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OUTLINE OF TESTIMONY BEFORE THE ZONING COMMISSION

**CASE NO. 13-12
1333 M STREET, S.E.**

**STEVEN E. SHER,
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HOLLAND & KNIGHT LLP**

DECEMBER 1, 2014

- I. Introduction
- II. Nature of application:
 - A. Consolidated review and approval of planned unit development
 - B. First stage (preliminary) review and approval of planned unit development
 - C. Map amendment from M to C-3-C
- III. Site location
 - A. South side of M Street between Virginia Avenue and Water Street, SE
 - B. Near Southeast/Anacostia Waterfront area
- IV. Site description
 - A. Unusually shaped property, more or less triangular (Square 1025E, Lot 802, Square 1048S, Lots 1, 801 and 802 and Reservations 129 and 299)
 - B. Contains 127,499 square feet of land area
 - C. Has frontage of approximately 918 feet on M Street, 624 feet on Water Street and 426 feet on Virginia Avenue
 - D. Substantial change in grade (30 feet) from M Street down to Water Street
 - E. Isolated from surrounding neighborhoods by train tracks, freeway, bridge ramps and river

F. Existing conditions:

1. Fuel pump storage facilities
2. Trailers being used for offices for sewer and water infrastructure project
3. Unimproved area covered with trees and brush

G. Abutting streets:

1. M Street - 72 feet wide
2. Water Street - 80 feet wide
3. Virginia Avenue – varies from 57.5 to 115 feet wide

V. Description of the surrounding area

A. General area: Near Southeast Anacostia Waterfront area

1. Immediate area is underutilized former industrial buildings
2. Also includes newer office development with large amounts of surface parking
3. Navy Yard
4. Highway and railroad rights-of-way

B. Remainder of Square 1025E: surface parking for office buildings known as Maritime Plaza

C. To the north:

1. Railroad tracks
2. Freeway
3. L Street
4. Moderate density residential area

D. To the east:

1. Anacostia River

2. Boat club

E. To the south:

1. Anacostia River

2. Boat clubs

F. To the west:

1. Maritime Plaza office development (90 feet in height)

2. 11th Street Bridge ramps

3. Navy Yard

VI. Zoning

A. Subject site

1. Existing zoning: M

a) General industrial district

b) Uses (§§821-824)

(1) Any commercial use permitted a matter-of-right carried-over from the C-4/C-M Districts

(2) Any light manufacturing, warehouse or wholesale use permitted in the C-M District

(3) Any other lawful use

(4) Special exceptions including administration of massages, solid waste handling facility, electronic equipment facility, asphalt plant, animal boarding, pet grooming, pet shop, veterinary boarding hospital

(5) Residential use and emergency shelters not permitted

(6) Other prohibited uses

c) Standards of external effects (e.g., sound, smoke, vibration, etc.) (§825)

- d) Maximum height: 90 feet (§840.1)
- e) Maximum FAR: 6.0 (§841.1)
- f) Minimum required rear yard – 2½ inches per foot of height at the rear, minimum 12 feet; for a corner lot abutting three or more streets, may be measured to the center line of the street at the rear (§842)
- g) Side yard – not required (§843)
- h) Minimum required off-street parking (§2101.1):
 - (1) For office: 1 space for each 800 square feet of gross floor area and cellar floor area in excess of 2,000 square feet
 - (2) For retail: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - (3) For wholesale or industrial: 1 space for each 1,000 square feet of gross floor area
 - (4) For warehouse: 1 space for each 3,000 square feet of gross floor area
- i) Minimum required off-street loading (§2201.1):
 - (1) For office building with more than 200,000 square feet of gross floor area: 3 berths @ 30 feet deep and 1 service/delivery loading space
 - (2) For retail or service with more than 100,000 square feet of gross floor area: 1 berth @ 30 feet deep, 2 berths @ 55 feet deep and 1 service/delivery loading space
 - (3) For wholesale or warehouse with more than 20,000 square feet of gross floor area: 1 berth @ 30 feet and 1 berth @ 55 feet deep plus 1 berth @ 55 feet for each additional 200,000 square feet of gross floor area in excess of 100,000 square feet
 - (4) For industrial with more than 25,000 square feet of gross floor area: 1 berth @ 30 feet and 1 berth @ 55 feet deep plus 1 berth @ 55 feet for each additional 100,000 square feet of gross floor area in excess of 50,000 square feet

