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REPORT TO THE ZONING COMMISSION

CASE NO. 06-46B

CAPITOL GATEWAY OVERLAY REVIEW MODIFICATION TO PREVIOUSLY APPROVED PLANS SQUARE 701 / HALF STREET, SE

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I. Introduction

II. Nature of the application

- A. Review under the CG/CR District
- B. Special exception for multiple roof structure enclosures

III. Subject property location (See Attachment 1)

- A. Southeast quadrant
- B. Square 701
 - 1. Bounded by M Street (north), N Street (south), Half Street (west), First Street (east)
- C. Located at corner of Half Street and N Street
- D. Entrance to Navy Yard – Ballpark Metrorail Station located at intersection of Half and M Streets (approximately 200 feet from subject property)

ZONING COMMISSION
District of Columbia

CASE NO.

06-46B

EXHIBIT NO.

15

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IV. Subject property description

- A. Encompasses the southern portion of Record Lot 168, Northern portion occupied by office building at 55 M Street, SE
- B. “L” shaped
- C. Consists of three separate assessment and taxation lots (Lots 857, 858, & 859)
- D. Considered one theoretical building site for purposes of zoning
 - 1. Theoretical building site area: 67,835 square feet
- E. Abutting streets and alleys:
 - 1. Half Street: 80 feet wide
 - 2. N Street: 90 feet wide
 - 3. Cushing Place (unimproved alley): 30 feet wide
- F. Street frontages –
 - 1. Half Street – 365 feet
 - 2. N Street – 250 feet
- G. Existing conditions (See Attachment 2)
 - 1. Currently vacant, excavated
 - 2. Portion of 55 M Street office building garage extends onto northern portion of subject property (approx. 125 feet)

V. Description of the surrounding area (See Attachment 2)

- A. Uses within Square 701
 - 1. North:
 - Office (9 stories, 110 feet) at 55 M Street, SE
 - 2. East:
 - Hotel (168 room) with retail, across Cushing Place, under construction

3. Northeast:

- Current: Vacant / surface parking
- Planned: Office (233,000 sqft), Residential (325 units), Hotel (170 room), all with retail

B. Uses in the surrounding area

1. North: High-rise mixed-use (office, residential, and hotel) with retail
2. South: Ballpark, Anacostia River
3. East: High-rise mixed-use (office, residential, and hotel) with retail, parks and open space. (The Yards)
4. West: Vacant, surface parking, low-rise apartment and townhomes

VI. Existing zoning: CG/CR (See Attachment 3)

A. Mixed Use – Commercial Residential (CR)

1. Matter-of-right uses (§601.1)
 - Commercial and residential uses permitted, including multiple dwelling, office, hotel and inn, and retail and service
2. Height – maximum of 90 feet (§630.1)
3. Density – maximum of 6.0 FAR of which 3.0 max. non-residential (§631.1)
4. Lot occupancy – 100% non-residential, 75% residential (§634.1)
5. Rear yard –
 - Required for residential only - 3 inches per foot of height, not less than 12 feet (§636.3)
6. Side yard –
 - Not required (§637.1)
7. Parking (§2101.1) –
 - Apartment house – 1 space for each 3 dwelling units

- Hotel – 1 space for each 4 sleeping rooms, plus 1 space for each 300 sqft of largest function room or exhibit space
- Retail and service – 1 space for each 750 sqft of gross floor area in excess of 3,000 sqft

8. Loading (§2201.1) –

- Apartment house (50 or more dwelling units) - 1 berth @ 55 feet deep, 1 service delivery space @ 20 feet deep
- Hotel (30 – 200 sleeping rooms) – 1 berth @ 30 feet deep, 1 service delivery space @ 20 feet deep
- Retail and service (30,000 – 100,000 sqft gross floor area) – 1 berth @ 55 feet deep, 1 berth @ 30 feet deep, 1 service delivery space @ 20 feet deep

9. Inclusionary Zoning (IZ)

- If applicable, set aside requirement for IZ units equal to 8% of residential gross floor area or 50% of bonus density, whichever is greater (§2603)
- Bonus density: Lot occupancy = 80%, Building height = 100' (§2604)

10. Green Area Ratio (GAR)

- If applicable, 0.20 (§3401)

B. Capitol Gateway Overlay (CG)

1. Bonus Density and Height (§1601)

- If IZ applicable –
 - a. Lot occupancy – 80%
 - b. Height – Maximum allowed by 1910 Height of Buildings Act
 - c. FAR = 7.2 (8.2 if additional 1.0 FAR devoted to residential)

2. Combined Lot Development (§1602)

- FAR – 8.0 where 110' permitted by 1910 Height of Buildings Act, and 8.5 where 130' permitted.

