

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**



**BZA Application No. 20879-A
PB Universal South, LLC and PB Universal North, LLC
1825/1875 Connecticut Avenue, NW (Square 2535, Lot 42)**

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|-------------------------------------|----------------|
| HEARING DATE (20879): | March 15, 2023 |
| DECISION DATE (20879): | March 15, 2023 |
| ORDER ISSUANCE DATE (20879): | March 21, 2023 |
| DECISION DATE (20879-A): | March 12, 2025 |

**SUMMARY ORDER ON REQUEST FOR
TWO-YEAR TIME EXTENSION**

ORIGINAL APPLICATION. In Application No. 20879, the Board of Zoning Adjustment (“**Board**” or “**BZA**”) approved the request by PB Universal South, LLC and PB Universal North, LLC (the “**Applicant**”) for special exception relief from the penthouse setback requirements of Subtitle C § 1504, from the court requirements of Subtitle G § 202, and from the side yard requirements of Subtitle G § 406, to construct upper floor additions with penthouses and roof decks, and convert to a residential use, an existing, detached, nine-story, with below-grade parking, penthouses, and roof decks, mixed use building in the MU-9B zone.

The Board issued Order No. 20879 on March 21, 2023 (the “**Order**,” Exhibit 3). Pursuant to Subtitle Y § 604.11, the Order became effective ten days after issuance. Pursuant to Subtitle Y § 702.1, the Order was valid for two years from the time it became final.

REQUEST FOR TWO-YEAR TIME EXTENSION. On January 3, 2025, the Applicant submitted a request that the Board grant a two-year extension of Order No. 20879. (Exhibits 1-4A.)

NOTICE OF THE REQUEST. Pursuant to Subtitle Y § 705.2(a), the Applicant provided proper and timely notice of the request for time extension to the parties to the underlying case. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commissions (“ANC”) 1C, 2B, and 2D.

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ANC REPORT. ANC 1C submitted a letter stating the ANC did not take a formal position on the time extension application. (Exhibit 7.)
ANCs 2B and 2D did not submit reports to the record.

OFFICE OF PLANNING (“OP”) REPORT. OP submitted a report recommending approval of the time extension. (Exhibit 6.)

DISTRICT DEPARTMENT OF TRANSPORTATION (“DDOT”) REPORT. DDOT did not submit a report to the record.

CONCLUSIONS

This request for extension is pursuant to Subtitle Y § 705 of the Zoning Regulations, which permits the Board to extend the time periods in Subtitle Y § 702.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval.

Pursuant to Subtitle Y § 705.2(a), the Applicant shall serve on all parties to the application and all parties shall be allowed 30 days to respond. Pursuant to Subtitle Y § 705.2(b), the Applicant shall demonstrate that there is no substantial change in any of the material facts upon which the Board based its original approval of the application. Finally, under Subtitle Y § 705.2(c), good cause for the extension must be demonstrated 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.

Based upon the record before the Board and having given great weight to the appropriate recommendations and reports filed in this case, the Board finds that the Applicant has met the criteria of Subtitle Y § 705.2 to extend the validity of the underlying order.

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

DECISION

It is therefore **ORDERED** that the request for a two-year time extension to the validity of the Board’s approval in Order No. 20879 is hereby **GRANTED**, and the Order shall be valid until **March 21, 2027**.


VOTE: 4-0-1 (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, and Gwen M. Wright to APPROVE; Lorna L. John not present, not participating)

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY:


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: March 17, 2025

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.