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June 29, 2015

Via Hand Delivery

Anthony Hood, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Suite 210-S
Washington, DC 20001

Re: **Zoning Commission Order Nos. 08-33, 08-33A, and 08-33B; Minor Modification of the Approved Consolidated Planned Unit Development ("PUD") and Zoning Map Amendment for the Property Located at the Corner of Irving Street, NE and Michigan Avenue, NE (Parcel 121/31) (the "Property.")**

Dear Chairperson Hood:

Conference Center Associates I, LLC (the "**Applicant**"), and also the applicant in Zoning Commission Case Nos. 08-33, 08-33A and 08-33B, hereby requests a minor modification of the plans approved for the Consolidated PUD for the construction of the Consolidated PUD approved in ZC Case Nos. 08-33, 08-33A, and 08-33B. The Application form and an agent authorization letter are attached as Exhibit A. Copies of ZC Order Nos. 08-33, 08-33A, and 08-33B are attached as Exhibit B. The minor modification request is made pursuant to Section 3030 of the Zoning Regulations.

A. **Background**

The consolidated PUD project approved in ZC Order No. 08-33, which became final and effective on December 25, 2009, authorized the construction of a hotel, conference center, parking structure, and retail space on the eastern half of the Property. The 314 room hotel (which includes a restaurant) and conference center has frontage along Michigan Avenue, NE and Irving Street, NE and a four-story above-grade structure along Michigan Avenue that will include retail uses at grade and in a basement level and 400 parking spaces. The approved measured height of the hotel building was 94.5 feet. A 200 space surface parking lot on the northern portion of the Property was also approved in the consolidated PUD application. ZC Order No. 08-33 also authorized the rezoning of the Property from unzoned (designated as GOV) to the C-3-A Zone District.

The first-stage PUD approval included two nine story buildings with a measured building height of 94.5 feet (as measured from the curb at Irving Street) that will be no taller than 90 feet as measured from the finished grade at the building. The two buildings will be dedicated to

either additional hotel and/or residential units and may include more space for conference center uses. A below-grade parking structure including 295 parking spaces is also included in the first-stage PUD approval.

On December 21, 2011, the Applicant filed an application requesting that the Zoning Commission grant a two-year time extension in which the Applicant was required to file a building permit application for the consolidated PUD and Zoning Map Amendment application. Pursuant to ZC Order No. 08-33A, the Zoning Commission determined that the Applicant had met the relevant requirements of Section 2408.10 of the Zoning Regulations and extended the time period in which the Applicant was required to file a building permit application for the consolidated PUD until December 25, 2013.

In the December 21, 2011, time extension application, the Applicant also requested approval to extend the period of the First Stage PUD approval. Pursuant to Condition No. 20 of Zoning Commission Order No. 08-33, the first-stage PUD approval was effective until December 25, 2014. The Applicant requested that the first-stage PUD approval be extended until December 25, 2016. In ZC Order No. 08-33A, the Zoning Commission denied the two-year time extension request for the first-stage PUD application approved in ZC Order No. 08-33. However, the Zoning Commission's denial was "without prejudice to the Applicant filing a renewed request once the issue becomes ripe."

On December 23, 2013, the Applicant filed a second time extension application which sought an additional two years, until December 25, 2015, in which time it would be required to file a building permit application to construct the approved Consolidated PUD project and file the PUD Covenant which will change the zoning of the Property from unzoned to C-3-A. The Applicant also requested a one year time extension of the approval of the First-Stage PUD approval, so that the first stage PUD approval would be extended until December 25, 2015. Pursuant to ZC Order No. 08-33B, the Zoning Commission determined that the Applicant had met the relevant requirements of Section 2408.10 of the Zoning Regulations and extended the time period in which the Applicant was required to file a building permit application for the consolidated PUD and the first stage PUD approval until December 25, 2015.

B. Minor Modification Request

Since the Zoning Commission's approval of ZC Order No. 08-33B, the Applicant has been actively working on further refinements to the final plans for the proposed hotel and conference center in order to better respond to the current hospitality marketplace. As a result of those refinements, it is necessary for the Applicant to request the following minor modifications of the plans that were originally approved by the Zoning Commission:

- Change in hotel brand from SpringHill Suites by Marriott to a combined Residence Inn/Courtyard by Marriott. The previously approved plan included 314 hotel rooms. The proposed plan includes 336 hotel rooms (168 for the Residence Inn and 168 for the Courtyard by Marriott). The gross floor area of the hotel has increased by 26,194 square

feet. The Conference Center ballroom also increased in size to better accommodate anticipated uses and a roof terrace level was added. The gross floor area of the conference center has increased by 14,743 square feet. The total increase in gross floor area for the Consolidated PUD is 40,980 square feet, resulting in a FAR of 1.63 (rather than the previous 1.46).

