GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

DATE: October 10, 2003

TO: District of Columbia Zoning Commission

FROM: JLS for Andrew Altman, Director OP

SUBJECT: Zoning Commission Case No. 03-22, 1333 M Street S.E.

ZONING COMMISSION
District of Columbia
Case 03-22
Exhibit 10

I. APPLICATION-IN-BRIEF

Applicant: FLAG, LLC for Cohen Companies & ADC Builders

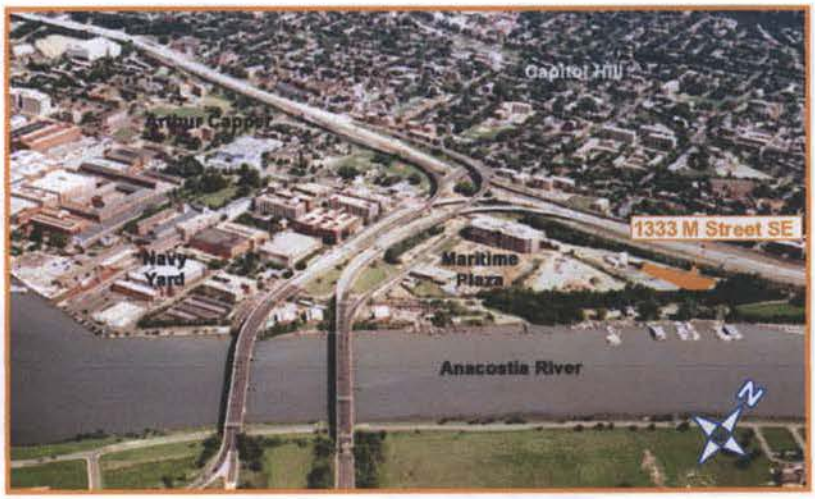
Location: Square 1048S
Ward 6; Advisory Neighborhood Commission 6D.

Proposal: An amendment to the Zoning Map to rezone land to permit the construction of a 26 unit townhouse development.

II. RECOMMENDED ACTION

The Office of Planning recommends that the Zoning Commission set down for public hearing a proposed map amendment to rezone Square 1048S from M (General Industry) to CR (Mixed Commercial / Residential). The Zoning Commission may also wish to advertise, in the alternative, the applicant's original proposal for a rezoning to R-5-B (moderate density residential).

III. CONTEXT – refer also to Context Map Attachment I, and Site Map Attachment II



The small, roughly triangular site is bounded by M Street to the north, the right-of-way for Virginia Avenue SE to the south, the right-of-way for 14th Street SE to the east, and a small federal reservations to the west. The Anacostia River is about 200 feet minimum to the south, with Water Street SE between the two. There are a number of small marinas along the river to the south and east of the site, including the Anacostia Community Rowing Center, District Yacht Club, Anacostia Marina, and Seafarers Yacht Club. The Anacostia Waterfront Initiative envisions this as a future "boathouse row". To the north are a railway line, the I-395 freeway, and Capitol Hill neighborhood. To the west is the Washington Gas / Maritime Plaza development and the Washington Navy Yard. The site is currently somewhat isolated, but is on the edge of the rapidly developing Near Southeast area. It currently contains the Stewart Petroleum facility. Although the site is less than 1/3 mile from the nearest Metro station (Potomac Avenue on the Blue and Orange lines), the railway tracks and the I-395 freeway are barriers separating them.

ZONING COMMISSION
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CASE NO.03-22
EXHIBIT NO.10

IV. PROPOSAL

The application is for amendment to the zoning map. The applicant originally proposed that the lands be rezoned from M (General Industry) to R-5-B (Moderate Density Residential). This would permit the construction of a residential town home development. The preliminary plans indicate that the town homes generally face north to M Street and south to a new Virginia Avenue extension. The development also would permit a future pathway from Virginia Avenue to the waterfront.

