

ORIGINAL

RECEIVED
D.C. OFFICE OF ZONING

2008 AUG -8 PM 3: 22

MARRIOTT INTERNATIONAL, INC.
ZONING COMMISSION CASE NO. 08-13

**PREHEARING STATEMENT
IN SUPPORT OF A CONSOLIDATED PLANNED
UNIT DEVELOPMENT AND AIR SPACE DEVELOPMENT**

**SQUARE 370, LOTS 18, 21, 22, 24, 801-806,
830-839, 843, 845 and Public Alley to be Closed**

August 8, 2008

HOLLAND & KNIGHT LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006
(202) 955-3000
Wayne S. Quin, Esq.
Leila M. Jackson Batties, Esq.
Steven E. Sher, Director of Zoning
and Land Use Services

ZONING COMMISSION

District of Columbia

CASE NO. 08-13 CASE NO.

ZONING COMMISSION

EXHIBIT NO. 17 EXHIBIT NO.

District of Columbia
ZONING COMMISSION
CASE NO. 08-13
EXHIBIT NO. 17

**CERTIFICATION OF COMPLIANCE WITH
SECTION 3013 OF THE ZONING REGULATIONS**

The undersigned hereby certifies that, in accordance with Section 3013 of the Zoning Regulations, twenty (20) copies of the following items were filed with the Zoning Commission on August 8, 2008, and, in accordance with Section 3013.8, the application shall not be modified less than twenty (20) days prior to the public hearing.

<u>Subsection</u>	<u>Description</u>	<u>Page/Exhibit</u>
3013.1(a)	Information requested by the Zoning Commission and the Office of Planning	Pgs. 4 - 14
3013.1(b)	List of witnesses prepared to testify on the Applicant's behalf	Pg. 16 Exhibit D
3013.1(c)	Summary of testimony of witnesses or reports and area of expertise	Pg. 16 Exhibits E - K
3013.1(d)	Additional information introduced by the Applicant	Pg. 14
3013.1(e)	Plans	Exhibit A
3013.1(f)	List of maps, plans, or other documents readily available that may be offered into evidence	Pg. 16 - 17 Exhibit L - Q
3013.1(g)	Estimated time required for presentation of Applicant's case	Pg. 17
3013.4	Agreements with District agencies	Pg. 17
3013.6(a)	Names and addresses of all property owners within 200 feet of the subject property	Pg. 17 Exhibit R
3013.10	Reports by Traffic Consultant	Pg. 18

Respectfully submitted,

HOLLAND & KNIGHT LLP



Leila M. Jackson Batties

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Revised Drawings	A
LEED Scorecard	B
Historic Preservation Review Board Staff Report	C
List of witnesses to testify on behalf of Applicant	D
Summary of testimony and biography of Norman Jenkins Marriott International, Inc.	E
Summary of testimony and biography of Robert Knopf Quadrangle Development	F
Summary of testimony and resume of C. Robert Neal, AIA Cooper Carry	G
Summary of testimony and resume of Randolph A. Petersen, P.E. AMT, LLC	H
Summary of testimony and resume of Louis Slade Gorove/Slade Associates	I
Summary of testimony and resumes of Jeff S. Lee, ASLA and Craig Atkins, RLA, ASLA, LEED AP Lee + Papa and Associates, Inc.	J
Summary of testimony and biography of Steven E. Sher Holland & Knight LLP	K
List of maps, plans, or other documents readily available that may be offered into evidence	L - Q
Names and addresses of owners of property within 200' of the subject property	R

TABLE OF CONTENTS

	<u>Page</u>
Certification of Compliance.....	ii
LIST OF EXHIBITS.....	iii
I. INTRODUCTION	1
A. Project Overview	1
B. Procedural Background.....	3
II. SUPPLEMENTAL INFORMATION ON THE APPLICATION.....	4
A. Issues Raised By the Office Of Planning.....	4
1. Usage of Public Space	4
2. Landscaping and Streetscape Improvements	5
a. Massachusetts Avenue.....	5
b. L Street.....	6
c. 9 th Street	7
3. Refinement of Elevations.....	8
4. Pedestrian Tunnel Between Hotel and Convention Center.....	8
B. Issues Raised By the Zoning Commission.....	8
1. Revisions to the PUD Plans	9
2. Traffic Impact Study Report	9
3. Sustainable Design Elements	9
a. Site	10
b. Water Conservation and Use	10
c. Energy	11
d. Materials	11
e. Indoor Environment Quality	12
f. Landscape Design	12
4. Community Outreach.....	13
C. Additional Information Related to Zoning Commission Approval	14
1. Approval Under Public Space Utilization Act.....	14
2. Historic Preservation Review	14
III. ADDITIONAL REQUIREMENTS OF SEC. 3013 OF THE ZONING REGULATIONS.....	16
A. List of Witnesses Prepared to Testify on Behalf of the Applicant	16
B. Summary of Testimony of Witnesses or Reports and Area of Expertise	16
C. List of Maps, Plans or Other Documents Readily Available.....	16
D. Estimate of Time Required for Presentation of Applicant's Case.....	17
E. Agreements with the District of Columbia	17

