

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

Leila Batties
202.419.2583
leila.batties@hklaw.com

Jessica Bloomfield
202.469.5272
jessica.bloomfield@hklaw.com

June 22, 2026

VIA IZIS

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

**Re: Application for Modification Without Hearing
Z.C. Order Nos. 15-18 through 15-18D
2715 Pennsylvania Avenue, NW (Square 1194, Lot 15)**

Dear Members of the Commission:

On behalf of 2715 PENN LP (the “Applicant”),¹ we hereby submit this application for a Modification Without Hearing to the planned unit development (“PUD”) approved pursuant to Z.C. Order Nos. 15-18 through 15-18D for property located at 2715 Pennsylvania Avenue, NW (Square 1194, Lot 15) (the “Property”).

The Property was originally approved to be developed with a mixed-use building comprised of a restaurant on the ground floor and a four-story apartment house with seven residential units above. Pursuant to Z.C. Order Nos. 15-18 through 15-18D, the Zoning Commission approved a variety of minor modifications and time extensions to the original approval. **The current application requests a Modification Without Hearing to allow the seven approved residential units to be designated as residential and/or lodging use, with no more than three of the seven units being operated as a lodging use at a given time.** No changes are proposed to the building envelope, approved plans, building height, density, ground floor use, or public benefits package, including the Housing Production Trust Fund contribution, LEED-Gold commitment, and improvements to park areas adjacent to the Property (Reservations 691 and 360).

The approved project is currently under active construction. The proposed modification is limited in scope to internal uses within the structure that have not yet delivered; accordingly, the modification does not involve the conversion of any *existing* residential units to lodging use. The application is being requested to allow for flexibility to offer any three of the seven units as temporary housing for a term of less than 30 consecutive days.

¹ The Applicant in the original Zoning Commission cases was Initio LP. Pursuant to Special Warranty Deed dated October 2, 2024, Initio LP sold the Property to 2715 PENN LP, which is the current owner of the Property and Applicant in this case.

As explained herein, the application is properly reviewed as a Modification Without Hearing pursuant to Subtitle Z § 703.6 because the “impact may be understood without witness testimony.” Attached hereto as Exhibit A is a letter from the Applicant authorizing Holland & Knight LLP to file and process the application. Attached hereto as Exhibit B is Zoning Commission Form 100 – Application Signature Page. Also included is the filing fee of \$520.00 required by Subtitle Z § 1600.4.

Pursuant to Subtitle Z § 703.13, a request for a modification without hearing shall be filed with the Office of Zoning at least 35 days prior to the public meeting at which the request is to be considered. Consistent with this required timeframe, **the Applicant respectfully requests that the application be placed on the Commission’s July 30, 2026 public meeting**, which is 38 days from the date of this filing.

I. The Property

The Property is located at 2715 Pennsylvania Avenue, NW (Lot 15 in Square 1194) at the intersection of the West End, Foggy Bottom, and Georgetown neighborhoods. The Property is bounded by M Street, NW to the north, Pennsylvania Avenue, NW to the south, portions of Rock Creek Park to the east, and Reservation 691 (Lot 807) to the west.

The area surrounding the Property generally consists of a variety of residential and non-residential uses. The Four Seasons Hotel is located to the immediate south of the Property across Pennsylvania Avenue, NW, and a four-story building with commercial, office, and residential uses is located to the immediate north of the Property across M Street, NW.

II. Prior Zoning Commission Approvals

Pursuant to Z.C. Order No. 15-18, effective March 10, 2017 (the “Original Order”) (Exhibit C), the Zoning Commission approved a consolidated PUD with a related Zoning Map amendment to the W-2 zone under the 1958 Zoning Regulations (“ZR58”)² to allow for the construction of a mixed-use building with a restaurant on the ground floor and a four-story apartment house comprised of seven residential units above. The Zoning Commission subsequently approved a variety of modifications and extensions to the Original Order in Z.C. Order Nos. 15-18A through 15-18D. The most recent extension (Z.C. Order No. 15-18D), required construction of the approved project to begin no later than March 9, 2026. The Applicant started construction prior to that deadline and is targeting delivery in Q1 2027.

