

**LIVING CLASSROOMS FOUNDATION**  
**SOUTHEAST FEDERAL CENTER PARCEL P3 /**  
**YARDS PARK PHASE III**



**APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION  
FOR MANDATORY DESIGN REVIEW PURSUANT TO SUBTITLE K, SECTION 241  
PORTION OF SQUARE 771, LOT 816**

September 12, 2025

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## **I. Introduction / Background**

Living Classrooms Foundation (“**Living Classrooms**” or “**Applicant**”), the United States General Services Administration (“**GSA**”) (acting through Forest City SEFC LLC (“**Master Developer**”)), and the District of Columbia (“**DC**” or “**District**”) (acting through the Capitol Riverfront Business Improvement District (the “**BID**”) seek Zoning Commission design review, use approval, and related zoning relief for a new building and related exterior improvements to house Living Classrooms’ headquarters (the “**Project**”).

The Property. The property that is the subject of this application occupies a portion of Square 771, Lot 816 (the “**Property**” or “**Parcel P3**”).<sup>1</sup> The Property contains approximately 9,196 square feet of land area and is located in the southeastern portion of a 42-acre site in southeast DC that is being developed by GSA and the Master Developer pursuant to the Southeast Federal Center Master Plan (“**Master Plan**”) as a mixed-use neighborhood (“**The Yards**”). Much of The Yards has been constructed and has become a vibrant, waterfront, transit-oriented neighborhood. The Property is denoted as Parcel P3 under the Master Plan, which envisions development of the Property as a cultural and institutional building within the 5-acre waterfront park that is a centerpiece of the Master Plan.

The Property is in Ward 8 and located within Advisory Neighborhood Commission 8F (“**ANC 8F**”). The Property is split designated on the Future Land Use Map as Federal and Parks, Recreation, and Open Space. On the Generalized Policy Map, the Property is designated as a Regional Center. The Property is bounded by the Navy Yard to the north and east and Yards Park to the south and west.

The Property is within the SEFC-4 zone and is more particularly shown on page 3 of **Exhibit I** (the “**Plans**”). The Property has been the subject of a number of prior Zoning Commission actions:

- Z.C. Order No. 08-04 (“**Yards Park Phase I Order**”), which approved the initial construction of Yards Park but left the Property undeveloped as a grassy field;
- Z.C. Order No. 08-04A (“**Yards Park Phase II Order**”), which approved the construction of retail pavilions within the “Development Area” of Yards Park;<sup>2</sup> and
- Z.C. Case No. 24-18 (“**Living Classrooms Text Amendment**”), which amends the text of the Zoning Regulations to identify the Property as an additional “Development Area” and allow cultural and educational on the Property consistent with the Master Plan.

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<sup>1</sup> Lot 816, which is the lot corresponding to Yards Park, appears in the records of the Office of Tax and Revenue as owned by the District. The bulk of Lot 816 is owned by the District and managed by the BID, but when GSA deeded Yards Park to the District, it reserved the Property for itself, and so the Property remains in federal ownership.

<sup>2</sup> A second modification to the Yards Park Order in Z.C. Order No. 08-04B, which further modified one of the retail pavilions, is not germane to this Application.

The Commission took proposed action on the Living Classrooms Text Amendment in June 2025, and final action is expected in the fall.

The Project. The Project is a three-story headquarters facility for Living Classrooms' operations. The Project establishes a one-of-a-kind presence in the District, offering community-serving educational, job training, and dining uses near the Anacostia River and within Yards Park. The Project also represents the third and final phase of approvals required to complete the original vision for Yards Park. Overall, the Project is not inconsistent with the Comprehensive Plan read as a whole, through a racial equity lens.

The Project will measure 40 feet from the proposed grade at the Property, contain approximately 17,000 square feet of gross floor area (“GFA”), and occupy approximately 65% of Parcel P3. Because the Project is part of Yards Park, density is measured relative to the larger Yards Park properties that together comprise the SEFC-4 Zone. The Project’s density is 0.07 FAR and brings the total FAR for the SEFC-4 Zone to approximately 0.19 FAR.<sup>3</sup> The Project has a lot occupancy of approximately 65%. The Project’s lot occupancy compared to Yards Park as a whole is 2.4% and brings the total lot occupancy for the SEFC-4 Zone to approximately 17%. Full zoning tabulations are included on page 8 of the Plans.

Requested Relief. The Applicant seeks the Commission’s approval of the Project in satisfaction of the requirements of Subtitle K §§ 239 and 241 applicable to new construction and education, institutional, and eating and drinking establishment uses in the SEFC-4 zone and pursuant to the mandatory design review procedures of Subtitle K § 242 and Subtitle X § 601.

In addition to seeking the Commission’s review and approval of the Project’s design and uses, the Applicant also seeks relief for the Project from the Zoning Regulations’ requirements as follows:

- Pursuant to the design review procedures of Subtitle X § 603.1, the Applicant requests flexibility from the rules of height measurement under Subtitle B § 307, as well as the lot occupancy, side yard, court, and ground level floor-to-ceiling height development standards applicable in the SEFC-4 zone.<sup>4</sup>
- Pursuant to X §§ 603.1 and 603.4, the Applicant requests special exception relief pursuant to Subtitle C § 1102.1(g) from the waterfront setback requirements of Chapter 11 and Subtitle K § 235.2.

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<sup>3</sup> Pursuant to the pending text amendment in Z.C. Case No. 24-18, FAR is aggregated across all lots in the SEFC-4 Zone District.

<sup>4</sup> Lot occupancy, yards and court are ordinarily measured against an underlying lot. Here, there is no underlying record lot for Yards Park. Further, the single tax lot for Yards Park has since been broken up into separate tax lots corresponding to individual buildings and structures, and the Applicant anticipates creating a separate tax lot for Parcel P3 in the future. The proposed lot occupancy, side yard, and court flexibility is based on the anticipated future Parcel P3 tax lot dimensions.

- Pursuant to Subtitle X § 603.4, the Applicant requests special exception relief from pursuant to Subtitle C § 1102.4 4 to permit education use within a one hundred (100)-year floodplain.

