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April 2, 2020

VIA EMAIL

Mr. Matthew LeGrant, Zoning Administrator
Office of the Zoning Administrator
Department of Consumer and Regulatory Affairs
1100 4th Street, SW, Room 3100
Washington, DC 20024

**Re: Modification Request to Plans Approved by the Zoning Commission
Z.C. Order Nos. 06-46B-E
Square 701, Lots 857, 858, 859**

Dear Mr. LeGrant:

This letter is submitted on behalf of Half Street Residential PJV LLC (the “Applicant”) to request approval of a minor modification to plans previously approved by the Zoning Commission of the District of Columbia (the “Commission”) for property located at Square 701, Lots 857, 858, and 859 (the “Property”). This request is submitted pursuant to Subtitle A §§ 304.5 and 304.6 of the 2016 Zoning Regulations (“ZR16”). A signed copy of the form requesting the modification is attached hereto as Exhibit A. Relevant portions of the plans approved by the Commission and other supporting documentation are attached hereto as Exhibits B - F.

Pursuant to Z.C. Order No. 06-46B (Exhibit B), the Commission approved modifications to a previously approved mixed-use building (Z.C. Case No. 06-46 and Z.C. Case No. 06-46A) located on the Property (the “Project”). The Project was approved for residential and retail and service uses, with the potential for a hotel. Overall, the Project was approved for a maximum height of 110 feet and maximum density of 6.83 FAR. Pursuant to Z.C. Order Nos. 06-46C – E (collectively referred to herein, together with Z.C. Order No. 06-46B, as the “Order”), the Commission approved the following modifications to the Project:

- Addition of penthouse habitable space, including related design modifications to the penthouse (Z.C. Order No. 06-46C);
- Addition of a bowling alley as part of an eating and drinking establishment use; modifications to building facades and materials; and modifications to the design of Monument Place, a pedestrian thoroughfare located between the Project and the office building to the north (Z.C. Order No. 06-46D);

ZONING COMMISSION
District of Columbia
CASE NO.06-46C
EXHIBIT NO.7A

- Addition of one (1) static illuminated sign and two digital signs at the corner of Half Street and N Street, SE (Z.C. Order No. 06-46E).

The Project is currently under construction as approved by the Commission pursuant to the Order. Initial occupancy of the Project is expected to begin in fall 2020.

As the Project nears completion, the Applicant continues to work with several unique and neighborhood-serving prospective retail tenants that will soon activate the ground- and second-floor retail spaces of the Project along Half Street, SE and N Street, SE. The Applicant is currently working with two prospective tenants that are interested in occupying a portion of the ground-floor retail space along N Street, SE, immediately across the street from Nationals Park. The two prospective tenants include Taphouse 99, an eating and drinking establishment, and Kilwins, a well-known confectionary retailer (“Tenants”). The retail space along N Street, SE that would be occupied by these tenants is outlined in red on the attached subset of drawings from the approved plans¹ (Exhibit C)

As stated above, pursuant to the Order, the maximum, permitted density of the Project is 6.83 FAR (Z.C. Order No. 06-46B, Condition 4). Based upon the Property’s land area of 67,835, this equates to approximately 463,313 square feet of gross floor area (“GFA”). As shown on the attached Zoning Data Summary, which was submitted to the District of Columbia Department of Consumer and Regulatory Affairs (“DCRA”) as part of the Project’s initial building permit phase, the Project currently contains approximately 462,710 GFA (6.82 FAR) (Exhibit D). Based on this information, there is approximately 603 GFA remaining under the 6.83 FAR approved under the Order. Of note, while this request is based upon the information reflected in the attached Zoning Data Summary, it is worth stating that the current actual constructed GFA of the Project is slightly less than what is reflected in the Zoning Data Summary. Specifically, as stated in the attached letter from the Project architect (Exhibit E), the Project’s current as-built construction drawings indicate that the Project contains approximately 462,355 GFA, which is approximately 355 GFA lower than what is reflected on the Zoning Data Summary. Based on this information, there is approximately 958 GFA remaining under the Order.

Preliminary plans for the Tenants are attached as Exhibit F. In order to accommodate both retailers, the Applicant proposes to construct a mezzanine space toward the rear of the subject retail space. The mezzanine would measure approximately 1,135 GFA, and would contain a kitchen, a freezer and cooler, and an equipment platform. As noted above, based upon the DCRA Zoning Data Summary the Project contains approximately 462,710 GFA. This leaves approximately 603 GFA remaining under the Order, which is approximately 532 GFA short of the amount needed for the proposed mezzanine (177 GFA 0.04% if based upon the Architect’s Certification). As discussed below, the minor modification amounts to a change of only 0.1% of the Project’s approved GFA (0.04% if based upon the Architect’s Certification).

¹ The drawings included in Exhibit C are a subset of the modifications plans approved by the Commission pursuant to Z.C. Order No. 06-46D. The drawings show a comparison of the previously approved plans and the modified plans submitted in that case. The current approved Level 1 plan is shown on the right side of Exhibit C, Sheet A1, and the current approved south elevation is shown on the bottom of Exhibit C, Sheet A5.

By email correspondence dated March 27, 2020, you confirmed that the proposed mezzanine was covered by the minor design flexibility granted by the Commission in Z.C. Order No. 06-46B, which covers variations in “the location and design of all interior components, including but not limited to partitions, structural slabs, doors, hallways, columns, stairways and mechanical rooms, provided that the variations do not materially change the exterior design and configuration of the building.” However, you stated that the additional GFA needed for the proposed mezzanine required submission of a request for minor modification pursuant to 11-A DCMR § 304.5 of the Zoning Regulations. As such, the Applicant respectfully submits this request for a minor modification to the plans approved under the Order.

Minor Modification Request

Pursuant to 11-A DCMR § 304.5, the Zoning Administrator (“ZA”) is authorized to permit minor modifications to plans approved by the Commission provided the proposed modification is consistent with the intent of the Commission in approving said plans and did not also grant the same area of relief. As stated above, the Applicant is requesting a minor modification to increase the maximum permitted GFA of the Project by approximately 532 GFA, an increase of approximately 0.1%. As discussed below, the requested minor modification is necessary due to structural requirements and other constraints that severely limit the Project’s retail space along N Street, SE.

The areas in which the ZA may grant minor modifications to plans approved by the Commission are enumerated in 11-A DCMR §§ 304.5(a) – (d). The Applicant is only requesting a minor modification to change the approved maximum gross floor area of the Project by approximately 0.1% under 11-A DCMR § 304.5(a)

- a. A change not to exceed two percent (2%) in height, percentage of lot occupancy, or gross floor area of any building that is the direct result of structural or building code requirements;*

As stated above, the Applicant is requesting a minor modification to increase the approved GFA of the Project by approximately 532 GFA (177 GFA if based upon the Architect’s Certification). This represents a change of only approximately 0.1% (0.04% if based upon the Architect’s Certification), which is well within the 2% change permitted under the ZA’s authority.

The minor modification is necessary due to structural requirements and other constraints that severely limit the Project’s retail space along N Street, SE. If not for these limitations, the back of house kitchen and equipment located on the proposed mezzanine could be located at the ground floor level without impacting the forward-facing retail space.

As shown on the approved Level 1 plan included in Exhibit C, the Property is “L” shaped with the portion along N Street, SE being much narrower than the portion along Half Street, SE, which is a designated street under the CG zone regulations that is subject to certain preferred use and design requirements. One such design requirement is for the ground floor along Half Street, SE to have a clear ceiling height of 14 feet to a depth of 36

feet (*See* 11-K DCMR § 510.1(c)(2)). As a result of this requirement, the back of house functions of the retail space along Half Street, SE are pushed deeper into the Project which limits the depth of the already shallow retail space along N Street particularly the retail space in question. Furthermore, the north side of the Project contains retail uses along Monument Place, an active pedestrian promenade that connects Half Street, SE to Cushing Place, SE, which pushes the loading facilities southward thereby further constraining the depth of the retail space along N Street.

The overall amount and depth of the retail space along N Street is further constrained by a residential lobby that accesses the N Street residential portion of the Project and, perhaps most significantly, a vehicular and pedestrian pass through that connects Cushing Place to N Street. The pass through, which is 30 feet wide and approximately 2,880 square feet in area, is required pursuant to a non-exclusive perpetual surface easement recorded for the benefit of the public (Instrument #2007035538). The presence of this required easement eliminates almost 3,000 GFA that could otherwise be devoted to retail space.

The combination of the structural requirements and other constraints discussed above limits the overall amount and, perhaps more importantly, the depth of the Tenants' retail space. If not for these limitations, the depth of the subject retail space could be increased to allow for the program elements that will be located on the proposed mezzanine.

As shown on the plans attached as Exhibit F, the proposed mezzanine will not require any changes to the exterior south façade of the Project, as it is currently approved by the Commission. In addition, the mezzanine will not have any impact on the quality of the retail space. Specifically, the distance from the front glass line of the retail space to the outer face of the mezzanine is approximately 22 feet, within which the clear ceiling height will be approximately 20 feet. Indeed, the only impacts caused by the proposed mezzanine will be positive. Directly across N Street from the Project is the Nationals Park parking garage and ticket window. Thus, the successful activation of the pedestrian realm along N Street falls solely to the north side of the street. The proposed minor modification will facilitate this activation by helping to maximizing the number of retail tenants that are able to occupy the subject retail space.

- b. A change not to exceed two percent (2%) in the number of dwelling units, hotel rooms, institutional rooms, or gross floor area to be used for commercial or accessory uses within the approved square footage;*

The requested minor modification will not change the number of dwelling units within the Project. Further, the total amount of GFA devoted to commercial (retail) use, including the proposed mezzanine, will remain within the 55,100 – 69,200 GFA retail range approved under the Order (*See* Z.C. Order No. 06-48B, Condition 3).

- c. *A change not to exceed two percent (2%) in the number of parking or loading spaces; and*

The requested minor modification will not change the number parking or loading spaces in the Project, and the Project will continue to meet minimum parking requirements.

Regarding loading, the Project was granted relief from the minimum loading requirements to allow one berth at 55-foot deep, three berths at 30-feet deep, and two delivery spaces at 20-feet deep. The addition of the proposed mezzanine does not trigger the need for additional loading berths or delivery spaces; and therefore, does not increase the degree of the original relief granted, or give rise to any new areas of loading relief.

- d. *The relocation of any building within five feet (5 ft.) of its approved location, in order to retain flexibility of design or for reasons of unforeseen subsoil conditions or adverse topography.*

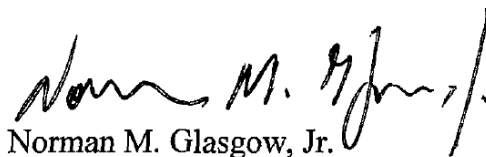
The requested minor modification does not propose to relocate any building or building wall. Further, as demonstrated by comparing the elevations contained in Exhibits C and F, the proposed mezzanine will not require any changes to the exterior façade of the building as it is currently approved by the Commission.

This letter serves as the written request pursuant to 11-A DCMR § 304.6 for the above-described modification. In fulfillment of the requirements of 11-A DCMR § 304.6, a copy of this request is being submitted to all parties to the underlying application, which in this case is only Advisory Neighborhood Commission (“ANC”) 6D, the ANC within which the Project is located.

Your prompt consideration of this request is greatly appreciated. Please let me know if you have any questions or need additional information.

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "Norman M. Glasgow, Jr.", with a stylized flourish at the end.

Norman M. Glasgow, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2020, a copy of this proposed modification request was served on the following as indicated below:

Advisory Neighborhood Commission 6D
6d@anc.dc.gov via email

Commissioner Gail Fast, 6D01
6d01@anc.dc.gov via email

Commissioner Anna Forgie, 6D02
6d02@anc.dc.gov via email

Commissioner Ronald Collins, 6D03
6d013anc.dc.gov via email

Commissioner Andy Litsky, 6D04
6d014anc.dc.gov via email

Commissioner Fredrica Kramer, 6D05
6d05@anc.dc.gov via email

Commissioner Rhonda Hamilton, 6D06
6d06@anc.dc.gov via email

Commissioner Edward Daniels, 6D07
6d07@anc.dc.gov via email

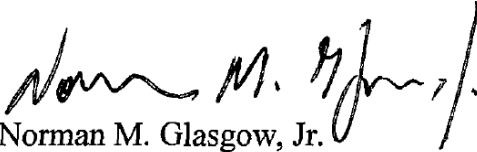

Norman M. Glasgow, Jr.

EXHIBIT A

DCRA REQUEST FOR MODIFICATION FORM



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

(last revised 6.23.17)

REQUEST FOR MODIFICATION OF PLANS APPROVED BY THE ZONING COMMISSION

(Pursuant to Zoning Commission Order No. 08-06F, 11 DCMR A-304.5 through A-304.9)

Building Permit Application #: _____ (the “**Application**”)

Property Address: 1250 Half Street, SE / 70 N Street, SE (the “**Property**”)

Square: 701 Lot(s): 857, 858, 859

1. Provide the Order Number(s) (e.g., “ZC 12-34”) for the Zoning Commission (the “**ZC**”) that the property is subject to:

ZC Order No.: 06-46B - 06-46E

2. Do the building permit plans submitted differ in any way (e.g., use, building envelope, façade design, shape, or floorplans) from the plans authorized by the Order(s), including any conditions of the Order(s) and the approved plans?

