

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: January 16, 2009
SUBJECT: **Public Hearing Report for ZC #08-30**
Akridge Half Street
Zoning Commission Design Review Under the Capitol Gateway Overlay

I. RECOMMENDATION

The Office of Planning is very supportive of the project however cannot make a recommendation at this time. As noted in this report significant additional information is required to make a complete evaluation of the project.

II. APPLICATION-IN-BRIEF

Location: Square 700, Lots 33, 802, 840, 841, 850, 857, 864, 865, 868, 871, 872
Ward 6, ANC 6D
Applicant: Akridge Development
Current Zoning: CR / CG (Commercial Residential / Capitol Gateway Overlay)
Proposed Development: Develop a 110' mixed use buildings with residential, office and retail.
Relief and Zoning: Pursuant to 11 DCMR §1610.7, the following relief is required in order to develop as proposed:

1. Variance from percentage of lot occupancy (§634.1);
2. Variance from rooftop structure setback requirements (§639);
3. Special exception from other rooftop structure requirements (§639);
4. Variance from M Street setback requirement (§1604.3);
5. Variance from building step back requirements (§1607.2);
6. Variance from percentage of ground floor preferred uses (§1607.3);
7. Variance from height of ground floor preferred uses (§§1604.7 and 1607.5);
8. Variance from loading requirements (§2201);

ZONING COMMISSION
District of Columbia

CASE NO. ZONING COMMISSION 08-30
District of Columbia
CASE NO. 08-30
EXHIBIT NO. 14
EXHIBIT NO. 14

III. EXECUTIVE SUMMARY

The applicant, Akridge Development, is seeking Zoning Commission design review approval pursuant to 11 DCMR Chapter 16, the Capitol Gateway Overlay District (CG Overlay), in order to construct a mixed use buildings near the baseball stadium in Southeast. No PUD or rezoning approval is required. The northern portion of the building will be used for office uses while the southern end will be residential. The ground floor of the entire building will be primarily retail. The Office of Planning generally supports the application and feels that it will provide an attractive gateway to the baseball stadium, provide for pedestrian movement to and from the Navy Yard metro station and help achieve an active, mixed use neighborhood, all in keeping with the objectives of the CG Overlay. More information is required, however, about the architecture and building operations in order for the Office of Planning to complete its evaluation.

IV. SITE AND AREA DESCRIPTION

The subject property is located on the west side of Half Street, SE between M and N Streets. The site is the eastern half of Square 700. The site is bounded on the west by Van Street. M and N Streets have 90 foot rights-of-way, Half Street has an 80 foot right-of-way, and Van Street has a 50 foot right-of-way. In 2007 the Commission approved a design review application for Monument Realty on the east side of Half Street (#06-46). That project will consist of, from north to south, an office building, a hotel and two residential buildings. Work on the office building is nearing completion. An entrance to the Navy Yard metro station is under the new office building, which is directly across the street from the subject property. Other nearby development includes the following:

- North – Office building with retail, St. Vincent de Paul Church, surface parking
- South – Parking garage for the baseball stadium, stadium entry plaza
- West – Self-storage facility, closed gas station, closed take-out restaurant

As of this writing, the subject property is mostly occupied by the former WMATA bus garage. WMATA ceased operations in the garage and transferred the property to Akridge in 2008. The southern portion of the property had once housed commercial uses but the small buildings were demolished in recent years. The property is relatively flat but does slope slightly up from Half Street to Van Street. The subject site is zoned CR / CG (Commercial Residential / Capitol Gateway Overlay), as are all the adjacent properties south of M Street. On the north side of M Street the properties are zoned C-3-C / CG or simply C-3-C. Please refer to the Vicinity Map in Attachment 1.

V. PROJECT DESCRIPTION

The applicant is proposing to construct a single mixed use building on the west side of Half Street that would span from M to N Streets. The proposed building would be 110 feet tall and have an FAR of 7.9. The application also proposes three levels of underground parking with

over 600 parking spaces, more than the 373 required. The design proposes four 30 foot loading bays.

A private 30 foot wide alley, known as the “Via,” would bisect the building at ground level, but the building would remain connected at two points on upper floors. Retail would be the primary use at the ground level, and residential and office uses would be on upper levels. The Via, together with the approved private alley across Half Street, would form an intersection and activity focal point for Half Street. This through-block connection would enhance pedestrian movement and provide access to additional retail frontage. Van Street, while used for loading and parking entry, would also provide some retail access. It is the applicant’s plan to allow individual retailers to customize their retail façades.

