

Z.C. 21-12: Square 695 LLC

M and South Capitol Street Sub-Area Design Review
Zoning Criteria Analysis

December 9, 2021

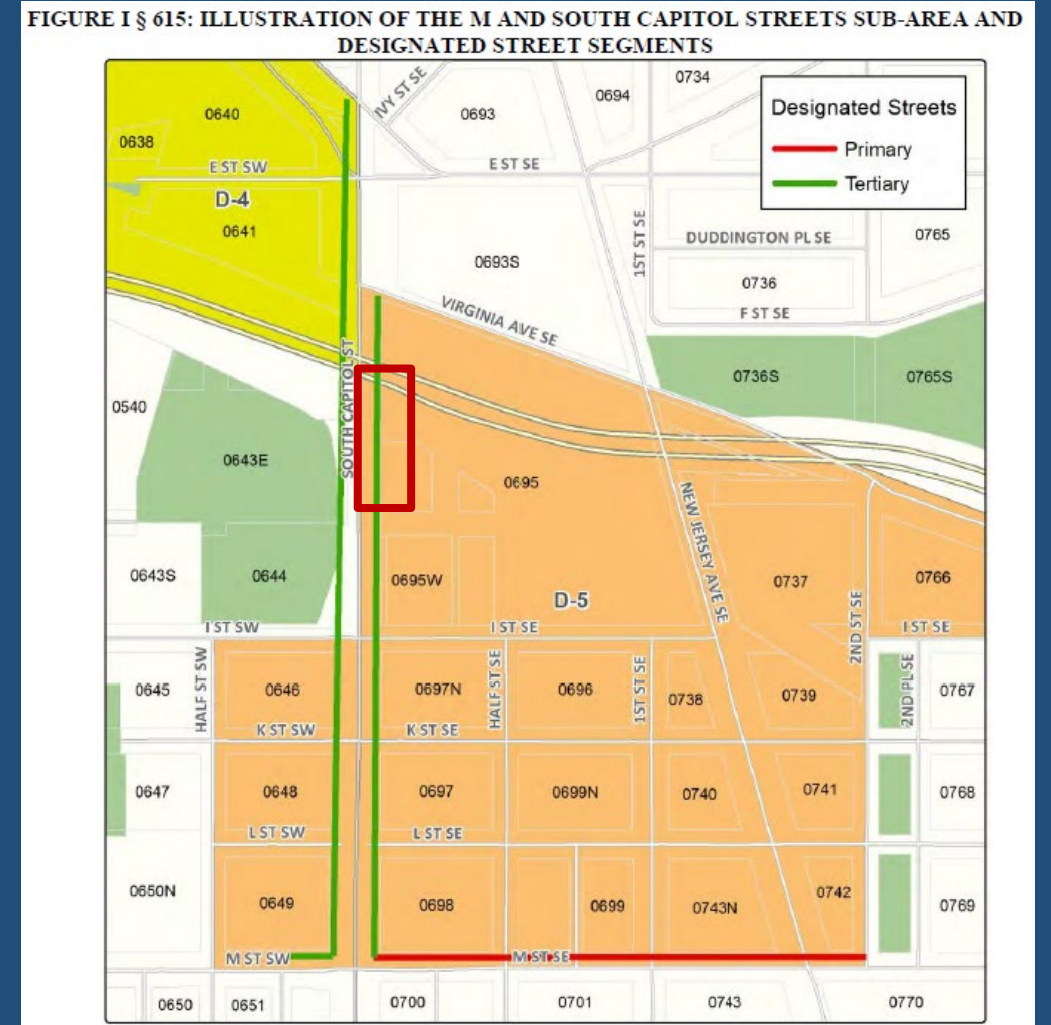
Holland & Knight

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ZONING COMMISSION
District of Columbia
CASE NO.21-12
EXHIBIT NO.25A4

STANDARD OF REVIEW

- “The provisions of Subtitle I, Chapter 7 apply to a new building or structure or building addition that has frontage on a designated street segment within the M and South Capitol Streets Sub-Area,...:
- Applicable criteria:
 - General special exception criteria (Subtitle X, Chapter 9).
 - Design Review criteria (Subtitle I § 701.2).
- Design Review regulations under Subtitle X, Chapter 6 not applicable.