2. Proposed zoning: C-3-C
 - b) General commercial district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses
 - c) Maximum height: 90 feet
 - d) Maximum FAR: 6.5
 - e) Maximum percentage of lot occupancy for residential building: 100%
 - f) Minimum rear yard – 2½ inches per foot of height at the rear
 - g) Side yard – not required
 - h) Minimum required parking
 - (1) For office use: 1 space for each 1,800 square feet of gross floor area in excess of 2,000 square feet of gross floor area
 - (2) For retail use: 1 space for 750 square feet in excess of 3,000 square feet of gross floor area
 - (3) For hotel use: 1 space for each 4 rooms usable for sleeping plus 1 space for each 300 square feet in the largest function room or exhibit space
 - (4) For apartments: 1 space for each 4 dwelling units
 - i) PUD guidelines for C-3-C
 - (1) Height: 130 feet
 - (2) FAR: 8.0
 - (3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - (4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. Area (see attached map, excerpt from Official Zoning Map)

1. M to the west for Maritime Plaza
2. Further to the west, Navy Yard is unzoned Federal property
3. To the south is unzoned Federal property along the river
4. To the north is M and C-M-1 along the railroad and highway
5. Further to the north, north of L Street, is R-5-B

C. History:

1. In 1958 zoning, subject property was zoned M
2. Surrounding zoning unchanged even though roads altered the street pattern

VII. Description of the proposed project

A. Primarily residential project with small amount of service retail

1. Three theoretical zoning lots
2. Buildings to be constructed in 4 phases
3. Total of 673 units

B. Height:

1. Building 1: 100 feet
2. Building 2: 110 feet
3. Building 3: 91 feet

C. Floor area ratio: 4.14 (527,861 square feet of gross floor area)

1. 517,491 square feet of residential
2. 10,370 square feet of retail

D. Parking: total of 221 spaces

E. Loading: total of 2 berths @ 30 feet with 200 square foot loading platforms and 2 service/delivery loading spaces

- F. Comparison to matter-of-right and PUD standards for C-3-C
 - 1. Uses: residential and retail and service permitted as a matter-of-right
 - 2. Height:
 - a) Matter-of-right: 90 feet
 - b) PUD guideline: 130 feet
 - c) Proposed: 91 - 110 feet
 - 3. FAR:
 - a) Matter-of-right: 7.8
 - b) PUD guideline: 8.0
 - c) Proposed: 4.14
 - 4. Proposed total gross floor area of 527,861 square feet is decrease in total GFA of approximately 237,133 square feet (1.86 FAR)

VIII. Compliance with PUD evaluation standards of §2403

- A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)
 - 1. Redevelopment of vacant/underutilized site with new development on a site isolated from much of the surrounding area
 - 2. Traffic will have no unacceptable impact on levels of service at build-out, per report by Wells and Associates
 - 3. Project is more than 98% residential
- B. Project is not inconsistent with the Comprehensive Plan (§2403.4): see section IX, below
- C. Commission shall “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects” (§2403.8)
 - 1. On-site:
 - a) New residential development of 517,491 square feet, where no residential use is now permitted

- b) Affordable housing – reservation of 8% of the residential gross floor area in the building (41,400 square feet of GFA) for households making no more than 80% of the Area Median Income (AMI), as compared to none required or permitted under current a matter-of-right development; of the total, 4 two bedroom units will be provided for households making no more than 60% of the AMI
- c) Urban design, architecture, landscaping and creation of open spaces
- d) Public space improvements adjacent to the site:
 - (1) On the south side of M Street, permeable paver parking spaces and low impact development basins with plantings and street trees for stormwater management
 - (2) Wildflower meadow along the Water Street right-of-way, providing an opportunity to increase plant biodiversity, create wildlife habitat, slow stormwater runoff and stabilize slopes and also preserving some of the open space quality of the existing site while reactivating it with the new proposed design and clears out the overgrown and visually impairing vegetation currently along Water Street
 - (3) Public dog park where 14th Street terminates at the project
 - (4) Improvement of M Street and construction of an extension of Virginia Avenue south of M Street as well as construction of an internal north-south private street, which will generate new on-street public parking
 - (5) Construction of a sidewalk on the south side of M Street that extends the length of the Subject Property
 - (6) Construction of an uninterrupted 8-foot wide, paved Anacostia Riverwalk Trail segment along the north side of M Street that connects to the traffic circle near 13th Street, SE and the existing trail at 14th Street SE
 - (7) For that portion of M Street along the frontage of the Subject Property, pavement of the entire width of the street
 - (8) Construction of a public plaza at the termination of Virginia Avenue, and a monumental staircase leading to lower plaza area that extends to Water Street across from

the District Yacht Club, designed as an active gathering space and a connection to the waterfront

