

Issues regarding Proposed Amendments to the Capitol Gateway Overlay District
Zoning Commission Case No. 05-10

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I Introduction

- A. Here on behalf of owners of property both north and south of M Street in the area of the proposed amendments
- B. Represent Monument Realty and the Davis/Camaler/Cohen families, who between them own or control the great majority of private properties in Squares 700 and 701, the two squares north of the ballpark site

II Limitation on redistribution of density through combined lot development

- A. Proposed §1602.1(a) limits density on any individual lot to 8.0 FAR on a street up to 90 feet wide and 8.5 FAR on a street at least 110 feet wide
- B. Property owners transferring density from the Ballpark site to squares to the north may exceed that amount, depending upon the ultimate size of the receiving site
- C. Size of Capitol Gateway district is small enough that density transferred from one site to another should not raise impact issues from that redistribution, especially noting that all projects must continue to comply with the standards of the underlying CR zone (e.g., rear yard, parking, lot occupancy if residential, etc.)
- D. Recommend that, if there is to be a maximum, the numbers be 8.5 and 9.0, respectively

III. Height related to combined lots

- A. Proposed §1602.1(c) relates height to that necessary to accommodate additional density from another lot
- B. Recognize that Office of Planning has issues over possibility that someone could transfer a very minimal amount of density in order to gain height

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- C May have unintended consequences of limiting design options and making development shorter and fatter rather than taller and more slender
- D May want to consider setting absolute minimum amount of density to be transferred (e.g., 10,000 square feet) to qualify a property for combined lot development

IV. Setbacks on South Capitol Street

- A Proposed §1605.2 requires a setback of 15 feet
- B Proposed §1605.3 requires 1:1 setback above 110 feet
- C South Capitol Street is 130 feet wide and there does not seem to be a need for these setbacks in and of themselves
- D If trying to provide for adequate sidewalk width, suggest that setback be from curb, as in §1604.2 for M Street
- E 1:1 setback above 110 feet was a feature of the "old" C-4 District, which was eliminated in the late 1970s because it created a "wedding cake" tiered look which was thought to be undesirable

V. Setback on Half Street

- A Proposed §1607 2 requires a setback of 20 feet above 65 feet
- B 65 feet may not be point where building "breaks," depending upon whether commercial or residential building
- C Since Zoning Commission review all buildings in Squares 700 and 701 (per §1610 1(c)), this may be unnecessary design constraint

VI Design controls applicable to uses

- A Proposed 1603.1, 1604.1, 1605 1 and 1606.1 refer to "new buildings, structures, or uses"
- B These sections taken together with the provisions of §1610 suggest design review, not control of uses
- C Sections should be clarified to reflect that Zoning Commission does not intend to control uses through this process, other than first floor preferred use requirements
- D Sections should be clarified that provision do not apply to changes in use in existing buildings

VII. Ground floor use requirements

- A. Proposed §§1606.1 and 1607.3 require at least 75% of the gross floor area of the ground floor be devoted to preferred uses in buildings along Half and 1st Streets**
- B. After taking out loading docks, building entrances and fire control facilities, difficult to get to 75%**
- C. Also have requirement for 10% public space at ground level in the underlying CR District**
- D. Suggest reducing requirement to 35% (as is required for M Street by §1604.4)**
- E. Suggest including residential as a preferred use or not applying the preferred use requirements to an apartment house**

VIII. Driveway access requirements

- A. Proposed §§1604.3, 1605.4 and 1607.7 limit construction or use of driveways from M, Half and South Capitol Streets**
- B. Proposed §§1605.4 and 1607.7 apply to all driveways and §1604.3 applies only to driveways to required parking spaces or loading berths**
- C. Control over curb cuts is with DDOT, not the Zoning Commission**
- D. Suggest deleting "or used"**
- E. Note that Square 701 is bounded on 3 out of 4 sides by streets where driveways are not allowed**
- F. Forces all traffic access onto N Street, facing the ballpark**

IX. Specific standards vs. design review

- A. Proposed §1610.1 requires Zoning Commission review for all lots that abut M or South Capitol Streets, are in Squares 700 and 701 (which include all of the affected frontage along Half Street) or any lot which receives density through combined lot**
- B. Why constrain review by all the specific standards for setbacks?**

X. Minor "typos"

- A. Eliminate comma between "automobile laundry" in §§1604.4, 1606.2 and 1607.3**
- B. Reference to "Front" Street should be "First Street" in §1610.5**
- C. Proposed §1606.2 refers to "seventy percent" and "(75%)"**

- D. Reference in §1604.6 to §1604.3 should be to §1604.4
- E. Reference in §1606.5 to §1606.1 should be to §1606.2
- F. Reference in §1607.6 to §1607.2 should be to §1607.3

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