- ☒ Yes. Provide a list of the proposed changes and illustrations comparing the portions of the “approved” plans that are proposed to be varied to the “proposed” plans. This should include highlighting changed features through graphic bubbling.
- ☐ No. Skip to the signature line (#7) below to complete the form.

3. Are all proposed changes identified in #2 above solely limited to minor internal floorplan or mechanical changes not involving any standards identified in subsections A-304.5(a)-(d)?

- ☐ Yes. Provide a written justification as to why the changes identified in #2 are limited to such minor internal floorplan or mechanical changes. No written request for ZA minor flexibility is required and skip to the signature line (#7) below to complete the form.
- ☒ No. Continue to the next question.

4. Are any of the changes identified in #2 covered by flexibility specifically granted by a condition(s) of the Order(s)?

- ☐ Yes, all of the changes. Provide a written justification highlighting the terms of the flexibility granted in the Order and describe how the proposed modifications are allowable pursuant to the flexibility. No written request for ZA minor flexibility is required and skip to the signature line (#7) below to complete the form.
- ☒ Yes, some of the changes. Provide a written justification that identifies which of the proposed modifications are allowable pursuant to the flexibility granted in the Order. Continue to the next question to address the remainder of the proposed modifications that are not allowable pursuant to the flexibility.
- ☐ No. Continue to the next question.

5. If the flexibility provided in the Order(s) does not cover some or all of the proposed modifications listed in the response to #2 above, or where no flexibility was provided in the Order(s), do the remaining proposed modifications qualify for the minor flexibility that the Zoning Administrator is authorized to grant under Section A-304.5?

- ☒ Yes. Provide a written request for ZA minor flexibility as required by Section A-304.5. Make sure that this request addresses each criteria provided in Section A-304.5, including the requirement that the proposed modifications are consistent with the intent of the ZC in approving the relevant Order. Continue to the next question.
- ☐ No. Skip to the signature line (#7) below to complete the form and then separately apply to the Zoning Commission for a modification pursuant to A-304.9.

6. In cases where a written request for ZA minor flexibility is submitted, all parties (including the affected ANC(s)) to the applicable ZC case listed in response to #1 must be served with a copy of the request for minor flexibility. Such a copy must include any supporting plan documents, as required by Section A-304.6. Enter the following information, including the email addresses (or mailing address if necessary) that the written request was sent to:

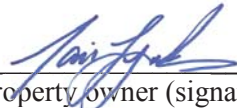
Date of service by Applicant: April 2, 2020 (attach a certificate of service)

ANC 6D : _____

ANC(SMD) 6D02 : Anna Forgie

Parties: _____

7. Signature



Property owner (signature)

4/2/2020

Date

Half Street Residential PJV LLC

Property owner or agent email address and phone number

For DCRA internal use only (execute as appropriate).

- The ZA has received a written request for minor modifications to approved plans related to the Order above which the Applicant attests was served on all necessary parties. The ZA has determined that the proposed modifications are consistent with Section A-304.5. Therefore, the ZA is hereby providing written notice of APPROVAL.

Pursuant to A-304.5, no modified building permit may be issued during a 45 day period that begins on the date this report is sent to the Zoning Commission ("Commission") unless the Commission advises the ZA that it concurs that the modification is permitted by A-304.5.

Zoning Administrator signature

Date of approval

Date of Service: _____

Forty-five day hold date: _____

cc: Zoning Commission and all parties identified in #6 above

Attachments: Applicant's written request for ZA minor flexibility and supporting documents

- No written request for ZA minor flexibility is required.

OZA signature

Date of approval

- The ZA DENIES the request for minor modifications to approved plans as inconsistent with Section A-304.5.

OZA signature

Date of denial

EXHIBIT B

Z.C. ORDER NO. 06-46B

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-46B
Z.C. Case No. 06-46B
Half Street Residential PJV, LLC
(Capitol Gateway Overlay Review @ Square 701, Lot 168)
June 29, 2015**

Pursuant to notice, the Zoning Commission of the District of Columbia ("Commission") held a public hearing on May 28, 2015, to consider an application filed by Half Street Residential PJV, LLC ("Applicant") for review and approval of modifications to previously approved plans for a new mixed-use building consisting of residential and retail and service uses, with the potential for a hotel, pursuant to §§ 1607 and 1610 of the Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"), which apply to new construction within the Capitol Gateway Overlay with frontage along Half Street, S.E., south of M Street, S.E., and to properties within Square 701. The initial application also included a request for special exception approval to allow multiple roof structures without a single enclosure, pursuant to §§ 630.4(a) and 411.3. The public hearing was conducted in accordance with the provisions of § 3022. At the public hearing, the Applicant requested additional variances from the residential lot occupancy requirement for the second floor of the building, pursuant to § 634, and from the Half Street building setback requirement of § 1607.2. These additional areas of relief did not result from changes made to the plans submitted to the Commission, but rather, the request was of a technical nature that the Applicant sought out of an abundance of caution to ensure all potential areas of relief were obtained prior to pursuing permits for the project. For the reasons stated below, the Commission hereby approves the application.

FINDINGS OF FACT

1. On February 26, 2015, the Applicant filed an application for review and approval of modifications to previously approved plans for a new mixed-use building consisting of residential, retail, and service uses, with the potential for a hotel, pursuant to §§ 1607 and 1610 of the Zoning Regulations, which apply to developments on any lot within the Capitol Gateway ("CG") Overlay District with frontage along Half Street, S.E., south of M Street, S E, as well as properties within Squares 700 and 701 north of the Ballpark site.
2. The subject property is located in Square 701 and encompasses the southern portion of Record Lot 168 ("Property"), and is considered a theoretical building site for purposes of zoning.

3. The Applicant filed a pre-hearing submission in support of the application on May 8, 2015 ("Pre-hearing Submission"). (Exhibits ["Ex."] 7, 7A, 7B1, 7B2, 7C, 7D).
4. The Commission held a hearing on the application on May 28, 2015. The Applicant was the only party to the case to appear at the public hearing. Advisory Neighborhood Commission ("ANC") 6D, the ANC within which the Property is located, did not participate in the hearing. Proper notice of the hearing was provided by the Office of Zoning pursuant to 11 DCMR § 3015.
5. By letter dated March 22, 2015, the ANC reported that at its duly noticed meeting on March 9, 2015, ANC 6D voted 4-0-2 to recommend that the Commission approve the proposed modifications to previously approved plans and the requested special exception from the single roof structure enclosure requirement of § 411.3. (Ex. 5.) The letter indicated that the ANC would like to see increased architectural differentiation between the condominium and rental sections of the property. The letter further stated that although the ANC was informed that the project was not subject to the Inclusionary Zoning regulations, the ANC was nevertheless disappointed that the project was 100% market rate.
6. Witnesses appearing at the hearing on behalf of the Applicant included Jair Lynch of JAIR LYNCH Development Partners, Chris Harvey and Chris Schein of HORD|COPLAN|MACHT, Chris Kabatt of Wells+Associates, and Shane Dettman of Holland & Knight, LLP.
7. Messrs. Harvey and Schein were qualified as experts in architecture and landscape architecture, respectively. Mr. Kabatt was qualified as an expert in transportation planning, and Mr. Dettman was qualified as an expert in land use planning.
8. At the public hearing the Applicant requested additional variances from the residential lot occupancy requirement for the second floor of the building (§ 634), and from the Half Street building setback requirement of § 1607.2.
9. At the conclusion of the public hearing on May 28, 2015, the Commission requested additional detail regarding the design of Monument Place and Cushing Place; a revised streetscape plan for Half Street that responds to comments made by the District Department of Transportation ("DDOT") and the District of Columbia Office of Planning ("OP"); information regarding the Applicant's coordination with adjacent property owners regarding the design of Half Street; additional detail regarding the proposed roof plan; and responses to outstanding questions contained in the report submitted by OP (Ex. 9), and to submit these revised materials to the record.

10. On June 15, 2015, the Applicant submitted the information requested by the Commission ("Post-hearing Submission") consisting of a revised set of plans, including a revised roof plan showing greater detail and enlarged interior penthouse accessory recreation space and revised plans for Half Street and Monument Place ("Final Plans"), responses to outstanding comments received from DDOT and DCOP, and responses to the Commission's questions and requests raised at the public hearing. (Ex. 21, 22.) The Final Plans supplanted the plans submitted to the record on May 8, 2015 as part of the Pre-hearing Submission. Pursuant to the Commission's request, the Applicant submitted proposed findings of fact and conclusions of law, pursuant to § 3026 on June 15, 2015. (Ex. 20.)
11. At its June 29, 2015, public meeting, the Commission took final action to approve the application. The Commission determined that the project satisfies all applicable requirements of the CG Overlay District, and the application satisfies the burden of proof for the special exception requested for relief from the single roof structure enclosure requirement, and variances from the residential lot occupancy requirement for the second floor of the building and from the Half Street building setback requirement.

Overview of Previously Approved Plans

12. On February 12, 2007, the Commission voted to approve Z.C. Case No 06-46 for the property now designated as Record Lot 168 ("Previous Plans").
13. The Previous Plans depicted a 762,800-square -foot, mixed-use development consisting of two buildings ("North Building" and "South Building") comprising office, residential, hotel, and retail uses. The North Building was approved for office and retail use while the South Building was approved for hotel, residential, and retail use. The Previous Plans were approved for 277,600 square feet of office space, 105,560 square feet of hotel space, 51,010 square feet of retail, and 320,100 square feet of residential. The Previous Plans showed a maximum height of 110 feet, not including roof structures, and a maximum density of 7.44 floor area ratio ("FAR")
14. To achieve the maximum permitted building height and density, the Previous Plans included the transfer of residential density from Square 700 through combined lot development that also involved the ballpark site to the south.
15. In addition to approving the Previous Plans pursuant to the provisions of the CG Overlay District, the Commission also granted the following areas of zoning relief: a variance from the loading requirements of § 2201.1, a variance from the ground-floor preferred use percentage requirement of § 1604.3, a variance from the Half Street preferred use frontage requirement of § 1607.4, a variance from the ground-floor minimum floor-to-ceiling height requirement of § 1607.5, a special exception from the Half Street setback

requirement of § 1607.2, and a special exception from the roof structure setback requirement of § 630.4(b).

16. On January 28, 2008, the Commission voted to approve minor modifications to the Previous Plans (Z.C. Case No. 06-46A). The modifications included a number of design changes and several changes to gross floor area; including: a reduction in office space from 277,600 square feet to 267,162 square feet, an increase in hotel space from 105,560 square feet to 106,269 square feet, an increase in retail space from 51,010 square feet to 51,022 square feet, an increase in residential space from 320,100 square feet to 320,511 square feet, and a reduction in the overall density from 7.44 FAR to 7.35 FAR.

Overview of Final Plans

17. The Property is “L” shaped in configuration and contains approximately 67,835 square feet of land area in the southwestern portion of Square 701 at the intersection of Half Street, S.E. and N Street, S.E. Square 701 is bounded by M Street on the north, N Street on the south, First Street on the east, and Half Street on the west. Nationals Park ballpark is located immediately south of the Property, across N Street, S.E. The Property is currently vacant.
18. The Applicant intends to construct a mixed-use apartment building with ground- and second-floor retail and service uses and the potential for a hotel on the Property. As shown in the Final Plans, the proposed building will have a height of 110 feet and will contain approximately 460,900-462,900 square feet of gross floor area and an overall FAR between 6.79-6.83, as permitted pursuant to §§ 1602.1(a) of the Zoning Regulations.
19. The proposed building has been designed to actively engage its two street frontages. Along Half and N Streets, the building will be constructed to the building lines and a range of materials will be applied in ways that will differentiate the uses, and reinforce the mixed-use character of the Half Street gateway and surrounding neighborhood. The Half Street façade comprises regularly spaced bays and shallow courts above two levels of retail. The retail levels are primarily composed of a masonry frame with a high percentage of transparent glass. At the second level, a projecting glass bay along Half Street gives the second-story retail added presence, and wraps around to Monument Place to unite these two façades of the building. The residential bays above are simple masonry frames with two-story windows. Balconies accent and further enliven the residential building. The N Street frontage also has a two-story retail expression above which the residential use has a regular pattern of punched windows and balconies. The façades of the courtyards facing Cushing Place continue the pattern of materials expressed on the Half and N Street façades.

20. With regard to parking and loading, the Final Plans include three levels of below grade parking, in full satisfaction of the onsite parking requirements of Chapter 21 of the Zoning Regulations. The required amount of bicycle parking will be provided in two separate storage rooms located adjacent to the loading facilities on the first level. The building will be consistent with the loading relief that was previously granted by the Commission, and will provide one 55-foot-deep loading berth, three 30-foot loading berths, and two 20-foot service delivery spaces. The loading and underground parking facilities will be accessible from Cushing Place, along the east side of the Property.
21. As shown in the Final Plans, the proposed building still requires the roof structure setback relief that was previously granted by the Commission; however, the extent of relief has been substantially reduced. The area in which the Final Plans require roof structure setback relief is located along the south interior courtyard wall.
22. The building will incorporate a number of elements to enhance its sustainability. As part of the Pre-hearing Statement, the Applicant submitted a draft LEED for Homes Mid-rise Simplified checklist which indicates the building will qualify as LEED-Silver. (Ex. 7C.) Furthermore, at the public hearing, the Applicant committed to pursuing LEED-Silver for New Homes certification.

