

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** *JL for* Jennifer Steingasser,  
Deputy Director, Development Review & Historic Preservation  
**DATE:** July 13, 2017  
**SUBJECT:** ZC Case 17-12 – Setdown and Pre-Hearing Report for a Proposed Zoning Text Amendment to the Zoning Regulations: Subtitle K, Sections 200 through 240, Regarding Height and Density in the Southeast Federal Center Zones.

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**I. RECOMMENDATION**

Goulston & Storrs, on behalf of Forest City SEFC LLC, has submitted an application for text amendments to Subtitle K Chapter 2, specifically the high density SEFC-1 zone generally located at the north end of the SEFC site. The amendments would create two sub-zones, SEFC-1-A and SEFC-1-B, alter height and/or density provisions for Parcels A, D, E, F, G, H, I, and K, eliminate the nonresidential FAR requirement on Parcels A, F and G, and eliminate the combined lot provisions currently in the SEFC regulations. The applicant is also requesting a map amendment to reflect the proposed zoning.

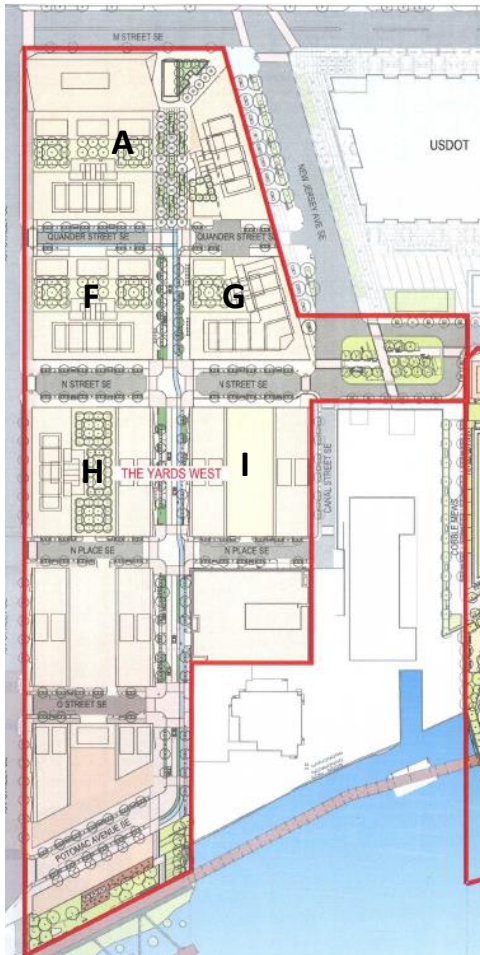
OP will continue to work with the applicant to provide analysis of the potential impact of the proposed text amendment on housing and affordable housing in SEFC, and on formatting and refining the text amendment. In addition, the applicant should provide information regarding the shifting of overall density from Parcel E for a cultural use to Yards West prior to scheduling a public hearing.

OP recommends that the proposed text and map amendments be set down for a public hearing to:

1. Create sub-zone SEFC-1-A that would apply to Parcels A, F, and G, which would permit:
  - a. A **density** of 6.0 FAR as a matter of right for any use permitted in the zone, including commercial office uses (eliminate the requirement for 3.0 FAR for nonresidential uses);
  - b. A **bonus density** of 1.0 FAR for any use permitted in the zone, with Zoning Commission Design Review;
  - c. A **height** of 130 feet on Parcel A, and a height of 110 feet on Parcels F and G as a matter of right; and
  - d. A **bonus height** of 130 feet on Parcels F and G with Zoning Commission Design Review.
2. Create sub-zone SEFC-1-B that would apply to Parcels D, E, K, H, and I, which would permit:
  - a. A **density** of 6.0 FAR as a matter of right, with a maximum of 3.0 FAR for nonresidential uses;
  - b. A **bonus density** of 1.0 FAR for residential uses only, with Zoning Commission Design Review;

- c. A **height** of 90 feet on Parcels D and E, and a height of 110 feet on Parcels H, I, and K as a matter of right;
- d. A **bonus height** of 130 feet on Parcel H, and a height of 110 feet on Parcels D and E with Zoning Commission Design Review;
3. Delete the **Combined Lot Development** provision, which allows for flexibility in allocating nonresidential FAR to other sites within SEFC; and
4. Amend the zoning map to reflect the boundaries of the SEFC-1-A and SEFC-1-B zones.