F. Names and Addresses of Owners of Property Within 200 Feet of
Property.....17

G. Report by Traffic Consultant18

IV. CONCLUSION.....18

I. INTRODUCTION

This prehearing statement is submitted on behalf of Marriott International, Inc., (the "Applicant"),¹ in support of its application for a consolidated planned unit development ("PUD") and related map amendment and air space development in Square 370 (the "Application"), in order to facilitate the construction of the new Convention Center Hotel at the intersection of Massachusetts Avenue and 9th Street, N.W., across the street from and connecting to the Walter E. Washington Convention Center (the "Convention Center"). This statement addresses the comments and concerns raised by the Office of Planning and the Zoning Commission and discusses the approval requested under the Public Space Utilization Act and the review of the Application by the Historic Preservation Review Board. It also includes the items required under Section 3013 of the Zoning Regulations.

A. Project Overview

The Application pertains to Lots 18, 21, 22, 24, 801 through 806, 830 through 839, 843 and 845 in Square 370 and a public alley to be closed, extending from 9th Street, to be closed (the "Property").² The Property consists of approximately 82,888 square feet of land area in the northwest quadrant of Washington, D.C., and is comprised of all of the lots within Square 370, except for Lot 846 at the northwest corner of the square, which is the site of a PEPCO substation. The approval of the Application is necessary to facilitate the construction of the Washington Marriott Marquis, a Convention Center Hotel, consisting of approximately 765,400 square feet of gross floor area and

¹ The owners of the subject property are the Washington Convention Center Authority and the District of Columbia. The Applicant submits this application with the owners' authorization.

² An alley closing application is pending with the Office of the Surveyor.

approximately 1,125 to 1,150 guest units. The hotel will have a maximum building height of 130 feet and an FAR of approximately 9.3. An underground parking garage will occupy the two lowest levels of the hotel and accommodate approximately 388 valet-parked vehicles.

The Convention Center Hotel is a top economic development priority of the District and critical ancillary facility to the Convention Center. There will be a subsurface pedestrian tunnel between the hotel and the Convention Center below 9th Street, between Massachusetts Avenue and L Street. Also, the hotel will utilize the existing truck loading dock below 9th Street that currently serves the Convention Center. The PUD design incorporates the American Federation of Labor building located at the intersection of 9th Street and Massachusetts Avenue. The structure is a National Historic Landmark, and it is also listed in the D.C. Inventory of Historic Sites and the National Register of Historic Places. It will function as a stand-alone boutique hotel after the development of the project.

The new Convention Center Hotel will be one of three Marriott Marquis hotels in the United States. Marriott Marquis hotels are designed to be Marriott's premier convention and city-center oriented hotels. They offer dramatic, entertainment-oriented destinations that provide a broad range of high-end social and business experiences. They are superior destinations for large meetings with state of the art meeting facilities and technology services and purposeful, yet flexible, meeting spaces. Interior designs are modern, current interpretations of classic style. Marriott Marquis hotels offer: at least 1,000 guest units, 100,000 square feet of meeting space, Marriott's "Lobby Reinvented" concept, a superior fitness center, multiple high-end food and beverage outlets, retail

shops, extensive business center services, a large proportion of "shower-only" guestrooms, and state of the art technology.

B. Procedural Background

The Application, except for the request for air space development, was originally filed with the Office of Zoning on May 1, 2008. At its meeting on July 14, 2008, the Zoning Commission voted unanimously to set down the Application for public hearing. The Application was subsequently amended to include a request for air space development, in accordance with the Public Space Utilization Act, for approval of the improvements in the public space below Massachusetts Avenue, L Street, and 9th Street. At its meeting on July 28, 2008, the Zoning Commission accepted the request as part of the Application.

