

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

[District of Columbia flag]

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 25-15
Z.C. Case No. 25-15
Florida & Q Street, LLC
Zoning Map Amendment @ Square 3100, Lot 48
1600 North Capitol Street, N.W.**

June 11, 2026

Pursuant to notice, at its public meeting on June 11, 2026, the Zoning Commission for the District of Columbia (the "Commission") considered an application filed by Florida & Q Street, LLC (the "Applicant") 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 from the MU-4 zone to the MU-7B zone (the "Map Amendment" or "Application") for property located at 1600 North Capitol Street, NW (Square 3100, Lot 48) (the "Property").

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 Commission ("ANC") 5E and ANC 5F were automatic parties to the Application. (Subtitle Z § 403.5.)
2. The Commission did not receive requests for party status.
3. On June 10, 2025, the Applicant mailed a Notice of Intent to file the Application to all property owners within 200 feet of the Property, ANC 5E, and ANC 5F, as required by Subtitle Z § 304.5. (Exhibit ("Ex.") 3H.)
4. On August 7, 2025, the Office of Zoning ("OZ") sent notice of the Application's filing to:
 - The Applicant;
 - ANC 5E and ANC 5F;
 - ANC Single Member Districts ("SMD") 5E02 and 5F07;
 - 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 5 Councilmember; and
 - OZ Legal Division (“OZLD”).
- (Ex. 9.)
5. OZ published notice of the filing of the Application in the August 7, 2025, *District of Columbia Register* (72 DCR 34). (Ex. 8.)
 6. On March 17, 2026, OZ sent notice of the May 18, 2026, public hearing to:
 - The Applicant;
 - ANC 5E and 5F;
 - SMDs 5E02 and 5F07;
 - Office of ANCs;
 - OP;
 - DDOT;
 - DOEE;
 - DOB General Counsel;
 - At-Large Councilmembers and the Chairman of the Council;
 - The Ward 7 Councilmember;
 - OZLD; and
 - Property owners within 200 feet of the Property.
 (Ex. 21.)
 7. The Applicant submitted evidence that the Applicant had 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. 22, 27.)

THE PROPERTY

8. The Property is located at the intersection of the Truxton Circle and Eckington neighborhoods in the northwest quadrant of the District of Columbia. The Property is bounded by North Capitol Street to the east, Florida Avenue, NW to the southwest, Q Street to the south, and Truxton Circle/Q Streetslip lane to the southeast. The Property is also bounded by private property to the north and west, and has frontage along a portion of a dead-end public alley than runs east-west through the Square. (Ex. 3, 3A.)
9. The Property is irregularly shaped and has approximately 18,984 square feet of land area. The Property is vacant. (Ex. 3, 3A.)
10. The Property is zoned MU-4 and is located within the Bloomingdale Historic District. As shown on the Zoning Map, the Property and the majority of nearby properties located along the North Capitol Street and Florida Avenue corridors are zoned MU-4. Properties in the area without frontage on the larger corridors are primarily zoned RF-1. Properties to the southeast, directly across North Capitol Street on the south side of Florida Avenue, are

zoned D-5; properties to the southeast on the north side of Florida Avenue are zoned PDR-2. (Ex. 3, 3B.)

11. In 2007 the Property was approved to be developed as a Planned Unit Development (“PUD”) with a related Zoning Map amendment from the C-2-A zone to the C-2-B zone under the then-applicable 1958 Zoning Regulations. *See* Z.C. Order No. 06-04, having an effective date of June 15, 2007. (Ex. 3.)
12. This original approval was extended and modified several times pursuant to Z.C. Order Nos. 06-04A through 06-04I. The most recent extension of the Zoning Commission orders expired on June 15, 2023.
13. The Property is well-served by many diverse modes of transportation, including readily accessible public transit. The Property is located approximately 0.5 miles from the NoMa Gallaudet University-New York Avenue Metrorail station, which services the red Metrorail line, approximately 0.8 miles from the Shaw-Howard University Metrorail station, which services the green line, and approximately one mile from the Mt. Vernon Square 7th Street-Convention Center Metrorail station, which services the green and yellow lines. A variety of Metrobus routes and stops are conveniently located in close proximity to the Property, as are numerous Capital Bikeshare stations. The website walkscore.com gives the Property a Walk Score and Bike Score of 95 given its location in an accessible, mixed-use neighborhood with a variety of walking, biking, and transit options. (Ex. 3.)

EXISTING ZONING

14. The Property is currently zoned MU-4. The MU-4 zone is intended to (a) permit moderate-density mixed-use development;¹ (b) provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and (c) be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers. (11-G DCMR § 101.9.)
15. The maximum permitted density in the MU-4 zone is 2.5 floor area ratio (“FAR”) and up to 3.0 FAR for an Inclusionary Zoning (“IZ”) development. A maximum of 1.5 FAR is permitted for non-residential uses. 11-G DCMR § 201.1. The Zoning Commission may increase the maximum total density permitted for a PUD by up to 20% of the maximum matter-of-right density permitted, and up to 34% of the maximum matter-of-right non-residential density permitted. 11-X DCMR § 303.3(b). The maximum permitted building height in the MU-4 zone, not including a penthouse, is 50 feet with no limit on the number of stories. 11-G DCMR § 203.2. The maximum lot occupancy permitted in the MU-4 zone is 60% or 75% as an IZ development. (11-G DCMR § 210.1.)

¹ On June 30, 2025, the Office of Planning filed an Omnibus Zoning Text Amendment application to modify and clarify the text of various provisions of the Zoning Regulations. *See* Z.C. Case No. 25-12. Included in the application is a proposal to modify the text of the Zoning Regulations to state that the MU-4 zone is intended to permit low to moderate density mixed-use development. (Ex. 3). Final action on Z.C. 25-12 was approved 3-0-2 on May 28, 2026.

COMPREHENSIVE PLAN (TITLE 10A OF THE DCMR)

16. Pursuant to Subtitle X § 500.3, the Commission shall find that a Zoning Map amendment is not inconsistent with the Comprehensive Plan (the “CP”) and with other adopted public policies and active programs related to the Property.
17. In applying the standard of review applicable to the Map Amendment, the CP requires the Commission to do so 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.
18. 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.)
19. In addition, CP § 2501.8 suggests to prepare and implement 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 analyzing 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

20. 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.)
21. The Property is designated as a Main Street Mixed Use Corridor on the GPM. (Ex. 3, 3D.)
22. 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., 14th 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

23. 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. The FLUM shows anticipated future land uses, which may be the same, or different than, the current land uses. (CP § 200.5, 224.4.)
24. The FLUM designates the Property as mixed-use Medium Density Residential and Moderate Density Commercial. (Ex. 3, 3C.)
25. 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.)
26. 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.)
27. The CP defines Medium 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 Zone Districts are representative of zone districts consistent with the Moderate Density Commercial category, and other zones may also apply. (CP § 227.11.)