- (9) Construction of a sidewalk along the north side of Water Street, extending from M Street to the lower plaza
 - (10) During the phased development, the project will include large green space for public use, including a lawn area at the termination of the pedestrian promenade along Virginia Avenue and, during Phase II of the project, there will be a large triangular green space on the west side of the project where Building 2 is proposed
 - (11) Improvements to and connection to the waterfront
- e) Sustainable design
 - (1) Rain garden
 - (2) Compliance with LEED Silver criteria and MS4 stormwater requirements
 - f) DOES First Source Employment agreement
2. Off-site:
- a) Shuttle service either individually or as a collective with other stakeholders in the BID between the Subject Property and Navy Yard – Ball Park Metro Station
 - b) Transportation demand management measures

balanced against

D. Development incentives:

- 1. 20 foot increase in height over existing and proposed matter-of-right for part of project
- 2. Proposed gross floor area is decrease of c. 237,133 square feet below matter-of-right of existing zoning and 300,883 square feet below matter-of-right for proposed zoning

E. Areas of flexibility from C-3-C standards:

1. Rear yard for Building 3 (§774.1):
 - a) Required: 2½ inches per foot of height at the rear = 23 feet
 - b) Proposed: 12 feet, 3 inches
 - c) Flexibility requested: 12 feet, 9 inches
2. Open court for Building 2:
 - a) Required: 4 inches per foot of height of court = 36 feet, 8 inches
 - b) Proposed: 30 feet, 1 inch
 - c) Flexibility requested: 6 feet, 7 inches
3. Open court for Building 3:
 - a) Required: 4 inches per foot of height of court = 23 feet
 - b) Proposed: 19 feet, 5 inches
 - c) Flexibility requested: 3 feet, 7 inches
4. Loading (§2201.1)
 - a) Building 1:
 - (1) Required: 1 berth @ 55 feet, 1 platform @ 200 square feet and 1 service/delivery loading space
 - (2) Provided: 1 berth @ 30 feet, 1 platform @ 100 square feet and 1 service/delivery loading space
 - b) Building 2:
 - (1) Required: 1 berth @ 55 feet, 1 platform @ 200 square feet and 1 service/delivery loading space
 - (2) Provided: 1 berth @ 30 feet, 1 platform @ 100 square feet and 1 service/delivery loading space

c) Building 3:

- (1) Required: 1 berth @ 55 feet, 1 platform @ 200 square feet and 1 service/delivery loading space
- (2) Provided: None

5. Roof structures:

a) Required: single enclosure, with walls of equal height, setback 1:1 from exterior walls

b) Provided:

(1) Building 1, Tower A:

- (a) Three enclosures
- (b) Main elevator penthouse does not meet 1:1 setback on court wall on the south side

(2) Building 1, Tower B:

- (a) Two enclosures
- (b) One of the enclosures contains the elevator override, so it is partly at 12 feet above the roof and partly at 18 feet above the roof
- (c) Main elevator penthouse does not meet 1:1 setback on court wall on the north side

(3) Building 2:

- (a) Two enclosures
- (b) One of the enclosures contains the elevator override, so it is partly at 12 feet above the roof and partly at 18 feet above the roof
- (c) Main elevator penthouse does not meet 1:1 setback on court wall on the west side

IX. Consistency with the Comprehensive Plan – The District Elements

A. Framework element – guiding principles

1. Managing growth and change

- a) "Change in the District 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)
- b) "Diversity also means maintaining and enhancing the District's mix of housing types. Housing should be developed for households of different sizes, including growing families as well as singles and couples." (§217.3)
- c) "The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income." (§217.4)
- d) "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)
- e) "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)

2. Creating successful neighborhoods

- a) "The residential character of neighborhoods must be protected, maintained and improved. Many District neighborhoods possess social, economic, historic, and physical qualities that make them unique and desirable places in which to live. These qualities can lead to development and redevelopment pressures that threaten the very qualities that make the neighborhoods attractive. These pressures must be controlled through zoning and other means to

ensure that neighborhood character is preserved and enhanced."
(¶218.1)