The Application was presented to the Historic Preservation Review Board ("HPRB") on two separate occasions. The HPRB heard an informational presentation on the PUD on June 26, 2008, and then formally considered the concept design for the project on July 24, 2008. At the latter meeting, the HPRB unanimously adopted the staff report, a copy of which is attached as Exhibit C, recommending support of the proposed project concept. Also on July 24th, the Zoning Commission approved certain amendments to the Downtown Development Overlay District and the PUD regulations necessary to permit the approval of the proposed Convention Center Hotel.³

With the filing of this prehearing statement, the Applicant respectfully requests that the Application be scheduled for public hearing on November 24, 2008.

³ Chapter 17 (Downtown Development Overlay District) was amended to exempt Square 370 from the residential use requirement. Further, Chapter 24 (Planned Unit Development Procedures) was amended to permit an additional increase in FAR to facilitate the construction of a new Convention Center Hotel in Square 370.

II. SUPPLEMENTAL INFORMATION ON THE APPLICATION

A. Issues Raised By the Office Of Planning

In its set down report, dated July 3, 2008, the Office of Planning ("OP") recommended the Applicant provide additional information regarding (1) usage of public space, (2) development and refinement of the landscaping and streetscape improvements, especially along Massachusetts Avenue, (3) refinement of the proposed elevations, particularly of the ground level retail, and (4) development of the proposed underground pedestrian connection to the Convention Center. The information below is provided in response to the OP report.

1. **Usage of Public Space.** On July 22, 2008, the Applicant filed a modification to the Application to include a request for approval of air space development pursuant to the Public Space Utilization Act (D.C. Official Code § 10-1121.01 et seq.) and § 3010.2(c) of the Zoning Regulations (Title 11 DCMR). Specifically, approval is sought for the hotel loading dock area below 9th Street and the parking, meeting space, mechanical equipment, and other hotel uses (including, but not limited to, stairs, escalators, and kitchen space) below Massachusetts Avenue and L Street. (The PUD also includes a pedestrian tunnel between the hotel and the Convention Center, mid-block of 9th Street, between Massachusetts Avenue and L Street. However, the approval of the tunnel is not a part of the air space development application; it will be secured during the building permit process.)

The PUD also includes a bus lay-by lane in public space on the south side of L Street, adjacent to the hotel. The lay-by is 10'-2" inches wide and 110' long, and is necessary for the safe loading and unloading of hotel guests that arrive by bus. The lay-

by will be surfaced in vehicular pavers that are differentiated from the sidewalk by granite bands. The sidewalk beside the lay-by, at the entrance to the hotel, is 14'-3" wide and will be comprised of the same custom paver used at the other hotel entries. Street trees, lighting and landscaping will be installed on both ends of the lay-by. Guests arriving by bus will be greeted at the canopy/porte cochere at the 9th Street entrance to the hotel.

2. Landscaping and Streetscape Improvements. The vision for the streetscape around the Convention Center Hotel is to enhance the identity and image of the Convention Center area as a civic and cultural destination for residents, visitors and businesses. The design is intended to preserve and enliven the historic character of the Shaw neighborhood and improve the pedestrian experience. Uses inside the building will be promoted to spill outside into public space to create an exciting enlivened streetscape. Low impact development will be promoted through green design and implementation of the latest technology in tree planting and stormwater retention methods.

a. Massachusetts Avenue. As a main diagonal street in Washington, D.C., Massachusetts Avenue forms one of the main gateways to the Convention Center and to the Shaw neighborhood. In keeping with the Shaw Arts Guidelines and the downtown streetscape guidelines, the PUD design provides continuity along the corridor while, at the same time, reflecting the high end character of the Marriott Marquis. As such, the design uses durable materials like granite bands and custom elongated pavers in the semi-public zones and the main entrance areas.

The hotel's fifty-four feet of frontage along Massachusetts Avenue provides ample space for sidewalk cafes, a linear park area, a wide pedestrian path, and a porte cochere. Amenities in the curbside zone include lighting, benches, trash receptacles and bike racks consistent with those recommended by the Shaw Arts guidelines. At the drive entries, the paving treatment continues over curb cuts forming a raised pedestrian pathway that provides continuity to the public sidewalk. A double row of Silver Linden trees along the sidewalk will provide ample shade and enhance the Massachusetts Avenue corridor.