MID-CITY AREA ELEMENT

28. The Property is located within the Mid-City Area Element of the CP, which states:

- Mid-City is one of the most diverse parts of Washington, DC. Although it is one of the smallest of the 10 planning areas geographically, it is the most populous and most dense. Much of the area was developed during the late 19th and early 20th centuries, giving it a rich and historic urban character. (CP § 2000.2.)
- The area includes row house neighborhoods, such as Adams Morgan, Bloomingdale, Columbia Heights, Eckington, LeDroit Park, Park View, Pleasant Plains, and Mount Pleasant. It includes large apartment communities along streets such as 14th Street NW, 16th Street NW, and Columbia Road NW. It is also home to several large institutions, such as Howard University, Howard University Hospital, and the McMillan Sand Filtration Site. (CP § 2000.2.)
- Parts of the Mid-City Planning Area have changed rapidly during the last 10 years. Already one of the densest areas in Washington, DC, Mid-City contains approximately 19 percent of the District's new housing units, and almost 14 percent of the area's housing units are affordable. Although Mid-City is close to having a fair amount of affordable housing, the distribution of that affordable housing has been concentrated in a few neighborhoods such as Columbia Heights, Reed-Cooke, and the U Street corridor. Additionally, many of these affordable units are at risk of expiring; thus, Mid-City will be a target rich area for investments by the administrators of the Housing Preservation Trust Fund, which is to be used to preserve affordable housing units when their covenants of affordability are expiring. (CP § 2000.6.)

MID CITY EAST SMALL AREA PLAN

29. The Property is located within the identified study area of the Mid City East Small Area Plan ("MCESAP"), which was approved by the D.C. Council on November 18, 2014 (PR 20-1103). The MCESAP Study Area is comprised of a group of neighborhoods including Bates/Truxton Circle and Hanover, Bloomingdale, Eckington, LeDroit Park, and Sursum Corda, as well as portions of Edgewood and Stronghold. (MCESAP, p. 8; Ex. 3E.)

30. The MCESAP articulates recommendations and guidance for the revitalization of the study area's community of neighborhoods, organized into six core themes: (MCESAP, p. ii; Ex. 3E.)

- Neighborhood Character: Mid City East neighborhoods will retain their historic and cultural diversity, while preserving their distinctive architectural character and public spaces.
- Commercial Revitalization: Mid City East will be an attractive area with thriving existing businesses, emerging small businesses, vibrant retail, and a growing neighborhood residential base. North Capitol Street and other major corridors will

provide neighborhood serving retail, dining options and amenities to the community (emphasis added).

- Redevelopment Opportunities and Housing: Mid City East will prosper as an inclusive community with a strong neighborhood fabric, thriving businesses, and a diverse mix of quality housing options.
- Neighborhood Placemaking and Public Realm: Mid City East neighborhoods and corridors will showcase a unique identity and enhanced sense of place. Sidewalks and public spaces will be attractive, safe and well-maintained. As it relates to the Property, North Capitol Street will be enhanced to celebrate its importance and symbolic axial connection to the Capitol (emphasis added).
- Parks, Green Space, and Stormwater: Mid City East will enjoy a variety of parks, green spaces, and recreation options. Flooding will be mitigated through the DC Clean Rivers project and the employment of Low Impact Development (LID) stormwater management strategies.
- Connectivity: Mid City East residents will experience safe and enhanced connectivity between neighborhoods. Residents will be able to travel via car, bus, bike or on foot, through a pleasant environment to their daily destinations.

(MCESAP, p. 18; Ex. 3E.)

II. THE APPLICATION

APPLICANT'S FILINGS

31. The Applicant made the following submissions to the record in support of the Application proposing to rezone the Property from the MU-4 zone to the MU-7B zone:

- On July 28, 2026, 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. 3-3H.)
 - Surveyor's Plat;
 - Portion of the Zoning Map;
 - Portion of the FLUM;
 - Portion of the GPM;
 - The Applicant's CP and Racial Equity Analysis;
 - Application signature page;
 - Authorization letter; and
 - NOI, Certificate of Service, and list of owners of property located within 200 feet of the Property.
- On March 6, 2026, the Applicant submitted its Prehearing Submission, which included:
 - Cover letter; (Ex. 16.)
 - Prehearing Statement, attaching (Ex. 17-17D.):
 - Outlines of witness testimony and resume for the Applicant's proffered expert witness;
 - List of public documents the Applicant would rely on;

- List of owners of property located within 200 feet of the Property; and
- OZ hearing fee form.
- On April 7, 2026, the Applicant submitted its Affidavit of Posting. (Ex. 22.)
- On May 12, 2026, the Applicant submitted its Affidavit of Maintenance. (Ex. 27.)
- On May 15, 2026, the Applicant submitted a copy of its hearing presentation. (Ex. 26.)
- On May 28, 2026, the Applicant submitted its Post-Hearing Statement. (Ex. 31-31A.)
- On July 14, 2026, the Applicant submitted draft findings of fact and conclusions of law. (Ex. 37.)

PROPOSED ZONING

32. The Applicant proposed to rezone the Property from the MU-4 zone to the MU-7B zone. The Applicant 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. The Applicant also stated that the proposed Zoning Map Amendment would bring the Property's zone designation into greater conformity with the FLUM and the Comprehensive Plan overall.
33. The CP Framework Element describes the MU-7 zones as being consistent with the Moderate Density Commercial FLUM designation, wherein 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." (10-A DCMR § 227.11.)
34. The MU-7 zones are intended to permit medium density mixed-use development.² (11-G DCMR § 101.12.)
35. The maximum permitted density in the MU-7B 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. (11-G DCMR § 201.1.) The maximum permitted building height in the MU-7B zone, not including a penthouse, is 65 feet with no limit on the number of stories. (11-G DCMR § 203.2.)

APPLICANT'S JUSTIFICATION FOR REZONING

Not Inconsistent with the CP

36. The Applicant 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 the recommendations of the Mid City East Small Area Plan, the Mid-City Area Element and Citywide Elements of the CP, including particularly relevant policies under the Land Use, Transportation, Housing, and Environmental Protection, Economic

² Z.C. Case No. 25-12 includes a proposal to modify the text of the Zoning Regulations to state that the MU-7 zone is intended to permit moderate to medium density mixed-use development.

Development, and Historic Preservation Elements. The Application also explained how any potential inconsistencies with the CP are outweighed by other CP policies. (Ex. 3, 3E.)