- b) "The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively." (¶218.3)

3. Connecting the city

"Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs."
(¶220.3)

4. Building green and healthy communities

- a) "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)
- b) "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)

B. Framework element – the Land Use Maps

- 1. The Generalized Policy Map purpose "is to categorize how different parts of the District may change between 2005 and 2025" (¶223) (see excerpt, attached)
- 2. Includes subject property in Near Southeast Land Use Change Area, described as follows:

"Land Use Change Areas are areas where change to a different land use from what exists today is anticipated. In some cases, the Future Land Use Map depicts the specific mix of uses expected for these areas. In other cases, the Future Land Use Map shows these sites as "Federal", indicating

the District does not have the authority to determine land uses, but expects a change by 2025. (§223.9)

There are more than two dozen Land Use Change Areas identified on the Policy Map. They include many of the city's large development opportunity sites, and other smaller sites that are undergoing redevelopment or that are anticipated to undergo redevelopment. Together, they represent much of the city's supply of vacant and underutilized land. (§223.10)

The guiding philosophy in the Land Use Change Areas is to encourage and facilitate new development and promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities. The Comprehensive Plan's Area Elements provide additional policies to guide development and redevelopment within the Land Use Change Areas, including the desired mix of uses in each area. (§223.11)

As Land Use Change Areas are redeveloped, the District aspires to create high quality environments that include exemplary site and architectural design and that are compatible with and do not negatively impact nearby neighborhoods. Programs to avoid and mitigate any undesirable impacts of development of the Land Use Change Areas upon adjacent neighborhoods should be required as necessary." (§223.12)

3. The Future Land Use Map – includes property in mixed-use medium density commercial/institutional category (see excerpt, attached)

- a) Medium density commercial:

"This designation is used to define shopping and service areas that are somewhat more intense in scale and character than the low-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A, C-2-B, and C-3-A, although other districts may apply." (§225.9)

b) Institutional:

"This designation includes land and facilities occupied and used by colleges and universities, large private schools, hospitals, religious organizations, and similar institutions. Smaller institutional uses such as churches are generally not mapped, unless they are located on sites that are several acres in size. Zoning designations vary depending on surrounding uses." (§225.16)

a) Mixed use categories:

(1) Areas where the mixing of two or more land uses is encouraged

(2) Generally applied to "commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground floor retail or office uses and upper story housing." (§225.18)

(3) "Residential uses are permitted in all of the commercial zones, however, so many Mixed Use areas may have commercial zoning." (§225.21)

b) Zone districts noted as appropriate for medium density commercial have range of FARs from 3.0 to 4.8 as a matter-of-right; Proposed project is at 4.14 FAR, within that range

c) Proposed height is 9 - 11 stories

d) Higher height at medium density allows for substantial open space at ground level; overall proposed lot occupancy is at 45%

2. Maps are intended to provide generalized guides for development and conservation decisions (§226)

a) Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards

b) By definition, Map is to be interpreted broadly

c) Future Land Use Map is generalized depiction of intended uses in the 20 year horizon

- d) Densities within any given area are across-the-board; individual buildings may be higher or lower
- e) Density bonuses through PUDs may result in heights that exceed typical ranges
- f) Zoning is guided by the Future Land Use, Map, interpreted in conjunction with the text of the Plan, including citywide elements, area elements and approved small area plans

B. Land Use element

1. Overall goal:

"Ensure the efficient use of land resources to meet long-term neighborhood, city-wide, and regional needs; to help foster other District goals: to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries." (§302.1)

a) Policy 1.4.1 Infill Development

"Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern." (§307.4)

b) Policy LU-1.4.2: Long-Term Vacant Sites

"Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints." (§16307.5)

2. Creating and Maintaining Successful Neighborhoods

a) Policy LU-2.1.1 Variety of Neighborhood Types

Maintain a variety of neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods. The positive elements that

create the identity and character of each neighborhood should be preserved and enhanced in the future." (§309.6)

b) Policy LU-2.1.3 Conserving, Enhancing and Revitalizing Neighborhoods

"Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment." (§309.8)

c) Policy LU-2.1.11: Residential Parking Requirements

"Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow." (§309.16)

C. Transportation element

1. Overall goal:

"Create a safe, sustainable efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents." (§401.1)

