

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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JUN 30 2006

Office of the Director

ZONING COMMISSION
District of Columbia

MEMORANDUM

CASE NO. 03-12A+03-13A
EXHIBIT NO. 13

TO: District of Columbia Zoning Commission

FROM: *ELSF*
Ellen McCarthy, Director

SUBJECT: Preliminary Report, Zoning Commission Case No. 03-12A and 03-13A
Capper/Carrollsborg Venture LLC Hope VI Revitalization Project
- 2nd Stage (Phase 2) Planned Unit Development Approval
- Square 769 Lots 18, 20 & 21 – 250 M Street, SE

DATE: June 30, 2006

I. APPLICATION AND OFFICE OF PLANNING RECOMMENDATION

The Office of Planning recommends the Zoning Commission (the Commission) schedule a public hearing for this application.

The applicant -- Capper/Carrollsborg Venture, LLC in conjunction with the District of Columbia Housing Authority (DCHA) -- is seeking Commission approval of a Second Stage PUD and associated relief from the roof structure requirements of 11DCMR § 770.6, to permit construction of a 200,780 square foot, nine-story, 110' tall office building with ground floor retail uses, in the southern portion of Square 769. The Square is bounded by L, M, 2nd and 3rd Streets, SE. The site is zoned CG/C-3-C.

OP incorporates by reference its May 7, 2003 and July 14, 2003 reports to the Zoning Commission on Case No. 03-12/03-13.

II. PROJECT APPLICATION SUMMARY

A. Overall PUD

In Order No. 03-12/03-13 the Zoning Commission gave preliminary approval to a mixed use PUD and HOPE VI project for 15 Squares in southeast Washington, DC, as well as approval to a Consolidated PUD on 6 Squares within the Preliminary PUD. These Squares are listed in Table 1 and illustrated in Attachment 3. Since then, the Commission has also taken Final Action for a second-stage PUD for portions of Square 799, Square 800 and Square 800W.

The overall project includes the demolition of all but one of the existing Capper/Carrollsborg buildings, the retention of one elderly housing building, and the construction of approximately 1,700 new housing units, 702,000 square feet of office space of which up to 236,000 was permitted on the Square 739, and approximately 51,000 square feet of retail space. The residential construction includes 1 for 1

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replacement of public housing units with new public units and approximately 800 moderate and market rate units.

The project is financed, in part, with a \$35 million federal grant under the U.S. Department of Housing and Urban Development's (HUD's) HOPE VI program.

SQUARE	PRELIMINARY	CONSOLIDATED	PREVIOUS 2 ND STAGE	IN THIS APPLICATION?
739	X			--
767	X			--
768	X			--
769	X			Y
797		X	X	--
798		X	X	--
799, east 2/3	X		X	--
800, northern	X		X	--
824		X	X	--
825		X	X	--
825S w/out SE corner		X		--
880	X		X	--
881, west	X		X	--
853 N, west	X			--
882	X			--

Table 1: Squares Within Capper/Carrollsborg Hope VI PUD (cf. Attachment 1)

B. Current Stage II PUD Application

1. Site Location

The 27,960 square foot site is in the southern half of the block bounded by 2nd, 3rd, L and M Streets, S.E. The land is currently used as a parking lot. The northern half of the square is vacant and is intended to be developed for high-rise residences in a later Second Stage PUD. The northern and southern halves of the Square would be separated by an east-west private service drive that would be constructed as part of the current application.

There are new office buildings with approximately 2 million square feet within two blocks to the south, east and west of the project. Most notable are the U.S. Department of Transportation headquarters building immediately south side of M Street, and the private Federal Gateway Building to the west on M Street, across the planned Canal Blocks Park from the proposed project. The new baseball stadium is under construction approximately 3 blocks to the southwest. The rest of the Capper/Carrollsborg is in various stages of development, primarily to the north and east. The Navy Yard Green Line Metrorail Station is two blocks to the west.

2. Zoning

The site is within the C-3-C District (medium – high density development including office, retail, housing and mixed use developments). Office and retail uses are permitted within this zone. The site is also within the Capitol Gateway Overlay District, as is discussed in Section IV of this report.

3. Proposed Development

The 110 foot high building will be a 9 story building with 189,932.47 sf devoted to office use and 10,947.95 devoted to retail space. The latter comprises 52%¹ of the first floor. The four levels of underground parking will accommodate 194 fully accessible and 238 total parking spaces. These would be entered from a 25-foot wide private service road that would be built between this development and the future residential development on the northern half of Square 739.