GPM

37. The Applicant asserted that the Zoning Map amendment is not inconsistent with the GPM's designations for the Property as a Main Street Mixed Use Corridor because it will allow for future mixed-use development that will contribute to the pedestrian-oriented environment, foster economic growth, provide opportunities for housing, and serve neighborhood needs. (Ex. 3, 3D.)

FLUM

38. The Applicant asserted that the Zoning Map amendment is not inconsistent with the FLUM's mixed-use Medium Density Residential and Medium Density Commercial designations for the Property because it would allow for densities that are fully consistent with those prescribed for the Moderate Density Commercial designation, which specifically identifies MU-7 as a "representative" zone district (Ex. 3, 3C.)

Mid-City Area Element

39. The Applicant asserted that the Zoning Map amendment advances the planning objectives outlined in the Mid-City Area Element because: (Ex. 3E.)
 - It will encourage high-quality, transit-oriented development along major corridors such as North Capitol Street and Florida Avenue. (MC-1.1.2.)
 - It will allow for the redevelopment of a vacant lot, particularly in the Bloomingdale and Eckington communities. (MC-1.1.3.)
 - Redevelopment of the Property permitted under the proposed Zoning Map amendment would contribute to this revitalization by introducing active ground-floor uses that enhance the pedestrian experience and support neighborhood-serving businesses. (MC-2.7.1.)
 - Given the Property's location within a historic district, redevelopment will be subject to Historic Preservation Review Board ("HPRB") review and thus sensitive to the historic context of the area's unique character. (MC-2.7.2.)

Land Use Element

40. The Applicant stated that the Zoning Map amendment is not inconsistent with the Land Use Element. The MU-7B zone supports mixed-use, higher-density development near Metrorail stations, which aligns with the policy objective of minimizing automobile dependency and maximizing transit ridership while respecting the character of surrounding neighborhoods. (LU-1.4.2.)
41. By allowing multi-family housing, the Applicant stated that the zone facilitates the creation of housing for a range of incomes and household types, including families, older adults, and persons with disabilities, thereby leveraging proximity to transit to enhance affordability. (LU-1.4.3.)
42. Furthermore, the Applicant also stated the zone's density and flexibility support mechanisms such as IZ to promote permanent affordable housing near transit. (LU-1.4.4.)

43. The Applicant provided that the MU-7B zone encourages pedestrian-oriented design and discourages auto-centric forms such as surface parking lots, thereby enhancing the safety and comfort of transit users and promoting walkability. (LU-1.4.5.)
44. The Applicant also found that the MU-7B zone would support growth along major corridors while requiring transitions and design compatibility with adjacent neighborhoods, balancing the need for increased housing with neighborhood character. (LU-1.4.6.)
45. The Applicant asserted that the application of transit-oriented development boundaries in this context reflects a tailored approach that considers community input, historic context, and opportunities for affordable housing. (LU-1.4.8.)
46. In terms of neighborhood development, the Applicant stated that the MU-7B zone enables high-quality development on underutilized parcels, closing gaps in the urban fabric and enhancing neighborhood cohesion and improving walkability. (LU-1.5.1.)
47. The Applicant stated that the MU-7B zone also facilitates the redevelopment of long-vacant or underused sites by allowing more economically viable uses, addressing longstanding barriers to development such as inadequate lot dimensions or fragmented ownership. (LU-1.5.2.)
48. Further, the Applicant stated that the MU-7B zone introduces a mixed-use, transit-oriented typology that complements the District's diverse urban fabric. (LU-2.1.1.)
49. The Applicant outlined that the MU-7B zone promotes neighborhood revitalization through new investment, affordable housing, and economic opportunities, particularly in an underserved area. (LU-2.1.2.)
50. Additionally, the Applicant found that the proposed zone also balances growth with preservation by encouraging compatible development that addresses broader District needs, including housing and public facilities. (LU-2.1.3.)
51. The Applicant stated the MU-7B zone exemplifies a modest increase in density that supports housing diversity and affordability near transit, consistent with the policy to explore additional density in low- and moderate-density neighborhoods. (LU-2.1.8.)
52. The Applicant further stated that promoting housing diversity in alignment with the GPM designation of Mixed Use Corridor supports the inclusion of residential units above commercial spaces, which is an approach that can be effectively accommodated by the MU-7B zone. It maintains and enhances the character of multi-family neighborhoods while supporting compatible commercial uses and pedestrian accessibility. (LU-2.1.10.)
53. The Applicant outlined that the MU-7B zone encourages the redevelopment of vacant or underutilized properties, improving visual quality and public safety. (LU-2.2.2.)
54. The Applicant found that the proposed zone supports beautification through design standards, landscaping, and activation of public space. (LU-2.2.4.)

55. With respect to residential land use compatibility, the Applicant stated the MU-7B includes development standards to ensure that commercial and residential uses are compatible with nearby residential areas. (LU-2.3.1.)
56. The Applicant also found that the MU-7B zone allows for mitigation strategies such as transportation demand management to address potential impacts of commercial development. (LU-2.3.2.)
57. Further, the Applicant stated that the zone also includes provisions for setbacks, landscaping, and transitions to protect adjacent residential uses. (LU-2.3.3.)
58. The Applicant provided that the MU-7B zone supports the vitality of neighborhood commercial centers. It promotes vibrant, walkable commercial areas that serve neighborhood needs and foster social interaction. (LU-2.4.1.)
59. The Applicant stated that the zone fits within the District's hierarchy of commercial centers as a moderate-density node that supports both local and multi-neighborhood needs (LU-2.4.2).
60. Additionally, the Applicant stated that it discourages strip development and instead encourages concentrated, pedestrian-oriented nodes of activity. (LU-2.4.5.)
61. The Applicant also stated that the zone's design standards ensure that new development is compatible with surrounding areas and supports a growing, inclusive city. (LU-2.4.6.)
62. Accordingly, upon evaluating the Land Use Element policies and actions, the Applicant concluded that the Zoning Map amendment would be not inconsistent with the Land Use Element overall.

Transportation Element

63. The Applicant stated that the Zoning Map amendment is not inconsistent with the Transportation Element and that the MU-7B zone would advance racial equity by addressing long-standing disparities in housing access and transportation opportunity.
64. Specifically, the Applicant stated the MU-4 zone, which aligns with the Low Density Commercial designation, limits housing supply and affordability in high-opportunity areas such as the Truxton Circle and Eckington neighborhoods. By contrast, the MU-7B zone permits greater density and supports the development of mixed-income housing, including affordable units, in a location well-served by transit and neighborhood amenities. (T-1.1.3.)
65. The Applicant further stated that this shift aligns with the CP's directive to evaluate transportation and land use decisions through a racial equity lens, recognizing that communities of color have historically borne the burdens of exclusionary zoning, displacement, and limited access to high-quality infrastructure and services. (T-1.1.7.)
66. The Property is located within walking distance of three Metrorail stations: approximately 0.5 miles from NoMa-Gallaudet U, 0.8 miles from Shaw-Howard University, and 1.0 mile from Mt. Vernon Sq. 7th St.–Convention Center. It is also served by multiple Metrobus

routes accessible from North Capitol Street, Florida Avenue, and New York Avenue, as well as nearby Capital Bikeshare stations. The Application stated that this level of multimodal connectivity ensures that future residents, including those in affordable units, will have equitable access to reliable transportation options. (T-1.1.4, T-1.1.7, T-2.4.1, T-2.4.2.)

