

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: June 5, 2026

SUBJECT: Extension Request – Second Extension Request BZA Case 20584B

I. BACKGROUND

BZA Order No. 20584, effective April 9, 2022, granted relief to convert an existing two-story building into a four-story with penthouse, 33-unit apartment building in the RC-1 zone. Pursuant to BZA Order 20584A, effective May 31, 2024, the board granted a two-year time extension to the project. The applicant is requesting a second extension pursuant to Subtitle Y § 705.

II. OP RECOMMENDATION

OP recommends that the requested two-year time extension be **approved**.

III. LOCATION AND SUMMARY

Address:	2329 Champlain Street, NW
Applicant:	Kings Creek LLC, represented by Holland & Knight LLP
Legal Description:	Square 2563, 0113
Ward / ANC	Ward 1; ANC 1C
Zone	RA-2/RC
Project Summary:	Two-year extension to expand an existing two-story building into a four-story with penthouse and cellar 33-unit apartment house.
Date of Order Issuance:	20584 – Approved March 30, 2022, effective April 9, 2022
Previous Extension:	20584A – Approved May 21, 2024, effective May 31, 2024
Date of Order Expiration:	May 31, 2026
Proposed Extension:	March 30, 2028

IV. EVALUATION OF THE EXTENSION REQUEST

Subtitle Y § 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 March 3, 2026 and has been in the public record since filing. The filings indicate that a copy of the subject application and all supporting documentation were served to ANC 1C, the only parties of record to the application.

- (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 time of the original approval, the Zoning Commission approved two text amendments which reorganized the Zoning Regulations and established new zone names, becoming effective on August 25, 2023 with the publication of Zoning Commission Orders 18-16 (zone names) and 19-27 (Zoning Regulation Reorganization). Although the name of the zone changed from RC-1 to RA-1/RC, this name change and the reorganization did not include changes of significance to affect the standards on which the development was approved. The provisions for which relief was granted were reorganized as follows:

Pre-Reorganization Relief Granted RC-1	Current Code Sections RA-1/RC
Floor Area Ratio - K § 701.1	Density F § 201.1
Maximum Building Height - K § 702.1	Height F § 203.2 / F § 602.1
Lot Occupancy - K § 703.1	Lot Occupancy F § 210.1
Court Requirements - K § 706.1	Court F § 209.1

Surrounding Development:

There have been no changes in the area surrounding the development that would impact the material facts upon which the BZA based its original approval.

Proposed Development:

The application indicates that no changes to the approved development are proposed as part of this extension request.

- (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 cites reasons beyond their control, including environmental clean-up efforts stemming from the site's previous use as a gas station. The applicant and BP, which is the "responsible party" in the Leaking Underground Storage Tank case, have been conducting extensive cleanup efforts after site work stopped at the end of 2021 due to a flash fire igniting fumes in the basement during construction. The applicant has since filed updated raze permit plans (Raze Permit Tracking No. R2300116) which were approved on December 9, 2024. The structure has been razed, and soil testing is required to comply with DOEE standards. The soil testing has been delayed due to the recent inclement winter weather and is expected to commence soon. The applicant anticipates obtaining a "No Further Action" letter from DOEE by the end of 2026, which will allow the applicant to file for a building permit and commence construction by early 2027.

OTHER DISTRICT AGENCIES

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

ADVISORY NEIGHBORHOOD COMMISSION

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

COMMUNITY COMMENTS TO DATE

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