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REPORT TO THE ZONING COMMISSION

CASE NO. 05-03
ANACOSTIA GATEWAY GOVERNMENT CENTER

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JUNE 23, 2005

I. Introduction

II. Nature of applications

A. Consolidated review of planned unit development

B. Map amendment from C-M-1, C-3-A and R-3 to C-3-A

III. Site location

A. East side of Martin Luther King, Jr., Avenue, extending to 13th Street and Good Hope Road, S.E.

B. Old Anacostia area, adjacent to the 11th Street Bridges crossing the Anacostia River

IV. Site description

A. Irregularly shaped property with an overall length of approximately 350 feet in the east-west direction and approximately 530 feet in the north-south direction (Square 5600, Lot 17, Square 5601, lots 54, 858, 859 and 860 and part of lot 857 and parcel 224/31 and portions of S Street, S.E., and public alleys to be closed)

B. Contains approximately 114,320 square feet (approximately 2.62 acres) of land area

C. Has frontage of approximately 230 feet on Martin Luther King, Jr., Avenue, 155 feet on Good Hope Road and 600 feet on 13th Street

D. Existing condition:

1. Gasoline service station at corner of Good Hope Road and 13th Street

2. Remainder vacant

E. Abutting streets:

1. Martin Luther King Jr. Avenue, – 60 feet wide

2. Good Hope Road - 60 feet wide

3. 13th Street - 60 feet wide

V. Description of the surrounding area (see aerial photograph, c. 2002, and excerpt from Office of Planning Existing Land Use Map, attached)

A. General area: Anacostia area contains commercial uses along Martin Luther King, Jr., Avenue and Good Hope Road, heavier commercial and light industrial uses in the vicinity of the railroad right-of-way and residential uses elsewhere

B. Remainder of Square 5601: vacant property to be developed by the Anacostia Economic Development Corporation as an office building with ground floor retail

C. To the north:

1. Vacant land

2. Ramp from I-295 to the northbound 11th Street Bridge

D. To the east:

1. 13th Street ramp to the northbound 11th Street Bridge

2. Mixed residential uses along S and T Streets and Ridge Place, east of 13th Street

E. To the south:

1. Retail, service and other commercial uses along the frontage of Good Hope Road and Martin Luther King, Jr., Avenue

2. Residential uses along U, V, W and other east-west streets

3. Institutional uses including churches and schools

F. To the west:

1. Vacant land

2. I-295 Freeway and ramp to the northbound 11th Street Bridge

3. Future right-of-way of the Anacostia light rail line

VI. Zoning (see excerpt of Zoning Map, 2005, attached)

A. Existing zoning:

1. R-3 (42,400 square feet/0.97 acres)

a) Single family detached, semi-detached and row dwellings with certain other institutional uses

b) Maximum height: 3 stories, 40 feet

c) Minimum lot size:

(1) Area:

(a) Row dwellings: 2,000 square feet

(b) Semi-detached dwellings: 3,000 square feet

(c) Detached dwellings: 4,000 square feet

(2) Width:

(a) Row dwellings: 20 feet

(b) Semi-detached dwellings: 30 feet

(c) Detached dwellings: 40 feet

d) Maximum percentage of lot occupancy:

(1) Row dwelling, church or public school: 60%

(2) All other structures: 40%

e) Minimum rear yard: 20 feet

f) Minimum side yard: 8 feet (where required)

g) Minimum required parking: 1 space for each dwelling

h) PUD guidelines

(1) Height: 40 feet

(2) FAR: 0.6

(3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

(4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

2. C-3-A (45,596 square feet/1.05 acres)

a) General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses

b) Maximum height: 65 feet

c) Maximum FAR: 4.0, of which no more than 2.5 may be for other than residential purposes

d) Side yards: not required

e) Minimum rear yard: 2 ½ inches per foot of height, not less than 12 feet

f) Off-street parking:

(1) For retail or service use: 1 space for each 300 square feet of gross and cellar floor area in excess of 3,000 square feet

(2) For office: 1 space for each 800 square feet of gross and cellar floor area in excess of 2,000 square feet