The building's design takes its "cues" from the Federal Gateway Building to the west, which was designed by the same architecture firm. The intent is to have the proposed building refer to the materials, massing, fenestration and embellishments of the existing building in such a way that they act as sympathetic bookends for the planned Canal Blocks Park in between them. The M Street, 2nd Street and 3rd Street facades read as sides of a modern glass and aluminum curtain wall office building partially wrapped in pre-cast concrete panel grids that are intended to read as if they have "punched" window openings. There is a vertically detailed tower element with a cantilevered canopy at the principal office entry on M Street. The Federal Gateway building also contains a vertical "tower" at its M Street entry. Retail entries are within the glass portions of what reads as a two story base. The first of these floors angles inward from M Street to the northern end of the building on 2nd Street, behind the cast concrete column grid.

The eight and ninth floors of this side have a similar inward slope, above the level of the pre-cast material. The northern façade, which would face a future residential building, is fully designed with pre-cast concrete and punched window framed in aluminum. The mechanical penthouse enclosure has a strong horizontal presence, with projections on the M Street and 2nd Street sides. It also slopes upwards by 4'10" along M Street, rising from 2nd Street to 3rd Street.

The landscaping is primarily concrete sidewalks with some plantings. On M Street there is exposed aggregate edging, four tree boxes, and stone and concrete elements within the sidewalk perpendicular to M Street, approximately 30 feet apart. On 2nd Street the exposed aggregate is more extensive and the stone paving inlays are parallel to the street. There are also two planter boxes and an existing tree is being retained. On 3rd Street, two existing trees are being retained and there is a more extensive planting bed, since there is no retail facing this street. The building would also have several green roof elements.

¹ Applicant needs to clarify if this is a percentage of gross or net.

Table 2: 250 M Street Office and Retail Stage 2 PUD Development Summary

	PERMITTED OR REQUIRED	PROVIDED	RELIEF REQUIRED
SITE AREA	--	27,960.9 sf	
OFFICE GROSS SF.		189,932.47 sf	None
RETAIL GROSS SF.		10,947.95 sf	None
TOTAL GROSS SF	236,000 permitted by PUD Order	Actual is 200,780.42,	None
TOTAL OFFICE PARKING	1 per 1,800 office gsf over 2,000 gsf = 110 required by zoning	Not specified	None
TOTAL RETAIL PARKING	1 per 750 retail gsf over 3,000 gsf = 11 required	Not specified.	None, provided retail spaces are designated
TOTAL PARKING	150 required by PUD Order 104 office and 14 retail spaces required by zoning - 118	194 fully accessible, 238 total	None
% LOT OCCUPANCY	100 % permitted by zoning	82.5% provided	None
FAR	8.0 permitted by PUD	7.18 provided	None
SIDE YARD	18'4" required by zoning	20' provided from M Street	None
REAR YARD	23'4 5/8" required,	30'4 1/2 " provided from 2 nd St. centerline	None
ROOF STRUCTURE	Equal height of up to 18'6" required, with vertical walls	Horizontal elevation angles up 4'10" from east to west up to maximum of 18'6"; walls not vertical on two sides	Relief from § 770.6 (cf. § 411.5)
CG M Street Setback under §1604.3	15' from M Street property line	15' to 17'	None
CG Ground Floor uses under §1604.4	35% devoted to retail, entertainments or arts	52%	None
CG Streetwall requirements under §1604.6	50% of street wall devoted to display windows	Over 50%, but needs quantification	None
Driveways restrictions on M Street under §1604.7	Driveways restricted	No Driveways on M Street	None

4. Zoning Flexibility Requested Under PUD Guidelines

The applicant is seeking relief from 11DCMR § 770.6's requirements that a roof structure must meet § 411.5's requirements for the enclosing walls to be of equal height from the roof level and to rise vertically to the roof. The applicant seeks to slope the walls 4'10" upwards from west to east on M Street, and to slope both the M Street and 3rd Street sides inwards, to be terminated by horizontal projections covering a portion of the south-facing and west-facing roof terraces.

5. Flexibility from Findings of Fact and Conditions Applicable to Preliminary PUD and Consolidated PUD

The applicant is not requesting any deviation from the conditions set down by the Commission for the Preliminary PUD.