Finally, to the extent the Project represents a modification to the interim improvements constructed under earlier Yards Park approvals, the Applicant seeks approval for a modification to the Yards Park Order to effectuate the completion of Phase III of Yards Park.

## **II. About Living Classrooms**

Living Classrooms is a nonprofit organization with a mission to “strengthen communities and inspire young people to achieve their potential through hands-on education and job training, using urban, natural, and maritime resources as ‘living classrooms.’” Living Classrooms was founded in Baltimore in 1985 and has operated in the District since 2001. Living Classrooms provides a variety of educational and workforce development programs focused in and around Wards 6, 7, and 8, including shipboard educational programming aboard the *Mildred Belle* at the Yards Marina, STEAM education and workforce development at the Dent House Center in Southwest, and programs on Kingman and Heritage Islands. Living Classrooms is an integral part of Yards Park, and it operates the Yards Marina.

## **III. Description of the Property and the Surrounding Area**

The Property sits at the southeasternmost edge of Yards Park, which borders the Anacostia River. The Anacostia Riverwalk Trail and the Yards Marina are located to the south of the Property, along and in the River. To the immediate north and east is the Washington Navy Yard, which is unzoned federal property containing office buildings. Passive recreation zones of Yards Park are to the immediate west of the Property. To the northwest of the Property is Parcel Q of The Yards, which is contemplated for future development on the Master Plan but currently serves as surface parking.

The Yards and Yards Park are subject to a custom zone. The Zoning Commission originally designated the zoning for The Yards and Yards Park as part of the Southeast Federal Center Overlay District, which became a series of special purpose “Southeast Federal Center” (“SEFC”) zones under the 2016 Zoning Regulations. The Property is located in the SEFC-4 zone.

The purpose of the SEFC zones is to “provide for the development of a vibrant, urban, mixed-use, waterfront neighborhood, offering a combination of uses that will attract residents, office workers, and visitors”. (11-X DCMR § 200.1.) With respect to the SEFC-4 zone specifically, the purpose of that zone is to “[e]stablish zoning incentives and restrictions to provide for the development of a publicly-accessible park [Yards Park] along the Anacostia River and encourage uses in that park as permitted in the SEFC-4 zone.” (*Id.* § 200.2(g).)

The five-acre Yards Park, which includes the Property, comprises the totality of the SEFC-4 zone and is divided into a “development area,” with buildings supporting retail and recreational uses in the park, and an “open space area,” which is generally for passive recreation and vegetation. (*Id.* § 200.8.)

Consistent with this zoning, Yards Park was constructed approximately 15 years ago as a catalyst for the redevelopment of the Southeast Federal Center. Phase I, approved in the Yards Park Phase I Order, focused on the park itself and constructed the 5-acre Yards Park as a series of outdoor rooms with a variety of landscaped and hardscaped improvements along the waterfront. Phase II, approved in the Yards Park Phase II Order, called for the development of the retail pavilions in the Development Area. To date, two of the three pavilions have been constructed and are in operation with a mix of office and retail uses.

The SEFC-4 zone permits a maximum floor area ratio of 0.5, a maximum building height of 40 feet, a maximum lot occupancy of 25%, a minimum side yard of 12 feet, and a minimum waterfront setback depth of 100 feet. (*Id.* §§ 229-235.) All proposed structures in the SEFC-4 zone must undergo design review by the Commission. (*Id.* § 239.5.) Per a text amendment to the requirements of the SEFC-4 zone pending final action, the Project’s proposed uses became permitted uses in the SEFC-4 zone, subject to Zoning Commission review and approval. (*Id.* § 239.1.) See page 2 of the Plans.

A plat prepared by the D.C. Surveyor showing the lot is attached as **Exhibit E**. Context maps of the Property, the Master Plan, and other surrounding developments are included in the Plans.

#### **IV. Description of the Project**

The Project will allow Living Classrooms to collocate its education and job training programs and expand and enhance its offerings within a single, state-of-the-art facility. Consistent with the uses identified for Parcel P3 on the Master Plan, Living Classrooms proposes to develop the P3 Parcel with a new facility that will include (i) maritime education classrooms that work in tandem with its in-water programming along the Anacostia River, (ii) other educational facilities, and (iii) space devoted to workforce training and job readiness, including a ground floor culinary training program. Through these uses, the Project will extend equitable access to education and skills training and, by extension, to the River itself.

##### *Building Uses*

The Commission’s scope of review of the Project includes review of the Project’s proposed uses. All the proposed education, institutional, and eating and drinking establishment uses support the Living Classrooms mission.

- *Land-Sea STEM Education and Marina Support.* Living Classrooms proposes that the Project will include landside education programming in support of its shipboard STEM educational programs. These programs teach youth skills such as water quality monitoring, sampling fish and plankton ecosystems, mapping storm drain outputs, fishing skills, and other maritime education skills with a team and science-orientation. Students will split their educational time aboard the Living Classrooms ship in the River and in a classroom within the Project. This education use is highly dependent on proximity to the River and the ship.
- *Music and Robotics Education.* Living Classrooms also operates other educational programs such as the “Queen Beez” and “Fresh Tech After School Robotics Team” programs. These are STEAM-oriented programs for neighborhood teenagers. These classroom uses would be located on upper floors of the Project and rely on volunteers from the area employers, such as the nearby U.S. Department of Transportation, to serve as instructors and mentors.
- *Job Training/Culinary Training.* Living Classrooms also operates adult-oriented job training programs in culinary arts, hospitality, and hospital services, including nutrition, hospital operations, and medical assistant training. These programs are run in partnership with the Workforce Development Center and DC’s Sibley Memorial Hospital. Living Classrooms also provides job readiness programs allowing young adults to practice interviewing and preparing skills for full-time work. These programs primarily serve residents of Wards 6, 7, and 8 and tailor services towards residents of nearby public housing communities. Although these programs are not maritime in nature, Living Classrooms relies on co-location with its other programs for administrative and capital improvements efficiency.
- *Culinary Training-Led Restaurant.* In conjunction with the culinary arts job training that will be housed in the Project, the Applicant proposes to include eating and drinking establishment uses that satisfies the dual purposes of providing (a) restaurant option to visitors of Yards Park and Yards Marina and (b) real world restaurant operation experience to the adults in the building developing their culinary and hospitality skills.
- *Support for Marina.* Finally, the Project will also include support facilities for the Marina such as restrooms, showers, and lockers, which are located on the ground floor and accessed from the rear of the building.