(3) For residential use: 1 space for each 2 dwelling units

g) PUD guidelines

(1) Height: 90 feet

(2) FAR: 4.5, of which no more than 3.0 may be for commercial uses

(3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

(4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

3. C-M-1 (26,266 square feet/0.60 acres)

a) Light industrial district, permitting all kinds of commercial uses, institutional uses, hotels, warehouses, wholesale uses and industrial uses subject to the standards of external effects, but not residential uses

b) Maximum height: 3 stories, 40 feet

c) Maximum FAR: 3.0

d) Side yards: not required, except where abutting a Residence district

e) Minimum rear yard: 2 ½ inches per foot of height, not less than 12 feet

f) Off-street parking:

(1) For retail or service use: 1 space for each 300 square feet of gross and cellar floor area in excess of 3,000 square feet

(2) For office: 1 space for each 800 square feet of gross and cellar floor area in excess of 2,000 square feet

(3) For wholesale or industrial use: 1 space for each 1,000 square feet of gross floor area

(4) For warehouse use: 1 space for each 3,000 square feet of gross floor area

g) PUD guidelines

(1) Height: 60 feet

(2) FAR: 3.0

(3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

(4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. History

1. In 1958, property was zoned C-3-A along Good Hope Road, C-M-1 at the corner of S Street and Martin Luther King Jr., Ave, (then Nichols Road) and R-3 on the northeast portion of the site (Zoning Map shows only one bridge span across the river aligning with what was then Nichols Avenue)

2. C-3-A zoning was extended to the northern central portion of the site in 1959

C. Proposed zoning: C-3-A

1. General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses

2. Maximum height: 65 feet

3. Maximum FAR: 4.0, of which no more than 2.5 may be for other than residential purposes

4. Side yards: not required

5. Minimum rear yard: 2 ½ inches per foot of height, not less than 12 feet

6. Off-street parking:

   a) For retail or service use: 1 space for each 300 square feet of gross and cellar floor area in excess of 3,000 square feet

   b) For office: 1 space for each 800 square feet of gross and cellar floor area in excess of 2,000 square feet

   c) For residential use: 1 space for each 2 dwelling units

7. PUD guidelines

   a) Height: 90 feet

   b) FAR: 4.5, of which no more than 3.0 may be for commercial uses

   c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

   d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

D. Zoning of the area (see map, attached)

1. To the west and north:

   a) C-M-1 along the railroad right-of-way

   b) Unzoned Federal parkland

2. To the east:

   a) R-3 along S and T Streets and Ridge Place

   b) C-2-A along Good Hope Road

3. To the south:

   a) C-3-A on the south side of Good Hope Road between Martin Luther King, Jr., Avenue and 13th Street and extending south along both sides of Martin Luther King, Jr., Avenue

   b) R-4 in a band east of the frontage along Martin Luther King, Jr., Avenue

   c) R-3- further to the east

VII. Description of the proposed project

A. One of the District's Government Centers

B. Office building for the D.C. Department of Transportation including ground floor retail and day care center

C. Height: maximum of 80 feet

D. Floor area ratio: 2.93 (335,270 square feet of gross floor area)

1. 330,020 square feet of office

2. 5,250 square feet of retail

E. Parking: 436 spaces in underground garage

F. Comparison to matter-of-right and PUD standards for C-3-A

1. Uses: office, retail and child development center permitted as a matter-of-right

2. Height:

   a) Matter-of-right: 65 feet

b) PUD guideline: 90 feet

c) Proposed: 80 feet (maximum permitted under the Act of 1910)

3. FAR:

a) Matter-of-right: 2.5 for commercial

b) PUD guideline: 3.0

c) Proposed: 2.93

4. Proposed total gross floor area of 335,270 square feet is approximately the same as the total bulk permitted under the existing matter-of-right zoning and approximately 142,500 square feet more commercial density than permitted under the existing matter-of-right zoning

VIII. Compliance with PUD evaluation standards of §2403

A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)

1. Replacing predominantly vacant site with municipal offices to provide economic stimulus along both the Good Hope Road and Martin Luther King, Jr., Avenue corridors

