

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

TO: Zoning Commission
FROM: *HLS PV*
Harriet Tregoning, Director
DATE: March 16, 2007
SUBJECT: Zoning Commission Case #06-03, New Office Building at 100 M Street SE, pursuant to the Capital Gateway Overlay District – request for modifications to the approved plans

I. OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning recommends approval of requested modifications to Zoning Commission Order 06-03, for alterations to the approved plans for a new office building at 100 M Street SE.

II. APPROVED PROJECT

At a public hearing held May 25, 2006, the Zoning Commission approved a proposal for a new office building to be located at the corner of M and First Streets SE within Square 743N. The site is within the C-3-C District (medium – high density development including office, retail, housing and mixed use developments). The proposed office and retail uses are permitted within this zone. The site is within the South Capitol TDR Receiving Area which allows on this site a by-right height of up to 130' to accommodate additional density to an FAR of up to 10.

Because the site is also within the Capitol Gateway (CG) Overlay District and fronts onto M Street SE, review by the Zoning Commission is required pursuant to §1604.1. The applicant also received relief from rear yard setback and court requirements, as permitted by the CG Overlay.

The Commission approved the proposal for the construction of a new building with:

- 263, 000 sq.ft. office building with ground floor retail fronting M Street SE and 1st Street SE.
- a conforming height of 129.3 feet.
- entrance to underground parking from 1st Street SE and access to loading from the alley.

The development is considered not inconsistent with both the current and the draft 2006 Comprehensive Plan.

III. REQUESTED MODIFICATIONS

The owner of the property has requested a number of amendments to the approved plans.

1. Modifications to the First Street Streetscape Design

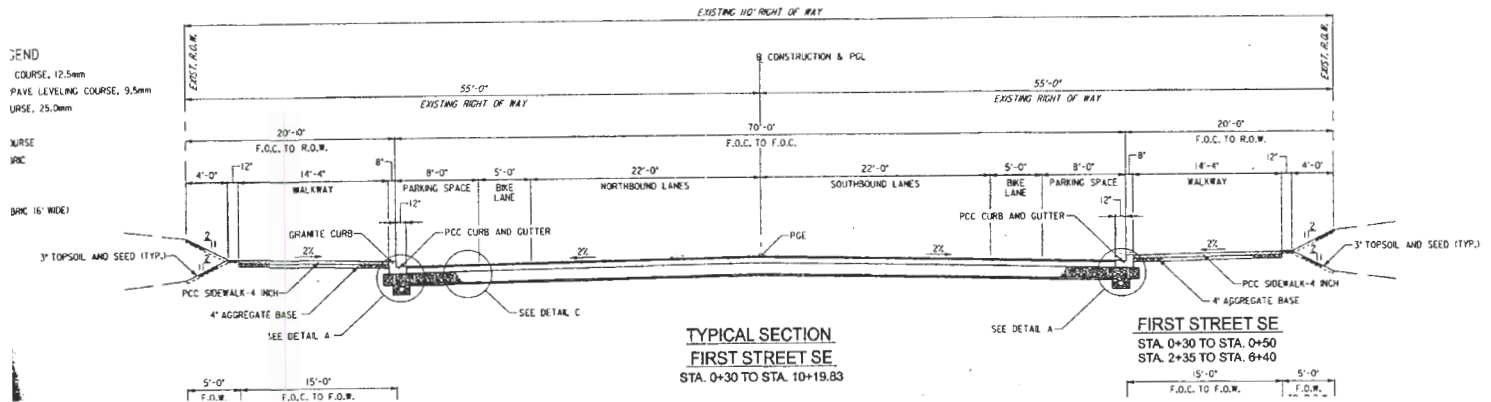
The applicant notes that, subsequent to the Zoning Commission approval, the District Department of Transportation (DDOT) refined plans for the design of First Street SE. The

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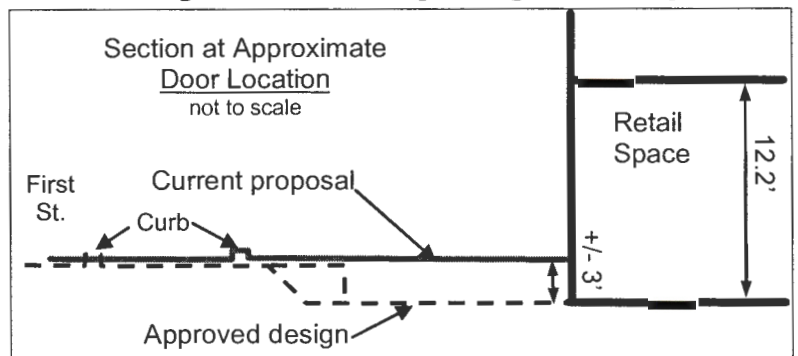
EXHIBIT NO. 3

paved portion of the road will be more extensive than as shown in the approved design, so the width of the area between the curb and the building has been reduced to about 20 feet.



First Street SE slopes up from south to north in front of the proposed building. The approved application addressed this change in grade by providing a flat area adjacent to the building at essentially the same elevation as the interior floor level, with planters and steps to the sidewalk adjacent to the street which would follow the slope of the street.

This solution is no longer feasible, since the width of the area to work with to accommodate the slope has been reduced substantially. The applicant is now proposing that the entire sidewalk area slope up with the street, eliminating the sunken area and the related need for steps within the sidewalk area. In addition to the changes to the streetscape design (including the loss of opportunity for outdoor seating area), this results in a grade differential between the sidewalk and the interior floor level of as much as 3.5 feet at the north end of the building, or about 2.5 to 3 feet in front of the proposed door location – the floor of the retail space would be lower than the level of the sidewalk by this amount.