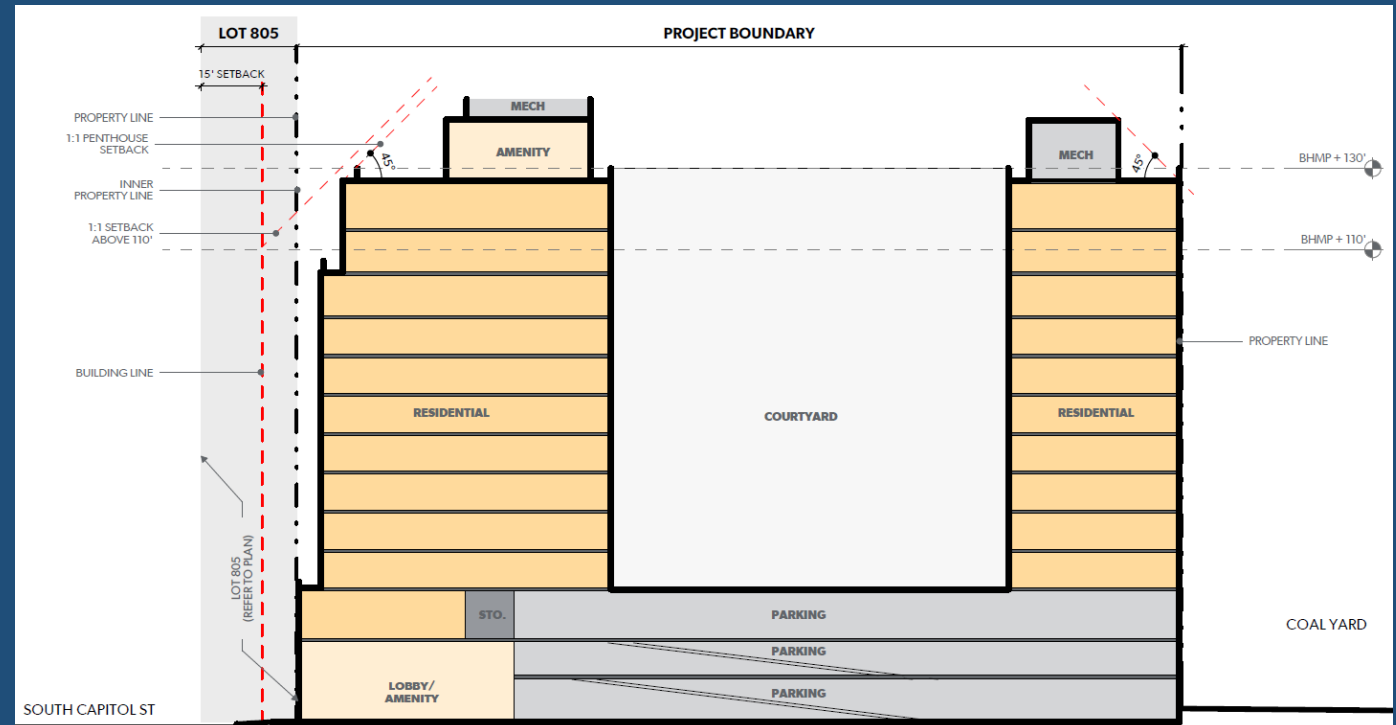


SUB-AREA CRITERIA (11-I DCMR § 616.7)

The street wall on the eastern and western sides of South Capitol Street shall be set back for its entire height and frontage not less than fifteen feet (15 ft.), from the property line adjacent to South Capitol Street, with the following exceptions:

- d) Any portion of a building that exceeds one hundred ten feet (110 ft.) in height shall provide an additional one-to-one (1:1) setback from the building line along South Capitol Street;*

The proposed building is set back 1:1 from the 15-foot building line above 110 feet.



SUB-AREA CRITERIA (11-I DCMR § 616.7)

The street wall on the eastern and western sides of South Capitol Street shall be set back for its entire height and frontage not less than fifteen feet (15 ft.), from the property line adjacent to South Capitol Street, with the following exceptions:

- e) There shall be no openings in building frontages adjacent to South Capitol Street that provide entrances or exits for vehicular parking or loading;*

Proposed building does not contain any vehicular or loading opening adjacent to South Capitol Street.

- f) A minimum of seventy-five percent (75%) of the street-wall on the east side of South Capitol Street shall be constructed on the setback line.*

Variance requested



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

a) *In addition to proving that the proposed use, building, or structure meets the special exception standards set forth in Subtitle X, Chapter 9, an applicant requesting approval under this section shall prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:*

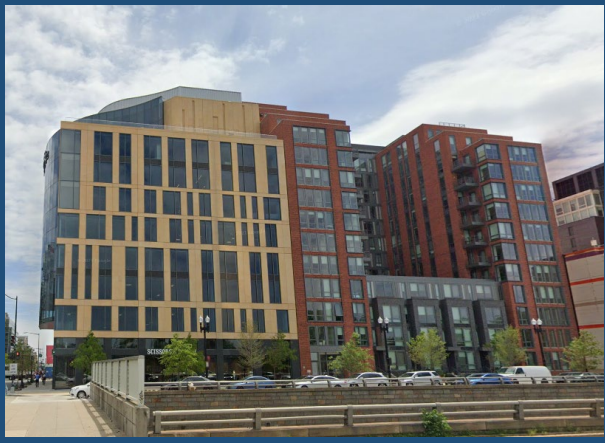
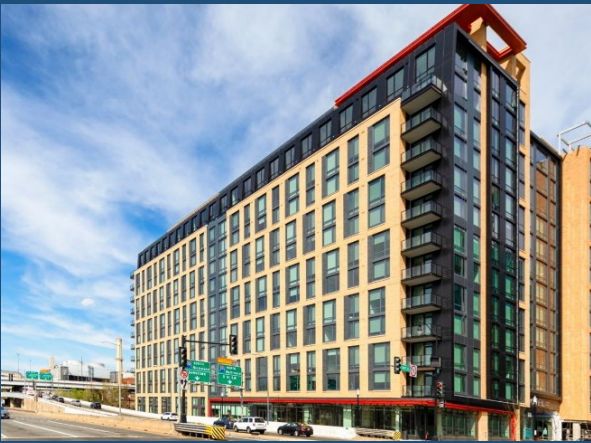
1) *Help achieve the objectives of the sub-area, as set forth in Subtitle I, Chapter 6, in which it is located;*

“The objectives of the M and South Capitol Streets Sub-Area are to ensure the preservation of the historically important axial view of the Capitol Dome and further the development of a high-density mixed-use corridor north of the Capitol Gateway neighborhood.”