The zoning designation originally proposed by the applicant (R-5-B) would permit a town home development. OP, however, would prefer to see the zoning provide for some additional flexibility. Although OP does not oppose town home development on this site, as it is not considered to be inconsistent with the Anacostia Waterfront Initiative (AWI) and the Comprehensive Plan, OP has proposed an alternative, higher density zone district – CR (Mixed Commercial / Residential) – which would provide flexibility for additional development on the site, and which would be more consistent with the Generalized Land Use Map and the AWI. The applicant has indicated support for this alternative zone designation.

V. PLANNING AND ZONING ISSUES – refer to Context Map, Attachment I

1. Anacostia Waterfront Initiative

The site is within the Anacostia Waterfront Initiative area, for which a Memorandum of Understanding was signed by twenty Federal and District agencies which own land or have jurisdiction along the Anacostia River, as a commitment to create an active, cohesive, and well-planned Anacostia River waterfront. The vision of the AWI is of a clean and vibrant waterfront with parks, recreation uses, and places for people to meet, relax, encounter nature and experience the heritage of the waterfront. The AWI also seeks to revitalize surrounding neighborhoods, enhance and protect park areas, improve water quality and environment, and, where appropriate, increase access to the water and maritime activities along the waterfront. Relevant planning principles cited in the plan for this area of the Anacostia waterfront include:

- Extend the existing surrounding urban fabric to the waterfront, bringing the city to the Anacostia River;
- Maximize access to the waterfront from residential areas by extending existing streets and views to the river;
- Emphasize mixed-use development and integrating commercial and residential areas; and
- Provide diversity in housing types and income levels to encourage a balanced neighborhood.

OP feels that the proposal for new zoning which would permit the replacement of the fuel storage facility with residential is in keeping with AWI objectives.

2. Near Southeast Target Area Plan

The site is on the eastern edge of the Near Southeast Target Area, which is undergoing rapid transition. Zoning Commission public hearings have already been held for a number of separate planned development projects, including the Southeast Federal Center site, the Hope VI Arthur Capper / Carrollsburg site, and the US Department of Transportation Headquarters. The site is directly to the northeast of the Washington Gas site, currently being redeveloped as Maritime Plaza, with 750,000 square feet of offices and a future 190-250 room hotel. The site is also in close proximity to the Washington Navy Yard, which has received significant investment to

accommodate over 11,000 employees, including restoring historic structures, constructing infrastructure improvements, and enhancing the waterfront area.

The Near Southeast Area Urban Design Framework Plan has been drafted to tie these many separate development plans into one cohesive plan. The Plan envisions an urban neighborhood that re-establishes historic Carrollsburg; provides unprecedented public access to the waterfront; encourages active, transit-oriented neighborhoods; and permits a combination of mixed-income housing, office, retail use and cultural destinations. The Plan notes that the East M Street / Washington Gas precinct (the area of the proposed development) is currently isolated, but enjoys elevated topography that provides sweeping river views, and will "*form the juncture of the (Anacostia) Riverwalk, M Street and the Virginia Avenue Greenway, ensuring greater visibility and access*". The plan envisions extending Virginia Avenue and 14th Street SE past this site, and labels the site for possible civic / institutional buildings. It notes that any development on the site should "*ensure that the terminus of Virginia Avenue has an active mix of uses on both sides and is connected to the waterfront park and Riverwalk*".

OP feels that the proposal to rezone the lands to CR, mixed-use is in keeping with this vision, although residences are proposed rather than a civic / institutional building.

VI. COMPREHENSIVE PLAN

The area is designated on the Generalized Land Use Policies Map as "*production and technical employment ... intended to encourage growth industries and industries with a high ratio of employees to land area occupied, such as office support systems, communications, printing and publishing, wholesaling, transportation services, food services, tourism support services, warehousing, and other commercial activities that generally do not occur to substantial degree in other commercial areas*". This designation reflects the current fuel storage use of the site, but not current planning thought and policy regarding appropriate uses for this section of the waterfront. The AWI and Near Southeast Plans both envision a mixture of uses, emphasizing ones that better relate to the vision of an active, publicly accessible riverfront recreation area than the current use designation.