2. Traffic will have no unacceptable impact on levels of service at build-out, per report by Wells & Associates

3. Proposed height is acceptable given the context (site topography and roadway ramps)

4. Proposed bulk is reallocation and redistribution of bulk currently permitted

B. Project is not inconsistent with the Comprehensive Plan (§2403.4): see section IX, below

C. Commission shall "judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects" (§2403.8)

D. Public benefits and project amenities

1. On-site benefits and amenities

a) Office use to provide economic stimulus in area designated as new or up-graded multi-neighborhood center on the Comprehensive Plan Generalized Land Use Policies Map

b) Ground floor retail along Good Hope Road

c) Day care center

d) Exceptional architecture and urban design

2. Community benefits:

a) LEED Silver certification

b) Employment and training opportunities through First Source and LSDBE programs

balanced against

E. Development incentives:

1. 15 foot increase in height over proposed matter-of-right (some portions of site are currently limited to 40 feet in height)

2. Reallocation of existing density to make entire site commercial (increase in commercial gross floor area of approximately 142,500 square feet)

F. Areas of flexibility from C-3-A or PUD standards:

1. Side yard setback on the Good Hope Road frontage of the Good Hope Road wing

2. Roof structure setback for a small portion of the penthouse

IX. Consistency with the Comprehensive Plan

A. The District Elements

1. The District of Columbia Comprehensive Plan Act of 1984 (D.C. Law 5-76, March 9, 1984)

2. The District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 (D.C. Law 5-187, February 15, 1985)

3. The Comprehensive Plan Amendments Act of 1989 (D.C. Law 8-129, January 5, 1990)

4. The Comprehensive Plan Amendments Act of 1994 (D.C. Law 10-193, October 19, 1994)

5. Comprehensive Plan Land Use Maps Approval Resolution of 1996 (Resolution 11-313, May 7, 1996)

6. The Comprehensive Plan Amendments Acts of 1998 (D.C. Law 12-275, April 27, 1999)

B. Interpretation of the District elements

1. "The primary dynamic of the District elements of the Plan is the overlapping of its elements' goals. This overlapping is intentional." (§112.1)

2. "District elements of the Plan should be studied and executed in concert with each other and should be interpreted broadly." (§111.(a))

3. "The interpretation and implementation of any element should necessarily rely upon, and be respectful of, the objectives and policies of other elements." (§112.1(b))

4. "An element may be tempered, even defined, by one (1) or more of the other elements. This may occur within one (1) element and between elements. Since the Land Use element integrates the policies and objectives of all other District elements, it should be given greater weight than the other elements." (§112.1(c))

5. "The interpretation of the District elements of the Plan should also be guided by the major themes set forth in §101.1, which establish the overall priorities of the District elements of the Plan." (§112.2)

C. Major Themes

1. Stabilize and Improve the District's neighborhoods (§102)

2. Respect and improve the physical character of the District (§106)

D. Land Use element

1. Generalized Land Use Map (see excerpt attached):

a) Moderate density commercial

b) Designated as new or up-graded multi-neighborhood center on the Comprehensive Plan Generalized Land Use Policies Map

2. Objectives for commercial areas: "promote the vitality of the District's commercial areas ... to provide for the continued growth and vitality of the District's economy and its employment base." (§1105.1)

3. Policies in support of the commercial area objectives:

a) "Promote appropriate commercial development, including centers for retail and office development, to serve the needs of the economy of the District" (§1108.1(a))

b) "Promote the development new multi-neighborhood commercial centers ..." (§1108.1(e))

c) "Promote the establishment and growth of mixed use commercial centers at appropriate Metrorail stations and major transportation interchange points ..." (§1108.1(j))

d) "Protect residential areas adjoining new commercial centers ..." (§1108.1(k))

e) "Ensure that residential communities are adequately protected from destabilizing impacts from new commercial uses ..." (§1108.1(l))

E. Economic Development element

1. Major policies

a) Central theme to "generate a high-performance economy, create job opportunities for District residents, expand the revenue base through a strong, growing citizen-business-government partnership, and develop a program that moves from economic development planning through implementation and completion of projects" (§200.5)

b) "Generate new and productive uses of currently underused commercial and industrially zoned land" (§200.10)

c) "Revitalization of older business areas is a high priority" (§200.11(a))