Description of the Surrounding Area and Zoning Classification

23. The Property is located in Square 701 (the "Square") which is bounded by M Street on the north, N Street on the south, First Street on the east, and Half Street on the west.
24. The Property is located in the southwest corner of the Square and has approximately 365 feet of frontage on Half Street, S.E., and approximately 250 feet of frontage on N Street, S.E. Cushing Place, a currently unimproved 30' wide public alley, runs along the east boundary of the Property and will be constructed as part of this project.
25. The Property, treated as a theoretical building site for purposes of zoning pursuant § 2517, encompasses the southern portion of Record Lot 168 and consists of approximately 67,835 square feet of land area. The northern portion of Record Lot 168 is developed with an office building located at 55 M Street, S.E., which resides on a separate theoretical building site. The Property includes Lots 857, 858, and 859, which are three separate assessment and taxation (A&T) lots according to the records of the District of Columbia Office of the Surveyor. Nationals Park is located to the immediate south of the Property, across N Street, S.E.
26. The Property is zoned CG/CR, as are the rest of the properties within the Square as well as those across Half Street in Square 700. The properties to the east of 1st Street, S.E. are

zoned SEFC/CR (Southeast Federal Center Overlay/Commercial Residential), and properties north of M Street, S.E. are zoned C-3-C or CG/C-3-C.

27. Section 1602 of the CG Overlay provides that two or more lots within the CG Overlay may be combined for the purpose of allocating residential and nonresidential uses regardless of the normal limitation on floor area by uses on each lot. This allocation is accomplished by a combined lot development covenant approved by the District of Columbia and recorded in the land records of the Recorder of Deeds of the District of Columbia. The Property is part of a combined lot development covenant that was duly recorded on August 22, 2008.
28. Section 1602 further provides that residential and nonresidential floor area on each individual parcel within the CR Zone District shall not exceed a maximum building density of 8.0 FAR on parcels for which a height of 110 feet is permitted by the 1910 Height of Buildings Act, pursuant to § 1602.1(a). As a result of the Property's frontage on N Street, a 90-foot-wide street, a building height of 110 feet is permitted under the Act.

Capitol Gateway Overlay District Design Requirements

29. The proposed project is subject to the requirements of § 1607 of the Zoning Regulations because the proposed building will be located along Half Street, S.E., south of M Street, S.E., within the CG Overlay.
30. Subsection 1607.2 requires any portion of a building or structure exceeding 65 feet to be set back from the building line along Half Street, S.E. a minimum of 20 feet. Pursuant to its authority under § 1610.7, the Commission's approval of the Previous Plans included a special exception from this requirement to allow a setback of 12 feet above a height of 80 feet. As shown in the Final Plans, 11 balconies that project into the previously approved 12-foot setback are proposed. As a technical matter, the Applicant requested variance relief from § 1607.2 at the public hearing to allow the balconies to project into the previously approved setback.
31. Subsection 1607.3 requires each new building to devote not less than 75% of the ground-floor to preferred uses. The Commission's approval of the Previous Plans included a variance from this requirement. As shown in the Final Plans, under Scenario 1, 75.9% of the ground floor will be devoted to preferred uses. Under Scenario 2, as a result of the hotel lobby and associated drop off, the percentage of the ground floor devoted to preferred uses will be reduced to 71.6%.
32. Subsection 1607.4 requires 100% of a building's street frontage along Half Street, S.E., except for space devoted to building entrances or required to be devoted to fire control, to

be occupied by preferred uses. As shown in the Final Plans, with the exception of a residential entrance and an entrance lobby to second-level retail, the Final Plans devote 100% of the frontage along Half Street to preferred uses.

33. Subsection 1607.5 requires portions of the ground floor devoted to preferred uses to have a minimum floor-to-ceiling height of 14 feet. The Commission had previously granted a variance from this requirement. As shown in the Final Plans, the proposed building complies with this requirement by providing a clear floor-to-ceiling height in excess of 14 feet on the ground floor. Therefore, the previously granted variance is no longer necessary.
34. Subsection 1607.7 prohibits the construction or use of any driveway accessing parking or loading along Half Street. As shown in the Final Plans, the proposed building does not include any driveways along Half Street.

The Project Meets the Requirements of § 1610

35. The Final Plans are subject to Commission review and approval pursuant to § 1610 of the CG Overlay. Subsection 1610.3 provides that in addition to demonstrating that the proposed building meets the standards set forth in § 3104 of the Zoning Regulations, an applicant requesting approval under the CG Overlay provisions must also prove that the proposed building meets the requirements of §§ 1610.3(a) through 1610.3(f). Subsection 3104.1 of the Zoning Regulations provides that special exceptions should be granted when "the special exceptions 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." (§ 3104.1.)
36. Subsection 1610.3 further provides that the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation of the proposed building must comply with the specific requirements set forth in that section, and must help achieve the objectives of the CG Overlay District as set forth in § 1600.2 of the Zoning Regulations. The proposed building meets the requirements of § 1610 and is consistent with all applicable purposes of the CG Overlay.
37. The proposed building's height and density are allowed at this location, and the proposed use is consistent with the Property's mixed-use (high-density commercial/high-density residential) designation on the Comprehensive Plan Future Land Use Map. The residential and retail/service uses contemplated by the project will help foster an appropriate mix of uses within Square 701 and the surrounding area. (§ 1600.2(a).)

38. The proposed building is planned to include significant space devoted to preferred retail or service uses on the ground and second floors, including a clear floor-to-ceiling height on the ground floor in excess of 14 feet, and approximately 14 feet on the second floor where the Zoning Regulations have no minimum required height. This space will accommodate precisely the types of retail, service, and entertainment uses encouraged by the CG Overlay. (§ 1600.2(b).)
39. The CG Overlay provides for development of Half Street, S.E., as an active pedestrian-oriented street with active ground-floor uses and appropriate setbacks from the street façade to ensure adequate light and air, and a pedestrian scale. As shown in the Final Plans, the design of the building, including the setbacks, façade treatment and articulation, and materials, all work together to advance the CG Overlay goals for Half Street, S.E. (§1600.2(g).)
40. The proposed project will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to affect adversely the neighboring property in accordance with the Zoning Regulations and Zoning Map. The project assures development of the area with a mixture of uses and a suitable height, bulk, and design. (§1610.3(a).)
41. The proposed building will help achieve the desired mix of uses in the CG Overlay as set forth in §§ 1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel, and retail, or service uses. The ground- and second-level retail/service uses contemplated for the building along its Half and N Street frontages, with floor to ceiling heights and façade treatments that are intended to emphasize the preferred uses at a comfortable pedestrian scale, will substantially advance the achievement of the desired mix of uses in the CG Overlay. (§1610.3 (b).)
42. The height, bulk, and architectural design of the proposed building, as shown in the Final Plans, will be in harmony with the context of the surrounding neighborhood and will have no effect on the existing street grid. The proposed building will be constructed to the building lines along Half and N Streets, which will strengthen the street wall along both of these streets and maintain views. (§1610.3 (c).)
43. The proposed building has been sited to minimize conflicts between vehicles and pedestrians. Access to the building's loading and parking facilities along Cushing Place will help minimize potential conflicts between vehicles and pedestrians. In addition, Monument Place will be a pedestrian-only thoroughfare rather than a vehicular street, thereby removing the curb cut along Half Street that was previously approved. The Applicant's traffic impact study confirms that any impacts to traffic caused by the project can be mitigated through the Applicant's transportation demand management (TDM) plan, which includes all mitigation measures proposed by DDOT and through recommended signal timing adjustments. (§ 1610.3 (d).)

44. The proposed building's façades have been designed to minimize unarticulated walls adjacent to public spaces through façade articulation and the use of courts, upper-level setbacks, and balconies. (§.1610.3 (e).)
45. The proposed building will be designed, constructed, and operated in a manner that minimizes impact on the environment, and the Applicant has committed to seeking LEED-Silver certification. (§ 1610.3(f).)

Requested Areas of Relief: Special Exception

46. The Applicant requested special exception relief pursuant to § 411 of the Zoning Regulations to permit multiple roof structures not meeting the single enclosure requirement of § 411.3. As shown in the Final Plans, a total of four roof structures will be located on the roof level.
47. Subsection 411.3 requires all penthouses and mechanical equipment to be located in one enclosure, and to be in harmony with the main structure in architectural character, material, and color. However, pursuant to § 411.4, when separate elevator cores are required, each one is permitted to have a separate enclosure.
48. As shown in the Final Plans, the proposed building will have three separate elevator cores which have separate enclosures of similar height, materials, and architectural style. In addition, one standalone stair tower will be located at the east end of the southern wing of the building. The stair tower will not be enclosed within one of the elevator core enclosures; therefore, a special exception is required.
49. Compliance with the roof structure regulations is impractical as it would add substantially to the overall mass and perceived height of the southern roof structure of the proposed building. The separate egress stair is a function of the stairway below and the building code which requires separation of means of egress.
50. As a result of the "L" shaped lot, the south wing of the proposed building is relatively narrow, which results in the south elevator core failing to meet the required setback from the south wall of the open court facing Cushing Place. Placing the elevator core and standalone egress stair in a single enclosure would unnecessarily increase the mass and visibility of the building's southern roof structure, and substantially increase the extent of the nonconforming roof structure setback, which would likely have a negative impact on the light and air into the proposed open court.
51. The requested special exception can be granted without impairing the intent and purpose of the Zoning Regulation and will not adversely affect the light and air of adjacent buildings. The intent of the provisions of § 411 is to exercise a reasonable degree of

control over the design and placement of roof structures. Allowing the standalone egress stair will result in less roof structure mass and increase light and air into the building's south courtyard. The proposed egress stair will continue to have architectural uniformity with the other three elevator cores through the use of similar materials and height. Finally, in accordance with § 630.4(b), the egress stair will be set back from all exterior walls a distance equal to its height above the roof level.

Requested Areas of Relief: Variances

52. At the public hearing, the Applicant requested additional variances from the residential lot occupancy requirement for the second floor of the building, pursuant to § 634, and from the Half Street building setback requirement of § 1607.2.

Property Is Affected by Several Exceptional Situations or Conditions

53. The Property is affected by an exceptional condition that arises out of a confluence of factors. First, the Property is "L" shaped with the portion of the Property paralleling N Street being exceptionally narrow. Second, the extension of Cushing Place, a 30-foot public alley, across the Property to N Street through a dedicated easement is a condition that is unique to the Property, and is required pursuant to a recorded easement resulting from a prior alley closing proceeding. Finally, the mixed-use nature of the building design and the varying footprint requirements these uses have contributes to the Property's exceptional situation.

Strict Application of the Zoning Regulations Would Result in Practical Difficulty Upon the Applicant

Residential Lot Occupancy Requirement (§ 634)

54. Within the CR Zone District, non-residential uses are allowed 100% lot occupancy, while residential uses are assigned a maximum lot occupancy of 75%.
55. As shown in the Final Plans, the second level of the southern portion of the building may contain residential uses. Should this area of the building contain dwelling units, a variance would be required from the 75% lot occupancy limit on residential uses.
56. The strict application of the Zoning Regulations would require the Applicant to reduce the second-floor building area by approximately 3,400 square feet which would be practically difficult for the Applicant as it would substantially disrupt building circulation and result in a loss of dwelling units on several floors. Reducing the second floor building area above the Cushing Place easement would eliminate a number of dwelling units and impact the circulation corridor on this level, cutting off the portion of the building east of

Cushing Place. Furthermore, narrowing the northern or southern wings of the building would result in a significant loss and/or reconfiguration of dwelling units and an inefficient single-loaded corridor.

Half Street Building Setback Requirement (§ 1607.2)

57. Subsection 1607.2 of the CG Overlay requires buildings along Half Street, S.E., south of M Street, S.E., to be set back a minimum of 20 feet above a height of 65 feet. Pursuant to § 1607.2, the Commission previously granted a special exception from this requirement to allow a setback of 12 feet above a height of 80 feet.
58. The Final Plans are consistent with the previously granted relief with the exception of 11 balconies that project less than six feet into the previously approved 12-foot setback.
59. The strict application of the Zoning Regulations would result in a practical difficulty as it would require the Applicant to narrow the width of the building by approximately six feet such that the balconies are behind the previously approved 12-foot setback. Due to the depth of the open courtyards facing Cushing Place, the Half Street façade of the building is already fairly narrow. Further narrowing the building to accommodate the balconies within the previously approved 12-foot setback would create inefficient floorplans and cause a substantial loss and/or reconfiguration of dwelling units.

Relief Can be Granted Without Substantial Detriment to the Public Good or Substantial Impairment of the Zone Plan

60. The requested variances can be granted without causing substantial detriment to the public good or substantial impairment to the Zone Plan. Relief from the residential lot occupancy requirement is limited to the second level of the building and will not result in a substantial increase in the overall density of the development. Furthermore, the variance will not result in substantial impairment to the Zone Plan as the intent of the residential lot occupancy requirement will still be achieved through the light, air, and openness provided by N Street and the proposed southern courtyard facing Cushing Place.
61. The variance from the Half Street building setback will not cause substantial impairment to the Zone Plan. The intent of the setback requirement is to permit adequate light and air to the street level along Half Street, which will still occur given the relatively small number and shallow depth of the balconies. Furthermore, a large percentage of the Half Street façade, starting at the street level and extending to the top of the building, is set back from the building line which will contribute to the amount of light and air reaching the street level.

