

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JL* Joel Lawson, Associate Director, Development Review
DATE: December 23, 2024
SUBJECT: ZC Case 17-21C – Request for a Second Time Extension for a Consolidated Planned Unit at 501 I Street, S.W.

I. RECOMMENDATION

The Office of Planning (OP) recommends the Zoning Commission **approve** the request for a second extension of the approved PUD for a period of one year, to November 29, 2025, consistent with Subtitle Z §705.3.

II. PROJECT SUMMARY

Applicant:	Goulston & Storrs for As You Like It LLC
Address:	501 I Street, S.W. (Square 498, Lot 52)
Ward / ANC	Ward 6, ANC 6D
Zoning	R-3 base zone, with MU-4 PUD zone.
Project Summary:	New building with 64 residential units and secondary building for Shakespeare Theater actors.
Order Effective Date:	November 26, 2021
Previous Extension:	2 years, to November 29, 2024
Requested Extension Period	1 year, to November 29, 2025

III. EVALUATION OF THIS EXTENSION REQUEST

Subtitle Z § 705.2 allows for the extension of a PUD 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.

The application submitted to the Zoning Commission is dated November 25, 2024 and has been in the public record since filing. The application contains a statement that it was served on ANC 6D, and a memo in support from the ANC has been filed to the record (Exhibit 4).

(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.

Comprehensive Plan:

There have been substantial changes to the Comprehensive Plan since the PUD approval, but none since the previous extension request was approved, and none that would appear to negatively affect the material facts upon which the project was approved. The FLUM at the time of original approval indicated the site as appropriate for Institutional uses, while the current Generalized Future Land Use Map (FLUM) indicates the site is appropriate for Moderate Density Residential / Low Density Commercial use, consistent with the approved zone and uses.

Zoning Regulations:

The PUD application was considered under the current, 2016 zoning regulations. There have been no substantive changes to the Zoning Regulations since the PUD was approved that would impact the approved project.

Surrounding Development:

There have been some new developments, mostly residential or mixed use, near the site since the project was approved. They are particularly along 4th Street SW, as part of the Waterside PUD (02-38), which was approved prior to the subject PUD and, as such, was anticipated at the time of the subject PUD's approval.

(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 application indicates that the nature of the project and the economic forces beyond their control have made it particularly difficult to secure funding for the proposal, and notes that "*the Applicant has diligently pursued financing for the revised Project but has concluded the Project is not likely to be feasible. Accordingly, the Applicant has made the difficult decision to sell the Property, which is under contract to a homebuilder ("Purchaser") that intends to pursue a by-right rowhouse development.*" The applicant anticipates returning to the ZC to extinguish the PUD at some point, but in the meantime, wishes to keep the PUD in place to "maintain the protections of the PUD".

IV. OTHER DISTRICT AGENCY COMMENTS:

DDOT has indicated to OP that they have no concerns with this extension request.

V. ANC COMMENTS:

At Exhibit 4 is a memo from ANC 6D in support of the extension.

VI. PUBLIC COMMENTS:

There were none in the file when OP completed this report.

VII. LOCATION:

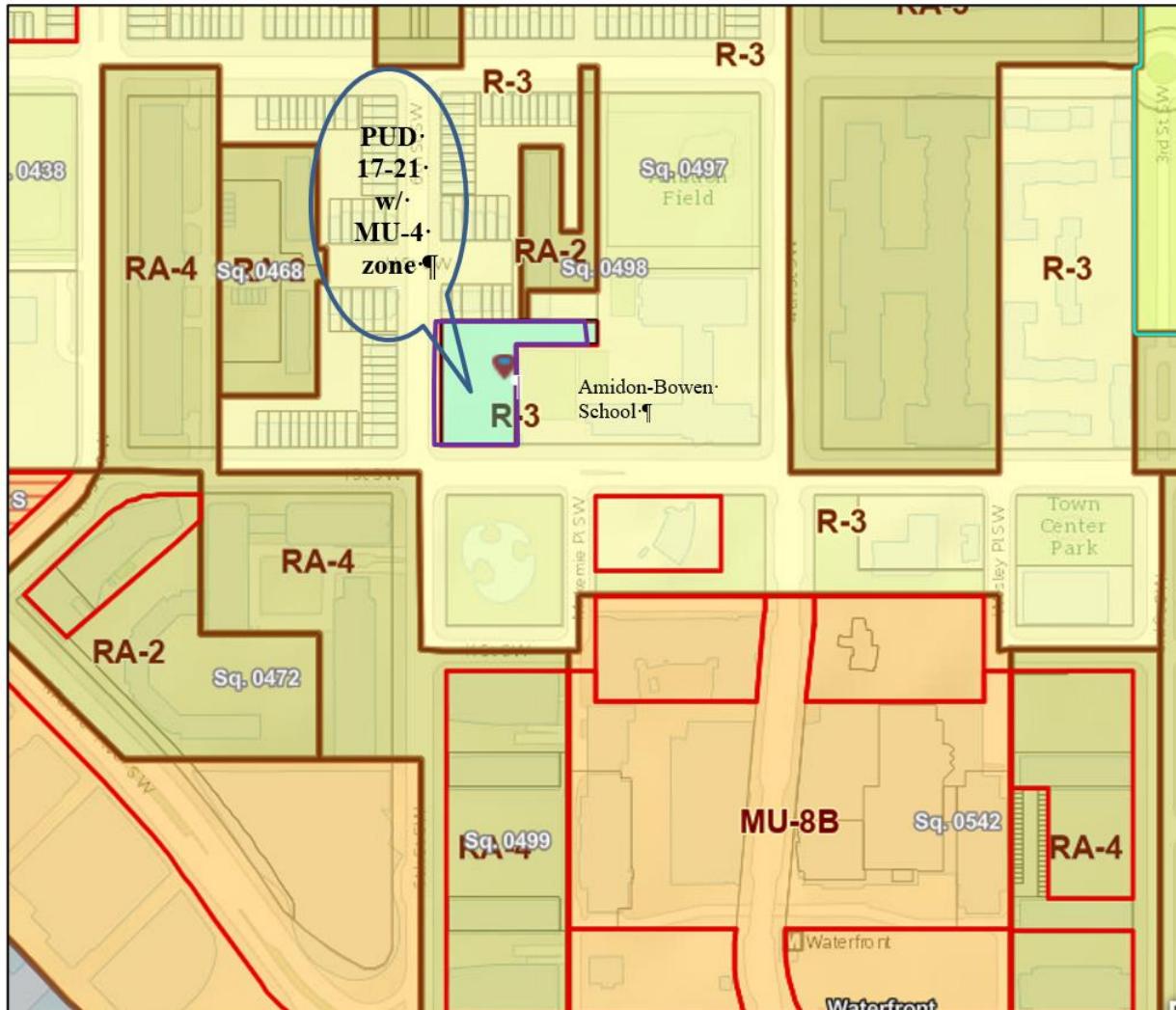


Figure 1. Location Map. Subject PUD is Outlined in Purple. The PUD-Related Zoning for the Site is MU-4.