2. Policies and Actions – Linking Land Use and Transportation

a) "Coordinating transportation and land use decisions is critical to making the best use of infrastructure and finite land resources as these gains occur. The balance between housing and jobs plays a clear role in travel patterns. In general, the demands on our transportation system are reduced when homes are located close to places of employment and shopping. People spend less time traveling and overall quality of life may be improved. The transportation system as a whole benefits when more compact residential and employment areas are situated along major transit routes. Travel times are reduced and there is better use of public transportation investments." (403.1)

b) "Although the District has already developed walkable, transit-oriented neighborhoods, future opportunities will arise to

strengthen the linkage between land use and transportation as new development takes place." (§403.2)

- c) "Closer coordination between transportation and land use planning can result in better congestion management, more efficient use of transit and parking, and transportation infrastructure that is sensitive and complementary to its surrounding context." (§403.4)
- d) "Assessing and measuring the transportation impacts of land use decisions is also an important part of integrated land use and transportation planning. New development generates new trips—be they auto trips, transit trips, or pedestrian and bicycle trips. Major land use changes such as the development of large housing complexes or office buildings must be evaluated for their impacts on existing and planned transportation infrastructure to ensure that the network can function adequately when the projects are completed." (§403.5)

3. Policies and actions – Multi-modal transportation choices

a) Action T-2.3-A Bicycle Facilities

"Wherever possible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users." (§409.11)

b) Policy T-2.4.1 Pedestrian Network

"Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city." (§410.5)

4. Policies and Actions – Transportation System Efficiency and Management

Policy T-3.1.1 Transportation Demand Management (TDM) Programs

"Provide support, and promote programs and strategies aimed at reducing the number of car trips and miles driven (for work and non-work purposes) to increase the efficiency of the transportation system." (§414.8)

D. Housing element

1. Overall goal

"Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." (§501.1)

2. Homes for an Inclusive City - Expanding Housing Supply

a) "Expanding the housing supply is a key part of the District's vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs." (§503.1)

b) Policy H-1.1.1 Private Sector Support

"Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives." (§503.2)

c) Policy H-1.1.2 Production Incentives

"Provide suitable regulatory, tax, and financing incentives to meet housing production goals. These incentives should continue to include zoning regulations that permit greater building area for commercial projects that include housing than for commercial projects that do not include housing." (§503.3)

d) Policy H-1.1.3 Balanced Growth

"Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing." (§503.4)

e) Policy H-1.1.4 Mixed Use Development

"Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations." (§503.5)

f) Policy H-1.1.5 Housing Quality

"Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. (§503.6)

g) Policy H-1.2.7: Density Bonuses for Affordable Housing

"Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood." (§504.14)

E. Environmental Protection element

1. Policies and Actions – Protecting Natural Green Areas

Policy E-1.1.1 Street Tree Planting and Maintenance

"Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods." (§603.4)

2. Policy E-2.2.1: Energy Efficiency

"Promote the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses. The overarching objective should be to achieve reductions in per capita energy consumption by DC residents and employees." (§610.3)

3. Policy E-2.2.3: Reducing Home Heating and Cooling Costs

"Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them." (§ 610.5)

4. Policies and Actions – Promoting Environmental Sustainability

a) Policy E-3.1.2 Using Landscaping and Green Roofs to Reduce Runoff

"Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces." (§613.3)

b) Policy E-3.2.1 Support for Green Building

"Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities." (§614.2)

5. Policies and Actions- Reducing Environmental Hazards

Policy E-4.1.5 Improving Air Quality through Transportation Efficiency

"Promote strategies that reduce motor vehicle emissions in the District and surrounding region. As outlined in the Land Use and Transportation Elements of this Comprehensive Plan, this includes the development of a fully integrated regional system of buses, streetcars, rail transit, bicycles, taxis, and pedestrian facilities to make it easier and more convenient to travel without an automobile." (§618.10)

F. Urban Design element

1. Overall goal:

"Enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces." (§901.1)

2. Policies and Actions – Toward a Stronger Civic Identity (§902)

Reinforcing Boulevards and Gateways

a) Policy UD-1.4.1 Avenues Boulevards and Urban Form

"Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city." (§906.6)

b) Policy UD-1.4.3 Avenue/Boulevard Vistas and View Corridors

"Protect views and view corridors along avenues/boulevards, particularly along streets that terminate at important civic monuments or that frame distant landmarks. Vistas along such streets should be accentuated by creating more well-defined street walls, improving landscaping, and requiring the highest architectural quality as development takes place." (§906.9)

