

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



Office of the Director

**SUPPLEMENTAL REPORT and SETDOWN REPORT**

**DATE:** May 19, 2006

**TO:** District of Columbia Zoning Commission

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

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

#06-25

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**I. RECOMMENDATION IN BRIEF**

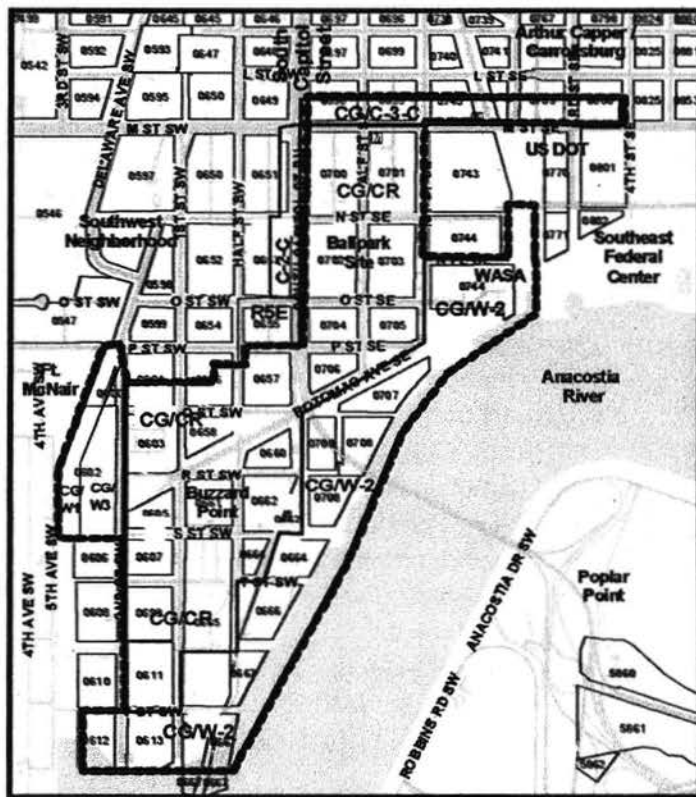
The Office of Planning recommends that the Zoning Commission proceed with Proposed Action for Case 05-10, Amendments to the Capitol Gateway (CG) Overlay District; THAT the proposal be amended to provide for Zoning Commission special exception review of Half Street step-back provisions; AND THAT the Zoning Commission set down for Public Hearing a proposal to extend the boundaries of the CG Overlay to include Lot 48 within Square 649; those portions of Squares 651 and 653 zoned C-2-C; and Square 655.

**II. EXECUTIVE SUMMARY**

This report contains additional information from the Office of Planning concerning Zoning Commission Case 05-10, an amendment to the Capitol Gateway (CG) Overlay District.

OP is also, in this report, recommending that the Zoning Commission set down for a Public Hearing an expansion of the boundaries of the CG Overlay. As shown on the map below, the CG Overlay currently does not include some of the land on the west side of South Capitol Street, south of M Street SW. OP is proposing to include this land within the boundaries of the CG Overlay, and to apply other provisions applicable to the land currently within the CG Overlay which fronts onto South Capitol Street. This recommendation to expand the boundary to include this land is in response to OP, Anacostia Waterfront Initiative (AWI), and National Capitol Planning Commission (NCPC) initiatives which advocate the provision of a consistent, "monument" character to South Capitol Street, and in response to proposed development on the baseball stadium site (directly across the street from the land in question) and other development activity in the area.

This request is being submitted less than 10 days prior to the Zoning Commission's Public Meeting. The Office of Planning requests that the Commission waive its rule and accept the report into the record to consider set down action on this proposal, at this time.



ZONING COMMISSION  
District of Columbia  
CASE NO. 05-10  
EXHIBIT NO. 1  
#06-25

### **III. BACKGROUND**

On January 30, 2006, the Zoning Commission held a public hearing to consider a proposal to amend the Capitol Gateway (CG) Overlay District, made in response to new development pressure, 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, and at its April 20, 2006 meeting, extended the deadline for additional information to May 19, 2006.

### **IV. ZC Case 05-10 – Further Information**

OP submitted a supplemental report dated April 10, 2006, which provided additional analysis related to existing and proposed South Capitol Street, public space, and combined lot provisions. Since that time, OP has discussed these provisions further with NCPC and AWC staff.

