




## **MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:**  Joel Lawson, Associate Director, Development Review

**DATE:** February 12, 2025

**SUBJECT:** 2401 Pennsylvania Avenue NW – ZC #88-02A, Modification Without Hearing to Convert a Portion of the Building from Office to Residential

### **I. BACKGROUND**

In 1988, the Zoning Commission approved 88-02 (Order 586), a Consolidated Planned Unit Development to construct a mixed retail, office and residential building at 2401 Pennsylvania Avenue NW. The building was constructed consistent with the Order.

The current application is a request for a Modification Without Hearing to that approval, pursuant to Z § 703, principally to convert the existing three floors of office space to residential.

### **II. RECOMMENDATION**

The Office of Planning (OP) supports this application being considered a Modification Without Hearing. The modifications proposed are consistent with the intent of the MU-6B zone and the Comprehensive Plan, providing new housing opportunities including affordable units consistent with IZ, and resulting in no major alterations to the exterior of the building.

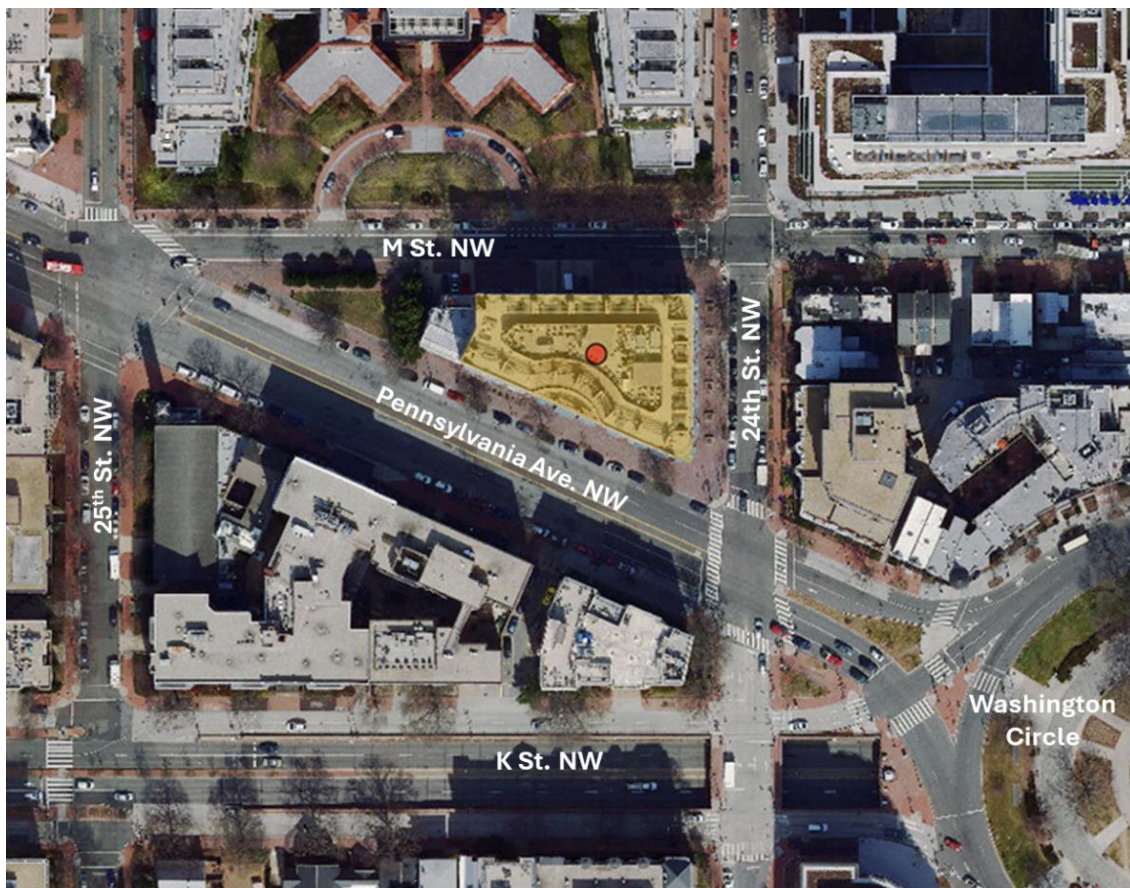
OP therefore recommends that the Commission **approve** the modification as requested

### **III. APPLICATION-IN-BRIEF**

<b>Applicant</b>	7K 2401, LLC
<b>Address</b>	2401 Pennsylvania Avenue NW
<b>Zoning</b>	MU-6B
<b>Location</b>	Square 0026, Lot 11
<b>Ward / ANC:</b>	Ward 2, ANC 2A
<b>Legal Description:</b>	Squares 0026 Lot 11
<b>ZC Approval, 88-02; Order 586 (1989)</b>	Eight story building with three floors of office, four floors of residential (about 40 units) and retail on the ground floor, with a total FAR of 7.66, height of 92 feet, and lot occupancy of 97% for the residential floors and 100% for the office and retail floors. Recreation space was approved in the penthouse level.

