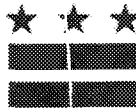


GOVERNMENT OF THE DISTRICT OF COLUMBIA

District Department of the Environment



MEMORANDUM

TO: Sharon Schellin, OZ

FROM: Nina Albert, DDOE

CC: Matthew Jesick, OP

DATE: 7/13/11

SUBJECT: ZC #11-03, Southwest Waterfront, 1st Stage Planned Unit Development and Related Map Amendment

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DDOE reviews PUD applications for environmental issues that the applicant should be aware of during early stages of planning, as well as to identify opportunities for increased environmental benefit resulting from new development. The Southwest Waterfront is a unique sustainable development opportunity and a detailed environmental plan for the project site should be developed as soon as is appropriate for the applicant and in advance of 2<sup>nd</sup> Stage PUD applications.

DDOE does not have comments to the applicant's enumerated requests in the 1<sup>st</sup> Stage PUD application (such as the mix of uses, density, or map amendment requests), except as identified in Paragraph 3 below (Proposed Pierhead Line Changes). Rather, the comments contained herein address issues that the applicant and Zoning Commission should be made aware of at this stage of design and entitlement, as well as address the applicant's separate request for exemption from certain elements of the *National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008* (the Reorganization Act), which exemption request has been brought to the attention of ANC-6D02 and the Zoning Commission.

- 1) Background. The Southwest Waterfront is a waterfront project located within the District's Municipal Separate Storm Sewer System (MS4) area, as well as in the Anacostia Waterfront Development Zone (AWDZ). In accordance with the District's MS4 Permit issued by the U.S. Environmental Protection Agency (EPA), all projects within the MS4 area are required to comply with the applicable regulations. In accordance with the Reorganization Act, all projects within the AWDZ are required to meet the Anacostia Waterfront Initiative's environmental standards.
- 2) Stormwater Management

ZONING COMMISSION  
District of Columbia

CASE NO.

EXHIBIT NO.

- a) *MS4 Permit Changes.* The EPA is in the process of issuing a new MS4 Permit to the District and DDOE is in the process of finalizing corresponding stormwater regulations. The permit release is imminent and new regulations are expected to be publicly released in Fall 2011 for comment. The regulations will move away from the traditional detention requirement towards an on-site retention requirement of 1.2 inches per storm event. The new regulations shall also provide an off-site mitigation option and fee credit system. A definitive effective date for the new regulations is not determined at this time, however, the regulations are expected to take effect early 2012. The Southwest Waterfront project will likely be subject to the new MS4 permit and related regulations.
- b) *AWDZ Requirements and Exemption Request.* The Reorganization Act requires on-site retention for 1.0 inch of stormwater run-off, along with water quality treatment for the 2-year storm event (or 3.2 inches). In a letter dated October 8, 2010, the applicant requested exemption from Title IV, Sections 456.a.2 and 456.a.1 of the Reorganization Act. DDOE received the exemption request on June 27, 2011. DDOE and the applicant met on July 5, 2011 to discuss the rationale for the exemption request and both parties have agreed to discuss the request further in the future, when more advanced design and calculations are available to inform a final determination. Based on the information provided on Page 6.2 of Exhibit A to the PUD Submission (dated February 9, 2011), on the information provided in the exemption request letter, and on the meeting held with the applicant, the following notes are provided and recommendations made:
- (1) The applicant's presentation of green roofs as equivalent to turf is an interesting proposal, but not consistent with the way DDOE reviews this type of stormwater management practice. Typically, a green roof is credited both for its stormwater volume retention capacity and its stormwater filtering capacity, which the applicant's existing calculations do not account for. The applicant should rerun its calculations so that they are consistent with DDOE's methods. *With the applicant's current calculation method, it is not clear that the applicant requires an exemption. Prior to the Stage 2-PUD application, DDOE requests that the applicant recalculate the site's green roof, LID, and cistern retention volumes using DDOE's calculation methods and submit to DDOE for confirmation.*
  - (2) It is unclear if stormwater collected in the proposed cisterns is planned for non-potable uses. DDOE encourages the applicant to consider what the water reuses could be, both externally for landscape irrigation and internally for building needs. The Reorganization Act requirements under Sec 458 for site planning and preservation standards dictate LID roadway design and tree canopy coverage for non roof areas. This may create sufficient landscape water demands to balance stormwater management requirements. There are also examples where collected stormwater runoff has been used for water features and site fountains, for example at Canal Park, this maybe an ideal fit for a project of this scale. *DDOE requests that a detailed stormwater management and water quality improvement plan for the site, with associated water volume and quality calculations, be developed by the applicant and*

*approved by DDOE prior to the submission of any Stage-2 PUD, so that the applicant understands the site-wide opportunities for stormwater reuse.*

- (3) The applicant suggested that the Stage 2 PUD would provide the level of design detail necessary to provide stormwater runoff calculations and specific treatment options. DDOE agrees that more design detail is required in order to evaluate the exemption request. *DDOE does not have enough information at this time to determine the merits of the exemption request, but is open to working with the applicant to find site-suitable solutions.*
- 3) Proposed Pierhead Line Changes. The applicant has shown a change in the pierhead line in front of the project site. The applicant indicated that they are in the process of seeking approvals from required federal authorities, which federal approvals are required prior to the District's approval for the boundary line changes. *All construction within the Washington Channel is subject to both federal and local environmental laws, and will require U.S. Army Corps of Engineers and DDOE approval. This is likely the first project within the District where the Zoning Commission is reviewing a PUD that proposes construction of buildings over the water. DDOE requests that the Zoning Commission consider the benefits and detriments of (1) changing the pierhead line and (2) authorizing density and uses over the water, from a planning perspective; however, that the Zoning Commission also acknowledge that any PUD authorized uses and density is subject to environmental review and permits.*
- 4) Green Building. The green building standards for projects within the AWDZ are in excess of what is required by the *Green Building Act*. In accordance with the Reorganization Act, the applicant is required to construct commercial buildings and interiors to the LEED-Gold standard, residential buildings to the LEED-Silver standard, achieve various EnergyStar® and ASHRAE energy standards, and seek to align project design with the Mayor's "2030 Challenge" to reduce greenhouse gases. The applicant has indicated that the project shall exceed the Green Building Act's requirements; however, the standards proposed do not meet the Reorganization Act's requirements. *DDOE acknowledges that there are multiple layers of building performance requirements mandated by the Reorganization Act, which together may not be efficient for the developer. DDOE requests that the applicant discuss in detail where they identify inconsistencies or inefficiencies among the various building performance requirements of the Reorganization Act and seek consensus from DDOE as to how to resolve these discrepancies. In addition, if the applicant seeks a different LEED certification standard than what is required by the Reorganization Act, the applicant should formally request exemption from the applicable requirement.*