interior renovations than allowing commercial uses on the Property (FF 17; Tr. at 13). Thus, for the reasons stated herein, the Commission concludes that the ARTS-3 zone's allowance of limited commercial uses, including eating and drinking establishment uses, that are not currently permitted under the existing RA-5 zone would facilitate preservation through reactivating this currently vacant historic Property, and fulfill the District's goals of creating areas with access to opportunity, services, and amenities for District residents, and for reusing existing structures in a sustainable and productive manner.

### **DECISION**

In consideration of the record for Z.C. Case No. 24-16 and the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission concludes that the Applicant has satisfied its burden of proof and, therefore, **APPROVES** the Application to amend the Zoning Map as follows:

SQUARE	LOT	MAP AMENDMENT
210	839, 840	From RA-5 to ARTS-3

#### **Setdown**

Vote (March 13, 2025): **5-0-0**

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

#### **Proposed Action**

Vote (May 22, 2025): **5-0-0**

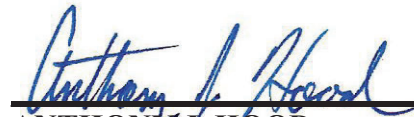
(Gwen Wright, Robert E. Miller, Anthony J. Hood, Tammy M. Stidham, and Joseph Imamura to approve.)

#### **Final Action**

Vote (June 26, 2025): **4-0-1**

(Gwen Wright, Joseph Imamura, Anthony J. Hood, Robert E. Miller to approve; Tammy M. Stidham, not present, not voting.)

In accordance with the provisions of Subtitle Z § 604.9, this Z.C. Order No. 24-16 shall become final and effective upon publication in the District of Columbia Register, that is on October 10, 2025.

  
\_\_\_\_\_  
**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.