

**TO:** District of Columbia Zoning Commission  
**FROM:** Stephen Cochran, Development Review Specialist  
*JL for* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation  
**DATE:** September 21, 2020  
**SUBJECT:** Report on Zoning Commission Case No. 20 – 14 Design Review for Alternative Development Proposals for 5 M Street, S.W.

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## I. OP RECOMMENDATION

The applicant has submitted two alternative proposals within this application. These are summarized in Section II of this report. The Office of Planning (OP) recommends the Zoning Commission **approve** the design review application for both alternatives, subject to the conditions noted below and the provision of the indicated information.

Both designs generally meet the criteria specified in the following sections of the Zoning Regulations:

- Subtitle I §616 for buildings within the M and South Capitol Streets Sub-Area of the downtown zones
- Subtitle I Chapter 7 design review criteria for the downtown zones
- Subtitle X Chapter 9’s general special exception review criteria.

This recommendation is contingent on approval of the following two conditions:

### Proposed Easement Condition

(The following language is more specific than the applicant’s offer of providing a future driveway easement for the one property in Square 649 that is not owned by the applicant:

- “The applicant shall, when development moves forward on Lot 47, provide an easement to the owner of Lot 47 that will allow a future project on Lot 47 to use the 22 foot wide north-south portion of the applicant’s private driveway to access parking and loading for Lot 47, provided any driveway width greater than 22 feet that is needed to accommodate the additional vehicular and truck traffic for Lot 47 shall be added to the applicant’s driveway solely from land within Lot 47”.

The applicant has agreed to this condition.

### Signage Condition

- Signage shall follow the guidelines in Exhibit 14A7 pages 90 – 96 and pages 156 – 163, with the exception of the location of upper level signage, which shall be limited to M Street, S.W. One upper level sign may be located as shown on Exhibit 14A7 page 92, but with the right edge of the sign extending no further east than a line extending upward from the rightmost edge of the 9th and 10th floor fenestration of the bay that is immediately below it. A second upper-level sign may be located on the parapet above the 5th bay west of the 9th and 10th floor setbacks from South Capitol Street.

The applicant has agreed to this condition.

OP also notes that the applicant has been discussing options for providing more affordable housing within the project than would be required by the occupied penthouse space. This is alluded to in the public comment filed at Exhibit 15. OP understands would not be a proffer to be considered by the Commission. However, it would be helpful for the applicant to provide the Commission with more information about this at the hearing.

## **II. SUMMARY OF APPLICATION AND PROPOSALS**

<b>Applicant:</b>	VNO South Capitol LLC and Three Lots in Square 649 LLC.
<b>Address:</b>	5 M St., SW
<b>Legal Description:</b>	Square 649 Lots 43, 44, 45 and 48
<b>Boundaries:</b>	The site comprises most of Square 649 in near Southwest Washington, other than lot 47 at the northeast corner of the Square. The Square is bounded by South Capitol Street (east), M Street (south), Half Street (west) and L Street (north). (See Fig. 2, page 13 of this report).
<b>Site's Current Use:</b>	One-story convenience store and surface parking
<b>Adjacent Development:</b>	North: Within Square 649, vacant land zoned for 130-foot high development. Similarly-zoned vacant land across L Street. South: One-story commercial buildings and surface parking on South Capitol Street and two-story rowhouses across M Street, fronting on Carrollsburg Place. West: One-story DC DMV inspection station East: Stone church across South Capitol Street Southeast corner of intersection: new 130' office building
<b>Neighborhood Context:</b>	Uses on the west side of South Capitol Street include a recreation center, a hotel, vacant lots, one-story commercial structures with surface parking, two-story row houses, commercial structures and a new 10-story office building and a self-storage facility. The east side includes Nationals Stadium, a self-storage facility, a church and several new 130-foot tall apartment and office buildings. To the east is the primarily high-rise Capital Riverfront and Navy

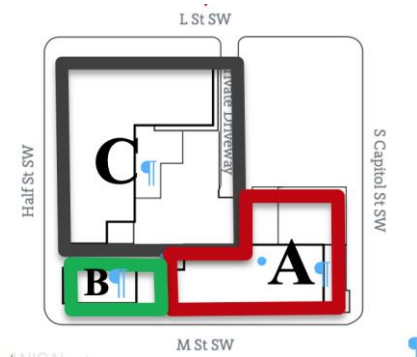
Yard neighborhood. To the west is the Near Southwest neighborhood. Close to the site west are low-rise industrial and institutional use buildings. Farther west are a mix of high-rise apartments and offices, rowhouses and low-rise apartments and some institutional uses. To the south, across M Street, are rowhouses and mid and high-rise residential developments.