In general, conclusions arising from those discussions are that:

- **The proposed 15 foot setback and 1:1 upper story step-back for the portion of South Capitol Street within the CG Overlay are adequate and acceptable.** The road right-of-way along this section of the street is relatively consistent – the street widens close to M Street, but the widening is all on the west side of the street in an area not currently within the boundary of the Overlay. As such, no change to the current proposal is recommended.
- **The proposed upper stories step-back (20 feet above a height of 65 feet) for the portion of Half Street SE between M Street and the ballpark site will likely require flexibility.** The two squares bordering Half Street are large, but are bisected north-south by a center alley which all parties agreed is important to be retained (to provide access to loading, parking, and servicing to future developments). The developable land facing Half Street is sufficiently narrow that an additional 20 foot step-back would make reasonable development difficult. In addition, massing studies prepared for AWC indicated that the step-back at 65 feet results in a somewhat uncomfortable streetscape façade. However, OP was not provided with the massing studies, so is not able to recommend specific changes to the provisions. Rather, OP feels that it is appropriate to retain the provision as recommended, but to advise the Commission that, when the developments on these parcels are forwarded to the Commission for mandatory review, the developers will likely seek some relief from these provisions, both in terms of the amount of step-back and / or the height at which the step-back occurs. To facilitate this review, clarifying language to permit such flexibility by special exception, rather than by variance, is recommended. If reasonable and in the public interest, OP would support such relief, although OP continues to feel that a meaningful step-back is important to provide for light access to Half Street and to provide a more appropriate pedestrian scale than the otherwise permitted 110 height limit.
- **The CG Overlay should be expanded.** Although most of South Capitol Street south of M Street is within the CG Overlay, a portion on the west side of the street is not. For consistency, the CG Overlay should be expanded to include these properties, and to require setback and review provisions currently in place or recommended. A future phase could be the extension of the boundaries to include the remainder of South Capitol Street north of M Street, but this would



require additional study and consultation prior to doing so, as development conditions north of M Street are considerably different from those south of M Street.

## V. SOUTH CAPITOL STREET – EXISTING PROVISIONS

As noted above, most of South Capitol Street is currently within the CG Overlay boundaries. The proposal currently under review by the Commission, for which a Public Hearing has been held, includes the following provisions:

- Require a 15 foot setback along South Capitol Street and require that at least 60% of the façade be constructed to that line;
- Require a 1:1 upper story step-back above a height of 110 feet for the South Capitol Street façade;
- Restrict driveway access from South Capitol Street; and
- Establish a Zoning Commission review and approval process and design guidelines for any property which abuts South Capitol Street.

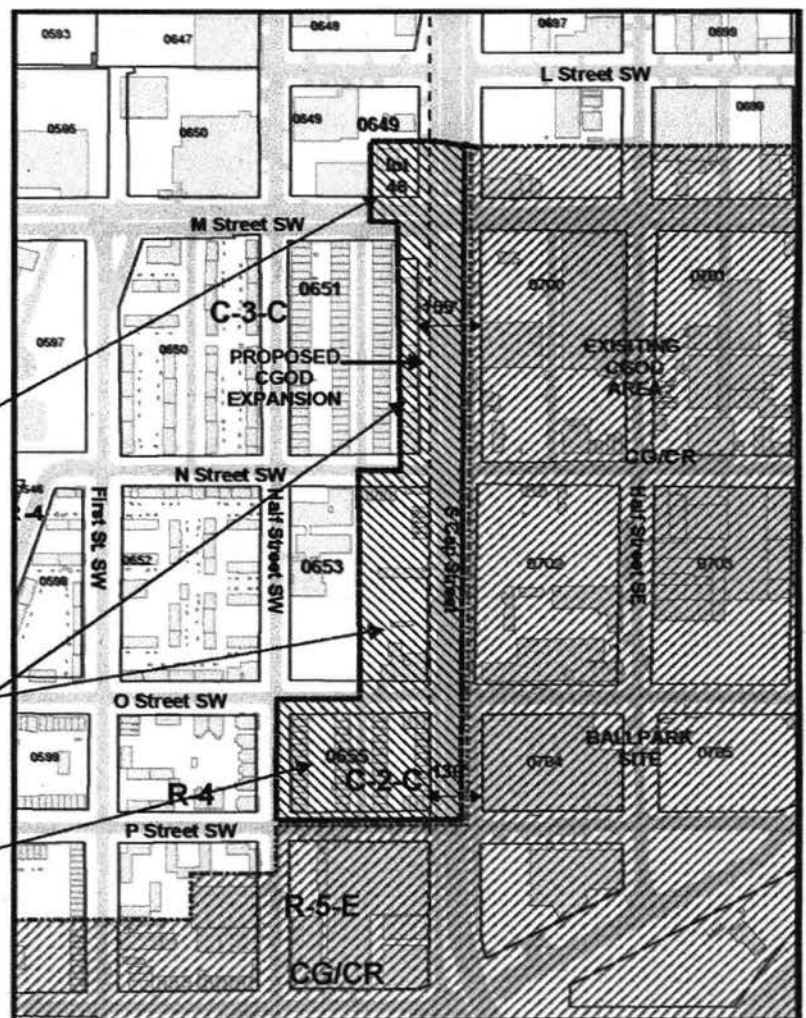
Other, general provisions, such as ones pertaining to the Combined Lot provisions and, where permitted by the specific zones, bonus density and height for residential development, would also apply to lands along South Capitol Street. All of these provisions have already been approved by the Commission for the ballpark site.

