

July 20, 2026

VIA IZIS

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, NW, Suite 200S
Washington, DC 20001

Re: Z.C. Case No. 22-36: Application of TM Associates, LLC & Washington Metropolitan Area Transit Authority (collectively, the “Applicant”) to the District of Columbia Zoning Commission for a Consolidated PUD and Related Zoning Map Amendment — Statement in Support of Time Extension Request

Dear Chairman Hood and Commissioners:

The Applicant hereby requests a two-year time extension of the Consolidated PUD and Related Zoning Map Amendment that was approved in Commission Order No. 22-36 which became effective on July 26, 2024 (the “**Approved PUD**”) for the property that includes Square 3351, Lot 806; Square 3352, Lots 820, 822, 823, 829, 831, 839-841, 845-851; and Square 3353, Lots 811-813, immediately adjacent to Takoma Metrorail Station (the “**Property**”). This extension request will provide the Applicant the opportunity to obtain sufficient project financing to commence development of the Approved PUD. This extension request is made pursuant to Subtitle Z, Section 705.2 of the 2016 Zoning Regulations. This is the first time extension request for the Consolidated PUD and Related Zoning Map Amendment.

The Approved PUD and Zoning Map Amendment

The Approved PUD authorized the development of a project that will transform an underutilized WMATA surface parking lot immediately adjacent to the Takoma Metrorail Station into a vibrant transit-oriented mixed-use neighborhood that advances numerous District priorities related to housing, affordability, sustainability, economic development, and transit-oriented growth.

The Approved PUD includes approximately 434 multifamily residential units, neighborhood-serving retail, publicly accessible open space, enhanced pedestrian and bicycle connections, and significant improvements to the public realm surrounding the Metro station. The development replaces an expansive surface parking lot with an active, walkable mixed-use community that strengthens the connection between the Takoma neighborhoods in the District and Maryland while encouraging increased transit use and supporting local businesses.

A defining feature of the Approved PUD is its commitment to affordable housing. The approved PUD provides 15% affordable housing, including deeply affordable units serving

households earning 30% AMI in addition to units affordable at 60% AMI. The Project also includes six three-bedroom affordable family-sized units, providing critically needed housing opportunities for larger families in one of the District's most transit-accessible locations. Beyond housing, the Approved PUD delivers substantial public benefits, including a new public park and village green, a retail promenade, enhanced pedestrian and bicycle infrastructure, improved connections to the Takoma Metrorail Station, public gathering spaces, public art, and streetscape improvements.

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 Section 705.2 of the Zoning Regulations. The Commission is authorized to extend a PUD 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.

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

This time extension request will provide the Applicant the opportunity to obtain sufficient project financing necessary to file for a building permit for the Approved PUD. This is the first time extension request for Zoning Commission Order No. 22-36.

1. Service on Parties

As noted in the attached Certificate of Service, this request is being served on ANC 4B and the Party Opponent, the parties to ZC Case No. 22-36.

2. 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 approval of the Consolidated PUD and Related Zoning Map Amendment in Case No. 22-36. The public benefits of the Approved PUD are still appropriate for the surrounding community and the District of Columbia, and no changes to the Comprehensive Plan have been approved since July 2024 that impact the Property or the surrounding area.

3. 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

Following approval of the PUD, the Applicant diligently pursued financing necessary to construct the approved development. However, since issuance of Zoning Commission Order No. 22-36, the multifamily development market has experienced significant increases in interest rates, construction costs, insurance premiums, and operating expenses, while construction financing and equity capital have become substantially more difficult to obtain. Although the Approved PUD includes 15% affordable housing, the Applicant noted that it would pursue increased affordability through the District's HANTA program. The Applicant has continued to evaluate both the approved affordability program and enhanced affordability scenarios provided by the HANTA program. Unfortunately, under current market conditions, neither approach results in a financeable project.

The Applicant has continued working with the Office of the Deputy Mayor for Planning and Economic Development (DMPED), the Department of Housing and Community Development (DHCD), and members of the Council of the District of Columbia to identify legislative and financial tools that will enable the project to move forward while preserving, and potentially increasing, the affordable housing envisioned during the PUD process. A list of the meetings with representatives of DMPED, DHCD and the Council is provided in Exhibit C. These efforts include supporting proposed legislation intended to improve the financial feasibility of mixed-income, transit-oriented developments.

Exhibits

Attached are the following Exhibits:

Exhibit A – Letter of Authorization.

Exhibit B – Zoning Commission Order No. 22-36.

Exhibit C – List of Meetings with DMPED, DHCD, and DC Council Representatives

Conclusion

The Approved PUD remains one of the District's premier transit-oriented redevelopment opportunities. The Applicant remains fully committed to constructing the project and delivering its significant public benefits. A two-year extension will preserve the Commission's approval while allowing ongoing legislative initiatives and financing efforts to restore project feasibility and enable construction to proceed. Based on the information provided above, the Applicant believes that it has satisfied the standards of Subtitle Z Section 705.2 and requests that the Commission grant the two-year time extension.

Please feel free to contact the undersigned if you have any questions or comments regarding this motion. Thank you for your attention to this matter.

Respectfully submitted,


Paul Tummonds

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document will be delivered by electronic mail to the following addresses on July 20, 2026.

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