

Memorandum

TO: District of Columbia Zoning Commission
FROM: Philip Bradford, AICP, Development Review Specialist
MBR for
 Radhika Mohan, AICP, Deputy Director Development, Design, and Preservation
DATE: May 4, 2026
SUBJECT: ZC 20-28B - Second Time Extension Request for ZC Order 20-28, 110 N Street, SE

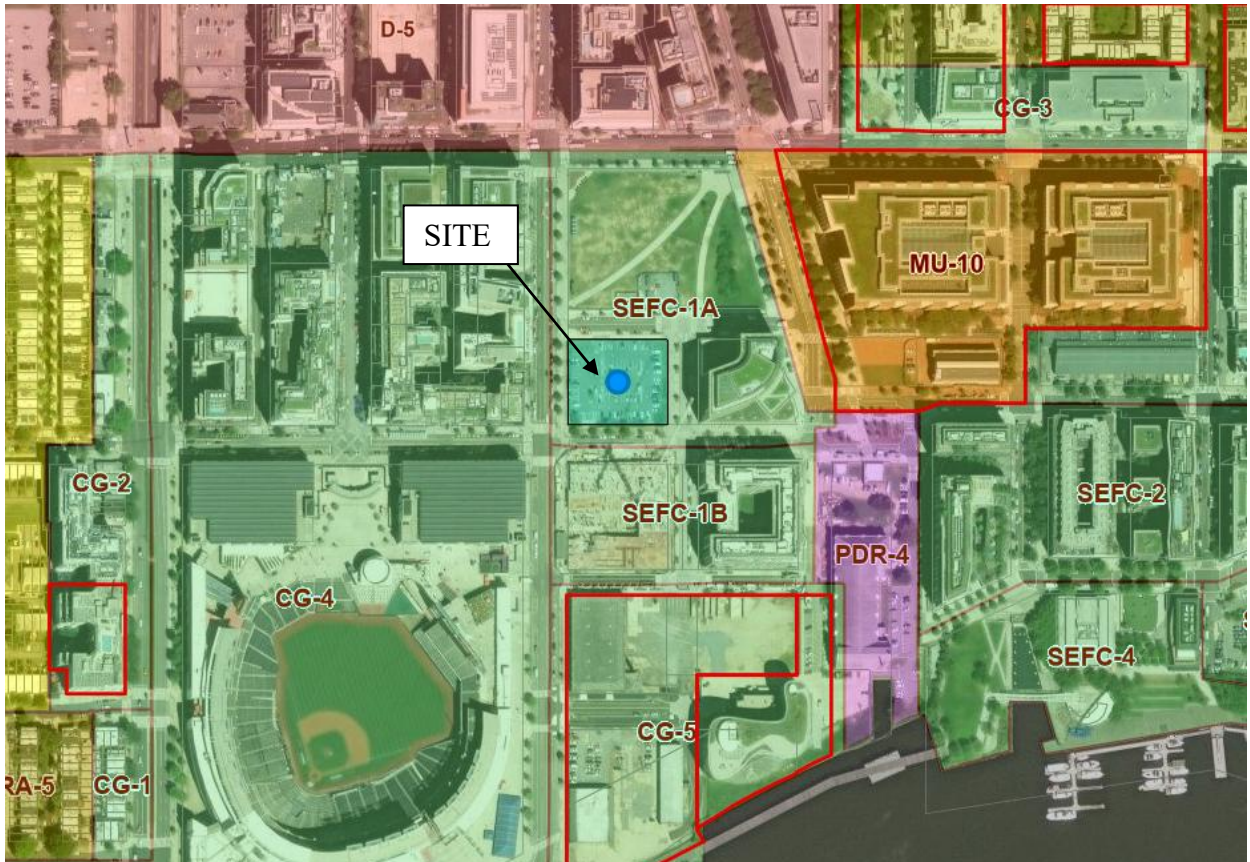
I. RECOMMENDATION

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

- A second, two-year time extension of the design review approval to commence construction no later than May 21, 2028; and
- Waiver from Subtitle Z § 705.4 pursuant to Subtitle Z § 101.9 to permit a second time extension for two years.