## *Building Design*

Architectural plans and drawings for the Project are included in the Plans attached as **Exhibit I**. The primary design drivers for the Project include: (i) the location in Yards Park, (ii) proximity to the Anacostia River, and (iii) Living Classrooms' proposed programmatic offerings.

**Design Context.** The Project is heavily informed and influenced by its site context proximate to the River and Yards Park. The Project has a pavilion massing analogous to the existing Lumbershed and District Winery buildings that front on Water Street, SE, at the northern edge of Yards Park. The Project carries that massing and porosity to the east where the Yards Park transitions to the Navy Yard. The Project's architecture, in both form and materiality, harkens back to the site's shipbuilding history and industrial past. The building has a design that responds to its context on all four sides, with floor plates that "slip" past each other to evoke the movement of water and cantilevered forms that create visual interest and a "prow" dynamic.

**Design Details.** The Project's design reflects and supports its future uses. The ground floor is highly transparent and will house eating and drinking establishment uses, culinary training space, and marina support functions, all of which connect the Project to Yards Park, Yards Marina, and the River itself. This floor is intended to be highly engaging with members of the public who use the park or who pass by on the Riverwalk Trail. The Project's upper stories include indoor and outdoor space for the training and education uses described above. The Project also includes a mechanical penthouse and high levels of green roof area.

The primary façade material is an adobo wood that is designed to weather with time, again reflecting the historic context of the Navy Yard. Aluminum fins with a blue tone are also used as a secondary material to accentuate the transition from solid to clear and further evoke the river adjacency. The south and west facades, facing the Park and the River, continue to emphasize the connection to the water through a greater percentage of glazing and multiple outdoor terraces. The north and east rear elevations, however, are less transparent, respecting the security needs of the adjacent Navy Yard.

**Site Plan and Landscape Design.** The ground floor of the Project and surrounding area have been elevated above the proposed 500-year floodplain to meet the requirements of the District's proposed new floodplain regulations. This exceeds the original requirements and plans for The Yards developed in 2007, which called for the elevation of building sites along the river out of the 100-year floodplain. See excerpts from the 2007 Street Design and Infrastructure Plans for The Yards, attached as hereto **Exhibit J**.

The landscape surrounding the Project has been designed by the same landscape architect that designed Yards Park and uses the same "kit of parts." The resulting landscape design, which features an outdoor plaza and terraced landscaped beds that are reminiscent of the plaza and terraced steps at the center of Yards Park, integrates seamlessly with the rest of Yards Park.



## **V. Jurisdiction of the Zoning Commission**

The Zoning Commission has jurisdiction to review and approve the design, use, flexibility, and special exception requests in this application pursuant to the mandatory design review provisions of Subtitle X, Chapter 6 of the Zoning Regulations, the standards and procedures of Subtitle K §§ 241-242, and the contested case procedures of Subtitle Z.

## **VI. The Project Satisfies the Design Review Standards**

In order for the Commission to approve a design review application, the application must satisfy (A) the general design review standards of Subtitle X § 604 and (B) the SEFC-zone specific design review standards for construction of a new building and operation of certain uses in the SEFC-4 zone.

A. General Design Review Standards. For the Commission to approve an application for design review under the general design review standards of Subtitle X § 604, the Applicant must provide evidence that is sufficient for the Zoning Commission to:

1. 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 “**Comp. Plan**”) (11-X DCMR § 604.5);
2. Find that the proposed design review development meets the general special exception criteria of Subtitle X, Chapter 9 (11-X DCMR § 604.6);
3. Review the urban design of the site and the building according to certain enumerated design criteria set forth below (11-X DCMR § 604.7); and
4. Find that the specific enumerated design review criteria of Subtitle X § 604.7 are met in a way that is superior to any matter-of-right development possible on the site (11-X DCMR § 604.8).

As set forth below, the Project satisfies the four above-listed standards, and accordingly, the Commission should approve the Project’s design under the general design review standards.

### **1. The Project Is Not Inconsistent with the Comp. Plan or Other Adopted Public Policies and Active Programs Related to the Property When Read as a Whole.**

Under the first general design review criteria, the Project must not be inconsistent with the Comp. Plan or with any other adopted public policies related to the subject site. The Other adopted public policies related to the Property include the 2003 Anacostia Waterfront Framework Plan (“**AWF Plan**”), the 2013 Near Southeast Urban Design Framework Plan (“**NSE Plan**”), and the Master Plan, a document adopted by federal and District agencies. In particular,

the Master Plan takes precedence over the other materials given its specificity with respect to The Yards, its binding force as a matter of federal law, and its recency relative to the AWF Plan and NSE Plan.

As set forth in the analysis attached as **Exhibit H**, the Project satisfies this standard when the relevant planning guidance is read as a whole and through a racial equity lens. The Project is not inconsistent with any of the Comp. Plan, the Master Plan, or other relevant planning guidance when those items are taken as a whole and when giving the Master Plan its due precedence as controlling the disposition of the federal interest in the Property specifically and The Yards more generally. The project will advance racial equity, consistent with the goals of the Comp. Plan, through job training and educational programs that will improve access to opportunity.

2. The Project Meets the Special Exception Criteria of Subtitle X, Chapter 9.

Under the second general design review standard, an application for design review must comply with the general special exception criteria of Subtitle X, Chapter 9. The general special exception criteria of Subtitle X, Section 901.2 include two conditions applicable in this instance: the Project must “be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps” and “not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.” The Project satisfies both such conditions.

