

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: ^{JLS} Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation
DATE: November 8, 2018
SUBJECT: **Public Hearing Report for ZC #18-13**
1530 First Street SW (Square 656, Lot 53)
Design Review Under the Capitol Gateway Overlay

I. SUMMARY AND RECOMMENDATION

This application proposes a new mixed-use building in Square 656, Lot 53. The Office of Planning (OP) supports the requested lot occupancy and court special exception and loading variance relief, and can fully support the design review application pending the following:

- Detailed building signage plan, including residential lobby entrance and retail;
- Revision of the First Street SW streetscape improvements to conform to the Buzzard Point Streetscape Design Guidelines, including revisions to the sidewalk treatment and brick planters and seating in public space;
- Examination of whether the green features of the building can be enhanced, including LEED gold and rooftop solar; and
- Provision of a color and materials board.

OP notes that several project details changed in the most recent filing, including the following:

- Lot area (13,032 square feet / 13,206 square feet);
- Gross Floor Area (GFA) (98,384 square feet / 103,561 square feet);
- Residential and commercial square footages (91,295 square feet residential and 7,053 square feet commercial/ 92,807 square feet residential and 7,053 square feet commercial);
- Floor Area Ratio (FAR) (8.0 FAR / 7.84 FAR) - residential and commercial FAR should be provided;
- Lot occupancy at third floor (80.7% / 81.03%);
- Square footage of public plaza provided; and
- Long-term bicycle parking spaces provided (45 spaces / 36 spaces).

The Applicant should provide a reconciliation prior to the public hearing as no changes to the building design were identified in the supplemental filing.

II. APPLICATION-IN-BRIEF

Location	1530 First Street, SW (Square 656, Lot 53) Ward 6, ANC 6D
Applicant	TM Jacob, LLC
Zoning	CG-4 (Medium- to high-density mixed-use development)
Site Area	13,206 square feet (0.3 acres)
Proposed Development	10-story, mixed-use building with approximately 101 units (92,807 square feet) and 7,053 square feet of ground-floor retail, general or financial service, office, and/or eating and drinking establishment uses 103,561 square feet of Gross Floor Area (7.84 FAR)
Relief	Pursuant to 11 DCMR K § 512.7, the following relief is requested to develop as proposed: <ol style="list-style-type: none"> 1. Special exception from lot occupancy requirements (K § 504.6, 80% permitted; 81.03% proposed for third floor); 2. Special exception from minimum width requirements closed courts (K § 504.10, 4 inches per foot of height but not less than 15 feet minimum required and twice the square of the required width of court dimensions but not less than 350 square feet) North Court – 33.2 feet in width required, 2, 204.5 square feet in area required; 89 feet in width and 534 square feet in area provided. South Court at second level – 33.2 feet in width required, 2,204.5 square feet in area required; 27.66 feet in width and 226 square feet in area provided. South Court at third level – 29.9 feet in width required, 1,788 square feet in area required; 37.66 feet in width and 369 square feet in area provided. 3. Variance from loading requirements (C § 901.1, one 30-foot loading berth, one 100 square foot loading platform, and one 20-foot service/delivery space required; no 30-foot loading berth proposed). 4. Variance from the plaza requirements (K § 504.13, 8% or 1,057 square feet required).

III. SITE, AREA AND PROJECT DESCRIPTION

The subject property is located on the east side of First Street, SW and is the site of the now vacant High Road Middle School, a two-story charter school. To the south is an associated development at 1550 First Street, SW (Phase I), which the Commission reviewed and approved in Zoning Commission Order No. 17-13, June 7, 2018. To the north are low to moderate density garden style apartments in the RF-1 zone. To the west across First Street are rowhouses in the CG-4 zone. To the east are rowhouses in the CG-4 zone that front on Q Street SW. At the northwest corner of Half and Q Streets, SW, also in the CG-4 zone, there is a pending Design Review application (Zoning Commission Case No. 18-15) for a hotel.

The remainder of the neighborhood is a mix of apartment and rowhouse uses, as well as industrial uses, primarily to the south of this site. The Pepco Buzzard Point Substation is to the southwest of the subject property. The DC United soccer stadium is just over a block south of the subject property, and Fort McNair is one block to the west. Adjacent properties to the south, east and west are zoned CG-4, while properties to the north are zoned RF-1.