The furnishing zone uses cutting-edge technology and best management practices that include heat island effect reduction, storm drainage, reclaimed water usage, light trespass reduction, and continuous tree pits paved with granite sets. Twin 20 street light poles will support roadway and pedestrian lighting as well as special events banners.

The two defined courtyard/restaurant spillover spaces will provide activity to the street and improve the aesthetic of the area. The organic forms and heavily landscaped surroundings will provide intimate gardens that will be attractive from both inside and out. These spaces will be highlighted through intimate lighting and furnishings that will make for an inviting space.

b. L Street. The inclusion of new street level retail in the Marriott Marquis will create a coherent pedestrian environment that will link the Convention Center with what will become a pedestrian-dominant, east-west thoroughfare.

The 22-foot wide sidewalk provides space for an outdoor seating area, a wide pedestrian path, and amenities in the curb side zone, including trash receptacles and bike

racks. The pedestrian path uses precast concrete pavers placed parallel with the granite curb. Granite bands will visually define the main retail area, which will be paved in the same elongated pavers used on Massachusetts Avenue. The semi-public zone will extend into the building with the integrated restaurant terrace at 9th and L Streets.

The furnishing zone will use cutting-edge technology and best management practices that include storm drainage/water quality, reclaimed water usage, light trespass, and continuous tree pits paved with granite sets. Twin 16 street light poles will support roadway and pedestrian lighting and special events banners.

c. 9th Street. As a main north-south street in Washington, D.C., 9th Street runs along the west side of the Convention Center and, thus, together with Massachusetts Avenue forms the primary intersection to the project.

In keeping with the Shaw Arts Guidelines, the proposed design provides continuity along the corridor from Rhode Island to Massachusetts Avenue by using precast concrete pavers. This also compliments the materials used in front of the Convention Center, on the east side of 9th Street. The main retail entry will be highlighted, once again, through the use of elongated pavers.

The 11-foot wide sidewalk will provide a pedestrian path shaded by Scarlet Oak trees in the furnishing zone. These amenities will provide a comfortable pedestrian experience along the corridor and create a strong link to the Convention Center across the street. Twin 16 street light poles will support roadway and pedestrian lighting and special events banners.

3. **Refinement of Elevations.** As reflected in the plans, enclosed as Exhibit A, the PUD drawings and elevations have been refined to provide a greater level of detail of (i) the building materials and how they interact, (ii) the connection between the new hotel and the American Federation of Labor building, (iii) the pedestrian experience, and (iv) the improvements in the public space.

4. **Pedestrian Tunnel Between Hotel and Convention Center.** An underground pedestrian connection, between the hotel and the Convention Center, is planned mid-block of 9th Street, between Massachusetts Avenue and L Street. Escalators from the hotel will connect to an east-west concourse above the Convention Center truck dock; which connects to the main concourse of the Convention Center, to provide easy access to and from the hotel. As a below-grade space, care will be taken to provide a gracious, well-lit and ventilated space, in order to avoid the feeling of a tunnel. Approval of the pedestrian tunnel will be sought under a separate building permit application for the use of public space.

B. Issues Raised By the Zoning Commission

At its meeting of July 14, 2008, the Zoning Commission voted to schedule the application for public hearing, but expressed four areas of concern. First, the Commission felt the PUD plans needed more detail on (i) the building materials and how they connect to one another, (ii) the connection between the new hotel and the American Federation of Labor building, (iii) the pedestrian experience, and (iv) improvements in the public space. Second, the Zoning Commission noted that the traffic analysis should incorporate all of the development in and around Mount Vernon Square, including but not limited to, the O Street Market. The Zoning Commission also requested a complete

Traffic Management plan for their review and review by DDOT. Third, the Zoning Commission requested a discussion on the sustainable design elements that would be incorporated into the project in order to attain the LEED certification objectives. Fourth, the Zoning Commission inquired about the Applicant's community outreach efforts and recommended that the Applicant meet with the Mount Vernon Neighborhood Association. The Applicant's response to these issues is provided below.

1. Revisions to the PUD Plans. As noted above, the PUD drawings and elevations have been refined and provide a greater level of detail, as requested by the Zoning Commission and the Office of Planning. The revised plans are enclosed as Exhibit A.