3. Design standards for buildings fronting on Half Street, SE, south of M Street, SE (§1607)
 - Any portion of building above 65 feet in height shall be setback minimum 20 feet from the building line
 - Minimum 75% of gross floor area of ground floor shall be devoted to preferred retail, service, entertainment, or arts uses
 - Preferred uses shall occupy 100% of building frontage along Half Street, except for entrances and space devoted to fire control
 - Clear floor-to-ceiling height for preferred uses on ground floor shall be minimum of 14 feet.
 - No driveways from Half Street
4. Design review required for buildings within Square 700 or 701, north of the Ballpark.

VII. Comparison of modified plans to previously approved plans

Building Program Comparison of Previously Approved Plans and Modified Plans			
Case No.	Previous Plans ZC 06-46A	Modified Plans ZC 06-46B	
		Scenario 1	Scenario 2
Height	110'	110'	110'
Gross Floor Area			
Residential	320,511	401,600 (393,700)	326,500 (318,600)
Hotel	106,269	0	75,100
Retail / service	37,334	60,100 (68,000)	60,100 (68,00)
Total	464,114	461,700	461,700
FAR	6.84	6.81	6.81
Parking	244	231	231
Loading			
No. of Berths (55')	1	1	1
No. of Berths (30')	3	3	3
No. Service Delivery Spaces (20')	2	2	2

Numbers in parenthesis reflect option where Level 2 of proposed building's south wing is allocated to retail use. This option results in approximately 7,900 additional square feet of retail and an equivalent reduction in residential use

VIII. Comparison of modified plans to previously approved zoning relief

Zoning Relief Comparison of Previously Approved Plans and Modified Plans			
Section	Requirement	Previous Plans (ZC 06-46A)	Modified Plans (ZC 06-46B)
§1607.4	100% of the frontage along Half Street devoted to preferred uses	Variance (Office Building)	Compliant
§1607.3	75% of ground floor devoted to preferred uses	Variance	Compliant (75.9% provided)
§1607.5	14' Minimum floor-to-ceiling height at ground floor	Variance	Compliant (14' provided at ground floor)
§1607.2	20-foot setback above 65 feet	Special exception (12-foot setback above 80 feet)	Special exception (12-foot setback above 80 feet)
§2201.1	Loading (2 berths @ 55') (2 berths @ 30') (3 service delivery spaces @ 20')	Variance (1 berth @ 55') (3 berths @ 30') (2 service delivery spaces @ 20')	Variance (1 berth @ 55') (3 berths @ 30') (2 service delivery spaces @ 20')
§400.7	Roof Structure (1:1 setback from exterior walls)	Special exception	Special exception (Extent of relief substantially reduced)

IX. Additional zoning relief: special exception for multiple roof structure enclosures

A. Requirement: single enclosure with walls of equal height setback 1:1 from exterior walls, separate enclosures permitted for multiple elevator cores.

B. Proposed:

- Four (4) separate roof structures (3 containing elevator core, stair tower, and mechanical equipment, 1 containing just a stair tower)
- All roof structures are of equal height, 18'6"

X. Compliance with design standards for buildings on Half Street, SE, south of M Street, SE (§1607)

A. Building is setback 12 feet above a height of 80 feet (consistent with previously approved special exception)

B. 75.9% of the gross floor area of the ground floor will be devoted to preferred retail, service, entertainment, or arts uses

- C. Preferred uses occupy 100% of the building's frontage on Half Street
- D. Floor-to-ceiling height for preferred uses on the ground floor level is 14 feet
- E. No driveways along Half Street, all parking and loading access along Cushing Place

XI. Compliance with the standards for review under the CG Overlay (§1610)

- A. Proposed use, building, or structure meets the standards set forth in §3104 (“special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps”) (§1610.3)
 - Subject property is located in an area zoned for high-rise mixed use development
 - Proposed uses are compatible with the existing and proposed uses in the surrounding area and complement the Ballpark located immediately south
 - Existing and planned buildings in the same square, and adjacent squares to the north, east, and west are currently built to 110’ or greater
- B. Help achieve the objectives of the CG Overlay District as set forth in §1600.2 (§1610.3(a))
 - Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally indicated in the Comprehensive Plan and recommended by planning studies of the area
 - The proposal offers a mixed use development consisting of residential and retail and service uses, with the potential for a hotel.
 - Consistent with the mixed-use (high-density residential / high-density commercial) Comprehensive Plan future land use designation
 - Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses
 - Proposed building will contain approximately 60,100 – 68,000 square feet of retail and service uses, and possibly an 80 room hotel