III. Proposed Modification to Existing Building

The Applicant requests a Modification Without Hearing to permit the approved residential units to be designated as residential and/or lodging use. No more than three of the seven units would be operated as a lodging use at any given time. The remaining four units would continue to operate as residential. The modification requires no changes to the approved project’s building envelope, approved plans, building height, density, ground floor use, or public benefits package.

² On September 6, 2016, the 2016 Zoning Regulations became effective, together with changes to the existing zone names. Among those changes was the redesignation of the W-2 zone to the MU-13 zone.

No zoning relief is needed to accommodate the modification, and lodging use is permitted as a matter-of-right in the MU-13 zone. *See* 11-U DCMR § 507.1(11). Accordingly, the Zoning Commission will be able to understand the proposal without witness testimony.

IV. Consistency with PUD Evaluation Standards

In deciding a PUD application the Zoning Commission shall “judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11-X DCMR § 304.3. The Zoning Commission shall find that the proposed development: (a) is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site; (b) does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and (c) includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.” 11-X DCMR § 304.4.

The Zoning Commission previously found that the approved project met the PUD evaluation standards under ZR58 as follows:

- “Development of the Property included in this application carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.” Z.C. Order No. 15-18, Conclusion of Law (“CL”) No. 3.
- “The PUD, as approved by the Commission, complies with the applicable height, bulk, and density standards of the Zoning Regulations. The residential and restaurant use for this development is appropriate for the Property. The impact of the development on the surrounding area is not unacceptable.” *Id.* at CL No. 5.
- “The Applicant's request for flexibility from the Zoning Regulations is consistent with the Comprehensive Plan. Moreover, the development's benefits and amenities are reasonable tradeoffs for the requested development flexibility.” *Id.* at CL No. 7.
- “Approval of the PUD is appropriate because the proposed development is consistent with the present character of the area and is not inconsistent with the Comprehensive Plan. In addition, the proposed development will promote the orderly development of the PUD site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.” *Id.* at CL No. 8.

The modifications requested herein do not alter these conclusions, and the project as modified continues to be not inconsistent with the PUD evaluation standards.

A. *PUD Balancing Test (11-X DCMR § 304.3)*

As noted above, in deciding a PUD application, the Zoning Commission “shall judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11-X DCMR § 304.3.

In this case, there are no changes to the previously-approved benefits and amenities, and no additional development incentives are requested. As described below, the proposed lodging use for three of the seven units will create no adverse effects. Accordingly, the PUD continues to satisfy the balancing test under Subtitle X § 304.3.

B. *Not Inconsistent with the Comprehensive Plan (11-X DCMR § 304.4(a))*

Allowing for three of the seven approved residential units to operate as a lodging use is not inconsistent with the Comprehensive Plan policies when evaluated through a racial equity lens.

The Economic Development Element identifies the accommodation and food services sector as one of the District’s core industries, accounting for a significant share of employment and economic output. *See* 10-A DCMR § 702.1. Similarly, Policy ED-2.3.4 directs the District to “[s]upport the development of a diverse range of hotel types, serving travelers with varying needs, tastes, and budgets,” and Policy ED-2.3.1 encourages the District to “increase the total number of visitors to the District, the number of visitors staying in the District, and longer visitor stays in the District.” Policy ED-2.3.9 further recognizes “the potential for the hospitality sector to generate entry-level jobs and opportunities for upward mobility for District residents.”

The ability to operate three units within the building as a lodging use directly advances these and other related policies by expanding the range of accommodation options available to visitors, particularly those who may prefer a residential-style lodging experience over a traditional hotel. The proposed lodging use supports the Comprehensive Plan’s express acknowledgement that diverse lodging formats beyond traditional hotels contribute to the District’s hospitality economy, and it supports the hospitality infrastructure that creates employment for District residents.

The limited introduction of lodging use within the residential building will also contribute to the vibrant, mixed-use character that the Comprehensive Plan envisions for the District’s neighborhoods. The Framework Element and Land Use Element both emphasize the value of mixed-use development and diverse activity in the District’s neighborhoods. *See, e.g.*, Policy LU-1.2.4, which encourages “mixed-use neighborhoods combining high-density residential, office, retail, cultural, and open spaces uses.” The proposed lodging use will accommodate visitors who contribute to the local economy while maintaining the residential character of the building and surrounding area. The conversion also advances tourism goals without adverse neighborhood impacts. For example, Policy LU-2.4.11 addresses the management of hotel impacts on surrounding areas but is principally concerned with “large hotels” that adjoin residential neighborhoods and their attendant truck movement, overflow parking, and motor coach impacts. Three lodging units within a small multi-family building will generate none of these impacts and require no special provisions for truck movement or motor coach parking.