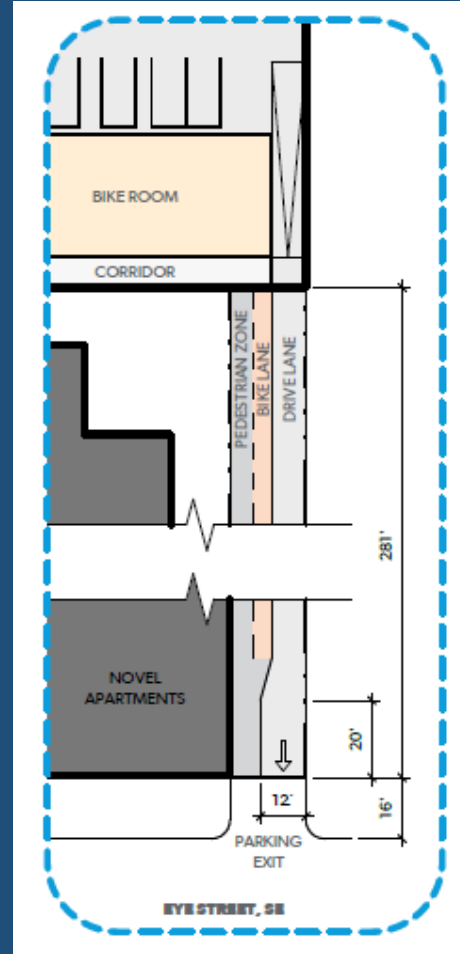
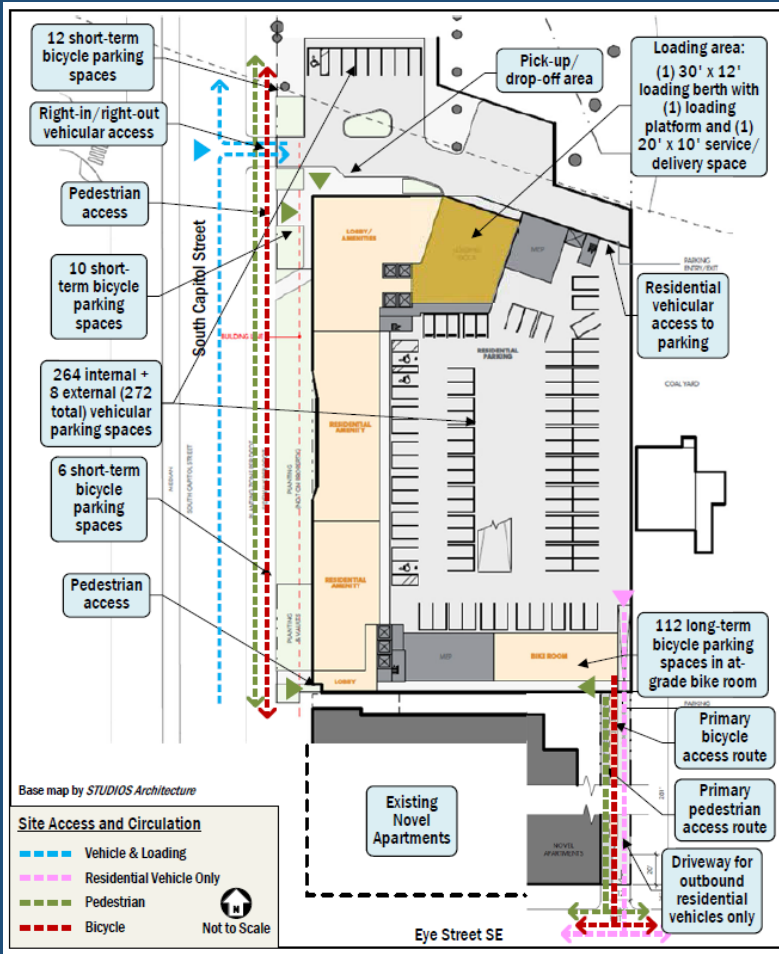
DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

2) *Be in context with the surrounding neighborhood and street patterns;*



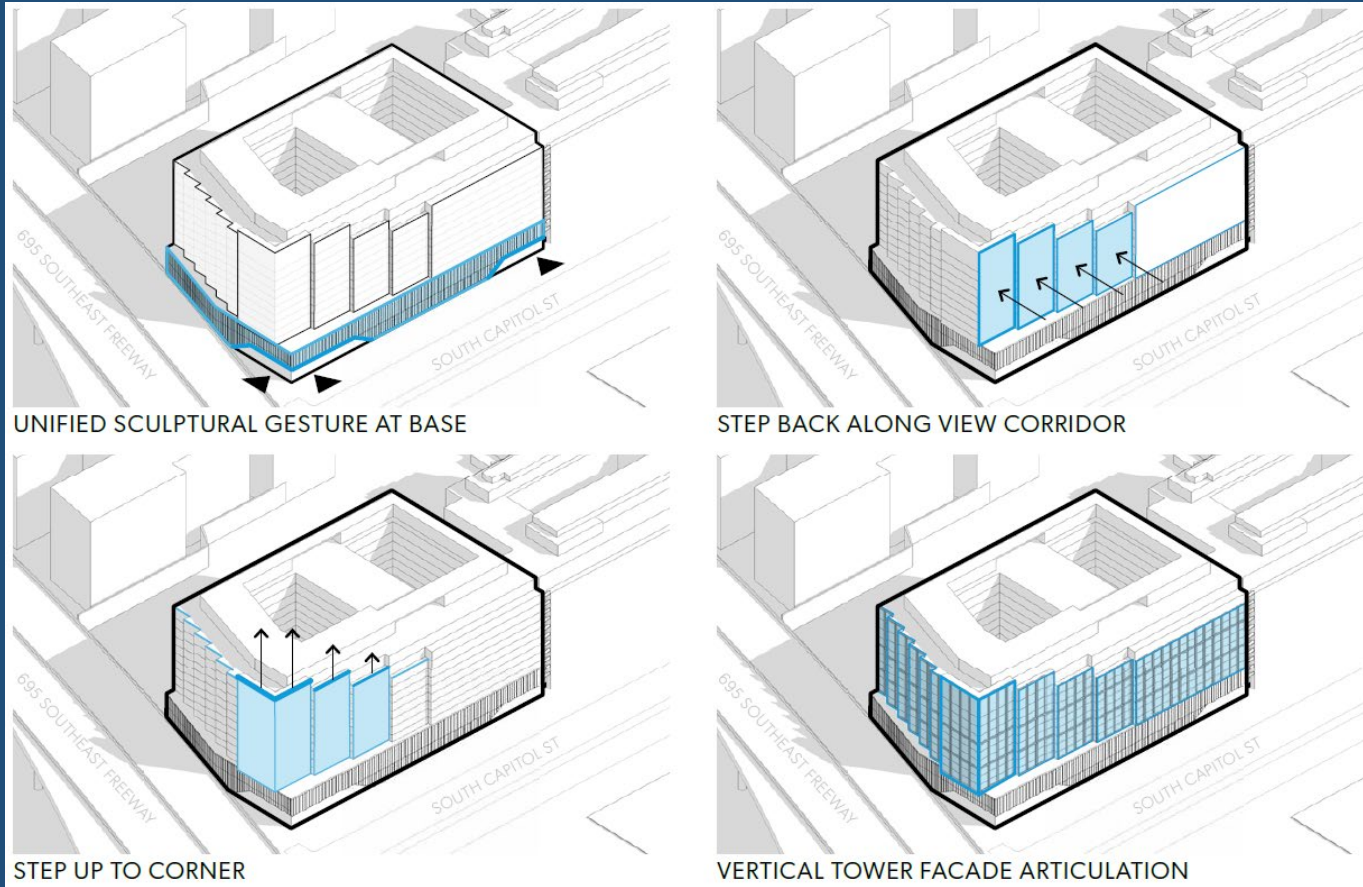
DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