**Ward, ANC:** Ward 6; ANC 6D  
**Zone:** D-5 (high-density commercial or residential)  
**Property Size:** 75,757 square feet

The applicant has submitted one application with two alternative proposals for the site:

- A primary proposal, referred to as the “mixed-use scheme” would have office use and ground floor retail use centered on the corner of South Capitol and M Streets, and residential use on Half Street and L Street. This would contain 349 residential units, 225,356 square feet of office space and 25,406 square feet of retail space. The 13 residential floors and 10 office floors would have a total FAR of 7.68.
- An alternative proposal for the same site, referred to as the “residential scheme” would be primarily residential with ground floor retail uses along South Capitol and M Streets. This alternative would contain 615 residential units, no office space and 23,948 square feet of retail space. The 13 residential floors would have an FAR of 9.09.

The general site plan schematic is shown in Figure 1 below. It consists of three building areas joined with meaningful connections and grouped around a courtyard that also includes a private driveway with entrances from Half Street and from L Street.



**Figure 1. Component Sections of Single Proposed Building**

The area labelled “A” at the corner of South Capitol and M Streets would have ground floor retail in both schemes but would be all-office above in the mixed-use scheme and all-residential above in the residential scheme.

The area labelled “B” would be 2 stories high in the mixed-use alternative and up to 13 stories high in the residential alternative. It would provide the meaningful connection between “A” and “C”. Both schemes would include retail space and residential amenity space on levels 1 and 2 of

“B”, although distribution of that space would differ between the alternatives. Only in the residential scheme would there be additional floors in “B”, which would be residential.

The area labelled “C” would be a 13-story residential tower in both schemes.

The materials and architectural vocabulary for the alternatives are similar but differ somewhat in how that vocabulary is employed, and differ substantially in parts of the South Capitol Street façade and in the size and design of a pavilion at the corner of M and Half Streets. (See Exhibit A2 page 21 for a comparative overview of design and Exhibit A2 page 22 for a comparative overview of dimensions and uses).

The applicant has requested that the Commission approve both of the designs with this one application. This would enable the developer to build either alternative without returning to the Commission for review unless a later change is proposed that would require a modification of consequence or significance.

The applicant has also requested approval of specific language to enable the construction of either alternative to be undertaken in two phases (Exhibit 14, page 26). “A” and “B” would have to begin construction within three years of the effective date of the Order. “C” would have to begin construction within three years of the issuance of the certificate of occupancy for the first phase.

A design review application in a downtown zone sub-area is not required to undergo as extensive a review as what is required, for example, for a PUD or for a project in Capital Gateway zones. It is specifically exempted from the design review process in Subtitle X, Chapter 6 by X §601.1. It does not, for instance, require a review of the project’s relationship to the Comprehensive Plan, as the development under either alternative would have to be consistent with current zoning. The design review regulations that must be considered are contained within Subtitle I and are noted in the second paragraph on page 1 of this report

For this application, this OP report first considers the elements common to each proposed alternative, then describes each alternative’s design and then analyzes the conformance of each alternative to the applicable criteria.

### **III. ELEMENTS COMMON TO BOTH ALTERNATIVES**

Both proposals:

- Meet all use and dimensional requirements in the zoning regulations;
- Have a maximum height of 130 feet, with a 1:1 setback at 110 feet along South Capitol Street and a section with a lower height at the corner of Half and M Streets;
- Provide more parking - all of it below-grade - than is required in the D-5 zone, where there is no parking requirement;
- Provide slightly more than the required long-term and short-term bicycle parking;
- Provide more loading facilities than required;
- Provide through-circulation for parking and loading via a mostly-covered internal driveway system with access points from Half Street and L Street;