III. PUD EVALUATION

A. MAJOR APPLICABLE PRELIMINARY PUD CONDITIONS

4. The second stage applications shall conform to the Commission-approved Preliminary Plans.
Discussion: Conforms. Preliminary PUD Plans had shown an approximately 236,000 gsf office building with first floor retail.

5. The [overall] PUD shall include no more than 702,000 gsf of office space and 51,000 gsf of retail space.

Discussion: Conforms. This is the first office and retail space to be constructed within the PUD

6. The overall maximum office and retail density shall be no more than 0.80 FAR.

Discussion: Conforms. Although this particular building would have a 7.18 FAR, within the overall PUD context the FAR conforms.

7. (a) The office buildings in Square 769 shall be no higher than 110 feet.

Discussion: Conforms. The building would have a maximum height of between 108 and 110 feet.

8. (i) Roof structures may not exceed 18' 6"

Discussion: Conforms.

10. The building design must comply with the Preliminary PUD's Urban Design Guidelines.

Discussion: Conforms. Square 769's design guidelines included at least 80% of building faces to be built to Build-to lines which, on M Street are established by 300 M Street (as well as the CG Overlay); that the height not exceed 110 feet, that the 2nd and M corner recognize its role as a gateway to Canal Park; that the primary office entry be from M Street and there be retail entrances on both 2nd and M Street; that there be a service alley on the north side of the building; that there be tri-partite organization of the façade, with both the base and the top areas being two-stories high and being defined with a horizontal "expression line"; that the retail space should be at least 60% glazing with no reflective or tinted glass permitted; that the sill heights on the 1st floor be no more than 3 feet above grade; that the amount of glazed surface above the retail floor not exceed 70%. The design meets all of these guidelines

11. The office building is required to provide 150 spaces.

Discussion: Conforms, and provides at least accessible 194 spaces.

12. Landscaping Plans shall conform to the Preliminary PUD's plans.

Discussion: Conforms.

15. Provide 14' clear first floor retail height.

Discussion: Conforms

17. Contribute \$36,000 to Canal Block Parks Development Association before Issuance of Building Permit.

Discussion: Not yet applicable.

22. Memorandum to Achieve at least 35 % LSDBE.

Discussion: Applicant says this will be provided prior to construction. OP believes it should be provided prior to final action.

23. 51% First Source Agreement with DOES .

Discussion. Applicant says this will be provided prior to construction. OP believes it should be provided prior to final action.

The applicant has provided additional discussion of compliance with Order No. 03-12/03-13 in Exhibit C of the application.

B. RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Generalized Land Use Map designates the site as “medium – high density commercial” (shopping and service offering a concentration and variety of goods and services). The site is within a Metrorail Development Area, and within the Central Employment Area. The proposed development would further the objectives of these designations through:

- The provision of new office and retail development adjacent to a Metro station, and on M Street SE which is becoming a major commercial corridor, and on 2nd Street SE, which is facing the future Canal Blocks Park, and;
- The provision of office space in proximity to other existing and emerging office areas, including the Southeast Federal Center / US Department of Transportation site, the Washington Navy Yard, and the South Capitol Street / Baseball District.

The proposal would particularly further the following major themes of the Comprehensive Plan, as outlined and detailed in Chapter 1 - General Provisions Element:

- (a) *Stabilizing and improving the District's neighborhoods*
- (b) *Increasing the quantity and quality of employment opportunities in the District*
- (e) *Respecting and improving the physical character of the District*
- (i) *Promoting enhanced public safety*

The proposed new development would further or be not contrary to a number of specific Comprehensive Plan objectives, including ones within the Chapter 5 Transportation and Chapter 11 Land Use Elements respecting development close to Metro Stations:

“502.2 *The policies established in support of the general transportation objectives (include):*

- (a) *Support land use arrangements that simplify and economize transportation services, including mixed-use zones that permit the co-development of residential and nonresidential uses to promote higher density residential development at strategic locations, particularly near appropriate Metrorail stations;*"

"1100.8 Development in Metrorail station areas will be undertaken to assure orderly growth, compatible mixes of uses, appropriate densities, good pedestrian and vehicular circulation, and appropriate combinations of public and private action."

