



## *Southwest / Navy Yard / Buzzard Point* Advisory Neighborhood Commission 6D

1101 Fourth Street, SW  
Suite W 130  
Washington, DC 20024  
202.554.1795  
Email: [6d@anc.dc.gov](mailto:6d@anc.dc.gov)  
Website: [www.anc6d.org](http://www.anc6d.org)

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Anthony Hood, Chairman  
Zoning Commission of the District of Columbia  
441 4<sup>th</sup> Street, NW, S200  
Washington, DC 20001

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Acting Chairman

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Secretary

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Submitted via IZIS

With a copy emailed to [DCOZ-ZCSubmissions@dc.gov](mailto:DCOZ-ZCSubmissions@dc.gov)

### **ANC 6D Response to Supplemental Post-Hearing Statement Z.C. CASE NO. 20-14, 5 M Street SW Design Review**

Dear Chairman Hood and Members of the Zoning Commission,

ANC 6D thanks you for making the suggestion that the Applicant further engage our Commission in additional discussions to amend and improve the plans put forward in ZC 20-14 – a plan which we and our Community had strongly opposed. Our Commission and the Applicant have held a series of meetings over the past several weeks to further discuss our concerns. In the end, we worked out some differences and arrived at a slightly better product than had been presented initially. However, ANC 6D does not believe that the gains achieved have been significant enough to enable us to embrace this project.

This was ANC 6D's third opposition vote on this project after several meetings with the Applicant at the request of the Zoning Commission to negotiate changes in the project that better reflect the community's and ANC 6D's concerns.

Accordingly, at a regularly scheduled and properly noticed special meeting held on December 14, 2020, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 6-0-0 to take no additional action regarding ZC Case No. 20-14, and therefore, our opposition to the project remains with updated points articulated below. **We urge the Commission to provide our conclusions on this case great weight under law.**

**South Capitol and M Streets:** The project -- at this corner in particular --- still responds to the aesthetic of Navy Yard not residential Southwest. The Applicant continues to use the parameters required by the Capitol Gateway Plan for not only their frontage on South Capitol Street, but on the neighborhood facing M Streets façade as well. Although there are no such requirements for M Street frontage, the Applicant has steadfastly held to those design parameters. ANC 6D continues to believe that significant tiering on M Street and a greater number of south facing balconies will considerably soften the bulk of this enormous structure.

5M will create, simply put, the New Gateway into the Southwest. As such, the design of the M Street façade should reflect the aesthetic and appeal of the calmer residential

character of our neighborhood. Despite the ANC's strong and consistent suggestions during these past weeks, the Applicant has held fast to a design along M Street that better belongs in a business corridor. ANC 6D has from the beginning requested that the Applicant incorporate recessed tiering after the 8<sup>th</sup> floor, then further tier back floor 10 and then finally tier back the penthouse. This would significantly reduce the hulking presence along M Street and better establish that corner as the Gateway that is called for in the Southwest Small Area Plan.

We wish to credit the Applicant with moving from white brick to concrete on their exoskeleton which is something we strongly support. Concrete is a used in buildings throughout Southwest to great acclaim and will be particularly compatible at the juncture of M and South Capitol signifying that one is entering a community with strong mid-century design elements.

**Balconies:** ANC 6D has from the beginning asked for more balconies to be incorporated at various levels across the M Street façade. What the Applicant did instead was exchange four small balconies in each square for two full balconies. So the actual number of south facing balconies has shrunken. While providing full balconies is a plus for the resident, a lesser number and consolidation does not contribute to the softening esthetic along M Street that the ANC has long sought.

ANC 6D appreciates the thought behind the additional balconies the Applicant has incorporated into the latest design and agrees that that inset balconies are a better design esthetic than the hopper windows, which dominated earlier drafts. But the Applicant missed the point. Creating a continuous line of balconies above the 8<sup>th</sup> floor on both South Capitol and M Street facades is not a Southwest design aesthetic and only serves to add to the heaviness of the building. It is just plain top heavy. A better solution would be to take those balconies and incorporate them evenly throughout both façades on South Capitol and M Streets.