The Comprehensive Plan includes a number of references which support the proposed rezoning of the site from industrial to CR, mixed-use, including:

CHAPTER 3 HOUSING ELEMENT

300.2 A central theme of the Housing Element is that the District must stimulate a wider range of housing choices and strategies through the preservation of sound older stock and the production of new units for a wide variety of household types.

CHAPTER 7 URBAN DESIGN ELEMENT

706 Waterfront Design Areas Policies

706.2 (b) Require that waterfront design areas complement and enhance urban development;

(d) Require that site planning in these areas establish, and be sensitive to, the close interrelationship between buildings, parks and open spaces, and the rivers;

712 Areas In Need Of New And Improved Character

712.2 The policies established in support of the areas in need of new and improved character objective are as follows:

(a) Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities;

CHAPTER 17 WARD 6 PLAN

1700 Ward 6 Economic Development

1700.1 Ward 6 offers an abundance of economic opportunity within its commercial area. ... Economic development themes in the ward are almost exclusively in two (2) areas: office development and small retail business which will serve both the office and residential communities. ... There are virtually no industrial areas in the ward except for small parcels, which are, for the most part, incompatible with current neighborhood uses.

1701 Ward 6 Objectives For Economic Development

1701.1 (a) To encourage a range of commercial services and facilities for Ward 6 residents through appropriate development of commercial areas when needed and to upgrade commercial areas such as ... the M Street, S.E. corridor from South Capitol Street to north of the 11th Street bridge ... (This clause indicates that the commercial area of M Street SE was anticipated to end at the 11th Street Bridge, to the west of the site.)

1705 Ward 6 Objectives For Housing

1705.1 (b) To stimulate production in Ward 6 of new and rehabilitated housing ... to provide housing opportunities to accommodate and allow for residential growth and stability according to area needs ...

1721 Ward 6 Objectives For Urban Design

1721.1 (b) To ensure that new development that occurs in Ward 6 complements and translates land uses into compatible, physical settings and preserves and enhances the outstanding qualities of the natural park areas;

1734 Ward 6 Policies In Support Of Land Use Objectives

1734.1 (a) Stabilize and improve residential and commercial areas throughout Ward 6;

(c) Monitor new developments to ensure that they are consistent with the moderate density residential and low-to-moderate density commercial character of Ward 6;

The Comprehensive Plan, while encouraging the retention of industrial zoning on appropriate sites and for appropriate employee-intensive uses, also includes a number of references that indicate that "industrial" uses on this property would be contrary to the overall intent of the Plan:

CHAPTER 11 LAND USE ELEMENT

1100 Declaration Of Major Policies

1100.6 The District's waterfronts and shorelines are great natural assets which may be conserved and protected but which also represent exciting opportunities for the District's future development. The Land Use Element calls for the preparation of waterfront and shoreline plans to tap this recreational, cultural, housing, and commercial potential.

This clause highlights the goal of providing a mix of appropriate uses along the waterfront. The immediate area of the site includes office and future hotel (Maritime Plaza) as well as recreational

uses along the river, but limited housing opportunities. Residential use on this site would compliment the existing and proposed mix to a greater degree than the current industrial use.

1109 Objectives For Production And Technical Employment Areas

1109.1 The objectives for production and technical employment areas are to encourage the growth of centers of high technology, research and development, and to provide for essential support services and nonpolluting production activities.

1110 Production And Technical Employment Land Use Category

1110.2 Production and technical employment areas will be designated for the following:

(a) Areas where buffering can protect adjacent residential areas from adverse impacts or where no residential areas are present;

(b) Areas adjacent to railroads and major highways;

(c) Certain areas where there is sufficient land to meet the needs of production and technical employment users; and

(d) Certain areas where there are viable industrial uses in operation.