67. Additionally, the Applicant stated the Property's location in a walkable, mixed-use context and proximity to employment centers and services further reinforce equitable access to opportunity, consistent with the District's commitment to inclusive growth and mobility. (T-1.1.7, T-1.3.1, T-1.3.1, T-1.4.2.)
68. By enabling higher density to accommodate housing and affordable housing and to potentially improve connectivity to transit and services, the Applicant stated that the proposed Zoning Map amendment helps dismantle structural barriers that have contributed to racial and economic segregation. (T 3.1.1.)
69. Further, the Applicant also stated that the Zoning Map amendment reflects the CP's call to proactively address historic inequities through land use and transportation planning, and to ensure that all residents, regardless of race, income, or geography, benefit from the District's growth and investment. (T-1.1.7, T-1.4.1.)

Housing Element

70. The Applicant stated that the Zoning Map amendment is consistent with the Housing Element and advances numerous housing policies outlined in the CP.
71. The Applicant also stated that Zoning Map amendment will allow for the activation of a currently underutilized site in a high-opportunity, mixed-use, and transit-accessible area, contributing to the District's goal of expanding housing supply in locations that can accommodate growth (H-1.1.1).
72. By leveraging zoning tools such as IZ+, the Application further stated that the Zoning Map amendment will allow for the development of both market-rate and affordable housing, aligning with the District's strategy to incentivize deeper affordability and greater unit production. (H-1.1.2, H-1.2.7.)
73. In addition, the Property's location along North Capitol Street and Florida Avenue, of which North Capitol Street is a high-capacity corridor, supports medium-density residential development in a mixed-use context, consistent with the goals of promoting mixed-use development and balanced growth. (H-1.1.3, H-1.1.4.)
74. The Applicant stated that the Zoning Map amendment will allow future development of the Property to meet the District's housing production targets, including the goal of producing 36,000 new units, 12,000 of which are affordable, by 2025. (H-1.2.2)
75. The Applicant also stated the Zoning Map amendment will advance racial and economic equity by delivering affordable housing in a high-cost area with excellent access to transit, services, and employment opportunities, which supports the CP's emphasis on producing

affordable housing in areas where it is currently scarce, thereby promoting equitable access to opportunity and reducing concentrations of poverty. (H-1.1.8, H-1.2.3.)

76. Additionally, the Applicant stated the inclusion of affordable housing compliant with IZ+ regulations ensures compliance with the District's commitment to preserving affordability over time. (H-2.1.6.)
77. The Applicant asserted that the proposed Zoning Map amendment also supports the creation of inclusive, mixed income neighborhoods by integrating affordable units into a high-opportunity context, minimizing displacement pressures, and fostering racial and economic diversity. (H-1.2.11.)
78. The Applicant also stated that the Zoning Map amendment will allow future development of the Property with a mix of unit types and tenures, supporting tenure diversity and providing housing options for a range of household types, including families, singles, and older adults. (H-1.3.2.)
79. Accordingly, the Applicant concluded that the proposed Zoning Map amendment is fully aligned with the District's housing policies by facilitating the production of new housing, including affordable units, in a high-cost, transit-rich, and mixed-use area and also supports the District's goals for equitable growth, inclusive neighborhoods, and long-term affordability, as it leverages IZ+ to deliver increased affordable housing in alignment with the CP.

Environmental Protection Element

80. The Applicant stated that the Zoning Map amendment is not inconsistent with the Environmental Protection Element and that future development of the Property, located in a dense, walkable, and transit-rich neighborhood, supports the District's broader climate resilience and sustainability goals.
81. The Applicant stated that the proposed Zoning Map amendment would support the development of an underutilized, vacant site in a mixed-use area with access to multiple Metrorail stations, Metrobus routes, and Capital Bikeshare stations, reducing reliance on automobiles and supporting compact, transit-oriented development that mitigates greenhouse gas emissions and the urban heat island effect. (E-1.1.2.)
82. The Applicant also stated that the proposed Zoning Map amendment would further resilient strategies by enabling development that would be required to comply with all current environmental laws and regulations, which generally require the provision of green roof areas, permeable paving, and/or bioretention areas to manage stormwater and reduce flood risk. (E-1.1.5.)
83. The Applicant asserted that future development of the Property would also be subject to tree planting and landscaping requirements under the District's regulations. These requirements promote the retention of existing trees where feasible and the planting of new trees with provisions for ongoing maintenance, thereby contributing to the District's urban tree canopy goals. (E-2.1.1, E-2.1.6.)

84. In addition, the Applicant stated that sustainable landscaping practices, including the use of native and drought-resistant species, would further enhance the Property's ecological value and reduce stormwater runoff. (E-2.1.3.)
85. Given that the Property was once a gas station, the Applicant outlines that environmental impacts were discovered through soil and groundwater testing and have been remediated. This aligns with the District's policy to ensure that contaminated sites are cleaned up prior to redevelopment, protecting public health and the environment. (E-6.3.5.)
86. The Applicant further asserts that redevelopment of the Property can also support the District's stormwater management goals by incorporating low-impact development techniques such as green roofs, rain gardens, and permeable surfaces to control runoff and reduce pollution entering nearby waterways. (E-4.1.1, E-4.2.2, E-6.1.3.)
87. Additionally, the Applicant states that redevelopment enabled by the Zoning Map amendment can be designed to mitigate its environmental impacts through sustainable construction practices and compliance with the District's environmental review requirements. This includes minimizing disruption to natural resources, reducing construction-related pollution, and incorporating long-term environmental performance measures into the design and operation of future development. (E-1.1.5, E-4.4.1.)
88. Accordingly, the Applicant concluded that the rezoning is not inconsistent with the Environmental Protection Element and supports the District's environmental protection policies by promoting climate resilience, sustainable landscaping, tree canopy expansion, stormwater management, and remediation of the Property.

