

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

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FURTHER INFORMATION

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director Development Review and Historic Preservation
Office of Planning *JS*
DATE: March 10, 2008
SUBJECT: Public Hearing Report for Zoning Commission Case # 04-14/01-31TE/98-17F/95-16P
Florida Rock Property, 100 Potomac Ave. SE. (Ward 6, Sq. 707, 708, 708E, 708S)
Application for a second Stage Planned Unit Development and Map Amendment

I. RECOMMENDED ACTION

OP recommends that the Zoning Commission approve Zoning Commission Case #04-14, Florida Rock Property Stage II PUD, subject to:

- concurrence from DMPED regarding the proposal to contribute \$800,000 as part of the amenity package towards the construction of Diamond Teague Park;
- additional detail regarding the LSDBE commitment and supplemental employment and skills training plan;
- DDOT approval of the proffered Traffic Management Plan; and
- further review of the fountain design in Anacostia Place park.

II. BACKGROUND

The 5.8 acre Florida Rock Properties (FRP) site is located on the Anacostia River at the corner of Potomac Avenue SE and South Capitol Street, directly to the south of the new ball stadium under construction. It is within the Capitol Gateway Overlay District, and is currently zoned CG/W2.

The proposal to develop this site has a long history, dating back to the late 1990's. Stage I approval of a PUD and PUD-related zoning map amendment (1998) established a plan for 4 mixed use buildings (office, residential and hotel) with retail space on the ground floor and a significant amount of open space. A public hearing was held on a revised proposal on September 18, 2006, but the Commission declined to take proposed action, requesting amendments to address the mix of uses, views to and from the ballpark stadium, and a better "sense of place".

A revised application was subsequently set down for a hearing at the Commission's November 19, 2007 public meeting.

III. SITE – See Site Map, Attachment I

The 5.8 acre waterfront site includes Squares 707, 708, 708E, 708S. It is located between Potomac Avenue SE and the Anacostia River, and between First Street SE and South Capitol Street and the Frederick Douglas Bridge right-of way. Directly to the north is the new baseball stadium, with

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EXHIBIT NO. 85
FYHIRT NO. 00

construction nearly complete and official opening day on March 30, 2008. Directly to the east is Diamond Teague Park on the waterfront, and the Earth Conservation Corps building. A concrete mixing and batching operation currently operates on the site. The site has about 800 linear feet of waterfront on the Anacostia River, but there is currently no public access.

The surrounding development and the planning context were detailed in past OP reports related to this project, specifically the reports dated July 2, 2004 and September 8, 2006.

IV. **PROPOSAL** – See Project Profile, Attachment II

The applicant is seeking Planned Unit Development (PUD) Second-Stage approval as well as PUD related map amendment to CG/C-3-C. The property is currently zoned CG/W2. The revised proposal includes a total of 1,115,400 sq.ft. of development, in accordance with the original approval (Order 910-B). This represents an overall density of 4.4 FAR, in buildings ranging in height from 92 – 130 feet. The proposal would provide:

- **mixed use development** including two office building, a hotel and a residential building with ground floor retail. The amount of square footage devoted to residential uses (residential and hotel) is more than 50% of the total square footage on the project. The proposal now includes 323,433 sq.ft. of residential and 246,190 sq.ft. of hotel, 80,840 sq.ft. of retail, and 464,937 sq.ft. of office space. This is unchanged from the applicant's September 21, 2007 set down submission.
- **access to the waterfront** through the site. The design of the east office building was cut back and moved to the west such that it provides significantly improved views from the south entrance to the ballpark. The applicant and the office of the Deputy Mayor for Planning and Development (DMPED) have advised that the designs for the FRP open space (Anacostia Park) and the adjacent Diamond Teague Park have been coordinated.
- **open space**, particularly along the waterfront. In addition to the new park at the east end of the site, the design includes a linear waterfront park of 75' width minimum, with segregated walking and biking trails, green space, river overlook areas, and space for outdoor patios associated with retail in the ground floors of the buildings. A variety of open spaces along the waterfront would result, including some that are enclosed but visually open to the water (the Potomac Quay and Capitol Quay); some that are open but covered by building overhangs; and some that are open, including Anacostia Park and the more centrally located Cascade Plaza.
- **underground parking** for 1,010 cars, approximately twice the required amount. Most of the additional spaces are for the residential and hotel component of the project.
- **underground loading**, including 12 berths and 8 service-delivery bays. The applicant has requested relief from the loading requirement of 16 berths.
- **a more varied approach to siting buildings** along the waterfront than in some past schemes. There is more undulation in the layout of the buildings, including upper story overhangs that extend to within 50' of the bulkhead (for which relief is required and requested), whereas a 75' setback is otherwise maintained. The overall form and massing of buildings along Potomac Avenue have been significantly improved, to provide more interesting and varied spaces and to relate better to the form of the ballpark across the street.
- **more varied building façade materials**. The applicant has worked towards the provision of a varied and more evolved material palette, corresponding to modulations in the building form,

location, height on the building façade, and building use type, to highlight the unique sculptural qualities of the individual buildings. This is intended to provide a more distinct identity for each building, lessening the possible “campus” effect.

V. COMPREHENSIVE PLAN

The 2006 Comprehensive Plan Future Land Use Map shows the site as “medium density residential / medium density commercial”. In terms of density and use, the proposal is not inconsistent with these designations. The Land Use Map notes that the medium density residential designation may apply to “*taller residential buildings surrounded by large open spaces*”, as is the case on this site; and medium density commercial areas “*generally do not exceed 8 stories*” - in this case, the commercial buildings would be 7 and 9 stories in height. As such, OP considers the proposal to be not inconsistent with the 2006 Land Use Map designation

The proposal would also be not inconsistent with, or would further, the 2006 Comprehensive Plan, including a number of guiding principles:

Managing Growth and Change: Guiding Principles 217

- (4) *The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. 217.4*
- (5) *Much of the growth that is forecast during the next 20 years is expected to occur on large sites that are currently isolated from the rest of the city. Rather than letting these sites develop as gated or self-contained communities, they should become part of the city's urban fabric through the continuation of street patterns, open space corridors and compatible development patterns where they meet existing neighborhoods. 217.5*

Connecting the City: Guiding Principles 220

- (28) *... creation of new parks along the Anacostia River ... should be supported to connect communities and enhance “green infrastructure” in the city. 220.4*

Building Green and Healthy Communities: Guiding Principles 221

- (36) *... increased access to open space and recreation across the city are basic elements of the city's vision 221.5*

This proposal would also be not inconsistent with objectives and action items within the District-wide elements of the 2006 Comprehensive Plan, particularly ones related to the provision of more housing, retail and job opportunities, better connectivity to the waterfront, and the provision of new open space. The proposal would also further objectives and action items contained within the Lower Anacostia Waterfront / Near Southeast Area element (Chapter 19), including:

Planning and Development Priorities 1907

- (d) *... A variety of park environments should be created, from lively urban waterfront plazas to serene natural settings. Trails and promenades are needed to provide better access along the shoreline, and to make the waterfront more accessible to surrounding communities. New parks, recreational areas, and cultural facilities should be developed.*
- (e) *Urban development and natural resource conservation should not be mutually exclusive but should go hand in hand. Development on the waterfront—and throughout the watershed—should be environmentally sustainable and designed to minimize negative effects on water quality and ecological resources. ... More density near the waterfront can also be used to leverage the creation of additional waterfront parks and open spaces.*

Guiding Growth and Neighborhood Conservation 1908

Policy AW-1.1.2: New Waterfront Neighborhoods - Create new mixed use neighborhoods on vacant or underutilized waterfront lands, particularly on large contiguous publicly-owned waterfront sites. ... A substantial amount of new housing and commercial space should be developed in these areas, reaching households of all incomes, types, sizes, and needs. 1908.3