The entire portion of the building north of the Via, and part of the building south of the Via, is planned for office use; the southern half of the site is planned for residential use. The office portion of the building, which is nine stories tall, would have two lobbies – one on M Street and one on Half Street. The mass of the office portion of the building would be generally rectangular but with an angled element striking through the building from M Street to Half Street. This element is echoed in the office portion of the building south of the Via. These angled building elements would create some intrusions into public space and required step backs. Two bridges would connect the office portions of the building at the 3rd and 6th floors. In addition to the enclosed bridges, open-air walkways would be located on top of the bridge structures. An architectural embellishment at the corner of Half and M Streets would incorporate a wire mesh screen that would be illuminated from below. Proposed materials on the office portion of the building include copper cladding, roman brick and stone and glass.

The residential lobby would be on Half Street. The residential portion of the building, which is ten stories tall, would form a U Shape with units overlooking streets as well as a partially enclosed central courtyard. Most units would have balconies and the building design would incorporate significant outdoor areas both on the second floor level and on the rooftop. Proposed materials on the residential portion of the building include stone, brick, glass and what appears from the elevations to be metal panel. Arch-like elements clad in the metal panel would face south to present a notable edifice toward the baseball stadium.

Subsequent to the initial submission, the Office of Planning received plan drawings showing the applicant’s proposal for the streetscape along Half Street. Although the public realm is not a zoning matter, understanding what could happen in public space is important for a review under the Capitol Gateway Overlay, as the Overlay seeks to create a vibrant pedestrian environment through the interaction of the buildings and the street. The proposal shows a variety of brick types for the sidewalks and crosswalks on M, N and Half Streets, and proposes slate blocks as pavers for the Via and for Van Street. Half Street would be paved with Belgian block and granite. The street would have no curb. The streetscape concept also shows trees, benches, kiosks and outdoor seating for retail. The applicant is coordinating with Monument Realty on the public space proposal, and DDOT will need to approve any design.

OP is generally supportive of the massing and overall design of the proposal. The Capitol Gateway Overlay, as described in additional detail later in this report, seeks to create an active pedestrian and transit-oriented environment and a vibrant entertainment district, especially along Half Street south of M Street. In order to fully evaluate the application against the general intent and specific criteria of the Overlay, and evaluate the required zoning relief, significant additional information is required. The following information should be submitted:

- Information on the number of retail bays anticipated (the number of retailers), the number of entrances to the retail and the size of retail spaces;
- Perspective views / renderings from pedestrian level – from both immediately in front of the building and down the street;
- A rendering of the exterior lighting scheme;
- Plans showing the minimum clear height of ground floor retail spaces if less than 14' and its location within the retail area;
- A roof plan showing all structures – including elevator overruns, stair access points, mechanical equipment enclosures, canopies related to communal recreation space and elevated pool decks – their height, and their distance to exterior walls;
- Information on how the above-mentioned roof structures meet the requirements of §411 and the Height Act;
- Information about the percentage of green roof;
- A LEED checklist for the entire project as a whole;
- Information on how retailers access the trash room;
- Information about the number of residential units and their breakdown by number of bedrooms;
- Information showing that the proposed loading will be sufficient;
- Resolve discrepancies within the plans – Elevations of rooftop structures, Ramp leading to a dead end on the ground floor of the residential portion of the building, retail ceiling heights, M Street projection.

VI. COMPREHENSIVE PLAN

The proposed development does not require PUD or rezoning approval, and is generally consistent with most aspects of the zoning regulations, specifically height, FAR and use. As such, the proposal is generally consistent with the Comprehensive Plan and would further the following Guiding Principles of the Plan, as outlined in Chapter 2, the Framework Element:

1. Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. 217.1
6. Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development

on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. 217.6

7. Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. 217.7
24. Despite the recent economic resurgence in the city, the District has yet to reach its full economic potential. Expanding the economy means increasing shopping and services for many District neighborhoods, bringing tourists beyond the National Mall and into the city's business districts, and creating more opportunities for local entrepreneurs and small businesses. The District's economic development expenditures should help support local businesses and provide economic benefits to the community. 219.9
30. Residents are connected by places of "common ground," such as Union Station and Eastern Market. Such public gathering places should be protected, and should be created in all parts of the city as development and change occurs. 220.6
31. The District's communities are connected by a shared heritage of urban design, reflecting the legacy of the L'Enfant Plan, the McMillan Plan, the Height Act of 1910, and preservation of much of the historic urban fabric. After more than two centuries of building, the nation's capital is still a remarkable place. Urban design and streetscape policies must retain the historic, majestic, and beautiful qualities that make Washington unique among American cities. 220.7
34. As the nation's capital, the District should be a role model for environmental sustainability. Building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment. 221.3
35. Planning decisions should improve the health of District residents by reducing exposure to hazardous materials, improving the quality of surface and groundwater, and encouraging land use patterns and land uses that reduce air pollution and facilitate pedestrian and bicycle travel. 221.4