Office of Planning Report

62. By report dated May 18, 2015, OP stated that it was very supportive of the overall design of the proposal, although clarification and further details should be submitted. (Ex. 9.)
63. In its report, OP stated that the application successfully addresses many of the criteria of the CG Overlay. Specifically, OP noted that the project should help achieve the goals of the CG Overlay to create an active, cohesive pedestrian and transit-oriented environment, and a vibrant entertainment district, especially north of the ballpark. OP specifically noted that the ground-floor retail, the open-air retail on the upper levels at Half and N Streets, and the many residential balconies would help activate the area.
64. With regard to zoning relief, OP supported the requested relief from the requirement that roof structures be located in a single enclosure to allow a standalone stair tower on the southern wing of the building, noting that the stair and closest other penthouse could be put inside one enclosing wall but the result would be an overly large rooftop structure that is more visible than the multiple proposed roof structures. OP also expressed support for lot occupancy relief for the second level of the building should relief be necessary or requested by the Applicant.
65. OP made several recommendations and requests for additional detail; including: (a) relocate the second-floor retail lobby entrance proposed at the corner of Half Street and Monument Place to the south or east; (b) clarify the number of guests room for the potential hotel; (c) clarify how the potential hotel use will affect the amount of the ground floor devoted to preferred uses; (d) clarify how residents will access bike parking; and (e) provide additional detail regarding the design of Monument Place and Cushing Place, including materials and renderings. On June 9, 2015, the Applicant met with OP to discuss these items. The Applicant's responses to each of these items are included below.
66. The Commission finds the Applicant has addressed all of the recommendations and requests made by OP.

DDOT Report

67. By report dated May 18, 2015, DDOT provided its analysis regarding the parking, loading, trip generation, and vehicle turning impacts of the project on the District's transportation network, and provided comments on streetscape and public space design. (Ex. 8.) Regarding public transportation, DDOT found the site to be well served by Metrorail, Metrobus, DC Circulator, and bicycle facilities. With regard to roadway capacity and operations, DDOT found that the project may potentially impact four intersections significantly but that the Applicant's proposed TDM Plan and additional measures will adequately mitigate any impacts.

68. DDOT stated no objection to the application, with the condition that the Applicant adopt the proposed loading management plan and amend the proposed TDM Plan included in the Comprehensive Transportation Review (April 2015) included as Exhibits 7B1 & 7B2 of the record in this case, to include all additional TDM measures proposed by the Applicant on May 13, 2015, which are included on pages 14 and 15 of the DDOT report, and to prohibit deliveries within three hours of a scheduled ballpark event. The Applicant committed to these conditions.
69. Although not conditions, DDOT also made several comments/recommendations in its report, including: (a) providing required long-term bicycle parking in the garage or on the ground floor inside the building; (b) installing at least one 240-volt electric car charging station in the residential garage and in the retail garage; and (c) continuing to work with DDOT on public space issues, including the design of the streetscape along Half Street. As shown in the Final Plans, the Applicant is providing two bicycle storage rooms that meet the bicycle parking requirements of the Zoning Regulations and D.C. Official Code § 50-1641.01-.09. With regard to installation of an electric car charging station, the Applicant has committed to installing one charging station in the residential garage, but is unable to provide one in the retail garage as the Applicant does not own that building despite having access to a limited amount of parking in the adjacent garage by way of a reciprocal parking easement agreement. Finally, the Applicant is committed to continuing to work closely with DDOT and other property owners along Half Street on a streetscape design for Half Street.
70. The Commission finds that with the TDM Plan proposed by the Applicant, as amended to include the additional mitigation measures proposed to DDOT by the Applicant on May 13, 2015, and with the Applicant's commitment to restrict deliveries to the proposed building within three hours of a ballpark event, the project will not have a substantial negative impact on the surrounding transportation network.

Applicant's Responses to Areas Identified at the Public Hearing as Requiring Additional Information

Scope of the Potential Hotel Use

71. At the public hearing, OP requested clarification on the potential hotel use noting the Pre-hearing Statement indicated the potential for 80 guest rooms while the transportation impact study indicated a higher number. As part of the Post-hearing Statement, the Applicant clarified that the potential hotel use will have approximately 80 guest rooms and reiterated its pre-hearing request for permission to adjust the number of guest rooms no more than $\pm 10\%$.

Access to Bike Parking from Residential Lobby

72. At the public hearing, OP and DDOT requested the Applicant to provide clarification on how residents will access the required bike storage areas. As shown on the Final Plans, two bike storage areas are shown adjacent to the building's loading facility. For the residential use located along Half Street, residents will access the north bike storage area from the north elevator core located just outside the storage room. From this area, direct access to Cushing Place and the courtesy lobby along Monument Place will be provided. For the residential use along N Street, residents will access the south bike storage area directly from the lobby. This area will also have direct access to Cushing Place. Access to the bike storage areas will be controlled and available only to residents of the building.

Relocation of Second-Level Retail Lobby at Half Street and Monument Place

73. In its report, OP recommended that the second-level retail lobby entrance proposed at the corner of Half Street and Monument Place be moved to the east along Monument Place, or south along Half Street, to allow a more active use to enliven the corner and complement the retail space across Monument Place to the north.
74. Subsequent to the public hearing, the Applicant studied alternatives to the proposed location of the entrance lobby and submitted additional information in support of the proposed location as part of the Post-Hearing Statement.
75. According to the Applicant's Post-Hearing Statement, the relocation of the entrance further south along Half Street would more negatively impact Half Street as an active, pedestrian-oriented street as required by the provisions of the CG Overlay as it would disrupt the consistent active retail frontage that would otherwise occur south of the lobby should its location remain at the corner of Half Street and Monument Place. In contrast, the proposed location of the entrance lobby will blend with the natural break in the street wall created by Monument Place. In addition, the retail on the north side of Monument Place, and the pedestrian activity along Monument Place generated from outdoor seating and programming, users of the proposed courtesy lobby, and the potential hotel use will serve to activate this corner.
76. The Applicant also submitted information related to programmatic challenges that would arise from the relocation of the proposed second-level retail entrance lobby, including impacts to a future tenant's ability to efficiently layout the retail space, uncertainty with regard to tenant preferences related to location of building entrance and street frontage, and potential tenant requirement for connection to the courtesy lobby leading to underground retail parking.

77. The Applicant will design the proposed entrance lobby with the same design quality as the rest of the ground floor and building, and will not include unarticulated walls or opaque spandrel glass in the design of the lobby frontage.
78. The Commission is persuaded by the Applicant's response to OP's recommendation and finds the proposed location of the second-level retail entrance lobby, as shown in the Final Plans, to be acceptable, and can be designed in a manner that will contribute to the activity along Half Street.

Design of Monument Place and Cushing Place

79. At the public hearing, the Commission and OP requested additional information regarding the design of Monument Place and Cushing Place, including perspective renderings of both, and information regarding materials for Monument Place. The Applicant included the requested information in the Final Plans submitted as part of the Post-hearing Submission.
80. The Commission finds the additional information provided by the Applicant useful to understanding the design of Monument Place and its relationship to Half Street. The design of Monument Place will provide an amenity to residents and works in the area, and offer an opportunity for outdoor seating and programming to support the retail and services uses along Half Street. The design of Cushing Place utilizes the same materials used on the building's street frontages despite this technically being the back side of the building.

Roof Plan

81. At the public hearing, the Commission noted that under the existing Zoning Regulations, the Applicant could, if desired, provide an amount of interior roof top accessory recreation space that, by current interpretation, does not exceed 20% of the total area devoted to roof top accessory recreation space.
82. As part of the Post-Hearing Submission, the Applicant submitted a revised roof plan that includes interior accessory recreation space that does not exceed 20% of total roof area devoted to exterior accessory recreation space.
83. The revised roof plan includes four separate roof structures, having equal height, with three of the roof structures consisting of accessory recreation space, mechanical equipment, and/or elevator cores, and one standalone egress stairway for which the Applicant has requested special exception relief for as part of its application.

84. As a result of the modifications made to the roof plan to include the interior accessory recreation space, the footprint of the proposed roof structures increased in size. Despite this increase, the extent of noncompliant roof structure setback is consistent with what was presented at the public hearing, and remains limited to the small portion of the south elevator core that is not set back from the wall of the open court facing Cushing Place.
85. In addition to the four roof structures, the revised roof plan includes a pool that is less than four feet above the roof level, a trellis structure to provide shade, and glass guard rails. All of these structures meet the 1:1 setback requirement from the edge of the roof upon which they are located.

Streetscape Design for Half Street

86. In response to comments made at the public hearing by the Commission and DDOT, the Applicant submitted a revised streetscape design concept for Half Street which is included in the Final Plans. Specifically, in response to comments made by DDOT, the design no longer includes bollards and catenary lighting spanning the width of Half Street. In addition, the street tree spacing has been adjusted to be consistent with DDOT standards.
87. As shown in the Final Plans, the revised streetscape design concept shows a curbless Half Street, which DDOT expressed general support for at the public hearing, and in subsequent conversations with the Applicant. However, DDOT noted that further coordination is required on the design of Half Street, and the public space adjacent to the project, and that final plans are subject to review and approval by DDOT, which may result in changes to what is depicted in the conceptual public space designs included in the Final Plans.
88. While the Applicant is only responsible for reconstructing the public space adjacent to the Property, according to the Post-Hearing Submission, the Applicant continues to coordinate with adjacent property owners on the long-term, permanent streetscape design for Half Street.

CONCLUSIONS OF LAW

1. The application was submitted pursuant to §§ 1607 and 1610 for review and approval by the Commission. The application, as amended at the public hearing, pursuant to § 1610.7, included requests for special exception and variance relief for the Final Plans.
2. The Commission provided proper and timely notice of the public hearing on the application by publication in the *D.C. Register* and by mail to ANC 6D, the Office of Planning, and owners of property within 200 feet of the site.

3. Pursuant to §§ 1607.1 and 1610.1, the Commission required the Applicant to satisfy the burden of proving the elements that are necessary to approve the Final Plans pursuant to the provisions of the CG Overlay; establish the case for special exception relief from the roof structure requirement of § 411.3; and establish the case for variances from the residential lot occupancy requirement of § 634.1 and the Half Street building setback requirement of § 1607.2.
4. The Commission concludes that the Final Plans are consistent with the areas of relief previously granted in this case, noting that some areas of relief are either no longer necessary or substantially reduced in extent, and that the Applicant has met its burden under the provisions of the CG Overlay.
5. Pursuant to § 1610.7, the Commission concludes that the Applicant has met its burden under §§ 3104.1, 639.1, and 411.11 for a special exception from the requirement of § 411.3 that all penthouses and mechanical equipment be placed in one enclosure.
6. Pursuant to § 1610.7, the Commission concludes that the Applicant has met its burden under § 3103.2 for variances from the lot occupancy requirement of § 634.1, and from the Half Street building setback requirement of § 1607.2.
7. The Final Plans are within the applicable height, bulk, and density standards for the CG/CR (Capitol Gateway Overlay/Commercial Residential) District and will not tend to affect adversely the use of neighboring property. The overall project is also in harmony with the general intent and purpose of the Zoning Regulations and Map.
8. The Final Plans are not inconsistent with the Comprehensive Plan.
9. The Commission concludes that the Final Plans will further the objectives of the CG Overlay District as set forth in § 1600.2 and will promote the desired mix of uses set forth therein. The design of the proposed building meets the purposes of the Capitol Gateway Overlay and meets the purpose and intent of the design requirements of § 1607 of the Zoning Regulations.
10. No person or parties appeared at the public hearing in opposition to the application.
11. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give “great weight” to the issues and concerns raised in the written report of the affected ANC, which in this case is ANC 6D. To satisfy the great weight requirement, District agencies must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances.

12. As noted, ANC 6D voted 4-0-2 in support of the application. In its letter, the ANC expressed its preference that there be greater architectural differentiation between the condominium and rental portions of the building and expressed its disappointment that no affordable housing would be provided. As to the former issue, the Applicant modified the N Street façade such that the primary material was masonry, as opposed to the Half Street façade where glass remained the primary material. With respect to affordable housing, the Applicant offered testimony that the provision of affordable housing was considered, but in view of the difficult task of reinvigorating this project, the inclusion of such housing was not economically viable. The Commission found this position to be reasonable.
13. The ANC did not appear at the public hearing. On June 15, 2015, the Applicant served the ANC with a copy of the Post-hearing Submission which included the Final Plans, responses to DDOT, OP, and the Commission's comments and requests, and an explanation of the two additional variances that were requested at the public hearing. No additional correspondence was received from the ANC in response to the Post-hearing Submission.
14. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990, (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2001)) to give great weight to OP recommendations. The Commission concludes that the project is generally consistent with the recommendations made by OP except for its recommendation that the second-level retail lobby entrance proposed at the corner of Half Street and Monument Place be moved to the east along Monument Place, or south along Half Street. For the reasons stated in Findings of Fact 74 through 78, the Commission did not find this recommendation to be persuasive.
15. Based upon the record before the Commission, including witness testimony, the reports submitted by the OP, DDOT, and ANC 6D, and the Applicant's submissions, the Commission concludes that the Applicant has met the burden of satisfying the applicable standards under §§ 1607 and 1610, the independent burden for one additional special exception, and the independent burden for two additional variances.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the application consistent with this Order. This approval is subject to the following guidelines, standards, and conditions:

1. The approval of the proposed development shall apply to the theoretical building site encompassing the southern portion of Record Lot 168 in Square 701, and extending from

the southern façade of the existing office building located on the northern portion of Record Lot 168.

