

November 12, 2024

Via IZIS

Anthony Hood, Chairman
District of Columbia Zoning Commission
441 4th Street, NW, Suite 210-S
Washington, DC 20001

Re: **Zoning Commission Case No. 06-46F: REVISED Application of Half Street Residential PJV, LLC for Modification Without Hearing of the Approved Design Review for the Property Located at 1250 Half Street SE (Square 701, Lots 857, 858, and 859) (the “Property”)**

Dear Chairman Hood and Members of the Zoning Commission:

On behalf of Half Street Residential PJV, LLC (the “**Applicant**”), we submit this revised statement and attached exhibit to replace those in the record at Exhibits 2 and 2C, respectively, for the above-referenced case, which is scheduled for deliberation at the December 19, 2024 public meeting.

This application is a request for a Modification Without Hearing to modify the use mix and limited aspects of exterior design of the existing mixed-use residential and retail building at 1250 Half Street SE (the “**Modification**” or “**Project**”). As described below, the Applicant proposes to convert the existing second-floor retail space into lodging, with the flexibility to later convert it into residential use. This Modification will amend the approved plans to include the area proposed for conversion to allow lodging with the flexibility to later convert to residential use.

I. Background

Located in in the Navy Yard/Ballpark neighborhood, the Property is bounded by mixed-use developments to the north and east, N Street SE to the south, and Half Street SE to the west. It is directly across N Street from the Nationals Ballpark. The Property is located in the CG-4 Zone District. The Property is currently improved with a nine-story mixed-use building, known as The Kelvin, containing approximately 463,854 square feet of GFA, which includes approximately 403,215 square feet of residential use (312 units) and approximately 60,630 square feet of retail use (the “**Building**”). The Applicant received Design Review approval in Z.C. Order No. 06-46B to develop the Property with flexibility to include a combination of residential, retail, and

hospitality uses throughout the Building. Notably, the Building's second floor was marked solely for retail use.

By Z.C. Order No. 06-46B, issued in July 2015, the Commission approved modifications to two mixed-use buildings jointly approved in Z.C. Case No. 06-46 and modified in 06-46A. The Building is to the south and was approved for a maximum height of 110 feet with a maximum density of 6.83 FAR. The maximum residential gross floor area ("GFA") has an approved range of approximately 318,400 – 402,800 square feet, the maximum retail GFA range is approximately 55,100 – 69,200 square feet, and the maximum hospitality (hotel) GFA range is approximately 0 – 78,300 square feet.

By Z.C. Order No. 06-46C, issued in October 2016, the Commission approved a minor modification to permit the addition of and modifications to penthouse habitable space. The revised penthouse added approximately 9,936 square feet of floor area to the penthouse.

By Z.C. Order No. 06-46D, issued in August 2017, the Commission approved a modification of consequence and granted special exception relief to permit a bowling alley use on the second floor, to modify some of the Building's facades, and to modify the design of Monument Place. Monument Place is a pedestrian walkway located between the mixed-use building and office building to the north.

Finally, by Z.C. Order No. 06-46E, issued in October 2019, the Commission approved another modification of consequence to modify the plans approved in Z.C. Order No. 06-46D to add one static illuminated sign and two digital signs on the building at the corner of Half and N Street SE.

No other modifications or actions have been requested for the Property or Building.

II. Justification for Requested Modification

As constructed, the Building currently contains approximately 24,242 GSF of second floor retail space on its north side. Until a little more than a year ago, this space was occupied by Swingers, a bar/restaurant with mini golf. The space has remained vacant since Swingers left.

Due to the loss of Swingers and the difficulty in leasing second floor retail space, the Applicant now proposes to convert that second-floor retail space into lodging with the flexibility to later convert to residential use. The area proposed for conversion is shown in the updated plans attached as Exhibit A ("**Updated Plans**"), and it will result in 16 lodging units. If the Applicant thereafter converts these lodging units into residential use, then the conversion will result in approximately one (1) Inclusionary Zoning unit.¹ Along with that potential conversion to residential use, the Applicant would make minor exterior changes to add operable windows and exhaust vents in the conversion area.

