

CORRECTED MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JL* Joel Lawson, Associate Director Development Review
DATE: June 28, 2024
SUBJECT: ZC #20-12A – First Extension Request for PUD 20-12, 400 I Street SW

I. OP RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested two year time extension.

Address	400 I Street SW
Applicant	Holland & Knight for Westminster Presbyterian Church and Westminster Community Partners LLC
Legal Description	Square 0499 Lot 52
Ward/ANC	Ward 6; ANC 6D
Zoning	MU-2 PUD
Project Description	Residential building with a new Westminster Presbyterian Church facility on a portion of the ground level
Order Expiration Date	June 10, 2024
Extension Request	Two-year extension, to June 10, 2026 with construction to commence no later than June 10, 2027. First extension request.

II. EVALUATION OF THE EXTENSION REQUEST

Subtitle Z, § 705.2

The extension of a PUD 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 is dated May 29, 2024 and has been in the public record since filing. The application contains a statement that it was served on ANC 6D within which the site is located.

(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 Comprehensive Plan was updated in 2021 after this proposal was reviewed by the Zoning Commission. As part of that update, the Council approved a change of the Future Land Use Map

designation from Moderate Density Residential to Mixed Medium Density Residential/Low Density Commercial. This then-pending change was noted and discussed as part of the review of the original PUD. The subsequent approval of this FLUM designation does not negatively impact the Zoning Commission decision for this case, but rather is further support for the proposal's consistency with the Comp Plan. The Generalized Policy Map designation did not change from Neighborhood Conservation Area, and the proposal would further policy objectives for the Southwest Neighborhood Policy Focus Area within the Lower Anacostia Waterfront/Near Southwest Area Element.

Zoning Regulations

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

Surrounding Development

Some new development in the immediate area has proceeded, mainly in fulfillment of the Waterfront PUD (02-38). This new development as anticipated, so would not impact the review or approval of this application.

(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;*

...

As noted in the applicant filings at Exhibit 2, "... 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." The filing goes on to delineate the Applicant's good faith efforts to advance the project, made difficult by the inability to obtain committed funding, rising construction costs, and higher lending rates, all of which are outside the control of the applicant. In the meantime, the Westminster Presbyterian Church continues to offer valued services and programs to the community.

III. DISTRICT AGENCY COMMENTS

As of the date of this report, the record does not contain comments from other District agencies.

IV. ANC COMMENTS

At Exhibit 4 is s memo from ANC 6D in support of this request.

V. COMMUNITY COMMENTS

As of the date of this report, the record does not contain comments members of the community.

Location

