

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Brandice Elliott, Project Manager
JL for Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

DATE: April 23, 2018

SUBJECT: Public Hearing Report for ZC 13-16A, requesting the continuation of temporary parking lots on Parcels F, H/I, and Q in The Yards (Southeast Federal Center) for a period of five years, pursuant to Subtitle K §§ 237.4(o), 241, and 242.

I. SUMMARY RECOMMENDATION

The applicant has demonstrated compliance for Special Exception approval to permit the continuation of temporary parking lots on Parcels F, H/I, and Q in Southeast Federal Center (SEFC), for a period of five years. The Office of Planning (OP) also supports DDOT's recommendation that the applicant upgrades the public space along the northern side of N Place, S.E. between 1st Street and Canal Street to DDOT standards in conjunction with development of Parcel I or by December 31, 2019, whichever occurs first.

II. APPLICATION-IN-BRIEF

Location: Southeast Federal Center (SEFC, The Yards), Parcels F, H, I, and Q

Ward, ANC: Ward 6, ANC 6D

Applicant: Goulston & Storrs on behalf of Forest City SEFC, LLC

Zoning: SEFC-1A (Parcel F), SEFC-1B (Parcel H/I), SEFC-3 (Parcel Q)

Site Description: This request includes Parcels F, H/I and Q in the Southeast Federal Center.

- Parcel F** is a square-shaped property consisting of 74,535 square feet of area. The parcel is located at the northeast corner of N and 1st Streets, S.E. and is accessible via a curb cut on N Street, S.E. The existing temporary parking lot consists of 201 spaces. No changes are proposed.
- Parcel H/I** is a rectangular property consisting of 126,880 square feet in area. The parcels are located on the south side of N Street, S.E. between 1st and Canal Streets, S.E., with driveway access on N Street,

S.E. and N Place, S.E. The existing temporary parking lot consists of 394 spaces. No changes are proposed.

3. **Parcel Q** is an irregular-shaped property of approximately 90,377 square feet. This parcel is located along Water Street, between 4th Street, S.E. and 5th Street, S.E. The parcel is accessible via a driveway at the intersection of 4th Street, S.E. and Water Street, S.E. The existing temporary parking lot consists of 199 spaces. No changes are proposed.

Proposed Development: The applicant seeks approval for the continuation of the existing temporary parking lots on Parcels F, H/I, and Q in SEFC. The existing parking lots contain 794 parking spaces. The request proposes to extend the temporary use previously approved under Z.C. Order Nos. 07-17, 13-03, and 13-16 for a period of five years commencing at the end of those orders.

