

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14730, as amended, of Wynmark Development Corporation, pursuant to 11 DCMR 3108.1, for special exception under Section 508.1 to allow office use for an international organization, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person for a proposed hotel and special purpose office building with an accessory parking garage in the HR/SP-2 District at premises 1212 Massachusetts Avenue, N.W., (Square 283, Lots 35, 45, 806, 807, 813, 814, 815 and 824).

HEARING DATE: February 10, 1988
DECISION DATE: March 16, 1988

DISPOSITION: The Board GRANTED the application by a vote of 4-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: June 24, 1988

ORDER

The Board approved the application subject to the condition that construction be in accordance with the plans marked as Exhibit No. 32 as amended by Exhibit No. 44A of the record by its order dated June 24, 1988. On June 30, 1988, counsel for the applicant filed a timely motion requesting modification of the Board's decision to include a condition which would allow the applicant the option to eliminate the third level of the underground parking garage. The basis for the motion is that the request for flexibility was made at the public hearing and in the written record but was not addressed in the Board's decision.

The applicant has now determined that a ground water level on the site is above the third level of parking and thus would make it costly and virtually impossible to excavate. The elimination of one level of parking would reduce the number of parking spaces provided from 107 to 76 of which twelve spaces would be provided in the vault area.

Additionally, other areas of flexibility were raised at the public hearing by the applicant to vary certain interior features; window detailing; plant species; selection of exterior materials; and the below grade parking arrangement and storage areas.

The Links, Inc., by letter dated July 5, 1988, stated that they had no objection to the applicant eliminating one level of parking.

Upon consideration of the proposed changes to the order and plans, the Board concludes that the proposed modifications will not substantially alter the nature, size, shape or configuration of the project as initially approved. No additional zoning relief is required. The material facts relied upon by the Board in approving the application are still relevant. There was no opposition to the proposed modifications. It is therefore ORDERED that the requested modifications to the order are APPROVED subject to the following conditions:

1. Construction shall be in accordance with plans marked as Exhibit No. 32 as amended by Exhibit No. 44A of the record.
2. The applicant may eliminate the third level of the below grade parking garage. If the third level of the garage is eliminated, the applicant shall provide twelve required parking spaces in the vault area of the first and second levels of the garage, subject to the approval of the Department of Public Works.
3. The applicant may vary or adjust the following components of the project:
 - a. Vary the location and design of all interior components, including partitions, structural, slabs, doors, hallways, columns, stairways, location of elevators, electrical and mechanical rooms, so long as the variations do not change the exterior configuration of the building including the penthouse;
 - b. Make minor adjustments in the facade window and other detailing;
 - c. Vary the location and type of exterior lighting fixtures;
 - d. Vary the species of plant materials;
 - e. Vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at time of construction;
 - f. Vary the arrangement of the parking spaces and modification to the

below-grade space to provide the opportunity for storage and other space to serve the proposed users of the building.

In all other respects the Order of the Board dated June 24, 1988, shall remain in full force and effect.

DECISION DATE: July 13, 1988

VOTE: 3-0 (William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to grant; Charles R. Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: JUL 25 1988

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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