In discussions with OP, the applicant clarified that this change in grade would be accommodated through the installation of ramps and stairs within the building down to the retail floor level. This requires additional relief from the minimum floor to ceiling height of 14 feet for the landing areas. Landings, stairs, and ramps from the M Street entrance down to the retail level will also be required, although the grade differential is less at this location. While the change in grade from M Street to the retail area is shown on the approved set of site plans, this was not made clear to the OP, and the required landings, stairs, and ramps were not shown on the submitted plans.

Raising the floor level is not possible due to the relatively confined 12.2 foot height of the retail space. Office floors above also have a relatively shallow ceiling height (8.5 ft.) due to the number of floors in the building (11 floors of office and one floor of retail in the 130 foot tall building). Short of removing a floor, which could alleviate the problem, the retail floor can not be raised to be level with the sidewalk.

Having the retail located below the level of the street results in an uncomfortable relationship, and the landings, stairs, and ramps required to transition down from the street will take up a considerable amount of retail space, making it less effective. OP has noted to the applicant concerns regarding the viability of retail space located below the level of the street, and concerns that an application may, eventually, be filed for a further modification to rectify this situation, possibly by raising the interior floor level to the height of the sidewalk (which would mean an interior retail ceiling height of between 9 and 10 feet). OP would support moving the entrance further south on the elevation, if practical, to reduce the grade change, but would be very concerned with a proposal to raise the floor level of the retail without a corresponding rising of the ceiling height to maintain acceptable retail height.

On the other hand, the elimination of the “sunken” courtyard adjacent to the building is not, in itself, considered by OP to be of concern – the elimination of steps within a public walkway area normally facilitates pedestrian movement. The revised design also maintains the same number and locations of street trees.

The narrowing of the sidewalk also makes the extent and placement of the Pepco ventilation grills more noticeable and potentially problematic, and OP has requested that the applicant reexamine their placement, if possible, and the type of vault cover proposed. If not all of the vent space is immediately required, a more permanent cover is recommended. OP further notes that on the modified proposal drawings, the door to the retail space on First Street seems to be directly in front of a Pepco ventilation grill location. Clarification of this issue is required, and assurance that retail patrons would not have to cross a ventilation grill to enter the retail space within the building.

2. Modifications to the First Street Façade Design

Modifications to the First Street façade glazing patterns are necessitated by the change in the sidewalk elevation where it abuts the building. The applicant has also requested flexibility to add a possible second doorway to the west elevation. The approved set of drawings show one door on the elevation, and two doors on the plans.

OP has no major concerns with these changes or the flexibility, but notes that any door located further north on the elevation will have an even larger grade differential between the interior and the exterior of the building.

3. Modifications to the East (M Street) Retail area – Clear Ceiling Height

The applicant has requested a modification to permit the floor level of the east retail area, accessed from M Street SE, to be raised by 6 inches. This results in a reduction in the ceiling height from the approved 13'-8" to 13'-2". This request is made because there is a grade differential from interior to exterior of about 6 inches, and the applicant would prefer to have a level entrance.

OP concurs with the applicant that 13'-2" will provide a reasonable ceiling height, and that elimination of the small step will likely make the retail more viable.

4. Modifications to the Eastern Retail area – Fitness Room

The applicant has requested that area at the back of the retail space on the east end of the building be allowed to be utilized as a fitness area for tenants of the office building. This space has no frontage on a street, and the amendment would retain retail along M Street. The amount of ground floor area devoted to retail would remain above the required 35%. As such, OP has no concerns with this modification.

5. Modifications to the East Façade Design

The applicant has noted that DCRA review has shown that the original approved design incorporates more glazing than permitted under the Building Code, and that the amount of glazing on this façade must be reduced from 52% to 45%. Although the proposed window pattern would be dissimilar to that of the rest of the building, the applicant has indicated that the east elevation would utilize materials identical to those used on the front elevation. OP has indicated to the applicant concerns that the change in window pattern will make this appear as a “back” elevation even though it would be visible from M Street SE. However, OP further notes that this elevation is anticipated to be somewhat screened by new development anticipated for the site to the east of the site, adjacent to and/or above the Navy Yard Metro station.

IV. PENTHOUSE / ROOFTOP ENCLOSURE

In OP’s review of the modification plans, it was noted that the rooftop penthouse appeared to increase in size. The applicant has advised OP that this is not the case. Rather, the approved set of drawings inaccurately showed only the enclosed penthouse, and did not show areas of screening walls which will be of similar height and material as the penthouse. According to the applicant, all rooftop penthouse and screening wall area will conform to all zoning regulations. The applicant does not require and is not requesting relief pertaining to the rooftop enclosures.

V. ADVISORY NEIGHBORHOOD COMMISSION (ANC) COMMENTS

OP has been advised by the ANC that the modifications were discussed at the ANC’s March 12, 2007 meeting and that the ANC voted to recommend approval of the modifications.

VI. CONCLUSION

OP has concerns with aspects of the proposal which in general do not result in an improvement to the overall design or function of the building and the public space. However, some of the modifications are the result of refinements to DDOT’s First Street design subsequent to Zoning Commission approval, and without a reduction in the number of floors proposed, there does not seem to be a reasonable solution to the problem. The applicant has advised that their proposed solution of interior landings, ramps, and stairs can be made to work. Other changes to the building are relatively minor or have limited impact on the M Street experience, which is the main intent of the Zoning Commission review. The proposal remains conforming to all requirements of the CG Overlay pertaining to M Street (15 foot setback from the curb, amount of retail space, façade glazing, and driveway restrictions).

HT/jl