The Applicant also has increased the number of balconies along L Street and altered their design from one that appeared to have them hanging in mid-air. The ANC greatly appreciates the change but notes that the currently unobstructed north facing views of the Capitol will soon be disrupted by a building on the opposite side of L Street. As we continue to advocate, the ANC prefers more balconies on sides of the structure that will have uninterrupted views as well as soften the mass of what is to be the largest residential building in our entire ANC.

The ANC also believes that adding balconies – either in a tier or beyond the number currently presented on south facing M Street -- will also lighten the building, create the possibility to soften the mass with increased greenscape, and provide more residents with open space that the present design extends only to units located on upper floors that command higher rents. ANC 6D also believes that adding balconies along M Street will also lighten the building, soften the mass with increased greenscape, and provide more residents with open space that the present design extends only to units located on upper floors that command higher rents.

**An Incoherent Overall Design:** ANC 6D is aware that the Applicant plans to deliver this project in two (2) phases with the South Capitol and M Streets delivering first; and Half and L Streets, at a later date. Although the Applicant has added open balconies at the corners of east facing M and Half streets and north facing Half and L streets, this is a very minimal unifying feature as the Half and L facades bear virtually no resemblance to the South Capitol and M Street facades. These are two buildings, not one.

ANC 6D is very mindful that in the original proposal, the Applicant was focused on a mixed use development with residential both on South Capitol and M Streets and more commercial aspects in the lower glass pavilion and along Half and L Streets. When the Zoning Commission expressed skepticism concerning the entire project and its phasing, the Applicant then chose to maintain their original residential design (along South Capitol and M Street) and simply insert another large residential structure within the original L-shaped lot that would have held mixed use. ANC 6D believes that rather than a cut and paste solution as we currently have, the project ought to have been totally redesigned as one coherent residential structure.

Let's be mindful of where we started and why we wound up where we are. From the get-go, we all have been lulled into negotiating minor cosmetic surgery on a patient who needed an organ transplant. Simply stated, this enormous building provides no meaningful benefit to the people of Southwest.

As this case is heard on January 14, ANC 6D will be “attending” virtually and will be available to the Commissioners if required.

**Affordable Housing:** ANC 6D acknowledges this is a design review and reiterates that our opposition to this project is predicated solely upon those design elements as our Commission stated in our Report to the Commission in this case.

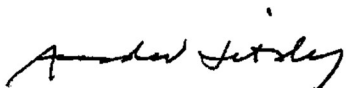
That said, ANC 6D takes great exception to the current rule that developments under design review have little or no expectation that they ought to be required to provide significant affordable housing as a consequence of their right to construct. In this particular instance, the Applicant moved from a stance of virtually no affordable housing “**because we don’t have to**” to twenty units. And even though the Zoning Commissioners gave a gentle nudge suggesting that those twenty units might increase, the Applicant planted their feet in the sand. Commissioners take note: this is what you get when you are listed on the NYSE. Profits not people.

We note that twenty total units is better than the original single unit proposed – and, at that, only because of the usable penthouse requirement. Committing to 60% MFI for the 19 additional units proffered is admirable. But ANC 6D cannot, in good conscience, applaud the Applicant’s proffer as an honest contribution to affordable housing in Southwest. It is paltry. ANC 6D is steadfast that nothing less than IZ is what we should have expected of the Applicant in this project. Further, because the site is situated at the crossroads of the Capitol Gateway and the Southwest neighborhood, it should respect the spirit of both plans. At a minimum, that would include a component of affordable housing that reflects the recommendation in the Southwest Small Area Plan (SAP) that Southwest remain an exemplar of equity and inclusion; without it, the SAP is an empty gesture.

ANC 6D calls upon the Office of Planning and the Zoning Commission to revisit regulations that allow developers, their zoning attorneys and their lobbyists to consistently undercut the District’s goal of adding significant affordable housing to that which is now available. If the District is truly serious about its commitment to affordable housing, that call must extend beyond Election Day.

ANC 6D is only advisory but we can provide you no better advice than this: Make it happen!

Sincerely,



Andy Litsky  
Acting Chair, ANC 6D  
Southwest, Navy Yard, & Buzzard Point