2. "Expand the District government's active involvement in creating a positive operational environment for all economic activities" (§204.1)

3. Economic development outside the Central Employment Area: "Support the appropriate development of ... the Martin Luther King, Jr. Avenue, S.E. ... corridor" (§206.2(b))

4. Neighborhood and multi-neighborhood retail and commercial centers:

a) "Give priority to neighborhood economic development" (§208.2(a))

b) "Use public resources, local and federal, to leverage private sector participation in achieving neighborhood development projects" (§208.2(g))

c) "Seek to target government economic development programs to areas of greatest need, which include older business areas that need revitalization and commercial centers that inadequately serve surrounding residential areas" (§209.2(h))

5. Housing viewed as "key part of total urban living system

F. Environmental Protection element: policy to promote improvement of air quality by "promot[ing] land use patterns and transportation services which decrease reliance on automobiles for commuting and other routine trips" (§403.2(c))

G. Transportation element:

1. "Support land use arrangements that simplify and economize transportation services ..." (§502.2(a)).

2. "Require major developments to demonstrate that adequate parking will exist for occupants and other users" (§505.2(e))

H. Urban design element:

1. "Preserve and enhance the outstanding physical qualities of District neighborhoods" (§702.1(b))

2. "Design residential, commercial, and all other buildings to complement or enhance the physical character of the District;" (§708.2(a))

3. "Design buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate region." (§708.2(b))

4. Areas in Need of New and Improved Character (§712):

a) Objective to "encourage new development or renovation and rehabilitation of older structures in areas with vacant or underused land or buildings to secure a strong, positive physical identity" (§712.1)

b) "Encourage well designed development in areas that are vacant, underused or deteriorated. These developments should have strong physical identities." (§712.2(a))

c) "Encourage in-fill development of attractive design quality in deteriorated areas to stabilize the physical fabric and to encourage renovation and redevelopment" (§712.2(b))

d) "Establish a new physical identity in areas having a strong negative image ..." (§712.2(e))

e) "Utilize large-scale development or capital improvement projects as opportunities for establishing a positive image or redirection in deteriorated areas" (§712.2(g))

I. Ward 8 element

1. Ward 8 planning focus:

a) "Suggest ways of using public investments in the maintenance and location of capital improvements to stimulate privately funded renovation of existing residential, commercial and industrial properties" (§1901.1(c))

b) "Encourage the development of new commercial and employment areas that are compatible in design and scale with adjoining land uses, particularly residential neighborhoods" (§1901.1(f))

c) "Emphasize nodal development of neighborhood commercial/retail service centers, including appropriate site and height and design controls ..." (1901.1(i))

2. Transportation: "Ensure that new nonresidential development projects in Ward 8 include measures designed to mitigate potential traffic impacts on adjacent residential areas" (§1915.1(c))

3. Urban design:

a) "Encourage new development in areas with vacant or underused land to secure a strong, positive physical identity" (§1920.1(g))

X. Compatibility with the area

A. Site isolated from properties to the east by ramps leading to the northbound 11th Street Bridge

B. Good Hope Road wing is substantially lower in height

C. Design reflects location as major gateway to east side of Anacostia River at prominent location

D. Site located in proximity to stop on new Anacostia light rail line

E. Use: commercial use already permitted on approximately 63% of site

F. Density: proposed project reallocates and redistributes bulk now permitted as a matter-of-right

XI. Conclusions

A. Project is not inconsistent with the Comprehensive Plan

B. Project is within the applicable height and bulk standards of the Zoning Regulations

C. Project provides an appropriate balance between the development proposed, the flexibility requested and the benefits and amenities provided