2. The project shall be built in accordance with the Final Plans, dated June 15, 2015 and the guidelines, conditions, and standards below. (Ex. 22.)
3. The project shall be consistent with the development scenarios described in the Final Plans and include residential gross floor area ranging from approximately 318,400-402,800 square feet, retail gross floor area ranging from approximately 55,100-69,200 square feet, and hotel gross floor area ranging from zero to approximately 78,300 square feet.
4. The overall density on the Property shall not exceed 6.83 FAR.
5. The Applicant shall implement the transportation demand management and loading management measures set forth in the Comprehensive Transportation Review provided as part of the Applicant's Pre-hearing Statement, and the additional measures and mitigation strategies requested/recommended in the DDOT report, and as agreed to by the Applicant.
6. The Applicant shall have flexibility with the design of the project in the following areas:
 - To adjust the development scenarios included in the Final Plans, including adjustments to the number of dwelling units and hotel sleeping rooms not to exceed $\pm 10\%$, and corresponding adjustments to required parking which shall not be reduced below the minimum onsite parking required by the Zoning Regulations;
 - To vary the location and design of all interior components, including but not limited to partitions, structural slabs, doors, hallways, columns, stairways and mechanical rooms, provided that the variations do not materially change the exterior design and configuration of the building;
 - To vary the final selection of the exterior materials within the color ranges and material types (maintaining the same general level of quality) as proposed, based on availability at the time of construction;
 - To make refinements to exterior materials, details, and dimensions, including beltcourses, sills, bases, cornices, railings, and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals;

- To vary the exterior design and materials of the ground-floor retail/service space based on the requirements of the individual tenant/occupant provided these changes do not modify the building footprint, or reduce the quality of the materials used on the exterior of the ground floor of the project, as shown in the Final Plans;
 - To vary the exterior design, orientation, materials, and general location of the second-level retail entrance proposed at the corner of Half Street and Monument Place based on the requirements of the individual tenant/occupant provided these changes do not modify the building footprint, or reduce the quality of the materials used on the exterior of the ground floor of the project, as shown in the Final Plans. The Applicant will ensure that the design for this space is consistent with the rest of the ground-floor retail spaces with regard to exterior design, materials, and degree of transparency; and
 - To vary the exterior building signage for the first and second levels of the proposed building with regard to placement, extent, and design based on the requirements of the individual tenant/occupant. The Applicant and all individual tenants/occupants shall erect, hang, place, paint, construct, display, and maintain all temporary and permanent building signage, both on the Property and in public space, in a manner that complies fully with all applicable signage regulations in effect at the time of permitting.
7. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2-1401.1 *et seq.* (the "Act"), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violations will be subject to disciplinary action.

On June 29, 2015, upon the motion of Commissioner Miller, as seconded by Vice Chairperson Cohen, the Zoning Commission **APPROVED** the application and **ADOPTED** this Order application by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

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In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*, that is on July 31, 2015.

A handwritten signature in black ink, appearing to read "Anthony J. Hood", written over a horizontal line.

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

A handwritten signature in black ink, appearing to read "Sara A. Bardin", written over a horizontal line.

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

EXHIBIT C

APPROVED LEVEL 1 PLANS AND ELEVATIONS

Square 701 Half Street Ballpark Site

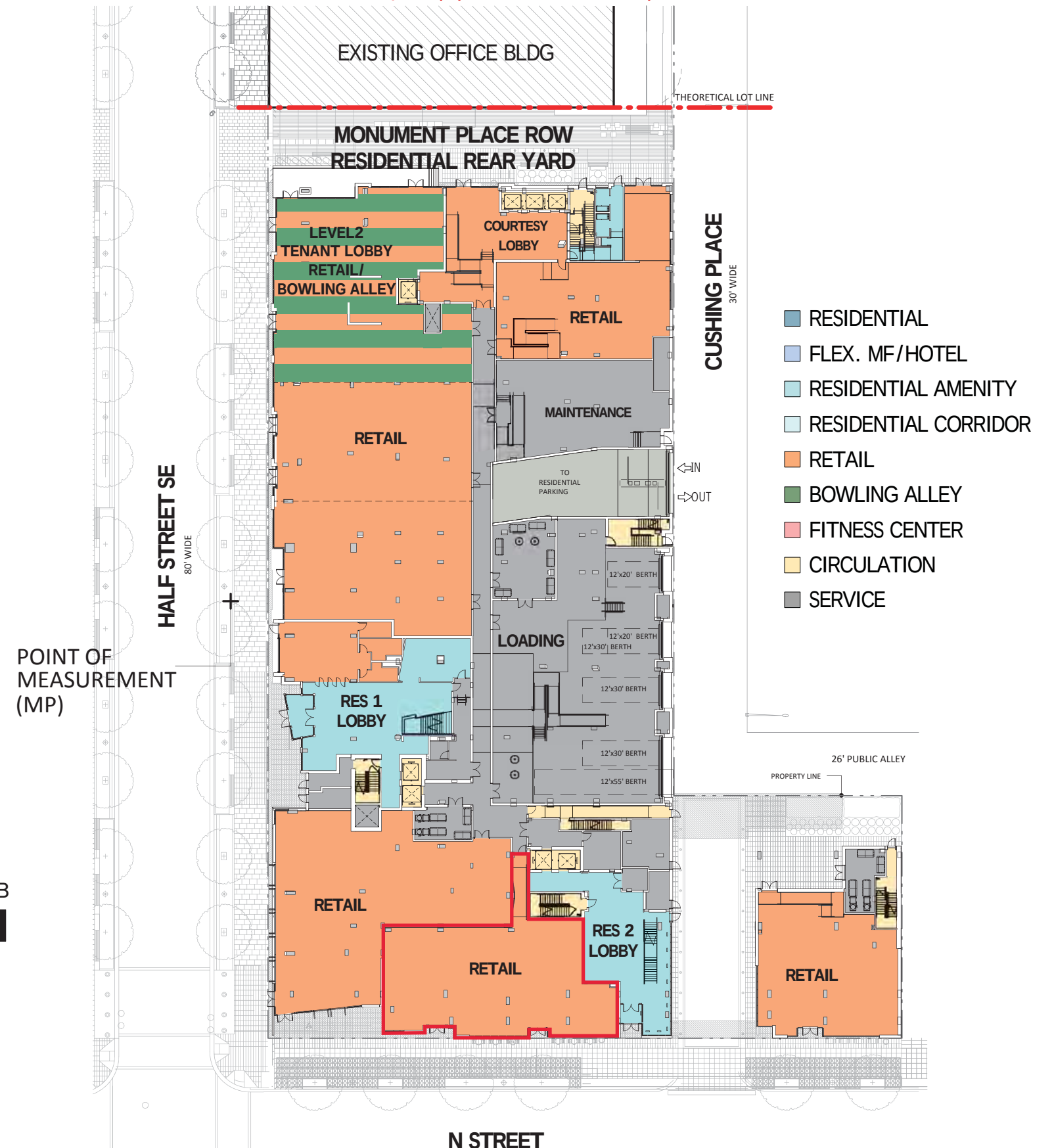
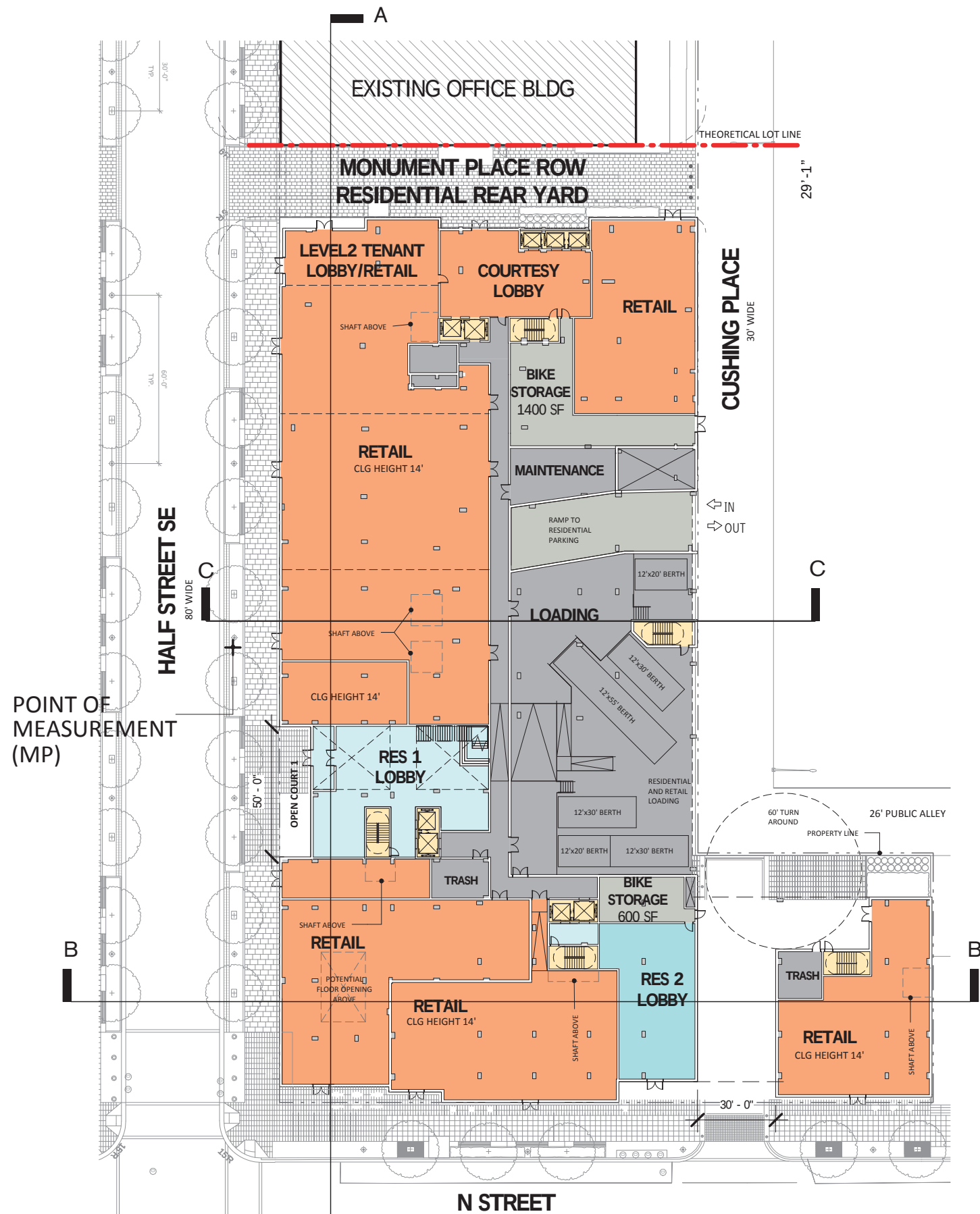
Modification of Consequence for Z.C. 06-46B / 06-46C

DRAWING INDEX

SHEET	TITLE
CS1	COVER SHEET/DRAWING INDEX
A1	PREVIOUSLY APPROVED & PROPOSED FLOOR PLAN - LEVEL 1
A2	PREVIOUSLY APPROVED & PROPOSED FLOOR PLAN - LEVEL 2
A3	POTENTIAL ENTERTAINMENT WITH BOWLING TENANT LAYOUT
A4	PREVIOUSLY APPROVED & PROPOSED BUILDING ELEVATIONS - HALF ST
A5	PREVIOUSLY APPROVED & PROPOSED BUILDING ELEVATIONS - N ST
A6	PREVIOUSLY APPROVED & PROPOSED BUILDING ELEVATIONS - MONUMENT PL
A7	MODIFIED/ADDED BUILDING MATERIALS
L1	MONUMENT PLACE SITE PLAN
L2	MONUMENT PLACE SECTION A
L3	MONUMENT PLACE PERSPECTIVE VIEW - FROM HALF ST.
L4	MONUMENT PLACE PERSPECTIVE VIEW - FROM CUSHING PLACE
L5	MONUMENT PLACE ART MURAL PRECEDENT IMAGES

OWNER / DEVELOPER:	HALF STREET RESIDENTIAL PJV, LLC
RESIDENTIAL ARCHITECT:	HORD COPLAN MACHT, INC
RETAIL ARCHITECT:	MV+A
LANDSCAPE ARCHITECT:	HORD COPLAN MACHT, INC.
CIVIL ENGINEER:	BOHLER ENGINEERING
STRUCTURAL ENGINEER	SK & A ENGINEERS, PLLC
MECHANICAL / ELECTRICAL / PLUMBING:	GIRARD ENGINEERING