Policy AW-1.1.6: Pedestrian Orientation of Waterfront Uses - Provide a high level of pedestrian amenities along the shoreline, including informational and interpretive signs, benches and street furniture, and public art. 1908.7

Policy AW-1.1.8: Barriers to Shoreline Access – Minimize the visual and accessibility impacts of railway and highway infrastructure, surface parking, and industrial uses along the Anacostia River shoreline 1908.9

Conserving and enhancing Community Resources 1909

Policy AW-1.2.4: Anacostia RiverParks - Create a connected network of waterfront parks from Hains Point to the Sousa Bridge, and continuing through adjacent upriver Planning Areas to the Maryland border. These parks should be easily accessible to surrounding neighborhoods and accommodate the need for more local and regional serving recreational activities in the city. New parks should be an integral part of any new waterfront neighborhood, and should showcase the remarkably diverse landscape along the Anacostia River. A variety of active and passive recreational settings should be provided. 1909.7

South Capitol Street/ Buzzard Point Policy Focus Area 1912

Policy AW-2.2.2: Ballpark Entertainment District - Leverage the construction of the Washington Nationals Ballpark to catalyze development of the South Capitol Street corridor with retail, high density residential, entertainment, and commercial uses. 1912.8

Policy AW-2.2.5: South Capitol Open Space - Create additional open space in the South Capitol Street corridor, including an oval traffic rotary and South Capitol "commons," and a new waterfront park along the Anacostia shoreline. 1912.11

Near Southeast Policy Focus Area 1913

Policy AW-2.2.2: Ballpark Entertainment District - Leverage the construction of the Washington Nationals Ballpark to catalyze development of the South Capitol Street corridor with retail, high density residential, entertainment, and commercial uses. 1912.8

Policy AW-2.3.2: Near Southeast Shoreline Access - Improve shoreline access and movement to and through the Near Southeast by eliminating real and perceived barriers, improving public space and street corridors, reducing the amount of land occupied by surface parking and industrial uses, and encouraging new land uses that maximize public activity near the waterfront. 1913.8

Policy AW-2.3.3: Near Southeast Housing Opportunities - Significantly increase residential land uses in the Near Southeast Consistent with the existing zoning for these areas, mixed use development that includes housing as well as commercial uses should be strongly encouraged. The mix of housing should accommodate residents of all incomes and household types. 1913.9

Policy AW-2.3.6: Near Southeast Urban Amenities - Leverage new development in the Near Southeast to create amenities such as parks, trails, child care facilities, civic uses, and retail space that serve the area's residents and workforce. 1913.12

VI. ZONING ANALYSIS – refer also to Project Profile, Attachment II

The FRP site is within the CG/W-2 area. As part of the 1999 approval, a PUD related map amendment to C-3-C was approved. However, that approval expired, and the current application

includes a request for a PUD related map amendment to CG/C-3-C. The Project Profile provides a summary of the application against both the CG/W-2 and CG/C-3-C regulations.

The current proposal is within the CG/C-3-C PUD permitted height and well within the permitted density. The proposal would require flexibility from the following requirements:

- Loading spaces (§2201.1): Regulations require a total of 16 loading docks of various sizes; the current proposal would (at full build-out) provide 12 loading docks. OP has no concern with this request – the spaces are being provided underground which is of considerable benefit to the streetscape and the project, and are largely centralized, facilitating shared usage of the spaces being provided.
- Waterfront Setback (§1603.3): The CG Overlay requires a 75 foot setback from the river bulkhead, but allows a setback of a 50 foot setback with Commission approval. In this case, the building maintains the 75 foot setback at pedestrian level, but residential and hotel building upper story overhangs would extend to within 50 feet of the bulkhead. OP is supportive of this request which provides additional variety and interest to the massing, building form, and public spaces along the waterfront esplanade.

VII. DESIGN GUIDELINES

Zoning Commission Order 910-B established development requirements and guidelines for this site. These were adopted before the adjacent Ballpark was designed and approved, so some are now of limited relevance. Past OP reports have provided a detailed analysis of the FRP proposal against these guidelines; over time, the project has evolved to comply with the relevant ones.

