October 23, 2026

Zoning Commission of the District of Columbia
441 4th Street, NW – Suite 210
Washington, DC 20001

VIA IZIS

Re: OAG Comments in Support of the Map Amendment of 401 14th St SW 2025, LLC (Z.C. Case No. 26-06)

Dear Members of the Zoning Commission:

The Office of the Attorney General ("OAG") recommends that the Zoning Commission approve the proposed map amendment with Inclusionary Zoning Plus ("IZ+"), which will rezone the property located at 401 14th Street SW, featuring the former federal Liberty Loan building in Ward 2, from no zoning to the D-8 zone. The purposes of the requested D-8 zone are to permit high-density development and "foster the transition of a federally owned area south of the National Mall into a mixed-use area."[1] While the building is not itself a historic landmark, a historic preservation covenant applies to the site and requires compliance with the Secretary of the Interior's standards and approval from the D.C. State Historic Preservation Office. The proposed rezoning would better align this unique site with the character of surrounding properties and streamline future development.

The property is one of several unzoned federal properties south of the National Mall that was marked for disposal and have now been sold to private owners. The properties north and northeast of the site are occupied by Bureau of Engraving and Printing buildings and also unzoned. Across 14th Street SW lies a pair of recently completed and under construction high-rise luxury apartment buildings, an office building, an underway office-to-mixed-use conversion, and a luxury hotel in D-5 zoning. The blocks east of 12th Street SW and north of D Street SW are under D-8 zoning.

The map amendment is consistent with the Comprehensive Plan's ("CP") land use maps' guidance and will advance numerous CP and planning policies supporting increased density for housing, affordable housing near transit, and the adaptive reuse of historic and disposed properties.

[1] D.C. Mun. Regs. tit. 11-I, § 575.1.

ZONING COMMISSION
District of Columbia
CASE NO. 26-06
EXHIBIT NO. 18

I. The CP and District Planning Policies Prioritize Affordable Housing and Adaptive Reuse at the Map Amendment Site.

The Zoning Act requires the Zoning Commission to promote the general welfare as guided by the CP. The CP establishes the District's land use and planning goals through a public process culminating in approval by the Council and the Mayor.[2] The CP is therefore law. Under that law, the District's elected representatives have determined that "it is the availability of safe, decent, affordable housing across all neighborhoods that will determine whether the District's vision for an inclusive District will be realized."[3] To achieve this goal of an inclusive and diverse city, the CP prioritizes affordable housing to serve a variety of household types and income levels.[4]

Addressing the District's Affordable Housing Crisis. The CP identifies rising housing costs as one of "the most pressing and critical issues facing the District."[5] Rising housing demand, driven by an increase in higher-income households, has increased housing costs across the District and resulted in a "crisis of affordability."[6] To address this crisis, the CP calls for the creation of 12,000 new affordable units equitably distributed across the District by 2025, to put the District on track to make 15% of all housing units in each District planning area affordable by 2050.[7] Though this interim deadline has passed and the short-term housing goal has been achieved as a whole, individual planning areas will continue to pursue the long-term allocation goal. The CP identifies increased density as critical to supporting its housing and affordable policies and the CP recommends using zoning processes and incentives to raise height and density in certain locations.[8] This increased density can then be used to support greater affordable housing set-asides.[9]

Promoting Housing in Central Washington. In the Central Washington Planning Area ("Central Washington"), which is a major economic hub for the metropolitan area, the CP promotes mixed-use development while also incentivizing non-office uses to create a "vibrant collection of central neighborhoods."[10] The CP encourages high-density housing with ground floor retail or

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[2] D.C. Code §§ 6-641.01–6-641.02 (2001); *Wisconsin-Newark Neighborhood Coal. v. Dist. of Columbia Zoning Comm'n*, 33 A.3d 382, 389–90 (D.C. 2011); District of Columbia Comprehensive Plan Act of 1984 (D.C. Law 5-76), as amended by the Comprehensive Plan Framework Amendment Act of 2019, D.C. Law 23-127 (2020), the Comprehensive Plan Amendment Act of 2021, D.C. Law 24-20 (2021); and the Comprehensive Plan Future Land Use Map and Generalized Policy Map Approval Resolution of 2021, D.C. Resolution R24-0292 (2021).
[3] D.C. Mun. Regs. tit. 10-A, §§ 500.6a, 503.1 (2021).
[4] *See id*. §§ 206.1, 310.10, 500.6a, 504.17 (2021).
[5] *Id.* § 206.1 (2021).
[6] *Id.* § 500.19 (2021); *see also* D.C. Mun. Regs. tit. 10-A, §§ 500.4, 500.15, 500.18 (2021).
[7] D.C. Mun. Regs. tit. 10-A, §§ 310.10, 501.1, 504.17 (2021); DHCD & DCOP, HOUSING EQUITY REPORT (October 2019), https://housing.dc.gov/sites/default/files/dc/sites/housingdc/page_content/attachments/Housing%20Equity%20Report%2010-15-19.pdf.
[8] *See* D.C. Mun. Regs. tit. 10-A, § 307.20, 307.2, 310.15, 503.4, 504.15 (2021).
[9] *Id.* §§ 503.4, 504.26 (2021).
[10] *Id.* §§ 1608.2, 1608.4 (2021).