IV. ZONING COMMISSION CG OVERLAY REVIEW

The site is within the Capitol Gateway Overlay District, and is, therefore, subject to the requirements of the Zoning Regulations Chapter 16, including (among other things):

- mandatory Zoning Commission review for development facing M Street (§1604.1);
- a 15' setback along M Street SE (§1604.3);
- 35% of the ground floor to be devoted to retail, entertainment, or arts use (§1604.4);
- 50% of the street wall to be devoted to display windows (§1604.6); and
- driveway restrictions from M Street (§1604.7).

The Office of Planning has reviewed the application within the Overlay context as well as within its PUD context. By the objectives of § 1604.2 *"the proposed building's architectural design, site plan, landscaping, and sidewalk treatment are of a superior quality, pursuant to the design and use requirements set forth in §§ 1604.3 through 1604.7."*

A. CG OVERLAY CONSIDERATIONS NOT REQUIRING RELIEF

1604.3 The streetwall of each new building shall be set back for its entire height and frontage along M Street not less than fifteen (15) feet measured from the face of the adjacent curb along M Street, S.E.

Conforming, but With Remaining OP Concerns. The proposed building provides the required 15 foot setback as measured from the M Street curb. The design and the landscaping for the M Street sidewalk will help to create a comfortable pedestrian experience. However, OP is concerned about two issues:

- The sidewalk surfaces and design will set a precedent for other sidewalks on M Street and on the Canal Blocks-facing 2nd Street within the Capper-Carrollsborg PUD. While the proposed designs conform to the PUD guidelines and to §1604.3, OP believes it will be important to coordinate this design with the Anacostia Waterfront Corporation (AWC) and with the District Department of Transportation (DDOT) prior to a public hearing.
- The first floor of the 2nd Street façade angles inward from south to north. This is retail frontage. The Commission has recently enacted changes to the Zoning Regulations to eliminate preferences for arcaded retail street frontages. OP believes the applicant will

need to explain the design and retail marketing choices that led to this proposal for recessed retail frontage.

1604.4 Each new building shall devote not less than thirty-five percent (35%) of the gross floor area of the ground floor to retail, service, entertainment, or arts uses ("preferred uses") as permitted in §§ 701.1 through 701.5 and §§ 721.1 through 721.6 of this Title; provided, that the following uses shall not be permitted: automobile, laundry, drive-through accessory to any use, gasoline service stations, and office uses (other than those accessory to the administration, maintenance, or leasing of the building). Such preferred uses shall occupy 100% of the building's street frontage along M Street, except for space devoted to building entrances or required to be devoted to fire control.

Conforming, but with Need for Clarification. The proposal would devote about 52% of the ground floor to retail use. With the exception of the entry lobby, the entire M Street frontage is designed for retail use. In addition, the retail use wraps around the corner and also lines the Second Street façade. The retail space clear height will be 14', in conformance with PUD Condition No 15, thus making it acceptable to most potential retail tenants. However:

- The applicant has not yet indicated that no forms of retail prohibited by the CG Overlay are being considered for this retail space.

1604.5 For good cause shown, the Commission may authorize interim occupancy of the preferred use space required by § 1604.4 by non-preferred uses for up to a five (5) year period; provided, that the ground floor space is suitably designed for future occupancy by the preferred uses.

Not applicable. The applicant is not requesting interim occupancy of preferred use space by any other form of use.

1604.6 Not less than fifty percent (50%) of the surface area of the street wall of any new building along M Street shall be devoted to display windows having clear or low-emissivity glass except for decorative accent, and to entrances to commercial uses or the building.

Presumably Conforming, but with Need for Additional Information. The application indicates, and the plans verify, that virtually all of the M Street (and First Street) façades at the retail level will be devoted to display window having low emissivity glass. However, given the recent change to the Zoning Regulations that defines clear and/or low-emissivity glass, OP believes:

- The applicant should indicate that the glass will conform with the definition of clear and/or low emissivity glass recently adopted by the Zoning Commission.
- The applicant should indicate the exact percentage devoted to display space.

1604.7 No driveway may be constructed or used from M Street to required parking spaces or loading berths in or adjacent to a new building.

Conforming. The applicant is not proposing a driveway to parking or loading from M Street. Underground parking and all loading would be accessed from a new 25-foot wide private drive on the north side of the proposed building.