3. Policies and Actions – Designing for Successful Neighborhoods

a) Policy UD-2.2.1 Neighborhood Character and Identity

"Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context." (§910.6)

b) Policy UD-2.2.5 Creating Attractive Facades

"Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street." (§910.12)

c) Policy UD-2.2.6 Maintaining Façade Lines

"Generally maintain the established façade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings. Avoid violating this pattern by placing new construction in front of the historic façade line, or by placing buildings at odd angles to the street, unless the streetscape is already characterized by such variations. Where

existing façades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm." (§910.14)

d) Policy UD-2.2.7 Infill Development

"Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs." (§910.15)

G. Lower Anacostia Waterfront/Near Southwest Area element policies and actions

1. Policy AW-1.1.2: New Waterfront Neighborhoods

"Create new mixed use neighborhoods on vacant or underutilized waterfront lands, particularly on large contiguous publicly-owned waterfront sites. Within the Lower Anacostia Waterfront/Near Southwest Planning Area, new neighborhoods should be developed at the Southwest Waterfront, Buzzard Point, Poplar Point, Southeast Federal Center and Carrollsburg areas." (§1908.3)

2. Policy AW-1.1.4: Waterfront Development Amenities

"Leverage new development in the Waterfront Planning area to create amenities and benefits that serve existing and new residents. These amenities should include parks, job training and educational opportunities, new community services, and transportation and infrastructure improvements." (§1908.5)

3. Policy AW-1.1.9: Strengthening the M Street and Maine Avenue Corridors

"Strengthen the connection between Central Washington and the Anacostia Waterfront by rebuilding Maine Avenue and M Street SE as graciously landscaped urban boulevards. These streets should be designed with generous pedestrian amenities, public transit improvements, landscaping, and ground floor uses that create a vibrant street environment." (§1908.10)

4. Policy AW-2.3.1: Restoring the Urban Pattern of the Near Southeast

"Facilitate redevelopment of the Near Southeast by breaking down large contiguously owned government properties into individual development parcels in scale with the traditional urban street grid. Encourage high density mixed use development and open space on newly configured

parcels, with new buildings designed and oriented to make the most of their waterfront or near-waterfront settings." (§1913.7)

5. Policy AW-2.3.2: Near Southeast Shoreline Access

"Improve shoreline access and movement to and through the Near Southeast by eliminating real and perceived barriers, improving public space and street corridors, reducing the amount of land occupied by surface parking and industrial uses, and encouraging new land uses that maximize public activity near the waterfront." (§1913.8)

6. Policy AW-2.3.3: Near Southeast Housing Opportunities

"Significantly increase residential land uses in the Near Southeast, particularly in the Southeast Federal Center, Capper Carrollsburg, Canal Blocks, and South Capitol Gateway areas. Consistent with the existing zoning for these areas, mixed use development that includes housing as well as commercial uses should be strongly encouraged. The mix of housing should accommodate residents of all incomes and household types." (§1913.9)

7. Policy AW-2.3.4: M Street Southeast

"Transform M Street into an attractive pedestrian-oriented thoroughfare, lined with retail shops and services, with upper story office, hotels, and residential uses. The street itself should be designed as a multi-modal boulevard, accommodating pedestrians, bicycles, and transit vehicles as well as cars. It should strengthen connections between the Near Southeast, Southwest, and Capitol Hill." (§1913.10)

8. Policy AW-2.3.6: Near Southeast Urban Amenities

"Leverage new development in the Near Southeast to create amenities such as parks, trails, child care facilities, civic uses, and retail space that serve the area's residents and workforce." (§1913.12)

X. Compatibility with the area

A. Use

1. Apartment houses replacing existing underutilized site
2. New residential uses are needed as part of the mix

B. Height - compatible with the closest development (Maritime Plaza to the west)

C. Density:

1. FAR is about 2/3 of what is now permitted as a matter-of-right

2. More than 98% of the overall density is devoted to residential

XI. Conclusions

A. Project is not inconsistent with the Comprehensive Plan

B. Project is within the applicable height and bulk standards of the Zoning Regulations

C. Project provides an appropriate balance between the development proposed, the flexibility requested and the benefits and amenities provided