The proposed CR designation would incorporate many of the technology-based commercial / office uses envisioned by the Plan. OP believes, however, that the site in question is sufficiently small and isolated from any other current or potential high tech areas that it would not be able to play a significant role in encouraging this kind of use. As such, it would likely be relegated to serving a role similar to the one it now plays – a fuel service facility, which is not in keeping with the intent of the Comprehensive Plan or AWI goals for the waterfront.

VII. Zoning Regulations

The property is currently zoned M (General Industry), which permits a range of industrial, production, commercial, and warehouse type uses. The adjacent Washington Gas / Maritime Plaza development is also zoned M and is being developed with office and hotel uses, along with a small amount of local retail. The zone prohibits most usual forms of residential development. The applicant originally proposed new zoning of R-5-B (moderate density residential), which closely corresponds to the form of use proposed. As noted in the Project Profile (Attachment III), the rezoning would not only permit a different form of use (residential as opposed to industrial), but would also reduce significantly the development potential on the site, from over 240,000 sq.ft. to about 73,000 sq.ft., and reduce the possible height from 90' to 50' maximum (40' is proposed).

OP feels that, while town home use is not inappropriate for this site, a higher density form of residential would also be suitable, and has recommended to the applicant that CR (Mixed Commercial / Residential) would permit this density, as well as be more consistent with the Comprehensive Plan designation. The applicant has noted that, given the location, the market currently would not support higher density but agrees that CR is an acceptable zone, in that it would permit the town home development as currently proposed, but also permit higher density residential on part of the site, should conditions in the near future (but prior to complete build-out of the project) warrant. CR zoning would also a small retail component, which would contribute towards the creation of more of a "neighborhood" feel, and serve local residents, workers within the Maritime Plaza development, and visitors to the Anacostia River "boathouse row" area and the Riverwalk. Such retail would likely only be viable if density on the site increased. OP also notes that the site will be well served by access roads, so could accommodate additional density, that it sits at the visually and physically important terminus of M Street

/ Virginia Avenue, and that it will enjoy sweeping river views with little possibility of any significant development between it and the river.

VIII. ANC 6D

The project has not yet been reviewed by the ANC – comments are expected prior to the public hearing.

IX. AGENCY REFERRALS

This application will be referred to the following District government agencies for review and comment:

1. Department of Consumer and Regulatory Affairs (DCRA).
2. Department of Parks and Recreation;
3. Department of Public Works (DPW);
4. DPW Tree and Landscape Division;
5. District Department of Transportation (DDOT);
6. Environmental Health Administration;
7. Fire and Emergency Medical Services Department;
8. Metropolitan Police Department; and
9. Water and Sewer Agency (WASA).

