

Memorandum

TO: District of Columbia Zoning Commission

FROM: Maxine Brown Roberts, Associate Director Development Review *MBR*

DATE: April 20, 2026

SUBJECT: Second Time Extension Request – ZC Case 12-14F, 300 K Street SW

I. RECOMMENDATION

The Office of Planning (OP) recommends approval of the following:

- Two-year time extension of the PUD with the requirement that the Applicant file a building permit application by April 27, 2028, and a two-year extension to start construction no later than April 27, 2028, for the North Building.
- Waiver from Subtitle Z § 705.5 limitations on the duration of extensions to allow a second extension of more than one year.

Address:	300 K Street SW, near Waterfront Metro Station
Applicant:	3 rd and M LLC, 3 rd and K LLC, and Park Inn Associates L.P.
Legal Description:	Square 542, Lots 816, 817, 821, 883, 2124-2251
Ward / ANC	Ward 6 / ANC 6D
Zoning:	Base Zone – RA-4 PUD Zone – CR (MU-10)
Order Date:	12-14 - March 14, 2014; expiration date of March 14, 2016
Previous Extensions:	12-14B - first extension, to April 27, 2022 12-14 (1) Covid-related administrative extension to April 27, 2023, with construction to commence by April 27, 2024. 12-14E – third extension to April 27, 2026, with construction to commence by April 27, 2028, for the North Building.
Request	Two-year extension is requested to be extended to April 27, 2028, plus a two-year extension to begin construction by April 27, 2030.
Comprehensive Plan Maps	Future Land Use Map – High Density Residential Policy Map – Neighborhood Conservation Area
Project Summary:	The first phase of development is completed - a multifamily building with an underground garage on the south side of the site. The second phase is unbuilt - a second multifamily building on the north side of the site (North Property), which is the subject of this extension request. Renovation of an existing landmarked residential building on the site is also included in the second phase.

