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OFFICE OF PLANNING

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Office of the Director

SUPPLEMENTAL REPORT

TO: District of Columbia Zoning Commission

FROM: *H. Tregoning* Harriet Tregoning, Director

DATE: March 12, 2007

SUBJECT: **Post-Hearing Report for ZC 06-41**
Camden Development Square 653, 1325 South Capitol Street
Zoning Commission Design Review Under the Capitol Gateway Overlay

The Zoning Commission held a public hearing on this application on February 22, 2007. The applicant, Camden Development, is seeking design review approval pursuant to 11 DCMR Chapter 16, the Capitol Gateway Overlay District (CG Overlay), in order to construct a residential building with potential ground floor retail at 1325 South Capitol Street, S.W. In conjunction with the design review, the applicant is seeking relief from a number of other zoning requirements for building form and height.

At the public hearing the Commission asked the Office of Planning to advise them on two general questions:

- Can the requirement to provide affordable housing be used as justification for zoning relief?
- On South Capitol Street, should architectural embellishments observe the 1 to 1 setback mandated for portions of a "building or structure" taller than 110 feet in the Capitol Gateway Overlay? (§1605.4)

Affordable Housing

It is OP's position that additional zoning relief should not be necessary to satisfy Inclusionary Zoning requirements to provide affordable units. With the provision of affordable units, applicants are granted bonus density. Where necessary, the ability to provide that bonus density is expanded under IZ through augmentation of lot occupancy and / or height limits. No extra relief should be needed because of this flexibility built in to IZ. In fact, one of the principles underlying the new IZ regulations is that affordable units could be provided in a matter-of-right process.

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OP recognizes, however, that the Inclusionary Zoning regulations are new and do not yet fully address particular circumstances associated with overlay districts. OP will soon bring forward text amendments to IZ to deal with the full capture of bonus density within overlay areas such as the Capitol Gateway Overlay District. Amendments may include refinements to the lot occupancy and height allowances for specific zones. In the intervening period, particularly for proposals not going through a PUD process, OP has advocated that applicants request relief from zoning regulations in order to provide affordable units.

Such is the case in the current application, where an applicant seeks to achieve some bonus density and height to provide affordable housing. The additional setbacks associated with the CG Overlay and the request by the Office of Planning to step down to rowhouses to the west sufficiently restrict the envelope such that the provision of any affordable housing would not be possible without zoning relief.

Architectural Embellishments

Section 1605.4 states:

Any portion of a building or structure that exceeds 110 feet in height shall provide an additional one-to-one (1:1) step back from the building line along South Capitol Street, with the exception of buildings within Squares 649.

It is the position of the Office of Planning that this section should not apply to vertically oriented architectural embellishments and notes that the design of every building on South Capitol Street and in the CG Overlay will be subject to review and approval by the Zoning Commission. While a step back of the main building façade will help to provide the uniform street wall anticipated by the Capitol Gateway Overlay, architectural embellishments could provide visual interest and relief within the larger context of uniformity. Architectural embellishments at the 110' level should not impede or supersede views toward the Capitol or toward the Anacostia River.

HT/mrj