other resident-serving uses as well as development serving a mix of incomes.[11] Land disposition is a particularly key opportunity to expand the number of affordable units in Central Washington.[12]

Addressing the Need for More Housing Near Transit. The CP calls for new affordable and market-rate housing to be located near transit, including Metrobus stops and Metrorail stations.[13] This increases the affordability of these units by reducing transportation costs, including the need for a car, and so frees up disposable income for other needs.[14] Locating new housing, both affordable and market-rate, near stations supports and enhances neighborhood-serving retail by generating increased pedestrian traffic, while increasing the efficiency of the District's transportation network.[15]

Development of Former Federal Sites. As the federal government disposes of unused properties to private ownership within the District's Central Employment Area ("CEA"), the CP encourages planning and zoning approaches that "provide for the integration of the sites into the surrounding fabric."[16] Further, the CP calls for mixed-use, mixed-income development, especially as it supports downtown economic prosperity and vibrancy.[17] One such means is the reuse of existing buildings to provide more housing generally and affordable housing alongside nonresidential uses.[18]

Preservation and Adaptive Reuse of Historic Resources. The CP calls to "[p]reserve the scale and character of the CEA's historic resources, including historic landmarks[.] […] Development must be sensitive to the area's historic character and should enhance important reminders of Washington, DC's past."[19] One possible means is through the reuse of existing historical buildings for housing, especially affordable housing, and a mix of uses.[20] Central Washington policies echo the importance of preserving the area's historic buildings while encouraging their adaptive reuse.[21]

Future Land Use Map ("FLUM"). The FLUM designation for the map amendment site calls for Parks, Recreation, and Open Space, which includes the federal and District park systems.[22] While federal parklands are generally unzoned, District parklands tend to be zoned the same as surrounding land uses.[23] If a change in use occurs on a former institutional or local public

[11] *Id.* §§ 1608.5, 1608.6 (2021).
[12] *Id.* § 1608.6 (2021).
[13] *See, e.g., id.* §§ 503.6, 307.11 (2021).
[14] *See id.* § 508.4 (2021); *see generally id.* §§ 307.3, 307.11, 307.14, 307.21, 310.18, 403.13, 503.11, 508.4 (2021).
[15] *Id.* §§ 307.20 (2021).
[16] *Id.* §§ 305.22 (2021).
[17] *Id.*
[18] *Id.* § 305.23 (2021).
[19] *Id.* § 305.12; *see also id.* § 1014.8 (2021).
[20] *Id.* §§ 305.23, 310.19 (2021).
[21] *Id.* § 1609.2 (2021).
[22] *Id.* § 227.19 (2021).
[23] *Id.*

site, which is analogous in use to former federal ownership, then the CP prescribes that the "new designations should be comparable in density or intensity to those in the vicinity, unless otherwise stated in the [CP] Area Elements[.]"[24] Immediately surrounding the site are properties zoned D-6 and D-8, designed for high-density, mixed-use development with a balance of office, retail, residential, entertainment, and cultural uses, so an application of the D-8 zone would likewise be appropriate and consistent with CP policies.

