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MEMORANDUM**TO:** District of Columbia Zoning Commission**FROM:** *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation**DATE:** September 11, 2015**SUBJECT:** Second Extension Request – PUD Case 10-26C, 3321-3335 Georgia Avenue NW

Applicant	ZGZP 3333 LLC
Address	3321-3335 Georgia Avenue, N.W.
Ward / ANC	Ward 1, ANC 1A
Project Summary	Eight-story residential building with ground floor retail and below-grade parking
Order Effective Date	September 2, 2011
Previous Extension	November 8, 2013
Order Expiration Date	September 2, 2015

PHOTOS OF SITE

Bing 2012



Google August 2014

EVALUATION OF THE EXTENSION REQUESTZONING COMMISSION
District of ColumbiaCASE NO. 10-26C
EXHIBIT NO. 5

- (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 includes a Proof of Service dated July 22, 2015 indicating that the request was served on all parties.

- (b) There is no substantial change in any of the material facts upon which the Zoning Commission based its original approval of the planned unit development that would undermine the commission's justification for approving the original PUD.

Zoning Regulations: No substantial changes that are relevant to this case have been made to the Zoning Regulations since the original application was approved. The subject application proposes a continuation of the PUD-related map amendment of the site to the GA/C-2-B district. The original approval included conformance to the Inclusionary zoning provisions.

Comprehensive Plan: No new plans have been adopted affecting the subject property since the original approval of the PUD in 2011, including the 2010 Comprehensive Plan update.

Surrounding Development:

A 225-unit apartment development is proposed for the 700 block of Lamont Street to convert an industrial laundry facility to housing. However, the redevelopment of that property would not have a substantial impact on the subject property and would not impact the material facts upon which the Commission based the original approval.

- (c) **The applicant demonstrates with substantial evidence that there is good cause for such extension, as provided in § 2408.11.**

Section 2408.11 sets out the conditions of good cause as

- (a) An inability to obtain sufficient project financing for the planned unit 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;
- (b) An inability to secure all required governmental agency approvals for a planned unit development by the expiration date of the planned unit development order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or
- (c) 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.

The applicant has been unable to obtain the necessary permits to begin construction due to environmental contamination of the site resulting from a previous use of the property as a gasoline station, including the discovery of abandoned underground storage tanks in May 2015. Before building permits may be filed, the applicant must complete the process of developing a pre and post development remediation plan in coordination with DDOE. This process is expected to be completed no later than September 2017.

The Office of Planning recommends that the Commission approve the extension request.

JS/sjm^{AICP}
Case Manager Stephen J Mordfin, AICP