The application is also consistent with major policies from various elements of the Comprehensive Plan. The Land Use Element encourages infill development and development near metro stations (Policies LU-1.3.1 and LU-1.3.2). That element also envisions the neighborhood near the baseball stadium as one of the areas for growth of the central city, with significant office and residential development (§304.3). The Transportation Element supports transit-oriented development and discourages auto-oriented uses (T-1.1.4 and T-1.2.3). The proposed development would concentrate housing, office and retail directly across from Metro, provide significant bicycle parking, and improve the streetscape to encourage walking. The

Economic Development Element talks about the need to accommodate the continuing growth of the office sector, and suggests the area near South Capitol Street as one location for new office development (§707.6). Policies also seek to enhance DC as a regional shopping destination and also promote “new and enhanced visitor and entertainment venues” to draw national and international visitors (Policies ED-2.2.2 and 2.3.2).

The Lower Anacostia Waterfront / Near Southwest Area Element encourages the development of new neighborhoods on lands that are vacant or available for redevelopment, and especially emphasizes the need to provide additional retail options for these areas (Policies AW-1.1.2 and 1.1.3). That element goes on to emphasize the need for a pedestrian friendly environment and the improvement of M Street, SE into a “graciously landscaped urban boulevard” (Policies AW-1.1.6 and 1.1.9). The proposed development would be a major factor in creating a new, walkable and mixed use neighborhood in near southeast and would not be inconsistent with the policies of the Comprehensive Plan.

VII. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan’s Generalized Policy Map describes this neighborhood as a Land Use Change Area. The Comprehensive Plan anticipates and encourages the redevelopment of underutilized sites in Land Use Change Areas. Plan policies promote a mix of uses in these areas as well as “exemplary site and architectural design” (Comprehensive Plan, §223.12). The plan notes that these areas have the potential to become complete mixed use communities (§223.11). The Future Land Use Map designates this area for a mix of High Density Residential and High Density Commercial uses. These designations are the most dense in the city and are characteristic of areas like downtown. The proposed development is not inconsistent with the Comprehensive Plan’s land use map designations.

VIII. ANACOSTIA WATERFRONT INITIATIVE

The subject site is within the Anacostia Waterfront Initiative (AWI) area. The vision of the AWI is of a clean and vibrant waterfront with a variety of parks, recreation opportunities, and places for people to meet, relax, encounter nature and experience the heritage of the waterfront. The AWI also seeks to revitalize surrounding neighborhoods, enhance and protect park areas, improve water quality and environment, and, where appropriate, increase access to the water and maritime activities along the waterfront. One of the neighborhoods designated for improvement is the Near Southeast target area, which includes the subject site. The proposed development is not in conflict with planning principles cited in the AWI for the Near Southeast target area (AWI Framework Plan, p. 119), and would particularly further the following:

1. Extend the surrounding urban fabric to the waterfront, bringing the city to the Anacostia River.
2. Build upon the current wave of public and private development to create a comprehensive vision for the Near Southeast, integrating diverse projects.
7. Emphasize mixed-use development, integrating commercial and residential areas, to form a lively and active neighborhood throughout the Near Southeast.

9. Encourage commercial development to maximize economic growth and job creation, emphasizing major street corridors and transit connections.

IX. ZONING

The subject site is zoned CR / CG (Commercial – Residential / Capitol Gateway Overlay). The CR district is designed to “help create major new residential and mixed use areas in planned locations at appropriate densities, heights and mixture of uses” (600.3(a)). The Capitol Gateway Overlay is intended to encourage a mix of uses while creating a pedestrian-friendly environment. The applicant’s proposal requires relief from specific zoning regulations listed below. OP’s analysis of each request follows.