Generalized Policy Map ("GPM"). The GPM designates the property as Federal Lands and as a Neighborhood Conservation Area ("NCA"), with a Resilience Focus Area overlay related to growth and climate resilience. However, because the site is no longer owned by the federal government, the Federal Lands designation is less relevant.[25] The NCA designation accommodates change that is "modest in scale" and anticipates "some new development and reuse opportunities" as guided by CP policies and the FLUM.[26] An NCA does "not preclude development, particularly to address city-wide housing needs," but encourages context-sensitive growth based on neighborhood characteristics.[27] The maximum density of the proposed D-8 zone is compatible with the FLUM and matches the scale of the neighborhood overall. Additionally, the site is located in a Resilience Focus Area—an overlay on the GPM in which "future analysis is anticipated to plan for inclusive, equitable growth and climate resilience."[28] Since it is also within the 100- and 500-year floodplain, the CP encourages planning to "explore watershed resilience to encourage the implementation on a neighborhood scale, as well as site-specific solutions, design guidelines and policies for a climate adaptive and resilient District."[29] As such, any future projects onsite will have to comply with District regulations and building standards to mitigate the impacts of flooding.

Housing Equity Report. The Housing Equity Report, issued in 2019, established interim housing production goals by 2025 to implement the CP's equitable housing goal that 15% of housing in each planning area be affordable by 2050.[30] The Central Washington Planning Area was assigned an interim goal of 1,040 units by 2025.[31] As of October 2026, the planning area had produced 922 new affordable units, or only 88.7% of its target production.[32]

Read together, the CP and the Housing Equity Report establish the importance of providing affordable housing that both deepens transit-oriented development downtown and adaptively reuses a historic and formerly federally owned building.

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[24] *Id.* § 228.1 (2021).
[25] *Id.* § 225.22 (2021).
[26] *Id.* § 225.4 (2021).
[27] *Id.* § 225.5 (2021).
[29] *Id.*
[29] *Id.*
[30] DHCD & DCOP, HOUSING EQUITY REPORT (October 2019), https://housing.dc.gov/sites/default/files/dc/sites/housingdc/page_content/attachments/Housing%20Equity%20Report%2010-15-19.pdf.
[31] DMPED's Economic Dashboard, last accessed October 5, 2026, https://open.dc.gov/36000by2025/.
[32] *Id*.

II. Approval of the Proposed Map Amendment Will Advance the CP's Affordable Housing and Adaptive Reuse Goals.

The proposed map amendment will advance the CP's housing and affordable housing policies by accommodating residential density near key transit corridors and adaptively reusing a vacant building. While there is no project currently associated with this map amendment, and thus no estimate of the amount of housing that could be provided, a rezoning to the high-density D-8 zone would streamline future development on the site, allowing matter-of-right changes and bypassing special exception review. Furthermore, the D-8 zone will provide greater flexibility in height, occupancy, and yard standards, in a manner consistent with the guidance of the FLUM and GPM and compatible with the surrounding area. As the property is proximate to the L'Enfant Metrorail station as well as the F19 and D50 Metrobus lines, the rezoning of the map amendment site will facilitate residential development in an area well-served by transit. OAG also praises the intended adaptive reuse of the vacant Liberty Loan building in service of providing mixed-use development in Central Washington and the CEA.

OAG supports OP's recommendation of applying IZ+ to the site. This will both help Central Washington achieve its affordable housing goal and ensure that future development onsite remains affordable for the life of an eventual project. OAG acknowledges the Applicant's initial concerns regarding development constraints on the site, such as historic preservation and design review, floodplain resilience requirements, the presence of mature trees, and the irregular site configuration attributed to its triangular shape and the presence of a highway on-ramp. However, OAG underscores that the purpose of IZ+ is to encourage affordable housing where it is needed in the District, with exceptions made if the planning area in question has already achieved its affordable housing goal.[33] Fully evaluating the financial, logistical, or other impacts of these constraints on the provision of affordable housing onsite is speculative without a project or at least hypothetical development scenarios. As such, OAG is pleased that the Applicant withdrew its request for an exemption from IZ+ after consulting with OP and ANC 2A.

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OAG recommends that the Zoning Commission approve the proposed map amendment with IZ+. Doing so will meaningfully advance the CP's vision for a more equitable and inclusive city by streamlining future development of housing and affordable housing onsite through adaptive

[33] *See* ZC Case Nos. 22-10, 22-20, 24-02, 25-01, and 25-14. In each case, OP recommended against the application of IZ+ because the relevant planning area or neighborhood either featured a disproportionate share of the District's affordable housing units, was on track to exceed its housing goal, or both. In ZC 24-16, OP recommended against applying IZ+ because the proposal rezoned the property to a lower maximum FAR, and the property was fully developed with a structure, which significantly limited its development capacity (thus evoking Subtitle X § 502.1(b)).

reuse of a former and longtime vacant federal building, as well as help Central Washington achieve its affordable housing goal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 23rd, 2026, a copy of the foregoing petition was served on the following by email.

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