District of Columbia
Office of Planning

Memorandum

TO: District of Columbia Zoning Commission

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

DATE: October 26, 2026

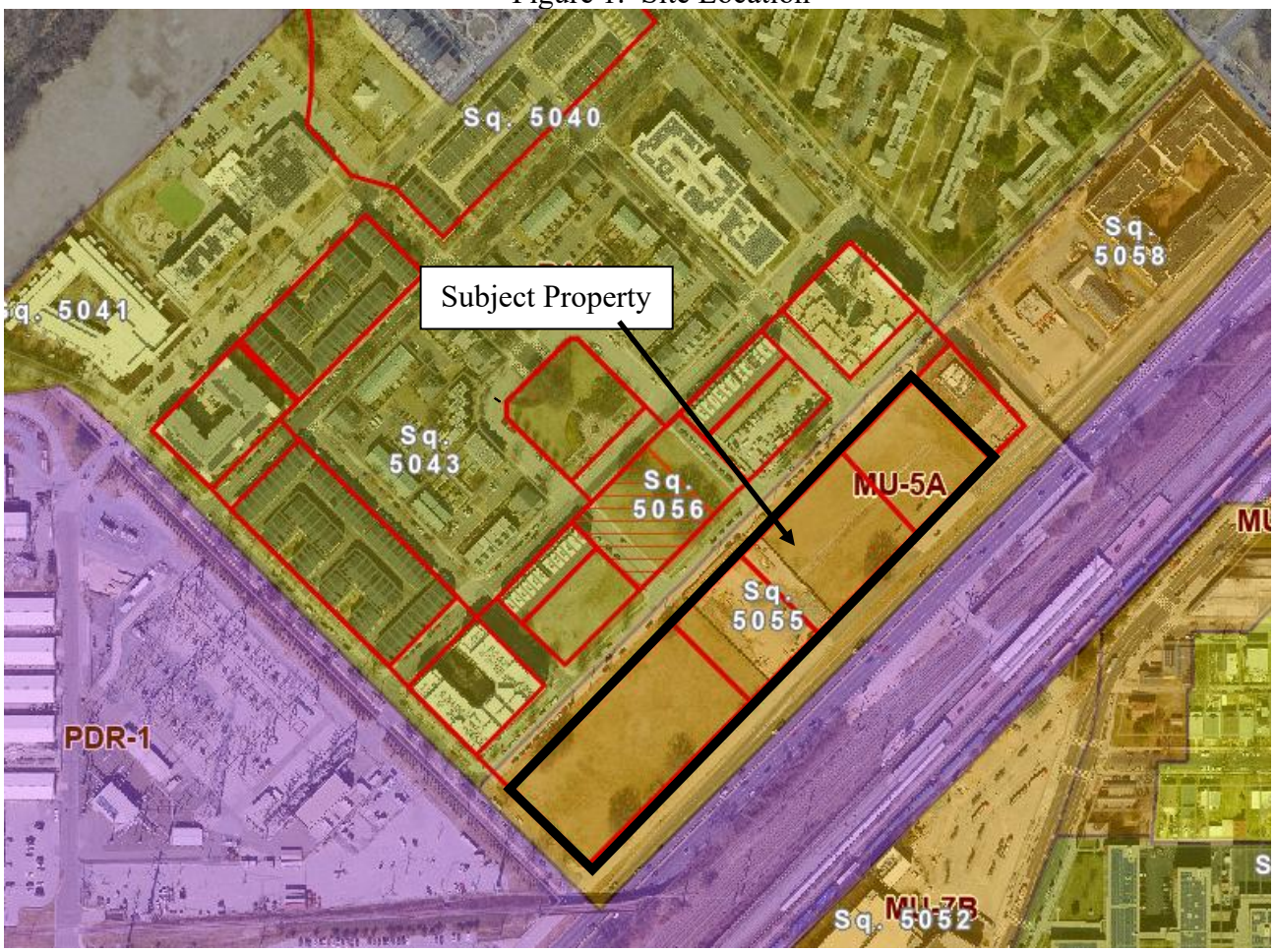
SUBJECT: ZC 05-28AK- Two year time extension and a waiver for an 8th Time Extension Request for First Stage PUD, ZC 05-28

The Office of Planning (OP) recommends **approval** of a two-year time extension of the First-Stage PUD Order as well as the waiver from the requirements of Subtitle Z § 705.5 to allow an 8th extension of the Orer. This would extend the Order to October 3, 2028.