¹ In accordance with Subtitle C §§ 1001.2 - .4.

Although the uses approved for the Building under Z.C. Order No. 06-46B included lodging (hospitality) and residential, the approved plans do not show the second-floor area proposed for conversion as including either use. Therefore, the proposed Modification is necessary to revise the plans for the current second-floor retail space to be converted to lodging with the flexibility to later convert to residential use.

As shown in the Updated Plans, the Project design remains consistent with the overall design concepts and program originally approved by the Commission, and the revised plans merely reflect the new lodging or residential use and, potentially, very minor refinements to the Building's façade, as discussed above. The proposed changes are almost entirely limited to an interior reconfiguration of the second floor, and the mix of uses is still consistent with the intent of that approved by the Commission previously. The proposed Modification will not change the approved overall building FAR or other zoning metrics, and the façade design and materials remain wholly consistent with the design intent originally approved by the Commission and reviewed by the community.

In order to effectuate the above-described modifications to the approved Design Review, the Applicant requests that Condition No. 2 of Z.C. Order No. 06-46, as amended in Z.C. Order No. 06-46A, 06-46B, 06-46C, 06-46D, and 06-46E, be amended as follows (proposed deletions shown in **bold** and ~~striketthrough~~; additions shown in **bold** and underlined text):

2. The project shall be built in accordance with the Architectural Plans and Elevations, marked "Exhibit A" in the post-hearing filing, dated January 25, 2007, at ~~and marked~~ Exhibit 33 in ~~the record of the case~~ **Z.C. Case No. 06-46** as modified by:
 - the Architectural Plans and Elevations dated January 7, 2008, at Exhibit 7 in Z.C. Case 06-46A;
 - the Architectural Plans and Elevations dated June 15, 2015, at Exhibit 22 in Z.C. Case 06-46B;
 - the Architectural Plans and Elevations dated May 11, 2016, at Exhibit 2B in Z.C. Case 06-46C;
 - the Architectural Plans and Elevations dated June 12, 2017, at Exhibit 12 in Z.C. Case 06-46D;
 - the Architectural Plans and Elevations dated August 29, 2019, at Exhibit 1A in Z.C. Case 06-46E;
 - **the Architectural Plans and Elevations dated [], at Exhibit [] in Z.C. Case 06-46F; and**
 - the guidelines, conditions, and standards below.

III. Satisfaction of Standards of Subtitle Z § 703 (Modification Without Hearing)

Under Subtitle Z § 703.6 of the Zoning Regulations, a Modification Without Hearing “is a modification in which impact may be understood without witness testimony, including, but not limited to a proposed change to a condition in the final order, a change in position on an issue

discussed by the Commission that affected its decision, or **a redesign or relocation of architectural elements** and open spaces from the final design approved by the Commission.” (Emphasis added.) The Modification proposed in this application are only a minor and primarily interior redesign of the second floor for lodging with the flexibility to convert to residential use by amending the Architectural Plans and Architectural Plans initially referenced in Z.C. Case No 06-46, as amended in in Z.C. Order No. 06-46A, 06-46B, 06-46C, 06-46D, and 06-46E. The proposed revisions do not seek a change in use nor require additional relief or flexibility from the Zoning Regulations. Accordingly, the proposed Modification qualifies as a Modification Without Hearing.

The Applicant is sending this application simultaneously to Advisory Neighborhood Commissions (“ANC”) 8F, which is the affected ANC.

IV. Conclusion

The proposed Modification is entirely consistent with the Zoning Commission’s previous approval of the Design Review and, as discussed above, comports with the definition of a Modification Without Hearing. The Modification merely seeks to identify and allow lodging use on the second floor of the Building with the flexibility to later convert to residential use. Accordingly, the Applicant respectfully requests that the Commission consider and approve this application as a Modification Without Hearing pursuant to Subtitle Z § 703.

If you have any questions or comments regarding the proposed modification, please contact the undersigned. Thank you for your attention to this application.

Respectfully Submitted,

/s/ _____
Cary Kadlecek

/s/ _____
Derick Wallace

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document and attachments were sent to the following by email on November 12, 2024:

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/s/ _____
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