The proposal also especially addresses a number of specific purpose statements for the CG Overlay, as noted in §1600.2:

- (a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally required by the Comprehensive Plan and planning studies of the area;*
- (b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;*
- (e) Require suitable ground-level retail and service uses and adequate sidewalk width along M Street S.E., near the Navy Yard Metro Station*

The proposed office/retail use conforms to zoning and Comprehensive Plan objectives for the area and to the Conditions of PUD Order No. 03-12/03-13. The proposed height and density are within the permitted amounts. The proposed uses will further the CG Overlay and Anacostia Waterfront Initiative objectives for M Street.

The provision of active retail space along M Street within 2 blocks of the Metro station is considered of benefit to overall objectives for the area. The proposal also provides for the required M Street setback, as well as generally appropriate improvements to the M Street streetscape, subject to coordination with AWC and DDOT.

Overall Building Design Concerns

§1604.2 envisions that *“the proposed building’s architectural design, site plan, landscaping, and sidewalk treatment are of a superior quality, pursuant to the design and use requirements set forth in §§ 1604.3 through 1604.7.”* The PUD regulations encourage superior design. OP acknowledges the applicant’s desire to have the project’s architecture reflect elements from the Federal Gateway Building in order to create a gateway frame for the southern end of the Canal Blocks Park. The applicant’s massing and choice of materials appears to create that effect. However, OP believes that, prior to a public hearing, the applicant should:

- Further refine the design – especially the treatment of the southern, western and eastern facades in order to emphasize the contrast between the sheer curtain walls and the more textured, shadow-casting pre-cast façades.

B. CG OVERLAY AND OTHER ZONING RELIEF REQUESTED

§1604.9 provides that *“The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.”* The applicant has requested Zoning Commission relief from the roof structure requirements of § 770.6, as referenced to §411. Regulations require a roof structure’s enclosing walls to be of equal height and to rise

vertically. The applicant has chosen to slope the walls horizontally so that the western end is 4' 10" lower than the eastern end, and to slope the southern and western walls vertically inward. The applicant is also showing a horizontally projecting metal framework on the 2nd Street side of the roof structure and a smaller projection on the M Street side. The applicant's design intention is to create a distinctive "frame" for the southern end of the Canal Blocks, in conjunction with the somewhat similarly designed Federal Gateway Building to the west.

Although OP does not have a conceptual problem with the proposed roof structure enclosure shape, OP believes that prior to or at a public hearing the applicant should demonstrate how the request generally complies with the special exception criteria that would apply to the requested roof structure relief were it not a PUD.

V. ADDITIONAL OP COMMENTS ON 2ND STAGE APPLICATION

OP notes that between the general roof atop the 9th floor and the smaller roof atop the penthouse, the entire building roof will be green. OP believes that, by a public hearing, the applicant should:

- Supply additional information about the type of green roof system that would be used.

OP is also concerned about the approximately 2600 square feet of roofed open space within the penthouse. OP has requested additional information about the design and intended use of the enclosed roof structure space and that it is not intended for uses other than access to the roof, mechanical equipment and access to the roof terraces on the M Street and 2nd Street sides of the building.

VI. AGENCY REFERRALS

If set down by the Zoning Commission, the application will be referred to the following District agencies for review and comment:

- Department of Consumer and Regulatory Affairs (DCRA);
- Department of Employment Services (DOES);
- Department of Health (DOH);
- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- DC Public Schools (DCPS);
- DC Water and Sewer Authority (WASA).

VII. SUMMARY AND RECOMMENDATION

The Office of Planning believes that this application merits being set down for a public hearing, as being generally consistent with the goals and objectives for the area as outlined in the Comprehensive Plan and in the previously approved Preliminary PUD and Consolidated PUD. Additionally, the proposal meets most of the goals and objectives for the CG Overlay goals for retail space to create an active and welcoming pedestrian character along M Street.