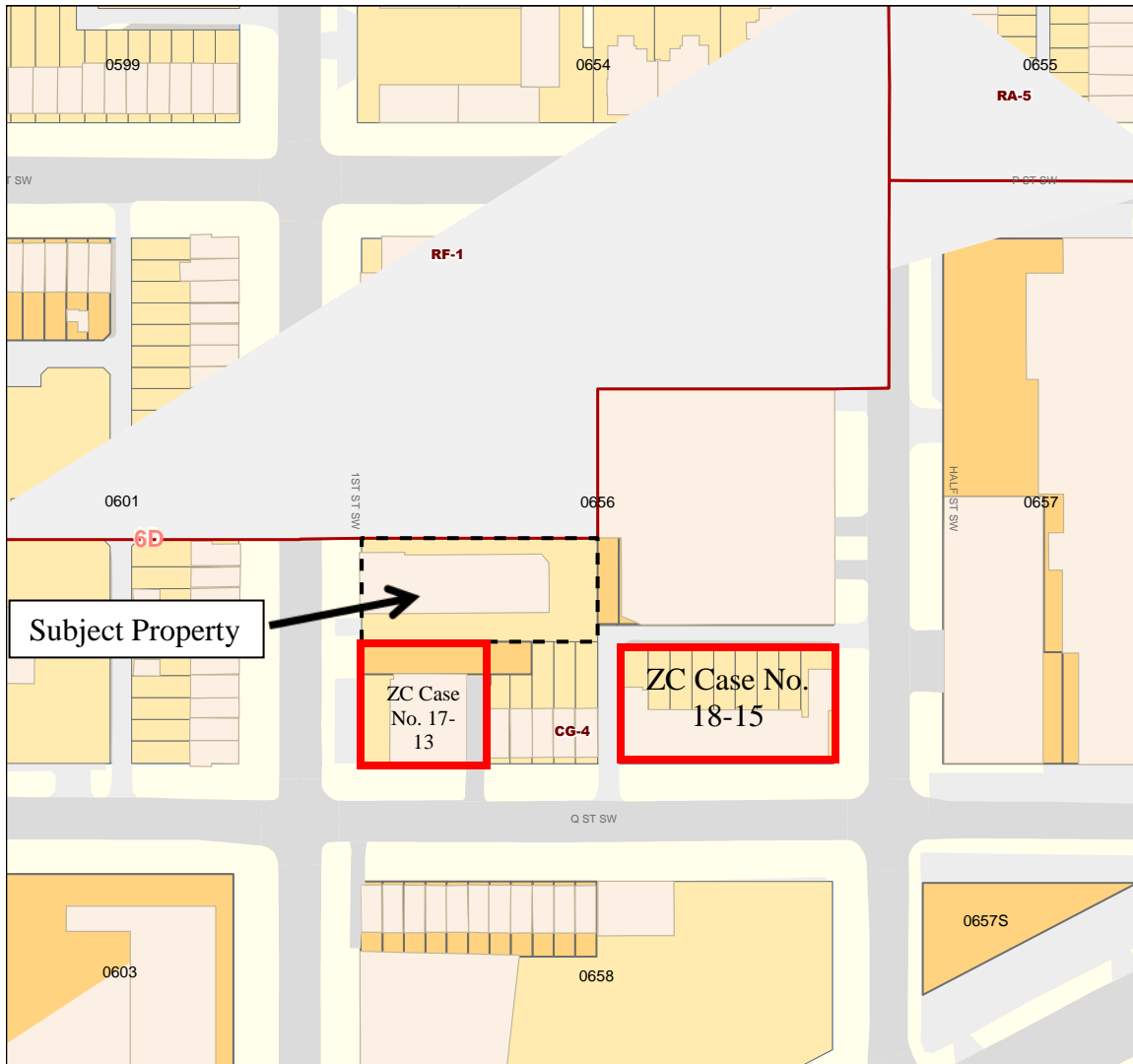


Figure 1: Zoning and Location Map

The proposed development would consist of a 101 unit, 10-story mixed-use building. The development would be 100% affordable with 20% of the units reserved for households with incomes not exceeding 30% of the Median Family Income (MFI) and 80% of the units reserved for households with incomes not exceeding 50% MFI. Residents of the units reserved for households with incomes not exceeding 30% MFI would be referred through the District's Coordinated Entry System and Permanent Supportive Housing services would be provided to these tenants by the United Planning Organization's Community Development Corporation (UPO CDC). Additional on-site services would be provided for the following: mental health, addiction treatment, childcare, job readiness, job training, and adult education.

The Applicant is proposing the following unit mix:

	Floors 1 - 10	Penthouse	Total	Percent
1 Bedroom	44	2	46	45%
2 Bedroom	35	2	37	37%
3 Bedroom	9	1	10	10%
4 Bedroom	8	0	8	8%

The project is receiving Housing Production Trust Fund (HPTF) funding and would be exempt from the Inclusionary Zoning (IZ) requirements for the 40-year HPTF affordability period. However, the project would be required to remain IZ compliant after the 40-year affordability period expires. The project includes five (5) penthouse units and the Applicant would meet the Penthouse IZ requirement on-site.¹ The Applicant is taking advantage of bonus density available to IZ projects in the CG-4 zone (K § 504.3).

Parking and long-term bike storage would be provided in one below grade parking level that would be accessed via the 16-foot alley that connects to Half and Q Streets, SW. The Applicant is proposing to take advantage of the 50% reduction in the minimum required parking (32 spaces required, 18 spaces provided) and has determined that the property is 0.5 miles from the Waterfront Metro station.²

The Applicant is proposing to provide 36 long-term bike parking in the garage that would serve the residential units, as well as 8 short-term bike parking spaces that would be located on the First Street, SW sidewalk. The Applicant's Comprehensive Transportation Review (CTR) references 45 bicycle parking spaces, but only 36 spaces are shown on the plans.³ The bicycle room in the garage would feature a bicycle repair station. The Applicant committed to the installation of a Capital Bikeshare station as part of the Phase I development in ZC Case No. 17-13. The Applicant is proposing to install a 19-dock station and fund the first year of operation; however, the location for the station has not been identified.