Previously Approved & Proposed Floor Plan - Level 1



- RESIDENTIAL
- FLEX. MF/HOTEL
- RESIDENTIAL AMENITY
- RESIDENTIAL CORRIDOR
- RETAIL
- BOWLING ALLEY
- FITNESS CENTER
- CIRCULATION
- SERVICE

Square 701 Washington, DC



Feb 28, 2017



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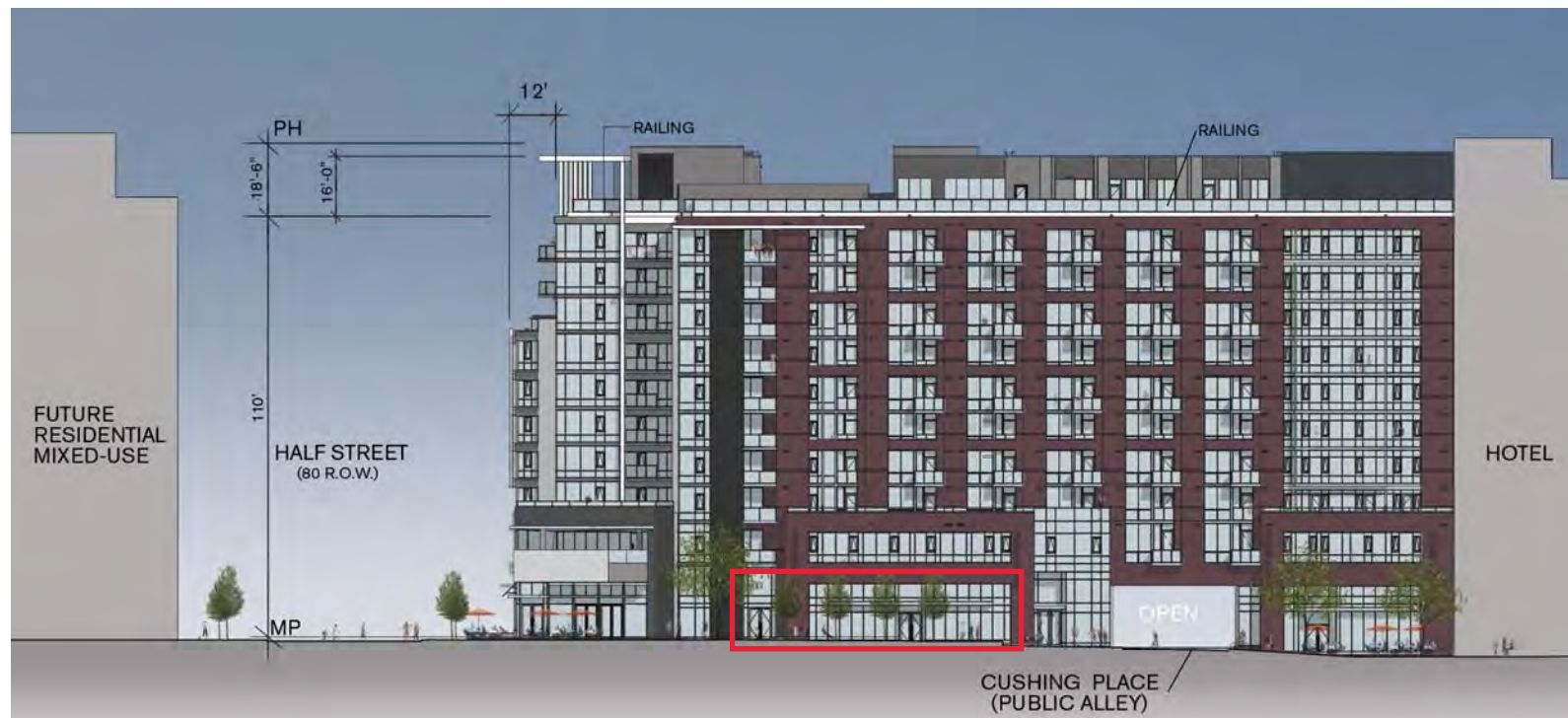
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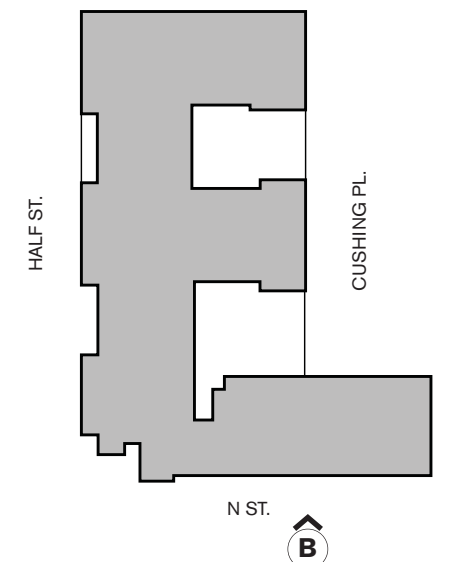
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B. SOUTH ELEVATION *Previously approved*



B. SOUTH ELEVATION *Proposed*



Square 701 Washington, DC

EXHIBIT D

DCRA ZONING DATA SUMMARY

OFFICIAL
GOVERNMENT OF THE DISTRICT OF COLUMBIA
PERMIT OPERATIONS DIVISION
PLANS APPROVED

- Permit No. B1701884

☐ These plans are conditionally approved in accordance with any correction noted on the plans. The building permit is a license to construct in accordance with adopted codes and does not waive any code requirements, not noted during plan review. ☐ All work must be done in strict accordance here with and the approved plans must be kept on site. No inspection will be made if approved plans are not onsite. ☐ you complete this form. Do not abbreviate street names or (SSL) or parcel ID. ☐ Additional permit fees when issues are noted during inspections to ensure changes to approved drawings. Changes or modifications to these plans require resubmittal with additional permit fees. ☐ This permit does not include approval for any work requiring a Supplemental Permit. ☐ e.g. Electrical or Plumbing.	☐ m at dcra.dc.gov (go to Permits/Zoning/Certificates
--	--

This permit does not include approval for
Supplemental Permit

e.g. Electrical or Plumbing.

DOEE SE-SW Review - Nykia Barnes - 10-13-2017	
DOEE GAR Review - Nykia Barnes - 10-13-2017	
DC Water Review - John Boryschuk - 10-13-2017	
Structural Review - Jeff Reiss - 10-13-2017	
Green Review - Kristian Hoffland - 10-13-2017	
DICU Review - Tiffany Tenbrook - 10-13-2017	
Energy Review - Kristian Hoffland - 10-13-2017	

Street Number 1250		Street Name HALF STREET		Quadrant NE	Unit / Suite N/A	Application Date Sep 28, 2016
Square 0701	Suffix N/A	Lot 0857 0858 0859	Proposed use RESIDENTIAL, RETAIL			

N/A

Email	kfl@jairlynch.com
-------	-------------------

Owner of Building or Property HALF STREET RESIDENTIAL PJV, LLC	Complete mailing address (include zip) 1508 U STREET NW. WASHINGTON, DC 20009	Phone Number(s) 202.462.1092	Email DOT Review - Tiffany Tenbrook - 10-13-2017 Energy Review - Kristian Hoffland - 10-13-2017 N/A
Agent for owner, if applicable Kaleena Francis Lee	Complete mailing address (include zip) 1508 U STREET NW. WASHINGTON, DC 20009	Phone Number(s) 202.462.1092	Email kfl@jairlynch.com

as subject to Board of Zoning Adjustments (BZA) site plan, elevations, and floor plans).

District	Overlay(s), if any
CR	CG (CAPITOL GATEWAY)

06-46 A,B,C

www.fda.gov/oc/ohrt/ohrt.z.d.c.gov/info/reg.shtm.

Official Use Only (code requirement)

Data	Existing	Proposed	Official Use Only (code requirement)
	Fill in both columns: numbers must match those on attached applications, plats, and plans.		
Units & Parking Spaces			
Number of dwelling units	N/A Units	439 Units	
Number of parking spaces (9' x 19')	N/A Units	133 Units	
Setbacks & Building Heights			
Side Yard* Setback (left when you face property)	N/A Linear feet	Not Required Linear feet	
Side Yard* Setback (right when you face property)	N/A Linear feet	Not Required Linear feet	
Rear Yard* Setback	N/A Linear feet	28 Linear feet	
Building Height*	N/A Stories	11 Stories	
	N/A Feet	110 Feet	
Areas			
Lot Area	N/A Square feet	67,835 Square feet	
Gross Floor Area* (GFA) of entire building (sum of all floors)	N/A Square feet	462,710 Square feet	
Floor Area Ratio*	N/A GFA / Lot Area	6.82 GFA / Lot Area	
Building Area* (sum of footprints of all buildings)	N/A Square feet	59,667 Square feet	
Lot Occupancy* (Bldg Area / Lot Area)	N/A %	87.96 %	

Form Completed by (sign and print name): _____ Date: _____

EXHIBIT E

ARCHITECT CERTIFICATION LETTER

March 18, 2020

Holland & Knight LLP
Attn: Shane L. Dettman
Director of Planning Services
800 17th Street, NW – Suite 1100
Washington, DC 20006

Re: 1250 Half Street, SE
Square 701, Lots 857, 858, 859
Architect's Certification

Dear Mr. Dettman:

You have requested our certification with respect to the actual constructed gross floor area contained within the development project currently nearing completion located at 1250 Half Street, SE, Washington, DC 20003 (the "Project"). The statements contained in this letter represent our professional opinions and are based on our performance of professional services pursuant to our contract with Half Street Residential PJV LLC, the Project owner ("Owner").

Hord Coplan Macht ("HCM") is both design architect and architect of record for the Project. In early-2015, HCM prepared the schematic plans and drawings for the Project that were approved by the Zoning Commission of the District of Columbia ("Commission") pursuant to Z.C. Order No. 06-46B ("approved plans"). HCM also prepared the schematic plans and drawings for certain modifications to the Project that were approved by the Commission pursuant to Z.C. Order Nos. 06-46C-E ("Modification Orders"). As approved by the Commission, the Project is approved for a maximum density of 6.83 FAR. Based upon the Project's land area of 67,835 square feet, this equates to a maximum of approximately 463,313 square feet of gross floor area ("GFA")

Following the above-described approvals by the Commission, HCM prepared construction drawings for the Project ("Construction Drawings"). On November 15, 2016, the Construction Drawings were submitted to the District of Columbia Department of Consumer and Regulatory Affairs ("DCRA") for review under Building Permit No. B1701884. As shown on the attached DCRA Zoning Data Summary, at the time of permit review the Project contained approximately 462,710 GFA, which equates to 6.82 FAR. The building permit for the Project was issued on October 18, 2017.

The Project is nearing completion, and the Owner is in the process of retail level leasing and build out. Currently, the Owner is working with a potential retail tenant for a portion of the ground floor of the Project along N Street, SE.

The prospective retail tenant is proposing to add a mezzanine measuring approximately 1,087 GFA. To determine whether the proposed mezzanine could be constructed within the Project density approved by the Commission, you have requested HCM to provide a certification as to the actual constructed GFA of the Project as of the date of this letter. On February 27, 2020, using the current as-built construction drawings for the Project, HCM determined the actual amount of GFA currently within the Project to be approximately 462,355 GFA. This is approximately 355 GFA lower than what is reflected on the attached DCRA Zoning Data Summary.

As stated above, the Owner is working with a potential retail tenant that is proposing to add a mezzanine measuring approximately 1,087 GFA. Based upon our most recent measurement of 462,355 GFA, the mezzanine would increase the Project's total GFA to approximately 463,422 GFA. This would result in an overall density for the Project of approximately 6.831900936 FAR.

Should you have any questions or need further information, please do not hesitate to contact me.

