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February 27, 2026

VIA IZIS

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210-S
Washington, DC 20001

**Re: Request for a Two-Year Extension of an Approved Consolidated PUD and
Related Zoning Map Amendment
400 I Street, S.W. (Square 499, Lot 52)
Z.C. Order No. 20-12**

Dear Members of the Zoning Commission:

On behalf of Westminster Presbyterian Church and Westminster Community Partners LLC (together, the “Applicant”), this letter serves as a request for a two-year extension of the validity of Z.C. Order No. 20-12A, dated July 11, 2024, and effective as of January 31, 2025 (the “Order”) (Exhibit A), applicable to property located at 400 I Street, SW (Square 499, Lot 52) (the “Property”).

Pursuant to the Order, the deadline to file a building permit is June 11, 2026, and construction is required to begin no later than June 10, 2027. **The Zoning Commission’s approval of this time extension would extend the deadline to file a building permit application to June 11, 2028, and require construction to begin no later than June 10, 2029.**

This application is submitted to the Zoning Commission pursuant to Subtitle Z § 705 of the District of Columbia Zoning Regulations (Title 11 DCMR). The required Application Form 106 is being filed concurrently via IZIS. As required by Subtitle Z § 1600.10(c), a check in the amount of \$1,500, made payable to the D.C. Treasurer for the requisite filing fee will also be provided to the Office of Zoning at the time of filing. Authorization letters from the Applicant are attached at Exhibit B, and a signed Application Signature Form 100 is attached at Exhibit C.

The following sections provide background information and the Applicant’s justification for the requested time extension. As described in detail below, the Applicant has not been able to file a building permit application for the approved project due to an inability to obtain project

financing, despite its diligent good faith efforts, because of changes in economic and market conditions beyond the Applicant’s reasonable control.

I. BACKGROUND

1. Property and Surrounding Area

Pursuant to Z.C. Order No. 20-12, dated December 16, 2021, and effective June 10, 2022 (“Original Order”), the Zoning Commission approved a consolidated PUD, a first-stage PUD, and a related Zoning Map amendment from the R-3 zone to the MU-2 zone for the Property.

The Property is rectangular in shape and is located on the south side of I Street, SW, and is bounded by I Street, SW to the north, Makemie Place, SW to the west, and an undeveloped L-shaped lot owned by the District to the east and south. (the “District Lot”). *See* Original Order, FF No. 5-6. The Property has approximately 30,375 square feet of land area and is presently improved with the Westminster Presbyterian Church building, which was originally constructed circa 1965, and with associated surface parking. *Id.* at FF No. 7-8.

2. Prior Approvals and Project Overview

Pursuant to the Original Order, the Zoning Commission approved the development of a new mixed-use building that includes a new Westminster Presbyterian Church (the “Church”) and approximately 222 new residential units. Pursuant to Decision No. D(2) of the Original Order, the PUD is valid for a period of two years from the effective date of the Original Order, within which time an application must be filed for a building permit, with construction required to commence within three years of the effective date of the Original Order.

The approved project consists of two separate towers that would be provided as follows:

1. The “West Tower” would include approximately 99 residential units. If the West Tower is developed with rental units, then it is required to dedicate 8% of the residential GFA as affordable housing for households earning up to 60% of the MFI. If the West Tower is developed with for-sale units, then it is not required to provide any affordable housing; and
2. The “East Tower” would include approximately 123 residential units entirely devoted to senior affordable housing reserved for households earning up to 60% of the median family income (“MFI”) for the first 40 years of the project. After the first 40 years, and if the West Tower is devoted to rental units, then the East Tower is required to dedicate 8% of the residential GFA as affordable housing for households earning up to 60% of the MFI. After the first 40 years, and if the West Tower is devoted to for-sale units, then the East Tower is required to dedicate 15% of the residential GFA as affordable housing for households earning up to 60% of the MFI.

The project also includes new facilities for the Westminster Presbyterian Church, which would be located on the ground floor of the East Tower, and would include a large assembly/congregation space, kitchen and dining areas, conference rooms, offices, and a

community gallery and art space. The Original Order requires that if all three components of the project cannot be constructed concurrently, the East Tower, which includes the senior affordable housing and the new church facilities, must be completed first. *See* Original Order, Decision No. A.4.

Pursuant to the Order, dated July 11, 2024, and effective as of January 31, 2025, the Zoning Commission approved a two-year time extension of the Original Order and established a deadline of June 11, 2026 to file a building permit, and a deadline of June 11, 2027 to begin. As described in detail below, the Applicant has not been able to file a building permit application for the approved project due to an inability to obtain project financing, despite its diligent good faith efforts, because of changes in economic and market conditions beyond the Applicant's reasonable control.