X. OP RECOMMENDATION

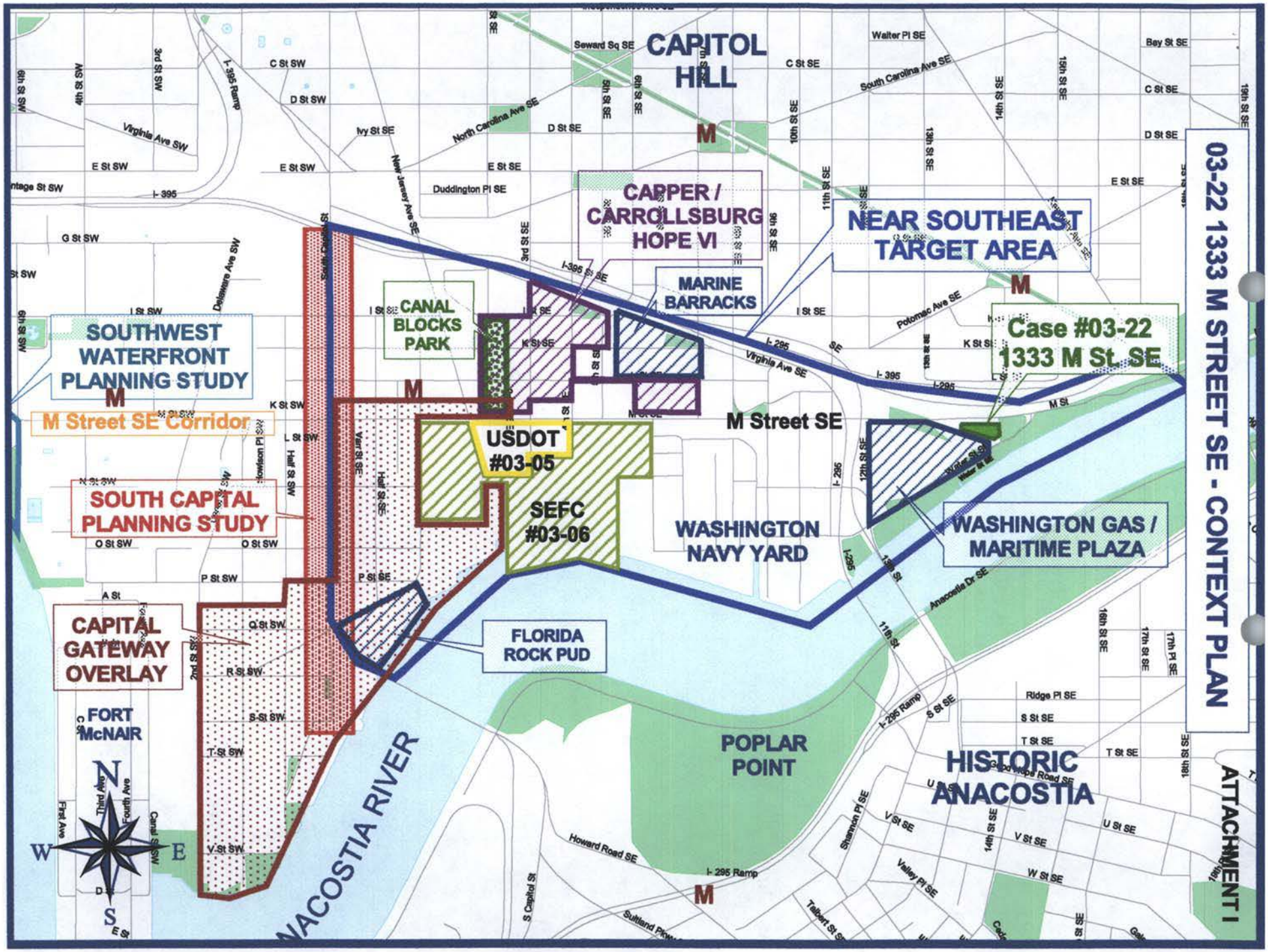
OP recommends that this application for a map amendment from M to CR be set down for public hearing. OP is not opposed to the form of development proposed by the applicant, in that it would provide new multi-bedroom residential units close to the waterfront. However, OP also feels that the site could accommodate a higher density of development than that proposed, and that the area would benefit from the additional residences. The building form would also be more in keeping with the goal of a visual terminus to the Near Southeast developed area.

OP is not opposed to advertising, in the alternative, the applicant's original proposal for a rezoning to R-5-B (moderate density residential), but notes that the applicant has indicated agreement with OP that CR would be an appropriate zone, in that it would allow the flexibility to add future additional residential density and housing variety on part of the site or in combination with other CR parcels, if market conditions permit.