The ground floor would feature a retail space comprising 7,053 square feet, with its entry facing First Street, SW. The Applicant anticipates that the ground floor use could include office, retail, general or financial service, or an eating and drinking establishment. The building's residential entry and lobby also would be accessible from First Street, SW. The ground floor would include residential leasing and service space serving the apartment above. Building amenity space would be located on the second floor and would include indoor space, as well as an outdoor courtyard that would overlook the Phase I courtyard. An additional patio amenity would be located on the penthouse level and would be accessible to all building residents.

Buzzard Point Street Design Guidelines

The Applicant states that it would be improving the sidewalks in conformance with DDOT's Buzzard Point street design guidelines; however, some non-standard treatment of public space is proposed, including the sidewalk material, seating, and brick planters on First Street, SW. The

¹ Exhibit 26A2, Sheet A-52, November 2, 2018.

² Exhibit 26B, November 2, 2018.

³ Exhibit 26A1, Sheet A-26, November 2, 2018.

Applicant should continue to refine the public space improvements through the Public Space Committee process to ensure they conform to the guidelines.

Building Design

The design proposes a contemporary façade that would not be out of character with the surrounding neighborhood, including the Pepco Substation, DC United Stadium, and proposed mixed-use buildings to the south. The Applicant is proposing a primarily brick base for the building with retail window opening at the ground floor with brick, metal and fiber cement panels at the upper floors.

The building massing is broken down with bay projections on the residential floors. The building massing is further articulated by a series of step backs. There is a closed court beginning at the second level on the north elevation⁴, glass and metal Juliette balconies within the court are proposed on floors 2 through 9, and would overlook a green roof below.⁵ A second closed court is introduced at the south elevation and is adjacent to the court proposed in Phase I.⁶ The southern court serves as amenity space at the ground floor. The court opens at the third level and a small area of green roof is introduced at the western edge of the southern court. The northwest corner of the building is pulled back at the fourth floor providing additional modulation to the building façade.⁷ The building steps back along the north façade above 90 feet to respect the required 1:1 setback established in K § 504.4 as the property abuts property in the RF-1 zone. Green roof is proposed at the step back at the tenth floor and at the penthouse level.⁸

The First Street, SW façade would be a combination of red and iron spot brick and fiber cement and metal panels. The brick from the upper stories would be carried down to the ground level and would be accented with a wood siding detail to frame the retail and residential lobby.⁹

The north façade is adjacent to RF-1 zoned property that would have a maximum height of 35 feet and would therefore remain largely visible – both as developed presently and under any future redevelopment. The Applicant has proposed windows along the north façade that open to the ground floor retail space. The Applicant acknowledges these are at-risk windows, as they could be blocked should the RF-1 property to the north redevelop. The upper floors of the north elevation feature red brick cladding with vertical windows at the east and west ends and metal panel and iron spot brick cladding in the middle at the balcony recesses.¹⁰

The east façade is set back from the property line at the loading dock and the building materials echo the other elevations with red brick cladding and iron spot brick and metal panel accenting the residential windows. Fiber cement panels would cover the tenth floor and penthouse.¹¹ The south elevation also would feature similar materials, with the use of red brick, iron spot brick and metal panel details at the windows, and fiber cement panels at the upper floors and penthouse.¹²

⁴ Exhibit 21A1, Sheet A-20, October 25, 2018.

⁵ Exhibit 21A1, Sheets A-20 through A-22, October 25, 2018.

⁶ Exhibit 21A1, Sheet A-20, October 25, 2018.

⁷ Exhibit 21A1, Sheet A-23, October 25, 2018.

⁸ Exhibit 21A2, Sheets A-24 and A-25, October 25, 2018.

⁹ Exhibit 21A2, Sheets A-47 and A-48 and Exhibit 21A2, Sheet A-27, October 25, 2018.

¹⁰ Exhibit 21A1 Sheet A-16 and Exhibit 21A2, Sheet A-28, October 25, 2018.

¹¹ Exhibit 21A2, Sheet A-29, October 25, 2018.

¹² Exhibit 21A2, Sheet A-30, October 25, 2018.

IV. ZONING

The subject site is zoned CG-4 (Capitol Gateway / Commercial Residential). The CG-4 zone is intended to, “permit medium- to high-density mixed-use development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions; encourage provision of active pedestrian-oriented streets with active ground floor uses, particularly along specified primary streets; and promote pedestrian safety by separating pedestrian and vehicular circulation patterns.” (K § 504.1)

The building’s parameters are described in the table below.