However, with respect to the PUD and to the CG Overlay review process, OP believes the following information needs or questions should be addressed in the applicant's pre-hearing statement:

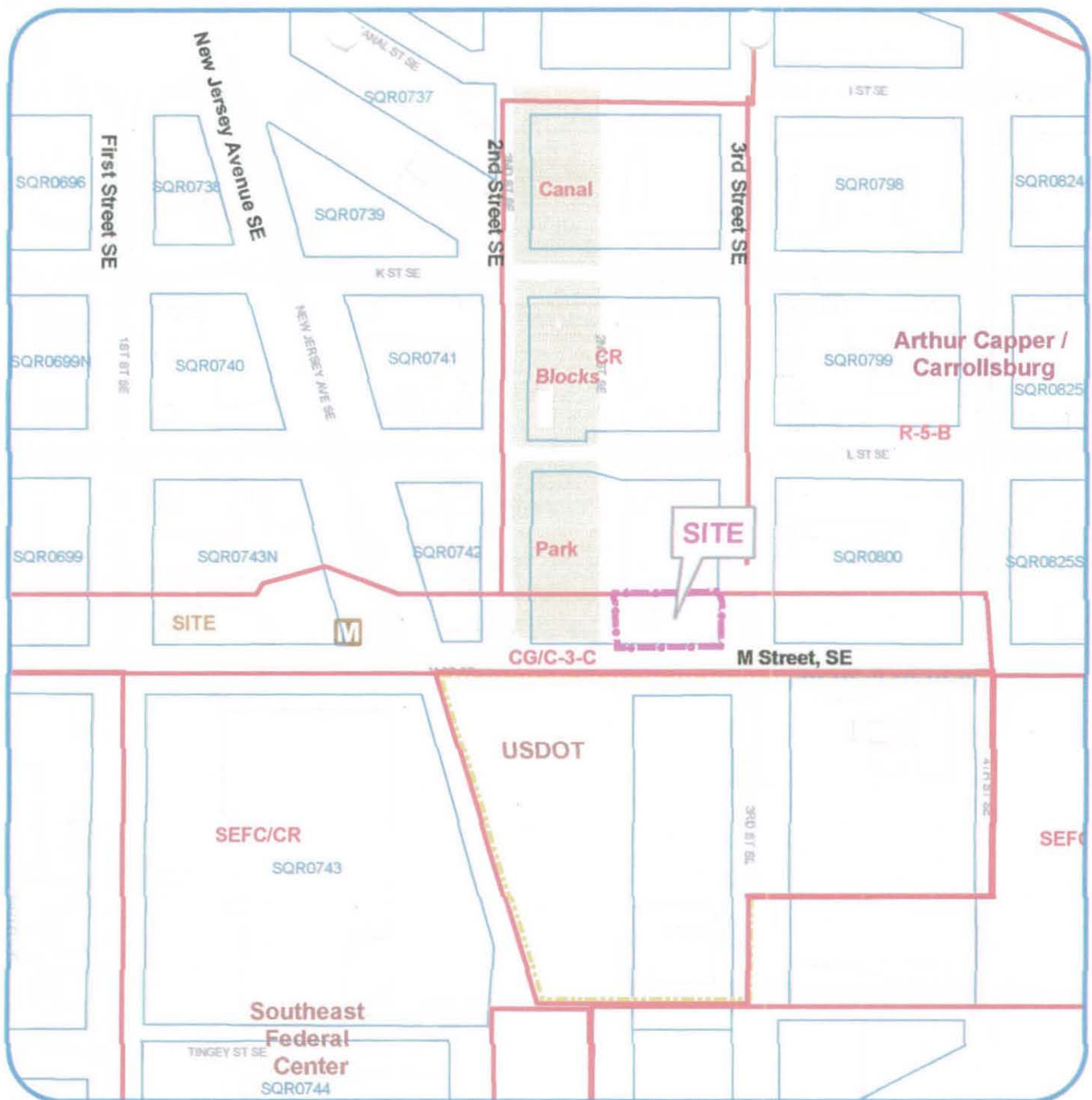
- Consultation with DDOT and AWC regarding the design of the sidewalks on M and 2nd Streets; refinement of M Street and Second Street facades, including an explanation of the recessed retail space on 2nd Street; clarification that the proposed retail uses will conform with the Capital Gateway requirements; clarification of the type and percent of glass being used on the first floor ; a discussion of how the proposed roof structure generally meets the special exception criteria that would apply were this not a PUD, and; an explanation of the design and use of the roof structure and its interior space.

OP also believes the that both the LSDBE memo and the First Source Agreement should be provided prior to Zoning Commission final action.

The applicant has been informed of the above and stated there should be no problem providing this information.