II. JURISDICTION OF THE ZONING COMMISSION

Pursuant to 11-Z DCMR § 705.2, the Zoning Commission is authorized to extend time periods of PUD orders for good cause provided the following conditions are met:

1. The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond;
2. 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 Zoning Commission's justification for approving the original application; and
3. The applicant demonstrates with substantial evidence that there is good cause for such extension, as provided in 11-Z DCMR § 705.2(c).

The sole substantive criterion for determining whether a PUD should be extended is whether there exists "good cause shown." The Zoning Regulations define "good cause shown" in Subtitle Z § 705.2(c) as evidence of one or more of the following:

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.

III. COMPLIANCE WITH STANDARDS FOR EXTENDING PUD VALIDITY

A. Extension Request Served on All Parties

The parties to the Order were the Applicant and the affected Advisory Neighborhood Commission (“ANC”) 6D. As indicated in the Certificate of Service included at the end of this letter, the Applicant served this application on ANC 6D, thus providing the required time period in which to respond.

B. No Substantial Change in Material Facts

There has been no substantial change in any of the material facts upon which the Zoning Commission based its approval in the Order. The Applicant remains fully committed to moving forward with development of the approved project and fully complying with all conditions and obligations imposed as part of the PUD approval.

C. Good Cause Shown

Pursuant to Subtitle Z § 705.2(c)(1), the Zoning Commission is authorized to grant an extension of PUD validity for projects where the applicant demonstrates with substantial evidence 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.”

As set forth in the affidavit of Buwa Binitie, the Manager of Westminster Community Partners LLC (the “Affidavit”) (Exhibit D), this application satisfies the criteria of Subtitle Z § 705.2(c)(1) and thus meets the requirements for extending the deadline to file a building permit application and start construction of the approved project. Continued impacts of the Covid-19 pandemic have created a challenging market for multi-family residential development. Indeed, obstacles associated with construction costs, inflation, interest rates, and a weak lending market have arisen nationally, which have had specific and material consequences on the Applicant’s ability to secure any type of project financing and move forward with development. Accordingly, despite the Applicant’s good faith efforts, it has been unable to advance the project within the timeframe prescribed by the Order due to widespread changes in economic and market conditions that are outside of the Applicant’s control. These include the following:

- As indicated in the letter attached at Exhibit 1 to the Affidavit, Walker & Dunlop, which is a leading commercial real estate finance company in the United States, has reviewed the initial underwriting for the project. However, Walker & Dunlop has stated that: “While Walker & Dunlop would strongly consider committing funding for the project in the future, we are currently being extremely cautious with lending development loans of size given the uncertainty of the economy over the next 12-18 months. Although we know there have been development projects that have secured financing in the Washington, DC area, the multi-family sector continues to face mounting uncertainty. The lingering effects of the COVID-19 pandemic continues to adversely impact vacancy rates, rent collections, concessions, and absorption. That, coupled with uncertainty about interest rates and

economic trends driven by inflation and federal policy shifts, are making us extremely cautious and waiting to see how the market absorbs new supply and normalizes tenant delinquency before considering any developments of this size and nature.” Walker & Dunlop concludes: “After reviewing the initial underwriting for the project, it is our recommendation that additional time for market conditions to improve would be greatly helpful in making this a financeable and successful development for all parties, and we therefore support the request for an extension.”

- Moreover, challenges to the construction industry generally have continued and have been well-documented, with insufficient labor, supply chain issues, and escalating costs, with little clarity on the future trajectory. As shown in the 2024-2025 Comparative Cost Index, which tracks the true bid cost of construction (including labor, materials, contractors, overhead costs, and fees), the increase in construction costs rose by 3.64% in Washington, D.C., between October, 2024, and October, 2025, which makes it extremely difficult to estimate final development budgets for the purposes of securing construction financing. *See, e.g.*, reports issued by and based on data collected by Rider-Levett-Bucknall (RLB) and Engineering News-Record (ENR), and specifically RLB’s “Fourth Quarter 2025 North America Quarterly Construction Cost Report,” attached at Exhibit 2 to the Affidavit.
- Federal policy shifts under the administration have directly impacted many construction industry sectors and planned capital project spending. For example, efforts of the Federal Reserve to reduce inflation through aggressive rate hikes have led to heightened market uncertainty. The work of ICE has put pressure on an already strained labor shortage, and new tariff policies have caused significant supply chain disruptions, resulting in many projects being paused or canceled. At the same time, the price of metals such as steel, copper, and aluminum continue to rise due to inflation. *See Winter 2026 Construction Market Trends Report*, issued by Skanska (the “Skanska Report”)¹. As such, the multifamily market in DC remains slow. *Id.*

Despite these obstacles that have been entirely outside of the Applicant’s control, the Applicant has remained committed to making all commercially reasonable efforts to meet the Applicant’s obligations under the PUD, within the prevailing financing constraints. Accordingly, the Applicant has made the following investments in the project.

