

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 25-19
Z.C. Case No. 25-19
The Johns Hopkins University
(Modification without Hearing for a College/University Use @ Square 157, Lot 850
1717 Massachusetts Ave. NW)
January 29, 2026**

Pursuant to notice, at its January 29, 2026 public meeting, the Zoning Commission for the District of Columbia (“**Commission**”) considered the application (“**Application**”) of the Johns Hopkins University (“**Applicant**” or “**JHU**”) for a Modification without Hearing to the approved college/university use for Lot 850 in Square 157, with a street address of 1717 Massachusetts Avenue NW (“**Property**”). The Property is located in the MU-2/DC Zone District. The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

PRIOR APPROVALS

1. Pursuant to Board of Zoning Adjustment (“**BZA**” or “**Board**”) Order No. 16526 (the “**Order**”), the Board approved a special exception for use of the existing building at the Property for an “institution of higher learning” (*i.e.*, college/university use).¹
2. The Order includes three conditions of approval. Condition #1 states as follows: “The programs offered are primarily evening and weekend graduate courses, not day courses.”

PARTIES AND NOTICE

3. The following were automatically parties to this proceeding pursuant to Subtitle Z § 403.5:
 - JHU; and
 - Advisory Neighborhood Commission 2B (“**ANC 2B**”).

¹ At the time the Order was issued, the BZA had jurisdiction over college/university use. This Application was filed with the Zoning Commission since it now has jurisdiction over special exceptions for college/university use. *See* Subtitle U § 504.1(b) and Subtitle X § 101.1.

4. JHU served the Application on October 14, 2025 on ANC 2B and the D.C. Office of Planning (“OP”), as attested by the Certificate of Service submitted with the Application. (Ex. 2.)

THE APPLICATION

5. On October 14, 2025, JHU filed the Application requesting a Modification without Hearing to remove Condition #1 and the restriction that “programs offered are primarily evening and weekend graduate courses, not day courses.”
6. JHU has owned and operated academic programs at the Property for more than 23 years, and the building is configured especially for this academic purpose. (Ex. 2)
7. JHU requested this modification because, in 2023, JHU shifted all its Washington, DC academic programs from the Dupont Circle neighborhood, including from the Property, to a new location at 555 Pennsylvania Avenue NW. JHU has been actively marketing the Property for sale as required under an agreement with the Deputy Mayor for Planning and Economic Development. Most of the potentially interested purchasers have been other colleges and universities since the building is already well suited for this use. (Ex. 2)
8. Potential college and university purchasers have been concerned with the unusually restrictive Condition #1 in the Order. This condition restricts any college or university from using the Property during daytime hours during the week for classes, and without the ability to offer any non-graduate courses. This condition significantly constrains regular academic operations and class offerings, and it renders the Property functionally useless for most any other college or university. (Ex. 2)
9. Condition #1 in the Order puts the Property at a significant market disadvantage when potential college and university purchasers could find other comparable properties in Downtown Washington – and in close proximity just a few blocks south of Massachusetts Avenue – without any such restrictions. Condition #1 has rendered the Property largely unsellable for educational use. (Ex. 2)

RESPONSES TO THE APPLICATION

10. OP submitted a report dated January 9, 2026 (“**OP Report**”) recommending approval of the Application. (Ex. 5.) OP stated that it concurs with the Applicant that the Application could be considered as a Modification without Hearing. OP evaluated the proposed modification and supported removing Condition #1 because of the disadvantage the restriction creates for selling the Property and because removing the Condition is not expected to have any adverse impacts on neighboring properties.
11. By report dated January 16, 2026 and pursuant to vote taken at a regularly-scheduled and duly-noticed public meeting with a quorum present, ANC 2B neither supported nor opposed the Application. (Ex. 6.)

CONCLUSIONS OF LAW

1. Subtitle Z § 703.1 authorizes the Commission, in the interest of efficiency, to make modifications to final orders and plans without a public hearing.
2. Subtitle Z § 703.6 defines a Modification without Hearing as “a modification in which impact may be understood without witness testimony, including, but not limited to a proposed change to a condition in the final order...”
3. The Commission concludes that the Applicant satisfied the requirement of Subtitle Z § 703.10 to serve the Application on all parties to the original proceeding, in this case ANC 2B.
4. The Commission concludes that the Application qualifies as a Modification without Hearing within the meaning of Subtitle Z § 703.6, as a request to modify a condition in the final order and therefore the modification can be granted without a public hearing pursuant to Subtitle Z § 703.1.
5. The Commission finds that the Application is consistent with the use as approved by BZA in the Order because the modification will allow JHU to sell the Property, which is already configured for and well suited to, to another college or university without adversely impacting the neighborhood.

“GREAT WEIGHT” TO THE RECOMMENDATIONS OF OP

6. The Commission is required to give “great weight” to the recommendation 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 § 405.8.) (Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment, 141 A.3d 1079, 1087 (D.C. 2016).)
7. The Commission finds OP’s recommendation to approve the Application persuasive and concurs in that judgment.

“GREAT WEIGHT” TO THE WRITTEN REPORT OF THE ANC

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

9. Since ANC 2B neither supported nor opposed the Application, there is no “great weight” for the Commission to give to the ANC.

DECISION

In consideration of the case record and the Findings of Fact and Conclusions of Law herein, the Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application’s request for a Modification without Hearing and authorizes the continued use of the Property for college and university subject to the following conditions:

1. Condition No. 1 in BZA Order No. 16526 shall be deleted and removed in its entirety.
2. All other conditions of BZA Order No. 16526, as modified herein, shall remain unchanged and in effect.

FINAL ACTION

VOTE (January 29, 2026) **5-0-0**: (Anthony J. Hood, Robert E. Miller, Gwen Wright, Tammy Stidham, and Joseph S. Imamura to **APPROVE**);).

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 25-19 shall become final and effective upon publication in the *District of Columbia Register*; that is, on _____.

BY THE ORDER OF THE D.C. ZONING COMMISSION

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

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.