2. Traffic Impact Study Report. The Applicant will supplement this prehearing submission with a traffic impact analysis that considers all of the new and proposed development in proximity to the PUD site, including the O Street Market, and a traffic management plan. These items will be submitted to the Zoning Commission and DDOT no later than September 24, 2008.

3. Sustainable Design Elements. The Washington D.C. Marriott Marquis Hotel is designed to be an environmentally friendly and efficient building. It will focus on energy and resource conservation, while preserving a healthy environment for its employees and visitors. The design, construction and operation of the hotel will conform to the D.C. Green Building Act of 2006 and aims to achieve the required U.S. Green Building Council's LEED Silver certification. An updated LEED scorecard for the project, dated August 1, 2008, is attached as Exhibit B.

a. Site. There are several characteristics that make this site ideal for the proposed project. First, the Property was previously developed; thus, allowing use of existing infrastructure, which reduces the environmental impact on Greenfield sites and natural resources. Second, the hotel is less than one mile from the Mount Vernon Square/7th Street and Convention Center Metrorail Station and is served by numerous bus lines, making it easily accessible by public transportation. Third, the project encourages alternative means of transportation by incorporating facilities that promote biking to work, such as bike storage spaces for employees and the public and showers/changing rooms for employees. Fourth, all of the parking for the hotel will be underground, reducing the building's contribution to heat island effect on the local micro climate. In addition to the foregoing, in order to reduce the impact on the District's storm-water management capacity and protect the local watershed capacity, the project will capture and store the entire site's storm water run-off for re-use through an irrigation system.

b. Water Conservation and Use. The PUD will incorporate strategies and techniques to reduce the use of potable water. For example, the irrigation for landscaping will use a drip system and smart irrigation controllers, such as rain gauge and moisture sensors. These systems irrigate landscaping on an as-needed basis and, thus, maximize water-use reduction. This irrigation system will operate throughout the year.

Inside, the hotel will contain plumbing fixtures such as low-flow toilets, low-flow lavatory faucets with aerators, and low-flow showers designed to use 20% less potable water than a comparable facility designed in minimum compliance with the Energy Policy Act of 1992.

c. Energy. The hotel's envelope, heating, ventilation, and air conditioning ("HVAC") systems will be designed with premium, energy efficient, driving design. The primary air conditioning system for the project will employ a non-chlorinated refrigerant that is not harmful to the earth's ozone layer. Also, the hotel will employ aggressive energy efficiency measures to reduce the amount of green house gases that are released into the atmosphere as a by-product of power generation and fuel combustion. Key energy efficiency features will include high efficiency HVAC core equipment, integrated air and water heat recovery and free cooling system, efficient lighting design, and direct digital control building automation, management, and monitoring system. The hotel is designed to attain at least 14% greater energy performance savings than the ASHRAE 90.1-2004 energy standard.

d. Materials. The building design and construction process will maintain a focus on environmentally friendly materials and waste management practices. Primary building materials, such as concrete, structural steel, and gypsum board, will be specified to contain the highest recycled content available, thus, reducing the amount of natural resources and energy in their fabrication and installation. In addition, many of the building materials will be sourced from local manufacturers and suppliers supporting the local economy and reducing transportation energy.

Emphasis on waste management during construction will reduce the impact on landfills and local disposal facilities. A minimum of 75% of waste from the construction process will be sorted and recycled. Once the project is completed, there will be dedicated space(s) to handle the collection and sorting of recyclable material, such as paper, metal, and plastics.

e. Indoor Environment Quality. The Applicant will implement steps during and after construction to maintain good indoor environmental quality and promote healthy and comfortable space for employees and guests. For example, smoking will be prohibited within all areas of the hotel and any exterior designated smoking areas will be a minimum of 25 feet from all entrances and outside air intakes. During construction, HVAC systems will be sealed, and MERV8 filters will be used to keep construction related contaminants from entering the system. After construction, the filters will be replaced with new MERV 8 filters for all occupied spaces. Walk-off mats will be installed in all major entrances of the hotel to reduce the amount of particulates entering the building. Low emitting materials such as paints and carpets containing low VOC (volatile organic compounds) content will be selected.

