

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Kyrus L. Freeman
202.862.5978
kyrus.freeman@hklaw.com

Christopher S. Cohen
202.469.5127
christopher.cohen@hklaw.com

April 7, 2026

VIA IZIS

Board of Zoning Adjustment
of the District of Columbia
441 4th Street, NW, Suite 210-S
Washington, DC 20001

**Re: BZA Order No. 20974
Request for Two-Year Time Extension
503–517 H Street, NW (Lots 3, 30, 42–44, and 48 in Square 485)**

Dear Members of the Board:

On behalf of DC Chinatown Hotel Owner LLC (the “Applicant”), owner of the property generally located at 503–517 H Street, NW and known as Lots 3, 30, 42–44, and 48 in Square 485 (the “Property”),¹ we respectfully submit this request for a two-year time extension of BZA Order No. 20974 (the “Order”). The Order became final on May 9, 2024. Pursuant to Subtitle Y § 702.1, the Order is subject to a two-year validity period and is set to expire on May 9, 2026.² **Approval of this request would extend the Order’s validity through May 9, 2028.**

As set forth below, this application satisfies the applicable criteria and there is good cause for the Board to grant a time extension in this case.

A. Filing Requirements and Supporting Documentation

This application is filed pursuant to Subtitle Y § 705 of Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016. The required Application Form 156 is being submitted concurrently through IZIS. A check in the amount of \$946.40, made payable to the DC

¹ An entity affiliated with the Applicant owned Lot 3 in Square 485 at the time of the Board’s original approval. Lots 30, 42–44, and 48 in Square 485 were subsequently conveyed to the Applicant by unaffiliated entities—KCT Investments LLC and Gallery Row Holdings LLC—with the relevant deeds recorded on October 28, 2025.

² Subtitle Y § 702.1 provides that an order granting a special exception or variance, where establishment of the use depends on the erection or alteration of a structure, “shall be valid for a period of two (2) years ... within which time an application shall be filed for a building permit for the erection or alteration approved.”

Treasurer and reflecting the requisite filing fee per Subtitle Y § 1600.1(e), will also be provided to the Office of Zoning upon filing.³

The following documents are submitted in support of this time-extension request: (i) a letter from the Applicant, as owner of the Property, authorizing Holland & Knight LLP to file and process this application; (ii) a copy of BZA Order No. 20974; and (iii) the affidavit of Stephan Rodiger, a representative of the Applicant, detailing the justifications supporting a finding of good cause for the Board’s approval of the requested extension (Exhibit A).

B. Overview of the Property and Surrounding Area

The Property is located in the northwest quadrant of the District, fronting on H Street, NW, and is bounded by a ten-foot wide public alley to the north and private property to the east and west. Currently, the Property consists of Lots 3, 30, 42–44, and 48 in Square 485, but will be consolidated into a single record lot containing approximately 10,258 square feet.

The Property is improved with seven existing three- and four-story 19th-century row buildings, all designated as contributing resources within the Downtown Historic District. *See* Public Record for BZA Case No. 20974, Ex. [12](#). It is located in the D-4-R zone district, within the Chinatown Sub-Area of the Downtown zones, along a designated primary street segment (H Street, NW), and within Credit Trade Area 3. *See* Public Record for BZA Case No. 20974, Ex. [11](#); *see also* Figures I §§ 601(a), 609, and 900.2. Centrally situated within Chinatown, the Property lies in a major cultural and entertainment district well served by Metrorail, bus service, and pedestrian and bicycle infrastructure.

C. Background on the Approved Project and Relief Granted

Pursuant to BZA Order No. 20974 and the associated approved plans, the Board approved redevelopment of the Property with a new hotel building consisting of ground-floor retail and lodging on the floors above (the “Project”). As approved, the Project contains approximately 70,299 square feet of gross floor area (“GFA”), of which approximately 53,221 square feet consists of new construction. *See* Public Record for BZA Case No. 20974, Ex. [113](#). The Project is permitted a maximum density of approximately 6.85 FAR, including 3.35 FAR attributable to credits, and a maximum building height of 99.25 feet.

The Project allocates approximately 37,283 square feet to lodging uses comprising approximately 85 units (with approved flexibility to range between 60 and 120 units), to be operated as a long-term, extended-stay hotel. Approximately 28,211 square feet is dedicated to back-of-house, amenity, and circulation space serving the lodging use. An additional approximately 5,155 square feet of GFA is devoted to ground-floor retail and shared back-of-house

³ Under Subtitle Y § 1600.1(e), the filing fee for this time extension request equals 26% of the original filing fee. The original filing fee for BZA Case No. 20974 was \$3,640 (*see* Ex. [20](#)), resulting in a required fee of \$946.40.

space, consistent with the Property’s location along a designated primary street within the Chinatown Sub-Area.⁴

Consistent with the Board’s approval, the Project retains the primary street-facing portions of the existing historic row buildings, including the front façades and stoops, while removing the rear wings. All new construction is located at the rear of the Property, behind and partially above the existing buildings, in the form of a nine-story addition articulated as two interlocking masses. As documented in the Historic Preservation Review Board (“HPRB”) staff reports issued in February 2023 and January 2024, the approved design preserves the historic buildings as distinct structures and is compatible with the surrounding historic context. *See* Public Record for BZA Case No. 20974, Exs. [13](#) and [40B](#).

