

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Shepard Beamon, Development Review Specialist  
 MBR Maxine Brown-Roberts, Associate Director, Development Review

**DATE:** August 21, 2026

**SUBJECT:** BZA Case 20974-B – Request for Modification with Hearing and a special exception from the rear yard requirements for lodging use at 503-517 H Street NW.

### **I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following:

- Modification with Hearing pursuant to Subtitle Y § 704; and
- Special exception relief pursuant to Subtitle I § 205.1 and Subtitle X § 901 to reduce the rear yard from 22.83 feet to 10 feet<sup>1</sup>.

### **II. BACKGROUND**

**BZA 20974** – On May 9, 2024, the BZA approved the following special exception and area variance relief (Exhibit 5):

- Loading Requirements, Subtitle C § 901.1, pursuant to Subtitle C § 909 and X § 901 (Required: Two (2) Loading Berths; Approved: One (1) Loading Berth);
- Rear Yard Requirements, Subtitle I § 205.1, pursuant to Subtitle X § 1002 (Min. Required: 20.83 ft.; Approved 10 ft. 10 in.); and
- Chinatown Sub-Area Requirements, Subtitle I § 609.5, pursuant to Subtitle X § 1002 (Required: 0.5 FAR min. to uses identified in I § 601.2; 0.27 FAR approved; Required: 100% of building frontage to required uses; 40% Approved.

**BZA 20974-A** - On June 24, 2026, the BZA approved a two-year time extension to the validity of the Board's approval in Order No. 20974 until May 9, 2028

### **III. LOCATION AND SUMMARY**

|                   |                                       |
|-------------------|---------------------------------------|
| Address           | 505-517 H Street, NW                  |
| Applicant         | DC Chinatown Hotel Owner LLC          |
| Legal Description | Square 485, Lots 3, 30, 42-44, and 48 |
| Ward, ANC         | Ward 2; ANC 2C                        |

<sup>1</sup> The applicant originally requested area variance relief from the rear yard requirement. However, the Omnibus Zoning Text Amendment ([25-12](#)) amended Subtitle I § 205 to allow the BZA to address the reduction in the rear yard requirement as a special exception instead of a variance. The applicant in their Pre-hearing Statement (Exhibit 27) acknowledged this change and addressed the special exception relief.

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zone                 | D-4-R, high-density mixed-use zone in the downtown area; lodging use is permitted by-right                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Historic District    | Downtown Historic District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Downtown Subarea     | Chinatown                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Lot Characteristics  | The subject property consists of multiple rectangular interior lots varying in square footage with frontage on H Street NW, a 90 ft. “Designated Primary Street”, and a 10 ft. rear alley.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Proposed Development | <p>The proposed modifications to the approved plans would add a 10<sup>th</sup> story to the approved 9-story building. The addition of the 10<sup>th</sup> story would increase the required rear yard depth by approximately two feet, from 20 feet 10 inches to 22 feet 10 inches. BZA Order 20974 approved an area variance to allow a 10-foot rear yard. The applicant originally requested an area variance to maintain the 10-foot rear yard. However, ZC Order 25-12 amended Subtitle I § 205 to allow the reduction in rear yard as a special exception pursuant to Subtitle X § 901. The applicant has amended their application accordingly.</p> <p>The addition of the 10<sup>th</sup> story would increase the long-term extended-stay hotel from 85 to 154 lodging units. The project will retain the existing front portions of the historic row buildings and remove the buildings’ rear wings.</p> <p>The applicant also made changes to the building’s facade to refine the design and visual quality (shown in the Plans at Exhibits 6A1 and 6A2), including increased setbacks along the east, west, and south elevations to help reduce the perceived massing at the street level. The upper floors’ guest rooms now incorporate outdoor terraces and landscaped elements, and the exterior material palette has been further refined. Overall, the massing and uses remain within the intent of the BZA’s approval.</p> |

#### IV. ZONING RELIEF

| Zone-              | Regulation                                                                                        | Existing                                                                                                                         | Approved                 | Proposed                 | Relief            |
|--------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------|
| Density<br>I § 531 | 3.5 FAR max.<br>nonresidential<br>(without credits)                                               | 2.10 FAR                                                                                                                         | 6.85 FAR<br>with credits | 7.18 FAR<br>with credits | None<br>requested |
| Height<br>I § 532  | 110 ft. max. on a<br>street right-of-way<br>width less than<br>100 ft. but greater<br>than 90 ft. | 44.7 ft. (511-517<br>H Street NW)<br>38 ft. (509 H<br>Street NW)<br>40 ft. (507 H<br>Street NW)<br>35.8 ft. (505 H<br>Street NW) | 99.2 ft. (9<br>stories)  | 110 ft. (10<br>stories)  | None<br>required  |

| Zone-                | Regulation                                                                                               | Existing | Approved      | Proposed  | Relief                             |
|----------------------|----------------------------------------------------------------------------------------------------------|----------|---------------|-----------|------------------------------------|
| Rear Yard<br>I § 205 | 2.5 in./ft. of height, but not less than 12 ft.<br><br>Previous: 20 ft. 10 in.<br><br>New: 22 ft. 10 in. | Varies   | 10 ft. 10 in. | No change | <b>Special Exception Requested</b> |