Moreover, the limited scale of the modification minimizes any impact on housing and does not exacerbate housing inequities. The Comprehensive Plan’s housing policies are principally concerned with maintaining an adequate supply of housing, preventing displacement, and ensuring affordability. The Housing Element established a goal of producing 36,000 residential units between 2019 and 2025, of which 12,000 should be affordable. *See* 10-A DCMR § 501.1. The Comprehensive Plan emphasizes expanding overall housing supply to slow rising costs and accommodate population growth. *See* 10-A DCMR § 503 *et seq.* The modification to the PUD to allow for three of the approved residential units to be used as lodging in a brand new building is *de minimis* within the context of the District’s housing supply. The building itself represents new housing production that contributes to the Comprehensive Plan’s goals, and its construction will add net new units to the District’s housing stock. The proposed lodging use for three units at a time will affect a tiny fraction of the District’s total housing units. This negligible reduction does not frustrate the Comprehensive Plan’s housing production objectives.

The Comprehensive Plan’s racial equity concerns regarding housing target the loss of affordable units, displacement of lower-income residents of color, and concentration of housing insecurity. The Land Use Element’s goal expressly includes addressing “past and current inequalities disproportionately impacting communities of color.” 10-A DCMR § 302.1. None of those concerns are implicated here. The units are in a brand new building – they are not existing housing units or affordable housing units; they are not occupied by long-term residents, and they do not serve lower-income households. No tenant faces displacement. The proposal to permit flexible unit uses is entirely distinguishable from the patterns of housing loss the equity framework is designed to prevent.

The Comprehensive Plan also recognizes that non-residential economic growth itself advances equity. The District “needs both residential and non-residential growth to survive” because “[n]onresidential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income.” 10-A DCMR § 219.5. The Comprehensive Plan further states that economic growth “helps ensure that the tax base continues expanding to finance critical investments, including affordable housing production, environmental protection and sustainability, and transportation improvements.” 10-A DCMR § 705.4. The lodging use will generate tax revenue and economic activity that directly fund the public investments that the Comprehensive Plan identifies as essential to closing racial gaps.

Based on the foregoing, the ability to offer lodging use in three units of the new mixed-use building is not inconsistent with the Comprehensive Plan. The proposed use advances the Comprehensive Plan’s economic development and tourism goals, supports the District’s hospitality industry, and contributes to a diverse mix of uses at the Property and in the surrounding area – all while having a negligible impact on the District’s housing supply. The proposal does not implicate the Comprehensive Plan’s concerns about displacement, loss of affordable housing, or the construction of new hotels on residentially zoned land. On balance, the proposal is not inconsistent with the District of Columbia Comprehensive Plan.

C. No Unacceptable Project Impacts (11-X DCMR § 304.4(b))

The proposed modification will not result in unacceptable project impacts. The modest scale of the proposed modification, the urban context of the surrounding mixed-use neighborhood,

and the existing transportation infrastructure collectively ensure that any incremental effects associated with lodging use will be negligible and well within the capacity of the surrounding environment.

The Property is located at the intersection of the West End, Foggy Bottom, and Georgetown, which are all well-established, dense, mixed-use neighborhoods characterized by a combination of residential, retail, restaurant, office, hospitality, and institutional uses. Lodging use is consistent with the existing character of the neighborhood, which already accommodates numerous hotels and other lodging establishments, including the Four Seasons hotel directly across Pennsylvania Avenue from the Property. The introduction of three lodging units within a seven-unit building is compatible with and complementary to the surrounding land use pattern.

The proposed lodging use will not create any adverse parking impacts in the surrounding neighborhood. The modification involves only three units, representing a minor change in use intensity. The number of occupants associated with three lodging units is comparable to, and potentially less, than the number of occupants that would reside in three residential dwelling units. Residential units often house multiple family members, each of whom may own a personal vehicle. By contrast, transient lodging guests frequently arrive by means other than private automobile, particularly in an urban setting such as this that is well served by taxis, ride-sharing services, and public transportation options.