Item	Requirement	Proposed ¹³	Relief
Lot Area	n/a	13,206 sf	Conforming
Lot Width	n/a	76’ 1”	Conforming
Height K § 504.4	90’ 100’ (IZ)	100’	Conforming
FAR K § 504.3	6.0 7.2 (IZ) => 8.2 (+ 1.0 Res.) 3.0 Non Res.	7.84 Non-Res. to be provided	Conforming
Plaza § 504.13	8% of lot area (1,057 sf)	To be Provided	Variance Requested.
Lot Occ. K § 504.6	75% 80% (IZ)	80% 81.03% @ 3 rd floor	Special Exception Requested
Rear Yard K § 504.8	2 in. / ft. of height Min. of 5’ (15’)	20’ 10”	Conforming
Side Yard K § 504.9	None required, if prov. 2”/1’ height, 5’ min.	None provided	Conforming
Closed Court K § 504.10	4”/1’ height, 15’ min. 2x the sq. of the req. width, 350 sf min.	Varies	Special Exception Requested
GAR K § 504.12	0.2	0.2	Conforming
Parking C § 701	Res. 1 per 3 units (16 space) Ret. 1.33 per 1,000 sf in excess of 3,000 sf (5 spaces)	Res. 18 spaces Ret. 5 space	Conforming
Bicycle Parking C § 802	Res. Long Term 1 sp./3 du = 34 sp. Res. Short Term 1 sp./20 du = 5 sp. Ret. Long Term 1 sp./10,000 sf = NA Ret. Short Term 1 sp./3,500 sf = 2 sp.	Res. Long Term 36 sp. Res. Short Term 5 sp. Ret. Long Term NA Ret. Short Term 3 sp.	Conforming
Loading C § 901	1 30’ berth 1 100 sf platform 1 20’ service del. space	1 100 sf platform 1 20’ service del. space	Variance Requested
Penthouse C § 1500	Height – 20 feet Setback – 1:1 setback FAR - .4 FAR	9’7” habitable 14’10” elevator overrun 17’ mechanical 1:1 setback .39 FAR	Conforming

¹³ Exhibit 26A2, Sheet A-50, November 2, 2018.

Subtitle X § 603.1 states the following:

The Zoning Commission may grant relief from the development standards for height, setbacks, lot occupancy, courts, and building transitions; as well as any specific design standards of a specific zone.

Subtitle X § 603.3 states the following:

An application for a special exception or variance that would otherwise require the approval of the Board of Zoning Adjustment may be heard simultaneously with a design review application, and shall be subject to all applicable special exception criteria and variance standards and the payment of all applicable fees.

1. Special Exception from Lot Occupancy (K § 504.6) and Closed Courts (K § 504.10)

The Applicant has requested relief for lot occupancy and closed courts.

A maximum lot occupancy of 80% is permitted and the Applicant indicates that the project has a lot occupancy of 81.03% at the third floor.

The Applicant is also requesting relief for three closed courts that do not meet the minimum requirements.

	Height	Width Required	Area Required	Width Provided	Area Provided	Relief
North Court	99.58 ft.	33.2 ft.	2,204.5 sq. ft.	89 ft.	534 sq. ft.	Area
South Court at second level	99.58 ft.	33.2 ft.	2,204.5 sq. ft.	27.66 ft.	226 sq. ft.	Width and Area
South Court at third level	89.58 ft.	29.9 ft.	1,788 sq. ft.	37.66 ft.	369 sq. ft.	Area

The lot occupancy and court relief allow for greater modulation in the building form and result in greater articulation of the building facades.

The building would adjoin the approved Phase I building to the south, which has a comparable height and massing. The apartment building to the north, in the RF-1 zone, is approximately 30 feet away and is separated by a driveway and side yard from the proposed building. The rowhouses in the CG-4 zone that front on Q Street SW are separated from the subject property by their rear yards, which measure approximately 45 feet in depth.

The proposed project would be in harmony with the general purpose and intent of the Zoning Regulations. Granting the relief should not result in a project that would negatively impact the light and air and privacy of use and enjoyment of the neighboring properties. OP has no objection to the requested special exception relief for lot occupancy and courts.

2. Variance from Loading (C § 901)

The Applicant has requested a Variance from the minimum loading requirements.

The application proposes to provide the required platform and service and delivery space, where the CG-4 zone would require one 30-foot loading berth, one 100 square-foot loading platform, and one 20-foot service/delivery space for the residential portion of the project. No retail loading would be required.

i. Exceptional Situation Resulting in a Practical Difficulty

The subject site has an exceptional condition that would prevent compliance with the loading requirements. The subject property has alley access from Q and Half Streets, SW via 16-foot wide alleys. The alley from Half Street, SW does not fully intersect the subject property and provides approximately 12 feet and ten inches of access – not the full 16-foot width. Given the dimensions, a truck that would use a 30-foot loading berth would have difficulty accessing the property for loading.

ii. No Substantial Detriment to the Public Good

Provision of a curb cut on First Street SW that would allow access for a 30-foot loading berth would disrupt the streetscape and severely impair the ability to provide ground floor commercial, residential lobby, leasing office, and amenity space. It is also extremely unlikely that the Public Space Committee would approve a second curb cut for the subject property.

