

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**



ZONING COMMISSION ORDER NO. 62-19D

Z.C. Case No. 62-19D

Friedman Capital Advisors, LLC

(Planned Unit Development Modification Without Hearing

@ 2600 Virginia Avenue, N.W. (Lot 808 in Square 8))

April 30, 2026

Pursuant to notice, at its April 30, 2026, public meeting, the Zoning Commission for the District of Columbia (the “Commission”) considered the application (the “Application”) of Friedman Capital Advisors, LLC (the “Applicant”) for a modification without hearing to the planned unit development (“PUD”) originally approved by Z.C. Order No. 62-19 (Z.C. Case No. 62-19) and subsequently modified, including by Z.C. Order No. 631A (Z.C. Case No. 62-19A) and Z.C. Order No. 631B (Z.C. Case No. 62-19B), for Lot 808 in Square 8, with a street address of 2600 Virginia Avenue, N.W. (the “Property”). The Commission reviewed the Application, pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (the “Zoning Regulations”, to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

I. BACKGROUND

PRIOR APPROVALS

1. Pursuant to Z.C. Order No. 62-19, dated July 17, 1962, the Commission approved the Watergate PUD as a mixed-use project to be developed in four stages with 1,300 residential units, 300 hotel rooms, 185,000 square feet of office space, 94,000 square feet of retail use, below-grade parking, and open space (the “Watergate Project”). The Property is improved with a 12-story office building (the “Existing Building”) constructed as part of the Watergate Project.
2. Pursuant to BZA Appeal Nos. 7234 (approved in 1963), 7903 (approved in 1964), 8117 (approved in 1965), and 9303 (approved in 1968), the Board of Zoning Adjustment (the “Board”) approved further processing for Stages 1 through 4, respectively, of the Watergate Project.
3. Pursuant to Z.C. Case No. 68-58, dated December 18, 1968, the Commission approved modifications to “Building 1” within Stage IV of the Watergate Project, the office building located at 600 New Hampshire Avenue, N.W., to provide for the combination of residential and office uses, distributed vertically, with 325 residential units and 260,600 square feet of office use, with office uses restricted to those permitted in the SP District. Pursuant to BZA

Appeal No. 9919 (dated January 30, 1969, effective February 3, 1969), the Board approved further processing of Building 1 in three substages and reduced the residential unit count to no less than 287; pursuant to BZA Appeal No. 9919 (dated March 24, 1970, effective May 11, 1970), the Board approved a further reduction to 260 residential units and a reduction in parking spaces from 580 to 551. Pursuant to Z.C. Order No. 100 (Z.C. Case No. 72-23), dated November 15, 1974, the Commission approved an amendment to Z.C. Case No. 68-58 to expand the types of office uses permitted in Building 1.

4. Pursuant to Z.C. Order No. 125 (Z.C. Case No. 75-3), dated February 12, 1976, the Commission approved amendments to the types of office uses permitted within the Stage II Office Building.
5. Pursuant to Z.C. Order No. 631 (Z.C. Case No. 89-6M/62-19), dated September 11, 1989, and effective on November 3, 1989, the Commission approved a modification to the hotel portion of the Watergate Project to permit a 2,000-square-foot expansion to the hotel's health club.
6. Pursuant to Z.C. Order No. 03-16, dated June 14, 2004, and effective on August 6, 2004, the Commission approved a conversion of the hotel into an apartment house use. The hotel was closed in 2007 pending redevelopment, but the conversion never occurred and the Commission's approval in Z.C. Order No. 03-16 expired.
7. Pursuant to Z.C. Order No. 631A (Z.C. Case No. 62-19A), dated January 9, 2012, and effective on June 22, 2012, the Commission approved a minor modification to reopen the hotel and increase the number of hotel rooms to 355.
8. Pursuant to Z.C. Order No. 631B (Z.C. Case No. 62-19B), dated July 30, 2018, the Commission approved a minor modification to the Watergate PUD for the office building located at 600 New Hampshire Avenue, N.W., authorizing the construction of approximately 1,700 square feet of habitable penthouse space and an adjacent roof deck as an expansion of the existing penthouse, to be used as accessory tenant amenity space.