## II. BACKGROUND



*Portion of Open Space Plan from [The Yards West Master Plan](#), November 2016*

The Southeast Federal Center Zone (SEFC) was adopted by the Zoning Commission and became effective on July 9, 2004. This zone was intended to encourage redevelopment of the 42-acre riverfront property with non-governmental uses and has been successful in producing mixed-use residential and commercial developments in addition to large open spaces, including Yards Park.

In March 2015, the Zoning Commission approved a text amendment to allow greater height and/or density for Parcels A, F, G, H, and I, located along the western portion of SEFC (collectively referred to as Yards West). The purpose of this amendment was to encourage residential development on these parcels, allowing 1.0 FAR, and in some cases, additional height, to provide more residential units, while maintaining the original intent of the zoning to permit a significant amount of non-residential development in this part of the SEFC site. Further, the amendments also require that buildings utilizing additional height and density for residential use devote a minimum of eight percent of the gained density to three bedroom units. The applicant is also required to engage with the Washington Metrorail Area Transit Authority (WMATA) to accommodate the design of a public entrance to the Navy Yard Metrorail Station on Parcel A.

Since the text amendment was approved, the applicant has been working to develop a vision for the Yards West area, consisting of Parcels A, F, G, H, I, and an approved PUD to the south that stretches to the waterfront (ZC Case No. 13-05). The study resulted in the Yards West Concept Master Plan, which identified the need to update the existing zoning to make gains in office uses to meet projections originally anticipated in the SEFC Master Plan. Currently, there is a shortfall of between 400,000 to 800,000 square feet in office use, which is due to the limitation on nonresidential uses of 3.0 in the SEFC-1 zone. The proposed text amendment would remove that requirement, concentrating office uses on Parcels A, F, and G, near the future Metrorail entrance, as anticipated in the original SEFC planning and zoning. Parcel H would be developed with a mixed-use project, consisting of ground floor retail, office, and residential uses, and Parcel I would be a residential development with ground floor retail. The original vision of activating 1 ½ Street with ground floor retail would be retained.

While it does not appear to be reflected in the calculations provided in the application, the applicant has discussed with OP that this shifting of density towards Yards West is also to capture floor area that would not be utilized by a future cultural use on Parcel E, therefore helping to facilitate achieving density targets for SEFC. Prior to scheduling a public hearing for this text amendment, the applicant should provide additional details concerning the cultural center and the need to transfer density.

### III. PROPOSED TEXT AMENDMENT

The following table summarizes OP’s understanding of the height and density permissions for these parcels within the SEFC, under the existing and the proposed zoning:

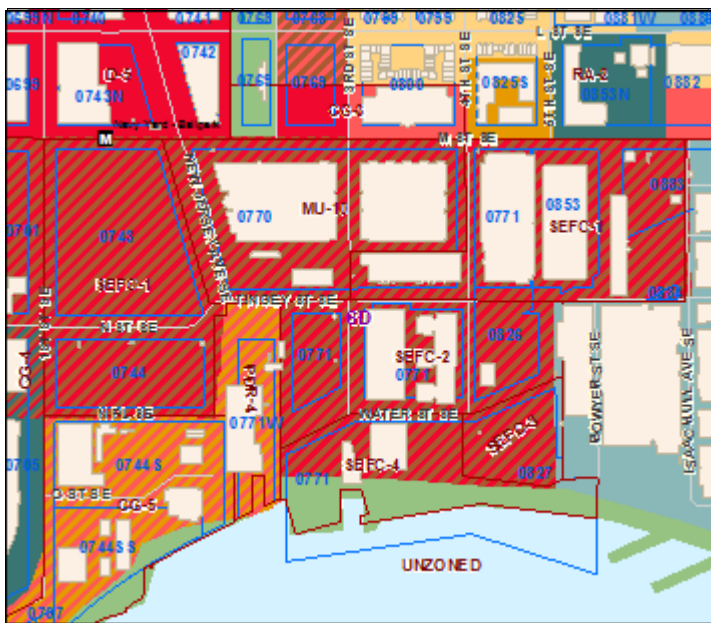
PCL	EXISTING			PROPOSED		
	Zone	MAX. FAR	HEIGHT	Zone	MAX. FAR	HEIGHT
A	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.5 CLD Bonus – 1.0, Res. Use	130’	SEFC-1A	Total – 6.0 Res. – 6.0 Non-res – 6.0 Bonus – 1.0, any use	130’
D	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD	90’; 110’ with ZC approval	SEFC-1B	Total – 6.0 Res. – 6.0 Non-res – 3.0 Bonus – 1.0, Res. use	90’; 110’ with ZC approval
E	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD	90’; 110’ with ZC approval	SEFC-1B	Total – 6.0 Res. – 6.0 Non-res – 3.0 Bonus – 1.0, Res. use	90’; 110’ with ZC approval
F	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD Bonus – 1.0, Res. Use	110 – 130’ (Ht. Act.)	SEFC-1A	Total – 6.0 Res. – 6.0 Non-res – 6.0 Bonus – 1.0, any use	110’ 130’ with ZC approval (if Ht. Act allows)
G	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD Bonus – 1.0, Res. Use	110 – 130’ (Ht. Act.)	SEFC-1A	Total – 6.0 Res. – 6.0 Non-res – 6.0 Bonus – 1.0, any use	110’ 130’ with ZC approval (if Ht. Act allows)
H	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD Bonus – 1.0, Res. Use	110 – 130’ (Ht. Act.)	SEFC-1B	Total – 6.0 Res. – 6.0 Non-res – 3.0 Bonus – 1.0, Res. use	110’ 130’ with ZC approval (if Ht. Act allows)
I	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD Bonus – 1.0, Res. Use	110’	SEFC-1B	Total – 6.0 Res. – 6.0 Non-res – 3.0 Bonus – 1.0, Res. use	110’
K	SEFC-1	Total – 6.0 Res. – 6.0 Non-res – 3.0 Non-res – 6.0 CLD	110’	SEFC-1B	Total – 6.0 Res. – 6.0 Non-res – 3.0 Bonus – 1.0, Res. use	110’

