

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Office of Zoning



MAY 21 2013

Date: _____

To Whom It May Concern:

The D.C. Office of Zoning is providing this letter to inform all property owners within 200 feet of a development project of conditions associated with the approval of the project.

The following is offered for informational purposes only. **You are not required to respond or take any other action with respect to this letter. Further, the record in this case is closed and no additional documentation will be accepted.**

The D.C. Board of Zoning Adjustment recently approved the following project, which is within 200 feet of your property:

Application No. 18531 of The Heritage Foundation, pursuant to 11 DCMR §§ 3104.1, 3103.2, and 1202.1, for a variance from the floor area ratio requirements under § 771, a variance from the roof structure height provisions under § 1203.2(b), a variance from the nonconforming structure provisions under § 2001.3, a variance from the vehicle location and lot line requirements for a parking garage under § 2303.1(b), a variance from the structures in required open space under § 2503.2, and a special exception for accessory parking under § 214, to allow a commercial and residential project with below-grade parking in the CAP/CHC/C-2-A and CAP/R-4 Districts at premises 208, 214, and 236 Massachusetts Avenue, N.E. and 426-430 3rd Street, N.E. (Square 755, Lots 3, 26, 36, 836, 838, and 849).

This application was approved subject to the following conditions:

1. Heritage shall charge staff permit holders for the underground accessory parking a rate that is equal to or more than its ongoing operating costs.
2. Heritage shall maintain and continue its SmartBenefits program.
3. Heritage shall provide 36 bicycle parking spaces in the underground accessory parking, six bicycle parking spaces within 236 Massachusetts Avenue, and 10 bicycle parking spaces outside on Massachusetts Avenue adjacent to the buildings (subject to Public Space Committee approval).
4. Heritage shall pay the cost of installing and one year of operating costs for a 40-foot Capital Bikeshare station in the immediate vicinity of the Property at a location to be selected by DDOT.

Telephone: (202) 727-6311

441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18531

EXHIBIT NO. 58

District of Columbia
CASE NO. 18531
EXHIBIT NO. 58

BZA APPLICATION NO. 18531
CONDITIONS LETTER
PAGE NO. 2

5. Heritage shall be permitted to construct and occupy the project in phases, and issuance of a building permit for any portion of the project shall vest this Order.

Please note: The timeframe for development of an approved project varies depending on the scope and complexity of the project. Consequently, the conditions enumerated above may not be pertinent or at issue until a future date.

If you are interested in learning more about this case, or have questions about the definition of terms enumerated above, you can obtain a copy of the written Order that contains the conditions from the D.C. Office of Zoning website (www.dcoz.dc.gov). From the homepage, select the "Search" tool in the blue left sidebar, navigate to a search of "ZC and BZA Orders," and enter the case number provided above. Once you obtain the Order, if you have questions *specifically pertaining to enforcement of the aforementioned conditions*, please contact the D.C. Office of Zoning Compliance Review Specialist at (202) 727-6311.

SINCERELY,



RICHARD S. NERO, JR.
Deputy Director of Operations