

January 23, 2026

Via IZIS

Anthony Hood, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Suite 200-S
Washington, DC 20001

Re: **Z.C. Case No. 23-15: Application for the Extension of Time of the Approved Voluntary Design Review for Lots 22-27, 31, 33, 35, 37, 802, and 809 in Square 3822 (“Property”)**

Dear Chairperson Hood and Members of the Commission:

Brookland Plaza Owner, LLC (the “**Applicant**”) hereby requests a two-year extension of the period to apply for a building permit under Z.C. Order No. 23-15 (the “**Order**”) pursuant to Subtitle Z § 705.2. The Order approved the development of a mixed-use building with approximately 337 multifamily residential units and approximately 30,000 square feet of retail use (the “**Project**”) on the Property, which is located at 934 Michigan Avenue NE and 3700–3748 10th Street NE.

Since approval of the Order, the Applicant has diligently pursued development of the Project, including working with the development team to prepare permit plans. However, the Applicant requires additional time in order to secure financing for construction of the Project due to the ongoing economic and market conditions impacting commercial real estate development, which include the current interest rate environment and high construction costs that continue to pose challenges to development in the District. The Applicant remains dedicated to delivering the Project, but additional time is necessary to allow market conditions to improve so that the Project can be realized.

An agent authorization letter for this Application is attached as Exhibit A, and a copy of Z.C. Order No. 23-15 is attached as Exhibit B.

I. Project Background

The Property is located in the Brookland neighborhood in Northeast DC in Ward 5. The Property consists of approximately 85,788 square feet (1.97 acres) of land located at the northwest intersection of 10th Street NE and Michigan Avenue NE. The Property is currently improved with a strip shopping center, an electric supply retail / wholesale / showroom business, car rental

establishment, automotive repair shop, and vehicle storage yard. The existing buildings include the Brookland Bowling Alleys building, a designated historic landmark. The Project will redevelop the Property with a mixed-use residential and retail building with approximately 337 multifamily units, including approximately 32 Inclusionary Zoning (“**I**Z”) units, approximately 30,000 square feet of retail use, and approximately 99 below-grade parking spaces. In addition to the Voluntary Design Review approved by the Order, the Project also received concept approval from the Historic Preservation Review Board for the proposed work on the Brookland Bowling Alleys building.

The Order remains valid until March 15, 2026. No prior extensions have been granted for the Order.

Since issuance of the Order, the Applicant has continued to work with the development team to advance the Project towards building permit submission and construction and has invested substantial financial resources to that end, as discussed in more detail below. However, ongoing challenges in the market conditions for commercial real estate development in the District have impacted the ability to obtain financing to move forward with construction. The Applicant remains committed to delivering the Project but requires additional time to continue progressing the Project and to secure financing.

II. The Commission Should Grant the Requested Time Extension

A. Standards of Review of Time Extension Request

The standards for a time extension are enumerated in Subtitle Z § 705.2 of the Zoning Regulations. The Commission is authorized to extend a Voluntary Design Review approval provided that:

- (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;*
- (b) There is 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) 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;*

- (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.*

11-Z DCMR § 705.2.

Here, the requested extension will preserve the future development of the Project's approximately 337 multifamily residential units, including approximately 32 IZ units, and approximately 30,000 square feet of retail use, while allowing the Applicant to continue working to prepare permit plans and secure financing to construct the Project.

B. Time Extension Request and Applicant's Satisfaction of the Standards for Granting Time Extension

The Applicant requests a two-year extension of the period to apply for a building permit for the Project such that the Order will remain valid through March 15, 2028. Since issuance of the Order, the Applicant has invested significant resources into moving the Project forward, as discussed below, including seeking financing despite the significant adverse conditions affecting the market for commercial real estate development in the District. However, the Applicant requires additional time to secure financing to enable the Project's construction.

As discussed in detail below, the Applicant meets all of the standards for the requested time extension.

C. Service on Parties

This request is being served on Advisory Neighborhood Commission ("ANC") 5B, which was the only other party to the Voluntary Design Review approval. The Applicant asks that the Commission not place this request on its meeting agenda until the 30-day period has lapsed.

D. No Substantial Change of Material Facts

There has been no substantial change in any material facts that would undermine the basis for the Commission's original approval of the Order. The Project remains consistent with the design and program approved by the Commission, and the Project will continue to provide the proposed approximately 337 housing units and approximately 30,000 square feet of retail use approved by the Order.

E. Good Cause Shown

Here, there is good cause to grant the requested extension, specifically, to allow the Applicant to continue pursuing financing to enable the Project's development while the development team continues to advance the design towards permit submission. The Applicant has invested substantial time and resources into moving the Project forward. Below is a summary of the Applicant's estimated expenditures toward the development team's work to advance the Project toward ultimate permit submission and construction:

Cost Category	Amount
Architectural	\$587,000
Landscape	\$57,005
Public Space	\$52,500
Legal: Transactional and Zoning	\$180,000
Civil Engineering (Public Space, Water, Etc.)	\$83,000
Other Consultants	\$291,350
Marketing	\$28,025
General and Administrative	\$26,325
Total Expenditures to Date	\$1,305,205

Despite the Applicant's significant investment to move the Project forward, ongoing challenges impacting commercial real estate development in the District have affected the ability to obtain construction financing for the Project and proceed to applying for a building permit. Specifically, the commercial real estate market continues to be characterized by exceedingly challenging financing conditions, coupled with sustained elevated construction costs, which pose substantial impediments to obtaining financing to construct large mixed-use developments such as the Project.

Accordingly, the Applicant requires additional time to secure such financing and preserve the development of the approved approximately 337 new housing units and approximately 30,000 square feet of retail use that the Project will deliver. Accordingly, there is good cause for extension of the Voluntary Design Review approval.

III. Exhibits

In support of the Application, attached are the following Exhibits:

Exhibit A – Letter of Authorization and Form 100

Exhibit B – Z.C. Order No. 23-15

IV. Conclusion

For the foregoing reasons, the Applicant requests that the Commission grant the requested time extension. Please feel free to contact the undersigned if you have any questions or comments regarding this application.

Respectfully Submitted,

/s/
Cary R. Kadlecek

/s/
Lawrence Ferris

Certificate of Service

I hereby certify that a copy of the foregoing document and enclosures were sent to the following by email by no later than January 23, 2026.

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/s/ Lawrence Ferris