Systems will be designed to meet ASHRAE 62.1-2004 ventilation standard. Also, technologies and strategies to monitor proper ventilation such as air flow monitoring stations in return air ducts and carbon dioxide monitoring of all high occupant spaces such as conference rooms, ballrooms and meeting rooms will be implemented to ensure proper ventilation is provided during all periods.

f. Landscape Design. Some of the specific sustainable design elements that will be incorporated in the landscape design for the PUD are as follows:

Stormwater Design, Quantity Control

In order to reduce and treat stormwater runoff, the PUD will use low impact development ("LID") tree pits that will capture and treat stormwater runoff from small, frequently occurring storms. They consist of an underground structure and above ground plantings that collect and treat stormwater using bioretention through layers of mulch, soil and plant root system. In addition to reducing the runoff, LID tree pits are effective at reducing pollutants like

nitrogen, phosphorus and suspended solids, and increase groundwater infiltration and recharge.

Pervious paving is also being explored to assist with stormwater runoff reduction. Customized to the project's soil conditions and stormwater retention requirements, pervious paving will not only reduce stormwater runoff but can reduce the amount of total suspended solids ("TSS"), and 40% of the average annual post development phosphorus in stormwater. Manufactured regionally with recycled materials, pervious pavers can also reduce heat island effect because of their heat reflectance qualities.

Heat Island Effect, Non-Roof

The PUD will include a double row of trees along Massachusetts Avenue, which will provide ample shade for the pedestrian areas. The use of high albedo paving materials, and permeable pavers are being explored for the semi-public spaces to assist in reducing the heat island effect.

Water Efficient Landscaping

The PUD will incorporate a stormwater management cistern with stormwater re-use such that no potable water is used for irrigation. A highly efficient drip irrigation system will be implemented on a selection of plants that are adapted to the local urban microclimate. Native or adapted plant species will be used in planting areas to reduce the need for irrigation and fertilizer.

4. Community Outreach. On May 22, 2008, the Applicant met with the Washington Convention Center Authority ("WCCA") Advisory Board, which is made up of over 10 community based organizations. The Applicant will continue to keep this group current on the PUD application and development activities. On May 28, the Applicant made a presentation to ANC 2F, which agreed to forward a letter of support directly to the HPRB and the Zoning Commission. The Blagden Alley Civic Association also agreed to forward a letter of support to the HPRB and the Zoning Commission after hearing a presentation on the Application on June 27. In September, the Applicant will meet with ANC 2C. The Applicant will also meet with the Mount Vernon Neighborhood Association, as recommended by the Zoning Commission.

C. Additional Information Provided by the Applicant

1. Approval Under Public Space Utilization Act. The PUD includes the following subsurface improvements within the public space: a loading dock area below 9th Street and parking, meeting space, mechanical equipment, and other hotel uses (including, but not limited to, stairs, escalators, and kitchen space) below Massachusetts Avenue and L Street. The Applicant seeks the Zoning Commission's approval of said improvements pursuant to the Public Space Utilization Act (the "Act").

Under the Act, the Mayor is permitted to enter into lease(s) with private parties for the rental or use of the space above or below streets and alleys in the District under specified conditions. An application for such a lease must be reviewed and approved by the Zoning Commission. The Zoning Commission determines, after a public hearing, the use(s) to be permitted in the airspace, as well as specific applicable regulations. These regulations may include limitations and requirement(s) pertaining to building height in the airspace, off-street parking, floor area ratios, and easements of light and air, and traffic access. §10-1121.04(2).

2. Historic Preservation Review. As noted above, the PUD will incorporate the American Federation of Labor building (the "AFL Building") situated at the corner of 9th Street and Massachusetts Avenue, N.W. This structure is a National Historic Landmark, and it is also listed in the D.C. Inventory of Historic Sites and the National Register of Historic Places. As part of the PUD design, the AFL Building will operate as a "boutique hotel" connected to the main Convention Center Hotel at selected levels, yet retaining its physical independence.

In its evaluation of the PUD, because it is deemed a District government undertaking, the HPRB was charged with analyzing the project's impact on other historic properties, namely the Shaw Historic District immediately to the north and northwest of the PUD site, the Central Public Library in Mount Vernon Square, the Mount Vernon Square United Methodist Church and Tudor Hall apartments on the opposite side of Massachusetts Avenue, and elements of the Plan of the City of Washington (the L'Enfant Plan). The elements include Massachusetts Avenue and the grid streets, Mount Vernon Square, and the twin federal reservations (Reservations 68 and 69) at Massachusetts Avenue between 10th and 12th Streets. Reservation 69 has been designated as Samuel Gompers Memorial Park and includes the 1933 monument to Gompers that was recently listed as a historic landmark in the D.C. Inventory.

