

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Philip Bradford, AICP, Development Review Specialist
MBR
Maxine Brown-Roberts, Associate Director Development Review

DATE: July 20, 2026

SUBJECT: ZC 22-35A Request for Modification without a Hearing (1234 4th Street, NE)

I. RECOMMENDATION

After a review of the request, and the Order (ZC 22-35); OP **concurs** with the applicant's submission that the proposed refinements do not change the material facts upon which the Zoning Commission based its original approval of the PUD. As such, OP has **no objections** to the applicant's request being considered as a Modification Without Hearing.

OP recommends **approval** of the requested modification.

II. BACKGROUND

Subtitle Z § 703 provides for Zoning Commission consideration of Modifications Without Hearing to an approved Planned Unit Development (PUD) as follows:

703 CONSENT CALENDAR – TECHNICAL CORRECTIONS TO ADOPTED RULES AND MODIFICATIONS WITHOUT HEARINGS TO CONTESTED CASE ORDERS AND PLANS

703.6 For the purposes of this section, a “modification without hearing” is 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, a change in position on an issue discussed by the Commission that affected its decision, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Commission. Determination that a modification can be approved without witness testimony is within the Commission’s discretion. A request to add or change a zoning map designation to an approved planned unit development shall not be considered without a hearing.

If the commission determines that a modification cannot be approved without witness testimony, the modification shall be reviewed as a modification with hearing per Z § 704 Modifications With Hearing.

III. MODIFICATION REQUEST

The applicant is requesting a limited scope modification of the approved PUD. The applicant does not propose any modifications to the future buildings approved as part of the PUD. There are several buildings on the subject properties that were to be razed prior to the construction of the future buildings approved by the PUD. However, due to current market conditions, the applicant proposes to renovate the buildings on the subject property to be used as lodging and commercial / retail space until market

conditions improve and the new mixed-use structures approved as part of the PUD are feasible to construct. The applicant has concurrently filed [ZC 22-35B](#), a ten-year time extension request to allow for the reuse of these structures and extend the validity of the order so that construction can commence at a future date.

Structures approved by ZC 22-35



Existing condition of the motel building and Pascal Structures



Interim improvements to the existing motel building and Pascal Structures



The proposed renderings in [Exhibit 2B](#) shown above illustrate the interim changes proposed by the applicant to the site. The existing former Motel 6 would be renovated with the parking lot converted to amenity space with improvements to the ground level adding retail and commercial spaces. The Pascal Structures would be renovated to deliver more active retail and attractive storefronts to the building. The interim improvements proposed to both structures would be a significant improvement over the existing conditions and would likely draw more pedestrians and new businesses to this underutilized area of Union Market. The proposed uses are permitted as a matter of right in the PDR-1 zone, which allows for eating and drinking establishments, arts, design and creation uses, and retail which would be consistent with other uses within the area.

Changes to Approved Conditions in PUD Order

The applicant proposes the following changes to the conditions in the Approved PUD Order as follows:

New text shown underlined, removed text shown with strikethrough.

Condition A.1:

The Project shall be constructed in accordance with the plans submitted December 18, 2023, as Ex. 40A1-40A6 and the guidelines, conditions, and standards herein (collectively, the “Approved Plans”); provided, however, that prior to commencement of construction of the Project on Lot 802 in Square 3592 (the “Motel Lot”) and/or on Lots 19-23 in Square 3592 (the “Pascal Lots”), the Applicant may modify the Motel Lot and Pascal Lots in accordance with the plans for interim

improvements submitted June 24, 2026 as Ex. [2] of Z.C. Case No. 22-35A and the flexibility contained herein, and such interim improvements shall not constitute a Building or the Project.

Condition D.2:

The PUD shall be valid for a period of ~~two~~ ten years from the effective date of this Order, as modified. Within such time an application shall be filed for a building permit, with construction to commence within ~~three~~ eleven years of the effective date of this Order.

IV. OP ANALYSIS

The applicant proposes a significant investment in the existing buildings on the subject property as an interim measure to improve the area and add new commercial space and draw pedestrian traffic to this area of Union Market. The proposed modification does not change any approved proffers, affordable housing commitments, or design related elements of the Approved PUD. The minor changes to two conditions within the final Order for ZC 22-35 would not change the material facts and should be understood without witness testimony, therefore OP recommends the Zoning Commission **approve** the modification without hearing.