Economic Development Element

89. The Applicant stated that the Zoning Map amendment is not inconsistent with the Economic Development Element and that the MU-7B zone would support the District's goal of expanding the retail sector by leveraging the spending power of nearby residents, workers, and visitors.
90. The Applicant asserted that the Property's proximity to established commercial corridors and its walkable context makes it well-positioned to accommodate new retail that meets community needs and enhances the vitality of the surrounding area. (ED-2.2.1)
91. The Applicant also asserted that the Property's current vacant condition presents a prime opportunity for infill development that supports neighborhood shopping. The surrounding area includes a mix of residential and commercial uses, including row homes and multi-family buildings with ground-floor retail. The Application also stated that development of the Property has the potential to introduce appropriately scaled, locally serving retail that complements existing businesses and contributes to a unique neighborhood identity, which aligns with the District's policy to support non-chain, locally owned establishments. (ED-2.2.3.)
92. Given its proximity to three Metrorail stations, NoMa-Gallaudet, Shaw-Howard, and Mt. Vernon Square, as well as multiple Metrobus routes and Capital Bikeshare stations, the Applicant outlined that the Property is ideally suited for clustered retail development near

transit, which supports the District's objective to create vibrant retail nodes at multimodal hubs and enhancing access and foot traffic while reducing reliance on automobiles. (ED-2.2.9.)

93. The Applicant stated that future redevelopment of the Property consistent with the proposed MU-7B zone could also contribute to neighborhood commercial vitality by attracting new businesses and supporting a diverse mix of goods and services. The Application also stated that its location in a walkable, transit-rich environment with high residential density provides a strong customer base for retail and service uses, which supports the District's policy to retain and attract businesses that enhance neighborhood commercial areas. (ED-3.1.1.)
94. Additionally, the Applicant stated that the Property's excellent access to public transportation, including Metrorail, Metrobus, and bikeshare, enhances its potential to connect residents to employment opportunities. The Application also stated that redevelopment that improves access to District jobs, particularly for residents in underserved neighborhoods, supports the District's goal of investing in transportation to reduce unemployment and promote equitable economic growth. (ED-4.3.1.)
95. Further, the Applicant stated that the Property's location within the regional transportation network supports inter-jurisdictional connectivity and its redevelopment can contribute to improved access between District neighborhoods and regional job centers in Maryland and Virginia, consistent with the District's policy to enhance regional job access through transit and transportation demand management. (ED-4.3.2.)
96. Accordingly, the Applicant concluded that rezoning would not be inconsistent with the Economic Development Element and that from a racial equity perspective, redevelopment of the Property consistent with the Zoning Map amendment presents an opportunity to address historic disparities in access to economic opportunity. Further, the Application asserted that by providing the opportunities for inclusive retail development, minority-owned businesses, and access to jobs and services, future redevelopment enabled by the Zoning Map amendment can contribute to closing racial income and wealth gaps, which aligns with the overarching goals of the CP to promote racially equitable economic development and ensures that all residents, particularly those from historically underserved communities, benefit from the District's growth.

Historic Preservation Element

97. The Applicant stated that the Zoning Map amendment is not inconsistent with the Historic Preservation Element because the rezoning can contribute meaningfully to the vitality and integrity of the historic neighborhood.
98. The Applicant outlined that the Property, located within the boundaries of the Bloomingdale Historic District, is subject to the District's historic preservation policies and design review standards. The Applicant further stated that the historic district designation serves to preserve the collective significance of the area rather than individual structures. (HP-1.5.5.)

99. Additionally, the Applicant stated that future redevelopment of the Property under the proposed MU-7B zone will therefore align with the scale and rhythm of adjacent historic structures, ensuring that new construction does not disrupt the visual continuity of the streetscape and because new development will be subject to HPRB review, it will thus be compatible with the historic district. (HP-1.6.3.)
100. Finally, from a racial equity perspective, the Applicant stated that the Bloomingdale neighborhood has a rich and diverse cultural history and thus, the importance of recognizing and celebrating the contributions of underrepresented communities in shaping the District's heritage is recognized in the CP. (HP-1.4.2.) Redevelopment of the Property will be approached with sensitivity to this history, ensuring that new development supports cultural continuity and avoids displacement of long-standing residents. The Application outlined that this includes promoting inclusive design, supporting local businesses, and engaging the community in the planning process to ensure equitable outcomes.
101. Accordingly, the Applicant concluded that the rezoning would not be inconsistent with the Historic Preservation Element and that by aligning with the District's preservation policies and respecting the District's architectural and cultural context, the proposed Zoning Map amendment can contribute meaningfully to the vitality and integrity of the historic neighborhood.
102. Based on the foregoing, the Applicant concluded that the Zoning Map amendment would result in positive outcomes, and therefore, the Application is not inconsistent with the CP when evaluated through a racial equity lens.

Mid City East Small Area Plan (MCESAP)

103. The Application included a detailed analysis of how the Zoning Map amendment would help to advance many of the general recommendations within the MCESAP, including its goals for neighborhood character; commercial revitalization; redevelopment opportunities and housing; neighborhood placemaking and public realm; parks, green space, and stormwater; and connectivity. (Ex. 3E.) Thus, the Applicant concluded that the Zoning Map amendment would enable future development at the Property that would contribute to the long term growth and vitality of the area, consistent with the many goals of the MCESAP.

Racial Equity

104. The Applicant stated that equity is conveyed through the CP, particularly in the context of zoning, where certain priorities stand out, including affordable housing, displacement, and access to opportunity. In light of the guidance provided by relevant CP policies, the Application asserted that the Zoning Map amendment would be not 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. 3E.)
105. The Applicant provided an assessment of how the Zoning Map amendment is not inconsistent with the CP when evaluated through a racial equity lens in its CP and Racial Equity Analysis and through testimony at the public hearing. (Ex. 3E, 29.)

106. 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. 3E, 29.)

- The community most likely to be impacted by the Zoning Map amendment is the residents and businesses of the Bloomingdale, Eckington, and Truxton Circle neighborhoods, all of which are located within the Mid-City East area of Washington D.C. The Applicant described these characteristics in its CP Analysis.
- 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, particularly through the use of racially restrictive covenants that excluded African Americans from purchasing or occupying homes in much of the neighborhood during the early and mid-20th century. The Application further outlined that the proposed rezoning will enable the expansion of housing opportunities, support socioeconomic diversity, and foster inclusive neighborhood growth that reflects the values of equity and access for all residents and in doing so, it will not perpetuate the discriminatory practices of the past.

107. The Application included information about the Applicant's community participation and outreach efforts. (Ex. 3E, 29, 31A.)