THE PROPERTY

9. The Property is located in the D-2 zone¹, is a designated historic landmark, and is located within the area governed by the Shipstead-Luce Act. Accordingly, exterior changes to buildings on the Property are subject to historic design review by the Commission of Fine Arts. The Comprehensive Plan Future Land Use Map designates the Property as Medium Density Commercial and High Density Residential, and the Generalized Policy Map identifies the Property as within a Neighborhood Conservation Area.

¹ The Applicant's initial statement stated that the Property was in the MU-2 zone; however, the Applicant submitted a supplemental statement stating that the Watergate PUD was originally approved under the former SP-2 designation, which corresponds to the current D-2 zone (Ex. 2, 5).

PARTIES AND NOTICE

10. Other than the Applicant, the only party to the original PUD application is Advisory Neighborhood Commission (“ANC”) 2A, the “affected” ANC pursuant to Subtitle Z § 101.8.
11. In 1962, when the original PUD was approved, neither the Commission nor the Board had rules creating party status. Standing as a party came only after 1972, when the Court of Appeals determined that the D.C. Administrative Procedure Act applied to the Commission and the Board. Consequently, on March 6, 2026, as attested by the Certificate of Service submitted with the Application, the Applicant served a copy of the Application on the owners of the buildings within the Watergate Project, including (i) the Boards of Directors of Watergate East, Inc., Watergate West, Inc., and Watergate South, Inc., the cooperative associations that own the three apartment buildings in the Watergate Project, (ii) Watergate Hotel, LLC, the owner of the hotel building, and (iii) WASHREIT Watergate 600 OP LP, the owner of 600 New Hampshire Avenue, N.W. as well as ANC 2A and the D.C. Office of Planning (“OP”) (Exhibit [“Ex.”] 2 at 7).

II. THE APPLICATION

12. On March 6, 2026, the Applicant filed the Application, requesting a modification without hearing to the approved PUD to convert floors six through 11 of the Existing Building from office use to residential use. The Application proposes the conversion of approximately 89,940 square feet of office space into approximately 87 residential units, comprising 76 apartments across floors six through nine and 11 for-sale condominium units on floors 10 and 11. The modification will be accomplished without any changes to the Existing Building’s height or density and only limited changes to the Existing Building’s exterior façade to accommodate the residential use. No new or additional zoning relief is required (Ex. 1-2D).
13. The Application stated that the modification falls within the definition of a modification without hearing because the impact can be understood without witness testimony and qualifies as a redesign of the architectural elements from the final design approved by the Commission, under Subtitle Z § 703.6. The Application noted that the proposed modification remains consistent with the PUD evaluation criteria because it is not inconsistent with the Comprehensive Plan; would not result in any unacceptable impacts on the surrounding area; the public benefits of the PUD have long been satisfied; and the proposal would allow residential use, which is a permitted use both in the original PUD approval and the underlying zone (Ex. 2).

III. RESPONSES TO THE APPLICATION

14. OP submitted a report dated March 27, 2026, recommending approval of the Application (the “OP Report”), and noting that the proposed change from office to residential use would not require any zoning relief and would not be inconsistent with the Comprehensive Plan or the approved PUD order and subsequent modifications (Ex. 4).

