District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Crystal Myers, Development Review Specialist
MBR
Maxine Brown-Roberts, Associate Director Development Review

DATE: September 28, 2026

SUBJECT: ZC #22-32A – Two-Year Time Extension Request for a Planned Unit Development

I. OP RECOMMENDATION

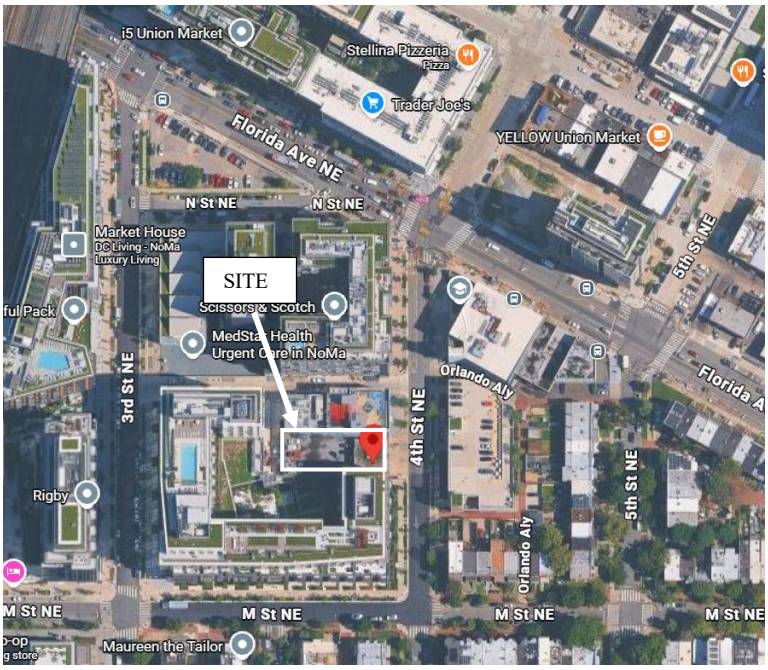
The Office of Planning (OP) recommends **approval** of requested two-year time extension of ZC Order 22-32 to allow additional time in which the Applicant has to commence construction of the proposed development.

II. APPLICATION-IN-BRIEF

Applicant	1232 Shift Cubed Partners, LLC
Address	1232 4th Street, NE
Ward / ANC	Ward 6/ ANC 6C
Legal Description	Square 772, Lot 17
Zones	MU-9 (Underlying zone, PDR-1)
Project Summary	The Zoning Commission approved a PUD and related map amendment for a 10-story, 96-unit residential building. All the units will be affordable at or below 60% MFI, including 20% of the units at or below 30% MFI. After the 40-year control period the project will have 15% IZ set aside. The project also includes ground floor PDR space.
Effective Date of Order	November 24, 2023
Expiration Date of Order	November 24, 2025
Building permit issuance date	July 2026
Construction starts deadline	November 24, 2026
Extension Request	Two-year extension to begin construction, November 24, 2028

ZONING COMMISSION
District of Columbia
CASE NO. 22-32A
EXHIBIT NO. 5

III. SITE LOCATION



IV. EVALUATION OF THE EXTENSION REQUEST

The Zoning Commission approved a PUD and related map amendment for a 10-story, 96-unit residential building at 1232 4th Street, NE. The Order required that the Applicant obtain a Building Permit within two years of the Order, November 25, 2025 and that construction begins within three years of the Order, November 25, 2026. The Applicant filed for and has obtained a Building Permit (B2501156) for the development. However, the Applicant states that they have been unable to receive funding to commence construction by November 24, 2026 and is therefore requesting a two- year time extension to commence construction.

Subtitle Z § 705.2

The extension of a Zoning Commission approval 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 August 24, 2026, and has been in the public record since filing. The only party to the original application was ANC-6C and notice was given to the ANC as stated in the Applicant's Certificate of Service, Exhibit 2.

(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

The proposed development was reviewed by the Commission using the current 2021 Comprehensive Plan and the policies and goals has remained the same.

Zoning Regulations

There have been no substantial changes to the Zoning Regulations that would materially impact the Commission's original approval. Neither the ZR-16 re-organization of the zoning regulations nor the renaming of various zones impacted the substance of zoning for this property.

Surrounding Development

There has been no substantiative development in the area that would impact the development of this property and therefore would not impact the basis on which the development was approved or the approval of this extension request.

(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 Applicant states that they have been unable to obtain sufficient construction financing for the approved PUD due to economic and market conditions beyond their control. Rising interest rates, increased construction costs, supply chain disruptions, labor shortages, and substantial Federal workforce reductions have significantly affected the real estate market. However, despite these challenges they have made a good-faith efforts to secure financing and applied for and received an award of 9% Low Income Housing Tax Credits from the Department of Housing and Community Development. In addition, they have contacted the Housing Finance Agency to pursue tax-exempt bond financing and a 4% LIHTC award. To continue moving the project forward, they submitted final development plans and received a Building Permit in July 2026.

The Applicant reports that they have been in conducting outreach to equity investors for the construction of the project and have found investors who are interested in the project. However, they have not found an investor willing to invest before 2027.

(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 that renders the Applicant unable to comply with the time limits of the order.

Not Applicable.

V. ANC COMMENTS

Currently there are no comments from ANC-6C in the record.