

APPLICANT’S PROPOSED ORDER

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 23-10B
Z.C. Case No. 23-10B
Georgetown University
(Two-Year Time Extension @ Square 569, portion of Lot 867)
April 30, 2026**

Pursuant to notice, at its April 30, 2026, public meeting, the Zoning Commission for the District of Columbia (“**Commission**”) considered the application (“**Application**”) of Georgetown University (“**Applicant**” or “**University**”) for a two-year time extension of the design review (“**Design Review**”) approved in Z.C. Order No. 23-10, as modified by Z.C. Order No. 23-10A, for construction of a 130-foot tall building with academic, office, clinic, and convening space for the Georgetown University Law Center (“**Law Center**”). The property that is the subject of this application is a portion of Lot 867 in Square 569 (“**Property**”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedure, which are codified in Subtitle Z of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

PRIOR APPROVALS

1. Pursuant to Z.C. Order No. 23-10, effective April 5, 2024 (the “Order”), the Commission granted Design Review approval pursuant to Subtitle I §§ 701.2 and 517.1(b) to authorize the construction of a new academic and administrative building on the Property containing approximately 164,478 square feet of gross floor area and measuring approximately 130 feet in height (the “Project”).
2. Pursuant to Z.C. Order No. 23-10A, effective January 31, 2025, the Commission approved a Modification with Hearing to (i) replace the short-term bicycle parking for the Project with a bicycle parking plan for the Law Center in the aggregate, and (ii) update the approved plans to add upper-story building identification signage (the “Modified Order”). The Modified Order approved special exception relief from the short-term bicycle parking requirements to allow for the holistic approach to bicycle parking for the Law Center.

PARTIES AND NOTICE

3. The following were automatically parties to the proceeding pursuant to Subtitle Z §403.5:

- The University; and
 - ANC 6E.
4. On March 27, 2026, the University served the Application on ANC 6E as well as 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.)

THE APPLICATION

5. On March 27, 2026, the University timely filed the Application requesting a two-year time extension of the Order, to extend the design review approval. (Ex. 2.)
6. The Application asserted that it met the requirements for a time extension enumerated in Subtitle Z § 705.2 because:
- a. The University served the Application on all parties to the Application, and all parties were allowed at least 30 days to respond;
 - b. There was no substantial change in any of the material facts upon which the Commission based its original approval of the Application that would undermine the Commission’s justification for approving the original Application; and
 - c. There was good cause under Subtitle Z § 705.2(c)(1) due to economic and market conditions beyond the University’s reasonable control. After completing construction drawings in 2024, construction costs had risen significantly compared to earlier estimates. Due to these higher costs, the University decided to undertake a redesign of the Project. The University plans to file a modification of the Order reflecting this redesign in the near future. Given recent leadership changes at the University, the redesign has not yet been finalized as incoming leaders need an opportunity to review the design prior to filing a modification. (Ex. 2.)
7. The University asserted that it remains committed to the Project and is actively pursuing the necessary approvals. (Ex. 2.)

RESPONSES TO THE APPLICATION

8. On April 21, 2026, OP submitted a report (“OP Report”) stating that OP believed the Application met the standards for the requested time extension and recommending approval of the Application. OP agreed with the University that there has been no substantial change in any of the material facts upon which the Commission based its original approval and that the University had demonstrated good cause for the extension. OP stated that the University had demonstrated a good faith effort to progress the Project. However, due to economic conditions, the University decided to pursue a redesign to reduce the cost and, therefore, required additional time. (Ex. 5.)
9. ANC 6E did not submit any written response to the Application.

CONCLUSIONS OF LAW

1. Subtitle Z § 705.2 authorizes the Commission to extend the period of an order 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, 705.4, and 705.6.
2. The Commission concludes that the University satisfied the requirement of Subtitle Z § 705.2(a) by demonstrating that it had served ANC 6E on March 27, 2026 and that all parties were given at least 30 days to respond. (Finding of Fact (“FF”) 4.)
3. The Commission concludes that the Application satisfied Subtitle Z § 705.2(b) based on the Application and OP Report, which stated that no substantial change has occurred to the material facts upon which the Commission had relied in issuing the Order. (FF 6(b); 8.)
4. 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 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.*
5. The Commission concludes that the Application met the standards of Subtitle Z § 705.2(c)(1). The Project has been negatively impacted by rising construction costs. Due to the significant increase in cost compared to earlier estimates, the University needs additional time to redesign the Project and plans to return to the Commission at a future date seeking a modification of the Order. (FF 6(c).)
6. For the foregoing reasons, the Commission concludes that the University meets the standards of review for a time extension request and finds that good cause exists to grant the Application.

“Great Weight” to the Recommendations of OP

7. The Commission is required to give “great weight” to the recommendations of OP stated in the OP Report pursuant to § 5 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 (2018 Repl.) and Subtitle Z § 405.9. *Metropole Condo. Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).
8. The Commission finds OP’s recommendation to approve the Application persuasive and concurs in that judgment.

“Great Weight” to the Written Report of the ANC

9. The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting 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 the 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. *Spring Valley-Wesley Heights Citizens Ass’n v. District of Columbia Zoning Comm’n*, 856 A.2d 1174, 1180 (D.C. 2004). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” *Wheeler v. District of Columbia Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (D.C. 1978) (citation omitted).
10. Since ANC 6E did not file a response to the Application, there is nothing 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 Commission concludes that the University has satisfied its burden of proof and therefore **APPROVES** the Application’s request for a Two-Year Time Extension of Z.C. Order No. 23-10 to extend the validity period and deadline to file for a building permit for the Project until April 5, 2028 and to commence construction until April 5, 2029.

VOTE (April 30, 2026):

4-0-1 (Robert E. Miller, Tammy Stidham, Anthony J. Hood, and Gwen Wright to **APPROVE**; Joseph S. Imamura, having not participated, not voting).

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 23-10B shall become final and effective upon publication in the *DC Register*; that is, on [REDACTED], 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.

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