Special Exception Relief: Subtitle K §§ 237.4(o), 238.3(g), 241, and 242

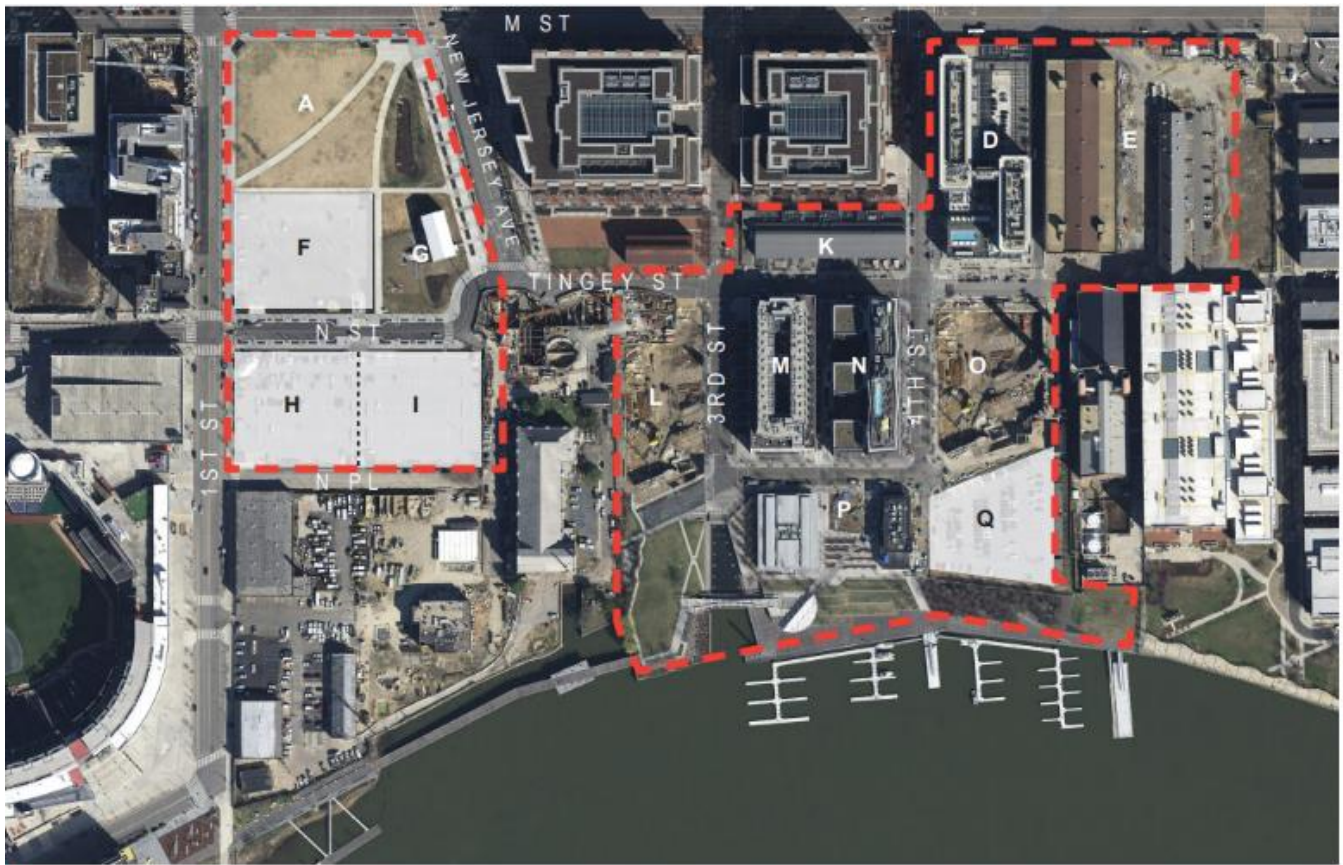
III. EXECUTIVE SUMMARY

The applicant has provided a thorough history of the establishment of the Southeast Federal Center (SEFC), which has more recently been referred to as The Yards. The temporary parking lots on Parcels H/I and Q date back to 2007, when the special exception was originally approved by the Zoning Commission (ZC Case No. 07-17), and renewed in 2013 (ZC Case No. 13-03). Parcel F was approved in 2013 for use of a temporary parking lot (ZC Case No. 13-16). In combination, the previous Orders to allow temporary parking lots in SEFC permitted a total of 1,165 parking spaces between five different lots, although, not all of the spaces have been striped. Over time, two of the temporary parking lots have been removed due to development, which has resulted in a reduced total of 794 parking spaces between three lots. The current application proposes to extend the remaining temporary parking lots for a period of five years.

IV. SITE AND AREA DESCRIPTION

The property included in SEFC is comprised of 42 acres and is bordered by M Street S.E. and Tingey Street, S.E. to the north, 1st Street, S.E. to the west, the existing Washington Navy Yard to the east and the Anacostia River to the south. A District of Columbia Water and Sewer Authority Pumping Station facility lies adjacent to the south and west sides of the property. Also adjacent to the property is the U.S. Department of Transportation Headquarters building located at the corner of M Street and New Jersey Avenue, S.E. The Baseball Stadium is located across 1st Street, S.E. and directly abuts the SEFC site. A PUD for parcels located east of 1st Street, S.E. and south of N Place, S.E. has been approved by the Zoning Commission, which includes two mixed-use buildings and a movie theatre.

The following map, provided by the applicant in Exhibit 2G, identifies Parcels F, H/I, and Q, the subject of this application, in the context of SEFC.



V. PROJECT DESCRIPTION

The SEFC neighborhood continues to experience significant growth since the establishment of the overlay in 2007. More recent development proposals include a hotel and residential development on Parcel L (ZC Case Nos. 16-16 and 17-07), and a winery and restaurant on Parcel P (Zoning Commission Case No. 08-14B), both approved by the Zoning Commission through the Design Review process. Notices of Intent have been filed for the Design Review of Parcels F and I, both included in this application. The applicant has provided the following table identifying the status of parcel development in SEFC.

Parcel	Name/Type of Project	Status
Parcel A1	Parcel A1 – Office/Retail	Open Space
Parcel A2	Parcel A2 – Office Retail	Open Space
Parcel A3	Parcel A3 – Office/Retail	Open Space
Parcel D	Twelve 12 – Residential Retail	Completed; Occupied
Parcel F	Parcel F – Office/Retail	Surface Parking Lot – Notice of Intent filed
Parcel G	Parcel G – Office/Retail	Trapeze School
Parcel H	Parcel H – Residential/Retail	Surface Parking Lot
Parcel I	Parcel I – Residential/Retail	Surface Parking Lot – Notice of Intent filed
Parcel K	The Boilermaker Shops – Retail	Completed; Occupied
Parcel L1	Parcel L1 – Hotel/Retail	Seeking building permit
Parcel L2	Parcel L2 – Residential/Retail	Seeking building permit
Parcel M	Foundry Lofts – Residential	Completed; Occupied
Parcel N	Arris – Residential/Retail	Completed; Occupied
Parcel O	Parcel O – Condo/Rental/Retail	Under Construction
Parcel P	Lumber Shed – Retail/Office	Completed; Occupied
Parcel P2A	Parcel P2A – Restaurant	TBD
Parcel P2B	Parcel P2B – Winery/Restaurant	Completed; Occupied
Parcel P3	Parcel P3	TBD
Parcel Q	Parcel Q	Surface Parking Lot