Address:	110 N Street, SE
Applicant:	FC 110 N ST, LLC on behalf of the United States General Services Administration
Legal Description:	Square 0743, Lot 0856
Ward/ANC:	Ward 8/ANC-8F
Zoning:	SEFC-1A (Southeast Federal Center – High Density Mixed-Use)
Project Summary:	Nine story mixed use building with ground floor retail and eight stories of office use. The project includes a habitable penthouse and approximately 175 below-grade parking spaces.
Order Date:	ZC Order 20-28 effective May 21, 2021
Previous Extensions:	20-28A – First Extension: Two years from the effective date of the Order. May 21, 2023, with construction to commence prior to May 21, 2024.
Building Permits:	The application states that building permits were filed in April, 2021, which is prior to issuance of the Order for the original case but after the Zoning Commission took final action to approve the design review in February, 2021.
Requested Extension:	Two year time extension in which to commence construction - May 21, 2028.

Figure 1. Site Location



II. EVALUATION OF THE EXTENSION REQUEST

Subtitle Z, § 705.2

The extension of a ZC Order 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;*

The application submitted to the Zoning Commission is dated April 3, 2026 and has been in the record since filing. At the time the original application was approved, the affected ANC was 6D. Since the original approval, ANC redistricting resulted in this site being within ANC 8F. The application contains a statement that it was served on ANC 8F as the affected ANC. There were no other parties to the application.

- (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

Although the Comprehensive Plan was updated in 2021 after this proposal was reviewed by the Zoning Commission, the update did not significantly impact policy direction for this site or this proposal. The project was found to further a number of Comprehensive Plan policies including increased access to the waterfront, and provision of pedestrian-oriented retail uses. The development furthers numerous policies included in the Lower Anacostia Waterfront / Near Southwest Area element, such as developing new waterfront neighborhoods (AW-1.1.2), creating waterfront commercial development (AW 1.1.-3), and improving access to the Near Southeast shoreline (AW-2.3.2). The development also supports the generation of housing and affordable housing through a required contribution to the Housing Production Trust Fund.

Zoning Regulations

There have been no substantial changes to the Zoning Regulations that would materially impact the Commission’s original approval. Neither the recent re-organization of the zoning regulations nor the renaming of various zones impact the zoning for this property.

Surrounding Development

Development in the neighborhood has continued since approval of the original design review case. Parcels H and I located to the south of the subject property have started construction and are nearing completion. Parcel G to the east is now complete. At the time of initial approval, Parcel H and I were interim surface parking lots, and Parcel G was under construction. The development in the area was anticipated at the time of the previous approvals and does not impact the Commission’s original justifications for 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 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;*

The application states that the applicant has been unable to obtain sufficient project financing for the development. The applicant outlines the project history and actions taken to move the project forward. The building permit (B2106452) was filed, along with the excavation permit (SH210075) which are still under review, while concurrent marketing efforts were focused on securing prospective tenants to lease space within the building. In [Exhibit 2](#), the applicant has outlined various factors in the commercial office market that have deteriorated further since the initial time extension request such as the reduction in size of the federal government, lower leasing activity, and persistently high interest rates and inflation, that continue to impact the ability to move forward with the project and secure a tenant or obtain financing as of the initial time extension request. The applicant states that additional time granted by the extension would allow for anticipated changes in market conditions to occur to enable construction.

- (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*

N/A

- (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.*

N/A

Subtitle Z, § 705.4

An applicant may request no more than one time extension of an approved Design Review ([Subtitle Z § 705.4](#)). The Zoning Commission granted a two-year extension under Order 20-28A. The applicant anticipates that additional time will be needed due to persistent and worsening economic and market conditions within the commercial office market and construction industry. Due to these conditions, the applicant has thus been unable to satisfy the established deadlines of the prior extension. Therefore, the applicant requests a waiver, pursuant Subtitle Z § 101.9, from the requirement of Subtitle Z § 705.4 to permit approval of a second, two-year time extension.

OP does not believe that the rights of any party to the original design review including ANC 8F would be prejudiced pursuant to the criteria of Subtitle Z § 101.9 and supports the waiver based on the evidence presented in the applicant's statements in support at [Exhibit 2](#) and [Exhibit 2C](#).

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 Commissions 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 8F.

V. COMMUNITY COMMENTS

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