- a. Harmony with the purpose and intent of the Zoning Regulations and Zoning Map: The Project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps for the SEFC-4 zone. The Project helps achieves goals and objectives for “a vibrant, urban, mixed-use, waterfront neighborhood” with “a combination of uses that will attract residents, office workers, and visitors” and the publicly-accessible Yards Park that “encourage[s] uses in that park as permitted in the SEFC-4 zone.” The Project advances these goals with a mix of educational and maritime uses that are largely absent from The Yards neighborhood and are in short supply in the broader Lower Anacostia Riverfront Planning Area. Although the Project requires some dimensional relief from the development standards of the Zoning Regulations, the relief is minor and in harmony with the purposes stated above.
- b. The Project does not tend to affect adversely the use of neighboring property: The Project has been carefully designed to fit into its context from a design and use perspective and not to tend to affect adversely the use of Yards Park or the active Navy Yard military installation. The Project’s mix of uses, level of density compared to The Yards as a whole, and orientation ensure the Project does not adversely affect the neighboring lots. More specifically, the Project’s southern and western facades

are intended to function as the front to create a high level of interactivity with Yards Park and the Anacostia Riverwalk Trail. The Project's northern façade is functionally the rear and has a reduced level of fenestration to avoid any security concerns with the Navy Yard. The eastern façade, which also overlooks the Navy Yard, similarly has few windows to avoid any security concerns.

3. The Project Advances the Urban Design Criteria of Subtitle X, Section 604.7.

Under the third general design review standard, the Commission must consider certain enumerated urban design criteria set forth in Section 604.7(a)-(f). Many of these criteria parallel the SEFC-specific criteria set forth in Subtitle K, Section 241.2, so corresponding provisions are referenced below. The Project is consistent with the urban design requirements of the design review standards.

- a. Street Frontages: Under Section 604.7(a), the Project's frontages must be "designed to be safe, comfortable, and encourage pedestrian activity" when evaluated against five specific factors. These factors include ensuring that the Project has:

(1) Multiple pedestrian entrances for large developments: The Project has multiple primary entrances on both the southern and western facades. The Project also has secondary entrances on the northern façade for the maritime uses and for back-of-house operations.

(2) Direct driveway or garage access to the street is discouraged: The Project has no direct driveway or garage access to the street.

(3) Commercial ground floors contain active uses with clear, inviting windows: The Project has floor-to-ceiling, operable windows along both its southern and western facades to invite Yards Park visitors and trail users into the Project's dining uses.

(4) Blank facades are prevented or minimized: The Project has no long blank, unarticulated facades although for security purposes and at the request of the Navy, it does strategically de-emphasize fenestration on the facades facing the Navy Yard.

(5) Wide sidewalks are provided: Ample sidewalks (i.e., 14 feet to 20 feet) are provided along the main pedestrian-oriented frontages. Restaurant seating and related outdoor spaces on the ground floor accommodate appropriate seasonal indoor-outdoor activity (such as outdoor seating), further interconnecting the public and private realm at the ground level and creating a pedestrian-first experience.

As such, the Project satisfies the criteria of providing safe and comfortable pedestrian spaces.

- b. Public Gathering Spaces and Open Spaces: Under Section 604.7(b), the design review criteria encourage such spaces “especially in the following situations”:

(1) *Where neighborhood open space is lacking*: The Project integrates into the Master Plan, a neighborhood-scale plan that supports the three public space planning concepts in Section 604.7(b). The Yards public realm includes a network of formal and informal open spaces, including the recreational open space at Yards Park and a planned extension of Diamond Teague Park. The Project includes a plaza along its southern façade that is separated from the Trail with landscaped tiers that serve as seating for educational uses (an outdoor classroom) or as a respite for park patrons and Trail-goers.

(2) *Near transit stations or hubs*: The Property is proximate to the Yards Marina and provides a front lawn and plaza spaces serving that transit use.

(3) *When they can enhance existing parks and the waterfront*: The Project’s open spaces are seamlessly integrated within Yards Park and the adjacent Trail system and are a primary landing place for the waterfront Yards Marina. As a result, the Project’s outdoor spaces enhance both an existing park and the waterfront per these criteria. The Project’s ground level outdoor spaces also flow into the building’s interior, and in particular enhance the Project’s educational and eating and drinking establishment uses, the latter of which is a “preferred use” in the SEFC zones per Subtitle K, Section 236. The Project’s amount of preferred uses does not overwhelm the surrounding park uses. Instead, the Project’s dining uses provide an amenity that benefits Yards Park, users of the Riverwalk Trail, workers in the Navy Yard, and visitors to the shoreline.

The Project satisfies the criteria of providing public gathering spaces and open spaces, considering the balance and location of preferred uses in the SEFC-4 zone.

- c. Historic Character: Section 604.7(c) requires that “[n]ew development respect[] 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: The Project was designed specifically to fit within the existing context of Yards Park. The new building’s gracious western and southern frontages reinforce the urban form at the eastern end of Yards Park and provide an appropriately-scaled entryway to Yards Park and The Yards from points east.

(2) Infill development should respect, though need not imitate, the continuity of neighborhood architectural character: The Project respects the historic character of the eastern half of The Yards, but it is a distinctively modern building that compliments rather than imitates any existing historic structures.

(3) Development should respect and protect key landscape vistas and axial views of landmarks and important places: The Project respects key landscape views along the Riverwalk Trail in an east-west orientation parallel to the waterfront. The Project also respects future north-south views to and from the Anacostia River along the restored 5<sup>th</sup> Street, SE. Relatedly, the Project's height, density, massing, orientation, and materials are all compatible with surrounding buildings in the Navy Yard. The Project contributes to the overall contemporary vocabulary and variation of The Yards through, among other features, the unique and sculpted form and its wood materiality. The openness of the upper stories is compatible with nearby buildings and creates an orientation toward the River and the new Frederick Douglass Bridge. Finally, the Project's details and materials all work in service of creating an interesting and varied experience for pedestrians.

As such, the Project satisfies the criteria of respecting nearby historic resources and ensuring compatibility with the surrounding area.

- d. Façade Design: Under Section 604.7(d), buildings undergoing design review must "strive for attractive and inspired façade design that:"

(1) Reinforces the pedestrian realm with elevated detailing and design of first and second stories: The Project's massing, architectural design, and uses together reinforce the pedestrian realm through a ground-floor base that defines the "streetwall" along the Trail frontage. The Project's architectural detailing connects the proposed uses to the public realm context on each frontage. This design includes flexible spaces at the ground level, which allow for a wide range of hybrid, activating, and community-serving ground floor uses.

