

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



Office of the Director

ZONING COMMISSION  
District of Columbia

**SUPPLEMENTAL REPORT**

**TO:** District of Columbia Zoning Commission CASE NO. 04-14  
**FROM:** *Y.S. for* Ellen McCarthy, Director, Office of Planning EXHIBIT NO. 35  
**DATE:** September 8, 2006  
**SUBJECT:** Supplemental 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

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**I. RECOMMENDATION**

**OP recommends that the Zoning Commission approve application 04-14, Second Stage PUD for the Florida Rock site at 100 Potomac Avenue SE; subject to:**

- 1. alterations to east end of the east office building to improve the relationship between the Florida Rock site, the stadium entrance, and the proposed First Street Plaza park on the waterfront;**
- 2. additional resolution and clarification of amenity items, specifically ones related to the value, timing and construction of a water taxi dock; and the design, construction, maintenance, and timing of the First Street Plaza on the waterfront; and**
- 3. adequate resolution of land ownership issues on the west side of the site, along South Capitol Street.**

**II. SITE – Refer To Context Plan, Attachment I**

The 5.8 acre waterfront site (Squares 707, 708, 708E, 708S) is currently occupied by Virginia Concrete, and there is no public access to its 800 linear feet of waterfront. The site slopes down from Potomac Avenue to the bulkhead along the river. The site is within the Near Southeast Target Area of the Anacostia Waterfront Initiative, and within the Buzzard Point / Near Southeast Development Opportunity Area.

Directly to the north of the subject site is the ballpark stadium, currently under construction. To the east is the WASA Main and O Street pump stations, with the Southeast Federal Center and Navy yard sites beyond; to the east is the planned location for the new traffic oval for the intersection of redesigned South Capitol Street and Potomac Avenue SE; to the south is the Anacostia River and Poplar Point beyond.

**III. HISTORY**

Stage I approval of a PUD (Zoning Commission Case No. 98-17F) was approved by the Zoning Commission in 1998 (Order 850, June 8, 1998), for a previous development program on this site. In

Order 910 (November 8, 1999), the Commission granted Second Stage PUD approval. That approval allowed approximately 1.5 million square feet of commercial development in two buildings of 130 and 110 feet in height, with below-grade parking, ground level retail, and a minimum 50 foot wide waterfront esplanade along the Anacostia River.

However, in 2002 the Commission denied a request for a 2 year extension of the PUD approval (Order No. 910A, May 13 2002), concluding *“that substantial changes have occurred in the material facts upon which the Commission based its original approval of the PUD that undermine the Commission’s justification for approving the original PUD.”* (p.5). The applicant subsequently filed a motion for reconsideration of this denial. The Commission voted to not reconsider its previous denial of the time extension for the Second Stage PUD approval, but agreed to reconsider a previous denial of a time extension related to the First Stage PUD approval. In February, 2003, the Applicant submitted revised design guidelines which proposed a reduction in building heights and revisions to the program and site plan. In Order 910-B (Case 01-31TE/98-17F/95-16P, May 23, 2003), the Commission approved an extension of the First Stage PUD approval, and adopted into the Order a detailed set of revised design guidelines.

At its September 13, 2004 meeting, the Zoning Commission set down for a public hearing Case #04-14, Second Stage review of redevelopment of the site, in accordance with the revised guidelines approved in 2003. The applicant filed pre-hearing submissions dated May 25, 2005 and November 18, 2005. However, at its December 5, 2005 meeting, the Commission agreed to a request to postpone a hearing on this case, pending additional clarification of contextual design issues. On August 25, 2006, the applicant submitted a modified pre-hearing statement, showing an amended design and amenity proffer.

Subsequent to the original filing and setdown of this Second Stage application, there has been significant progress in the resolution of a number of contextual issues. Specifically:

- the approval of a design for the ballpark stadium directly to the north and an initiation of construction of that structure;
- clarification of District Department of Transportation (DDOT) plans for the reconstruction of South Capitol Street, the Frederick Douglass Bridge, Potomac Avenue SE and First Street SE, as well as resolution of plans for a new traffic oval at the intersection of South Capitol Street and Potomac Avenue SE; and
- additional Anacostia Waterfront Corporation (AWC) and private developer analyses of ballpark area development, although actual proposals for land directly adjacent to the Florida Rock site (i.e. potential WASA and stadium area development sites) have not been developed.

The applicant has advised OP that they have attempted to work closely with all of the relevant agencies to ensure that their proposal is consistent with and accommodates both current and future projects in the area.

**IV. CURRENT PROPOSAL (refer to applicant’s Modified Supplemental Prehearing Statement of August 25, 2006), as well as the Amended Project Profile, Attachment II.**

The proposed project includes just over 1.1 million square feet of office, residential, hotel and retail development in four buildings connected by underground parking. Major elements of the plan are

similar to that shown at set-down and in previous supplemental filings from the applicant, including:

- the provision of a mixed use development, with office, hotel, residential, and retail uses;
- overall density, heights, and lot occupancy, although the FAR has increased slightly from 4.3 to 4.4 in response to OP and AWC support for additional retail space on the site;
- a wide landscaped walk and bikeway along the waterfront, generally of 75 feet in width or greater;
- parking and loading facilities for all buildings in one underground structure; and
- on and off-site landscaping along the waterfront as the major amenity item.

However, the site plan and overall program has changed from that which was set down for this hearing, in response to the shifting context around the site, as noted above. Major changes include:

- A reconfiguration of the west (South Capitol Street) property line, in response to DDOT plans for reconfiguration of the street, construction of a new, large traffic oval at the intersection of South Capitol Street and Potomac Avenue (“the Oval”), and the planned reconstruction of the Frederick Douglass Bridge. The reconfiguration essentially involves the swapping of small pieces of land along this boundary between FRP and DDOT, although some of this land is not yet owned by DDOT. The applicant has provided a letter from DDOT indicating support for the proposed property line reconfiguration.
- A reconfigured site plan in response to the proposed new property lines, including the splitting apart the west office and hotel buildings into two clearly separate structures with a new public access (vehicular and pedestrian) onto the site from the Oval.
- Modifications to the east office building, in response to OP and AWC concerns that the building respond better to the ballpark, which has a major entrance / exit directly across the street, and the planned waterfront park at the foot of First Street SE. The applicant and OP discussed this issue at length, with OP recommending a significantly lower-scale form of building at this location. The applicant has noted technical issues, which they feel limit their ability to achieve this result.
- An increase in the ground floor retail space, from about 36,000 sq.ft. to about 92,000 sq.ft.. Not all of the retail would be at ground level – some at the east end of the site) is below grade, and some is on the second and third floors. Although OP has concerns about the vitality and viability of some of this space, the proposal to increase the amount of retail space is supported and in line with current planning studies for the ballpark area and this section of the waterfront.
- Amendment of the proffered amenity package, largely resulting from the loss of a significant amenity item - the landscaping and maintenance of Reservation 247, as this site is now part of the stadium site. Instead, the applicant is proposing a significant contribution towards the design, construction, and maintenance of the plaza park at the foot of First Street, directly to the east of the subject site. A more complete analysis of the amenity proffer is provided in Section X of this report.

- Additional resolution of the proposed phasing plan. The applicant wishes to start construction in 2008-2009 with the east office building, proceed to Phase two residential building (2010-2011), Phase 3 west office building (2013-2014), and conclude with Phase IV (hotel) anticipated to start construction in 2014 with completion in 2016. The phasing responds to contextual issues, with the first stage supporting development of the ballpark and waterfront park, and the latter stages awaiting design, engineering, and construction of the Oval and Frederick Douglass Bridge.
- Numerous building design changes, mainly to break away from the previously proposed industrial character to a more open and modern design idiom. While some key design elements remain, such as a nautically inspired, curved form for some buildings and the extensive use of glazing along the waterfront side, the building form and materials are more detailed and responsive to the evolving context.

**V. COMPREHENSIVE PLAN – Refer Also To Attachment III**

The proposal would 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*: The proposal would replace a heavy industrial use on the waterfront in the middle of an emerging new neighborhood with a new mixed-use development providing access to the waterfront.
- (b) *Increasing the quantity and quality of employment opportunities in the District*: The AWI vision for this area is the transformation from a predominantly heavy industrial use to a more mixed-use form of development. The Florida Rock project would provide more varied employment opportunities in hotel, office and retail space.
- (d) *Preserving and promoting cultural and natural amenities*: The proposal includes greater access to and stewardship of the Anacostia waterfront. The development would support the adjacent stadium facility, with its sporting and entertainment events.
- (e) *Respecting and improving the physical character of the District*: The proposal responds to and will further improvements to the South Capitol Street corridor, the waterfront, and the ballpark area.
- (h) *Reaffirming and strengthening the District's role as the economic hub of the National Capital Region*: The proposal includes new hotel, office and extensive retail opportunities, and will support the broader development of a destination retail / entertainment area around the new stadium.
- (i) *Promoting enhanced public safety*: A broader range of more active and animated uses, including greater access along and to the waterfront, will help to make this desirable area more inviting and safe for all residents of the District.
- (j) *Providing for diversity and overall social responsibilities*: The project is planned to include new housing, including some affordable units.

As detailed in Attachment III, the Comprehensive Plan also includes a number of specific goals, objectives and policy sections with which the proposal is generally consistent or furthers:

## **Chapter 2 Economic Development**

Although the proposed development would replace a functioning heavy industrial use (a concrete plant), it would provide significant new employment, hotel, and retail opportunities at a desirable waterfront location.

## **Chapter 3 Housing Element**

The application includes the provision of new housing, including some at an affordable rate, along with retail and open space to serve new residents and surrounding neighborhoods.

## **Chapter 4 Environmental Protection Element**

The application includes a number of initiatives to creatively deal with environmental issues, including green roofing, biofiltration, permeable surfaces (to minimize storm water runoff into the river or combined sewer systems), and advanced building techniques and materials.

## **Chapter 5 Transportation Element**

The application provides for a new mixed use development within walking distance of a major Metro station and bus routes. It also includes the preparation of a traffic management plan, intended to further encourage options other than single occupancy vehicle use, and the construction of a walkway and bike path along the waterfront. Finally, the applicant has proposed construction of a new water taxi dock, although this proposal requires clarification.

## **Chapter 7 Urban Design**

The proposed development supports the urban design objectives related to the provision of new mixed use and residential development along the waterfront with greater access to the water's edge.

## **Chapter 11 Land Use Element**

The proposal is not inconsistent with the major policies and objectives of the Comprehensive Plan's Land Use Element, particularly ones related to development along the waterfront.

## **Chapters 13 and 17 Ward 2 and 6 Plans**

The site is currently within Ward 6. Prior to realignment of the Wards in 2002, however, it was within Ward 2, and many Ward 2 policies and objectives have direct relevance to this case, particularly ones related to development along the waterfront and within the Buzzard Point/Near Southeast Development Opportunity Area. The proposal would address a number of relevant Ward 2 and 6 objectives for Housing, Transportation, Environmental Protection, Transportation, Urban Design and Land Use.

## **VI. COMPREHENSIVE PLAN GENERALIZED LAND USE MAP**

The current Comprehensive Plan Generalized Land Use Map shows the site as "mixed use" high density residential / medium-high density commercial / production and technical employment development. The proposal, which would provide a mix of residential, office, retail, and hotel uses, is not considered to be inconsistent with this designation.

The site is also within the Buzzard Point / Near Southeast Development Opportunity Area, which “offer opportunities to accommodate new growth and development. Development opportunity areas may be designated for housing, commercial development, employment centers, or for a mixture of uses ... (§1118.3). The Plan goes on to state, in §1337.3 “The Buzzard Point/Near Southeast area ... has the potential for becoming a prime waterfront site and southern gateway into the city.” OP feels that the Florida Rock proposal, located directly on the edge of the Anacostia River adjacent to the Frederick Douglass Bridge and within the new ballpark destination area, directly and significantly contributes towards the realization of this greater potential for the area.

Finally, the site is within the Central Employment Area, the core area of the District where the greatest concentration of employment is encouraged. The proposal furthers the objectives of this designation by providing a mixed use retail, office, hotel, and residential development with significant new employment opportunities.

On the draft new DC Comprehensive Plan Generalized Policy Map, the site is located within the Buzzard Point Land Use Change area, which reflects the anticipated land use changes resulting from the recent change in zoning from industrial to mixed commercial / residential. The draft DC Comprehensive Plan Future Land Use Map shows the site as mixed high density residential / commercial. The proposal is not considered inconsistent with this proposed designation, although high density designations sometimes indicate a higher and denser form of development than that proposed.

## **VII. ANACOSTIA WATERFRONT INITIATIVE**

The site is within the Near Southeast Target Area of the Anacostia Waterfront Initiative. The proposed development is considered by OP to further the main planning principles cited in the AWI Framework Plan:

**Restore:** A Clean and Active River - The proposal, as submitted, includes initiatives to manage and filter, on site, storm water. Important new access along the edge of the river would be provided – with access comes increased interest and stewardship.

**Connect:** Eliminating Barriers and Gaining Access – The proposal includes vital access to the river via new internal streets, as well as a new waterfront promenade and riverwalk trail, and, though the amenity package, a contributions towards a new gathering place on the waterfront at the foot of First Street SE.

**Play:** A Great Riverfront Park System - The proposal would provide the publicly accessible Riverwalk and Trail, as well as retail and entertainment overlooking and animating the waterfront.

**Celebrate:** Cultural Destinations of Distinct Character - The proposal includes destination retail along the water and along major connection ways to the water, supporting the development of a new retail / entertainment district around the new stadium.

**Live:** Building Strong Waterfront Neighborhoods - The proposal includes new residential development along the water, as well as associated retail and open space opportunities.

Although the Park chapter of the AWI Plan shows this site as green space on page 61, this is purely illustrative to indicate that this is intended as a site with access to open space along the waterfront, since the list of specific new waterfront parks does not include this site. Page 62 of the AWI Plan clearly shows the site with development; the Neighborhood Initiatives Map of Chapter 5 (p. 95)



shows the site for new Waterfront Residential Development; and the map on page 98 shows it as part of a “new waterfront neighborhood development area”. Finally, within the more detailed Chapter 6, Target Area Plans, the FRP site is within both the South Capitol Street and Near Southeast Target areas, and is consistently shown as a development site.

In the Near Southeast Plan, the site is shown as a “Proposed Building Site” (p. 1-3) and for the creation of a “*mixed-use development including residential, hotel, office, and retail*” with a “*generously sized and landscaped riverfront public open space as part of the Anacostia Riverwalk and Trail*” (p. 5-9). Near Southeast Area Plan core recommendations of relevance to this project include:

- Provide for Continuous Open Space along the Southeast Waterfront ...
- Connect Existing and Future Neighborhoods and the District to Waterfront.
- Provide for Mixed-Use Development.
- Provide a Network of Open Spaces to connect communities and the river.
- Integrate Development Plans for sub-areas or specific proposals.

The Florida Rock proposal will further a number of these principles, by providing a mixed use development on the waterfront with new access to and along the edge of the river.

#### **VIII. ZONING ANALYSIS** – refer also to Project Profile, Attachment II

Until recently, the site was zoned industrial. A planning process for the Buzzard Point area culminated on April 19, 2002 with the adoption of new zoning, including W-2 (medium density mixed residential / commercial) zoning along the waterfront, including the FRP site. In addition, the CG Overlay District was established, with waterfront setback requirements, bonus density and height regulations, M Street and waterfront design standards, and combined lot and PUD development requirements.

As part of the 1999 PUD approval, PUD related C-3-C zoning for the site was established. However, that approval has since expired, and the current application includes a PUD related map amendment to CG/C-3-C. Design Guidelines attached to Zoning Commission Order 910-B for this site further define many aspects of the proposal, including density, heights, and setbacks.

Standard	CG/W-2	CG/C-3-C PUD	PUD Stage I Order 850	Order 910-B	Proposal at Setdown	Proposed
Height:	70 ft. max.	130 ft. max.	109 – 130 ft.	90 – 110 ft.	90 – 110 ft.	92 - 112 ft.
Floor Area Ratio:	5.0 max.	8.0 max.	6.0 max.	4.4 max.	4.28	4.4
Commercial FAR	2.0 max.	8.0 max.	6.0 max.	2.47 max.	2.38	2.62
Retail FAR	2.0 max.	8.0 max.	6.0 max.	Included above	.16	.32
Residential FAR	5.0 max.	8.0 max.	6.0 max.	1.74 min.	.76	.80

As noted in the chart above, the proposal is at a height greater than that permitted under CG/W-2, but would be within C-3-C PUD height limits. The proposal requests an amount of non-residential development greater than otherwise permitted by W-2, but within the amount permitted in C-3-C. The proposed buildings would be slightly taller (2 feet) than the height established in the design guidelines of Order 910-B. This is to better accommodate a higher ground floor retail height of 14

feet, as recommended by the applicant's retail consultant. OP has no concerns with this minor height adjustment.

The following additional relief from zoning regulations appears to be required:

- loading docks - 19 required of various sizes and dimensions; 15 proposed. Although OP has some concerns with how the large centralized loading facility will function for the various buildings and uses on the site, OP supports placing the loading underground, which greatly minimizes the amount of ground floor area and external façade devoted to loading bays and garage doors, and recognizes the significant special advantages in consolidated this facility. OP has no concerns with the requested relief.
- waterfront setback – 75 feet required by the CG Overlay, although a reduction to 50 feet may be permitted by the Commission. The proposal provides a minimum of 75 foot setback at ground level, but upper story projections extend to within 50 feet of the bulkhead. OP has no concerns with this relief, as it provides for more interesting building forms along the waterfront, it would not impede pedestrian movement, and it provides opportunities for covered outdoor area along the waterfront.
- roof top structures – all rooftop structures appear to conform to height limits, but some do not provide the required 1:1 step-back from the building directly below, and at least one of the buildings appears to have more than one rooftop structure, whereas only one is permitted. OP has asked the applicant to clarify the amount and types of relief required, but has no concerns with the roof plan as shown on the August 25, 2006 drawings.
- upper story step-back from First Street SE extended – although not a zoning regulation requirement, the design guidelines require a 10 foot step-back above a height of 65 feet, from the extended right-of-way lines for First Street SE. The drawings do not clearly indicate whether the building fully meets this requirement – OP has requested clarification from the applicant, but would not support relief from this requirement.

## IX. ANALYSIS AGAINST THE APPROVED DESIGN GUIDELINES

The proposal would generally conform to the standards and design guidelines established for this site by the Zoning Commission in Order 910-B, which provided for the extension of the First Stage PUD approval. Although some aspects of these guidelines are not longer relevant, given the changing context in the area, many remain pertinent.

Design Guidelines – ZC Order 910-B	PUD Aug. 25, 2006 Submission
<b>1. Site Plan Organization</b>	
a. The site plan for the PUD Site shall be modified to reflect the proposed development of a minimum of three (3) independent buildings,	Complies – 4 buildings shown, although they share underground parking and loading facilities
creating a minimum of two (2) publicly accessible, primarily pedestrian oriented passages through the PUD Site for access from Potomac Avenue to the Anacostia River waterfront (the "Waterfront").	Complies – the proposal includes 2 open and additional enclosed connections from Potomac Avenue, plus one open connection from the new Oval to the waterfront



Design Guidelines – ZC Order 910-B	PUD Aug. 25, 2006 Submission
<b>2. Site Perimeter Setback and Build-to Requirements</b>	
a. Potomac Avenue, SE – Buildings fronting along Potomac Avenue, SE shall be designed to face on the Potomac Avenue, SE right-of-way line with no setback from that right-of-way, except for façade articulation and fenestration, and breaks for pedestrian accesses to the Waterfront.	Complies – the applicant has provided additional building articulation and improved façade design in the current proposal. There are sufficient breaks in the façade to provide access to the waterfront.
b. First Street, SE –no building, fronting on what would be a theoretical extension of the right of way of First Street, SE through the PUD Site to the Waterfront, shall extend into area of the PUD Site covered by this theoretical extension of the First Street, SE. right of way.	Complies – the east office building appears to be set back from a theoretical extension of First Street SE. However, OP and AWC share concerns that this building does not relate sufficiently well to the First Street Plaza or to the ballpark entrance across Potomac Avenue SE.
c. Anacostia River – To provide space for a broad esplanade for the full length of the PUD Site along the Waterfront, buildings would be set back at least seventy-five feet (75') from the exterior face of the Anacostia River bulkhead along the PUD Site. This setback line shall be perpendicular to the Anacostia River bulkhead.	Generally Complies – the buildings provide a setback of a minimum of 75' at ground level, although the applicant has proposed minor encroachments above to within 50' of the bulkhead in accordance with the provisions of the CG/W-2 (§1606.3), for which Zoning Commission approval is required. OP supports these encroachments which add articulation and interest to the waterfront building elevations and provide covered open space along the waterfront.
The design of the facades of buildings fronting on the Waterfront would be further modulated behind this setback line to achieve a variety of setback dimensions for the buildings fronting on the Waterfront.	Complies – the building design provides modulation in setbacks, materials, and overall form.
d. Frederick Douglass Bridge – All buildings on the PUD Site shall be set back from eastern edge of the structure of the Frederick Douglass Bridge. ... Actual building site locations fronting on the Bridge would be coordinated with and could be adjusted based upon the findings of the DC DOT Corridor Study for the South Capitol Street and Bridge relocation being undertaken as of the date of these Design Guidelines ...	Complies, in that DDOT plans have been sufficiently established to allow DDOT and the applicant to agree to a series of minor property line adjustments, which alter building siting to better address this important location on a major access way into the District.
<b>3. Mid-block Points of Public Access to the Waterfront</b>	
a. Half Street, SE - The development plan for the PUD Site shall include the theoretical extension of Half Street, SE to the Waterfront as a pedestrian-focused, open-to-the sky, publicly accessible passageway, with a width of no less than sixty (60') at any point along the passageway; a limited number of motorized vehicles may be permitted to use the passageway to permit vehicular access to the proposed residential development, including a possible hotel, fronting on the Waterfront.	Complies, even though Half Street SE north of this site is now closed as part of the stadium development. However, breaks in the Potomac Avenue façade are required and desired, and the proposed entry at this location is historically appropriate. The opening has a width of 60 feet, and provides pedestrian connection into and through the site, as well as vehicular access to a drop off area at the center of the site.

Design Guidelines – ZC Order 910-B	PUD Aug. 25, 2006 Submission
<p>b. Additional Access Through the PUD Site – The development plan for the PUD Site shall include a minimum of one additional pedestrian-oriented, open-to-the sky, publicly accessible passageway, with a width of no less than forty (40') at any point along the passageway; the passageway shall be located east of the Half Street, SE, and west of First Street, SE, with this passageway having the intended purpose of providing an additional pedestrian oriented passageway from Potomac Avenue, SE to the Waterfront.</p>	<p>Complies – The proposal provides the “allee”, a second 40' access to waterfront and which appears to be open to the sky. The proposal also provides through-building visual and pedestrian connections, although it is not clear whether they would be accessible to the general public. In addition, the proposal provides a 42' wide pedestrian and vehicular access to the central courtyard from the new Oval on South Capitol Street.</p>
<p><b>4. Building Height, Bulk Restrictions and Design Objectives</b></p>	
<p>a. General – Height of buildings on the PUD Site shall create a varied silhouette of building heights, as seen from across the Anacostia River. With that in mind, any building(s) located in the area of the PUD Site west of the theoretical extension of Half Street, SE (as described in Item 3.2 above), the height of building may not exceed 110'; for the area east of the theoretical extension of Half Street, SE and west of the additional access through the PUD Site (as described in Item 3.b. above), the height of building may not exceed 100', provided that OP and FRP may explore an increase in the height of any building proposed to be located in this area if the same would increase the amount of non-transient residential housing in the PUD; for the area east of the additional pedestrian passageway described above and First Street, SE, the height of building may not exceed 90'.</p>	<p>Generally Complies, although the applicant has requested relief to allow an additional 2 feet in height, to be used to increase the ground floor retail space floor-to-ceiling height from 12 feet (as required) to 14 feet. OP fully supports this request. This results in main building heights ranging from 92 to 112 feet, although portions of the buildings step down from these maximums.</p> <p>The current design provides greater articulation of the overall building form and massing, which should assist in the provision of a more varied silhouette.</p>
<p>b. Potomac Avenue, SE – The building(s) fronting on Potomac Avenue, SE shall rise to allowable heights with no setback in the massing. Building facades shall be developed so as to create a street-wall condition, which engages the historic L'Enfant grid, provided that façade articulation, fenestration and possible setbacks of the building facades at upper elevations of the buildings shall be permitted.</p>	<p>Complies – along Potomac Avenue, the buildings generally are constructed to the property line, with some minor projections over and setbacks from this line to provide design interest.</p>
<p>c. First Street, SE – At a minimum the buildings fronting on First Street, SE (including the theoretical extension thereof) shall setback a minimum of 10' above the height of 65'.</p>	<p>Appears to be non-conforming, as drawing number 18 shows a setback of just over 9 feet. OP has advised the applicant to make this conform.</p>
<p>Primary building material may be glass.</p>	<p>Conforming – the current design uses a more extensive amount of glazing on all elevations, in conformance to the context. Other façade materials include concrete, brick and metal.</p>

Design Guidelines – ZC Order 910-B	PUD Aug. 25, 2006 Submission
<p>d. Anacostia River Waterfront - The buildings fronting on the Waterfront shall be articulated with varying setbacks of different widths and dimensions at various elevations along the Waterfront facing façades to avoid a monolithic appearance for the buildings along the Waterfront, the intent being to create a multifaceted and interesting project appearance along the Anacostia River, coordinated with the design of various vistas, views, passageways and open spaces on the PUD Site to be developed with any application for modification of the PUD as approved.</p>	<p>Conforming – although the articulation of the massing and building material is not well represented on the façade elevations, the current proposal provides a varied and anything but monolithic treatment on the waterfront.</p> <p>Important view-sheds through and along the site have been provided. As noted elsewhere, OP's major concern is that the east office building effectively blocks desirable view-sheds from the main entrance to the stadium.</p>
<p>e. Frederick Douglass Bridge Façade – The façade of buildings fronting the Frederick Douglass Bridge and its right of way will reflect this area as a major gateway to the monumental core of Washington, D.C. at the foot of South Capitol Street; façade development will also be evaluated within the recommendations of the DC DOT Corridor Study.</p>	<p>Generally conforming – the siting of buildings has been altered to reflect DDOT's current plans for South Capitol Street, the Oval, and the relocated bridge. The buildings rise to an appropriate height of 112', although this is lower than the 130 feet anticipated by AWC and NCPC plans for South Capitol Street.</p>
<p>f. Façade Materials of PUD buildings- Building materials shall be primarily masonry and glass in character.</p>	<p>Complies – primary materials are glass, brick and concrete, with metal detailing.</p>
<p>Variation in materials colors shall distinguish the buildings on the PUD Site from one another so as to create an ensemble of buildings rather than the appearance of a single large structure.</p>	<p>Generally complies through use of materials and building form, massing, and articulation.</p>
<p><b>5. Development Program Requirements</b></p>	
<p>a. General – The intention of the development program is to create a mixed-use, waterfront environment of residential, office and commercial uses.</p>	<p>Complies – the proposal continues to include office, residential and hotel space, with an increased amount of ground floor retail space.</p>
<p>b. The ground levels of all buildings shall maximize uses, which open to and are intended to activate the adjacent streets and planned open spaces.</p>	<p>Complies – building design, retail locations, and exterior landscaping / plaza design should maximize interactive retail / service opportunities</p>
<p>A minimum of 50% of the net useable area of the aggregate of all ground levels in the PUD shall be designated to retail, cultural or community uses, which uses it is believed will serve to promote and encourage visitation of the Waterfront.</p>	<p>Complies – the current design allocates most of the ground floor to retail, hotel, residential and office lobby, and public circulation space. The applicant has been able to minimize ground floor area devoted to mechanical, “back-of-house”, or loading needs.</p>
<p>All ground level areas shall be designed to allow a 12' floor-to-ceiling height and shall be designed so as to anticipate future changes in program use.</p>	<p>Complies – At OP's request, the applicant has agreed to provide a more desirable 14' clear height, although this requires minor building height relief.</p>
<p>Ground level areas fronting on the Waterfront should be designed to give the appearance from the Esplanade that those ground level spaces are multi-storied, spacious and open. ...</p>	<p>Appears to generally comply, although some additional detail regarding the retail façade articulation would be helpful. The applicant is proposing some multi-level retail space along the waterfront, particularly at the east end of the east office building.</p>

Design Guidelines – ZC Order 910-B	PUD Aug. 25, 2006 Submission
c. Those portions of the ground levels fronting on the Frederick Douglass Bridge in buildings will be evaluated in light of the recommendations of the DC DOT Corridor Study to determine if a more animated ground level area in that location would be appropriate to ensure that these areas can appropriately address possible pedestrian presence in those locations.	Generally Conforms – the applicant has designed these buildings in accordance with current plans, with buildings fronting onto the Oval. This is particularly the case for the west office building. The hotel building, however, appears to include some service (parking entrance) and back of house space along the lower levels of South Capitol Street.
d. All legally required, on-site parking shall be located below grade ...	Complies. All parking is located below grade, with only some drop-off parking space at grade.
e. The remaining development program above ground levels shall include commercial and residential uses (including potential hotel uses) with a maximum allowable commercial development potential of 625,000 gsf; and a minimum residential development of 440,000 square feet of gross floor area of hotel and residential uses, provided that no less than 160 units of residential, non-transient housing, based upon an average gross floor area of 1,200 square feet per unit, would be provided for.	Generally complies to the intent of the regulations: Office = 599,950 sq.ft. Retail = 79,854 sq.ft. <u>Total Comm'l = 679,804 sq.ft.</u> Residential = 203,022 sq.ft. (160 units) Hotel = 232,563 sq.ft. (240 rooms) <u>Total Res'l = 435,585 sq.ft.</u> Although the commercial component is slightly higher than anticipated, this is a result of requests to provide more retail space on this site.
f. The maximum permitted building area on the PUD Site shall be 1,115,400 gsf for a total of 4.4 FAR.	Complies – total of 1,115,389 sq.ft. (4.4 FAR) proposed.
<b>6. Project Amenities of PUD</b>	
a. General – The general approach to the PUD Amenities shall consist of public space improvements in and about the vicinity of the PUD Site, including areas to the north and east of the PUD Site.	Complies – the amenity package includes the provision of on and off site open space, including the pedestrian esplanade along the waterfront, the pedestrian allee through the site, and landscaping of the First Street Plaza area.
b. Public Access to the Waterfront – Access through the PUD Site to the Waterfront, including plaza connections from Potomac Avenue, SE, shall be maintained as privately-owned, publicly accessible, and appropriately landscaped open spaces.	Complies – the project provides for public access to the entire waterfront from Potomac Avenue and the Oval.
c. Anacostia Esplanade and Riverwalk – The PUD shall provide for continuous publicly accessible, esplanade of no less than seventy-five feet (75') in width, on the PUD Site, including designated walkways and bicycle lanes.	Complies – The river-walk and bikeway would have a minimum width of 75' at grade, although the applicant is requesting some upper level projections to within 50 feet of the bulkhead.

Design Guidelines – ZC Order 910-B	PUD Aug. 25, 2006 Submission
<p>In addition to development of the esplanade on the PUD Site, FRP would design and develop a riverwalk/pathway of no less than 12 feet in width stretching eastward from the PUD Site to the site known as the Southeast Federal Center ("SEFC"), over sites owned by the District of Columbia and the DC Water and Sewer Authority. The riverwalk/pathway would be intended to afford a pedestrian and bicycle connection between the esplanade on the PUD Site and the proposed SEFC riverside facilities. Waterfront redevelopment is not contemplated as being part of this amenity. FRP would maintain the riverwalk/pathway for a period of no less than 5 years after its development.</p>	<p>The applicant had originally included a commitment to provide this amenity. However, the current submission notes that funding has been procured for this amenity item. AWC has also noted the difficulty associated with locating the riverwalk over this land due to special and security issues.</p>
<p>d. Parks and Plazas – In addition to the esplanade and open spaces on the PUD Site and the riverwalk/pathway described above, FRP shall design and develop public open spaces at two locations adjacent to the PUD Site as urban parks. The first space would be the triangle park reservation to the north of the FRP site on Potomac Avenue (Reservation "247"), containing approximately 16,000 square feet of land area more or less;</p>	<p>Applicant had originally included a commitment to provide this amenity, with a value in excess of \$1.6 million. However, this site is now planned as part of the stadium site to the north, so this amenity item has been withdrawn and replaced with a new proffer, to contribute towards the First Street Plaza.</p>
<p>the second would be an area at the terminus of First Street, SE immediately adjacent to the PUD Site and fronting on the ECC pumphouse FRP would agree to maintain each of these public spaces for a period of no less than 5 years after its development.</p>	<p>As noted above, the recent submission includes a contribution of about \$3.5 million towards the design, construction, and maintenance of this area.</p>
<p>e. Sustainable Design – All buildings on the PUD Site shall be designed to achieve USGBC LEED certification, including state-of-the-art best practices for all open spaces and amenity areas.</p>	<p>Appears to generally conform – the applicant's August 25, 2006 submission includes a commitment to "<i>develop the Project as an environmentally "green" structure, with the goal of being able to achieve U.S. Green Building Council LEED certification</i>" (p. 20) The applicant lists LEED elements to be incorporated into the design in Appendix J to the May 21, 2004 submission, including water conservation, natural stormwater management, reduction in energy use, and use of sustainable materials on the buildings. The most recent submission includes detailed landscape plans showing the use of elements such as storm water garden features, permeable surfaces, biofiltration beds, and tree planting, as well as extensive use of green roofs.</p>

## X. 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 Second Stage approval of their proposal. Stage I approval 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 Second Stage 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.*

## **XI. STANDARDS FOR PLANNED UNIT DEVELOPMENT**

At over 250,000 sq.ft in area, the subject site meets the minimum 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 will have an overall positive impact on the neighborhood and the District.

## **XII. PUBLIC BENEFITS AND AMENITIES**

Section 2403.5 through 2403.13 discusses the definition and evaluation of public benefits and amenities. In its review of a PUD application, §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).

Amenity package evaluation is based on an assessment of the development gained through the application process. In this case, the applicant is requesting additional height and non-residential density, when compared to the base W-2 regulations. W-2 permits a density of 4.0, or 5.0 if the additional 1 FAR is for residential purposes. Non-residential uses are limited to 2.0 maximum. The applicant is proposing a non-residential FAR of 2.62 (including office and retail uses; the hotel use has an additional FAR of .92). W-2 permits a building height of 60 feet, or 70 feet for the provision of bonus residential space. The applicant is proposing building heights of up to 112 feet.

Most of the amenity items described in the applicant’s August 25, 2006 filing were also noted in earlier submissions. However, two former items are not longer proffered – landscaping of Reservation 247, now part of the ballpark site (valued at \$1.66 million) and construction of the riverwalk trail connection across WASA land (valued at \$275,000), which has now, according to the applicant, been otherwise funded. Replacement items have been proposed, as noted below:

1. **Affordable Housing** - The applicant continues to proffer 9,600 square feet (8 units) of residential area for workforce housing, available to families making 80% of Median Family Income within the district, for a period of 20 years. This proffer would be completed as part of Phase 2 of development, the residential building. This amount represents about 4.7% of the total residential area. Although this is less than that normally anticipated for current affordable housing proffers, the proposal has been in process since well before discussion of

Inclusionary Zoning, and other elements of the amenity package are considered strong. As such, OP supports this proffer.

2. **Landscaping of First Street Terminus** – In lieu of the original proffer to design, construct and maintain landscaping over Reservation 247 (now part of the ballpark site); the applicant has offered to expand the First Street Plaza to the east of the PUD site. The proposed design includes terrace space, groupings of trees, and a restored tidal marsh along the waterfront, in addition to walking and bike paths. The land area included is estimated by the applicant to be approximately 39,000 sq.ft., and the applicant estimates the value of the proffer at about \$3.5 million to design and construct the space, and maintain it for 5 years.

In discussions with the applicant and AWC, it was noted that all of this land is in public ownership, with Federal lands part of a pending transfer to the District. The AWC has been charged with coordinating the design and construction of new open space along the waterfront. AWC has noted that the cost of the First Street Landing (design and construction) would exceed the applicant's proffer, but that other sources of funding have been identified. In concept, AWC appeared supportive of this amenity contribution, although important agreements regarding the level of involvement of FRP in the design, construction, and maintenance have not been formally resolved. OP has advised both parties that, at a minimum, clarification of how this issue will be resolved is required prior to the public hearing, with resolution of agreements to fully and adequately facilitate this amenity item required prior to any proposed action by the Commission. As it is unlikely that a design for the plaza area would be completed in the near future, if the Commission proceeded positively with this proposal, OP would recommend that the Order stipulate a requirement for Zoning Commission review of the design and construction / maintenance plan for the park.

3. **Landscaping of the Esplanade and Waterfront** – On-site landscaping includes the 75 foot minimum width of waterfront walk / bike way, and pedestrian connections through the site to the waterfront. Landscaping incorporates both hard and soft surfaces, including appropriately designed bio-filtration areas. OP supports this item as an amenity in concept, although detailed costing (such as a cost comparison of an acceptable yet minimal riverwalk design against the presumably more costly and desirable proposed design), have not been provided.
4. **Environmental Features** – The applicant has agreed to develop the project to achieve LEED (Leadership in Energy and Environmental Design) certification. Design features will include green roofing, water conservation; natural storm water runoff reduction, infiltration, and treatment; and energy and resource conservation and environmentally friendly building design and management. OP feels that this will provide long-term community and resident/worker benefit in terms of reduced load on municipal systems and improved quality and health of both outdoor and indoor spaces.
5. **Water Taxi Dock** – DDOT is in the process of establishing a new water taxi service along the Potomac and Anacostia Rivers. Although the exact nature of this service is being finalized, it is anticipated that it will be in operation prior to the opening of the stadium in 2008. This service would be of benefit to residents, workers and visitors to the area and could, when established, help to reduce traffic congestion and parking demands. The applicant has proffered to design and construct a new dock for this service, for completion on FRP land as

late as 2014. Although OP encouraged the applicant to investigate this item, OP and DDOT have expressed concerns with this item as proffered. Discussions with DDOT and AWC indicate that a dock is needed much in advance of the applicant's planned date if it is to provide benefit to the stadium and surrounding ballpark retail and entertainment district. OP has encouraged the applicant to discuss this amenity item with DDOT. DDOT has indicated to OP that it is their intention to provide comments on this application (including this amenity item) directly to the Commission prior to the Public Hearing.

6. **Transportation Management Program (TMP)** – The applicant has agreed to implement a TMP in an attempt to reduce overall traffic and parking demands. However, as prepared, most of the items in the TMP would be difficult or impossible to enforce or monitor. In fact, many of the items are not “guarantees”, but rather are things which would be “encouraged” or “allowed”, or which may be implemented. While OP supports the intent, and encourages the applicant to implement such a plan, OP does not believe that as proffered, this item amounts to a true amenity.
7. **First Source Employment Opportunities** – The applicant has entered into a First Source Employment Agreement with the Department of Employment Services (DOES). OP supports this initiative as an amenity to the District.
8. **Local, Small or Disadvantaged Business Opportunities** – The applicant has committed a goal of Local, Small or Disadvantaged Business Enterprises participation in the development costs of the project. OP supports this initiative as an amenity to the District.
9. **Pedestrian Viewing Pier** – The applicant is proposing to construct a pier associated with the riverwalk, with a value of \$200,000. OP understands that this will replace an existing submerged pier. OP fully supports this as a valuable amenity item to add interest to the waterfront walkway.

In general, OP feels that the amenity package is appropriate, given the additional non-residential density and height being gained through the PUD, subject to the resolution of the critical implementation issues noted above.

### **XIII. SUMMARY AND RECOMMENDATION**

OP remains supportive of the overall design intent for the site, and supportive of the densities and heights approved as part of Stage 1 review and as proposed in the current submission. The proposal is in keeping with AWC and DDOT plans for the ballpark and South Capitol Street corridor areas. There are issues which remain somewhat unresolved, mainly related to the amenity proffer, such as the design, construction, and costing of the First Street Plaza. The applicant has been working with the AWC to satisfactorily resolve these issues, and OP has advised that an understanding of any agreement between FRP and AWC will be required prior to proposed action for this case. OP would further recommend that, since it is unreasonable to expect a design for the First Street Plaza to be resolved prior to a Commission decision on this case, that the Order for this case require Zoning Commission approval of the design, construction plan, and maintenance plan for the plaza.

In addition, OP is concerned that the east office building does not satisfactorily address the major stadium entrance across Potomac Avenue. In fact, the building mass blocks direct views from the entrance / concourse level and the waterfront. In addition, OP has concerns that the massing of the

building at this location will also not relate well to the First Street Plaza, and that below and second and third level retail spaces will be difficult to animate.

As such, OP recommends that the Zoning Commission approve application 04-14, Second Stage PUD for the Florida Rock site at 100 Potomac Avenue SE; subject to:

- alterations to east end of the east office building to improve the relationship between the Florida Rock site, the stadium entrance, and the proposed First Street Plaza park on the waterfront;
- additional resolution and clarification of amenity items, specifically ones related to the value, timing and construction of a water taxi dock; and the design, construction, maintenance, and timing of the First Street Plaza on the waterfront; and
- adequate resolution of land ownership issues on the west side of the site.

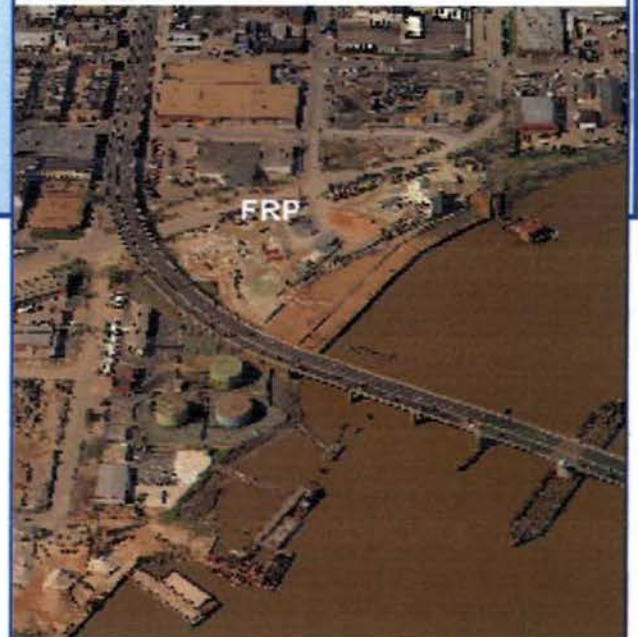
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**Attachments:**

1. Context Photos
2. Project Profile
3. Comprehensive Plan Relevant Sections



2005 Photo



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

★ ★ ★ Government of the  
District of Columbia  
Anthony A. Williams, Mayor  
Office of Planning ~ SEPTEMBER, 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. Oblique imagery © Pictometry International

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Standard	CG/W-2	CG/C-3-C PUD	PUD Stage I	Setdown Proposal	Current Proposal <sup>1</sup>
Lot Area:	253,500 sq.ft.	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	Residential/ office/retail/hotel / park
Number of Buildings:	n/a	n/a	2 min.	3	4
Height:	70 ft. max.	130 ft. max.	109 – 130 ft.	92 - 112 ft.	92 - 112 ft.
Floor Area Ratio:	5.0 max.	8.0 max.	6.0 max.	4.33	4.4
Square Feet:	1,267,500sq.ft.	2,020,800 sq.ft.	1,647,750 sq.ft.	1,098,684 sq.ft. <sup>2</sup>	1,115,389 sq.ft. <sup>3</sup>
Max. Commercial:	507,000 sq.ft.	2,020,800 sq.ft.	1,647,750 sq.ft.	642,394 sq.ft.	664,856 sq.ft.
Lot Occupancy:	75%;	100% max.	58%	58%	59%
Square Feet:	190,125 sq.ft.	253,500 sq.ft.		147,030 sq.ft.	149,431 sq.ft.
Recreation Space: total area:	n/a	10% = 19,337 sq.ft. min.	not specified	19,641 sq.ft.	20, 302 sq.ft.
outdoors:	n/a	50% min. of rec. space = 9,689 sq.ft.	not specified	13,691 sq.ft (70%)	will conform
Rear yard (res. bldg):	3" / ft. of ht. (25.5 ft.) min.	2.5" / ft. of ht. min. (19.2 – 23.2 ft.) min.	not specified	75'	50' min.
Side yard:	8' min. if provided	2" / ft. of ht. min. if provided (15.34 – 18.7 ft.)	not specified	conforming	conforming
First Street:	Not required	Not required	10' above a height of 65 ft.	conforming	will be conforming
Waterfront Setback:	75 ft. min.	not required	n/a	75 ft. min.	50' min. <sup>4</sup>
Open court width:	4" / ft. of ht. (36.7 ft.)	3" / ft. of ht. min. (27.5 ft.)	not specified	3 closed and 1 open court non-conforming	will conform
Closed court width:		4" / ft. of ht. min. (36.7 ft.)	not specified		
Court area:		2 x width <sup>2</sup>	not specified		
Roof Structures:				Conforming	
setback:		18.5' min.	not specified	Conforming	non-conforming for two buildings
height:		18.5' max.	not specified	Conforming	conforming
number of:		1 / building-	not specified	Conforming	non-conforming for one building
Parking:					
Residential:	1 / 3 d.u. = 53	1 / 4 d.u. = 40 min.	1 / 1,000 sq.ft.	211	259
Commercial:	1 / 1,800 sq.ft. > 2,000 sq.ft. = 332 min.			639	745
Retail:	1 / 750 sq.ft. > 2,000 sq.ft. = 94 min.			44	75
Hotel:	½ rooms + meeting area. = 143	1 / 4 rooms + 1/300 sq.ft of meeting area = 143 min.		153	279
Total:	582 min.	609 min.	1,495	1,047	1,389
Bicycle Parking:	5% # retail/office spaces required = 19 min.		not specified	20 (5.1%)	will conform
Loading Berths	hotel/assembly- 1 @ 50' + 2 @ 30' deep + 1 @ 20' = 4 retail - 1 @ 50' + 2 @ 30' deep + 2 @ 20' = 5 office – 3 @ 30' + 1 @ 20' / building = 8 residential: - 1 @ 55' + 1 @ 20' = 2 <b>Total of 19 min.</b>		not specified	13 total	15 provided

<sup>1</sup> Draft information supplied by applicant, to be confirmed

<sup>2</sup> 602,896 sq.ft. office, 39,498 sq.ft. retail; 197,265 sq.ft. residential (160 units); 259,025 sq.ft. hotel (240 rooms).

<sup>3</sup> 599,950 sq.ft. office, 64,856 sq.ft. retail (plus 11,000 sq.ft. not included in GFA); 203,022 sq.ft. residential (160 units); 232,563 sq.ft. hotel (240 rooms and 15,000 sq.ft. of retail).

<sup>4</sup> The CG Overlay requires 75 feet, but allows 50 feet by special exception. Most of the length of the project exceeds the 75' setback.

**Comprehensive Plan**

Comprehensive Plan sections that are of relevance this proposal include:

**Chapter 2 Economic Development Element**

*§205 Economic Development In Downtown And The Central Employment Area*

*§205.1 The economic development in Downtown and the Central Employment Area objectives are to ... encourage additional development, economic diversification, and job generation in portions of the Central Employment Area outside Downtown.*

*§205.2 The policies established in support of the economic development in Downtown and the Central Employment Area objectives are as follows:*

- (f) Encourage and assist development and employment growth in other parts of the Central Employment Area, with special emphasis on achieving the mix of land uses, residential and commercial, that promotes increased economic activity in the evenings and weekends as well as during the work day;*

**Chapter 3 Housing Element**

*§302.1 The general objectives for housing are to stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations.*

*§302.2 The policies established in support of the general objectives for housing are as follows:*

- (a) Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives ...*

**Chapter 4 Environmental Protection Element**

*§402 Improving Water Quality*

*§402.1 The objectives of improving water quality are to improve the quality of water in the rivers and streams of the District to meet public health and water quality standards, and to maintain physical, chemical, and biological integrity of these watercourses for multiple uses, including recreation.*

*§405 Protecting The Quality Of The Land Areas*

*§405.2 The policies established in support of the protecting the quality of the land areas objective are as follows:*

- (f) Ensure public access to waterfront areas and protect and enhance their aesthetic and recreational qualities;*

**Chapter 5 Transportation Element**

*§502 Transportation: General*

*§502.2 The policies established in support of the general transportation objectives are as follows:*

- (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;*

*§507 Waterfront Transportation*

**§507.2.** *The policies established in support of the waterfront transportation objectives are as follows:*

- (b) Promote the construction of a continuous pathway along both the Potomac and Anacostia Rivers to provide walking, bicycling, and scenic vistas, and use many areas of parkland which are currently underused for recreational purposes.*

## **Chapter 7     Urban Design Element**

**§700**     *Declaration Of Major (Urban Design) Policies*

**§700.2**     *The District must afford more attention to the future design and development of its waterfronts. The Potomac and Anacostia Rivers offer tremendous amenities which are unrealized and underutilized.*

**§701**     *Urban Design Goal*

**§701.1**     *It is the goal of the District to promote the protection, enhancement, and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient.*

**§702**     *Urban Design: General*

**§702.1**     *The urban design objectives are to do the following:*

- (a) Maintain and enhance the physical integrity and character of the District as the Nation's Capital;*
- (c) Preserve and enhance the outstanding qualities of the natural park and waterfront areas;*

**§706**     *Waterfront Design Areas Policies*

**§706.1**     *The waterfront design areas objectives are to do the following:*

- (c) Create and enhance relationships between the rivers and District residents, develop urban waterfronts and water-related recreation in appropriate locations, and establish attractive pedestrian connections from neighborhoods to activities along the waterfronts; and*
- (d) Promote residential and commercial development at appropriate waterfront locations.*

**§706.2**     *The policies established in support of the waterfront design areas objectives are as follows:*

- (a) Promote water-oriented public space uses at the water's edge such as promenades, view points, steps into the water, swimming and boating facilities, public art, or other water-related amenities;*
- (b) Require that waterfront design areas complement and enhance urban development;*
- (c) Require that waterfront design areas respond to the unique waterfront qualities of the respective site conditions;*
- (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;*
- (e) Orient buildings, open spaces, and prominent views within each of these areas toward the water. These areas generally should not be separated from the shorelines by major roadways;*

**§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:*

- (e) Establish a new physical identity in areas having a strong negative image and where the surrounding areas lack character;*
- (f) Use extensive landscaping in areas without character to present a more positive image; and*
- (g) Utilize large-scale development or capital improvement projects as opportunities for establishing a positive image or redirection in deteriorated areas.*

## **Chapter 11 Land Use Element**

**§1100 Declaration Of Major Policies**

**§1100.1** *The District is one of the nation's oldest and grandest planned urban centers.*

- (c) The Land Use Element challenge is to accommodate change necessary to enhance the vitality and livability of the District, while protecting and conserving its unique heritage and physical beauty.*

**§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. ....*

**§1100.7** *Among the specialized planning mechanisms to guide the future physical development of the District are the following:*

- (b) Development opportunity areas are areas designated to accommodate the District's major growth and development needs;*

**§1118 Specialized Planning Area Classifications**

**§1118.3** *Development opportunity areas are areas that offer opportunities to accommodate new growth and development. Development opportunity areas may be designated for housing, commercial development, employment centers, or for a mixture of uses and may be further subclassified to identify those that are Metrorail station development opportunities areas.*

The site is currently within Ward 6. Prior to realignment of the Wards in 2002, however, it was within Ward 2, and many Ward 2 policies and objectives have direct relevance to this case, particularly ones related to development along the waterfront and within the Buzzard Point/Near Southeast Development Opportunity Area:

## **Chapter 13: Ward 2 Plan**

**§1304 Ward 2 Objectives For Housing**

**§1304.1** *(a) Stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations;*

**§1308 Ward 2 Actions In Support Of Environmental Protection Objectives:**

**§1308.1** *(a) Combat pollution of the Potomac and Anacostia rivers by:*

- (4) Cleaning up industrial areas of the Anacostia West Bank ...;*
- (7) Requiring that public space in new waterfront development be maintained along shorelines;*

**§1311 Ward 2 Actions In Support Of Transportation Objectives**

- §1311.1 (e) Increase pedestrian movement and safety and improve the pedestrian environment by doing the following:**
- (2) Developing adequate pedestrian walkways in areas of future development, including North Capitol Street, and Buzzard Point/Near Southeast;**
  - (g) Encourage innovative transportation by water;**

**§1317 Ward 2 Actions In Support Of The Urban Design Objective**

- §1317.1 (b) Enhance the overall design character of Ward 2, and the special character of the different areas and neighborhoods of Ward 2, including those undergoing major redevelopment as follows:**
- (2) The city should include urban design guidelines as part of the planning program for Development Opportunity Areas and for other areas that will undergo major development in the future (Mount Vernon Square North, West End, and South Capitol Street/Buzzard Point);**
  - (d) Emphasize superior design of new development and open space along Ward 2 waterfront areas as follows:**
    - (1) The city, working with the National Park Service, shall ensure that Ward 2 waterfront areas, including ... Buzzard Point and along the Anacostia River, provide public access and use;**
    - (2) Economic development incentives shall be used by the city to promote quality developments along waterfronts, with open space, parks for recreation and cultural programs, and street-level retail activity during the day and night;**

**§1327 Ward 2 Actions In Support Of Residential Land Use Objectives**

- §1327.1 (c) The District government should do the following:**
- (5) Develop a major new residential community as part of a mixed-use development in the Buzzard Point/Near Southeast area;**

**§1329 Ward 2 Objectives For Office Development**

- §1329.1 (a) To encourage development of office buildings in appropriate locations in Ward 2, especially in the Central Employment Area and in Development Opportunity Areas;**

**§1333 Ward 2 Actions In Support Of The Hotel Development Objective**

- §1333.1 (a) The District government should do the following:**
- (3) Encourage new hotels to locate in the Development Opportunity Areas;**

**§1337 Ward 2 Development Opportunity Areas**

- §1337.3 The Buzzard Point/Near Southeast area now contains deteriorated public housing, light industry, marginal small businesses, a military installation, federal buildings, and vacant sites, but has the potential for becoming a prime waterfront site and southern gateway into the city.**

**§1348 Ward 2 Actions In Support Of The Waterfront Development Objective**



- §1348.1 (e) Develop a major mixed-use community along the Buzzard Point waterfront, providing waterfront access and connections from adjacent areas, to the extent security concerns will permit;*
- (f) Prepare a coordinated plan for the entire waterfront area from the Southwest Fish Market through Fort McNair and Buzzard Point, connecting the waterfront areas to the east in Ward 6; and*

The proposal also furthers a number of Ward 6 objectives:

### **Chapter 17: Ward 6 Plan**

#### *§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 ...;*
- (b) To stimulate economic activity and employment opportunities and growth consistent with the respective needs of the various neighborhoods in Ward 6.*

#### *§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 ...*

#### *§1709 Ward 6 Objectives For Environmental Protection*

- §1709.1 (a) To improve the quality of water in the District's rivers and streams to meet public health and water quality standards and to maintain the physical, chemical and biological integrity of these watercourses for multiple uses, including recreation;*

#### *§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;*

#### *§1733 Ward 6 Objectives For Land Use*

- §1733.1 (a) To maintain the general level of the existing Ward 6 residential uses, densities and heights, and to improve the physical condition of Ward 6 through the provision of functional, efficient and attractive residential, commercial and open space areas;*
- (b) To minimize conflicts between the various land uses in Ward 6 and to promote healthy residential environments through selective renewal, rehabilitation and neighborhood revitalization programs; and*
- (c) To locate the more intensive and active land uses in areas of Ward 6 that, by virtue of existing and planned infrastructures, can accommodate and support those types of uses and to monitor development and redevelopment adjacent to designated historic districts to ensure compatibility.*