Note – bonus height or density is achieved through Zoning Commission Design Review

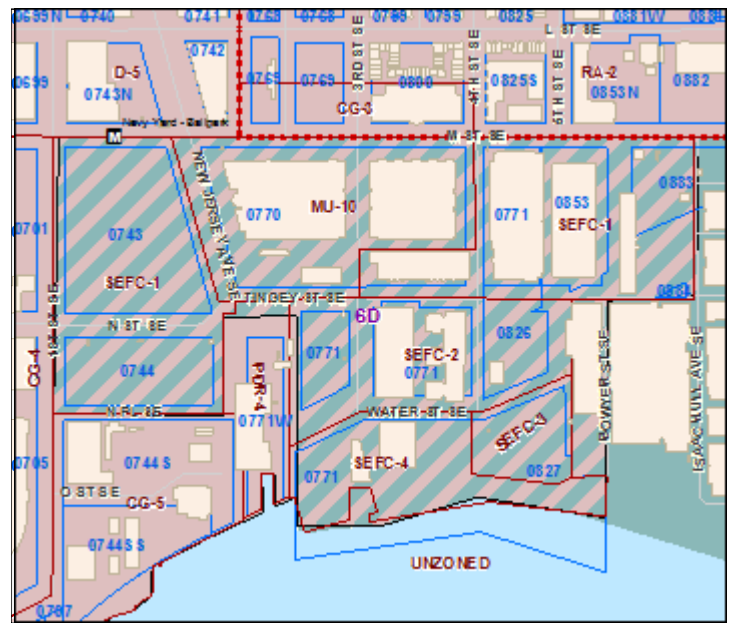
At Exhibit 2D, the applicant has provided a “redlined” version showing their proposed text amendments, which would be to Subtitle K Chapter 2 SEFC Sections 200 GENERAL PROVISIONS; 201 DEVELOPMENT STANDARDS (SEFC-1); 202 DENSITY (FAR (SEFC-1)); 203 HEIGHT (SEFC-1); and 237 USE PERMISSIONS. In addition, Subtitle K Chapter 2 SEFC Section 240 COMBINED LOT PROVISIONS would be deleted. At Exhibit 2E, the applicant has also provided a “clean” version of the sections for which amendments are proposed. Finally, at Exhibit 2C, the applicant has provided maps showing the new zone boundary separating the proposed SEFC-1-A and SEFC-1-B zones.

#### IV. COMPREHENSIVE PLAN

##### Future Land Use Map (FLUM)



##### Generalized Policy Map



The Future Land Use Map designates the subject site for high density mixed residential / commercial development. The Generalized Policy Map indicates the site as a land use change area, striped with a “Federal Lands” designation, reflecting the current ownership of portions of the site. The proposed zoning is consistent with these designations, and would help to further the goal that development in the SEFC provide a high density mix of uses.

The proposed amendments are not inconsistent with the Comprehensive Plan, and would specifically further policies in the Land Use, Housing, Economic Development, Urban Design, and Lower Anacostia Waterfront Elements.