(2) Incorporates contextual and quality building materials and fenestration: At and above the ground floor, the Project's material palette reflects high quality and contextually appropriate choices given its location within Yards Park and near the Navy Yard. The ground level materials in particular include quality and contextual materials and a high percentage of glazing in furtherance of the pedestrian-experiential goals enumerated above. As described above and shown on the Plans, there are no long stretches of unarticulated blank walls along any of the Project's public-facing façades.

The Project provides attractive and inspired façade design that minimizes unarticulated blank walls.

- e. Sites are designed with sustainable landscaping: The Project's landscaping plans include sustainable design as a central feature and utilize native species and species that supports pollinator habitats. The Plans call for more than a dozen trees which will provide shade on summer days for the Project's southern-facing outdoor areas and which will complement the building's material selections. The Project's upper-story green roof areas are intended to be visible from ground level and provide a softer landscaped edge to those levels of the building.

The Project provides sustainable landscaping that complements the building.

- f. Site Connectivity: Under the final urban design criteria, the Project's site is to be "developed to promote connectivity both internally and with surrounding neighborhoods, including:"

(1) Pedestrian pathways through developments increase mobility and link neighborhoods to transit: The Project is designed to facilitate pedestrian mobility along the Riverwalk Trail, to and from Yards Park and Yards Marina. The Riverwalk Trail ultimately connects to access points through The Yards neighborhood to and from the Navy Yard Metrorail Station.

(2) The development incorporates transit and bicycle facilities and amenities: The Project includes cycling infrastructure to promote and encourage cycle access to the site, which has premium frontage on a major regional cycle thoroughfare. The Property is also walkable to the Navy Yard Metrorail station and has unique access to waterborne transportation options.

(3) Streets, easements, and open spaces are designed to be safe and pedestrian friendly: The Project does not have any street frontage, with all access to the site via pedestrian and service infrastructure within Yards Park. As a result, all access points prioritize pedestrians and pedestrian safety.

(4) Large sites are integrated into the surrounding community through street and pedestrian connections: The Project, although not a large site, is integrated into Yards Park through pedestrian connections. The Yards overall is well-integrated into the Southeast community through street and pedestrian connections that reinforce the urban grid in Southeast. The Property is at the southernmost edge of that street network.

*(5) Waterfront development contains high quality trail and shoreline design as well as ensuring access and view corridors to the waterfront:* The Riverwalk Trail and urban shoreline are already built out and mature, satisfying this design factor. The Project contributes to that built out state by providing amenities and additional users for these amenities. The Project enhances access at the waterfront and preserves view corridors, as noted above.

The Project promotes connectivity both internally within The Yards and with surrounding riverfront neighborhoods.

4. The Project Satisfies the Urban Design Criteria of Subtitle X, Section 604.7 In a Way That Is Superior to Any Matter-of-Right Development of the Property.

Consistent with the final general design review criteria, the Project exemplifies design, site planning, safe pedestrian access, and other features that are superior to typical matter-of-right development as required in Section 604.8. A matter-of-right development of the Property would lack the quality of architecture necessary to support the richness of the Project's design. Superior urban design attributes include the Project's creative massing and contribution to the architectural vocabulary of The Yards, its detailing, its unique materials selection, other design features (including landscape design), its prominent relationship with and attention to the surrounding Yards Park, and its pedestrian accommodations.

B. SEFC Zone Design Review Standards. The following standards apply to the Commission's consideration of a design review application in the SEFC-4 zone pursuant to Subtitle K § 241:

1. The use, building, or structure must help achieve the goals and objectives of the SEFC-4 zone (11-K DCMR § 241.1(a));
2. The proposed building or structure must 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, SE corridor (11-K DCMR § 241.1(b));
3. 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 (11-K DCMR § 241.1(c)); and
4. Additional urban design considerations (11-K DCMR § 241.2).

The Applicant satisfies the SEFC zone-specific design review standards as follows.

1. The Project Helps Achieve the Goals and Objectives of the SEFC Zone.

In satisfying the first SEFC zone-specific design review standard, the Project advances the goals and objectives of the SEFC Zone as established in the purposes of that zone set forth in Subtitle K, Section 200.2(a)-(g) and 200.7.

- a. Assure Development with a Mixture of Uses and Suitable Bulk: The Project contributes favorably to the mixture of uses in furtherance of Section 200.2(a) and as identified in the Comp. Plan, AWF Plan, NSE Plan, and although not listed in this subsection, most relevantly the Master Plan. The Project's bulk is among the least impactful in the entirety of The Yards, which is consonant with the Property's waterfront location and its sensitive location within Yards Park.
- b. Encourage High-Density Residential Development: The Project supports the high-density residential uses elsewhere in The Yards through its complementary uses and waterfront activation.
- c. Encourage a Variety of Support and Visitor-Related Uses: The Project's uses encourage a variety of visitors to Yards Park and The Yards more generally. In particular, the Project provides dedicated uses for youth to engage in and contribute to The Yards in a constructive, healthy, and educational manner.
- d. Provide for a Reduced Height and Bulk along the Anacostia Riverfront: The Project's height and bulk are among the lowest in The Yards in recognition of the waterfront location and in the interest of ensuring views to the Anacostia River. The Project does not disturb, and instead enhances, the existing continuous publicly-accessible open space along the waterfront.
- e. Require Suitable Ground-Floor Level Uses Near the SEFC-4 Zone: The Project includes a modest amount of ground-floor level retail (dining) uses within the SEFC-4 zone. Consistent with the articulated purpose of such zone, the Project's dining use encourages pedestrian activity and engagement in and adjacent to the public realm.
- f. Encourage Sensitive Design and Development: The Project is designed to be sensitive to and compatible with the context of the nearby historic district and the adjacent Navy Yard, including its ongoing security and operational sensitivities.
- g. Establish Zoning Incentives to Provide for Yards Park: Yards Park has been developed and operational for more than a decade as of the date of this application. The Project's uses within Yards Park are newly permitted in the SEFC-4 zone pursuant to an action of the Zoning Commission taken in furtherance of the Project.



h. Additional Objectives: Under Section 200.7, the SEFC-4 zones are also intended to:

(1) Encourage Open Space: The Project enhances open space adjacent to and within Yards Park.

(2) Promote a Lively, Interactive Waterfront: The Project helps build out waterfront-dependent uses in Yards Park with marina-support space and maritime education space that is reliant on easy waterfront access.