1. Variance from percentage of lot occupancy (§634.1);
2. Variance from rooftop structure setback requirements (§639);
3. Special exception from other rooftop structure requirements (§639);
4. Variance from M Street setback requirement (§1604.3);
5. Variance from building step back requirements (§1607.2);
6. Variance from percentage of ground floor preferred uses (§1607.3);
7. Variance from height of ground floor preferred uses (§§1604.7 and 1607.5);
8. Variance from loading requirements (§2201);

1. Variance from percentage of lot occupancy (§634.1)

Lot occupancy for residential uses in the CR district is limited to 75%. At the ground floor, lot occupancy is 93%. This floor is mostly retail, but because the residential lobby is located on the ground level, lot occupancy relief is required. Based on conversations with the applicant, the floors above the ground floor would also be above 75% lot occupancy, though the actual percentage is not known at this point. The Office of Planning will be able to make a recommendation on this area of relief once complete data on the application is provided.

2. Variance from rooftop structure setback requirements (§639)

From the materials submitted to date it is impossible to assess the relief required for rooftop structures. The plans showing the roof elements – both labeled as Sheet A4 – should be revised to be more legible and to correct errors. For just one example, only areas of roof with permeable surfaces should be labeled and colored to show a green roof. OP does not generally object to the configuration of rooftop elements, but the applicant should also address how all rooftop structures are permitted under §411 and the Height Act, including roofs and arbors over outdoor terraces and elevated pool decks. Once the necessary information has been received OP can make a recommendation on this area of relief.

3. Special exception from other rooftop structure requirements (§639);

The application seeks relief from the number of rooftop structures and from the requirement that each rooftop structure be of equal height. Per §411.11, these factors can be altered by special

exception. One rooftop structure is permitted per elevator core (§411.4). From the materials submitted to date it is not clear what the total number of rooftop structures would be or what their heights would be. For one example, on one of the sheets labeled A4, the Roof Level Plan, the Terrace Roof has been noted to have an elevation of 123.34'. But the terrace below the roof has an elevation of 144.5'. These discrepancies should be fixed. Once the necessary information has been received OP can make a recommendation on this area of relief. In the past OP has not objected to similar requests for relief, usually because it results in rooftop structures that are less massive and less visually intrusive.

4. Variance from M Street setback requirement (§1604.3)

The design proposes two intrusions into the 15' setback from the M Street curb. One is an extension of the angled building element and the other is the wire mesh architectural embellishment at the corner of M and Half Streets. An internal discrepancy in the plan set makes it impossible for OP to make a recommendation on this area of relief. Sheet PO4 seems to indicate a relatively minor intrusion into the setback by the angled building element, with the western end of the element actually recessed behind the main façade. The floor plans for the building, however, show a more prominent projection into the required setback and public space.

OP thinks that the proposed design clearly meets the intent of the zoning regulations and recognizes that the cumulative design requirements of the CG Overlay and the functional requirements of the buildings create a practical difficulty for the applicant. Therefore, OP recommends approval of the variance request subject to the plans being made internally consistent and the provision of additional ground level and aerial perspectives that show the M Street corridor street wall with the projection.

5. Variance from building step back requirements (§1607.2)

Section 1607.2 governs the massing of the building on the Half Street façade. That section requires a step back of 20 feet in depth at 65 feet in height. 1607.2 also allows, by special exception, those dimensions to be altered to 12 feet in depth at 80 feet in height "for the provision of reasonable development footprints". (See Sheets PO1 and PO2 in the applicant's plan set for an illustration of these requirements.) In this case, the design proposes a non-rectilinear alignment of some of the building elements, such as the angled "strike-through" from M Street to Half Street. While part of the office portion of the building will step back at about 75 feet in height, another large portion will project into the required step back and, in fact, into public space. Most of the mass of the residential portion of the building would align with the special exception requirements (see Sheet PR6). Two areas that would not would be the convex "arches," which would not quite step back 12 feet, and the very southern part of the façade projecting up to 110 feet with no step back. The residential portion of the building would also have balconies which project into public space. In general, OP supports the form of the building.

OP thinks that the proposed design and project meet the intent of the zoning regulations and recognizes that the cumulative design requirements of the CG Overlay and the functional requirements of the buildings create a practical difficulty for the applicant. Therefore, OP

recommends approval of the variance request subject to the plans being made internally consistent and the provision of additional ground level and aerial perspectives that show the massing of the building from pedestrian perspectives.

6. Variance from percentage of ground floor preferred uses (§1607.3)

Section 1607.3 requires that 75% of the ground floor of the building be devoted to preferred uses. The application would provide ground floor retail space wherever possible on the ground floor, with the only exceptions being residential and office lobbies, loading and service space and parking access. The result is that 69% of the ground floor would be retail space. OP feels that the design would meet the intent of the regulation. OP recommends granting the required relief.