In granting the Order, the Board approved variance relief from the rear-yard requirements of Subtitle I § 205.1 pursuant to Subtitle X § 1000.1 (20 feet, 10 inches required; 10 feet provided), as well as special exception relief from the loading requirements of Subtitle C § 901.1 pursuant to Subtitle C § 909.2 and Subtitle Z § 901.2 (two loading berths required; one provided). The application initially also sought area variance relief from the Chinatown Sub-Area ground-floor use requirements in Subtitle I § 609.5(a) and (c), but that request was ultimately withdrawn following the public hearing. *See* Public Record for BZA Case No. 20974, Ex. [112](#).

D. Community Engagement and Chinatown-Focused Commitments

As part of the Project and as a result of the Applicant’s engagement with the Chinatown community, the Applicant committed to incorporating uses that support and reinforce the neighborhood’s cultural character. Specifically, the Project will include an Asian market located in the cellar level, developed with input from the Wah Luck House, Chinatown Revitalization Initiative, and Advisory Neighborhood Commission (“ANC”) 2C. In addition, the Applicant intends to lease one ground-floor space to a business or nonprofit organization that supports and enhances the cultural heritage of the Chinatown neighborhood and to contribute \$300,000 to the Chinatown Lease Incentive Grant Program.⁵

E. Project Advancement Since Board Approval

Since the Board’s approval and the Applicant’s acquisition of the entire Property in October 2025, the Applicant has continued to advance the Project diligently and in good faith along two parallel paths. First, the Applicant has refined the approved design to address preservation, constructability, and operational needs. Second, the Applicant has pursued and secured a qualified hotel operator to ensure that the Project’s program, room mix, and building

⁴ *See* Subtitle I § 609.5, which requires buildings in the Chinatown Sub-Area with frontage on a designated primary street segment to devote a specified portion of the ground-floor GFA to one or more of the use categories identified in Subtitle I § 601.2(a), including retail; entertainment, assembly, and performing arts; eating and drinking establishments; arts, design, and creation; and general or financial services, subject to street-frontage requirements and limited exceptions.

⁵ The Chinatown Lease Incentive Grant Program is administered by the Office of the Deputy Mayor for Planning and Economic Development pursuant to its grant-making authority under D.C. Official Code § 1-328.04(ii).

mechanical systems respond to market realities. Throughout this process, the Applicant has coordinated closely with its design team and committed hotel operator to refine updated concepts. The sections below provide additional detail regarding these efforts.

1. Design Refinement and Project Evolution

Since the Board's approval, the Applicant has developed updated plans reflecting an evolution of the approved design while maintaining the Project's overall aesthetic and compatibility with the historic context. Concurrent with this extension request, the Applicant is also submitting an application to modify the originally-approved BZA plans.

The Applicant presented the contemplated changes to HPRB staff, and HPRB approved the revised concept at its March 26, 2026 meeting. The meeting agenda and related comments reflecting HPRB's approval are attached hereto as Exhibit B.

2. Hotel Operator Engagement and Financing Readiness

The Applicant's progress has also included sustained efforts to procure a hotel operator. Following extensive outreach, the Applicant recently secured an operator well suited to the Chinatown market, and the parties have now entered into an agreement. The Applicant is working with the operator and design team to incorporate operational requirements into the plans, including adjustments needed to support branding, guest experience, and BOH functionality. These steps are essential to securing lender confidence and finalizing a financeable development package.

F. Time Extension Request and Criteria Under Subtitle Y § 705.2

A two-year time extension is therefore necessary to allow the Applicant time to secure BZA approval of the revised, HPRB-approved plans, complete operator-driven plan refinements, and secure project financing. Without an extension, the Project would lapse despite the Applicant's diligence and good-faith efforts.

As set forth in Subtitle Y § 705.2, "[t]he Board may extend the time periods in Subtitle Y § 702.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval," so long as the Board determines that the requirements of Subtitle Y § 705.2(a)–(c) are met. As discussed below, this application satisfies each requirement.

- **Subtitle Y § 705.2(a):** *The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond;*

Other than the Applicant, the only other party to the original proceeding was ANC 2C. As indicated in the Certificate of Service attached hereto, the Applicant served this application on ANC 2C at the time of filing. The Applicant acknowledges that the ANC must be allowed thirty (30) days to respond before the Commission may consider this application.