Address:	The property is bound by Kenilworth Terrace, NE to the northwest, Foote Street, NE to the southwest, Unity Healthcare to the northeast, and Kenilworth Avenue NE to the southeast.
Applicant:	Goulston & Storrs on behalf of Lano Parcel 12 LLC
Legal Description:	Square 5055, Lot 0026
Ward/ANC	Ward 7/ ANC 7D
Project Summary:	The property includes Blocks G, H, and a portion of Block I which are part of the First-Stage PUD order. The First Stage PUD approved 500,000 sq. ft. of residential use, and 206,000 square feet of office/residential use on block G; 700,400 sq. ft. of office or residential development on Block H; and 260,000 square feet of educational development on Block I. The general development proposed for each block may change pending future Second-Stage PUD applications.
Order Date:	Latest Order: ZC Order 05-28AH, effective December 13, 2024
Previous Extensions:	The Applicant has been granted seven previous extensions. See Exhibit 2A2
Order Expiration Date:	ZC Order 05-28AH expires October 2, 2026
Request:	The applicant requests a two-year time extension of the approved First Stage PUD and a waiver, pursuant to Subtitle Z § 705.5, for the Commission to grant an 8th time extension through October 3, 2028.

ZONING COMMISSION
District of Columbia
CASE NO. 05-28AK
EXHIBIT NO. 7

Figure 1. Site Location



EVALUATION OF THE EXTENSION REQUEST

Subtitle Z, § 705.2

The extension of a PUD is allowed for "good cause" shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the Zoning Commission 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;

Exhibit 3 includes the Certificate of Service indicating the application was served on all parties to the original application no later than October 2, 2026, more than thirty days prior to the scheduled meeting on November 12, 2026.

(b) There is no substantial change in any of the material facts upon which the Zoning Commission based its original approval of the application that would undermine the Commission's justification for approving the original application;

Comprehensive Plan
There has been no substantial change to the Comprehensive Plan since the project's approval that would affect the material facts upon which the project was approved. No new plans have been adopted affecting the subject property since the original approval of the PUD.

Zoning Regulations
The First Stage PUD was approved under the 1958 Zoning Regulations and the previous extension 05-28AH were granted under the 2016 Zoning Regulations. The criteria under which an extension request is reviewed are the same under both sets of regulations.

Surrounding Development
No substantial new development has occurred near the site since the previous First-Stage PUD time extension (ZC 05-28AH). Jayde and Vesta Parkside are the most recently completed projects delivered in 2024 and 2025.

(c) The applicant demonstrates with substantial evidence one (1) or more of the following criteria:

(1) An inability to obtain sufficient project financing for the development, following an applicant's diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant's reasonable control;

The subject property is part of the larger Parkside PUD (See Figure 1 above) development which was proposed to be developed in phases. The subject property was approved as a First Stage PUD with the intention to request a Second Stage PUD when the design of the building and financing was secured and would allow the development to move into the construction phase.

Several of the development projects within Parkside had their Second Stage PUD approvals and constructed dates extended as they face challenges similar to other parts of the District and generally the District as a whole, leading to delays in the construction of projects. Some of the challenges include a lack of financing for multi-family and office construction, high interest rates, and increased construction costs, making it difficult to find investors and development partners. The constraints and delays experienced by the development of the parcels with Second Stage approvals have also affected the subject parcels which only have First Stage approval by effectively putting them to the back of the line and delaying moving forward on the Second Stage approvals. The subject application therefore meets the criteria for the granting of a two-year time extension.

The parcel contains several future development blocks that would represent a significant amount of new development if constructed as envisioned by the First-Stage approval. These would need second-stage PUD applications prior to construction to refine the proposed development.

(2) An inability to secure all required governmental agency approvals for a development by the expiration date of the order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or

Not applicable.

(3) The existence of pending litigation or such other condition, circumstance or factor beyond the applicant's reasonable control which renders the applicant unable to comply with the time limits of the planned unit development order.

Not applicable.

Waiver - Subtitle Z § 705.5

> *An applicant with an approved PUD may request no more than two (2) extensions, not including any granted due to the COVID-19 pandemic under Subtitle Z §§ 702.1-702.3 or 705.9. The second extension for an extension may be approved for no more than one (1) year.*

The subject application is the eighth extension requested by the applicant for the First-Stage PUD, not including the administrative COVID-19 Extension. The request is for a period of two years, one more year than the maximum permitted. The applicant is requesting a waiver pursuant to Subtitle Z § 101.9 to grant an 8th extension for a duration of two years. OP supports the waiver as the applicant has made good faith efforts to deliver new housing to the area. The Applicant has made interim improvements to the undeveloped parcels. which serves the existing residents of Parkside, prior to filing future Second-Stage PUD applications for the remaining parcels when economic conditions permit.