While the application would meet the intent of the regulation to provide ground floor preferred uses, the Office of Planning is concerned about the potential function of the retail space. Specifically, some retail areas have the potential to host very large retailers. OP does not object to a larger retailer, as long as the interaction between the public space and retail space remains strong. To that end OP would like to see more certainty in the potential number of retailers and the number and types of active and usable entrances that will be provided from the street.

7. Variance from height of ground floor preferred uses (§§1604.7 and 1607.5)

The height from floor to ceiling for preferred uses on the ground floor is required to be 14 feet. In conversations with the applicant, they have indicated that some back-of-house areas would not meet this requirement due to the presence of mechanical equipment. The floor plans, however, do not reflect this. Also, the building cross section on Sheet A10 shows that clear height in some retail areas would be less than 14 feet. The applicant should clarify which retail areas will have ceiling heights less than what is required. OP recommends granting relief to this provision with the condition that the lower ceiling height areas are at the rear of the retail bays, away from the street, and do not occupy a large percentage of the total retail area.

8. Variance from loading requirements (§2201)

Section 2201 requires certain loading facilities for both the residential and commercial portions of the building. The applicant is providing loading according to the following table. OP has no objection to granting the requested relief, though the applicant should demonstrate in their traffic study that the number of loading bays is sufficient.

	No. of Required Loading Spaces	No. of Provided Loading Spaces
55' berth	2	0
30' berth	1	4
20' berth	2	0
Total	5	4

X. CRITERIA OF THE CAPITOL GATEWAY OVERLAY

The Capitol Gateway Overlay District lists a number of objectives for the overlay and provides specific criteria for proposed developments. The following is OP's analysis of these standards as applied to the application.

§1600.2 The purposes of the CG Overlay District are to:

- (a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally indicated in the Comprehensive Plan and recommended by planning studies of the area;**

Residential, office and retail are the primary uses on the site. The proposed height of 110 feet and the design shown by the applicant are appropriate to an area near the center of the city, accessible by Metro, and developing with a modern style of architecture. These characteristics of the development are consistent with Comprehensive Plan policies. However, in order to fully evaluate the bulk and design of the building, OP has requested additional perspective renderings.

- (b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;**

The proposed development provides as much retail on the ground floor as possible, and there is potential to extend retail to the "concourse" level – the first level of the garage. The applicant has stated that the retail will be a mix of neighborhood retail and destination retail to serve both residents and visitors. The mix of uses within the project will contribute to the overall entertainment district that will develop near the baseball stadium.

- (c) Allow for continuation of existing industrial uses, which are important economic assets to the city, during the extended period projected for redevelopment;**

The previous uses on the property have ceased. The applicant proposes to begin redevelopment of the site immediately.

- (d) Provide for a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings, and provide for continuous public open space along the waterfront with frequent public access points;**

Because the proposed development is not located directly on the waterfront it will not block views of the Anacostia River. But the mixed use design of the project will contribute to the overall vitality of the neighborhood, including the Anacostia riverfront.

- (e) Require suitable ground-level retail and service uses and adequate sidewalk width along M Street, S.E., near the Navy Yard Metrorail station;**

The design would generally meet the 15 foot setback along M Street and would provide retail on the entire frontage save for an office lobby. The application includes potential ground floor elevations, including sample images of materials. The applicant is proposing language, to be incorporated as part of the order, which would bind future retailers to use similar materials, even though they could customize their own retail façades. OP has asked for additional information on the number of retailers and the number of entrances to the retail to ensure that no one building façade becomes dominated by a single large retailer but rather has a variety of stores.

- (f) Provide for development of Squares 702-706 and Reservation 247 as a ballpark for major league sport and entertainment and associated uses;**

The mixed use design of this project in Square 700 will complement other development in the area, including the ballpark.

- (g) Provide for the establishment of South Capitol Street as a monumental civic boulevard;**

Because the proposed development does not abut South Capitol Street the buildings will not have a direct effect on the nature of that corridor. But the mixed use design of the project will contribute to the overall vitality of the neighborhood, including South Capitol Street.

- (h) Provide for the development of Half Street SE as an active pedestrian oriented street with active ground floor uses and appropriate setbacks from the street façade to ensure adequate light and air, and a pedestrian scale;**

Because of the mixed use nature of the project and the heavy concentration of ground floor retail, the proposed development could create an active pedestrian character on Half Street. The application would meet the intent of the CG Overlay provisions by providing as much retail on the ground floor as possible and has demonstrated that at least 69% of the ground floor shall be used for preferred uses. The plans for the streetscape also suggest street furniture, landscaping and lighting and the possibility of interaction between the retail establishments and the public space. The provision of light and air would be adequate.