When originally approved, it was generally not anticipated that the special exceptions for these parking lots would be extended multiple times, and the continued extensions could cause concern that they may be perceived as more permanent than temporary in nature, or delaying permanent development of the properties. However, the developer of the area has demonstrated that the parcels will be developed with more productive uses, and other recent changes in the area necessitate extension of the temporary parking lot approvals.

The DC United Soccer Stadium is currently under construction in nearby Buzzard Point, and provides no parking on site. The Stadium, approved by the Zoning Commission in 2017, included a traffic study identifying the subject temporary parking lots as parking that would serve the facility. The study acknowledges that the spaces are temporary and are in excess of parking that would be required when combined with other permanent spaces identified in the area.

The current application to renew the special exception is also different from previous applications in that a reduction in parking is proposed. The original approvals resulted in a maximum of 1,165 parking spaces. With Parcels O and L under construction, the number of temporary lots have been reduced, resulting in the remaining 794 parking spaces that are part of this request. Given that Notices of Intent have been provided for Design Review of Parcels F and I, additional reductions in temporary parking spaces will happen.

The District Department of Transportation (DDOT) has requested that the public space along the northern side of N Place, S.E. between 1st Street and Cnal Street be upgraded to DDOT standards in conjunction with development of Parcel I or by December 31, 2019, whichever occurs first. This would include upgrading the existing pedestrian infrastructure to include sidewalks, tree boxes, street trees, crosswalks, curb ramps, and street lights. OP is in agreement with this condition.

VI. ZONING COMMISSION REVIEW STANDARDS (SEFC)

The applicant has requested Zoning Commission review pursuant to Subtitle K §§ 237.4 (o), 238.3 (g), 241, and 242, pertaining to the continued use of existing temporary parking lots in Southeast Federal Center. The following is an analysis of relevant sections of the Zoning Regulations mandating development in the SEFC-1 and SEFC-3 zones.

237.4 Within the SEFC-1 zone, the following buildings, structures, and uses are permitted only if reviewed and approved by the Zoning Commission, in accordance with the standards specified in Subtitle K § 241 and procedures specified in Subtitle K § 242:

- (o) Temporary parking lot or garage, for a maximum approval period of five (5) years, which may be renewed by the Zoning Commission, as a principle use located at or above grade;*

The applicant has requested an extension of the special exception to continue using existing temporary parking lots on Parcels F and H/I, zoned SEFC-1, for a period of five years.

238.3 Notwithstanding Subtitle K § 238.1, the following buildings, structures, and uses are permitted only if reviewed and approved by the Zoning Commission, in accordance with the standards specified in Subtitle K § 241 and procedures specified in Subtitle K § 242:

- (g) Temporary parking lot or garage, for a maximum approval period of five (5) years, which may be renewed by the Zoning Commission, as a principal use, located at or above grade;*

This section of the Zoning Regulations applies to the SEFC-2 and SEFC-3 zones. The applicant has requested an extension of the special exception to continue using an existing temporary parking lot, located at grade, on Parcel Q, zoned SEFC-3, for a period of five years.

241.1 In addition to proving that the proposed uses, buildings, or structures meet the standards set forth in Subtitle X, the applicant for Zoning Commission approval of a use or structure within a SEFC zone shall further demonstrate conformance to the following standards:

- (a) The use, building, or structure will help achieve the goals and objectives of the SEFC zone as set forth in Subtitle K §§ 200.2 through 200.7, as applicable;*

The existing temporary parking lots would continue to allow for parking in the SEFC area, and particularly for the baseball and new soccer stadiums. Each lot has been enhanced with landscaping, improving the visual appearance of the lots and providing pedestrian-oriented streetscape. Lots F and Q include bio-retention areas that improve the permeability of the property. Permanent streetscape has been constructed adjacent to each temporary lot, except for along the southern property line of Parcel H/I. DDOT has recommended permanent improvements to the streetscape along that section, which OP supports.

- (b) The proposed building or structure shall be designed with a height, bulk, and siting that provide for openness of view and vistas to and from the waterfront and, where feasible, shall maintain views of federal monumental buildings, particularly along the New Jersey Avenue, S.E. corridor; and*

There are no buildings or structures associated with the temporary parking lots, resulting in the maintenance of the openness of view and vistas to and from the waterfront, and of federal monumental buildings.