Moreover, the surrounding neighborhood is characterized by a highly walkable urban environment with extensive access to alternative modes of transportation including Metrobus, Metrorail, and Capital Bikeshare. The Property is surrounded by retail, dining, and entertainment options within walking distance, which condition reduces the need for automobile travel by residents and visitors alike. Visitors choosing to stay at the Property will likely do so precisely because of the neighborhood's walkability and urban amenities, reducing their reliance on private vehicles. The PUD was originally approved with flexibility to provide zero on-site parking spaces, but with a driveway for deliveries, trash collection, and resident guest drop-off. *See* Z.C. Order No. 15-18, FF No. E. 41. The proposed modification will not change the status-quo as such facilities can be used for the lodging use in the same manner as for the residential use.

The maximum square footage of lodging use that would be provided requires one long-term bicycle parking space and zero short-term bicycle parking spaces. The single long-term bicycle parking space will be provided within the approved bicycle parking room that will contain nine bicycle parking spaces. The proposed lodging use does not generate any loading requirements.

D. Public Benefits and Project Amenities (11-X DCMR § 304.4(c))

A PUD must include specific public benefits and project amenities that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site. In this case, there are no changes to the previously-approved benefits and amenities nor any additional development incentives requested. Furthermore, there are no unacceptable impacts that would result from the PUD modification, as discussed above. Accordingly, the public benefits and project amenities do not need to be reevaluated.

V. Application Properly Filed as a Modification Without Hearing

The term “Modification Without Hearing” is described by the Zoning Regulations 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. A request to add or change a zoning map designation to an approved planned unit development shall not be considered without a hearing.” 11-Z DCMR § 703.6.

The Applicant requests approval to permit lodging use within any three of the seven residential units at any given time. As set forth herein, the application meets the PUD evaluation standards and does not include a request to add or change a Zoning Map designation. Accordingly, the application falls within the scope of a Modification Without Hearing and can be approved without witness testimony.

A request for a Modification Without Hearing must be served on all parties in the original proceeding and the Office of Planning at the same time that the request is filed with the Office of Zoning. 11-Z DCMR § 703.10. The only party to the original proceeding was Advisory Neighborhood Commission (“ANC”) 2E. Accordingly, the Applicant is also serving a copy of this application on ANC 2E at the same time that it is being filed with the Office of Zoning.

V. Community Engagement

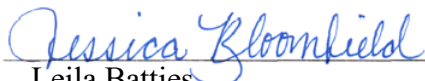
As noted above, the Property is located within the boundaries of ANC 2E. Prior to filing this application the Applicant met with ANC 2E, including presenting the proposed modification at the ANC’s January 12, 2026, public meeting. The ANC commissioners and community were generally supportive of the request and no issues or concerns were raised. The Applicant will continue to engage with the ANC and surrounding community stakeholders as this application moves forward.

VI. Conclusion

The Applicant respectfully requests approval of this application for a Modification Without Hearing to permit lodging use in three of the seven residential units within the approved building. The request is consistent with the intent of the Zoning Commission in approving the original application and satisfies all applicable standards.

Sincerely,

HOLLAND & KNIGHT LLP

By: 
Leila Batties
Jessica Bloomfield

Exhibits

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2026, copies of the foregoing application for a Modification Without Hearing were served on the following at the email addresses stated below:

D.C. Office of Planning

Radhika Mohan
radhika.mohan@dc.gov

Maxine Brown-Roberts
maxine.brownroberts@dc.gov

District Department of Transportation

Erkin Ozberk
Erkin.ozberk@dc.gov

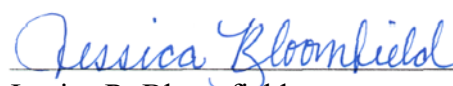
Preston Jutte
preston.jutte@dc.gov

Advisory Neighborhood Commission 2E

2E@anc.dc.gov

Commissioner Gwendolyn Lohse
ANC 2E06
2E06@anc.dc.gov

Commissioner Topher Mathews
ANC 2E Chair
2E02@anc.dc.gov



Jessica R. Bloomfield
Holland & Knight LLP