## V. OP ANALYSIS

### Subtitle Y § 704 Modification with Hearing

- 704.1 *Any request for modification that cannot be processed pursuant to Subtitle Y § 703 shall require a public hearing.*
- 704.2 *An application for a modification with hearing shall be made in an appropriate manner provided by the Director. The applicant for a modification with hearing shall submit the following information electronically and deliver to the Office of Zoning two (2) sets of mailing labels containing the information in Subtitle Y § 704.2(c) below:*
- (a) A completed application form;*
  - (b) The nature of, reason(s), and grounds for the modification with hearing;*
  - (c) The name and addresses of the owners of all property located within two hundred feet (200 ft.) of the subject property and names and addresses of each lessee having a lease with the owner for all or part of any building located on the property involved in the application; however, in the case of a residential condominium or cooperative with twenty-five (25) or more dwelling units, notice may be provided to the board of directors of the association of the condominium or cooperative that represents all of the owners of the dwelling unit;*
  - (d) A copy of the resume of any expert witness who will be testifying in the case;*
  - (e) A written summary of the testimony of all witnesses;*
  - (f) A copy of any Board final order, map, plan, or other action or relief proposed to be modified or corrected; and*
  - (g) Proof of service to all parties.*
- 704.3 *No application for modification with hearing shall be processed until the application is complete and all required fees are paid in accordance with the applicable fee schedule prescribed in Subtitle Y, Chapter 16. If the applicant had first requested the modification as a modification without hearing, the application fee paid in that case shall be credited against the fee required.*
- 704.4 *All written requests shall be served by the moving party on all parties in the original proceeding at the same time that the request is filed at the Office of Zoning.*
- 704.5 *All requests for modifications with hearing shall be served on all other parties to the original application and the Office of Planning at the same time as the request is filed with the Board.*

- 704.6 *A public hearing on a request for a modification with hearing shall be focused on the relevant evidentiary issues requested for modification and any condition impacted by the requested modification.*
- 704.7 *The scope of a hearing conducted pursuant to Subtitle Y § 704.1 shall be limited to impact of the modification on the subject of the original application, and shall not permit the Board to revisit its original decision.*
- 704.8 *A decision on a request for modification of plans shall be made by the Board on the basis of the written request, the plans submitted therewith, and any responses thereto from other parties to the original application.*
- 704.9 *The filing of any modification request under this section shall not act to toll the expiration of the underlying order and the grant of any such modification shall not extend the validity of any such order.*

The applicant proposes the addition of a 10<sup>th</sup> floor, increasing the building height from 99.25 feet to 110 feet, which is the maximum allowable height in the D-4-R zone for a street width less than 100 ft. but greater than or equal to 90 feet. The proposed building height increase triggers additional relief from the rear yard requirements. The proposed 10<sup>th</sup> floor would increase the lodging program from the approved 85 units to approximately 154 units. The applicant does not propose increasing the approved lot occupancy or rear yard. In addition to the building height, the applicant proposes design changes and building plans refinement. There is no proposed change to the lodging use, which is permitted in the D-4-R zone.

#### **Subtitle I Section 205 Downtown Rear Yard Special Exception Review Standards**

205.5 *The Board of Zoning Adjustment may waive the rear yard requirements as a special exception pursuant to Subtitle X Chapter 9 and subject to the following conditions:*

- (a) *The building shall provide for adequate off-street service functions, including parking and loading areas and access points.*

The site is located in the D-4-R zone and is not required to provide parking pursuant to Subtitle I § 212.1. The proposal received BZA approval for one loading berth, which the applicant will maintain. NO changes are proposed to the Loading (LMP) or Transportation Management Plans (TMP), as stated in the updated transportation statement at Exhibit 28B.

#### **Subtitle X Section 901 Special Exception Review Standards**

901.2 *The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The requested special exception should be in harmony with the general purpose and intent of the zoning regulations and the D-4-R zone. Granting the requested rear yard relief would not result in a deviation from the originally approved rear yard. Neither the TMP nor LMP would need to be modified, and the reduced rear yard would not result in any

modifications to the approved building footprint. The proposed building would conform to the maximum building height allowed in the D-4-R zone. The D-4-R zone is intended to promote high-density mixed-use neighborhoods and allows lodging as a by-right use; therefore, the increase in height and density of the intended use is consistent with the zone.

*(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

The requested relief would not result in deviation from the approved rear yard and would maintain the same separation from the abutting properties to the north. The requested relief would maintain the historic character of the existing buildings fronting along H Street NW. The proposed modifications should not impact pedestrians or traffic.

The applicant provided a shadow study showing a subtle increase in shadowing on surrounding buildings during the summer solstice and slightly higher shadow coverage during the winter solstice; however, the increases in shadowing from the additional height should not be to the extent that would negatively impact the light and air to the surrounding properties. Therefore, granting the special exception should not adversely affect the neighboring properties.

*(c) Will meet such special conditions as may be specified in this title.*

OP does not recommend any special conditions.

## **OTHER DISTRICT AGENCIES**

The proposal was reviewed by HPRB at their March 26, 2026 public meeting and approved the revised concept to add a 10<sup>th</sup> floor. A copy of the HPO staff report, together with the HPRB agenda and actions from the March 26, 2026 meeting, is attached as Exhibit 2A.

## **ADVISORY NEIGHBORHOOD COMMISSION**

ANC 2C has filed a letter of support for the updated concept plans and associated zoning modification requests in Exhibit 21 in the case record.

## **COMMUNITY COMMENTS TO DATE**

As of the date of this report, there are seven letters of support in the case record.