3) Minimize conflict between vehicles and pedestrians;



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

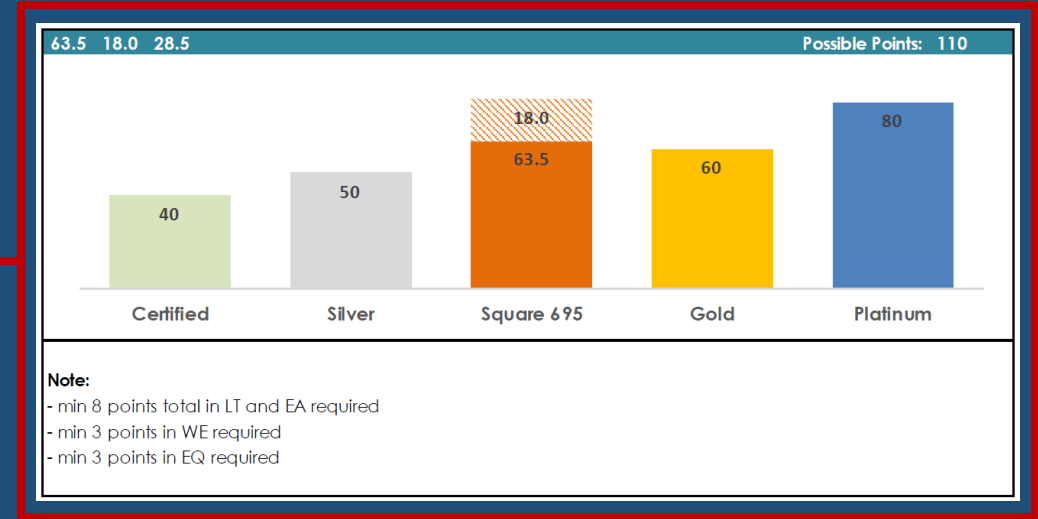
4) *Minimize unarticulated blank walls adjacent to public spaces through facade articulation;*



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

5) Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards; and

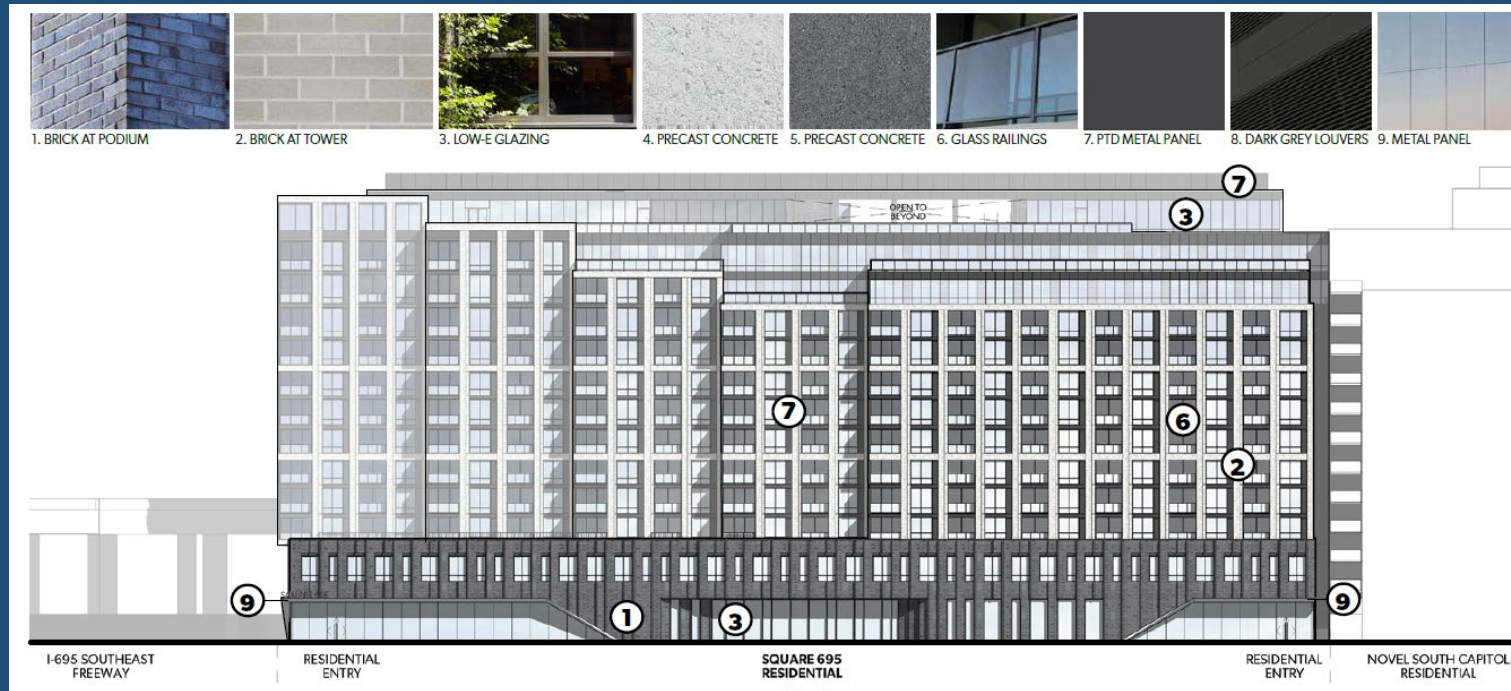
| LEED for Homes v4: Multifamily Mid-Rise | | Square 695 | | August 19, 2021 | | SP SUSTAINABLE BUILDING PARTNERS | |
|---|--------|---|----------|---|--------------------|----------------------------------|----------|
| 2 0 0 Integrative Process Possible Points: 2 | | 7 1.5 7.5 Indoor Environmental Quality Possible Points: 18 | | | | | |
| Y ? N | Credit | Integrative Process | Y ? N | Prereq | Ventilation | Required | |
| 2 | | | Y | Prereq | Combustion Venting | Required | |
| 13.5 1.5 0 Location and Transportation Possible Points: 15 | | | | Y | Prereq | Garage Pollutant Protection | Required |
| Y ? N | Prereq | Floodplain Avoidance | Required | Y | Prereq | Radon-Resistant Construction | Required |
| 7 | 1 | Credit | 8 | Y | Prereq | Air Filtration | Required |
| 3 | | Credit | 3 | Y | Prereq | Environmental Tobacco Smoke | Required |
| 2 | | Credit | 2 | Y | Prereq | Compartmentalization | Required |
| 1.5 | 0.5 | Credit | 2 | 1 | 0.5 | 2 | Credit |
| | | Credit | 2 | 1 | 1.5 | 1.5 | Credit |
| 4 1 0 Sustainable Sites Possible Points: 7 | | | | 1 | 2 | 2 | Credit |
| Y ? N | Prereq | Construction Activity Pollution Prevention | Required | 1 | 3 | 3 | Credit |
| Y | | No Invasive Plants | Required | 1 | 1 | 1 | Credit |
| 1 | 1 | Credit | 2 | 3 | | 1 | Credit |
| 3 | | Credit | 3 | 1 | 1 | 1 | Credit |
| 2 | | Credit | 2 | 1 | | 1 | Credit |
| 4 2 4 Water Efficiency Possible Points: 12 | | | | 5 1 0 Innovation Possible Points: 4 | | | |
| Y ? N | Prereq | Water Metering | Required | Y ? N | Credit | Innovation | 5 |
| 4 | 2 | 4 | 12 | 4 | 1 | Credit | 1 |
| | | Credit | 12 | 1 | | Credit | 1 |
| 19.5 8 9.5 Energy and Atmosphere Possible Points: 37 | | | | 2 2 0 Regional Priority Credits Possible Points: 4 | | | |
| Y ? N | Prereq | Minimum Energy Performance | Required | Y ? N | Credit | Site Selection (8 pts) | 1 |
| Y | | Energy Metering | Required | 1 | 1 | Credit | 1 |
| Y | | Education of the Homeowner, Tenant or Building Manager | Required | 1 | | Credit | 1 |
| 18.5 | 5 | 8.5 | 50 | 1 | | Credit | 1 |
| 2 | | 3 | 5 | | | | |
| 1 | 1 | 1 | 2 | | | | |
| 2.5 1 5.5 Materials and Resources Possible Points: 7 | | | | 63.5 18.0 28.5 Possible Points: 110 | | | |
| Y ? N | Prereq | Certified Tropical Wood | Required | 40 | 50 | 63.5 | 60 |
| Y | | Durability Management | Required | | | | 80 |
| 1 | | Durability Management Verification | 1 | | | | |
| 0.5 | | Environmentally Preferable Products | 5 | | | | |
| 2 | | 1 | 3 | | | | |



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

b) *With respect to a building or structure in a D zone that has frontage on South Capitol Street, S.E...:*

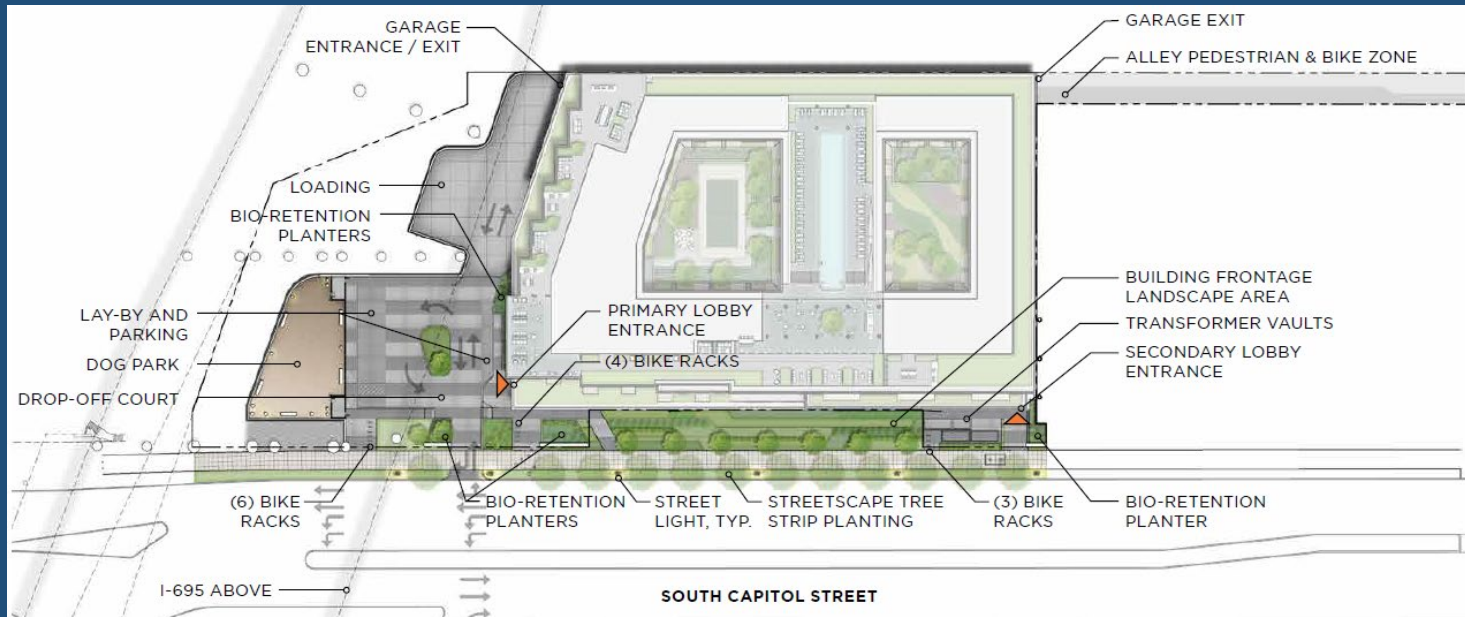
- 1) *The building or structure shall incorporate **massing**, **materials**, and buildings and streetscape landscaping to further the design and development of properties in a manner that is sensitive to the establishment of...South Capitol Street...as monumental civic boulevard;*



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

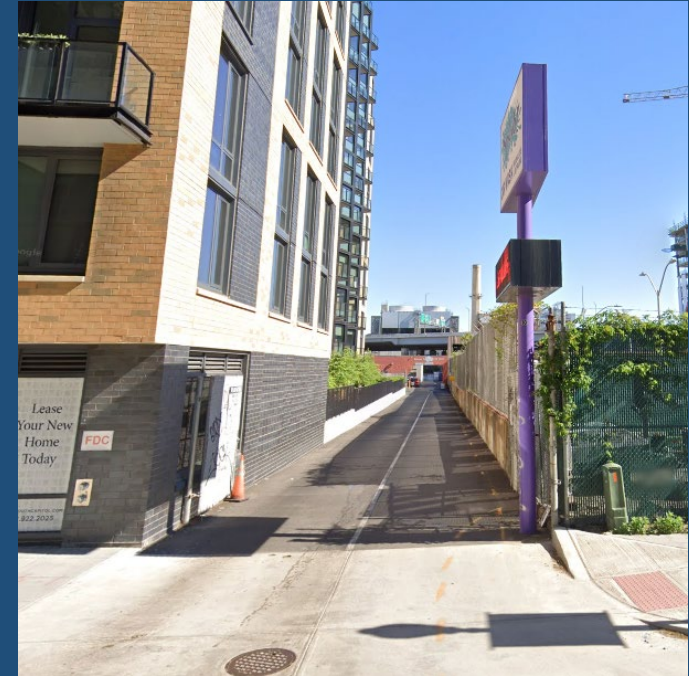
b) *With respect to a building or structure in a D zone that has frontage on South Capitol Street, S.E...:*

1) *The building or structure shall incorporate massing, materials, and **buildings and streetscape landscaping** to further the design and development of properties in a manner that is sensitive to the establishment of...South Capitol Street...as monumental civic boulevard;*



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

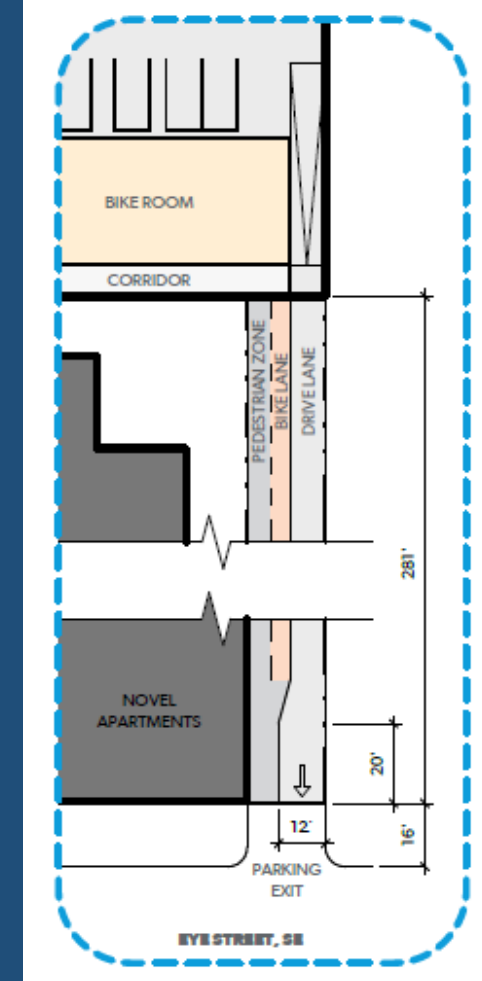
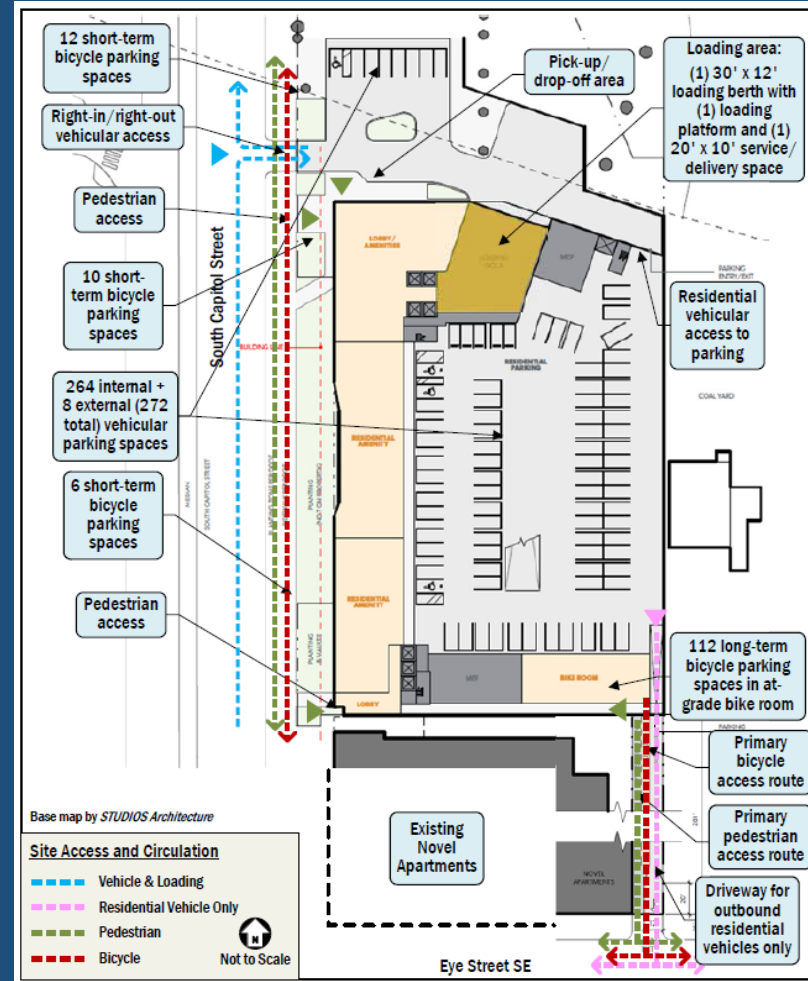
- b) *With respect to a building or structure in a D zone that has frontage on South Capitol Street, S.E...:*
- 2) *The building or structure shall incorporate massing, **location of access to parking and loading**, and **location of service areas** to recognize the proximate residential neighborhood use and context, as applicable; and*



