

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Michael Jurkovic, AICP, Development Review Specialist
Joel Lawson, Associate Director Development Review

DATE: September 26, 2024

SUBJECT: Second Extension Request – BZA Case 20291B (2100 M Street, NW), renovation and expansion of an existing office building.

I. RECOMMENDATION

OP Recommends that the requested time extension be **approved**.

II. LOCATION AND SUMMARY

Applicant	Goulston & Storrs on behalf of 2100 M Street Property Owner LLC
Address	2100 M Street, NW
Legal Description	Square 72, Lot 75
Ward, ANC	Ward 2, ANC 2A
Zone	D-5, high density downtown mixed-use zone
Project Summary:	Second two-year extension of a BZA case to permit the renovation and expansion of an existing office building. The applicant is also proposing a Modification Without Hearing to the proposal, 20291C, for which OP will provide analysis and recommendation in a separate report to the record for that case.
Date of Order Issuance:	October 21, 2020
Date of Order Expiration:	October 21, 2022
Previous Extension:	20291A approved two year extension to October 21, 2024
Extension Request	Two additional years to October 21, 2026.

III. EVALUATION OF THE EXTENSION REQUEST

Subtitle Y Section 705 of the Zoning Regulations allows for the extension of a BZA approval for “good cause” shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the BZA determines that the following requirements are met:

- (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.**

The application submitted to the BZA is dated August 30, 2024 and has been in the public record since filing.

- (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:**

Zoning Regulations:

Since the original approval in 2020, there have been no substantial change to the D-5 regulations that would impact the material facts upon which the Board based its original approval.

Surrounding Development:

While there has been some other development in the general area, there has been no new development that would impact the material facts upon which the BZA based its original approval.

Proposed Development:

The applicant has filed a separate request to modify the application to move forward as a residential use with ground floor retail, BZA 20291C.

- (c) **The applicant demonstrates that there is good cause for such extension, with substantial evidence of one 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.**

The applicant sites the inability to obtain project financing due to the economics and market conditions beyond their control. Specifically, the existing real estate market conditions making it difficult to obtain sufficient financing for the development as an Office use. As noted above, the applicant is now proceeding with a modification to the approval, to facilitate a residential development with ground floor retail (20291C)

IV. OTHER DISTRICT AGENCIES

As of the date of this report, no other agency comments had been filed to the record.

V. ADVISORY NEIGHBORHOOD COMMISSION

As of the date of this report, there are no comments from ANC 2A filed to the record.

VI. COMMUNITY COMMENTS TO DATE

As of the date of this report, no community comments had been filed to the record.