108. Finally, the Applicant's Racial Equity Analysis included a detailed chart demonstrating how the Zoning Map amendment will generally result in positive outcomes when considered through several racial equity themes, as it has the potential to address a number of equity issues that residents in the Mid-City Planning Area are experiencing. Overall, the Applicant concluded that when analyzed through a racial equity lens, the Zoning Map amendment would create favorable outcomes for District residents by allowing for the underutilized Property to be redeveloped with additional density. (Ex. 3E, 29.)

109. Based on the foregoing, and based on the Applicant's filings, the Applicant concluded that the Zoning Map amendment would result in positive outcomes, and therefore, the Application is not inconsistent with the CP when evaluated through a racial equity lens.

Potential Inconsistencies With The CP

110. The Applicant identified one policy that was potentially inconsistent with the Zoning Map amendment, specifically Policy H-1.6.5: Net-Zero, Energy Efficient Housing. However, the Application concluded that while these CP policies may be viewed as inconsistent, the potential inconsistencies are far outweighed by the Zoning Map amendment's overall consistency with the FLUM and other CP policies relating to land use, housing, transportation, environmental sustainability, economic development, and historic preservation. (Ex. 3E, 29.) The Applicant noted that it is currently unknown whether future redevelopment of the Property will include net-zero buildings or renewable energy; therefore, it is unknown at this time whether the Map Amendment will ultimately be inconsistent with the referenced CP policy.

Public Hearing Testimony

111. At the public hearing on May 18, 2026, the Applicant presented its case.

III. RESPONSES TO THE APPLICATION

OP REPORTS AND TESTIMONY

112. OP submitted a report dated September 29, 2025 (the “OP Setdown Report”), recommending the Commission set down the Application for a public hearing. (Ex. 10.)

113. The OP Setdown Report stated that it recommended applying IZ Plus in this case as the housing targets are considered as minimums, and IZ Plus would provide enhanced affordability opportunities to the benefit of future lower-income residents along a corridor with enhanced transit access and access to services. (Ex. 10, pp. 1, 4.)

114. The OP Setdown Report made the following findings:

- The proposed MU-7B zone would be more in line with these designations than the existing MU-4 zone which existed prior to the amended FLUM and only allows for low- to moderate-density development. The Comprehensive Plan strongly encourages medium-density residential development on the site, and the new zone would allow for additional residential density with a limited amount of commercial space. (Ex. 10, pp. 6.)
- The site is within the Main Street Mixed-Use Corridors on the Generalized Policy Map. This proposed map amendment would not be inconsistent with this designation. The new zone would allow for medium-density residential development in Mid City where more housing is encouraged. (Ex. 10, pp. 6.)
- The Comprehensive Plan encourages more mixed-use development on the site and medium-density housing. This rezoning would allow the property to redevelop with a residential building that would provide both market rate and affordable housing opportunities on an undeveloped site at the crossroads of two priority corridors in the District. (Ex. 10, pp. 7.)
- The MU-7B zone would not be inconsistent with the Comprehensive Plan maps, as on balance it would not be inconsistent with the Plan’s Citywide Elements and would particularly further the policies of the Land Use, Transportation, Housing, and Economic Development, Historic Preservation Elements. It would also further many policies in the Mid City Area Element. (Ex. 10, p. 7-9.)

115. The OP Setdown Report included a detailed analysis of disaggregated data for the District and Mid City Planning Area, in which the Property is located to assist the Commission in its evaluation of the zoning action through a racial equity lens. The data showed the following trends:

Disaggregated Race and Ethnicity Data

- **Population** – In the latest study period, 2019-2023, the Mid-City planning area was almost evenly split between the White population and other populations. The percentages of both White and Black populations have decreased from the 2012-2016 study period, with other minority groups increasing their share of the total population. The White population decreased from 52% to 49.86%; The Black

population decreased from 32.6% to 24.5%, which is reflective of the District-wide trend during this period. The IZ units created by future development would provide increased opportunities for lower-income families to remain in the District and the planning area. Given the income data by race, it can be inferred that the families benefiting the most from the IZ housing on the site would be Black or other minority groups, which could have some impact on the present trends of declining Black population in the planning area.

- Median Age – The Mid-City planning area’s median age decreased slightly across study periods. It was slightly younger than the District’s median age in both study periods. When race is considered, the data shows that Black residents were older than most of the other groups. The Mid-City planning area had a similar or lower percentage of vulnerable residents than the District as a whole. Over the 10-year period, the number of residents 65 and older stayed nearly constant, as did the number of people who identified as disabled. In this planning area there are also fewer people over 65, and fewer people under 18, than District-wide.
- Median Income – The Mid-City planning area has a higher median income than the District as a whole, as evidenced by data from both the 2012-2016 and 2019-2023 survey periods. The planning area median income, however, increased faster than the citywide median, but these gains were not distributed evenly across racial groups. The median income of some groups saw significant increases, while other groups saw more modest gains, or, in the case of those identifying as American Indian and Alaskan Native, a decrease.
- Housing Tenure – Fewer residents in the Mid-City planning area own their home than in the District as a whole – 38.3% compared to 41.4%. The homeownership rate in the planning area increased slightly between the two survey periods, similar to the District-wide trend. Black homeownership decreased by almost 10 percent in the planning area, although somewhat less than the citywide trend. Homeownership also decreased among several other racial groups. (Ex. 10, pp. 10-18.)

116. The OP Setdown Report provided information for the Commission’s evaluation regarding the Zoning Map amendment’s impact on a variety of factors, including displacement, housing, transportation, physical, employment, environmental impacts, and the community. (Ex. 9, pp. 14-15.)
117. The OP Setdown Report found that the proposal to map the MU-7B zone on the subject site would be consistent with the recommendations of the MCESAP. This zone would help to implement the Plan’s recommendation for strengthening the neighborhood fabric with new housing development or otherwise. (Ex. 10, pp. 15.)
118. Overall, the OP Setdown Report concluded that the Zoning Map amendment would rezone the site to a zone that is more consistent with the Comprehensive Plan’s land use recommendations for the subject property. The proposed MU-7B could help the site realize the medium-density mixed development recommended in the FLUM and the MCESAP. (Ex. 10 pp. 15-16.)

119. OP submitted a supplemental report dated October 22, 2025, at the request of the Commission, to provide additional information regarding the status of the lot being the subject of eminent domain proceedings by the District. OP provided a response from the Deputy Mayor for Planning and Economic Development (DMPED), who stated that there were no pending eminent domain proceedings and that the Commission should proceed with the application. OP reiterated its recommendation that the Commission setdown the application for a public hearing. (Ex. 13.)
120. OP submitted a report dated May 8, 2026 (the “OP Hearing Report”), which reiterated the OP Setdown Report’s conclusions and recommended approval of the Application. (Ex. 23.)
121. OP submitted a report dated May 13, 2026 (the “Corrected OP Report”), which made minor corrections to the OP Hearing Report and did not materially differ in its analysis and recommendation from the OP Hearing Report. (Ex. 28.)
122. At the public hearing, OP reiterated its support for the Application as detailed in its reports.
123. OP submitted a supplemental post-hearing report dated June 3, 2026 (the “Post-Hearing OP Report”). OP reconfirmed that DMPED provided an additional written response on May 26, 2026, that DMPED is not pursuing eminent domain proceedings related to the Property and that the District’s proposed FY26 budget does not include a funding request for eminent domain associated with the Property. (Ex. 32, pg. 2.)