The Applicant proposes limited loading on-site with 23-foot trucks for trash, mail, and package deliveries. Larger deliveries would be accomplished from First Street, SW using on-street metered spaces. The Applicant is proposing a loading management plan and would require that all residential move-ins and move-outs be scheduled with building management staff.

iii. No Substantial Harm to the Zoning Regulations

The Applicant has proposed an on-street loading management scheme and associated loading management plan, which should minimize any adverse impacts on the surrounding community. The Applicant is providing the required loading platform and service and delivery space on-site. OP, therefore, has no objection to the requested loading variance relief.

3. Variance from Plaza Requirement (K § 504.13)

The Applicant has requested a Variance from the plaza requirements.

The Applicant would be required to provide 8% of the total lot area as public plaza space, or 1,057 square feet of plaza. The Applicant's Variance request does not state how much plaza is being provided and this information should be provided prior to the public hearing.

i. Exceptional Situation Resulting in a Practical Difficulty

The property exhibits an exception situation in that it is located on a zone line and adjacent to a previously approved project that would not be required to provide public plaza space.

ii. No Substantial Detriment to the Public Good

If the Applicant were required to provide the plaza space, it would result in an uneven streetscape that would not provide a uniform and continuous pedestrian experience along First Street, as the building to the south at 1550 First Street, SW would be sited at the property line and the development to the north in the RF-1 zone would not be required to provide public plaza space.

Furthermore, if the Applicant were required to provide the plaza space, it could result in a shift in the massing of the building to the rear of the lot, which could result in impacts to the adjoining properties that front on Q Street, SW.

iii. No Substantial Harm to the Zoning Regulations

The Applicant has committed to providing a streetscape that complements the proposed improvements to the south at 1550 First Street, SW. The streetscape improvements also would generally comply with the Buzzard Point Streetscape Design Guidelines and would include landscaping, street trees, lighting, bike racks, and seating. OP has no objection to the requested plaza relief.

4. Other Flexibility

The Applicant has requested the following flexibility:

1. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
2. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction;
3. To increase the final number of residential units by no more than 10% above the total number approved to respond to program demand, or to decrease the final number of residential units within the approved gross floor area in order to accommodate demand for larger units;
4. To vary the location, attributes and general design of the streetscape elements incorporated in the project to comply with the requirements of and the approval by the DDOT Public Space Division;
5. To make refinements to the garage configuration, including layout, parking spaces and other elements, so long as the number of parking spaces provided is at least the minimum number of spaces required by the Zoning Regulations;
6. To make refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, venting, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals;
7. To locate retail entrances in accordance with the needs of the retail tenants; and to vary the facades as necessary within the general design parameters proposed for the project; and to vary the types of uses designated as “retail” use on the Plans to include the following use categories: office, retail, services, general, services financial, and eating and drinking establishments; and
8. To vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the approved Plans.

OP is not opposed to this flexibility but recommends the applicant refine the language in items 2, 6, and 8 prior to the public hearing.

Regarding item 7, OP has no objections to the flexibility in uses but recommends that the flexibility to locate entrances and facades be refined.

V. CRITERIA OF THE CAPITOL GATEWAY ZONE

The Capitol Gateway zone lists several objectives and provides specific criteria for Zoning Commission review of proposed developments. The following is OP's analysis of these standards as applied to the application.

500.1 The purposes of the Capitol Gateway (CG) zones (CG-1 through CG-7) 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;*

The Comprehensive Plan Future Land Use Map shows that a Medium Density Residential use would be appropriate for this property. The Policy Map designates this property as a Neighborhood Enhancement Area. The Lower Anacostia Waterfront/Near Southwest Area Element calls for new mixed-use neighborhoods on vacant or underutilized waterfront sites with a substantial amount of new housing and commercial space that reaches household of all incomes, types, sizes, and needs (Policy AW-1.1.2: New Waterfront Neighborhoods). The proposed mixed-use building featuring 92,087 square feet of gross floor area dedicated to residential use for households with incomes not exceeding 50% AMI, as well as 7,053 square feet of gross floor area devoted to neighborhood-serving commercial uses should achieve this goal. The building would measure 100 feet in height with a Floor Area Ratio (FAR) of 7.84 – a height and bulk contemplated by the CG-4 zone.

The Buzzard Point Vision Framework + Design Review Guide's Design Principles call for:

- Bold architecture;
- Resilient urbanism and materials;
- First floors that shape memorable places;
- Responsive massing and transitions between larger new buildings and existing streets lined with row houses; and
- Outdoor spaces for life.

The Applicant is proposing a building that provides an interesting design that employs high quality materials that complement the adjacent Phase I building and other development in the area. The building employs a variety of step backs on the north side, adjacent to the RF-1 zoned property, and steps back at the east and south elevations.

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

The Applicant is proposing the inclusion of 7,035 square feet of ground floor neighborhood-serving retail that could be leased to a commercial use including a retail, general service, financial service, or an eating and drinking establishment. The proposed streetscape design would permit café seating on First Street SW, should there be a restaurant tenant in the ground floor retail space. While the Applicant has not identified a tenant, they anticipate that it would be neighborhood serving and complementary to the Buzzard Point community. The application includes a request for flexibility to vary the types of uses designated as "retail" use on the Plans to include the following use categories: office, retail, services, general, services financial, and eating and drinking establishments.