Cost Category	Amount
Land Plan	\$ 102,350.00
Civil Engineering	\$ 30,063.62
Traffic Engineering	\$ 30,018.91
Legal	\$ 341,210.60
General & Administrative	\$ 924.32
Geotechnical	\$ 1,150.00
Zoning/Permit	\$ 10,623.00

¹ Link to report provided here: [2026 Winter Construction Market Trends](#)

Architectural	\$ 554,156.24
Total Expenditures to Date	\$ 1,070,496.69

Despite being unable to obtain project financing to date, the Applicant has continued to operate the Property in a productive manner. The Property is improved with the existing Westminster Presbyterian Church, which is an integral part of the Southwest community. Accordingly, the Applicant has maintained the Property and the existing building in good working condition, and continues to host weekly worship services, jazz and blues nights, and religious programming for children, among other activities and community services.

Based on the foregoing information, even though the Applicant has been unable to secure financing, the Applicant is still fully committed to moving forward with this Project as there has been a substantial investment in the Property over many years, including legal, architectural, engineering, permitting, and other consulting fees, such that there is no financial advantage for the Applicant not to move forward with development of the Project. As such, the Applicant has every incentive to do so as soon as feasible.

IV. WAIVER REQUEST

Pursuant to Subtitle Z § 705.5, an applicant with an approved PUD may request no more than two extensions, with the second request required to be approved for no more than one year. Pursuant to the Order, the Zoning Commission approved the first PUD extension for a period of two years. The Applicant believes that it will take more than one year to solicit and engage a general contractor and prepare the required application materials needed for the building permit. Thus, the Applicant requests a waiver from Subtitle Z § 705.5 to allow this second extension request to be approved for two years.

The Zoning Commission may, for good cause shown, waive any of the provisions of Subtitle Z of the Zoning Regulations if, in the judgement of the Zoning Commission, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law. *See* Subtitle Z § 101.9. The only party to the original PUD for the Property was ANC 6D. The Applicant is serving ANC 6D with a copy of this application in which it has explained the need for the two-year extension. Therefore, the rights to ANC 6D as a party is not being prejudiced as it will have an opportunity to review and provide comment on the application. In addition, requesting a two-year extension is not otherwise prohibited by law. Therefore, a waiver from Subtitle Z § 705.5, pursuant to Subtitle Z § 101.9, is appropriate in this case

V. NO HEARING NECESSARY

Pursuant to Subtitle Z § 705.7, the Zoning Commission shall hold a public hearing on a request for an extension of the validity of an application approval only if, in the determination of the Zoning Commission, there is a material factual conflict that has been generated by the parties to the proceeding concerning any of the criteria in Subtitle Z § 705.2. The hearing shall be limited to the specific and relevant evidentiary issues in dispute.

A hearing is not necessary for this request since there are not any material factual conflicts generated concerning any of the criteria set forth in Subtitle § 705.2. The only other party to the original PUD was served copies of this application at the same time that it was filed with the Office of Zoning. There is no dispute that the Applicant is unable to secure financing to move forward with development of the Project. Thus, there cannot be any material factual conflicts generated concerning any of the criteria by which the Zoning Commission is required to consider this request.

VI. CONCLUSION

In light of this demonstration of good cause and for the reasons stated herein, the Applicant respectfully requests that the Zoning Commission approve a two-year extension of the validity of Z.C. Order No. 20-12A, such that a building permit application for the project must be filed no later than June 10, 2028, with construction required to begin no later than June 10, 2029. No hearing is necessary as there are no material factual issues in question.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Kyrus L. Freeman
Madeline Shay Williams

Attachments

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2026, copies of the foregoing application for a PUD extension were served on the following via email.

District of Columbia Office of Planning

Radhika Mohan

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Maxine Brown-Roberts

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Advisory Neighborhood Commission 6D

6d@anc.dc.gov

Commissioner Andrea Pawley, ANC 6D04

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