- Allow for continuation of existing industrial uses, which are important economic assets to the city, during the extended period projected for redevelopment
 - Not applicable
- Provide for a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings, and provide for continuous public open space along the waterfront with frequent public access points
 - Not applicable
- Require suitable ground-level retail and service uses and adequate sidewalk width along M Street, SE, near the Navy Yard Metrorail station
 - Not applicable
- Provide for development of Squares 702-706 and Reservation 247 as a ballpark for major league sport and entertainment and associated uses
 - Not applicable
- Provide for the establishment of South Capitol Street as a monumental civic boulevard
 - Not applicable
- Provide for the development of Half Street, SE as an active pedestrian-oriented street with active ground floor uses and appropriate setbacks from the street facade to ensure adequate light and air, and a pedestrian scale
 - The proposed building will have active, pedestrian-oriented uses at the ground level that will engage the public space with opportunities for outdoor seating and dining
 - Design of ground and second levels are pedestrian scale
 - Upper level setbacks and façade articulation will activate street and allow adequate light and air
- Provide for the development of First Street, SE as an active pedestrian-oriented street with active ground floor uses, connecting M Street, the

Metro Station, and existing residential neighborhoods to the Ballpark site and the Anacostia Waterfront

- Not applicable
- C. Help achieve the desired mix of uses in the CG Overlay District as set forth in §§1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail, and service uses. (§1610.3(b))
- Building is entirely devoted to preferred uses
- D. Be in context with the surrounding neighborhood and street patterns. (§1610.3(c))
- Building is built to street lines along Half and N Streets
 - Consistent with the surrounding neighborhood in height, density, scale, and use
 - Proposal fits within existing street network and will improve pedestrian and vehicular circulation through improvement and extension of Cushing Place, and completion of Monument Place as a pedestrian thoroughfare
- E. Minimize conflict between vehicles and pedestrians. (§1610.3(d))
- No driveways on Half Street
 - Monument Place pedestrian only, no curb cut on Half Street
 - Access to parking and loading located along Cushing Place
 - Traffic impacts to street network can be mitigated through TDM measures and signal timing adjustments
 - No deliveries within three hours of a scheduled Ballpark event
- F. Minimize unarticulated blank walls adjacent to public spaces through façade articulation. (§1610.3(e))
- No blank, unarticulated walls
 - Range of materials proposed
 - Ground floor design allows for seating and outdoor programming

- Façade set back at Half and N Streets to create additional gathering space
- G. Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards. (§1610.3(f))
- The sustainable features that have been incorporated into the proposed development are equivalent to at least a LEED Silver rating
- H. The building or structures shall provide for safe and active streetscapes through building articulation, landscaping, and the provision of active ground level uses including retail, entertainment, cultural, and pedestrian concourse space. (§1610.5(a))
- Building design provides active ground floor and several opportunities for outdoor gathering at ground level and on upper levels of building through use of courts and balcony projections
 - Active ground floor and second floor uses proposed along Half and N Streets
 - Monument Place will be programmed with active outdoor uses
- I. The building or structure shall provide for safe and convenient movement to and through the site, including to public transit, the Ballpark, and to the Anacostia River. (§1610.5(b))
- Previous curb cut along Half Street for Monument Place eliminated resulting in continuous sidewalk along Half Street between Metro entrance and the Ballpark
 - Conversion of Monument Place to a pedestrian-only thoroughfare will facilitate pedestrian movement between underground parking, Cushing Place, and Half Street
- J. The application shall include a view analysis that assesses openness of views and vistas around, including views toward the Capitol Dome, other federal monumental buildings, the Ballpark, and the waterfront. (§1610.5(c))
- View analysis prepared
 - Views along public rights-of-way are maintained
 - View along Half Street toward the Ballpark is strengthened
 - Additional light and air provided at ground level through building setbacks

XII. Standards for roof structure special exception (§411.11)

- A. Where impractical because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area
- B. that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable
- C. the Board of Zoning Adjustment shall be empowered to approve the location, design, number and all other aspects of such [roof] structure ...
- D. Provided that the intent and purpose of the chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely

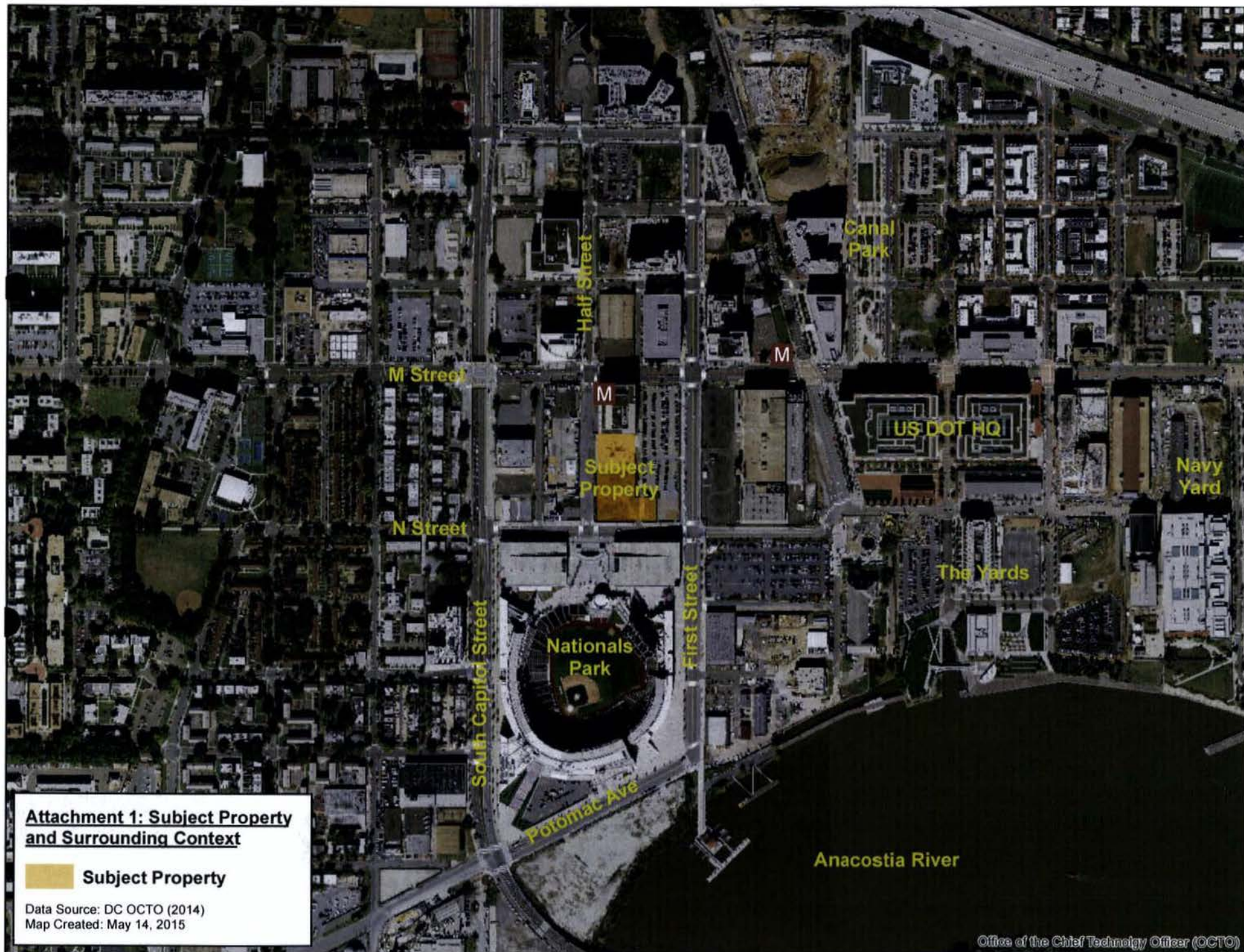
XIII. Compliance with the special exception standards for roof structure enclosure relief

- A. Location of the standalone stair tower is a function of stairs below
- B. Building code requires separation of stairs for fire safety reasons
- C. Single enclosure would require greater mass on the roof to connect the standalone stair with the elevator core, and could greatly increase extent of non-compliant roof structure setback along courtyard wall
- D. The intent and purpose of the roof structure regulations is to “exercise a reasonable degree of architectural control,” and the Zoning Regulations will not be impaired
- E. Adjacent buildings are, or will be, constructed to equal or greater height; and therefore, light and air will not be adversely affected.

XIV. Conclusions

- A. Application for approval of modification to previously approved plans meets the applicable provisions of the Zoning Regulations
- B. Proposal is fully compliant with the provisions of the CG Overlay District
- C. Proposal is consistent with the previously approved areas of zoning relief, and in many ways reduces the extent of the relief required

- D. Roof structure special exception can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map
- E. Application should be approved



**Attachment 1: Subject Property
and Surrounding Context**

 **Subject Property**

Data Source: DC OCTO (2014)
Map Created: May 14, 2015