- (i) Provide for the development of First Street SE as an active pedestrian oriented street with active ground floor uses, connecting M Street, the Metro Station and existing residential neighborhoods to the Ballpark site and the Anacostia Waterfront.**

Because the proposed development does not abut First Street the buildings will not have a direct effect on the nature of that corridor. But the mixed use design of the project will contribute to the overall vitality of the neighborhood, including First Street.

§1604 Buildings, Structures and Uses on M Street, SE.

- §1604.1 The following provisions apply to new buildings, structures, or uses with frontage on M Street, SE within the CG Overlay.**
- §1604.2 No driveway may be constructed or used from M Street to required parking spaces or loading berths in or adjacent to a new building.**

No vehicular access points are planned on M Street. All parking and loading would be accessed from Van Street.

- §1604.3 The streetwall of each new building shall be set back for its entire height and frontage along M Street not less than fifteen (15) feet measured from the face of the adjacent curb along M Street, SE.**

The design would generally provide the 15 foot setback along the M Street frontage. There are two locations where the proposed structure would project into the setback. The northern extent of the aforementioned angled building element has a corner that extends beyond the setback line. The distance beyond the setback line is not clear as the plans are internally inconsistent. Also, the architectural embellishment at the corner of Half and M Streets projects into the setback.

OP is generally very supportive of the architectural direction of the building and supports the proposed projections. The applicant has requested a variance as discussed in section IX.4 of this report.

- §1604.4 Each new building shall devote not less than thirty-five percent (35%) of the gross floor area of the ground floor to retail, service, entertainment, or arts uses ("preferred uses") as permitted in §§ 701.1 through 701.5 and §§ 721.1 through 721.6 of this Title; provided, that the following uses shall not be permitted: automobile, laundry, drive-through accessory to any use, gasoline service stations, and office uses (other than those accessory to the administration, maintenance, or leasing of the building).**

The design incorporates 69% of the ground floor for preferred uses. The only exceptions are for office and residential lobbies, loading and service space and garage entrances.

Preferred uses shall occupy 100% of the building's street frontage along M Street, except for space devoted to building entrances or required to be devoted to fire control.

Except for the office building lobby and fire control room, the proposed design shows retail along the M Street frontage.

§1604.5 For good cause shown, the Commission may authorize interim occupancy of the preferred use space required by §1604.4 by non-preferred uses for up to a five (5) year period; provided, that the ground floor space is suitably designed for future occupancy by the preferred uses.

The applicant has not requested temporary-use relief.

§1604.6 Not less than fifty percent (50%) of the surface area of the streetwall of any new building along M Street shall be devoted to display windows having clear or low-emissivity glass except for decorative accent, and to entrances to commercial uses or the building.

The application states that more than 50% of the surface area of the streetwall would be devoted to display windows or entrances.

§1604.7 The minimum floor-to-ceiling clear height for portions of the ground floor level devoted to preferred uses shall be fourteen (14) feet.

In conversations with the applicant, they have indicated that some back-of-house areas would not meet this requirement due to the presence of mechanical equipment. The floor plans, however, do not reflect this. Also, the building cross section on Sheet A10 shows that clear height in some retail areas would be less than 14 feet. The applicant should clarify which retail areas will have ceiling heights less than what is required. OP recommends granting relief to this provision with the condition that the lower ceiling height areas are at the rear of the retail bays, away from the street, and do not occupy a large percentage of the total retail area.

§1604.8 A building that qualifies as a Capitol South Receiving Zone site under § 1709.18 and for which a building permit has been applied for prior to August 31, 2001, shall not be subject to the requirements of this section.

This site is not within the Capitol South Receiving Zone.

§1604.9 Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 §633 shall not apply.

In conformance with this provision, the design does not incorporate a formal ground level public plaza. The design, however, would create a potential public gathering spot in the Via and would also enhance the Half Street right-of-way so that it could be used not only for adjacent retailers but also for events when the street is closed to automobile traffic.