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

Lot 53 is improved with a vacant two-story charter school building and surface parking. The proposed development would not result in the discontinuation of an existing industrial use.

- (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;*

The property is located north of the intersection of First and Q Streets, SW and does not directly abut the Anacostia riverfront. The proposed building should not negatively impact views or public access to the waterfront.

512 ZONING COMMISSION REVIEW OF BUILDINGS, STRUCTURES, AND USES (CG)

512.1 The provisions of this section apply to properties:

- (a) *Within the CG-5 zone;*
- (b) *Abutting M Street, S.E.;*
- (c) *Located within Squares 700 or 701;*
- (d) *Abutting South Capitol Street, other than renovation or replacement of an existing row dwelling within Squares 653 or 655; or for a minor addition not exceeding fifty percent (50%) of the gross floor area of the original row dwelling structure;*
- (e) ***Within Squares 601, 656, or 657; or***
- (f) *Which are the recipient of density through the combined lot provisions of Subtitle K § 505.3(d).*

The subject property is in Square 656.

512.2 With respect to those properties described in Subtitle K § 512.1, 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.

The Applicant is proposing a new mixed-use building that is subject to review and approval by the Zoning Commission.

512.3 In addition to proving that the proposed use, building, or structure meets the standards set forth in Subtitle X and the relevant provisions of this chapter, an applicant requesting approval under this section shall prove that the proposed building or structure, including the sitting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

- (a) *Help achieve the objectives of the Capital Gateway defined in Subtitle K § 500.1,*

The project would help achieve the objectives of the CG zone. The project would add residential units in an area where none exist today along with ground floor commercial. The building height and bulk would be appropriate to its surroundings, and not inconsistent with the Comprehensive Plan. The residential use would complement the existing nearby rowhouses and apartments and the neighborhood-serving retail would benefit the Buzzard Point community. The Applicant is proposing a building that employs high quality materials with articulated north and west elevations.

- (b) *Help achieve the desired use mix, with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail, or service uses;*

The proposal would provide a mixed-use project, which is encouraged in the CG zone and would add residents on a property that is currently underutilized.

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

The proposed project, at 10 stories and 7.84 FAR, would be consistent with Phase I to the south and would be at a density contemplated by the CG-4 zones. The proposed ground floor commercial and streetscape improvements would generally comply with the Buzzard Point Streetscape Design Guidelines and would create a harmonious pedestrian experience along First and Q Streets, SW. Where existing development adjoins the Phase I and II buildings, the Applicant would ensure transitions to adjacent properties.

- (d) *Minimize conflict between vehicles and pedestrians;*

The project would minimize conflicts between vehicles and pedestrians. The Applicant proposes to eliminate the curb cut on First Street, SW. Parking and loading access would be from the alley that connects to Half and Q Streets, SW. The Applicant is proposing a Transportation Demand Management (TDM) plan, loading management plan, and streetscape improvements.

With the installation of bike share, external bike racks, and an internal bike storage room, the design would encourage biking as a mode of travel.

The subject property is within 0.5 miles of the Waterfront Metro Station and is near the Navy Yard Metro (0.8-mile walk). Metrobus service is also available in the area, including the 74 route and the DC Circulator. Other transit options in the area include bikeshare and shared vehicle services such as Car2Go. The Applicant has committed to installing a Transportation Information Center Display in the residential lobby and will provide each unit's incoming residents a \$100 SmartTrip Card. The District Department of Transportation has recommended conditions that would augment the proposed TDM plan.

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

The building façade facing First Street would have a contemporary character not inappropriate for the neighborhood surroundings that would complement the approved Phase I development. The mix of brick, glass, and metal and fiber cement panel is generally an appropriate material palette for the streetscape. The use of balconies at the upper levels, bay projections, and building step backs all work together to create an articulated façade.

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

The Applicant states that the Green Area Ratio (GAR) of 0.2 is being met. The Applicant provided a LEED v. 4 Checklist and anticipates that the project could achieve 58 out of 110 possible points, or LEED Silver.

- The Applicant should strive for LEED Gold and should continue to work with DOEE to find ways to enhance the green features of the building through such measures as rooftop solar panels.
- The project could benefit from the DC Solar for All program¹⁴ and should continue to explore that option with DOEE.

512.7 *The Zoning 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 variance relief from the loading requirements, which is supported by OP and DDOT. The project also would require relief for lot occupancy and closed courts, which OP also supports. The Applicant also has requested variance relief from the plaza requirement, which is supported by OP.

VI. DESIGN REVIEW STANDARDS

Subtitle X, Chapter 6 of the Zoning Regulations establish standards by which the Zoning Commission will evaluate and approve or disapprove a design review application. The following is OP's analysis of these standards as applied to the application.