##### Land Use Element

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

1. Mt Vernon Triangle;
2. North of Massachusetts Avenue (NoMA);
3. Downtown East;

4. *South Capitol Street corridor/Stadium area;*
  5. ***Near Southeast/Navy Yard;***
  6. *Center Leg Freeway air rights; and*
  7. *Union Station air rights.*
- (emphasis added)

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

***Policy LU-1.2.8: Large Sites and the Waterfront*** *Use the redevelopment of large sites to achieve related urban design, open space, environmental, and economic development objectives along the Anacostia Waterfront. Large waterfront sites should be used for water-focused recreation, housing, commercial, and cultural development, with activities that are accessible to both sides of the river. Large sites should further be used to enhance the physical and environmental quality of the river.*

The development within SEFC has resulted in the provision of large open spaces that provide improved accessibility through the site to the waterfront. The proposed housing, commercial, and office uses would further enhance the area by concentrating density closer to M Street and First Street, as originally anticipated in the zoning, complimenting the larger open spaces near the waterfront. Further, Parcels A, F, G, H, and I would be subject to review by the Zoning Commission for high quality architecture and environmental quality should bonus height and/or density be used.

## **Housing Element**

***Policy H-1.1.2: Production Incentives*** *Provide suitable regulatory, tax, and financing incentives to meet housing production goals. These incentives should continue to include zoning regulations that permit greater building area for commercial projects that include housing than for commercial projects that do not include housing.*

***Policy H-1.1.4: Mixed Use Development*** *Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.*

The proposed text amendment is not inconsistent with the Housing Element of the Comprehensive Plan. The proposed revisions would continue to incentivize the provision of additional housing on what was once underutilized Federally-owned land by allowing greater density and height, while providing affordable housing in a vibrant, new neighborhood. Additional housing in Yards West would generate activity near a Metrorail station and entertainment venue, ensuring its future success as a diverse neighborhood.

## **Economic Development Element**

***Policy ED-2.1.1: Office Growth*** *Plan for an office sector that will continue to accommodate growth in government, government contractors, legal services, international business, trade associations, and other service-sector office industries. The primary location for this growth should*

*be in Central Washington and in the emerging office centers along South Capitol Street and the Anacostia Waterfront.*

The proposed text amendment would provide for a mix of uses near a Metrorail station, including new employment generating office and neighborhood serving retail. In particular, office growth is encouraged at this location and will increase the daytime population.

### **Urban Design Element**

***Policy UD-1.1.4: Height Act of 1910*** *Protect the civic and historical character of the city, particularly the “horizontal” urban quality of Central Washington, by limiting building heights in accordance with the Height Act of 1910. Basic principles of the Height Act are shown in Figure 9.4.*

***Policy UD-1.3.1: DC as a Waterfront City*** *Strengthen Washington’s civic identity as a waterfront city by promoting investment along the Anacostia River, creating new water-related parks, improving public access to and along the shoreline, and improving the physical and visual connections between the waterfront and adjacent neighborhoods.*

***Policy UD-1.3.3: Excellence in Waterfront Design*** *Require a high standard of design for all waterfront projects, with an emphasis on shoreline access, integration of historic features and structures, an orientation toward the water, and the creation of new water-oriented public amenities.*

***Policy UD-1.3.6: “Activating” Waterfront Spaces*** *Encourage design approaches, densities, and mixes of land uses that enliven waterfront sites. Architectural and public space design should be conducive to pedestrian activity, provide a sense of safety, create visual interest, and draw people to the water.*

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

The modifications to the Zoning Regulations would result in better architectural design, would help to reinforce the major corridors of M Street SE and New Jersey Avenue SE, and to activate, populate, and enliven the waterfront.

### **Lower Anacostia Waterfront-Near Southwest Area Element**

***Policy AW-2.3.3: Near Southeast Housing Opportunities*** *significantly increase residential land uses in the Near Southeast, particularly in the Southeast Federal Center, Capper Carrollsburg, Canal Blocks, and South Capitol Gateway areas. Consistent with the existing zoning for these areas, mixed use development that includes housing as well as commercial uses should be strongly encouraged. The mix of housing should accommodate residents of all incomes and household types.*

The proposed text amendment is not inconsistent with the Lower Anacostia Waterfront-Near Southwest Area Element of the Comprehensive Plan. The modification to the Zoning Regulations would incentivize the inclusion of additional residences within the SEFC Overlay, while also allowing the originally intended mix of residential, office, retail, and cultural uses to be provided to provide a true mixed use community.