

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 629-A

Case No. 88-16C

(Willco - PUD)

June 11, 1990

By Z.C. Order No. 629, dated September 11, 1989, the Zoning Commission for the District of Columbia approved an application of Jerome Golub Realty and the Willco Construction Company, pursuant to Chapter 24 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning.

The application was for consolidated review of a Planned Unit Development (PUD) for lots 18-20, 23, 27-31, 804-806, 816-819, 821, 823, 827-831, 835-837, and 840-852 in Square 372 located at 901 New York Avenue, N.W.

The PUD approval was for the construction of mixed-use commercial building, containing office and retail uses, to a height of 130 feet, a floor area ratio (FAR) of 9.5, and a lot occupancy of eighty-six (86%) percent. The PUD project has yet to be constructed.

In addition to the previously-mentioned development standards, other conditions of approval were contained in Z.C. Order No. 629, including the approved architectural drawings.

Pursuant to 11 DCMR 3028, Z.C. Order No. 629 became final and effective upon publication in the D.C. Register; that is on October 13, 1989.

11 DCMR 3029.5, in part, requires that a party in a contested case proceeding file its motion for reconsideration no more than ten (10) days after an order becomes effective. Counsel for the applicants, by letter dated March 9, 1990, filed a motion for reconsideration of Z.C. Order No. 629.

The motion for reconsideration requested the Zoning Commission to waive applicable rules of practice and procedure to allow for consideration of the substance of the motion. The motion stated the following:

1. The applicants seek to modify two (2) conditions of

Z.C. Order No. 629: Condition No. 8 regarding changes to the window millions, the glass, the awnings, and the granite; and Condition No. 9(b) concerning adjustments to the fenestration. The requested modifications to Conditions No. 8 and 9 are based upon design refinements and project evolution intended to make the project evolution intended to make the project more in character with Washington architecture.

2. The requested modifications to Condition 8 are as follows:
 - a. accent Change from pink, flamed and polished granite to grey flamed or honed granite;
 - b. Window mullions Change from Factory Painted Aluminum to light bronze anodized mullions;
 - c. Office windows Change from Off-white or glass with blue tint to clear or light grey tinted vision glass with glass and/or solid spandral;
 - d. Retail window Mullions Change from Factory Painted Aluminum (Blue-Grey) to light bronze anodized retail mullions;
 - e. Retail windows (no change)
 - f. Retail awnings Change from Medium blue to blue, green, or red awnings; and
 - g. Side walk pavers Change from D.C. standard precast concrete with pink granite, flamed and polished to D.C. standard precast with grey flamed granite.
3. In Z.C. Order No. 629, the applicants were granted the flexibility under Condition No. 9(b) of "making minor adjustments in the facade, window and balcony detailing, including the flexibility to shift the location of the doors to the retail uses on the ground floor and

vary the type of paneling used on the retail frontage in order to accommodate the different types of retail uses". The applicants request the following modifications:

- b. Adjustments to the fenestration, including:
 - i. providing punched windows in the end bays;
 - ii. using three windows per bay in lieu of two windows per bay at the 3rd, 5th and 9th floors;
 - iii. modifying fenestration adjacent to the excluded parcel (lot 32) to conform to current Building Code interpretations;
 - iv. modifying railing details at 8th, 9th and 12th floors;
 - v. reducing the masonry opening width and pier width at the 10th and 11th floors; and
 - vi. modifying the opening expression at the 12th floor and setting the 12th floor back one foot.

The applicants indicated that granting this request without a further public hearing will not prejudice the rights of any parties in the case. In addition, there are no issues involved in this request for modification that were at-issue in the original PUD proceeding.

The District of Columbia Office of Planning (OP), by memorandum dated April 10, 1990, supported the design modifications and recommended that they be adopted without further hearings. OP noted that the proposed changes/refinements bring about a significant improvement in the design of the 901 New York Avenue PUD, as follows:

1. The vertical collection of punched windows and more masonry at each of the corners along New York Avenue and at intervals along K Street creates a hierarchy lacking before which breaks up the length of the two major facades and provides each with a more definite end.
2. The addition of cornices and the changed fenestration treatment of the 3rd, 8th and 9th floors creates stronger horizontal lines which serves to balance the vertical expression of the individual bays.
3. The crown of the building is accentuated by setting it back slightly and increasing the amount of glass.

4. The original cut out quality of each bay has been softened and scaled down by adding spandrels at each floor, again creating a better horizontal/vertical balance.
5. The addition of classical/historic elements to a starkly modern frame has had a significant impact on the scale of the facades.
6. The replacement of slightly reflective blue tinted glass with clear glass.
7. The change to a slightly warmer color for the masonry exterior.

Advisory Neighborhood Commission - 2C, by letter dated March 28, 1990, supports the applicants' request for the modifications.

On April 16, 1990, at its regular monthly meeting, the Zoning Commission waived applicable rules of practice, and considered the applicants' motion for reconsideration, the OP report, and the letter from ANC-2C.

The Zoning Commission concurs with the applicants, ANC-2C, and OP, and believes that its decision is reasonable and will protect the interest of all parties.

The Zoning Commission further believes that the proposed modifications to Z.C. Order No. 629 are in the best interest of the District of Columbia, are consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and are not inconsistent with the Comprehensive Plan for the National Capital.

The proposed action of the Zoning Commission to approve the modifications was referred to the National Capital Planning Commission, as a matter of courtesy. NCPC, by report dated June 5, 1990, found that the proposed action of the Zoning Commission would not adversely affect the Federal Establishment or other Federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.

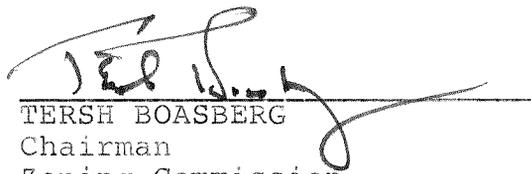
In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby orders APPROVAL of modifications to Z.C. Order No. 629 to permit the design modifications, as describe herein.

Vote of the Zoning Commission taken at the public meeting on April 16, 1990: 4-0 (John G. Parsons, Maybelle Taylor Bennett, Tersh Boasberg, and William L. Ensign, to approve - Lloyd D. Smith, not voting not having participated in the case).

Z.C. ORDER NO. 629-A
CASE NO. 88-16C
PAGE 5

This order was adopted by the Zoning Commission at its regular monthly meeting on June 11, 1990 by a vote of 4-0: (John G. Parsons, Maybelle Taylor Bennett, William L. Ensign and Tersh Boasberg, to adopt as corrected - Lloyd D. Smith, not voting not having participated in the case).

In accordance with the provisions of 11 DCMR 3028, this order shall become final and effective upon publication in the D.C. Register; that is, on JUN 29 1990.



TERSH BOASBERG
Chairman
Zoning Commission



EDWARD L. CURRY
Executive Director
Zoning Secretariat

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