- The height of the four story above-grade parking structure/conference center has increased from 49 feet, 9 inches to 58 feet, 2 inches. The additional building height allows for retail space that has a floor to ceiling height of 14 feet, and additional height at the ballroom level which provides support space for ballroom functions and the opportunity to create an outdoor terrace. These increases in height of the parking structure/conference center also improve the pedestrian experience and view corridors from Michigan Avenue, NE to the future second phase of development on the property. These view corridors are also enhanced by the removal of the columns which were previously located below the conference center at the ground floor.
- The location of the “white table cloth” restaurant has not changed, but the entrance to the restaurant has been relocated so that it is adjacent to the hotel entrance on Michigan Avenue, NE.
- The hotel building has been extended to the property line on Irving Street. The approved project was previously set-back from the property line along Irving Street a distance of 19 feet, 9 ¼ inches. This created a non-conforming side yard which required flexibility from the Zoning Commission. The Applicant is no longer requesting side yard flexibility along the Irving Street façade as the structure is now located on the property line. A series of court niches have been created along this façade to provide dynamism to the building’s façade along Irving Street, NE. Based on input from District Department of Transportation (“DDOT”) staff, the landscape and streetscape plans along Irving Street, NE have been modified to accommodate the extension of the hotel building to the property line.
- The basement level of the parking structure has been modified to include parking spaces. This allows for a reduction in the number of surface parking spaces on the Property, while still maintaining the previously approved count of 600 parking spaces in the project.
- The Zoning Commission previously granted flexibility from the roof structure requirements regarding setbacks and the requirement to have a single enclosure. Due to programmatic changes in the hotel, the shape of the roof structure has changed and the amended roof structure still requires flexibility from the setback requirements and from the requirement to be included in a single enclosure.

Otherwise, the proposed Consolidated PUD project remains the same as the project that was approved in ZC Case No. 08-33, a hotel and conference center with an above-grade parking

structure, and ground-floor retail uses. A series of plans and renderings, showing the approved and amended project, are included in Exhibit C.

The Applicant is not proposing any substantive changes to the benefits and amenities package which was approved by the ANC and the Zoning Commission in ZC Case No. 08-33. Due to the redistricting of the ANCs in accordance with the results of the 2010 Census, the Property is now located in ANC 5A, rather than ANC 5C. The only modification that is being proposed to the benefits and amenities package is to change the reference from ANC 5C (the previous ANC) to ANC 5A (the ANC in which the property is currently located) in Condition Nos. 14, 15, and 17. Updated language for Condition Nos. 14, 15, and 17 is included in Exhibit D.

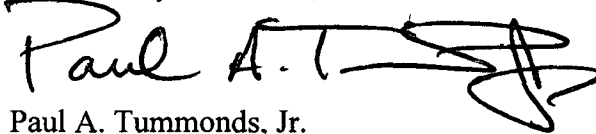
The Applicant made a presentation to ANC 5A at their regularly scheduled public meeting on June 24, 2015. The Applicant presented renderings and plans which depicted the proposed minor modifications and described the time extension request. ANC 5A adopted a unanimous resolution in support of this application, by a vote of 6 to 0, at the June 24, 2015 public meeting.

C. Conclusion

The proposed modifications of the approved Consolidated PUD plans are minor and consistent with the Zoning Commission's original approval in 2009. All of the proposed changes are truly refinements to the structures in order to allow the hotel and conference center operators to better respond to the current hospitality marketplace. This minor modification application satisfies the requirements of Section 3030 of the Zoning Regulations for consideration by the Zoning Commission as a Consent Calendar item. .

Please feel free to contact the undersigned if you have any questions or comments regarding this application.

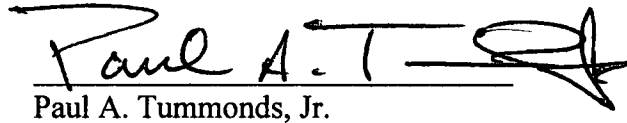
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Paul A. Tummonds, Jr.", with a stylized flourish at the end.

Paul A. Tummonds, Jr.

Certificate of Service

I hereby certify that I sent the foregoing document to the addresses below on June 29, 2015 by first class mail and hand delivery.



Paul A. Tummonds, Jr.

Karen Thomas
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(By Hand Delivery)

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