VIII. PURPOSE OF A PLANNED UNIT DEVELOPMENT

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “*designed to encourage high quality developments that provide public benefits.*” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

Pursuant to Section 2402.2, the applicant is currently requesting Stage II approval. Stage I, approved in 1998 and most recently extended in 2003, involved “*a general review of the site’s suitability for use as a PUD; the appropriateness, character, scale, mixture of uses, and design of the uses proposed; and the compatibility of the proposed development with city-wide, ward, and area plans of the District of Columbia, and the other goals of the PUD process.*” The current Stage II PUD process is intended to provide “*a detailed site plan review to determine compliance with the intent and purposes of the PUD process, the first stage approval, and (the zoning regulations.*”

IX. STANDARDS FOR PLANNED UNIT DEVELOPMENT

At over 250,000 sq.ft in area, the subject site exceeds the minimum 15,000 square foot area requirements of Section 2401.1 (c) to request a PUD.

The PUD standards state that the “*impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*” (§2403.3) Based on the information provided, OP believes that the project could have an overall positive impact on the neighborhood and the District.

X. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 through 2403.13 discuss the definition and evaluation of public benefits and amenities. §2403.8 of the Zoning Regulations states that “*the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case*”. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “*show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...*” (§2403.12).

The applicant’s amenity package is described in detail in the applicant’s September 21, 2007 submission, and modified and expanded in the February 8, 2008 submission. In summary, the applicant’s benefits and amenities package includes:

Residential and Affordable Housing:

The proposal increases the total amount of housing to be provided, including increasing the workforce housing proffer to 29,000 square feet, 8.9% of the total residential area, available to families making 80% of Median Family Income for a period of 20 years. This exceeds the approved but not yet enacted IZ standards, which for this type of construction would require 8% of the units at 80% AMI. Although IZ would require the units to be affordable for the life of the unit, OP feels that the provision of workforce housing at a desirable location on the waterfront represents a public benefit.

Landscaping of the waterfront esplanade:

75 foot minimum width of waterfront walk / bike way at ground level, and numerous open and enclosed pedestrian connections through the site to the waterfront, and with both hard and soft surfaces, including bio-filtration areas. OP is supportive of the design of this space which will be of benefit to area residents and the District as a whole.

Development of multiple civic spaces:

“**Anacostia Place**” park (formerly “the Pitch”) to be developed on FRP land directly across Potomac Avenue SE from the south entrance to the ballpark, and adjacent to Diamond Teague Park. OP understands that the applicant has coordinated the design of the plaza with the Office of the Deputy Mayor for Planning and Economic Development, which is responsible for the design and construction of the adjacent Diamond Teague Park. The plaza would be designed for active public use, to accommodate pedestrian use and movement through to the waterfront, as well as allowing retail to “spill out” into the space. At the center, the applicant is proposing 3 sculptural, tensile fabric structures that can function as temporary vendor pavilion space, and a monumental fountain (16 to 18 feet high and 14 feet wide at the base). OP is generally supportive of the design for the plaza and the tensile structures, but questions the design and size of the fountain as being somewhat incongruous with the location and with the overall design intent for the fountain, the plaza, the FRP development, and other development in the general area. As the fountain is intended to “celebrate the natural habitat of the river”, a more horizontal and naturalistic approach to the fountain, possibly more similar to that of the Cascade Plaza, may be more appropriate.

Cascade Plaza, the large public space with a circular driveway between the hotel and residential buildings. This space would provide vehicular access to the center of the site, including to hotel parking and residential building drop-off, as well as pedestrian access through the site. At the center would be a large landscaped oval with a “landscape sculpture and a multi-

tiered water feature. A “water stair” would lead down from this feature towards the waterfront esplanade. OP is supportive of the new design for this space as a more passive, visual element (rather than more active space at the center of the traffic oval), and is especially supportive of its dual purpose in bio-filtration of stormwater runoff.

Potomac Quay, an enclosed public space connecting Potomac Avenue to the waterfront. This space, along with Capitol Quay which provides pedestrian access from South Capitol Street to the Cascade Plaza area, would facilitate accessibility through the site and potentially provide interesting and unique pedestrian retail experiences.

Contribution to Diamond Teague Park:

Originally, prior to the decision to locate the baseball stadium to the north of the site, the applicant proffered to landscape and maintain a small piece of land on the north side of Potomac Avenue. With the construction of the ballpark, this location was no longer available and the applicant instead proffered a contribution of about \$3.5 million to the design, construction, and maintenance of Diamond Teague Park. In the September 21, 2007 submission, this was reduced to \$350,000, with the applicant noting the additional costs associated with the increased affordable housing proffer and the construction of what is now called Anacostia Place. The most recent submission increases the contribution to \$800,000, an amount derived from their last proposal of \$350,000, plus cost savings of \$450,000 from the redesigned Anacostia Place. OP considers this a public benefit.

Environmental features:

Commitment to obtaining LEED certification for the project. OP is particularly supportive of efforts to provide green roof, biofiltration of storm water runoff, the use of native plant materials, and efforts to interpret the Anacostia watershed natural history. A LEED summary is attached to the applicant’s February 28 submission, noting that each building would achieve “certified” status. Individual buildings continue to achieve LEED (Leadership in Energy and Environmental Design) certification. The applicant has further committed to the submission of a security in the amount of 1% of construction cost for each phase of construction. OP considers this a public amenity.

Transportation Management Measures:

The most recent submission from the applicant notes transportation management measures including off street parking and a fully enclosed, below grade off-street loading facility. Of these, OP feels that the underground, enclosed loading area represents a public amenity – the provision of underground parking would be an anticipated form of parking, and the provision of more parking than required is not considered by OP to be an amenity.

The September 21, 2007 submission describes this as an aggressive Transportation Management Plan to reduce overall traffic and parking demands through such means as “*the potential use of rideshare programs, transit amenities, shuttle bus services, shared vehicles, flexible work hours, telecommuting, parking management, truck management, bicycle facilities, and a number of other innovative traffic management strategies*”, to be administered by a designated “transportation coordinator (page 7 of Exhibit H). Although the applicant has not described in any detail how this item would be enforced or administered, OP is supportive of transportation demand measures and looks to DDOT for additional comment and approval.

First Source Employment Opportunities and LSBDE:

The applicant has committed to enter into a First Source Employment Agreement with the Department of Employment Services (DOES), and committed to LSBDE with an additional commitment to a supplemental employment and skills training plan. Additional detail regarding this plan would be needed to fully assess its value to the amenity proffer.

XI. AGENCY COMMENTS

The Office of the Deputy Mayor for Planning and Economic Development has advised OP that they are satisfied with the results of the coordination of the design of the Anacostia Place / Diamond Teague Park designs but, as of the date of this report, has not commented on the applicant's amended proffer of \$800,000 towards the construction of the park.

OP has not otherwise received comments from other District agencies, but notes that the applicant has, in the past, worked with DDOT to address overall traffic and transportation issues. Additional review of public space design by DDOT will be required at the building permit stage.

XII. COMMUNITY COMMENTS

ANC 6D has voted to support the revised proposal. OP has not been contacted by other area residents to indicate support or opposition to the proposal.

XIII. RECOMMENDATION

This application has a very long and involved history. With the most recent submission, the application has made significant strides in meeting overall neighborhood and District goals and objectives for development along the waterfront, and has evolved in response to changing context and District objectives. The current proposal is not inconsistent with the objectives and action items for the area as outlined in the 2006 Comprehensive Plan.

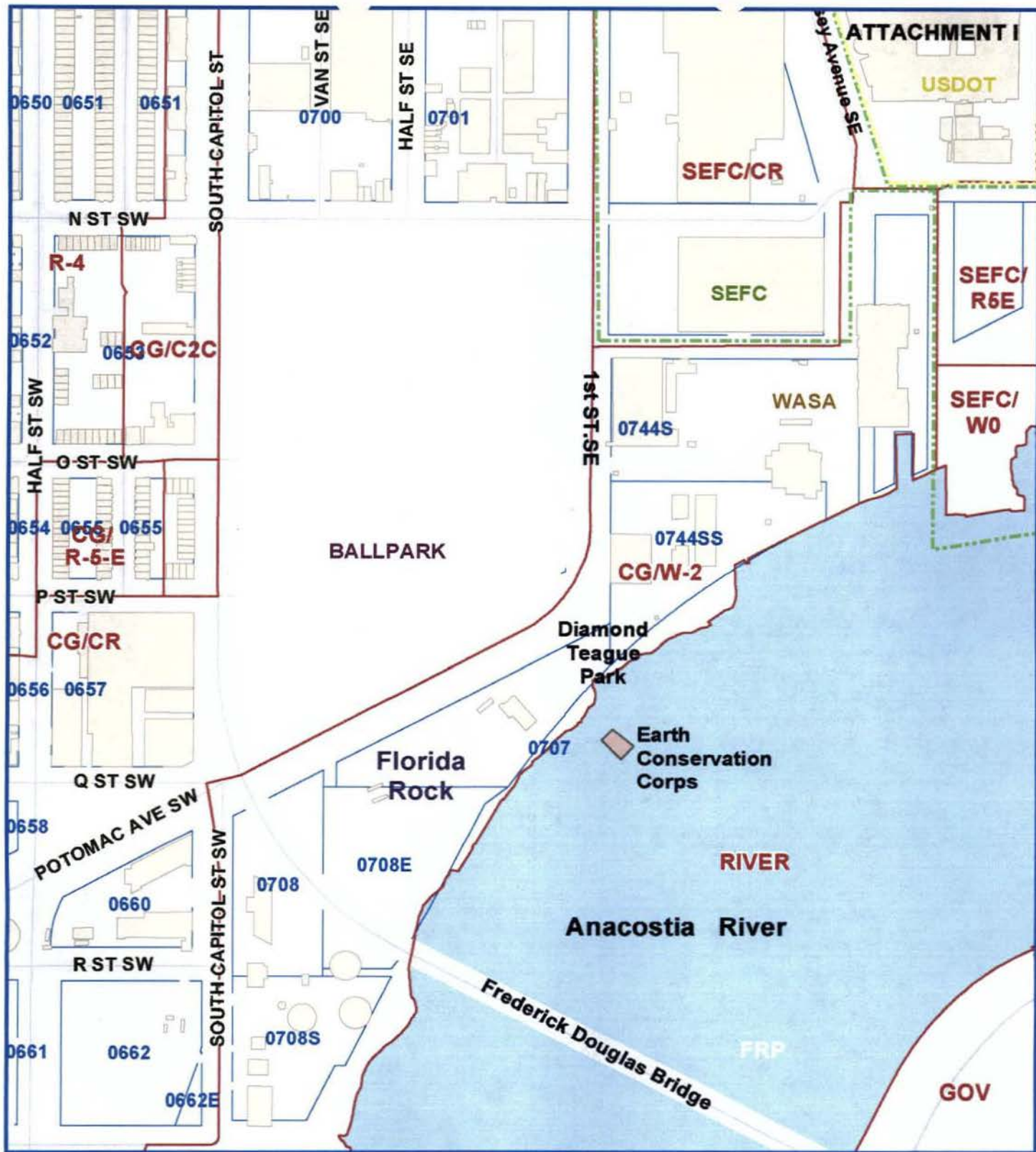
As such, OP recommends that the Zoning Commission approve Zoning Commission Case #04-14, Florida Rock Property Stage II PUD, subject to:

- concurrence from DMPED regarding the proposal to contribute \$800,000 as part of the amenity package towards the construction of Diamond Teague Park; and
- additional detail regarding the LSBDE commitment and supplemental employment and skills training plan;
- DDOT approval of the proffered Traffic Management Plan; and
- further review of the fountain design in Anacostia Place park.

JLS/jl

ATTACHMENTS:

1. Context Plan
2. Amended Project Profile



ZONING COMMISSION CASE # 04-14 - FLORIDA ROCK PROPERTY - CONTEXT

★ ★ ★ Government of the
District of Columbia
Adrian M. Fenty, Mayor

Office of Planning ~ March 2008

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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Standard	CG/W-2	CG/C-3-C PUD	PUD Stage I	Current Proposal
Lot Area:	253,500 sq.ft.	253,500 sq.ft.	253,500 sq.ft.	253,500 sq.ft.
Uses:	medium density mixed use	High bulk major business and employment	Residential / commercial	Residential/ office/retail/hotel / park
Number of Buildings:	n/a	n/a	2 min.	4
Height:	70 ft. max.	130 ft. max.	109 – 130 ft.	92 - 130 ft.
Floor Area Ratio:	5.0 max.	8.0 max.	6.0 max.	4.4 (per Design Guidelines)
Square Feet of GFA:	1,267,500sq.ft.	2,020,800 sq.ft.	1,647,750 sq.ft.	1,115,400 sq.ft. ¹
Max. Commercial:	507,000 sq.ft.	2,020,800 sq.ft.	1,647,750 sq.ft.	545,777 sq.ft.
Lot Occupancy:	75%;	100% max.	58%	58.6% ²
Rear yard (residential buildings):	3" / ft. of ht. (32.5 ft.) min.	2.5" / ft. of ht. min. (27.08 ft.) min.	not specified	50 ft. ³
Side yard:	8' min. if provided	2" / ft. of ht. min. if provided (15.34 – 18.7 ft.)	not specified	conforming
Waterfront Setback:	75 ft. min.	not required	n/a	50 ft. min. ⁴
Open court width:	4" / ft. of ht. (36.7 ft.)	3" / ft. of ht. min. (27.5 ft.)	not specified	conforming
Closed court width:		4" / ft. of ht. min. (36.7 ft.)	not specified	conforming
Court area:		2 x width ²	not specified	conforming
Roof Structures:				
setback:	18.5' min.		not specified	conforming
height:	18.5' max.		not specified	conforming
number of:	1 / building-		not specified	conforming
Parking:				
Residential:	1 / 3 d.u. = 82	1 / 4 d.u. = 62 min.	1 / 1,000 sq.ft.	348
Commercial Office:	1 / 1,800 sq.ft. > 2,000 sq.ft. = 257 min.			378
Commercial Retail:	1 / 750 sq.ft. > 2,000 sq.ft. = 103 min.			103
Hotel:	1/2 rooms + meeting area. = 140	1 / 4 rooms + 1/300 sq.ft of largest meeting area. = 80		181
Total:	582 min.	502 min.	1,495	1,010
Bicycle Parking:	5% # retail/office spaces required = 25 min.		not specified	25 min.
Loading Berths	hotel/function- 1 @ 55' + 2 @ 30' deep + 2 @ 20' = 5 retail - 6 @ 30' deep + 3 @ 20' = 9 office - 6 @ 30' = 6 residential: - 1 @ 55' + 1 @ 20' = 2 Total of 2@55', 14@30', 8SD@20'		not specified	2@55' 12@30' =14 total + 8SD@20'

¹ 464,937 sq.ft. office, 80,840 sq.ft. retail ; 323,433sq.ft. residential; 246,190 sq.ft. hotel (including approx. 15,000 sq. ft. of Hotel retail).

² Due to enclosed projections into the 75' setback zone along the esplanade above the ground level, there are additional outdoor covered areas that count in the coverage calculation, thereby slightly increasing the lot coverage percentage.

³ Due to enclosed projections into the 75' setback zone along the esplanade above the ground level, there are additional outdoor covered areas that reduce the depth of the continuous rear yard.

⁴ The CG Overlay requires 75 feet, but allows 50 feet by special exception. Most of the length of the project exceeds the 75 foot setback.