§1607 Buildings, Structures and Uses on Half Street, SE, South of M Street, SE

- §1607.1** **The following provisions apply to new buildings, structures, or uses with frontage on Half Street S.E. south of M Street SE, within the CG Overlay.**
- §1607.2** **Any portion of a building or structure that exceeds 65 feet in height shall provide a minimum step back of 20 feet in depth from the building line along Half Street SE. Pursuant to §3104, the Zoning Commission may grant relief from this requirement, to a maximum of 15 feet in height and 8 feet in depth, for the provision of reasonable development footprints.**

This section governs standard step backs from the Half Street building façade. This design, however, proposes a non-rectilinear alignment of some of the building elements, such as the angled “strike-through” from M Street to Half Street. While part of the office portion of the building will step back at about 75 feet in height, another large portion will project into the required step back and into public space. Most of the mass of the residential portion of the building would align with the special exception requirements (see Sheet PR6). Two areas that would not be the convex “arches,” which would not quite step back 12 feet, and the very southern part of the façade projecting up to 110 feet with no step back. The residential portion of the building would also have balconies which project into public space. The applicant has requested variance relief as discussed in Section IX.5 of this report.

- §1607.3** **Each new building shall devote not less than seventy-five percent (75%) of the gross floor area of the ground floor to retail, service, entertainment, or arts uses (“preferred uses”) as permitted in §§ 701.1 through 701.5 and §§ 721.1 through 721.6 of this Title; provided, that the following uses shall not be permitted: automobile, laundry, drive-through accessory to any use, gasoline service stations, and office uses (other than those accessory to the administration, maintenance, or leasing of the building).**

The design incorporates ground floor preferred uses wherever possible. The only exceptions are for office and residential lobbies, loading and service space and garage entrances. The result is that 69% of the ground floor would be devoted to retail. The Office of Planning feels that the applicant has met the intent of the regulation and recognizes that the cumulative design requirements of the Zoning Regulations and the functional requirements of the building create a practical difficulty for the applicant to achieve the required 75%; therefore OP recommends approval of the requested relief.

- §1607.4** **Preferred uses shall occupy 100% of the building’s street frontage along Half Street SE, except for space devoted to building entrances or required to be devoted to fire control.**

Preferred uses shall occupy all of the Half Street frontage except for a residential lobby and an office lobby.

§1607.5 The minimum floor-to-ceiling clear height for portions of the ground floor level devoted to preferred uses shall be fourteen (14) feet.

In conversations with the applicant, they have indicated that some back-of-house areas would not meet this requirement due to the presence of mechanical equipment. The floor plans, however, do not reflect this. Also, the building cross section on Sheet A10 shows that clear height in some retail areas would be less than 14 feet. The applicant should clarify which retail areas will have ceiling heights less than what is required. OP recommends granting relief to this provision with the condition that the lower ceiling height areas are at the rear of the retail bays, away from the street, and do not occupy a large percentage of the total retail area.

§1607.6 For good cause shown, the Commission may authorize interim occupancy of the preferred use space required by § 1607.2 by non-preferred uses for up to a five (5) year period; provided, that the ground floor space is suitably designed for future occupancy by the preferred uses.

The applicant has not requested temporary-use relief.

§1607.7 No private driveway may be constructed or used from Half Street SE to any parking or loading berth areas in or adjacent to a building or structure constructed after February 16, 2007.

There is no vehicular access from Half Street. All parking and loading is accessed from Van Street. The applicant will be creating a private alley, known as the Via, which will bisect the property, but has indicated that it would be for pedestrian traffic only. OP supports the layout of the project.

§1607.8 Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 §633 shall not apply.

In conformance with this provision, the design does not incorporate a formal ground level public plaza. The design, however, would create a potential public gathering spot in the Via and would also enhance the Half Street right-of-way so that it could be used not only for adjacent retailers but also for events when the street is closed to automobile traffic.

§1610 Zoning Commission Review of Buildings, Structures and Uses

§1610.1 The following provisions apply to properties located:

- (b) On a lot that abuts M Street SE;**
- (c) On a lot located within Squares 700 or 701, north of the Ballpark site;**

- (f) Any lot which is the recipient of density through the combined lot provisions of §1602.**

§1610.2 With respect to those properties described in § 1610.1, all proposed uses, buildings, and structures, or any proposed exterior renovation to any existing buildings or structures that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.

§1610.3 In addition to proving that the proposed use, building, or structure meets the standards set forth in § 3104, an applicant requesting approval under this section must prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

- (a) Help achieve the objectives of the CG Overlay District as set forth in §1600.2;**

Based on the materials submitted to date, the project would meet the general objectives of the CG Overlay. The project would assure that the area is developed with a mix of uses, especially ground floor retail. The applicant states that the retail would serve both visitors and residents and create an active pedestrian environment. The development will provide adequate sidewalk width along M, N, Half and Van Streets. The design improves on many other buildings by proposing to place PEPCO vaults in private space off of Van Street, thus enhancing the pedestrian environment. In order to fully evaluate the project, however, additional renderings and retail leasing information is needed to fully assess streetscape vitality around the site.