D. PUD allows the Zoning Commission to condition approval to what is specifically proposed

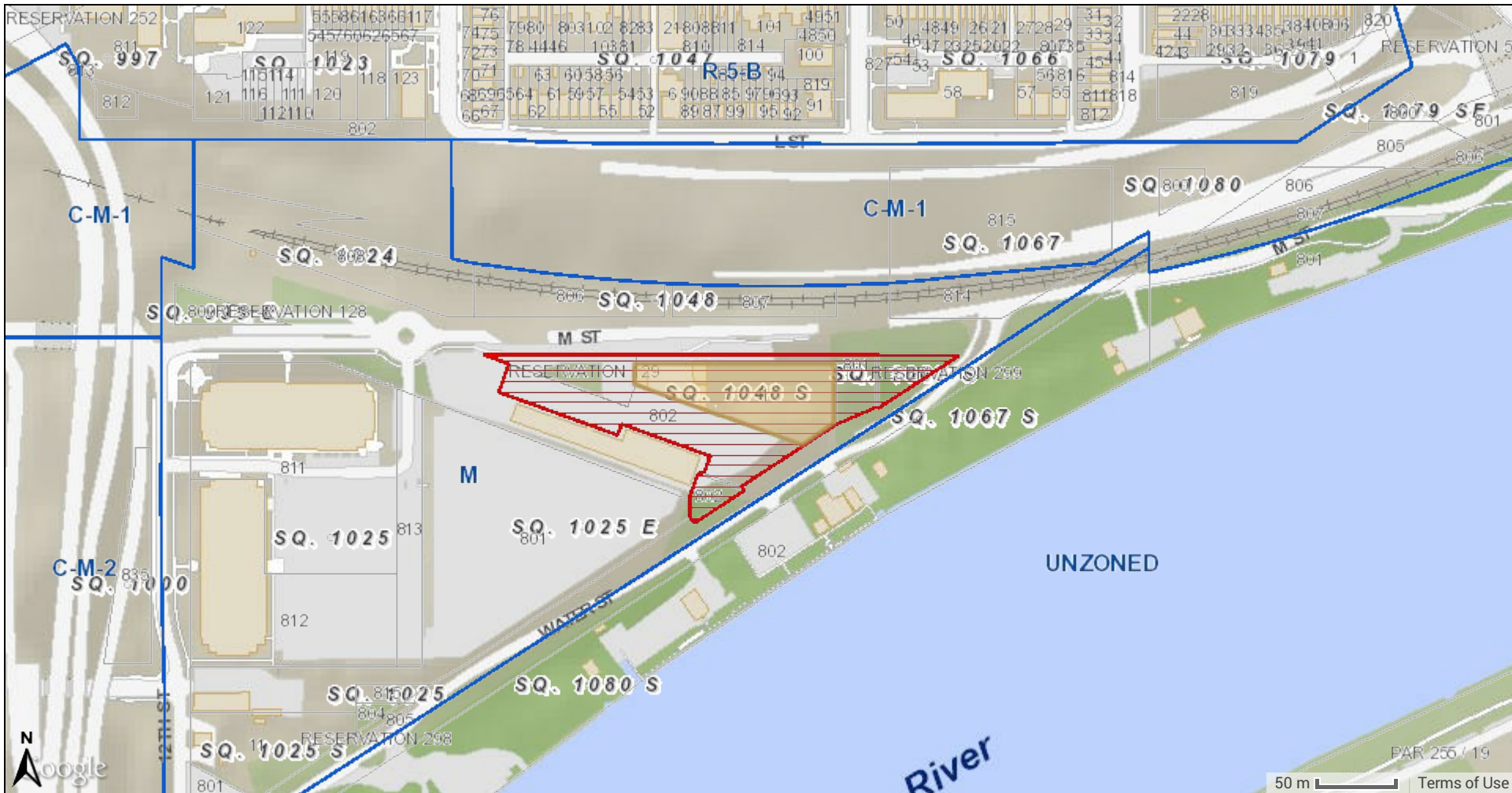
E. Project should be approved



District of Columbia Office of Zoning

EXTRACT OF THE DISTRICT OF COLUMBIA ZONING MAP

November 24, 2014



50 m Terms of Use

Zoning Layers

- | | | | |
|--------------------|---------------------------|--------------|-----------------|
| Zone Districts | Overlays Districts | TDRs | Air Rights Zone |
| Pending Zones | Pending Overlay Districts | Pending PUDs | Baist Index |
| Historic Districts | Campus Plans | Active PUDs | CEA |

To certify zoning on any property in order to satisfy a legal requirement, contact the Office of Zoning at (202) 727-6311.

Near Southeast