## VI. OP PROPOSAL TO EXPAND THE CG OVERLAY BOUNDARIES

OP is recommending that the Zoning Commission set down, for public hearing, a proposal to expand the boundaries of the Overlay to include:

- Lot 48 within Square 649 on the north side of M Street, to continue the existing boundary of the CG Overlay north of M Street;
- those portions of Squares 651 and 653 that are zoned C-2-C, which were rezoned (from C-M-1) in 2002 as part of the original CG Overlay case (96-3/89-1), but were not mapped as part of the CG Overlay; and
- Square 655, which is presently zoned R-5-E (high density residential), although the square contains a well established row house development.

Other than applying the CG Overlay to this



area, OP is NOT proposing any changes to existing zoning. However, OP is recommending that the following provisions, which either currently apply or are being considered for other land fronting South Capitol Street in the CG Overlay, be applied:

- Require a 15 foot setback from South Capitol Street for any new development within Squares 653, and 655. The South Capitol Street right-of-way widens on the west side of the street, in front of Squares 649 and 651 (from 130 feet elsewhere to 155 feet in front of these squares), so that these narrow properties are already set back from the centerline of the street by an additional 25 feet. As such, to ensure a more consistent street wall for new development, the 15 foot setback is not recommended for new development within these squares.
- Require that a minimum of 60% of the façade be constructed to the 15' setback or to the property line where the setback is not required;
- Restrict driveway access from South Capitol Street for all four squares; and
- Establish a Zoning Commission review and approval process and design guidelines for any new development on property which abuts South Capitol Street, again, for all four squares.

The 1:1 upper story step-back above a height of 110 feet for the South Capitol Street façade would not apply on any of the properties zoned either C-2-C or R-5-E, as the zoning limits height to 90 feet, even with a PUD. The step-back should also not be applied on the lot zoned C-3-C (Square 649, north of M Street) because of the wider street right-of-way described above.

With regards to the existing Combined Lot provisions (and the transfer of density that the provisions permit), OP feels that it would **not** be appropriate to permit density to be transferred TO these sites, as they are relatively small and generally adjacent to lower density residential areas. However, permitting the transfer of density FROM these sites, especially the R-5-E zoned lands, may be appropriate. Additional study and analysis is required as well as consultation with the owners and the neighborhood; OP will provide additional information and a more definitive recommendation prior to a public hearing.

## **VII. RECOMMENDATION**

1. OP recommends that the Zoning Commission take proposed action regarding Case 05-10;
2. OP recommends that an amendment to proposed §1607.2, to provide for Zoning Commission special exception review of Half Street step-back provisions, as follows:

***"1607.2 Any portion of a building or structure that exceeds 65 feet in height shall provide a minimum step back of 20 feet in depth from the building line along Half Street SE. Pursuant to §3104, the Zoning Commission may grant relief from this requirement, to a maximum of 15 feet in height and 8 feet in depth, for the provision of reasonable development footprints."***

3. OP recommends that the Zoning Commission set down for Public Hearing an additional proposal to expand the boundaries of the CG Overlay to include Lot 48 within Square 649; those portions of Squares 651 and 653 zoned C-2-C; and Square 655, and to apply provisions respecting set-back, driveway access restrictions, and mandatory Zoning Commission review. This recommendation is made to help ensure the provision of a consistent street wall along what is intended to become a monumental civic boulevard.

EM/jl