- (b) Help achieve the desired mixture of uses in the CG Overlay District as set forth in §§ 1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses;**

The proposal would provide a mix of uses, including residential, office, and retail. Retail would be the only use on the ground floor except for the residential and office lobbies, loading and service space and garage entrances. The applicant has stated that the retail could include entertainment or cultural uses.

- (c) Be in context with the surrounding neighborhood and street patterns;**

The proposed development would respect and enhance the surrounding neighborhood and street patterns. The neighborhood has an emerging architectural character with some of the new buildings on M Street and the baseball stadium sharing a modern vernacular. The design of the proposed building would expand on that trend by using modern forms and materials and incorporating active street-level retail typical of an urban entertainment area. The baseball stadium enhances the opportunity for an active, mixed-use neighborhood, and the plans for this property would capitalize on that potential.

(d) Minimize conflict between vehicles and pedestrians;

The proposed design would minimize conflict between vehicles and pedestrians. All loading and parking would be accessed from Van Street and there are no driveways on M, N or Half Streets. On Half Street pedestrians would have a wide sidewalk and would be buffered from traffic by parked cars, landscaping and street furniture. The proposed streetscape shows a material differentiation at the crosswalks which will alert drivers to take extra caution at that location. Even Van Street, despite the parking and loading access, would have a 7.5 foot wide sidewalk and retail to activate the street.

(e) Minimize unarticulated blank walls adjacent to public spaces through facade articulation; and

The overall feel of the architecture is of activity and movement. The building would be “four-sided,” with no blank walls. The ground level retail architecture would present high quality materials and an attractive façade which would help make the public space more vibrant.

(f) Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards.

The applicant’s pre-hearing statement indicates that the buildings will be LEED certified. To date the applicant has not provided an evaluation of their project against LEED standards. A LEED checklist that evaluates the entire project should be provided.

§1610.5 With respect to a building or structure which has frontage on Half Street SE south of M Street SE or First Street SE south of M Street SE:

(a) The building or structure shall provide for safe and active streetscapes through building articulation, landscaping, and the provision of active ground level uses including retail, entertainment, cultural, and pedestrian concourse space;

Sixty nine percent of the ground floor would be devoted to retail space. The only non-retail areas are for office and residential lobbies, loading and service space and garage entrances, though more information is required regarding the size and number of retailers. The design would be safe for pedestrians and could provide an active environment. The sidewalks will be wide enough to accommodate both pedestrian movement and retail activity like outdoor seating. The combination of office and residential uses would help ensure that the area is active at all times of day.

(b) The building or structure shall provide for safe and convenient movement to and through the site, including to public transit, the Ballpark, and to the Anacostia River; and

Transit access is assured as the proposed development is directly across the street from an entrance to the Navy Yard metro station. Pedestrian movement should also be adequate with the reconstruction of public space to include new sidewalks, tree boxes and street furniture. Pedestrian movement would also be encouraged by the significant amount of ground floor retail and the mix of uses in the project. The enhanced paving materials proposed by the applicant would make the public realm an attractive place to walk to the ballpark and to the Anacostia River. An eight foot parking lane will buffer pedestrians from two travel lanes on days when the street is not closed to auto traffic.

- (c) The application shall include view analysis which assesses openness of views and vistas around, including views toward the Capitol Dome, other federal monumental buildings, the Ballpark, and the waterfront.**

The application includes two photo-simulations which indicate the views of the building and the Capitol dome from certain vantage points in the ballpark and one photo-simulation showing the view toward the ballpark from an aerial viewpoint north of the project on Half Street. It appears that the project would provide a suitable frame for Half Street and draw the eye to the stadium as a terminus of the corridor. The design also generally respects the 15 foot setback along M Street, and would help create a uniform street wall along that street. According to the photo-simulations the Capitol dome, from some points in the stadium, would not be obstructed by this project. It is likely that the Capitol dome would not be visible from the site of this project due to the construction of large buildings on M Street and farther north. The Office of Planning has asked the applicant to provide additional renderings from various pedestrian level vantage points in order to understand how the massing of the project would appear from ground level.

- §1610.7 The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.**

As described in this report, the design of the project would require relief from various provisions of this Title.

XI. AGENCY REFERRALS

This application was referred to several District agencies for review and comment. To date OP has received no comments from other agencies.

XII. COMMUNITY COMMENTS

The Office of Planning has received no comments on the project from the community.

XIII. ATTACHMENTS

1. Vicinity Map

JS/mrj

ATTACHMENT 1 VICINITY MAP