DESIGN REVIEW CRITERIA (11-I DCMR § 701.2)

b) With respect to a building or structure in a D zone that has frontage on South Capitol Street, S.E....:

2) The building or structure shall incorporate massing, **location of access to parking and loading**, and **location of service areas** to recognize the proximate residential neighborhood use and context, as applicable;



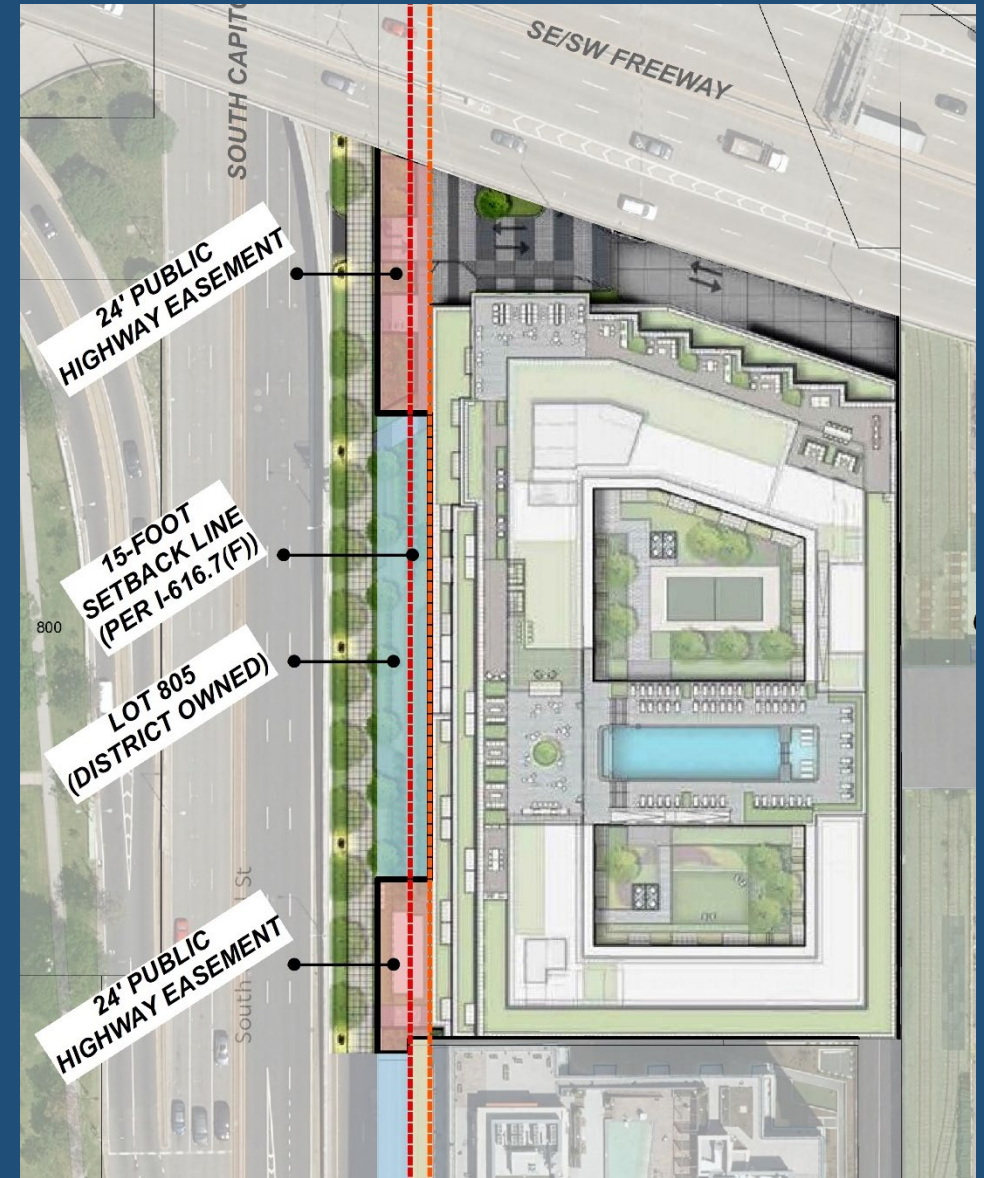
SPECIAL EXCEPTION CRITERIA (11-X DCMR § 901.2)

- *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*
 - Consistent with purposes of D-5 zone to promote high-density commercial and mixed uses.
 - Advances District and Federal urban design goals for the South Capitol Street corridor.
 - Advances redevelopment of an underutilized site on a major gateway corridor.
 - Activates streetscape and pedestrian environment at northern end of corridor.
 - Creates favorable conditions related to housing, urban design, pedestrian circulation, and sustainability.
- *Will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*
 - No adverse impacts on ability to use neighboring property in accordance with the Zoning Regulations.
 - Height, density, and use are consistent with developments in immediate area.
 - Massing and character are consistent with nearby developments.
 - Access and circulation minimizes potential conflicts.
- *Will meet such special conditions as may be specified in this title.*

VARIANCE REQUEST (11-I DCMR § 701.3)

The Zoning Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property.

11-I DCMR § 616.7(f): A minimum of seventy-five percent (75%) of the street-wall on the east side of South Capitol Street shall be constructed on the setback line.