(3) Discourage Parking: The Project includes no parking.

(4) Provide a Development Area for Retail and Cultural Uses: The Project is within the “development area” and includes retail (dining) and cultural/educational uses that provide opportunities for community gathering and community-building, all of which are consistent with the purposes of the SEFC-4 zone.

(5) Provide an Open Space Area: The Project enhances the passive recreational spaces in Yards Park.

(6) Allow for a Continuous Publicly-Accessible Pedestrian and Bicycle Trail: Likewise, the Project allows for and does not interfere with the existing Riverwalk Trail, in furtherance of this objective.

The Project achieves the relevant goals and objectives of the SEFC zones set forth in Sections 200.2 and 200.7.

2. The Project Is Designed to Provide for Openness of Views and Vistas.

The Project satisfies the second SEFC zone design review standard: the Project’s height, bulk, and siting do not impinge on the openness of view and vistas to, from, and along the waterfront. As described above, the overall Master Plan emphasizes these view corridors through the site to the waterfront.

The Project’s massing defines the view corridor along the Waterfront as well as along 5<sup>th</sup> Street, SE. The Project’s architecture includes multiple terraces and outdoor spaces that create new and enhanced open views of the riverfront.

3. The Project Provides No Meaningful Above-Grade Parking.

The Project clearly satisfies the third SEFC zone design review standard: the Project includes no dedicated parking of any kind. Employees and visitors accessing the Project are anticipated to arrive via transit, walking, cycling, or other modes of transportation.

4. The Project Satisfies the Additional Design Considerations of Subtitle K § 241.2.

Finally, as noted above, the Project satisfies the additional urban design standards specific to the SEFC-4 zone as addressed in part above and more completely below.

- a. Compatibility: The Property is surrounded by comparatively few nearby buildings. The Project's northern and eastern facades are designed to be compatible with the adjacent Navy Yard. See also VI.A.3.c.3 and VI.A.3.f.5 above.
- b. Sustainable Development: Significant individual features of the Project's environmental design include the elevation of the Project out of the 500-year floodplain and the use of native, sustainable landscaping that supports pollinators. Other features will be addressed in a supplemental submission.
- c. Façade Articulation: Each façade of the Project is highly articulated to minimize blank walls, except where necessary to respect security and operational priorities of the nearby Navy Yard facility. See VI.A.3.d.2 above.
- d. Landscaping: The Project's landscaping and landscape design is highly complementary of and seamlessly integrates with the building's design. See VI.A.3.e above.
- e. Preferred Uses: The Project includes preferred uses, namely, eating and drinking establishment uses. The amount and location of those uses is balanced to avoid adverse impacts with the Navy Yard and to create positive benefits toward Yards Park, the Riverwalk Trail, and the shoreline itself. See VI.A.3.b.3 above.
- f. Effect on SEFC-2 and SEFC-3 Zones: Under this prong, the "Commission may consider the effect of the proposed use on the predominantly residential character of the SEFC-2 and/or SEFC-3 zones". The Project is unlikely to have any effect on the residential character of the residential SEFC zones. Moreover, the SEFC-3 zone adjacent to the Property now allows both residential and office use.
- g. Development within the SEFC-4 Zone: Under this prong, "[f]or 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: Yards Park already includes a wide variety of mostly passive recreational uses. The Project adds active recreational uses, including maritime uses and educational uses, to the park furthering the purposes of this standard.

(2) Encouraging uses that open to, overlook, and benefit the waterfront park: The Project opens to and overlooks Yards Park from a design perspective. The outdoor classroom, other landscape elements, and dining use all benefit Yards Park and its users.

(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 Project uses its site plan and design to improve the currently unimproved site condition. The Project's landscape elements, including landscaped roof elements, illustrate the importance of waterfront natural systems, and the Project's entire purpose is to educate youth on maritime and ecological principles and provide accessible interpretation of those modalities. Similarly, the Project's architecture and materiality harkens to the site's shipbuilding past without being overly imitative or reductive of historical architecture of the neighboring historic district.

- h. Parcel E: The Project does not affect or pertain to Parcel E, so this criterion is inapplicable.

As such, the Project satisfies the relevant additional urban design criteria of Section 241.2.

## **VII. The Project Satisfies the Standards for Technical Zoning Flexibility**

The Applicant requests flexibility from the height measurement, ground floor clear height, side yard, court, waterfront setback, and lot occupancy requirements, and the Commission should grant that flexibility in light of the Project's superior overall design and satisfaction otherwise of the applicable design review standards.

Under Subtitle X, Section 603.1, the Commission may, as part of any design review proceeding, grant relief from development standards for height, setbacks, yards, lot occupancy, courts, and any specific design standards of a specific zone. With respect to the foregoing development standards, the amount of relief from the standards authorized by Section 603.1 is at the discretion of the Zoning Commission. (11-X DCMR § 603.3.)

The Project seeks the following areas of flexibility from the development standards of the SEFC-4 zone:

A. Height Measurement: Under the rules of measurement in Subtitle B, the height of a building in nonresidential zones that permits a height of 40 feet is ordinarily measured from the lower of the natural or finished grade to the ceiling of the top story. (11-B DCMR § 307.2.) Here, the Applicant has elevated the Property approximately 7 feet so that it is out of the 500-year

floodplain. The strict rules of height measurement, which were designed to discourage artificial berming around the edge of a building rather than elevation of an entire site out of a floodplain, penalize the Applicant for addressing the resilience focus of the Comp. Plan and DOEE guidance. Therefore, the Applicant requests permission to measure the height of the Project from the finished grade to the top of the parapet. Under this measurement, which aligns with the conventional measurement for buildings in most mixed-use zones, the Project will have a height of 40 feet, as shown below.



B. Ground Floor Clear Height: A minimum clear height of 14 feet is ordinarily required in the SEFC-4 Zone. (11-K DCMR § 239.5.) The Applicant requests flexibility to reduce the clear height of the ground floor to 10 feet, which is sufficient to accommodate the building’s ground floor uses. The intent of the clear height provisions of the Regulations was to establish a minimum height for the core and shell of commercial retail spaces so that they would be able to be marketed to a wide variety of potential retail tenants. Here, however, the space will be controlled by and purpose built for Living Classrooms as the end user, and so a taller height is unnecessary. Furthermore, the upper-story floors require additional height to align with the outdoor terraces and accommodate mechanical systems are located between the floors. Finally, such flexibility results in a more proportional architectural design where each floor in a similar height, which is more appropriate for the pavilion context and gives the program and mission elements on the upper floors equal importance.