DDOT REPORT

124. DDOT submitted a report dated May 7, 2026 (the “DDOT Report”), stating that it had no objection to the Application and expects the Applicant to coordinate through the permitting process to minimize impacts of a future development proposal on the transportation network. (Ex. 24, p. 2.) DDOT also encouraged the Applicant to participate in a Preliminary Design Review Meeting (PDRM) with the OP and DDOT to discuss the public space design when a future development is proposed. (Ex. 24, p. 5.)
125. DDOT did not testify at the public hearing.

ANC REPORT AND TESTIMONY

126. ANC 5E submitted a resolution on October 8, 2025 (the “ANC Resolution”), stating that at its regularly scheduled public meeting on July 15, 2025, which was properly noticed and attended by a quorum of commissioners, the ANC voted 6-0-0 to support eminent domain and oppose the Zoning Map Amendment for the current owner of the Property. (Ex. 13.)
127. The ANC Resolution stated that ANC 5E requests that “that Mayor’s office exercise eminent domain as proposed in the Fiscal Year 2026 Budget Support Act, and proceed to identify a funding source to pay for the property at 1600 North Capitol St NW, so the DC Government can then place the property in the hands of a developer with a proven track record to ensure that development will take place and that there will be affordable housing at this location in our lifetime.” (Ex. 13, p. 2.)

128. The ANC Resolution also stated that ANC 5E “requests that each executive agency and all independent agencies, boards, and commissions of the government of the District of Columbia and Zoning Commission, oppose the prospective map amendment to MU-7B made by the current owner at 1600 North Capitol St NW, Lot 48 in Square 3100.” (Ex. 13, p. 2.)
129. ANC 5E submitted a setdown form dated October 21, 2025 (the “ANC Setdown Form”), stating that ANC 5E does not recommend the application be set down for a public hearing and that “ANC 5E supports the recommendation of the ANC 5E Zoning Committee, which supports development on this property for the current owner at MU-4 and granting this single property the density increase to MU-7B for a different owner/developer via the Planned Unit Development (PUD) process.” (Ex. 14, p. 1.)
130. ANC 5E also submitted a letter attached to the ANC Setdown Form providing additional information stating “ANC 5E is in support of development on this property within the limits of MU-4 zoning for the current applicant. ANC 5E is not in support of a map amendment granting this single property the density increase to MU-7B for the current applicant due to the lack of development on this property since 2006.” (Ex. 14A, p. 3.)
131. Commissioner Karla Lewis, the single member district representative for ANC 5E-02, which includes the Property, testified at the public hearing, reiterating the points made in the ANC Resolution and ANC Setdown Form. (Ex. 30.)
132. ANC 5E submitted a response to the Applicant post-hearing statement dated June 3, 2026 (the “ANC Post-Hearing Response”). (Ex. 33.)
133. The ANC Post-Hearing Response stated that “[b]y allowing the Applicant to rezone, it would support and encourage bad behavior of the current Applicant as well as other inactive vacant property owners.” (Ex. 33, p. 2.)

PERSONS AND ORGANIZATIONS

134. David Robinson testified on his own behalf as a proponent of the Applicant. (Ex. 30.)
135. No organizations appeared at the hearing to testify on the Application.
136. The Commission referred the Application to the National Capital Planning Commission (“NCPC”) on June 11, 2026, 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. 34.)
137. On July 9, 2026, NCPC filed the Delegated Action of the Executive Director stating the Executive Director finds the proposed Zoning Map amendment would not be inconsistent with the federal elements of the Comprehensive Plan for the National Capitol nor will it adversely affect any other identified federal interest (the “NCPC Report”). (Ex. 35.)
138. On July 13, 2026, NCPC filed a cover letter to the NCPC Report reiterating the statements made in the NCPC Report. (Ex. 36.)

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 Comprehensive Plan and with other adopted public policies and active programs related to the subject site.”
4. The Commission concludes 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.
6. The Commission concludes, based on the filings and testimony of the Applicant and OP, and as set forth in Findings of Fact (“FF”) Nos. 34-114 and 119-128 that the Zoning Map amendment from the MU-4 zone to the MU-7B zone 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 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); *see also* FF No. 115.

RACIAL EQUITY

8. 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 and the Racial Equity Analysis provided by the Applicant, and the OP Reports, which included disaggregated race and ethnicity data for the Mid-City Planning Area. (FF 109-114, 120-121.) The Commission concludes that the racial equity analyses provided address the components of the Commission’s Racial Equity Tool, and that the Zoning Map amendment will further CP racial equity goals for all of the reasons set forth in Exhibits 3, 3E, 9, 10, 23, 28, 29, 31, 31A, and FF No. FF 109-114, 120-121.

GPM

9. The Commission concludes that the Zoning Map amendment is not inconsistent with the GPM’s designation of the Property as a Main Street Mixed Use Corridor because it will allow for future mixed-use development that will contribute to the pedestrian-oriented environment, foster economic growth, provide opportunities for housing, and serve neighborhood needs. (FF 22-24, 39 and 119.)

FLUM

10. The Commission concludes that the Zoning Map amendment is not inconsistent with the Property’s FLUM mixed-use Medium Density Residential and Medium Density Commercial designations for the Property because it would allow for densities that are fully consistent with those prescribed for the Moderate Density Commercial designation, which specifically identifies MU-7 as a “representative” zone district. (FF 25-29, 34-37, 40, and 119.)

MID-CITY AREA ELEMENT

11. The Commission concludes that the Zoning Map amendment furthers the policies of the Mid-City Area Element because the Zoning Map amendment would encourage high-quality, transit-oriented development along major corridors such as North Capitol Street and Florida Avenue. Moreover, the Commission finds that redevelopment of the Property permitted under the proposed Zoning Map amendment would contribute to revitalization by introducing active ground-floor uses that enhance the pedestrian experience and support neighborhood-serving businesses. For these and other reasons described in FF Nos. 38 and 41, the Commission concludes that the Application is not inconsistent with the Mid-City Area Element.

