

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Joshua Mitchum, Development Review Specialist
 JL Joel Lawson, Associate Director Development Review
DATE: February 26, 2025
SUBJECT: Extension Request – BZA Case 20879A (1825, 1875 Connecticut Avenue NW)

I. BACKGROUND

On March 15, 2023, through BZA Order No. 20879, the Board of Zoning Adjustment (BZA) granted the following relief to convert an existing office building to residential uses and to construct upper floor additions with penthouses and roof decks:

- Special Exception relief from the penthouse setback requirements of Subtitle C § 1504, pursuant to Subtitle C § 1506.1 and Subtitle X § 901.2;
- Special Exception relief from the court requirements of Subtitle G § 202, pursuant to Subtitle G § 1201 and Subtitle X § 901.2;
- Special Exception relief from the side yard requirements of Subtitle G § 406, pursuant to Subtitle G § 409.1, Subtitle G § 1201 and Subtitle X § 901.2.

The approval was granted with one condition, which was that the project shall be constructed in accordance with the plans submitted as Exhibits 27D1 through 27D11 in the record of the original BZA Application No. 20879, as required by Subtitle Y § 604.9 and 604.10.

The Applicant is requesting a two-year time extension of the approvals granted through BZA Order No. 20879.

II. RECOMMENDATION

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

III. LOCATION AND SUMMARY

Applicant	Zachary G. Williams for PB Universal South LLC and PB Universal North LLC
Address	1825, 1875 Connecticut Avenue NW
Legal Description	Square 2535; Lots 42, 836, 837
Ward / ANC	Ward 1; ANC 1C adjacent to ANC 2B and ANC 2D
Zone	MU-9B/DC, High Density Residential Mixed-Use
Date of Order Issuance:	March 21, 2023
Date of Order Expiration:	March 21, 2025

Board of Zoning Adjustment

Previous Extension:	N/A
Extension Request	March 21, 2027

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 is dated January 3, 2025 and has been in the public record since filing. Applicant attests that a copy of the subject application and all supporting documentation were served to ANC 1C, ANC 2B, and ANC 2D, 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 application’s original approval in March 2023, there have been no substantial changes to the MU-9B/DC Zone regulations, penthouse setback provisions, court provisions, or side yard requirements that would affect the material facts upon which the Board based its original approval.

Surrounding Development:

The surrounding area remains a mixed-use area, with office, lodging, retail, and residential buildings. OP is not aware of other new developments in the immediate area that would substantially impact the material facts upon which the BZA based its original approval.

Proposed Development:

The subject time extension application does not propose any changes to the relief or project as approved in BZA Order No. 20879.

- (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;**

The Applicant attests that delays in proceeding with the construction of the project are due to economic and market conditions that are beyond the Applicant’s reasonable control. In particular, the Applicant cites high interest rates, market uncertainty, inflation, and existing office vacancies as the main drivers of their inability to secure financing for the project. The Applicant attests that the confluence of the aforementioned factors has made securing financing difficult.

Furthermore, the Applicant has submitted a press release from the Executive Office of the Mayor (Exhibit 4A), which highlights that the subject project was one of several properties that have been conditionally awarded a tax abatement. The Applicant believes that this award, in combination with other initiatives, will ensure that the project moves forward as soon as possible.

- (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**

This criterion is not applicable to the subject application.

- (3) **The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.**

This criterion is not applicable to the subject application.

V. OTHER DISTRICT AGENCIES

As of the date of this report, no other District agency comments have been submitted into the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

As of the date of this report, no comments from ANC 1C, ANC 2B, or ANC 2D have been submitted into the record.

VII. COMMUNITY COMMENTS TO DATE

As of the date of this report, no community comments have been submitted into the record.