

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**  
**ZONING COMMISSION ORDER NO. 22-16A**

**Z.C. Case No. 22-16A**

**Thor 3000 M Street, LLC**

**(One-Year Time Extension of the Approved Consolidated Planned Unit Development and  
Related Zoning Map Amendment @ Square 1197, Lot 70)**

**February 26, 2026**

Pursuant to notice, at its February 26, 2026, public meeting, the Zoning Commission for the District of Columbia (the “Commission” or “Z.C.”) considered the application (the “Application”) of Thor 3000 M Street, LLC (the “Applicant”) for a one-year time extension of Z.C. Order No. 22-16 (the “Original Order”), which approved a consolidated planned unit development (“PUD”) and related zoning map amendment for Lot 70, Square 1197 (the “Property”).

The Commission considered the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations”, to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

**FINDINGS OF FACT**

**I. BACKGROUND INFORMATION**

1. The Original Order, effective March 3, 2023, approved a Consolidated Planned Unit Development (“PUD) and a related Zoning Map Amendment from the MU-4 and MU-12 zones to the MU-13 zone to construct a mixed-use hotel/retail building with approximately 97 hotel rooms and approximately 10,000 square feet of commercial space fronting M Street, N.W.

**PARTIES**

2. The only party in Z.C. Case No. 22-16 was ANC 2E, the “affected ANC”; and automatically a party to the Application.

**II. THE APPLICATION**

3. On January 22, 2026, the Applicant filed the Application requesting a one-year time extension of Z.C. Order No. 22-16. The Applicant noted that extending the Original Order’s validity, until March 3, 2027, will provide the opportunity to obtain sufficient financing to commence construction of the PUD.

4. The Applicant provided evidence that on January 22, 2026, it served the Application on ANC 2E, the Office of Planning (“OP”), and the District Department of Transportation (“DDOT”) as attested by the Certificate of Service submitted with the Application (Exhibit [“Ex.”] 2).
5. The Application stated that there has been no substantial change in any material facts that would undermine the basis for the Commission’s approval of the Original Order. The Applicant noted that the public benefits of the PUD are still appropriate for the surrounding community and the District of Columbia, and no changes to the Comprehensive Plan have been proposed or approved since March of 2023 that impact the Property or the surrounding area (Ex. 2).
6. The Application asserted that good cause justifies the Commission’s granting the time extension due to the Applicant’s inability to obtain sufficient construction financing for the PUD because of changes in economic and market conditions beyond the Applicant’s reasonable control, including high interest rates, elevated construction costs, and limited access to capital. In response to the limited sources of potential capital, the Applicant has undertaken a wide-ranging and intensive effort to identify potential equity investors and construction financing partners for what is a highly complex development in one of the most competitive urban markets. This outreach has required substantial coordination, detailed project education, and tailored materials to address differing investment criteria and regional perspectives, underscoring the depth of work invested in positioning this exceptional project for the right capital partnership (Ex. 2).

### **III. RESPONSES TO THE APPLICATION**

7. OP submitted a report dated February 13, 2026 (“OP Report”). The OP Report recommended approval of the Application and noted that there have been no significant changes to the Comprehensive Plan’s Future Land Use Map or policies that would alter the material facts underlying the related map amendment approved as part of the PUD. The OP Report also noted that recently approved amendments to the Zoning Regulations would have no effect on the material facts upon which the PUD’s approval was based. Finally, the OP Report concluded that there are no recent developments in the immediate neighborhood of the PUD site that would impact the conditions of the PUD’s original approval (Ex. 4).
8. ANC 2E did not submit a written report in response to the Application.

### **CONCLUSIONS OF LAW**

1. Subtitle Z § 705.2 authorizes the Commission to extend the period of an order approving a PUD upon determining that the time extension request demonstrates satisfaction of the requirements of Subtitle Z § 705.2 and compliance with the limitations of Subtitle Z §§ 705.3, 705.5, and 705.6.

2. The Commission concludes that the Applicant timely filed the Application prior to the March 3, 2026, deadline for the expiration of the Order approval, which deadline the Application seeks to extend.
3. Subtitle Z § 705.2(a) requires that an Applicant serve the extension request on all parties and that all parties are allowed 30 days to respond.
4. The Commission concludes that the Applicant satisfied the requirement of Subtitle Z § 705.2(a) by demonstrating that it had served all parties, in this case ANC 2E, and that the ANC was given 30 days to respond from the January 22, 2026, date of service.
5. Subtitle Z § 705.2(b) requires that the Commission find that there is no substantial change in any of the material facts upon which the Commission based its original approval of the Order that would undermine the Commission's justification for approving the Order.
6. The Commission concludes that the Application satisfied Subtitle Z § 705.2(b) based on the Application and the OP Report, which stated that no substantial change has occurred to the material facts upon which the Commission had relied in issuing the Order.
7. Subtitle Z § 705.2(c) requires that an application demonstrate with substantial evidence one 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;*
  - (2) *An inability to secure all required governmental agency approvals for a development by the expiration date of the PUD order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or*
  - (3) *The existence of pending litigation or such other condition, circumstance or factor beyond the applicant's reasonable control that renders the applicant unable to comply with the time limits of the order.*
8. The Commission concludes that the Applicant demonstrated with substantial evidence that it meets the standards of Subtitle Z § 705.2(c)(1). The Commission agrees that the Applicant has faced significant adverse economic and market conditions beyond its reasonable control, resulting in the Applicant's inability to obtain sufficient financing to commence construction of the PUD within the original time limits of the Original Order.
9. For the foregoing reasons, the Commission concludes that the Applicant meets the standards of review for the requested one-year time extension and finds that good cause exists to grant the Application.

**“Great Weight” to the Recommendations of OP**

10. The Commission must give “great weight” to the recommendations of OP pursuant to §5(d) of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C.

Law 8-163; D.C. Official Code § 6-623.04 (2001)) and Subtitle Z § 405.9 (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A. 3d 1079, 1087 (D.C. 2016)).

11. The Commission notes OP's recommendation in support of the Application and OP's conclusion that there have been no substantial changes to the Comprehensive Plan, the Zoning Regulations, or the development of the immediate area surrounding the Property that effect the material facts upon which the Original Order's approval was based.

**“Great Weight” to the Recommendations of the ANC**

12. The Commission must give “great weight” to the issues and concerns raised in the written report of the affected ANC pursuant to §13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) and Subtitle Z § 406.2. To satisfy this great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A. 3d 1079, 1087 (D.C. 2016)).
13. The Commission notes that ANC 2E did not submit a written report to which the Commission can give great weight.

**DECISION**

In consideration of the case record and the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application's request for a one-year time extension of the Original Order to extend the deadline to commence construction to March 3, 2027.

**Final Action**

**VOTE (February 26, 2026): 5-0-0**

(Gwen Wright, Anthony J. Hood, Robert E. Miller, Joseph S. Imamura, and Tammy Stidham to approve).

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 22-16A shall become final and effective upon publication in the *District of Columbia Register*; that is on April 10, 2026.



ANTHONY J. HOOD  
CHAIRMAN  
ZONING COMMISSION



SARA A. BARDIN  
DIRECTOR  
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION,

FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.