604 DESIGN REVIEW STANDARDS

604.1 *The Zoning Commission will evaluate and approve or disapprove a design review application according to the standards of this section and, if applicable to the zone, standards set forth in Subtitle K.*

604.2 *For non-voluntary design review, the application must also meet the requirements of the provisions that mandated Zoning Commission approval.*

See the analysis in Section V for an evaluation against the standards of the Capitol Gateway Zone in Subtitle K that mandate Zoning Commission approval.

604.3 *The applicant shall have the burden of proof to justify the granting of the application according to these standards.*

The Applicant has provided a statement in support¹⁵ as well as supplemental information¹⁶¹⁷.

604.4 *The applicant shall not be relieved of the responsibility of proving the case by a preponderance of the evidence, even if no evidence or arguments are presented in opposition to the case.*

¹⁴ <https://doee.dc.gov/solarforall>

¹⁵ Exhibit 2, Statement in Support, August 10, 2018.

¹⁶ Exhibit 21, 20 Day Supplemental Statement, October 26, 2018.

¹⁷ Exhibit 26, Late Filing, November 2, 2018.

604.5 *The Zoning Commission shall find that the proposed design review development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

The proposed project is not inconsistent with the Comprehensive Plan, including the Future Land Use Map designation for Medium Density Residential use and the Policy Map designation as a Neighborhood Enhancement Area.

The project would will aid in managing growth and change by attracting an economically diverse population, including families, and by providing new affordable housing in a rapidly revitalizing area of the District that is close to public transportation. The project would support the District's non-residential growth through the proposed ground floor commercial use and associated tax revenue and job creation. The project would aid in the successful revitalization of the Buzzard Point neighborhood by providing housing and services for low and very low-income residents, including families.

The project also furthers Comprehensive Plan policies in the land use, transportation, housing, urban design, and Lower Anacostia Waterfront/Near Southwest Area Elements.

Land Use Element

Policy LU-1.1.5: Urban Mixed Use Neighborhoods *Encourage new central city mixed use neighborhoods combining high-density residential, office, retail, cultural, and open space uses in the following areas:*

1. *Mt Vernon Triangle;*
2. *North of Massachusetts Avenue (NoMA);*
3. *Downtown East;*
4. *South Capitol Street corridor/Stadium area;*
5. *Near Southeast/Navy Yard;*
6. *Center Leg Freeway air rights; and*
7. *Union Station air rights.*

The location of these areas is shown in the Lower Anacostia Waterfront/Near Southwest Area Elements. Land use regulations and design standards for these areas should ensure that they are developed as attractive pedestrian-oriented neighborhoods, with high-quality architecture and public spaces. Housing, including affordable housing, is particularly encouraged and should be a vital component of the future land use mix.

Policy LU-2.1.2: Neighborhood Revitalization *Facilitate orderly neighborhood revitalization and stabilization by focusing District grants, loans, housing rehabilitation efforts, commercial investment programs, capital improvements, and other government actions in those areas that are most in need. Use social, economic, and physical indicators such as the poverty rate, the number of abandoned or substandard buildings, the crime rate, and the unemployment rate as key indicators of need.*

The Applicant is proposing a 100% affordable residential building with neighborhood serving ground floor commercial space. Through a phased development project, the Applicant is

proposing two affordable residential buildings on sites that were previously underutilized as a one-story commercial building with surface parking and a vacant charter school building.

Transportation Element

Policy T-1.1.4: Transit-Oriented Development Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points.

The subject property is within a half mile of the Waterfront Metro Station, served by Metro and Circulator bus routes. The Applicant is providing a Bikeshare station as part of the Phase I project and both Phase I and II will provide streetscape improvements consistent with the Buzzard Point Streetscape Design Guidelines.

Housing Element

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.

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.

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.

Policy H-1.2.3: Mixed Income Housing Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing.

The proposed project is a partnership with the UPO and will provide deeply affordable units with 18% of the units being 3- and 4-bedroom, or family-sized, units.

Urban Design Element

Policy UD-1.3.7: Neighborhood Connectivity Improve the physical connections between neighborhoods and nearby waterfronts. Where feasible, extend the existing city grid into large waterfront sites to better connect nearby developed areas to the shoreline (see Figure 9.6).

The Applicant is improving neighborhood connectivity with active ground floor commercial uses. The Applicant proposes closing existing curb cuts and using the alley network for parking and loading access.

Lower Anacostia Waterfront-Near Southwest Area Element

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. These neighborhoods should be linked to new

neighborhoods upriver at Reservation 13, Poplar Point, and Kenilworth-Parkside. A substantial amount of new housing and commercial space should be developed in these areas, reaching households of all incomes, types, sizes, and needs.

The proposed project is a mixed-use development on an underutilized parcel. The Applicant is working with the UPO and has obtained a variety of local and federal funding sources to provide deeply affordable housing.

604.6 *The Zoning Commission shall find that the proposed design review development will not tend to affect adversely the use of neighboring property and meets the general special exception criteria of Subtitle X, Chapter 9.*

The project should not tend to adversely affect the use of any neighboring property. The proposed height, massing, and orientation are appropriate and consistent with the CG-4 zone and the adjoining development of the Phase I building.