D. PUD allows the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development

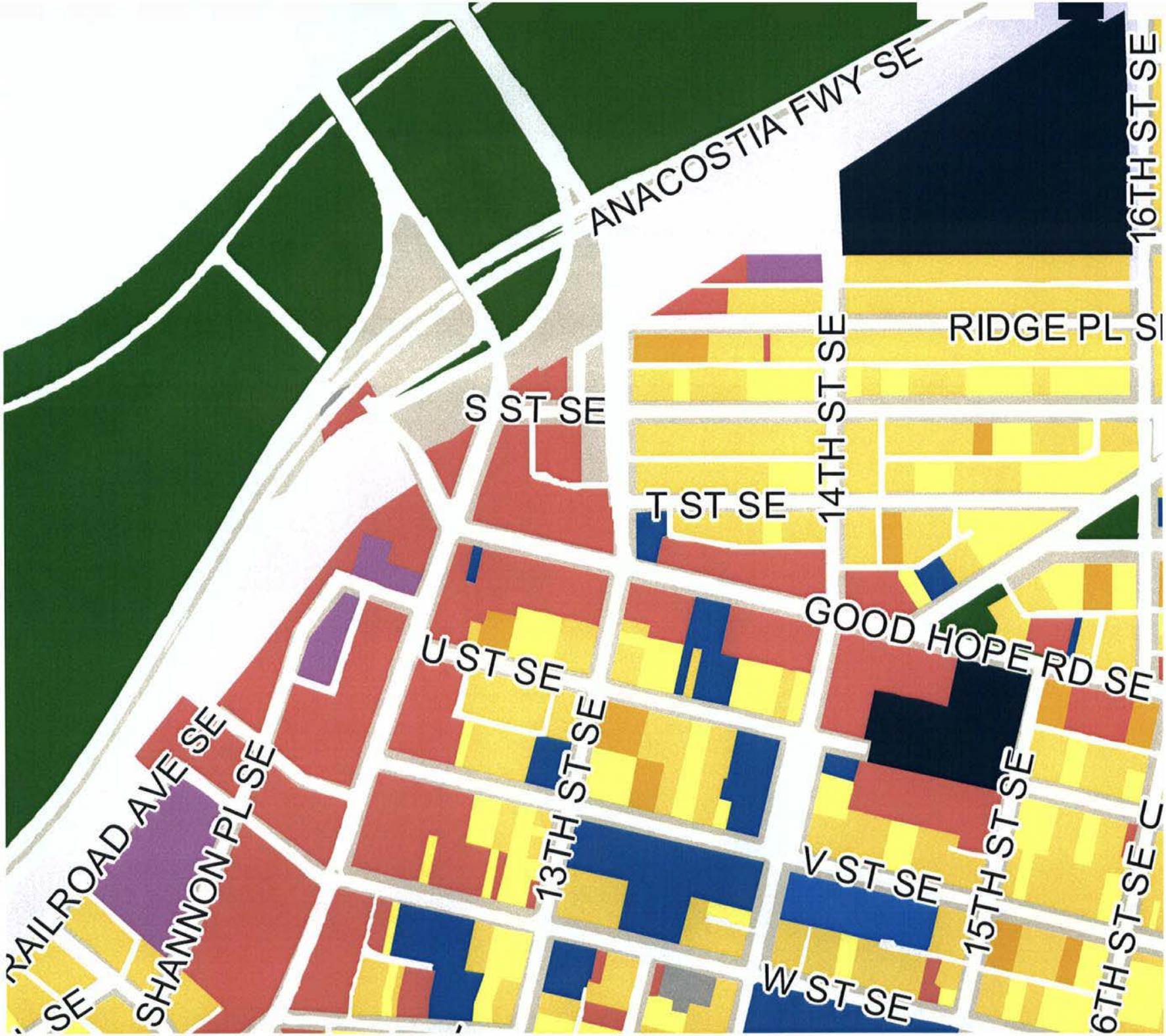
E. Project should be approved