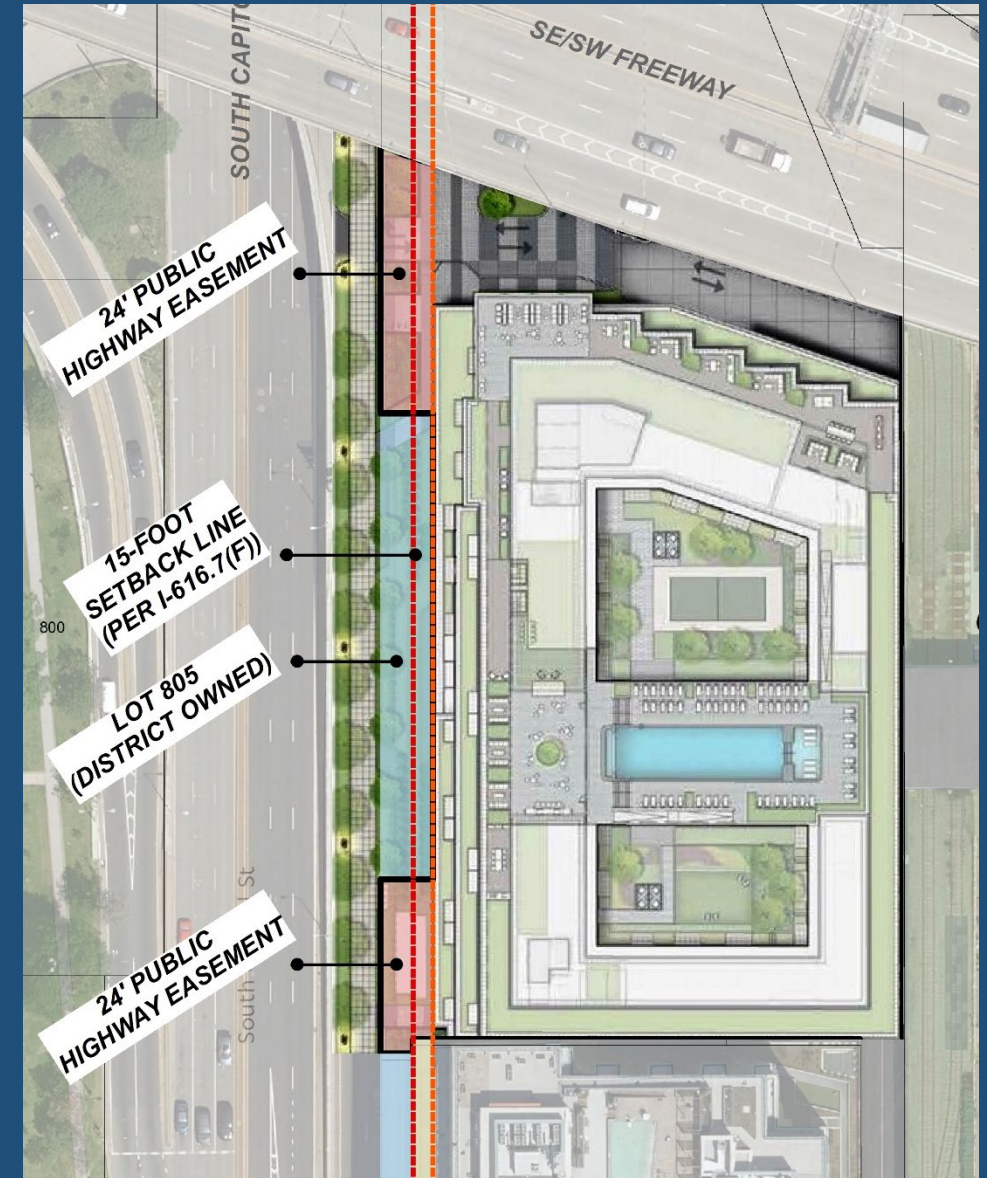
VARIANCE REQUEST (11-I DCMR § 701.3)

- The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition;*

 - 24-foot perpetual highway easements recorded against the Property along South Capitol Street.
 - District-owned Lot 805.
- The owner would encounter practical difficulties if the zoning regulations were strictly applied; and*

 - Applicant is unable to construct any portion of the building on the 15-foot building line along South Capitol Street.
- The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.*

 - Proposed building alignment with adjacent building is consistent with intent of ZR16 build-to requirement.
 - Will provide additional sidewalk width and/or streetscape improvement opportunities before and after freeway ramp removal.



CONCLUSION

- The application meets the general special exception criteria of Subtitle X, Chapter 9 (11-X DCMR § 901.2).
- The application satisfies all applicable design review criteria under Subtitle I, Chapter 7 (11-I DCMR § 701.2).
- The application satisfies all applicable design requirements under the M and South Capitol Street Sub-Area (11-I DCMR § 616), with the exception of the 75% street wall requirement of 11-I DCMR § 616.7(f).
- The application meets the three-pronged variance test for relief from 11-I DCMR § 616.7(f).
- Based on case record and Applicant's testimony the application should be approved.



REQUESTED FLEXIBILITY

Interior Components: 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 as shown on the plans approved by the order;

Exterior Materials – Color: To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the plans approved by the order;

Exterior Details – Location and Dimension: To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the plans approved by the order. Examples of exterior details include, but are not limited to, doorways, canopies, railings, and skylights;

Landscape: To vary the final selection of landscaping materials based on availability at the time of construction;

Number of Units: To provide a range in the approved number of residential dwelling units of plus or minus ten percent (10%);

REQUESTED FLEXIBILITY

Parking Layout: To make refinements to the approved parking configuration, including layout and number of parking space plus or minus ten percent (10%), so long as the number of parking spaces is at least the minimum number of spaces required by the Zoning Regulations;

Streetscape Design: To vary the location, attributes, and general design of the approved streetscape, including curb cuts, to comply with the requirements of, and the approval by, the DDOT Public Space Division;

Signage: To vary the font, message, logo, and color of the approved signage, provided that the maximum overall dimensions and signage materials are consistent with the signage on the plans approved by the order and are compliant with the DC signage regulations;

Sustainable Features: To vary the approved sustainable features of the project, provided the total number of LEED points achievable for the project does not decrease below the minimum required for the LEED standard specified by the order.

Select Site Improvements: To vary the location, attributes, and general design of the site improvements located on the portion of the Subject Property below the I-695 freeway and within the area of any perpetual highway easements recorded against the Subject Property.