Thank you,
Hord Coplan Macht



John J. Harris, AIA

EXHIBIT F
PRELIMINARY TENANT DRAWINGS

TAPHOUSE 99 / KILWINS

1250 HALF STREET SE
SUITE N100
WASHINGTON, DC 20003



PURPLE CHERRY
architects

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Arlington, VA 22202
info@purplecherry.com
410.990.1700 Fax: 410.990.1704

SHEET INDEX

C-001	COVER SHEET
G-004	CODE DATA, FIRE SEPARATION, LIFE SAFETY AND EGRESS PLAN
A-101	LEVEL 1, FLOOR PLAN AND DOOR SCHEDULE
A-102	MEZZANINE LEVEL - TAPHOUSE FLOOR PLAN
A-103	EXTERIOR ELEVATION
A-104	BUILDING SECTION

PRELIMINARY
NOT FOR CONSTRUCTION - PROGRESS PRINT
MAY OR MAY NOT CONTAIN ALL PROJECT SCOPE INFORMATION

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TAPHOUSE 99 /
KILWINS
1250 HALF STREET SE
SUITE N100
WASHINGTON, DC 20003

DRAWING	DATE
PROGRESS	09/19/2020

REVISION SCHEDULE		
1	REVISION	DATE

JOB NO: 14-029
DRAWN BY: MCA

COVER SHEET

C-001

APPLICABLE NATIONAL AND LOCAL

Building Codes:
 2013 District of Columbia Building Code
 2013 District of Columbia Fire Code
 2013 District of Columbia Green Construction Code
 2013 District of Columbia Property Maintenance Code

Mechanical Codes:
 2013 District of Columbia Mechanical Code
 ASHRAE 90.1-2010 (minimum requirements for this building)
 2013 District of Columbia Plumbing Code

Electrical Codes:
 2011 National Electrical Code and local amendments

Energy Codes:
 2013 District of Columbia Energy Conservation Code

FIRE PROTECTION NOTES:

EMERGENCY ILLUMINATION
 A. EMERGENCY ILLUMINATION SHALL BE PROVIDED FOR A MINIMUM OF 1-1/2 HOURS IN THE EVENT OF FAILURE OF NORMAL LIGHTING. EMERGENCY LIGHTING FACILITIES SHALL BE ARRANGED TO PROVIDE INITIAL ILLUMINATION THAT IS NOT LESS THAN AN AVERAGE OF 1 FT CANDLE (0.09 LUX) AND, AT ANY POINT, NOT LESS THAN 0.1 FT CANDLE (1 LUX), MEASURED ALONG THE PATH OF EGRESS AT FLOOR LEVEL. ILLUMINATION LEVELS SHALL BE PERMITTED TO DECLINE TO NOT LESS THAN AN AVERAGE OF 0.1 FT CANDLE (0.09 LUX) AND, AT ANY POINT, NOT LESS THAN 0.05 FT CANDLE (0.05 LUX) AT THE END OF 1 1/2 HOURS. A MAXIMUM-TO-MINIMUM ILLUMINATION UNIFORMITY RATIO OF 40 TO 1 SHALL NOT BE EXCEEDED. PER DFC SECTION 1006.

B. THE EMERGENCY LIGHTING SYSTEM SHALL BE ARRANGED TO PROVIDE THE REQUIRED ILLUMINATION AUTOMATICALLY IN THE EVENT OF ANY INTERRUPTION OF NORMAL LIGHTING DUE TO ANY OF THE FOLLOWING: (1) FAILURE OF A PUBLIC UTILITY OR OTHER OUTSIDE ELECTRICAL POWER SUPPLY; (2) OPENING OF A CIRCUIT BREAKER OR FUSE; (3) MANUAL ACT, INCLUDING ACCIDENTAL OPENING OF A SWITCH CONTROLLING NORMAL LIGHTING FACILITIES. PER DFC SECTION 1006.

C. EXISTING BATTERY-OPERATED EMERGENCY LIGHTS SHALL USE ONLY RELIABLE TYPES OF RECHARGEABLE BATTERIES PROVIDED WITH SUITABLE FACILITIES FOR MAINTAINING THEM IN PROPERLY CHARGED CONDITION. BATTERIES USED IN SUCH LIGHTS OR UNITS SHALL BE APPROVED FOR THEIR INTENDED USE AND SHALL COMPLY WITH NFPA 70, NATIONAL ELECTRICAL CODE, PER DFC SECTION 1006.

PORTABLE FIRE EXTINGUISHERS

A. PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED IN THE BUILDING AS REQUIRED BY CODE AND AS INSTRUCTED BY THE FIRE MARSHAL.

INTERIOR FINISHES

A. INTERIOR FINISHES (i.e. WALLS, CEILING TILE, ETC.) SHALL HAVE A FLAME SPREAD RATE OF 75 OR LESS WITH A MAXIMUM SMOKE GENERATION FACTOR OF 40 PER DFC SECTION 804.

B. INTERIOR FLOOR FINISH SHALL BE CLASS I OR CLASS II RATED BY NFPA 253, AS PER DFC SECTION 804.1.1 - 804.3.2.

DOORS AND DOOR HARDWARE

A. ALL DOOR LOCK SETS SHALL BE LEVER TYPE, CONFORMING TO ALL STATE, COUNTY, AND HANDICAP (ADA) REQUIREMENTS.

B. ALL DOOR LOCK SETS SHALL BE MOUNTED NO HIGHER THAN 48" ABOVE THE ADJACENT FINISHED FLOOR SURFACE TO THE CENTER OF THE LATCH HARDWARE.

C. ALL DOOR THRESHOLDS SHALL NOT EXCEED 1/2" IN HEIGHT MEETING ALL HCP (ADA) REQUIREMENTS.

D. CLOSERS ON ACCESSIBLE DOORS SHALL BE ADJUSTED TO ALLOW A MINIMUM OF A 3 SECOND DELAY TO MOVE FROM AN OPEN POSITION OF 90 DEGREES TO A POINT 3" FROM THE LATCH.

E. CLOSERS ON ACCESSIBLE DOORS SHALL OPERATE AT A FORCE LESS THAN 8.5 LBS. FOR EXTERIOR DOORS AND LESS THAN 5 LBS. FOR INTERIOR DOORS.

F. A LATCH OR HANDLE OR OTHER FASTENING DEVICE ON A DOOR SHALL BE PROVIDED WITH A LEVER HANDLE AND/OR PANIC BAR OR OTHER SIMPLE TYPE OF RELEASE DEVICE HAVING AN OBVIOUS METHOD OF OPERATION UNDER ALL LIGHTING CONDITIONS. DOORS SHALL BE OPERABLE WITH NO MORE THAN ONE RELEASING OPERATION PER DFC.

G. DOOR LEAVES SHALL BE ARRANGED TO BE OPENED READILY FROM THE EGRESS SIDE WHENEVER THE BUILDING IS OCCUPIED. PER DFC.

H. PER NFPA 101 EXIT DOOR LOCKS, IF PROVIDED, SHALL NOT REQUIRE THE USE OF A KEY TOOL, SPECIAL KNOWLEDGE OR EFFORT IN OPERATION WITHIN THE BUILDING.

I. PER DFC, THE FLOOR ON BOTH SIDES OF ALL DOORWAYS SHALL BE SUBSTANTIALLY LEVEL AND SHALL HAVE THE SAME ELEVATION ON BOTH SIDES OF THE DOORWAY FOR A DISTANCE AT LEAST EQUAL TO THE WIDTH OF THE WIDEST LEAF PER DFC.

J. EXIT DOORS SHALL BE PROVIDED WITH APPROVED PANIC HARDWARE, AS PER DFC.

K. EVERY CLOSET DOOR LATCH SHALL BE SUCH THAT CLIENTS CAN OPEN THE DOOR FROM INSIDE OF CLOSETS, AS PER DFC.

L. EVERY BATHROOM DOOR LOCK SHALL BE DESIGNED TO ALLOW OPENING OF THE LOCKED DOOR FROM THE OUTSIDE BY AN OPENING DEVICE THAT SHALL BE READILY ACCESSIBLE TO THE STAFF AS PER DFC

THROUGH PENETRATION FIRESTOP SYSTEM

A. THROUGH PENETRATIONS SHALL BE PROTECTED BY AN APPROVED PENETRATION FIRESTOP SYSTEM INSTALLED AS TESTED IN ACCORDANCE WITH ASTM E 814 OR UL 1479, WITH A MINIMUM POSITIVE PRESSURE DIFFERENTIAL OF 0.01 WCH (7.48 Pa) OF WATER AND SHALL HAVE AN RATING OF NOT LESS THAN THE REQUIRED FIRE RESISTANCE RATING OF THE WALL PENETRATED. PER 2013 DCBC 714.3.1.2

PROJECT BUILDING CODE OVERVIEW

TYPE OF CONSTRUCTION	1B (EXT'G BUILDING)
BUILDING AREA (BY FLOOR)	
TENANT 1 (TAP HOUSE) FIRST FLOOR	2,766 S.F.
TENANT 2 (KILWIN'S) FIRST FLOOR	1,171 S.F.
TOTAL AREA = 3,937 S.F.	
OCCUPANCY USE GROUPS:	
SPRINKLER SYSTEM	A-2 A-2
OCCUPANCY USE AREA:	NFPA 13 NFPA 13
	2,766 S.F. 1,171 S.F.

DCBC 2013 Section 503: General Height and Area Limitations

Table 503.1 Allowable Height and Number of Stories	Occupancy
Tenant Occupancy Groups and Divisions	A-2
Building Construction Type	1B
Building Maximum Height (Feet)	160'
Building Maximum Number of Stories	11 STORY (EXT'G)

Actual Number of Stories: 11 STORY (EXT'G)
 * Per IBC Section 904.2 Automatic Sprinkler System Increase.

Allowable Floor Area:	
Occupancy Group	A-2
Building Construction	1B
Basic Allowable Floor Area	UNLIMITED

FLOOR AREA (FIRE AREA)

TENANT 1 (TAP HOUSE) FIRST FLOOR	2,766 SF
TENANT 1 (TAP HOUSE) MEZZANINE	817 SF
TENANT 2 (KILWIN'S) FIRST FLOOR	1,171 SF
TOTAL FLOOR AREA (FIRE AREA)	4,754 SF

DCBC 2013 Section 505: Mezzanines and Equipment Platform

Table 505.2.1: Allowable Area (NET)	Occupancy	Note:
Open area from Tap House below	1,636 SF	
Allowable - Mezzanine	818 SF	50% of open area
Actual - Mezzanine	817 SF	49% of open area
Allowable - Equipment Platform	272 SF	Combined 2/3 w/ Mezzanine
Actual - Equipment Platform	221 SF	
TOTAL ALLOWABLE AREA-	1,090 SF	
TOTAL ACTUAL AREA-	1,038 SF	

DEFINITION: INSIDE FACE OF EXISTING 2 HR WALL ASSEMBLY / INSIDE FACE OF STOREFRONT GLAZING

1. THE AGGREGATE AREA OF MEZZANINES IN BUILDINGS AND STRUCTURES OF TYPE I OR II CONSTRUCTION SHALL BE NOT GREATER THAN ONE-HALF OF THE FLOOR AREA OF THE ROOM IN BUILDINGS AND STRUCTURES EQUIPPED THROUGHOUT WITH AN APPROVED AUTOMATIC SPRINKLER.

2. MEZZANINES OR PORTIONS THEREOF ARE NOT REQUIRED TO BE OPEN TO THE ROOM IN WHICH THE MEZZANINES ARE LOCATED, PROVIDED THAT THE OCCUPANT LOAD OR THE AGGREGATE AREA OF THE ENCLOSED SPACE IS NOT GREATER THAN 10.

3. WHERE AN EQUIPMENT PLATFORM IS LOCATED IN THE SAME ROOM AS A MEZZANINE, THE AREA OF THE MEZZANINE SHALL BE DETERMINED BY SECTION 505.2.1 AND THE COMBINED AGGREGATE AREA OF THE EQUIPMENT PLATFORMS AND MEZZANINES SHALL BE NOT GREATER THAN TWO-THIRDS OF THE ROOM IN WHICH THEY ARE LOCATED.

DCBC 2013 Section 601 and Section 602:

NOTES:
 TABLE BASED ON BUILDINGS EQUIPPED THROUGHOUT W/ AN SPRINKLER SYSTEM INSTALLED IN ACCORDANCE W/ SECTION 903.3.1.1

Type of Construction:	DCBC Table 601, Type I B
Structural Frame	0 Hour
Exterior Bearing Walls	0 Hour
Interior Bearing Walls	0 Hour
Interior Nonbearing Walls and Partitions	0 Hour
Floor Construction	0 Hour
Roof Construction	0 Hour

DCBC 2013 Section 803: Wall and Ceiling Finishes

Table 803.9: Interior Wall and Ceiling Finish Requirements by Occupancy

Group	Vertical Exits and Exit Passageways	Exit Access Corridors & Other Exits	Rooms & Enclosed Spaces
A-2	B	B	C

DCBC 2013 Section 903: Automatic Sprinkler Systems

Section 903.2.9	Occupancy	A-2
DCBC	REQUIRED	
Provided	YES NFPA 13	

NOTES:
 An Automatic Sprinkler System is provided throughout the building for the A-2 Occupancy

DCBC 2013 Section 1004: Occupant Load

Design Occupancy	Square Footage	Gross Net Floor Area	92 SEATS	Sq. Ft. Per Occupant	TOTAL
TENANT 1 (TAP HOUSE) DINING	A-2	N/A	92	1	1
TENANT 1 (TAP HOUSE) DISH RM.	A-2	136	200 GROSS	1	1
TENANT 1 (TAP H. MEZZ) KITCHEN	A-2	616	200 GROSS	4	4
TENANT 1 (TAP HOUSE) PATIO DINING	A-2	437	15 NET	30	30
TENANT 2 (KILWIN'S) SALES AREA	M	462	30 GROSS	16	16
TENANT 2 (KILWIN'S) KITCHEN	A-2	162	200 GROSS	3	3
TENANT 2 (KILWIN'S) PATIO DINING	A-2	272	15 NET	14	14
Total Occupancy Load			Total		160

DCBC 2013 Section 1014: Exit Access Common Path

Occupancy	Without Sprinkler System	With Sprinkler System
Occupant Load ≤ 30	> 30	
B	N/A	N/A
A-2	N/A	N/A

NOTE: The common path of egress travel shall not exceed the common path of egress travel distances in Table 1014.3.

