

**MEMORANDUM**

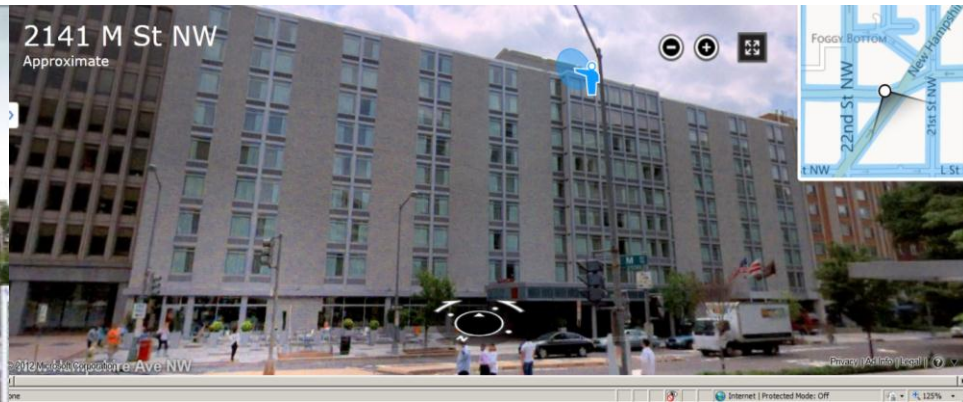
**TO:** District of Columbia Zoning Commission  
**FROM:** Jennifer Steingasser, Deputy Director Development Review & Historic Preservation  
**DATE:** March 29, 2013  
**SUBJECT:** Extension Request – PUD Case 06-29C

Applicant	Washington Value Added I
Address	1143 New Hampshire Avenue, NW
Ward / ANC	Ward 2, ANC 2A
Project Summary	Construction of two additional floors at the M Street hotel. The expanded building will contain approximately 217,684 sf of gross floor area, a density of 6.97 FAR and 440 rooms.
Effective Date of Order	ZC 06-29 effective July 13, 2007
Previous Extension	Two, per ZC Order 06-29A and 06-29B effective August 28, 2009
Expiration Date of Order	July 12, 2013.

**PHOTOS OF SITE:**



*Ground Level (2011)*



*Ground Level (2012)*

**EVALUATION OF THE EXTENSION REQUEST**

Section 2408.10 allows for the extension of a PUD for “good case” 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 submitted to the Zoning Commission is dated February 20, 2013 and has been in the public record since filing.

- (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.**

**Zoning Regulations and Comprehensive Plan:**

No substantial change in zoning or to the comprehensive plan has taken effect that would impact the material facts upon which the Zoning Commission based its original approval.

**Surrounding Development:**

While there has been some development in the surrounding neighborhood, both completed and proposed, none would be considered substantial so as to impact the material facts upon which the Zoning Commission based its original approval.

**(c) The applicant demonstrates with substantial evidence that there is good cause for such extension, as provided in § 2408.11.**

Section 2408.11 sets out the conditions of good cause as:

- (a) 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;
- (b) An inability to secure all required governmental agency approvals for a planned unit development by the expiration date of the planned unit development order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or
- (c) The existence of pending litigation or such other condition, circumstance or factor beyond the applicant's reasonable control which renders the applicant unable to comply with the time limits of the planned unit development order.

The applicant has been unable to obtain sufficient project funding for the proposed addition as a result of inability to secure equity financing for the project. The applicant has provided a sworn affidavit, noted as Exhibit C of the submission, attesting to its past efforts and the current actions in process including an updated market analysis to support project financing. These factors are beyond the applicant's reasonable control.

In addition, the applicant has completed the landscape improvements noted in Condition # 4 of the approved PUD and reconfigured the driveway to improve drop-off and valet parking at the hotel. The applicant is also currently working with the ANC as a good faith effort towards satisfying Condition #7 of the PUD.

Therefore, based on the submitted statements, there is evidence of good cause for the requested two-year extension.

JS/kt  
Karen Thomas Case Manager: