

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

SUPPLEMENTAL REPORT

DATE: April 10, 2006

TO: District of Columbia Zoning Commission

FROM: *Ms For*
Ellen McCarthy, Director Office of Planning

SUBJECT: Zoning Commission Case No. 05-10, Capital Gateway Overlay District Amendment

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I. BACKGROUND

On January 30, 2006, the Zoning Commission held a public hearing to consider a proposal to amend the Capitol Gateway (CG) Overlay District. The Office of Planning recommended these change in response to new development pressure within the area, and recent planning initiatives related to South Capitol Street and the location of the new Major League baseball stadium within the area. Details of the proposed amendments are outlined in the OP reports dated November 4, 2005 and November 21, 2005.

The Zoning Commission left open the record for receipt of additional information from the Office of Planning, the Anacostia Waterfront Corporation (AWC), and the Advisory Neighborhood Commission (ANC 6D). From OP, the Commission requested additional information regarding the form and impact of a setback along South Capitol Street, and possible areas of relief from §633, Required Public Space at Ground Level in the CG/CR District. In this report, OP will also reiterate possible regulations pertaining to the transfer of density through the combined lot provisions of §1602.1.

From the AWC, the Commission requested additional information arising from on-going planning studies underway for lands around the ballpark site. The AWC has requested an extension to hold the public record open for an additional 30 days.

II. South Capitol Street

The OP proposal includes a provision for a 15 foot setback for those portions of South Capitol Street within the CG Overlay, south of M Street. This is in concurrence with planning efforts to encourage the creation of a monumental corridor, and conforms to the setback requirement recently adopted by the Commission for the ballpark within the CG Overlay. At the public hearing, the AWC noted that more detailed recent mapping of the corridor shows that such a 15 foot setback if measured from the property line as proposed would not achieve the desired goal of a standardized streetwall. This is because, as shown on the attached map (Attachment I), the street right-of-way widens from the standard 130 feet to 155 feet in places (close to M Street SE), with all of the widening happening on the west side of the street.

The area where the street widens - on the west side of South Capitol Street and north of M Street - is not within the existing CG Overlay boundary. As a proposal for a new setback for property not within the current boundaries of the CG Overlay was not advertised, the discussion of to where the setback should be measured is more relevant to possible future changes to the Overlay, to either create a new Commission requirement for the entirety of South Capitol Street, and / or to extend the boundaries of the CG Overlay to include all of South Capitol Street, if the Commission wished to require such changes.

CASE NO. 05-10

In addition to the widening close to M Street, the square boundaries, which form the street right-of-way, are not always perfectly aligned. However, OP is not convinced that these relatively minor fluctuations in the square boundaries and lot lines would have a significant or perceivable impact on the streetscape character

At the hearing, it was suggested that, as an alternative to measuring the setback from the property line, it may be preferable to measure from the centerline of the right-of-way. This would be problematic, in that the centerline of the street (i.e. the centerline between the proximate square boundaries) also moves and bends as the square boundaries move. Measuring the setback from the centerline would, therefore, continue to result in a streetwall that is inconsistent (see Attachment I)

Establishing a measurement from the centerline of the actual paved portion of the street is also not possible, as the District Department of Transportation (DDOT) is currently reviewing design plans and options for the reconstruction of South Capitol Street, and the exact placement and alignment of the paved portion has not been established. In addition, the paved portion can, over time, change to accommodate future vehicular or pedestrian transportation needs.

To provide a standard setback, a hypothetical “measure-from” line would have to be established, based on the averages of the street right-of-way width, somewhere within the South Capitol Street right-of-way. For the required setback to provide a perfectly aligned streetwall along the length of South Capitol Street, either

- some buildings on the west side of South Capitol Street would have to provide a greater setback than 15 feet (approximately 25 feet) while others would provide no setback, resulting in a streetwall to streetwall width of 170 feet across South Capitol Street (Attachment II), or
- all buildings would provide a setback of 15', except that buildings within Squares 648, 649, and 651 would actually encroach into the current public right-of-way by 10 feet, resulting in a streetwall to streetwall width of 160 feet (Attachment III)

As such, OP is not recommending any change to the method of measuring the setback as proposed for South Capitol Street within its existing boundaries. In the future, if the Commission wished to establish a 15' setback for properties not within the current boundary of the CG Overlay, OP would recommend that the setback not be applied to the squares and portions of squares on the west side of the street where the right-of-way widens to 155' – namely squares 651 south of M Street, and 649 and a portion of 648 north of M Street. Although this would not result in an entirely consistent streetwall – these buildings would be setback from the edge of pavement by about 10 feet more than other building, this is not considered inappropriate for the corner of South Capitol Street and M Street, and would lessen potential issues regarding the ability to develop some of the narrow parcels at this location, if a 15 foot setback were required. If the Commission wished to consider the provision of a consistent and coordinated streetwall to be critical, the most feasible way may be the eventual extension of the CG Overlay to include all of South Capitol Street north of the river and establishment of mandatory Zoning Commission review of all properties (such as has been recommended by OP within the current boundaries of the Overlay) against a new guideline to address the relationship of one building to another along the length of South Capitol Street

III. §633, Required Public Space at Ground Level

The underlying CR zoning within the CG Overlay requires the provision of publicly accessible open

space adjacent to the main entrances of buildings, in the amount of 10% of the total lot area. The CR District permits a mix of commercial and residential, but provides FAR incentives for the provision of residential or mixed use buildings. The open space provision appears to be intended to provide for sufficient open space and a comfortable pedestrian character within what is intended to be a predominantly residential area, particularly since building heights in excess of what is permitted within residential (R) zones can be achieved. Since the CR District also limits lot occupancy for residential buildings to 75%, the provision of the open space for residential buildings is not a logistical problem, and would help to ensure that non-residential office buildings better conform to the prevailing streetscape character.

However, at the public hearing, it was noted that this requirement could be contrary to the CG Overlay requirement for the provision of street oriented preferred use retail along First Street, Half Street, and M Street SE. While the open space could be desirable for some types of commercial uses, such as restaurant where the open space could be utilized as outdoor seating in good weather, it could unnecessarily separate other forms of retail from the sidewalk and potentially reduce the creation of the desired vibrant pedestrian character.

OP would support amendments to the CG Overlay which would eliminate this requirement, but only where “preferred use” retail is required to be located – along portions of First Street, Half Street, and M Street SE. In other locations, where retail is not required, the provision of the open space in this high density mixed use zone will help to provide opportunities for softening the streetscape with landscaping along the public way.

The following additions are proposed:

In §1604 Buildings, Structures, and Uses on M Street SE, the following new section

“1604.10 Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 §633 shall not apply.”

In §1606 Buildings, Structures, and Uses on First Street SE, South of M Street SE, the following new section

“1606.6 Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 §633 shall not apply.”

In §1607 Buildings, Structures, and Uses on Half Street SE, South of M Street SE, the following new section

“1607.8 Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 §633 shall not apply.”

IV. Combined Lot / Transfer of Density

Section 1602 of the existing CG Overlay text permits the transfer of density from one site to another within the CG Overlay using the Combined Lot provisions. Such a transfer is not considered by OP to be contrary to the objectives for the area, since it would not alter overall density within the area and could provide additional flexibility for development and opportunities for a better overall form. However, OP proposed limitations on the amount of density that could be transferred to ensure that the additional square footage could be adequately accommodated within building envelope constraints such

as setback, height, and lot occupancy, and to ensure that the desired residential mix of development is maintained, and to further encourage the provision of residential development within the area.

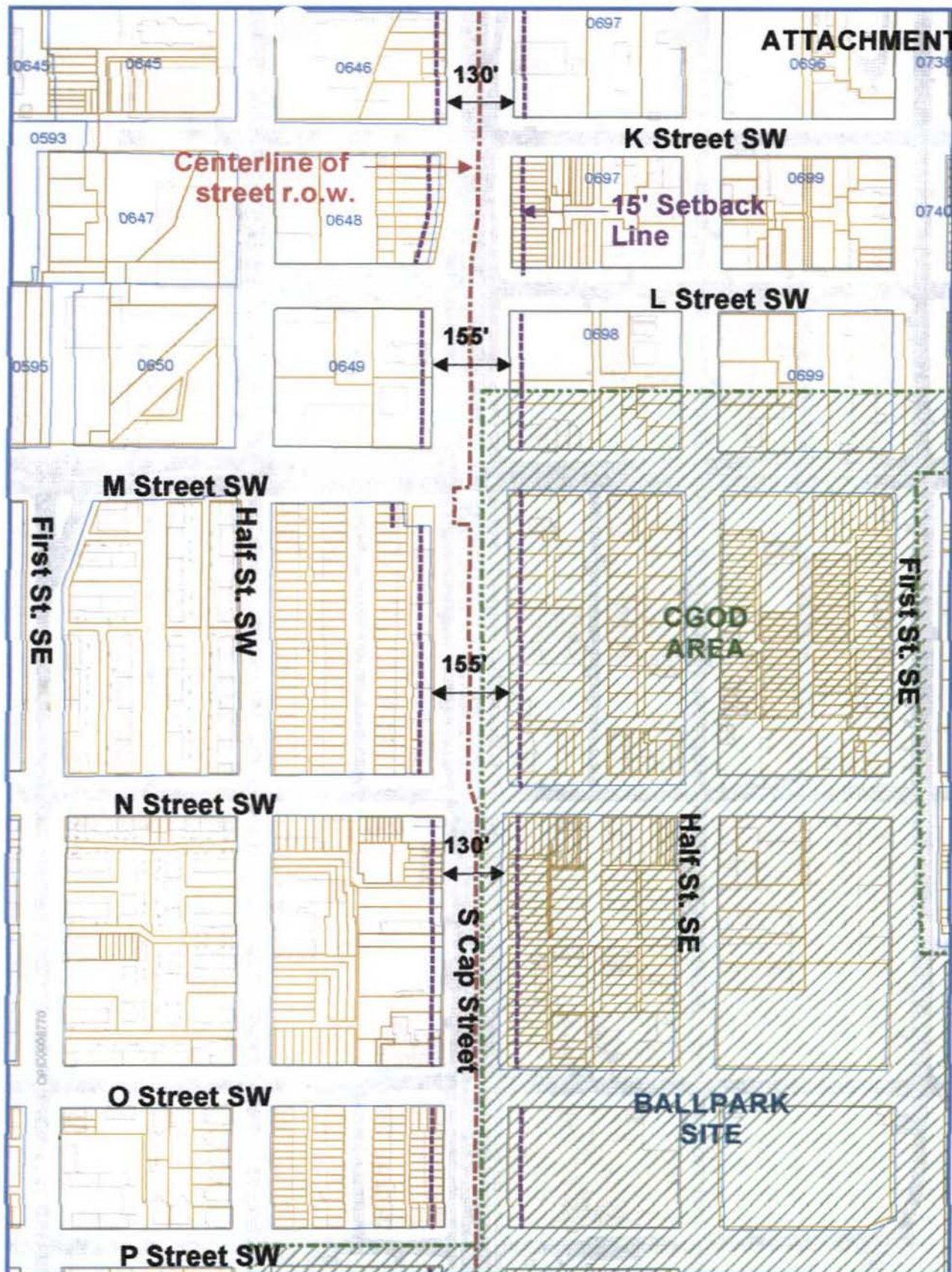
Some concern from the development community was raised with respect to these proposed limitations, particularly since many, although not all, of the Overlay area is subject to mandatory Zoning Commission review, and because the transfer of density from the Ballpark site to surrounding sites is considered to be in the best interests of the District in the creation of a vibrant mixed use neighborhood. At the public hearing, OP proposed that the Commission could establish a limitation, but permit an additional amount – 1 FAR – to be transferred with approval of the Zoning Commission for some parcels within the area. Below is proposed new text to achieve this purpose:

“1602.1 (e) In addition to the amount of density that may be transferred in accordance with §1602.1 (a), the Zoning Commission may, at its discretion, grant an additional transfer of density of 1.0 FAR maximum to or within Squares 701 and 702, subject to the applicant addressing to the satisfaction of the Zoning Commission the objectives and guidelines of §§1601 and 1604-1607, as applicable.”

EM/jl

ATTACHMENTS:

- I Map of South Capitol Street
- II Map of South Capitol Street showing Option 1 - a 170' building-to-building line
- III Map of South Capitol Street showing Option 2 - a 160' building-to-building line

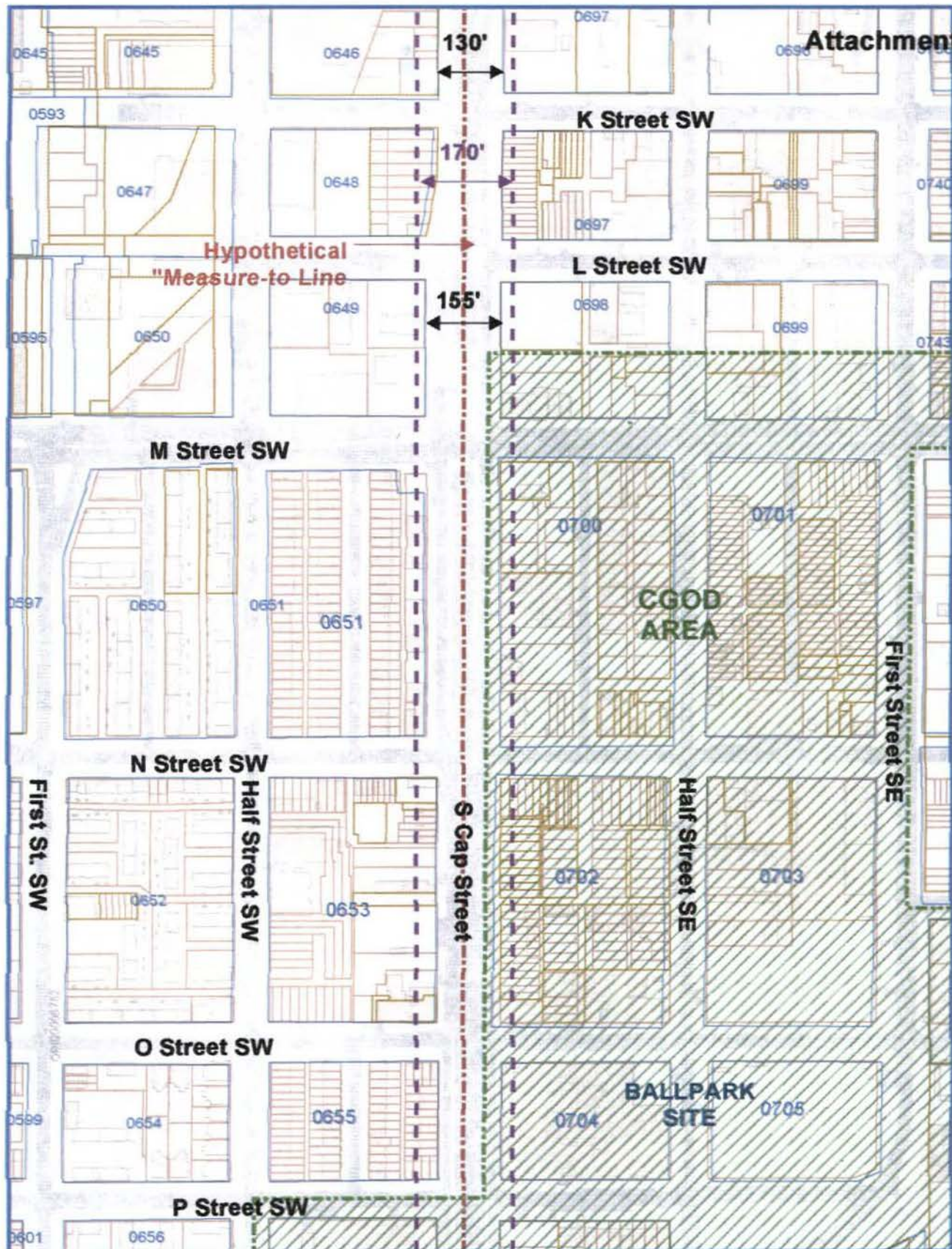


Zoning Commission Case 05-10
Capitol Gateway Overlay District
Possible 15 Foot Setback Analysis

*** Government of the
 District of Columbia
 Anthony A. Williams, Mayor
 Office of Planning ~ April, 2006

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 purposes from a variety of sources.
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 Information provided by other agencies
 should be verified with them where appropriate.

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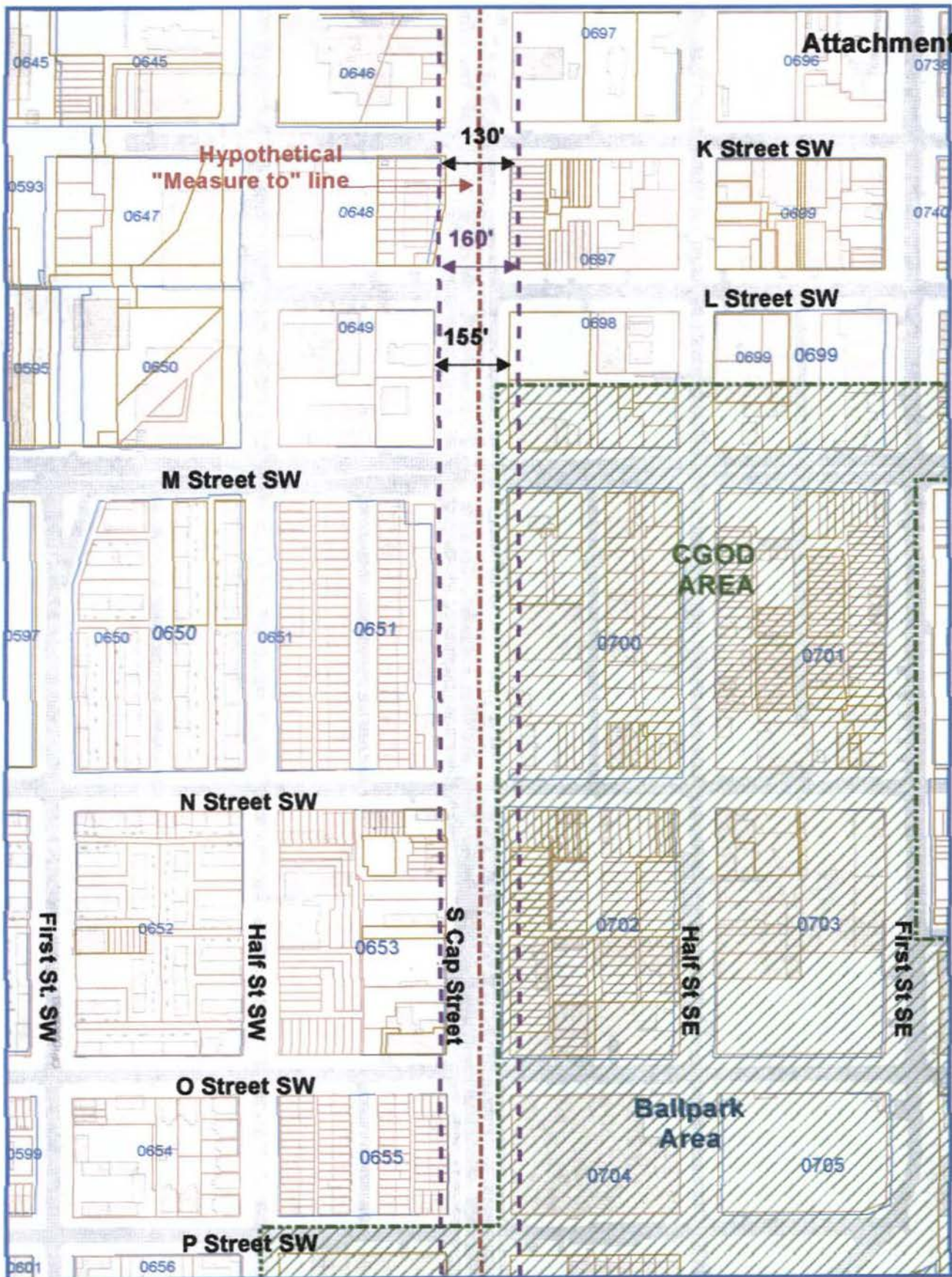
Zoning Commission Case 05-10
Capitol Gateway Overlay District
Setback Option 1

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Zoning Commission Case 05-10
Capitol Gateway Overlay District
Option 2

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