EMC/slc

Attachments (4)



ZONING COMMISSION CASE 03-12 / 03-13
SECOND STAGE PUD - PHASE 2
250 M STREET SE - LOCATION MAP

Legend

- Property Squares
- Metro Station Entrances
- Buildings
- DC Parks
- Water
- Roads
- Alleys and Parking



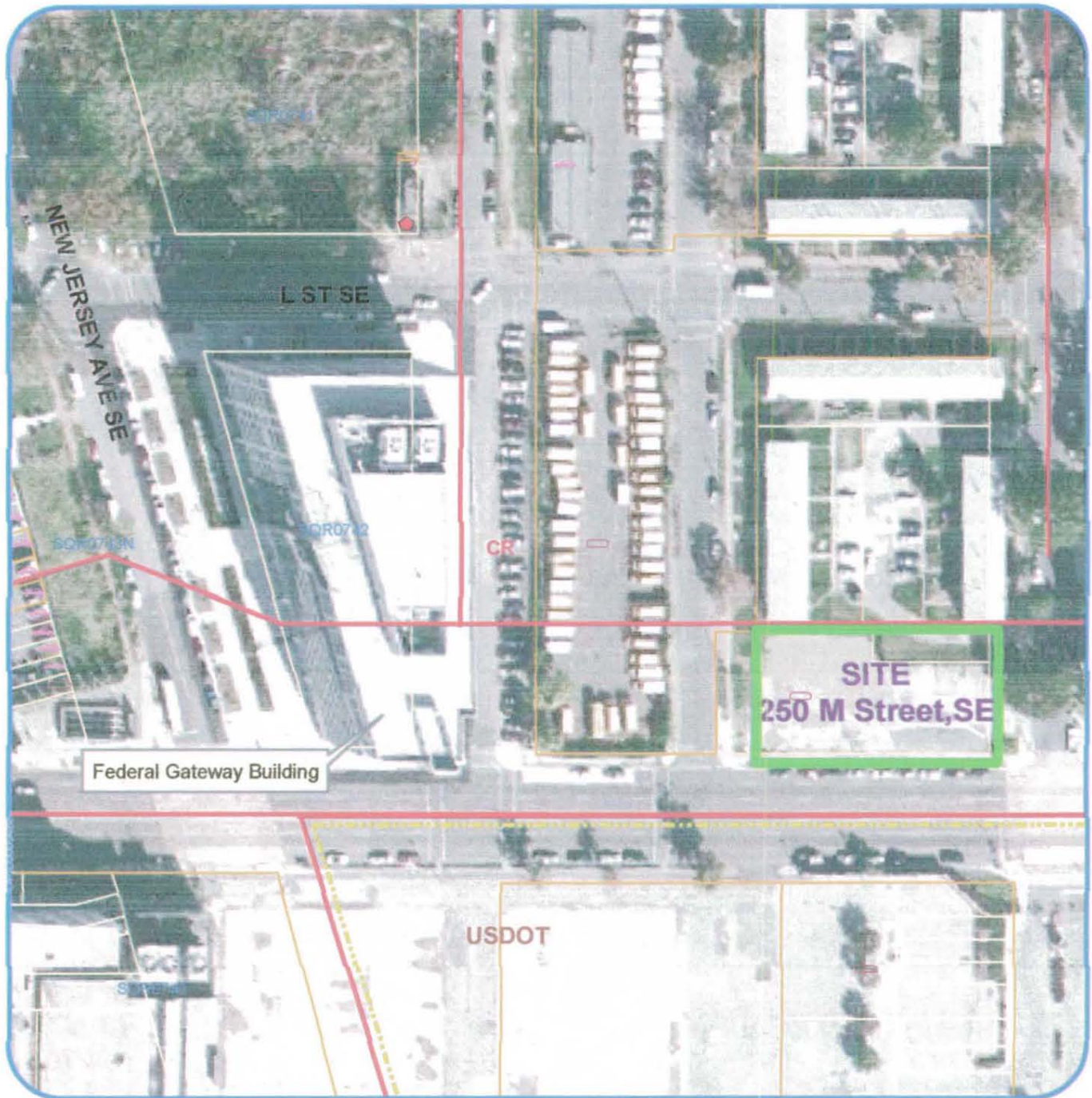
Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ June, 2006

This map was created for planning
purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.