ATTACHMENTS:

I. Context Plan
II. Site Plan
III. Project Profile

AA/jl


03-22 1333 M STREET SE - CONTEXT PLAN
ATTACHMENT I
CAPITOL HILL
CAPPER / CARROLLSBURG HOPE VI
NEAR SOUTHEAST TARGET AREA
MARINE BARRACKS
CANAL BLOCKS PARK
SOUTHWEST WATERFRONT PLANNING STUDY
M Street SE Corridor
SOUTH CAPITAL PLANNING STUDY
CAPITAL GATEWAY OVERLAY
USDOT #03-05
SEFC #03-06
FLORIDA ROCK PUD
WASHINGTON NAVY YARD
WASHINGTON GAS / MARITIME PLAZA
POPLAR POINT
HISTORIC ANACOSTIA
FORT McNAIR
ANACOSTIA RIVER
Case #03-22
1333 M St. SE
M Street SE
M
Seward Sq SE
C St SW
D St SW
Ivy St SE
North Carolina Ave SE
D St SE
E St SW
E St SE
Duddington Pl SE
I-395
I-395 Ramp
Virginia Ave SW
3rd St SW
4th St SW
6th St SW
G St SW
I St SW
K St SW
L St SW
N St SW
O St SW
P St SW
A St
Q St SW
R St SW
S St SW
T St SW
V St SW
Delaware Ave SW
New Jersey Ave SE
3rd St SE
I-395 SE
I St SE
K St SE
Virginia Ave SE
I-295
Potomac Ave SE
M St
12th St SE
Half St SW
Half St SE
Van St SE
Howard Road SE
I-295 Ramp
S Capitol St
Suitland Pkwy
Walter Pl SE
South Carolina Ave SE
C St SE
Bay St SE
15th St SE
14th St SE
13th St SE
11th St SE
10th St SE
9th St SE
6th St SE
5th St SE
19th St SE
Anacostia Dr SE
11th St
16th St SE
17th St SE
17th Pl SE
Ridge Pl SE
S St SE
T St SE
U St SE
V St SE
W St SE
14th St SE
Shannon Pl SE
Valley Pl SE
Talbert St SE
18th St SE
Canal St SW
First Ave
Third Ave
South Capitol St
N
S
E
W



Feature Key

- Zoning Boundaries
- Squares
- Site

Ortho-Photography was taken in 2002

Zoning Commission

Case No. #03-22 - 1333 M Street NE

DC Office of Planning
October 3, 2003

N

Attachment II

Zoning Commission Case No. 03-22, 1333 M Street S.E., Map Amendment

Project Profile **Attachment III**

Standard	Existing Zone – M	Applicant Proposed R-5-B	OP Proposed CR	Proposed Development[1]
Lot Area:		n/a	n/a	40,580 sq.ft. (.93 acres)
Uses:	industrial, commercial, warehouse	moderate density residential	high density mixed residential / commercial	26 town homes
Height:	90' max.	50' max.	90' max.	40'
PUD Height	90' max.	60' max.	110' max.	40'
Stories:	not prescribed	not prescribed	not prescribed	3
Floor Area Ratio:	6.0	1.8 max.	6.0 max.[2]	1.8
Square Footage:	243,480 sq.ft. max.	73,075 sq.ft. max.	243,480 sq.ft. max.	72,945 sq.ft. total
PUD FAR:	6.0	3.0 max.	8.0 max.[3]	1.8
Ground Level Open Space:	n/a	n/a	10% min.	conforming
Lot Occupancy:	n/a	60% max.	75% max.	59.8%
Residential Recreation Space:	n/a	n/a	15% min.[4]	conforming
Rear Yard Setback:	12'[5] min.	15' min.	12' min.[6]	conforming
Side Yard Setback:	not required	not required but 8' min. if provided	not required but 10' if provided	conforming
Court Width:	open - 8.3' min.; closed = 12' min.	10' min.	10' min.	conforming
Parking:	1/d.u. = 26 min.	1/d.u. = 26 min.	1/d.u. = 26 min.	60 total

1 Information provided by applicant.
2 3.0 FAR maximum non-residential development.
3 4.0 FAR maximum non-residential development.
4 of which 70% must be open to the sky.
5 for a through lot or a corner lot abutting 3 or more streets, may be measured to the centerline of the street abutting the rear of the structure (§842.6).
6 not required for a through lot or a corner lot abutting 3 or more streets (§636.6)