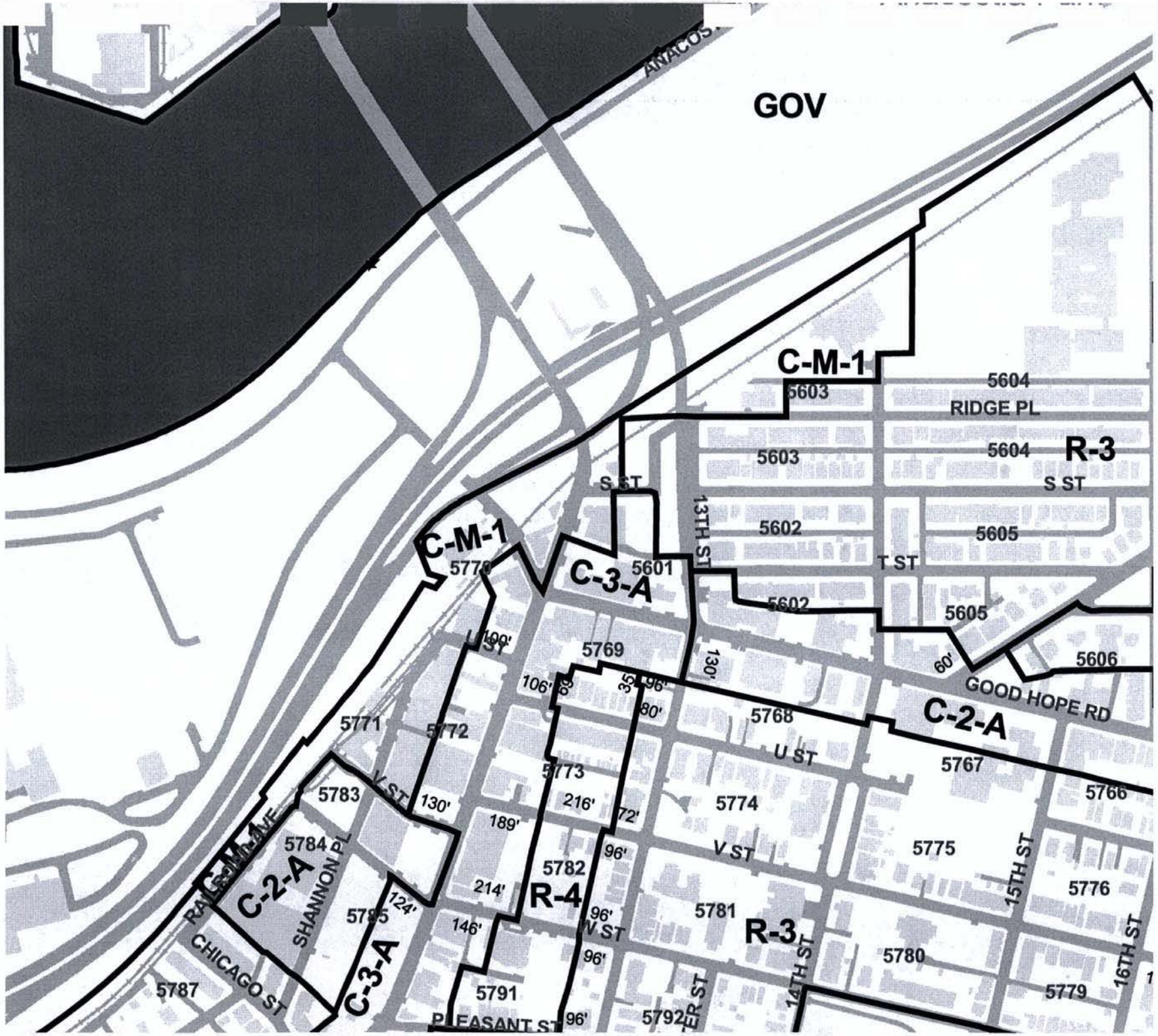

14th St SE
13th St SE
I-295 Ramp
11th St SE
S St SE
T St SE
Good Hope Road SE
I-295