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Attachment I



Legend

- Metro Station Entrances
- Non-conforming SF Use
- Store
- Restaurant
- Office
- Parking - Special Purpose
- Religious
- Vacant

ZONING COMMISSION CASE 03-12 / 13-13 250 M STREET SE - SITE PLAN

☆☆☆ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ June, 2006

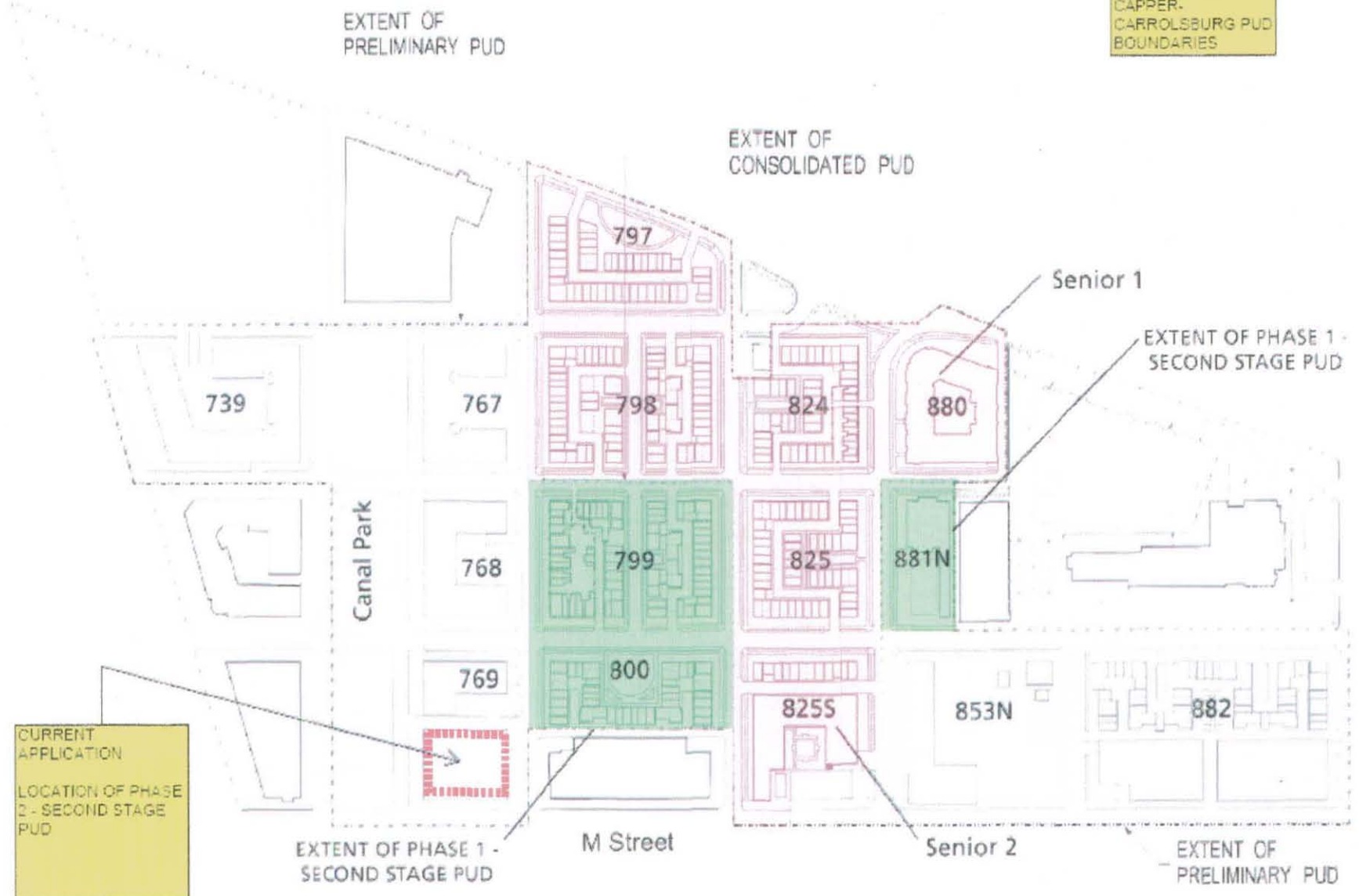
This map was created for planning
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Attachment 2

ATTACHMENT 3
CAPPER.
CARROLLSBURG PUD
BOUNDARIES





ATTACHMENT 4
Z.C. Case No 03-12 / 13-13
250 M Street, SE
Perspective with Proposed 250 M on Right,
Existing Federal Gateway Building on Left,
Canal Blocks in Middle