LAND USE ELEMENT

12. The Commission concludes that the Zoning Map amendment furthers the Land Use Element because it would support growth along major corridors while requiring transitions and design compatibility with adjacent neighborhoods, balancing the need for increased

housing with neighborhood character. The Zoning Map amendment would also facilitate the redevelopment of long-vacant or underused sites by allowing more economically viable uses, addressing longstanding barriers to development such as inadequate lot dimensions or fragmented ownership. For these and other reasons described in FF Nos. 42-64, and as set forth in the OP Reports, the Commission concludes that the Application is not inconsistent with the CP Land Use Element.

TRANSPORTATION ELEMENT

13. The Commission concludes that the Zoning Map amendment furthers the Transportation Element because it would advance racial equity by addressing long-standing disparities in housing access and transportation opportunity. The Commission concludes that the MU-7B zone permits greater density and supports the development of mixed-income housing, including affordable units, in a location well-served by transit and neighborhood amenities. For these and other reasons described in FF Nos. 65-71 and in the OP Reports, the Commission concludes that the Application is not inconsistent with the CP Transportation Element.

HOUSING ELEMENT

14. The Commission concludes that the Zoning Map amendment furthers the Housing Element because it advances numerous housing policies outlined in the CP. The MU-7B zone would allow for the activation of a currently underutilized site in a high-opportunity, mixed-use, and transit-accessible area, contributing to the District's goal of expanding housing supply in locations that can accommodate growth. For these and other reasons described in FF Nos. 72-81 and in the OP Reports, the Commission concludes that the Application is not inconsistent with the CP Housing Element.

ENVIRONMENTAL PROTECTION ELEMENT

15. The Commission concludes that the Zoning Map amendment is not inconsistent with the policies of the Environmental Protection Element and that future development of the Property, located in a dense, walkable, and transit-rich neighborhood, supports the District's broader climate resilience and sustainability goals. The proposed Zoning Map amendment would support the development of an underutilized, vacant site in a mixed-use area with access to multiple Metrorail stations, Metrobus routes, and Capital Bikeshare stations, reducing reliance on automobiles and supporting compact, transit-oriented development that mitigates greenhouse gas emissions and the urban heat island effect. For these and other reasons described in FF Nos. 82-90 and the OP Reports, the Commission concludes that the Application is not inconsistent with the CP Environmental Protection Element.

ECONOMIC DEVELOPMENT ELEMENT

16. The Commission concludes that the Zoning Map amendment is not inconsistent with the policies of the Economic Development Element and that the MU-7B zone would support the District's goal of expanding the retail sector by leveraging the spending power of nearby residents, workers, and visitors. The Property's proximity to established commercial corridors and its walkable context makes it well-positioned to accommodate new retail that meets community needs and enhances the vitality of the surrounding area. For these and other reasons described in FF Nos. 91-98 and in the OP Reports, the

Commission concludes that the Application is not inconsistent with the CP Economic Development Element.

HISTORIC PRESERVATION ELEMENT

17. The Commission concludes that the Zoning Map amendment is not inconsistent with the policies of the Historic Preservation Element because the rezoning can contribute meaningfully to the vitality and integrity of the historic neighborhood. As the Property, located within the boundaries of the Bloomingdale Historic District, is subject to the District's historic preservation policies and design review standards. The Application further stated that the historic district designation serves to preserve the collective significance of the area rather than individual structures. For these and other reasons described in FF Nos. 99-107 and in the OP Reports, the Commission concludes that the Application is not inconsistent with the CP Urban Design Element.

MID CITY EAST SMALL AREA PLAN (MCESAP)

18. The Commission concludes that the Zoning Map amendment is not inconsistent with the MCESAP because it would help to advance many of the general recommendations within the MCESAP, including its goals for neighborhood character; commercial revitalization; redevelopment opportunities and housing; neighborhood placemaking and public realm; parks, green space, and stormwater; and connectivity. For these and other reasons described in FF No. 108 and in the OP Reports, the Commission concludes that the Application is not inconsistent with the MCESAP.

POTENTIAL INCONSISTENCIES OUTWEIGHED

19. The Applicant identified one policy that was potentially inconsistent with the Zoning Map amendment, specifically Policy H-1.6.5: Net-Zero, Energy Efficient Housing. However, the Commission concludes that while these CP policies may be viewed as inconsistent, the potential inconsistencies are far outweighed by the Zoning Map amendment's overall consistency with the FLUM and other CP policies relating to land use, housing, transportation, environmental sustainability, economic development, and historic preservation. (FF 115.)

GREAT WEIGHT TO THE RECOMMENDATIONS OF OP

20. 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)).
21. 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 would not be inconsistent with the CP overall, including the GPM and FLUM, the Citywide Elements, and Mid-City Area Element, and, as discussed above, would advance the CP racial equity goals when evaluated through a racial equity lens. The Commission also concurs with OP's recommendation in applying IZ Plus in this case. (FF 117-128.)

GREAT WEIGHT TO THE ANC REPORT

22. 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)).
23. The ANC 5E Setdown Form expressed the ANC’s opposition to the Zoning Map amendment for this property owner due to the lack of development since 2006 but is supportive of a density increase to the MU-7B for a different owner/developer via the PUD process. ANC Commissioner Karla Lewis also testified at the public hearing reiterating the points made in the ANC Resolution and ANC Setdown Form. Although the Commission understands the ANC’s concerns, the ANC did not provide persuasive advice regarding only the legally relevant issues and concerns. Particularly, the ANC offered advice regarding the property owner but not issues and concerns with respect to the Zoning Map amendment or any other legally relevant issues or concerns. (FF 131-138.) However, this is not a standard pursuant to which map amendment applications are evaluated, namely that the map amendment “is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.” See Subtitle X § 500.3.
24. The Applicant has met the standard of demonstrating how 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 the recommendations of the Mid City East Small Area Plan, the Mid-City Area Element and Citywide Elements of the CP, including particularly relevant policies under the Land Use, Transportation, Housing, and Environmental Protection, Economic Development, and Historic Preservation Elements; and how any potential inconsistencies with the CP are outweighed by other CP policies. (FF 36-111.)

DECISION

In consideration of the record for Z.C. Case No. 25-15 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
3100	0048	MU-4 to MU-7B

For the purposes of calculating an IZ Plus set-aside requirement pursuant to Subtitle C § 1003, the maximum permitted FAR of the Property's existing zoning of MU-4 is the equivalent of 3.0 FAR.

Proposed Action

Vote (June 11, 2026): 3-2-0 (Anthony J. Hood, Joseph Imamura, and Gwen Wright to approve)
(Robert E. Miller and Tammy M. Stidham to oppose)

Final Action

Vote ():

In accordance with the provisions of Subtitle Z § 604.9, this Z.C. Order No. 25-15 shall become final and effective upon publication in the District of Columbia Register, that is on .