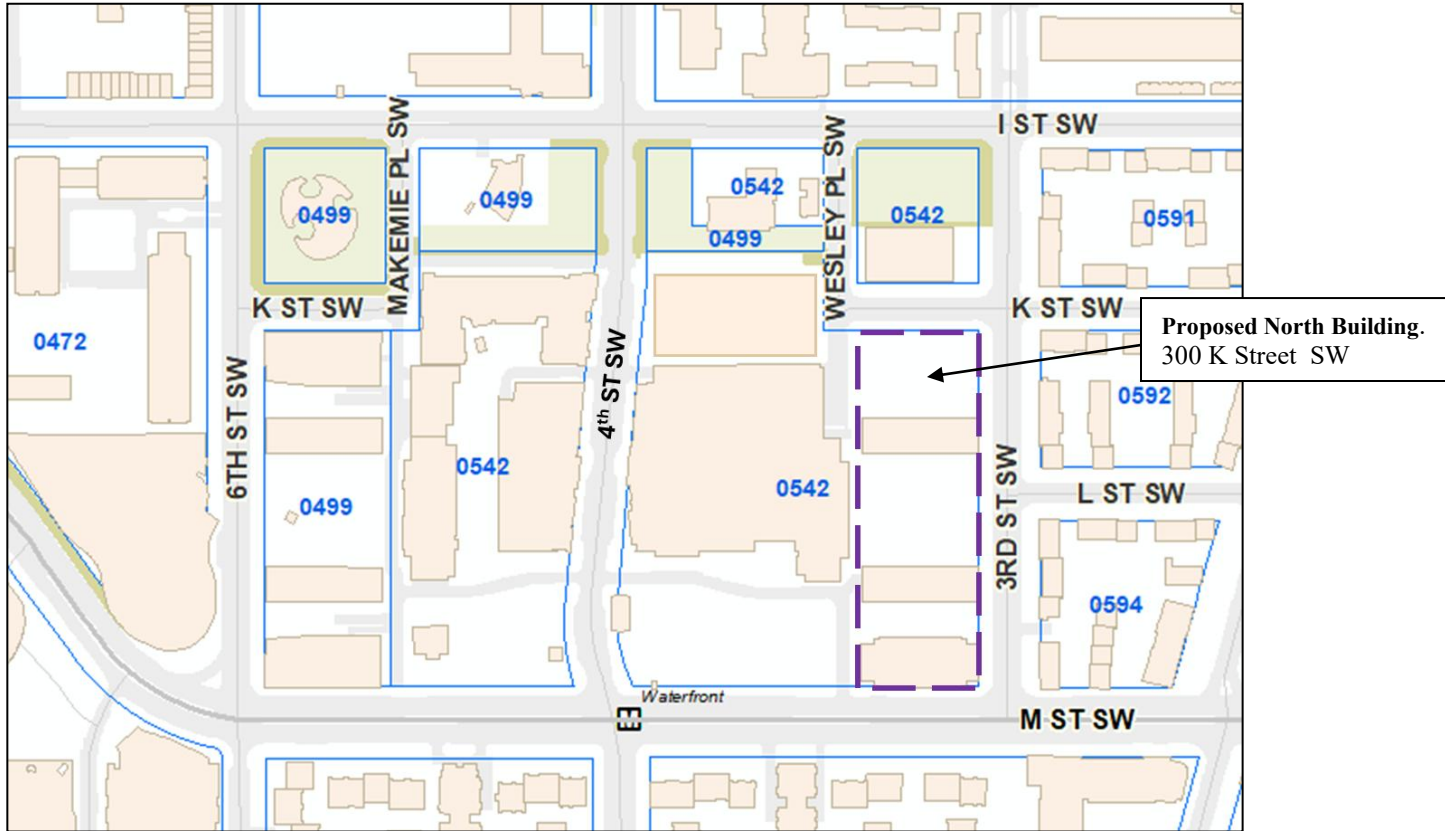


Figure 1. Overall PUD Site (with location relative to current request)

II. EVALUATION OF THE EXTENSION REQUEST

Subtitle Z, § 705.2

An applicant may request an extension of the time periods of an order for good cause upon the filing of a written request, before the expiration of the approval, documenting the following:

- (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 to the Zoning Commission was submitted on March 31, 2026, and has been in the public record since filing.

- (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.*

Zoning Regulations:

The Consolidated PUD was approved under the 1958 Zoning Regulations, while this extension request is being evaluated under the 2016 Zoning Regulations. Although the review criteria for extensions are the same under both frameworks, the number and duration of permitted extensions differ. Under Subtitle Z § 705.5, no more than two extensions may be granted for a PUD, and the second extension may not exceed one year. This request constitutes a fourth extension. The applicant therefore seeks a waiver under Subtitle Z § 101.9 for a two-year extension of the PUD Order and an additional two years to commence construction.

Comprehensive Plan:

The most recent Comprehensive Plan was approved by Council in 2021, after the date of the original approval of this PUD. However, updates to the Future Land Use Map (FLUM) did not significantly impact the approved project and maintained the site designation as Residential-High Density. Similarly, the Generalized Policy Map did not change the designation from Neighborhood Conservation Area. The Site is now within a Resilience Focus Area - environmental resilience will be evaluated as part the permitting process for this development.

The Southwest Small Area Plan was initiated, and approved in 2015, after this PUD was approved. The Small Area Plan anticipated this development and other PUDs approved in the immediate area, which continue to be fulfilled.

Surrounding Development:

The Applicant completed the first phase of the project, which consisted of the south multifamily building and its underground parking in April 2018, and phases of the construction of other PUDs in the immediate area are either completed or have not started to date. Any recent development would have been anticipated and does not affect the review or approval of this application.

(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 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;

As noted in the Applicant's filings, since the South Building received its C of O, they have attempted to move forward to construction of the North Building by completing permit plans, filing for a building permit, and pursuing financing opportunities. However, after an extension request approved administratively under COVID and two others thereafter under ZC 12-14D and 12-14E, they note that market conditions that necessitated the first and second extension formal requests have been heightened by persistent market conditions outside the Applicant's control, including rising vacancy rates and construction costs, as well as a difficult lending environment. The Applicant has continued to pursue financing by meeting with numerous capital market brokers and seeking the construction lenders and equity partner necessary to proceed to the filings of new construction permits with the Department of Buildings (DOB).

(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

Subtitle Z, § 705.5

An applicant may request no more than two extensions of an approved PUD, with the second extension limited to one year ([Subtitle Z § 705.5](#)). The Zoning Commission granted a two-year first extension under Orders 12-14B, 12-14(1) (COVID extension) and 12-14E. However, the Applicant anticipates that additional time will be needed due to persistent unfavorable economic and market conditions within the construction industry. Due to these conditions, the Applicant has thus failed to satisfy the established deadlines of the prior extensions, including for building permit filing and construction start for Phase Two of the overall project. Therefore, the Applicant requests a waiver from Subtitle Z § 705.5 to permit approval of a two-year, fourth extension.

OP does not believe that the rights of any party to the original PUD, including ANC 6D, the Carrollsburg A Condominium and Waterfront Tower Condominium would be prejudiced pursuant to the criteria under [Subtitle Z § 101.9](#) and supports the waiver based on the evidence presented in the Applicant's submission at [Exhibit 2](#).

OP finds that no substantial change has occurred to any of the material facts upon which the Commission based its original approval that would undermine the Commission's justification for that approval.

III. DISTRICT AGENCY COMMENTS

As of the date of this report, the record does not contain comments from other District agencies.

IV. ANC COMMENTS

At the writing of this report there are no comments from ANC 6D.

V. COMMUNITY COMMENTS

As of the date of this report, the record does not contain comments members of the community.