As noted in the Staff Report and Recommendation for the HPRB meeting on July 24, 2008, attached as Exhibit C, the PUD provides the opportunity for a first-class restoration of a National Historic Landmark. The report also states that, since the informational presentation on June 26th, the architects have made significant revisions to the PUD plans in response to the HPRB's comments. Specifically, several of the cornices and building elements were lowered to emphasize the 90-foot cornice typical along Massachusetts Avenue, and to relate to the scale of the AFL Building. Also, the atrium roof was lowered, the penthouse configuration was revised, and the façade proportions were adjusted.

The Staff Report and Recommendation encouraged the Applicant to conduct further study of key elements like the atrium roof and the penthouse and suggested further refinements of the plans in consultation with the State Historic Preservation

Office staff, Board and other review agencies, which the Applicant is currently reviewing. Based on the foregoing, the HPRB unanimously accepted the staff recommendation to support the proposed project concept.

III. ADDITIONAL REQUIREMENTS OF SEC. 3013 OF THE ZONING REGULATIONS

A. List of Witnesses Prepared to Testify on Behalf of the Applicant

In accordance with Sec. 3013.1(b) of the Zoning Regulations, a list of witnesses prepared to testify at the public hearing on behalf of the Applicant is attached as Exhibit D.

B. Summary of Testimony of Witnesses or Reports and Area of Expertise

In accordance with Sec. 3013.1(c) of the Zoning Regulations, the resumes and summaries of the testimony of those persons who may be called to testify at the public hearing are attached as Exhibits E through K.

C. List of Maps, Plans or Other Documents Readily Available

In accordance with Sec. 3013.1(f) of the Zoning Regulations, the following maps, plans, or other documents that are readily available to the general public may be offered into evidence at the public hearing:

1. D.C. Act 16-409, "New Convention Center Hotel Omnibus Financing and Development Act of 2006," attached as Exhibit L;
2. D.C. Act 17-310, "New Convention Center Hotel Omnibus Financing and Development Amendment Act of 2008," attached as Exhibit M;
3. Sections of the Comprehensive Plan pertaining to the Central Washington Area Element and the Mount Vernon District Policy Focus Area, the Economic Development for Tourism and Hospitality Economy, and the Historic Preservation Element, attached as Exhibit N;

4. the Comprehensive Plan Future Land Use Map, attached as Exhibit O;
5. the Comprehensive Plan Generalized Policy Map, attached as Exhibit P;
and
6. those items listed in the attached Exhibit Q.

D. Estimate of Time Required for Presentation of Applicant's Case

In accordance with Sec. 3013.1(g) of the Zoning Regulations, the estimated time for the presentation of the Applicant's case is sixty (60) minutes, subject to the decision of the presiding officer at the public hearing.

E. Agreements with the District of Columbia

Subject to the approval of the air space development discussed above, the Applicant will enter into a lease agreement with the District for the use of the space below Massachusetts Avenue, 9th Street, and L Street for certain improvements, as discussed above. Also, the Applicant will enter into a First Source Agreement with the Department of Employment Services ("DOES"), ensuring cooperation with the Department for employee recruitment for jobs created by the PUD, and a Certified Business Enterprise Utilization Agreement with the Department of Small and Local Business Development ("DSLBD").

F. Names and Addresses of Owners of Property Within 200 Feet of Property

In accordance with Section 3013.6 of the Zoning Regulations, a list of the names and addresses of the owners of all property located within two hundred feet (200') of the PUD Site is attached as Exhibit R.

G. Reports by Traffic Consultant

In accordance with Section 3013.10 of the Zoning Regulations, the report prepared by AMT, LLC, was submitted as part of the application statement filed on May 1, 2008. As noted above, a supplemental report and traffic management plan, as requested by the Zoning Commission will be submitted to the Zoning Commission and DDOT no later than September 24, 2008.

IV. CONCLUSION

In accordance with Section 3013 of the Zoning Regulations, this prehearing statement is submitted on behalf of Marriott International, Inc., in order to provide additional information in support of its application for approval of a consolidated PUD and air space development. Based on the information and items contained herein, and the case presented in the original submittal, we respectfully request the Zoning Commission to schedule the public hearing on the application for November 24, 2008.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: Leila Battis
for Whayne S. Quin

By: Leila Battis
Leila M. Jackson Batties

By: Leila Battis
for Steven E. Sher, Director of Zoning
and Land Use Services