<b>Previous approvals</b>	Order 586A (1989) - modifications to increase parking and allow changes to the façade.
<b>Requested Modifications</b>	<ul style="list-style-type: none"><li>• Conversion of floors 2 through 4 from largely vacant office to about 60 residential units, including IZ units;</li><li>• Conversion of some currently vacant retail space on the ground floor, generally along a portion of 24<sup>th</sup> and M Streets, to residential amenity space, bike parking, and tenant storage;</li><li>• Conversion of the pedestrian entry to office space to retail/service entry;</li><li>• Replacement of windows on the floors to be converted to residential; and</li><li>• Replacement of the rooftop guardrail if required to meet code.</li></ul> <p>No zoning relief is requested as part of this modification request.<sup>1</sup></p> <p>The applicant is proposing changes to a number of conditions from the Original PUD Order 586 as modified earlier in 586A to effectuate these modifications and make the conditions current – these are detailed in the applicant submission at <a href="#">Exhibit 2D</a>.</p>

#### IV. SITE LOCATION



<sup>1</sup> As part of ZC Case 22-01 (2022), the Commission approved changes to the zoning regulations to facilitate conversions of office to residential space, to help address the housing need in the District and to address the post-Covid office market, by permitting “existing non-residential buildings that do not conform to some or all of the residential development standards to convert to residential use as a matter-of-right in the MU, NC, and D-3 through D-8 zones, if the building is not enlarged and was built prior to January 1, 2022”.

## V. ANALYSIS

Subtitle Z of the Regulations defines a modification without hearing as follows:

*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.*

The modification is requested to allow the conversion of office space to residential use, and of some of the current ground floor retail space to residential amenity, bike parking, and tenant storage space. Other retail space would be retained. Only minor modifications to the exterior of the building are proposed, in support of the internal use changes proposed. The applicant advises that the existing office space is largely vacant, and the retail space to be converted is vacant.

The conversion of the office space to residential units would further policy objectives for the creation of additional housing opportunities, particularly in transit, employment, and retail/services rich areas, and the converted space would include affordable units consistent with the IZ program. The building appears to have a significant amount of vehicle parking at present, and the addition of bicycle parking is part of this application.

As such, the proposed modifications would adequately fall within the definition outlined above.

### Comprehensive Plan

When the original Order was issued, the Generalized Land Use Map of the Comprehensive Plan designated the property for mixed high-density residential and medium-density commercial use. The land use map designation was since changed to high-density residential, the current Future Land Use Map designation. The Comprehensive Plan Generalized Policy Map places the site mainly within a Main Street Mixed Use Corridor. The requested modifications are not inconsistent with these designations.

The proposed modifications are also not inconsistent with the Comprehensive Plan Citywide and Area Elements, including when evaluated through a racial equity lens. The proposal mainly involves the conversion of largely vacant office space to residential units, including new affordable units consistent with the IZ requirements, and a portion of the existing retail space to resident-serving ancillary space. This would particularly further policies of the Land Use and Housing Citywide Elements. In addition, the Near Northwest Element discourages the *loss* of housing (Policy NNW-1.1.5), and encourages the production of new housing within an existing building, particularly affordable housing (NNW-1.1.8). This proposal would not involve the loss of any existing housing, but rather the addition of new housing options, including affordable units, within the existing building, in this transit, services, retail and employment opportunity area. As such, there would be no direct displacement of residents and indirect displacement would be unlikely. The proposal to add bike parking facilities could also support Policy NNW-1.1.10, Pedestrian and Bicycle Safety. The adaptive reuse of an existing building would also further general Environmental goals and objectives, when compared to impacts of a replacement of the building.

## **VI. DISTRICT AGENCIES**

As of the date of this report, comments from other agencies had not been filed to the record.

## **VII. ANC COMMENTS**

As of this writing, the record does not contain comments from the ANC.

## **VIII. COMMUNITY COMMENTS**

As of this writing, the record does not contain comments from the community.