



Office of the Director

ZONING COMMISSION
District of Columbia

SUPPLEMENTAL REPORT

DATE: July 5, 2006 **CASE NO.** 06-22
TO: District of Columbia Zoning Commission **EXHIBIT NO.** 58
FROM: *ESD*
Ellen McCarthy, Director OP
SUBJECT: Zoning Commission Review of an application by the District of Columbia Sport and Entertainment Commission for a Proposed New Major League Baseball Stadium, pursuant to DCMR 11 §1606.18.
LOCATION: Ballpark Site - Squares 702, 703, 704, 705, and 706 and Reservation 247, between South Capitol St. SE and 1st St SE, and N St SE and Potomac Ave SE. Ward 6; Advisory Neighborhood Commission 6D
ZONE: CG/CR

BACKGROUND

On June 26, 2006, the Zoning Commission held a public hearing to consider Case No. 06-22, review of the proposed design of new construction within the Ballpark Area, in accordance with the requirements of the Capitol Gateway (CG) Overlay District. OP provided two reports analyzing the proposal – a report dated June 19, 2006 focusing on the ballpark structure itself, and a report dated June 26, 2006, mainly analyzing the mixed use towers proposed as an amendment to the application, to be located at the north end of the ballpark. Although the ballpark and the mixed use developments are interlinked, the design of the two has proceeded at differing rates, and the site on the north side of the ballpark, while providing parking for the stadium patron use, is not being developed by the DC Sport and Entertainment Committee (DCSEC). The design firm of HOK is involved in the design of both developments.

At the hearing, the Commission noted a number of aspects of the proposal for which additional information, clarification, or revision were required, and set June 30 as the date by which the information was to be submitted. In written reports and testimony, OP indicated support for the direction and intent of the proposal, but also noted areas of concern and areas requiring more detail. OP met with representatives of the design team designers on June 30, 2006 to review the applicant's response to issues raised at the hearing. On the same day, the applicant filed a supplemental statement and closing argument, which provides additional detail and information. This report provides cursory OP analysis of this supplemental filing against issues raised in the June 26 OP report.

I. OP ANALYSIS OF ADDITIONAL APPLICANT INFORMATION

OP comments with respect to the amendment to the proposal to show two mixed use towers on the north end of the ballpark site, as outlined at the end of the June 26 OP report, were

- o *Additional and more detailed architectural drawings, including a detailed site plan, elevations of all façades, sections, etc.*

The applicant has provided more detailed and more highly refined drawings as part of its June 30, 2006 submission. In specific, the drawings include annotated elevations of all façades, building sections, and complete sets of floor plans for the two north towers. Site plan information remains basic, and, as shown, does not correspond to broader planning initiatives for South Capitol Street. However, much of the site plan is in public space so subject to Public Space Committee review. In addition, the submission includes a signed Memorandum of Agreement (MOU) between the DCSEC and the District Department of Transportation (DDOT). The MOU includes requirements for the design of the sidewalk materials, tree boxes, bollards, and lighting, and for DDOT review prior to issuance of any building permit for the site. OP strongly supports this DDOT initiative, as it would appear to better ensure a site treatment that would address the AWI and other District planning, streetscape, and environmental initiatives.

The plans also show a minor revision to the exposed parking area on the south side of the site. As noted in the earlier OP reports, exposed parking such as this is not supported by OP even though the applicant notes that this is considered a temporary solution, until such time as the site redevelops. The revised drawing shows the area covered with a number of tent-like tensile structures. While this is an improvement, OP continues to feel that a more acceptable solution, such as sinking the parking sufficiently underground to allow the provision of the originally proposed lawn area, is preferred.

- *A more detailed zoning analysis of the towers against all zoning regulations and the guidelines of the CG Overlay. OP further notes that the Project Profile, provided as part of Attachment A to the June 23, 2006 submission, is, in places, not entirely consistent with the text of the submission.*

Because of the nature of the proposal, assessment of the project against zoning regulations is understandably complicated, and varies with the options proposed by the applicant. The applicant has provided a detailed Project Profile, assessing conformance of the ballpark and the mixed use development separately against zoning regulations. However, the applicant also notes that it is the intent to view the entire site development as one project, for the purposes of determining height. It is not clear how this might affect the zoning conformity analysis.

To narrow down the options, relief for the anticipated form of development – the ballpark using Option 1 or 2, and the mixed use development on the north side of the site the applicant has requested the following relief:

For the ballpark structure:

- Required retail height for ballpark Option 1– 14 feet clear required, 13—17 feet provided. For Option 2, which greatly increases the amount of retail along First Street by extending retail out from the ballpark footprint to the property line, it is assumed that all retail frontage would conform to the 14 foot height, although some retail space at the back (within the ballpark footprint) would remain non-conforming.
- Required retail depth – average of 50 feet required, an average depth of 37.3 feet for Option 1. Option 2, with its greater retail depth, would conform to this requirement.
- South Capitol Street setback- 15 feet required; the ballpark would conform for the majority of its length, but the pedestrian ramp would extend out into the setback area. The applicant has indicated to OP that they have noted the Zoning Commission concerns regarding the specific design of the ramp extension, and are investigating ways to improve this.

For the mixed use towers (assuming the Commission accepts the connection between the ballpark and the east tower, thereby rendering the proposed height permissible):

- Required retail height – Proposed height would vary from 11 to 23 feet.