C. Lot Occupancy: A maximum lot occupancy of 25% is ordinarily permitted in the SEFC-4 Zone (11-K DCMR § 232.1). This metric assumes, however, that the entirety of the SEFC-4 Zone, is a single lot.<sup>5</sup> However, at the time of the original construction of Yards Park a record lot could not be created because the lot did not yet have formal frontage on a public right-of-way.<sup>6</sup> Instead, a tax lot was created for the landside portions of the SEFC-4 Zone, and that tax lot has since been carved up into separate lots corresponding to individual buildings. When the

<sup>5</sup> See 11-K DCMR § 232.2, which measures lot occupancy as the total area of “all buildings and structures located on land.”

<sup>6</sup> The pending text amendment in Z.C. Case No. 24-18 formally acknowledges the SEFC-4 Zone’s exception from the record lot requirement.

Project is constructed, a separate tax lot corresponding to Parcel P3 will also be created to facilitate the disposition of the parcel by GSA to the Applicant, and so the Project's lot occupancy will ultimately be measured against the parcel. While the Applicant requests flexibility to occupy 65% of Parcel P3, such flexibility is appropriate here, as the Project will occupy only 2.4% of the SEFC-4 Zone as a whole and bring the total lot occupancy of the SEFC-4 Zone to approximately 17%, which is well within the 25% limit.

D. Side Yard: A minimum side yard of 12 feet is required in the SEFC-4 zone. (11-K DCMR § 233.1.) Again, there is no underlying record lot for Yards Park and zoning compliance for the Project will ultimately be measured against the future tax lot that will be created for Parcel P3. Part of the Project will be constructed to the eastern boundary of the anticipated Parcel P3 lot, and so it will not provide a side yard. Looking at the broader Yards Park context, Parcel P3 is set back 12 feet from the far eastern boundary of the larger Yards Park lot, and so the Project will have 12 feet of open space on its east side, meeting the intent of the side yard requirement.

E. Court: Where a court is provided in the SEFC-4 zone, it must be 2.5 feet per foot of height (not less than 6 feet if open, and not less than 12 feet if closed). (11-K DCMR § 234.1.) The Project is set back from the northern Parcel P3 property line, creating a court that ranges from 6-8 feet in width, and so flexibility is requested from this requirement. Parcel P3 is also set back 12 feet from the far northern boundary of Yards Park, creating a total width of 18-20 feet on the north side of the Project and meeting the intent of the court requirements.

F. Waterfront Setback: A waterfront setback of at least 100 feet is required in the SEFC-4 zone. (11-K DCMR § 235.1.) The Project is set back 56 - 65 feet from the bulkhead and thus requires relief from this provision. Full compliance with the setback requirement is impossible given the narrowness of Yards Park at this location. The northern edge of the Park itself is only 125 to 145 feet north of the bulkhead, and the Property itself is inset 12 feet from the edge of the Park, which means that strict compliance with the Regulations would only permit the construction of a 12- to 32-foot wide building in this location. Therefore, flexibility from the setback requirement is the only way to accommodate the location of the Project—which is called for in the Master Plan<sup>7</sup> and supported by the recent pending amendments to the SEFC-4 Zone—at this location.

To mitigate the impact of this flexibility, the Applicant has sited the building as far to the north as possible while maintaining required access to the rear of the Project. The resulting building is set back at least 56 feet from the bulkhead and does not interfere with the existing riverwalk. Other structures within Yards Park including the light tower, bridge, kiosks, and overlook are all also located within 100 feet of the bulkhead.

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<sup>7</sup> As shown on the legal description of Parcel P3 attached to the building plat, Parcel P3 is set back 50 feet from the bulkhead, affirming the Master Plan intent for Parcel P3 to have a reduced waterfront setback.

While the waterfront setback requirement is a development standard and so the standards for special exception relief from the waterfront setback requirement set forth in Subtitle C Section 1102.1(g) do not apply here, the requested flexibility meets these standards as well.

*(1) The buildings, structures, and uses will enhance the visual and public recreational opportunities offered along the waterfront;*

The Project will enhance recreational opportunities along the waterfront directly through its marina support spaces, its publicly-available culinary education space, and its water-focused educational opportunities. The design of the Project and its surrounding landscaping extension of Yards Park will also enhance the visual experience along the waterfront.

*(2) Buildings, structures, and uses on land will be located and designed to minimize adverse impacts on the river and riverbank areas;*

The Project has been located as far back as feasible to minimize impacts on the riverfront, and its landscaping will feature similar design measures to the balance of Yards Park, which is also located within the 100-foot setback area.

*(3) Buildings, structures, and uses on, under, or over water will be located and designed to minimize adverse impacts on the river and riverbank areas;*

Not applicable.

*(4) All structures and buildings will be located so as to not likely become objectionable to surrounding and nearby property because of noise, traffic, or parking, and so as not to limit public access along or to the waterfront, other than directly in front of the principal building or structure of a boathouse, marina, yacht club, or other water-dependent use;*

The Project has been designed to fit into the overall design of Yards Park; it respects and enhances existing pathways within Yards Park including not only the riverwalk but also the pedestrian extension of 5<sup>th</sup> Street. The Project is located proximate to the pier where the Mildred Belle is docked, so the in-water educational component of the Project will not result in any net new trips. The Applicant will prepare a transportation study to affirm that other activity will not create objectionable traffic or parking impacts.

*(5) Impervious surfaces will be minimized, and buildings and all other impervious surfaces will be designed and sited to prevent surface storm water run-off directly into the river;*

The Project will be designed in compliance with all applicable District stormwater management requirements and features significant landscaping as well as a green roof to minimize impervious surfaces.

*(6) Accessory or non-accessory parking spaces, including the location of entrances and exits and any screening or fences, will be designed to minimize visual or physical impacts on adjacent parkland and the waterfront; and*

The Project does not contain any parking.