District of Columbia
Existing Land Use

Map 4

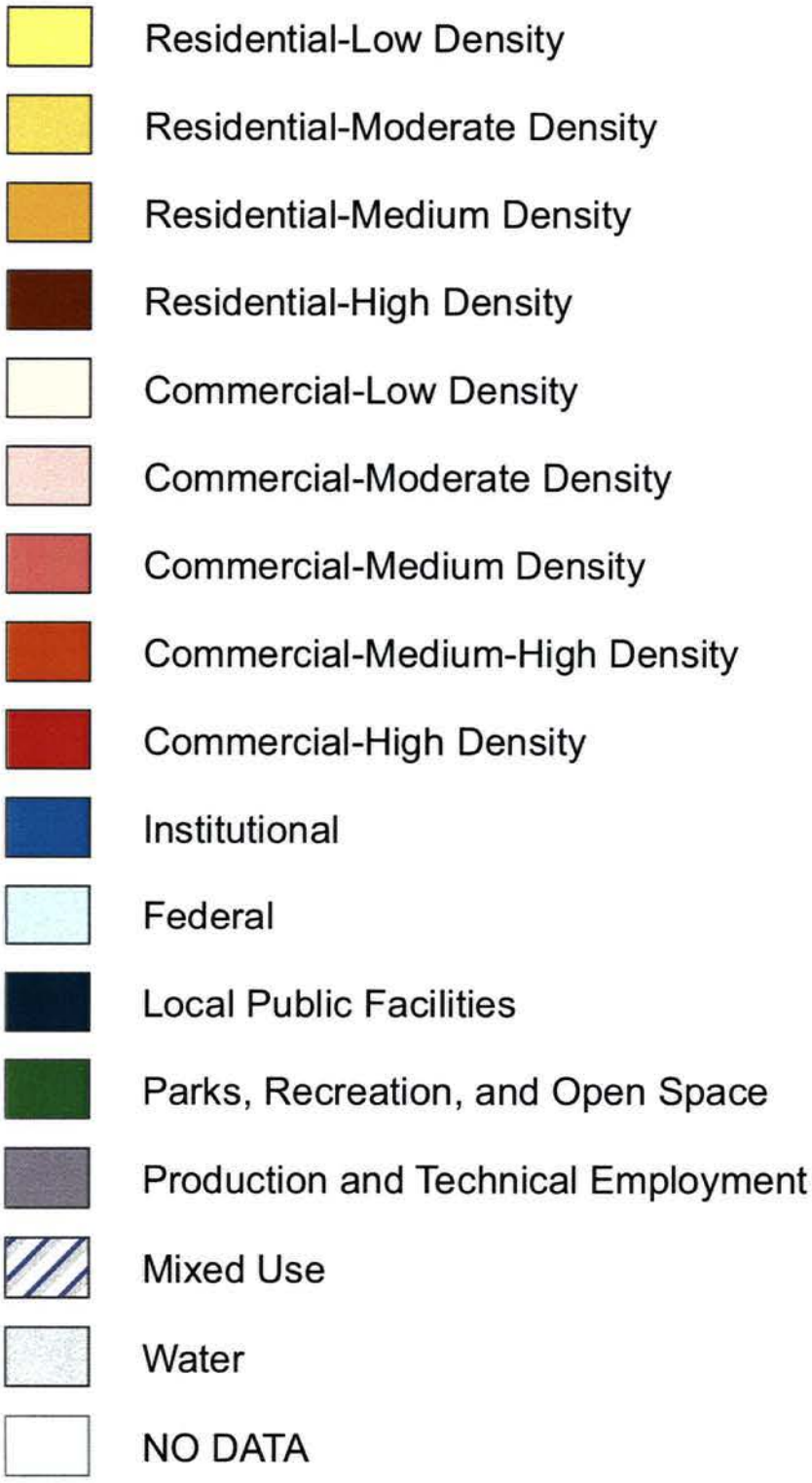


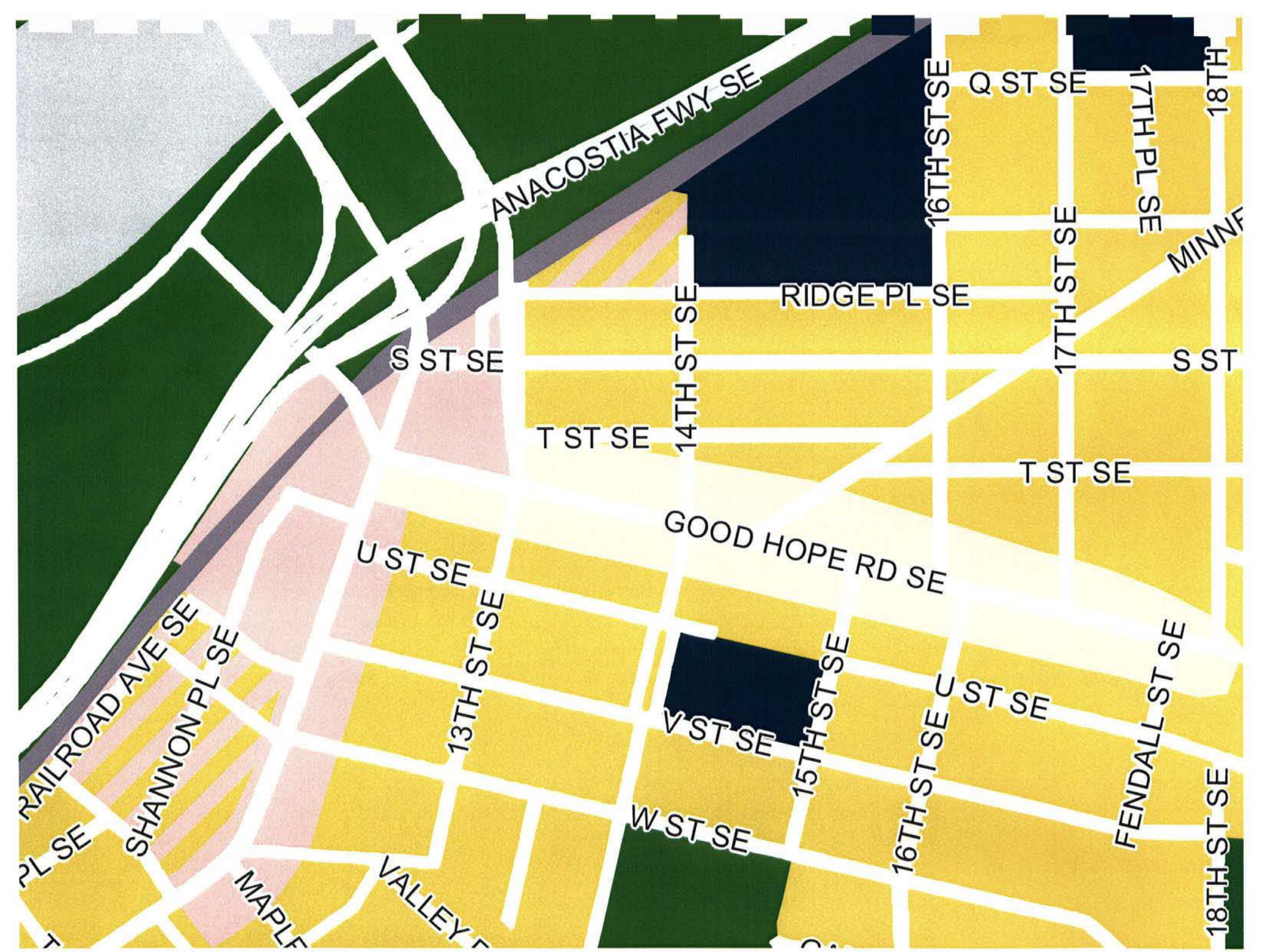

ANACOSTIA FWY SE
16TH ST SE
RIDGE PL SE
14TH ST SE
S ST SE
T ST SE
GOOD HOPE RD SE
U ST SE
13TH ST SE
15TH ST SE
V ST SE
W ST SE
SHANNON PL SE


GOV
C-M-1
C-3-A
C-2-A
R-4
R-3
5603
5604
RIDGE PL
5602
5605
S ST
T ST
13TH ST
5601
5769
5606
GOOD HOPE RD
5768
U ST
5767
5766
5771
5772
5773
5774
V ST
5775
15TH ST
5776
5783
5784
SHANNON PL
5782
5781
5780
14TH ST
16TH ST
5787
CHICAGO ST
5791
PLEASANT ST
5792
5779
106'
130'
216'
189'
214'
146'
124'
96'
72'
80'
60'

District of Columbia Generalized Land Use

Map 4




ANACOSTIA FWY SE
16TH ST SE
Q ST SE
17TH PL SE
18TH
17TH ST SE
RIDGE PL SE
S ST SE
14TH ST SE
S ST
T ST SE
T ST SE
GOOD HOPE RD SE
U ST SE
13TH ST SE
RAILROAD AVE SE
SHANNON PL SE
V ST SE
15TH ST SE
U ST SE
FENDALL ST SE
16TH ST SE
W ST SE
18TH ST SE