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September 17, 2025

Via IZIS

D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Suite 200S
Washington, D.C. 20001

Re: **BZA Order No. 19475 – 2601 Virginia Avenue NW (Square 6, Lot 42) –
Request for Modification Without Hearing**

Dear Members of the Board:

On behalf of Washington DC 2601 Virginia Owner LLC (the “**Applicant**”), we hereby respectfully request a Modification Without Hearing to the plans approved in BZA Order No. 19475 (the “**Order**”) pursuant to Subtitle Y § 703 of the Zoning Regulations for the mixed-use building (“**Building**”) on the property located at 2601 Virginia Avenue NW (Square 6, Lot 42) (the “**Property**”). The Board’s original approval granted special exception relief to allow ground-floor retail use in the MU-2 Zone pursuant to Subtitle U § 504.1(j) and to allow an eating and drinking establishment use in the building’s habitable penthouse pursuant to Subtitle C § 1501.1(d).¹

The Applicant requests approval to modify the plans approved by the Board to convert residential amenity space located on the 2nd floor of the Building to create eight (8) additional residential units and to relocate the amenities to occupy currently vacant retail space on the ground floor, which has been vacant for over five (5) years since completion of the work approved under the Order. The proposed modifications will enable better activation of the streetscape abutting the Property and “put more eyes” on this portion of Virginia Avenue NW.

The proposed modifications reflect minor adjustments to the plans approved by the Board and do not require any additional or increased zoning relief or otherwise affect the Board’s basis for granting the previously approved special exception approval.

¹ When the Order was approved, the special exception provision for penthouse eating and drinking establishment use was located in Subtitle C § 1500.3(c), but has since been re-numbered.

In support of this request, enclosed please find the following:

- BZA Order No. 19475 (Exhibit A).
- Authorization letter for this application (Exhibit B).
- Updated plans (“**Updated Plans**”) showing the proposed modifications (Exhibit C).

The requisite filing fee of \$811.20 for this request (representing 26% of the filing fee for the original application) made payable to the “D.C. Treasurer” is being delivered to the Office of Zoning concurrent with this filing, in accordance with 11 DCMR Subtitle Y § 1600.1(e).

I. Background

The Property is located in the West End neighborhood, directly across the street to the north of the Watergate complex, and is currently improved with the Building, a ten (10)-story building that was originally constructed in the 1960s as a hotel, was converted to a dormitory for George Washington University in 1999, and was converted again to multifamily residential use with 250 units and ground-floor retail use, pursuant to the Order, completed in 2020. The Applicant acquired the Property from the prior owner in 2024 and has been implementing renovations and other updates to the Building since taking ownership.

The Property is located in the MU-2 Zone District, which requires special exception approval for retail uses, and the Order granted such approval for the Building’s ground-floor retail space pursuant to Subtitle U § 504.1(j), as well as special exception approval to permit an eating and drinking establishment use in the Building’s habitable penthouse, pursuant to current Subtitle C § 1501.1(d), as amended since approval of the Order.

No prior modifications or other actions have been requested for the Board’s approval in Case No. 19475.

II. Requested Modification

As shown in the Updated Plans attached as Exhibit C, the Applicant requests to modify the plans approved by the Board to reconfigure interior space on the 1st and 2nd Floors of the Building and, specifically, to: (i) convert residential amenity space located on the 2nd Floor to create eight (8) additional residential units; and (ii) relocate the amenity space to occupy currently vacant retail space on the ground floor. The ground-floor retail space has not been able to be successfully leased to a retail tenant and has remained vacant since the Board’s approval. The proposed reconfiguration and relocation of the 2nd Floor amenity space will put the currently vacant ground-floor space to productive use, while retaining limited space on the ground floor for a café and market-type retail use, and will allow the creation of eight (8) new residential units on the 2nd

Floor, adding to the housing supply in this high demand area of the District. In addition to the proposed café/market space, the converted ground-floor space will include a fitness center and study areas for residents, as well as leasing and building management office space. The proposed modifications will better activate the abutting Virginia Avenue NW streetscape and “put more eyes” on the street, consistent with planning objectives for the District’s pedestrian environment.

III. Satisfaction of Standards of Subtitle Y § 703

Under Subtitle Y § 703.7 of the Zoning Regulations, a Modification Without Hearing is a “modification in which the impact may be understood without witness testimony, including, but not limited to a proposed change to a condition cited by the Board in the final order, or **a redesign or relocation of architectural elements and open spaces from the final design approved by the Board.**” (Emphasis added.) The modifications proposed in this application relate to the redesign of architectural elements of the Project, and specifically, interior reconfiguration of the 1st and 2nd Floor of the Building to modestly increase the number of residential units and convert currently vacant retail space on the ground floor to be put into productive use as residential amenity space. The proposed changes to the design do not require any additional or increased zoning relief or otherwise impact the basis upon which the Board granted the special exception approval for the original application. Accordingly, the requested changes qualify as a Modification Without Hearing.

The Applicant is sending this application simultaneously to the affected Advisory Neighborhood Commissions (“ANC”) — ANC 2A — and the West End Citizens Association (“WECA”), which were the only other parties to the original application. The ANC and WECA will have a full opportunity to provide any comments regarding the requested modification prior to the Board’s consideration of the application.

IV. Conclusion

The proposed modifications are entirely consistent with the Board’s previous approval of the special exception review. As discussed above, the requested changes comport with the definition of a modification of consequence. Accordingly, the Applicant respectfully requests that the consideration of this proposed modification of consequence be scheduled for the Board’s consent calendar pursuant to Subtitle Y § 703.

If you have any questions or comments regarding the proposed modification, please contact the undersigned at (202) 721-1135. Thank you for your attention to this application.

Sincerely,

/s/ Jeffrey C. Utz

Modification of BZA Order No. 19475 – 2601 Virginia Avenue NW
September 17, 2025
Page 4

/s/ Lawrence Ferris

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document and attachments were delivered via email, first-class mail, or hand delivery to the following addresses on September 17, 2025.

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/s/ Lawrence Ferris

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