The proposed structures appear to meet FAR and lot occupancy requirements, even though the above grade parking would count towards FAR. The applicant did not submit analysis indicating parking conformance for the mixed use buildings, which provide about 700 spaces for the hotel, retail, and residential uses. cursory OP analysis indicates that the zoning regulations would appear to require approximately 300 spaces for this proposal, so it appears to be conforming. As will be discussed below, the proposal considerably exceeds loading requirements.

o *Detailed height calculations, and description of any connections between the two towers and the ballpark*

The most recent Project Profile provided by the applicant as Attachment I to the June 29 submission, indicates that the ballpark would have a height of 110 feet to the top of the roof canopy (about 120 feet to the top of the band of field lights), while the two towers would have heights of 130 feet each, plus mechanical penthouses. All three structures face onto streets of at least 110 feet in width, thereby allowing, under the Height Act of 1910 and Zoning Regulations, a height of 130 feet.

However, the applicant appears to intend that the ballpark and the two connected towers would all have height measured from one common point on South Capitol Street. Drawing 10 of 36 shows a connection from the second floor parking level to the concourse level of the ballpark, a connection intended to render the three structures as one for the purposes of determining height under the Height Act. This method of measurement provides for additional *effective* height on the east tower, as the grade drops from South Capitol Street to First Street (i.e. effective height of the building on First Street would be lower if measured from N or First Street). As such, it would be higher than other new buildings fronting First Street, and about 85 feet taller than the stadium at this location, where the Project Profile indicates the height would be 45 feet (not including roof canopy and scoreboard). The applicant advises that the additional height is necessary to provide for a fully functional hotel program.

The drawings shown an enclosed connection of about 25 feet in width, and the designers have advised that it would be wide enough to allow some retail kiosk-type space. In the past, neither OP nor the Commission have accepted this type of bridge as adequate in constituting a "meaningful" connection. If the Commission decides to accept this as a meaningful connection, OP has requested that the applicant consider the implications on the design and program of providing an upper story step back (which would match the set-back on the west tower South Capitol Street elevation).

o *Relationship between the east tower and the ballpark along First Street SE.*

OP's major concern in this regard was the ground level relationship, as preliminary drawings for the east tower provided no setback while the ballpark provides a large setback from First Street. This "hid" the First Street ballpark entrance and the ballpark itself from view of patrons walking towards the stadium from the Metro station to the north. However, the current design shows that at ground level, the east tower would be angled along First to improve an improved visual connection, and also provides some more retail space on this facade. In addition, minor modifications to the First Street ballpark entrance itself will somewhat improve its visibility. As such, OP feels that the changes adequately address this specific issue, although concerns regarding the height juxtaposition between the two structures remain. Further improvements to this entrance would be warranted and supported, to make it more comfortable and inviting.

o *Submission of changes to the numbers and locations of loading and parking accesses along First St*

The drawings attached to the most recent applicant submission show amendments to reduce the overall number of parking and loading accesses onto First Street, without relocating these functions

to other façades. This is an improvement, as it allows for more retail space on the street, and reduces the number of curb cuts which pedestrians have to cross. However, OP shares DDOT's concern that the functions themselves present opportunities for conflict between vehicles and pedestrians, and would support moving the loading and/or parking access from First Street to N Street. The designers have indicated that this would be problematic, given existing grades and the current design.

OP further notes that the applicant's Project Profile indicates that the proposal greatly exceeds the loading requirements of the zoning regulations. This appears to be because separate loading facilities are provided for the ballpark and for each of the two towers, even though the proposal also attempts to consider the three structures as one for other aspects of the regulations. If the applicant wishes to continue to consider the three structures as one, loading requirements should be provided accordingly, with a reduced number of shared loading facilities provided. This would lessen DDOT and OP concerns about pedestrian / vehicular conflicts and would reduce the amount of façade area devoted to loading bay doors.

o *Screening for the above grade parking, where not screened by other uses*

Along N Street, the above grade parking would be fully wrapped by other uses – retail and residential. On First Street and on South Capitol Street, parking would also be wrapped by other uses such as retail, lobby, sales office, and amenity space. Above street level, parking would extend out to the South Capitol Street, but the applicant has indicated that it would be clad in ways to eliminate openings for ventilation, and to match a residential character. Along First Street SE, the ground level parking is also hidden behind other uses. Above the ground level, the parking would extend out to the street, and the applicant does not indicate how it would be treated, although the elevations appear to indicate a somewhat special treatment, also with a more residential character.

o *Nature of the proposed affordable housing*

The most recent submission indicates that 63 of the approximately 672 residential units (about 10.5%) would be devoted to affordable housing. Of these, 10% would be priced at 80% AMI; 5% would be at 60% AMI, and 5% would be at 30% AMI. OP is supportive of this initiative, provided the proposal also meets the normally anticipated requirement that the affordable units adequately reflect the size and design of market-rate units, and that they be evenly dispersed throughout the residential complex.

o *Best practice environmental design elements, with LEED certification recommended.*

The June 30 submission addresses concerns these concerns in Section F. The applicant notes that it is their intention to implement best practice environmental measures “to the extent financially feasible and practical”. OP is generally supportive of the initiatives described in the report, and notes that the MOU with DDOT includes additional provisions regarding the treatment of sidewalk storm water, the use of drought resistant local plant species, etc. However, a more proactive and visionary approach, in accordance with the Council mandate, would be appropriate. OP is cognizant that many “green” building features, while perhaps slightly more expensive in initial outlay, provide a considerable savings in life-cycle costs, and hopes the applicant can factor this into its financial analysis.