- **Subtitle Y § 705.2(b):** *There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board’s justification for approving the original application; and*

There has been no substantial change in the material facts underlying the Board’s original approval, which was granted by Summary Order pursuant to Subtitle Y § 604.3. The justifications supporting the area variance from the applicable rear-yard requirement and the special exception to provide only one loading berth remain unchanged. Those justifications have no bearing on the Applicant’s request for additional time to file a building permit application. Granting the requested time extension would simply preserve the Board’s approval and allow the Project to proceed toward delivery of the approved lodging use and associated ground-floor uses, including retail.

Moreover, no intervening changes to the Zoning Regulations materially affect the Board’s approval. Recent amendments, including the reorganization and renaming of certain zoning districts, did not modify the substantive standards applicable to the Property. *See, e.g.,* Z.C. Order No. 22-25, effective August 2, 2024.

- **Subtitle Y § 705.2(c):** *The applicant demonstrates that there is good cause for such extension, with substantial evidence of one (1) or more of the following criteria:*
 1. *An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant’s reasonable control;*
 2. *An inability to secure all required governmental agency approvals by the expiration date of the Board’s order because of delays that are beyond the applicant’s reasonable control; or*
 3. *The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant’s reasonable control.*

Ongoing difficulty in obtaining sufficient project financing constitutes good cause for the requested time extension under Subtitle Y § 705.2(c)(1). In the current economic climate, construction lenders and equity sources remain conservative, particularly for downtown, mixed-use projects that require stabilized underwriting assumptions and a clearly defined operating plan.⁶

Notwithstanding ongoing financial challenges, the Applicant has continued to advance the Project. As summarized above in Section D and detailed in the accompanying affidavit of Stephan Rodiger (Exhibit A), the Applicant has not been idle since the Order was issued. The approved design has been refined to address preservation, constructability, and operational requirements, and to support a financeable development program under current market conditions. In addition, the Applicant received HPRB approval on March 26, 2026 for the design refinements needed to

⁶ See [Smarter and more selective: How hotel construction capital is evolving heading into 2026](#), CoStar News (Nov. 20, 2025) (reporting that hotel construction lenders have tightened underwriting standards and adopted a more cautious approach in response to elevated costs and market uncertainty).

advance the Project. In parallel, the Applicant has secured a hotel operator and entered into an operator agreement, and is integrating operator-driven requirements into the design. These steps are necessary to reduce execution risk and satisfy lender and investor underwriting for ground-up hotel developments such as the Project.

Moreover, as noted above, the Applicant is concurrently submitting a modification application to the Board seeking approval of design refinements developed since issuance of the Order. Ongoing vacancies, however, limit the Board's ability to convene and are likely to delay review and action on that application. As a result, the Applicant cannot reasonably complete the modification process and proceed to a building permit filing within the existing validity period of the Order, providing an independent basis for good cause under Subtitle Y § 705.2(c)(2).

The requested extension therefore is an appropriate and equitable mechanism to preserve the Board's approval while the Applicant completes the modification process and secures construction financing. Granting the extension will allow the Project to proceed to permitting and construction, rather than lapse due to financing constraints and governmental review delays that are beyond the Applicant's reasonable control.

- **Subtitle Y § 705.3:** *A time extension granted pursuant to Subtitle Y § 705.1 shall not exceed two (2) years, or one (1) year for an Electronic Equipment Facility.*


The subject application complies with this provision, as the Applicant's requested time extension does not exceed two years.


G. Conclusion

For the reasons set forth above, this application satisfies the requirements of Subtitle Y § 705, and the Applicant has demonstrated good cause for the requested two-year time extension. Granting the extension will preserve the Board's approval while the Applicant completes the modification process and secures construction financing, rather than allowing the approval to lapse due to circumstances beyond the Applicant's reasonable control. Accordingly, the Applicant respectfully requests that the Board grant the requested two-year time extension of BZA Order No. 20974, **extending the deadline to file a building permit application for the Project through May 9, 2028.**

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Kyrus L. Freeman

By: 
Christopher S. Cohen

BZA Order No. 20974 | 505-517 H Street, NW
Request for Two-Year Time Extension

cc: Certificate of Service

Exhibits

Ex. A: Affidavit of Stephan Rodiger

Ex. B: HPRB March 26, 2026 Agenda and Actions

Certificate of Service

I hereby certify that on April 7, 2026, a copy of the foregoing request for a two-year time extension of the validity period of BZA Order No. 20974, together with the supporting documentation, was served by electronic mail on the following at the addresses listed below.

DC Office of Planning

Radhika Mohan: radhika.mohan@dc.gov

Shepard Beamon: shepard.beamon@dc.gov

District Department of Transportation

Erkin Ozberk: erkin.ozberk1@dc.gov

Advisory Neighborhood Commission 2C

c/o Commissioner Michael D. Shankle, Chairperson and SMD 2C01

2C@anc.dc.gov

2C01@anc.dc.gov



Christopher S. Cohen
Holland & Knight LLP