- (c) *On or above-grade parking adjacent to, or visible from, the street shall be limited. Where parking cannot be placed underground, other uses such as retail or residential shall separate parking areas from the street, or where this is not possible, green landscaping or architectural treatment of façade shall adequately screen parking from the street and adjacent development.*

The existing temporary parking lots have perimeter landscaping that screens them from the street and adjacent development.

241.2 *In evaluating the application, the Zoning Commission also may consider:*

- (a) *Compatibility with buildings in the surrounding area through overall massing, siting, details, and landscaping;*

The existing temporary parking lots do not include buildings or structures. Landscape buffers have been provided around the perimeter of each lot, including a variety of trees, shrubs, perennials, roses, and grasses that screen the parking lots and provide four-season interest.

- (b) *Use of high standards of environmental design that promote the achievement of sustainable development goals;*

The applicant has indicated that the landscape materials are native to the region and provide a relatively low-maintenance landscape screen. Bioretention areas have been provided on Parcels F and Q for water quality control.

- (c) *Façade articulation that minimizes or eliminates the visibility of unarticulated blank walls from public spaces;*

There are no buildings or structures on the temporary parking lots, so this section does not apply.

- (d) *Landscaping which complements the building;*

There are no buildings or structures on the temporary parking lots, so this section does not apply; although, analysis regarding the existing landscaping has been provided under other applicable sections.

- (e) *For buildings that include preferred uses in accordance with Subtitle K §§ 237 or 238, the Zoning Commission may consider the balance and location of preferred uses;*

There are no buildings or structures on the temporary parking lots, so this section does not apply.

- (f) *In connection with its review pursuant to Subtitle K § 238.3, the Zoning Commission may consider the effect of the proposed use on the predominantly residential character of the SEFC-2 and/or SEFC-3 zones; and*

Parcels F and H/I are not located adjacent to SEFC-2 or SEFC-3 zones, and therefore would not have an impact on the residential character of these zones. Parcel Q is located south of a mixed-use retail and residential development that is currently under construction. The temporary parking lot on this parcel

would not impact views or access to the waterfront, and should not impact traffic circulation to the residential project.

- (g) *For development within or adjacent to the SEFC-4 zone, the Zoning Commission may consider whether the project is consistent with the following goals:*
 - (1) *Providing a wide variety of active and passive recreational uses;*
 - (2) *Encouraging uses that open to, overlook, and benefit the waterfront park; and*
 - (3) *Utilizing siting and design of buildings and uses to improve the natural ecology, to illustrate the importance of natural systems, and/or to interpret the historically important maritime context of the site.*

The existing temporary parking lots are located in the SEFC-1 and SEFC-3 zones; therefore, this provision does not apply.

242.1 At the time the Zoning Commission is considering an application for approval authorized by this chapter, the Commission may hear and decide any additional requests for zoning relief needed for the subject property.

The applicant has not requested any additional zoning relief for the temporary parking lots.

Subtitle C, Development Requirements for Temporary Parking Lots (§§ 602, Green Area Ratio; 711, Access Requirements; 712, Size and Layout Requirements; 713, Maintenance Requirements; 715, Landscaping Requirements)

The temporary parking lots are existing and comply with the regulations that were in effect at the time they were approved, which were the 1958 Zoning Regulations. The applicant does not propose any modifications to the parking lots that would require improvements or compliance with the 2016 Zoning Regulations.

Subtitle X § 901, Special Exception Review Standards

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The continued use of the existing temporary parking lots would be in harmony with the general purpose and intent of the Zoning Regulations. The original intent of the parking lots was to provide overflow parking to the Baseball Stadium while the area was under construction, and to make use of the lots while they were in a vacant state. With construction of the DC United Soccer Stadium underway, these lots will also serve that stadium until they are eventually developed. However, it is intended that these parking lots remain temporary, consistent with the Zoning Regulations.

- (b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;*

The existing temporary parking lots will not tend to adversely affect the use of neighboring property. The lots have been developed in accordance with the Zoning Regulations, providing setbacks from the right-of-way, landscape buffers, and bioretention. The lots are illuminated and well-maintained. The applicant provided traffic studies with the original requests for special exception, which demonstrate that the lots would not have a negative impact on traffic circulation. OP and DDOT have requested that the applicant improve the streetscape along the north side of N Place, adjacent to Parcel H/I, to permanent conditions to better facilitate pedestrians.

VII. ADVISORY NEIGHBORHOOD COMMISSION (ANC) COMMENTS

At its regularly scheduled meeting on March 19, 2018, ANC 6D voted to support the requested extension of the special exception to allow temporary parking lots on Parcels F, H/I, and Q. OP has not received other comments from the community.

VIII. DISTRICT AGENCY COMMENTS

As of the date of this writing, comments from other District Agencies had not been received. However, it is anticipated that DDOT will file a report under separate cover.

JLS/be