*(7) Emergency access will be provided to any buildings, structures, or other space devoted to active public use.*

Emergency access will be accommodated in accordance with District requirements.

The flexibility requested for the Project is necessary to optimize usage of the Property in the context of Yards Park. Without the requested relief, the Project would be unnecessarily constrained, impacting its design, limiting its uses, and resulting in an overall less attractive building. Moreover, the requested flexibility is modest in scope because it does not negatively impact neighboring properties.

### **VIII. The Project Satisfies the Special Exception Standards for Education Use Within a 100-Year Floodplain**

Parcel P3 is currently located within the 100-year floodplain.<sup>8</sup> Certain uses, such as educational uses, require special exception approval if they are located within a 100-year floodplain.<sup>9</sup> As a result, educational uses in the Project require approval pursuant to Subtitle C, Section 1102.4, which permits education use within 100-year floodplain only as a special exception. The Commission has the authority to grant the floodplain special exception in the context of a design review application pursuant to Subtitle X, Section 603.4.

As a general matter, measures to address resilient design in the development of The Yards date back to its earliest street and infrastructure work, which evaluated the portions of the SEFC that were located within the 100-year floodplain and developed a comprehensive strategy to elevate the roadway network and associated buildings – including Parcel P3 and other parcels

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<sup>8</sup> Although the Project will be elevated out of the floodplain, such elevation will not occur until the Project is constructed and the Applicant has not yet determined whether it will seek a letter of map revision to document such removal. Therefore, at the time of permitting the Project will be located within the 100-year floodplain.

<sup>9</sup> The list of uses in Subtitle C Section 1102.4 aligns with the names of certain use group categories set forth in Subtitle B, Chapter 2. Under Subtitle B, Chapter 2, “Education” uses are broken into “public,” “private,” and “university” education groups, and all three definitions reference state-mandated or degree-granting programs. The educational activities at Living Classrooms are supplemental activities that perhaps best fit within the “Institutional” use group—a use that does not require special exception approval in a floodplain. Nevertheless, out of an abundance of caution, the Applicant requests special exception relief because its uses include educational activities.

in Yards Park – out of the floodplain. Detailed plans were also developed for conditions along the edge of the SEFC, adjacent to the Navy Yard, and resulted in the construction of a new wall along the Navy Yard edge.

The Project builds on prior planning efforts to account for current resiliency planning standards and evolving regulatory requirements. The Project has been designed to elevate the building out of the 500-year floodplain – well beyond the 100-year floodplain requirements. The decision to elevate the building is in itself a significant resiliency measure that will mitigate the risk from not just 100-year but also 500-year flood events. Further, the Project’s education users are not daily students, such as in a public school. In the unlikely event of flooding that would pose a danger to the Property or its occupants, Living Classrooms would either relocate or suspend operations.

Therefore, the Project’s uses will not result in any adverse impacts to the health or safety for the Project’s occupants or users due to the proposed use’s location in the floodplain. In addition to the foregoing, the Applicant addresses the special exception requirements standards as follows:

*(1) Site Plan:*

Attached as **Exhibit J** are excerpts from a 2007 submission for the street design and infrastructure for The Yards, which shows the then-applicable 100-year floodplain overlaid across the entire Southeast Federal Center, including Parcel P3. The entirety of Parcel P3 was within the 100-year floodplain. Also included in **Exhibit J** are 35% design submission is (a) the overall floodplain strategy for The Yards, which called for the elevation of all building sites, including Parcel P3, out of the 100-year floodplain, and (b) plans and elevations for planned floodplain mitigation measures along the boundary with the Navy Yard in the vicinity of Parcel P3. The Applicant is working with its civil engineer to prepare an updated image showing the current one hundred (100)-year floodplain boundaries and base flood elevations for the Property, which will be submitted when ready.

*(2) Floodproofing:*

The Project is at a design flood elevation of 14, which places the Project out of not only the 100-year floodplain but also the 500-year floodplain. Accordingly, no additional flood resistant design measures are required.

*(3) Evacuation Plan:*

The Project is elevated out of the 100- and 500-year floodplain. Accordingly, no evacuation plan is required because a 100-year flood event would not impact the Project.



*(4) Impact Analysis:*

The elevation of the site above not only the 100-year but also the 500-year floodplain is generally consistent with the flood mitigation approach for much of The Yards (which similarly elevated buildings above the 100-year floodplain). Accordingly, the proposed education use within the Project will not result in any adverse impacts to the health or safety for the Project's occupants or users due to the proposed use's location in the floodplain.

As noted above, the Project as a whole satisfies the general special exception standards of Subtitle X, Section 901.2. The Project's educational uses within the floodplain are incorporated into that analysis.

The Applicant requests that the Office of Zoning and Office of Planning refer this application to the District Department of Energy and Environment, District of Columbia Fire and Emergency Medical Service Department, Metropolitan Police Department, and District of Columbia Homeland Security and Emergency Management Agency.

**IX. Design Flexibility**

The Applicant expects to request design flexibility consistent with other design approvals in the SEFC zones. A full list of proposed flexibility will be provided in a supplemental submission.

**X. List of Exhibits**

The following exhibits are attached to this submission:

**Exhibit A:** Application Signature Form

**Exhibit B:** Letters of Authorization

**Exhibit C:** Certificate of Notice and Notice of Intent

**Exhibit D:** List of Property Owners within 200 Feet of the Property

**Exhibit E:** Surveyor's Plat

**Exhibit F:** Prior Zoning Orders (Z.C. Order No. 08-04 and 08-04A)

**Exhibit G:** Certificate of Compliance

**Exhibit H:** Comprehensive Plan Evaluation

**Exhibit I:** Architectural Plans and Drawings, Maps, Photographs

**Exhibit J:** Excerpts from 2007 Street Design and Infrastructure Plans regarding Floodplain Strategy

**XI. Conclusion**

For the foregoing reasons, the Applicant asks that the Commission approve the Project pursuant to the design review standards, including the requested zoning flexibility from the requirements of the SEFC-4 zone, and the special exception relief described above.

The Applicant looks forward to presenting this application to the Commission at the public hearing and appreciates your time reviewing the application.

Respectfully,

/s/  
David Avitable

/s/  
David Lewis