The adjacent lot to the north is zoned RF-1 and improved with an existing apartment building set back from the Property's northern lot line by 30 feet, the Applicant has introduced projections, bays, and recesses to provide relief and soften the transition to the lower density zone to the north. The Applicant has also provided the required setback above 90 feet adjacent to the RF-1 zoned property. The proposed project would satisfy the general special exception criteria of Subtitle X, Chapter 9.

604.7 *The Zoning Commission shall review the urban design of the site and the building for the following criteria:*

- (a) *Street frontages are designed to be safe, comfortable, and encourage pedestrian activity, including:*
 - (1) *Multiple pedestrian entrances for large developments;*
 - (2) *Direct driveway or garage access to the street is discouraged;*
 - (3) *Commercial ground floors contain active uses with clear, inviting windows;*
 - (4) *Blank facades are prevented or minimized; and*
 - (5) *Wide sidewalks are provided;*

The Applicant is proposing to improve the street frontage along First Street, SW. The proposed improvements generally conform to the Buzzard Point Streetscape Design Guidelines and the Applicant continues to work through the Public Space permitting process.

The proposed project would include ground floor commercial use with a distinct entryway along First Street, SW and a separate entrance for the residential use, also along First Street, SW. The Applicant has proposed outdoor seating in public space along First Street, SW, which would align with the proposed improvements and seating at the adjacent Phase I building.

The proposed design exhibits an active ground level at First Street, SW and blank facades have been minimized on the remaining elevations. As previously discussed, windows have been proposed along the north elevation at the retail space.

- (b) *Public gathering spaces and open spaces are encouraged, especially in the following situations:*

- (1) *Where neighborhood open space is lacking;*
- (2) *Near transit stations or hubs; and*
- (3) *When they can enhance existing parks and the waterfront;*

The Applicant has acknowledged that the project would not be able to meet the public space requirement contained in K § 504.13 and has requested variance relief. OP believes that it would be difficult for the Applicant to meet the requirement and that it could negatively impact the ground floor design should the applicant comply. The Applicant has proposed a public art piece at the corner of First and Q Street, SW as part of the Phase I development and this should serve as a focal point for the immediately surrounding area.

- (c) *New development respects the historic character of Washington's neighborhoods, including:*
 - (1) *Developments near the District's major boulevards and public spaces should reinforce the existing urban form;*
 - (2) *Infill development should respect, though need not imitate, the continuity of neighborhood architectural character; and*
 - (3) *Development should respect and protect key landscape vistas and axial views of landmarks and important places;*

The Property is not located along the District's major boulevards. As previously stated, the building's materials include red and iron spot brick, fiber cement, wood, and metal paneling, which are compatible with the neighborhood architecture in the surrounding Capitol Gateway Zones. The project would not infringe on any key landscape vistas or axial views of landmarks and important places.

- (d) *Buildings strive for attractive and inspired façade design, including:*
 - (1) *Reinforce the pedestrian realm with elevated detailing and design of first (1st) and second (2nd) stories; and*
 - (2) *Incorporate contextual and quality building materials and fenestration;*

The Applicant is proposing an active pedestrian realm with ground floor retail and sidewalk seating areas. The ground floor retail is accentuated by a wood trim element that is echoed in the adjacent Phase I project. Retail and residential entries would be signed and open directly to First Street, SW. The Applicant should provide a detailed sign plan.

- (e) *Sites are designed with sustainable landscaping; and*

The Applicant indicates that the project would meet the required Green Area Ratio for the zone and has proposed green roof elements throughout the project.

- (f) *Sites are developed to promote connectivity both internally and with surrounding neighborhoods, including:*
 - (1) *Pedestrian pathways through developments increase mobility and link neighborhoods to transit;*

- (2) *The development incorporates transit and bicycle facilities and amenities;*
- (3) *Streets, easements, and open spaces are designed to be safe and pedestrian friendly;*
- (4) *Large sites are integrated into the surrounding community through street and pedestrian connections; and*
- (5) *Waterfront development contains high quality trail and shoreline design as well as ensuring access and view corridors to the waterfront.*

The Applicant is proposing vehicular and loading access from the alley system in the square, which reduces pedestrian conflicts and improves the pedestrian experience on First Street, SW. The Applicant is providing bicycle facilities on-site, including long and short-term bicycle parking. The Applicant has also committed to a TDM plan for the site.

604.8 *The Zoning Commission shall find that the criteria of Subtitle X § 604.7 are met in a way that is superior to any matter-of-right development possible on the site.*

VII. COMMUNITY COMMENTS

The Single Member District Commissioner for ANC 6D06, where the project is located, submitted a letter expressing conditional support for the project (Exhibit 19).

A party in opposition has requested party status (Exhibits 9 and 23).

VIII. DISTRICT AGENCY COMMENTS

DDOT provided a report indicating no objection to the Design Review project provided certain conditions were included in the Zoning Commission Order.¹⁸ OP supports the inclusion of the recommended DDOT conditions.

Comments from the District Department of Energy and Environment (DOEE) and the Department of Housing and Community Development (DHCD) have been incorporated in the body of this report.

JLS/emv

¹⁸ Exhibit 22, November 1, 2018.