15. ANC 2A submitted a report dated April 29, 2026 (Ex. 6, the “ANC Report”), transmitting the ANC's Resolution in Support of the Application and a Memorandum of Understanding between the Applicant and ANC 2A dated April 21, 2026 (the “MOU”). The ANC Report states that at a duly noticed special meeting held on April 28, 2026, at which six of six commissioners were present, ANC 2A voted 6-0-0 to support the Application, conditioned upon the Applicant's commitments set forth in the MOU. The MOU addresses parking, vehicular circulation, and safety concerns raised by residents of the neighboring Watergate buildings, and includes the Applicant's commitments to implement and retain a valet parking system, maintain existing parking availability for Watergate West and East residents at capped rates, evaluate alternative garage access points in coordination with the ANC, and bind future owners of the Existing Building to those commitments.
16. The Applicant filed a Supplemental Statement dated April 29, 2026, confirming its agreement to the MOU commitments (Ex. 7).

CONCLUSIONS OF LAW

1. Subtitle Z § 703.1 authorizes the Commission, in the interest of efficiency, to make modifications without a public hearing to approved contested case final orders and plans approved by such orders.
2. Subtitle Z § 703.6 defines “modification without hearing” as “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.”
3. The Commission concludes that the Application qualifies as a Modification without Hearing within the meaning of Subtitle Z § 703.6, as a request to modify the final design approved by the Commission and therefore may be approved without a public hearing pursuant to Subtitle Z § 703.1.
4. The Commission concludes that the Applicant satisfied the requirement of Subtitle Z § 703.10 to serve the Application on all parties to the original proceeding, in this case ANC 2A, and on OP, at the same time the Application was filed with the Office of Zoning. As noted above, the Applicant also served the Application on owners of buildings within the Watergate Project.
5. The Commission concludes that all parties were allowed 30 days after the Application was filed and served on March 6, 2026, to file responses to the Application in accordance with Subtitle Z § 703.12, and the Application was filed at least 35 days prior to the public meeting at which the Application was considered by the Commission, in accordance with Subtitle Z § 703.13. The Application was filed March 6, 2026, and considered April 30, 2026.

6. The Commission finds that the Application is in keeping with the approved PUD and is consistent with the original intent of the Commission in approving the Watergate PUD as a mixed-use development, of which residential use has long been a substantial component.

“Great Weight” to the Recommendations of OP

7. Pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04) and Subtitle Z § 405.9, the Commission must give “great weight” to the recommendations of OP (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).
8. The Commission finds OP’s recommendation to approve the Application persuasive and concurs in that judgment.

“Great Weight” to the Written Report of the ANC

9. Pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) and Subtitle Z § 406.2, the Commission must give “great weight” to the issues and concerns raised in the written report of the affected ANC. To satisfy this great weight requirement, District agencies must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978)).
10. The Commission finds ANC 2A’s recommendation to approve the Application persuasive and concurs in that judgment. The Commission notes that ANC 2A’s support of the Application is conditioned on the Applicant’s commitments set forth in the MOU, which has been fully executed. The Commission acknowledges this separate agreement between parties but does not find it appropriate to make the MOU commitments conditions of this Order approval.

DECISION

In consideration of the case record and the Findings of Fact and Conclusions of Law herein, the Commission concludes that the Applicant has satisfied its burden of proof and, therefore, **APPROVES** the Applicant’s request for a Modification Without Hearing to the PUD originally approved by Z.C. Order No. 62-19, as previously modified, to permit the conversion of floors six through 11 of the Existing Building from office use to residential use, in accordance with the architectural plans, dated January 30, 2026, and submitted as Exhibit 2C in the record of Z.C. Case No. 62-19D.

All other conditions of Z.C. Order No. 62-19, as previously modified, including by Z.C. Order Nos. 631A and 631B, remain unchanged and in effect.

FINAL ACTION

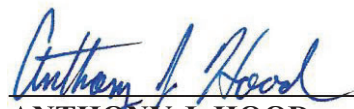
VOTE (April 30, 2026): 4-0-1

(Tammy Stidham, Anthony J. Hood, Robert E. Miller, and Gwen Wright to approve; Joseph S. Imamura, having not participated, not voting).

In accordance with the provisions of Subtitle Z § 604.9, this Order ZC 62-19D shall become final and effective upon publication in the *District of Columbia Register*; that is, on July 24, 2026.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.