DCBC 2013 Section 1016: Exit Access Travel Distance

Maximum Travel Distance Required
 Maximum allowable travel distance from any location in the building to an exit, A-2 = 200'-0" feet
 Increase for Sprinklers A-2 Occupancy = 250'-0" feet

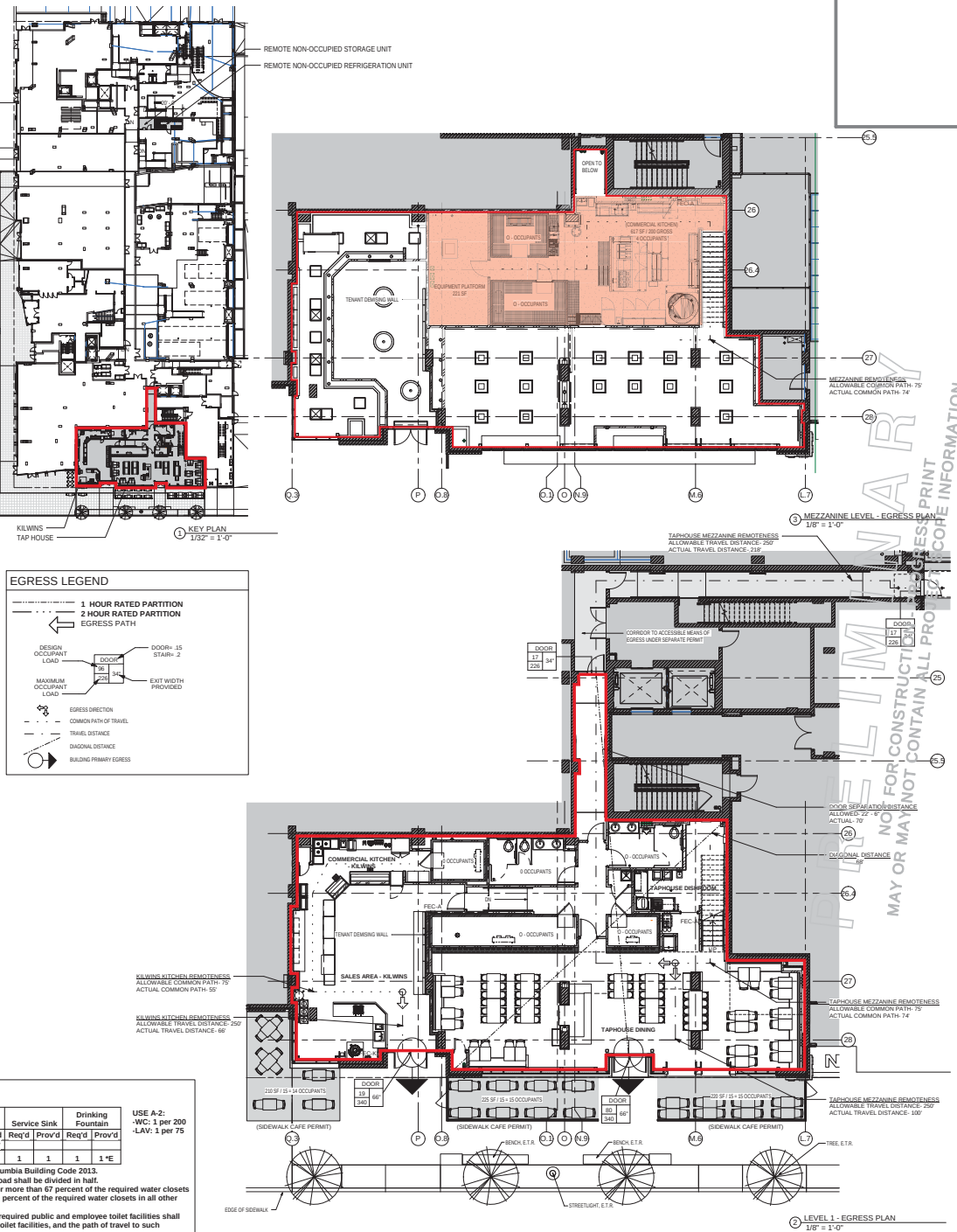
NOTE: Where two exits or exit access doorways are required from any portion of the exit access, the exit doors or exit access doorways shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between exit doors or exit access doorways.
 Where a building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance of the exit doors or exit access doorways shall not be less than one-third of the length of the maximum overall diagonal dimension of the area served.

DCPC 2013 Section 403: Minimum Plumbing Facilities:

Table 403.1 Minimum Number of Required Plumbing Fixtures

Occ Type	Area	Occupancy	Occupants (50%)	WC/Urinals	Lav	Service Sink	Drinking Fountain
A-2	4,764	160	80	2 1/2	2 1/2	1	1

A. Per DCPC 2012 403.1, the number of occupants shall be determined by the District of Columbia Building Code 2013.
 B. Per DCPC 2012 403.1.1, To determine the occupant load of each sex, the total occupant load shall be divided in half.
 C. Per DCPC 2012 419.2, In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals shall not be substituted for more than 50 percent of the required water closets in all other occupancies.
 D. Per DCPC 2012 403.3.3, in occupancies other than covered and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet.
 E. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants.



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TAPHOUSE 99 / KILWIN'S
 1250 HALF STREET SE
 SUITE 1000
 WASHINGTON, DC 20003

DRAWING	DATE
PROGRESS	09/10/2019

REVISION SCHEDULE	
REVISION	DATE
1	

JOB NO: 14-009
 DRAWN BY: JAC

CODE DATA, FIRE SEPARATION, LIFE SAFETY AND EGRESS PLAN

G-004



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MEP ENGINEER

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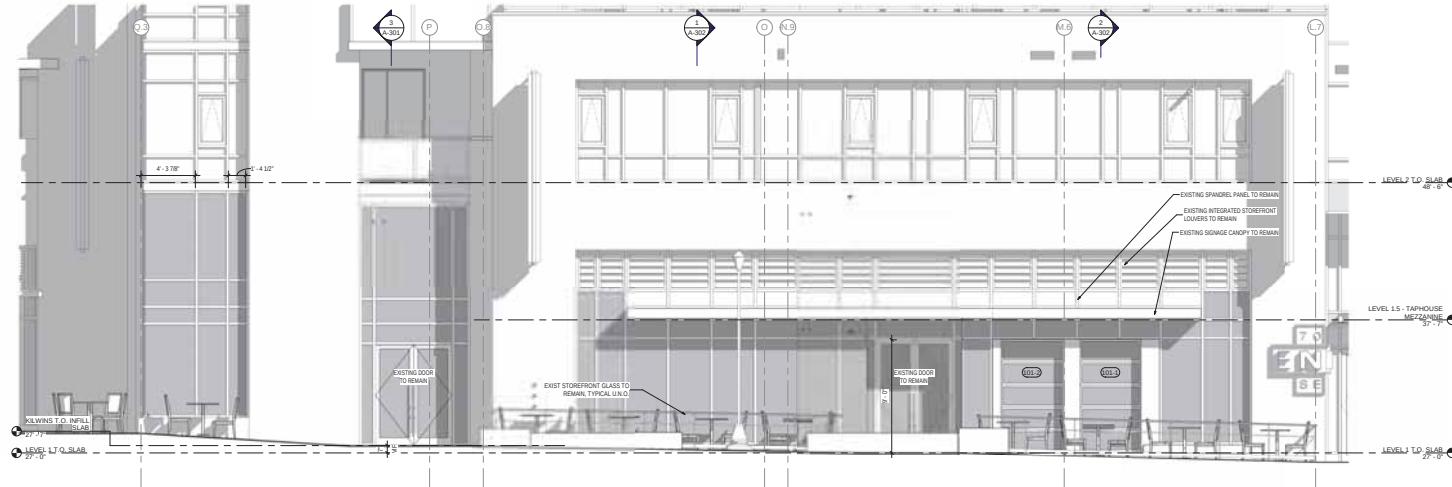
DRAWING	DATE
PROGRESS	09/19/2020

REVISION SCHEDULE	
REVISION	DATE
1	

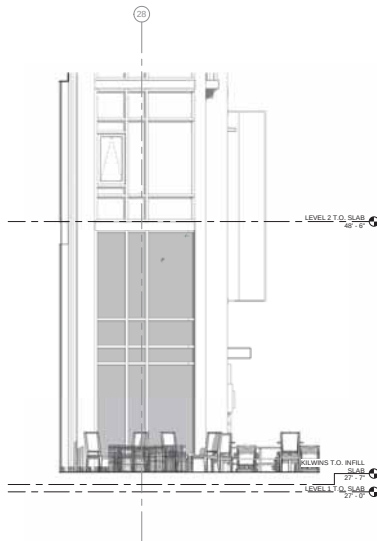
JOB NO: 14-029
DRAWN BY: JJC

EXTERIOR
ELEVATION

A-201



① EXTERIOR ELEVATION - SOUTH
1/4" = 1'-0"



② EXTERIOR PARTIAL ELEVATION - WEST
1/4" = 1'-0"



PRELIMINARY
NOT FOR CONSTRUCTION - PROGRESS PRINT
MAY OR MAY NOT CONTAIN ALL PROJECT SCOPE INFORMATION



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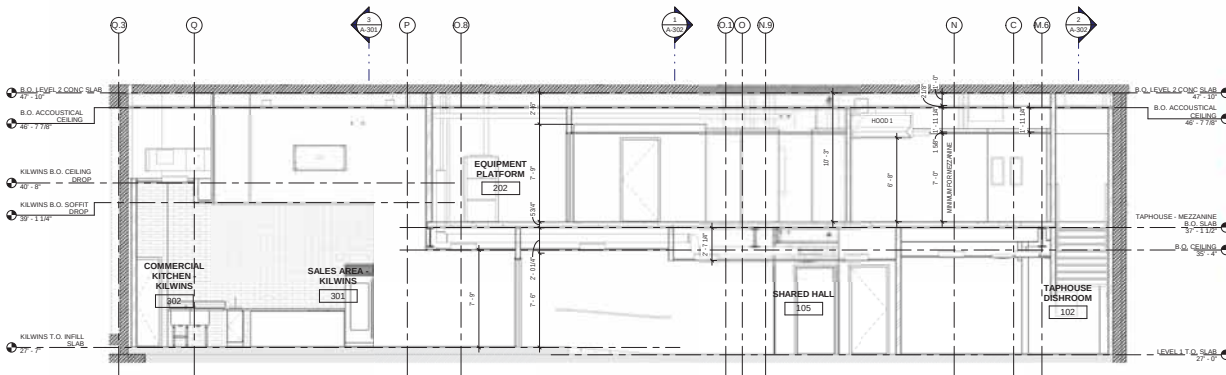
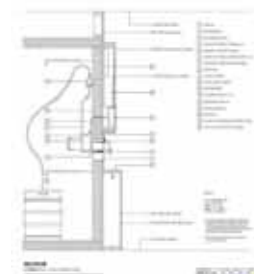
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PROGRESS	09/19/2020

REVISION SCHEDULE	
REVISION	DATE
1	

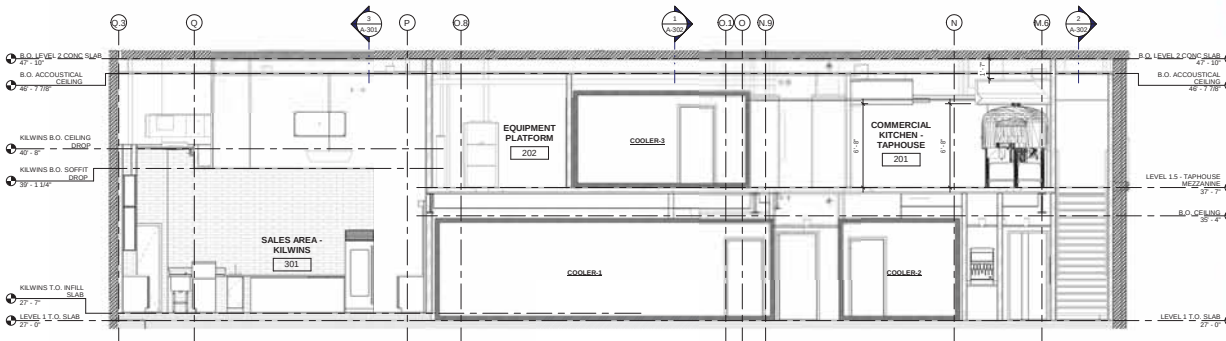
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BUILDING SECTION

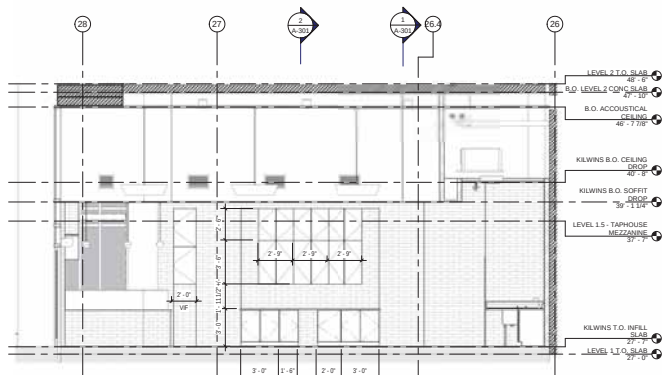
A-301



1. BUILDING SECTION 1
1/4" = 1'-0"



2. BUILDING SECTION 2
1/4" = 1'-0"



3. BUILDING SECTION 3
1/4" = 1'-0"

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