- Provide a pedestrian drop-off area internal to the site near the driveway entrance on Half Street;
- Divide the site plan into three meaningfully-connected structures wrapped around an internal courtyard beginning primarily at the second level, and with different façade treatments for each of the connected portions;
- Have ground floor retail uses along South Capitol Street and M Street (the “A” and “B” sections);
- Employ similar multi-story pre-cast stone grids with metal and glass fenestration similar to older industrial buildings for the façade of the “A” section at South Capitol and M Streets;
- Have the same uses and design for the L-shaped portion of the building that has frontage along L Street and on Half Street (the “C” section) north of the portion of the building at Half and M Streets (the “B” section). This includes townhouse-type units on most of the first level facing those streets and a change in the design for the eastern portion of the L Street façade;
- Include occupied space on the roof that will require a contribution to the Housing Production Trust Fund or provision of on-site affordable housing;
- Provide a 3-foot setback on M Street to widen the sidewalk. This would achieve a distance of 14’10” from the face of the curb;
- Are designed to achieve LEED Silver (LEED v4 for building design and construction);
- Have green roofs, although with different square footages;
- Provide at least 750 square feet of solar panels on east-facing penthouse walls (Exhibit 14B);
- Would be constructed in two phases, with Sections “A” and “B” being constructed in the first phase and section “C” being constructed in the second phase .

The applicant has provided a summary comparison of zoning tabulations for the alternatives on page 22 of Exhibit 14A2.

#### **IV. DESCRIPTION OF THE MIXED-USE SCHEME**

This 581,348 square foot proposal would contain 349 residential units, 4 of which would be in the penthouse level; 225,356 square feet of office space; and 25,406 square feet of retail space. The 13 residential floors and 10 office floors would have a total FAR of 7.68. The building would be 130 feet high, except for the section at the corner of M and Half Streets, which would be two-stories high. There would be a 1:1 upper level setbacks along South Capitol Street at the 110-foot level. 403 parking spaces would be provided, as well as more than the required number of long-term and short-term bicycle spaces and more than the required loading facilities. Zoning tabulations specific to this alternative are on page 32 of Exhibit 14A3.

At the time OP completed this report the applicant indicated it would respond to affordable housing requirements for the occupiable penthouse space by a combination of a contribution to

the Housing Production Trust Fund and the inclusion of an Inclusionary Zoning (IZ) unit on-site at a 50% median family income (MFI) affordability level. It would be helpful for the applicant to provide, by the hearing, a fuller explanation of the applicant's intentions for satisfying the affordable housing requirements.

With respect to design, the "A" section of the building would have a two-story base with shops and the office lobby on the first level, and offices on the second. The masonry portion of those levels would be faced with the brick shown on pages 56 and 57 of Exhibit 14A4. The upper levels would have a façade that includes a precast stone grid, glass with metal spandrels and mullions, and wood ceilings for inset balconies. The gridded part of the façade covers floors 3 – 8. Each part of the concrete grid is two stories high and slightly wider than it is high. Portions of the gridded section project four feet from the main plane of the building but are still within the property line.

The office building grid is subdivided by 36 panes of glass with metal mullions intended to connote industrial metal sash windows. The uniformity of the grid is broken up by projecting some grid sections at corners about four feet out from the main plane of the façade, pulling back some of the glass from the grid frame to create balconies or terraces with metal railings, and tilting the plane of some of the fenestration or glass railings to connote hopper windows in industrial buildings, to create balconies with glass railings on some levels, and to create a deeper shadow line at the top of the building. The grid is four bays wide on South Capitol Street, with what would have been the fifth bay being left open above the 2<sup>nd</sup> floor to provide separation for the proposed windows from a future building to the north. On M Street, the grid is 7 bays wide on floors 3 through 8, and 6 bays wide on floors 9 and 10 to accommodate the required setback above 110 feet along South Capitol Street. These setback floors on South Capitol Street have a simpler treatment and do not employ the precast grid.

There is a 24-foot deep terrace with a parapet at the 9<sup>th</sup> floor on South Capitol Street. Atop the roof will be a 20 foot high metal and glass penthouse that includes terraces and 5,458 square feet of indoor office amenity space. At the time OP completed this report the applicant indicates this space's affordable housing requirement would be satisfied by an approximately \$208,638 contribution to the Affordable Housing Trust Fund contribution (Exhibit 14, page 14); the exact amount would be determined at the time of permit application.

The two-story "B" section of the building would be sheathed in a modernist curtain wall of metal and tinted glass with some of the upper portion being recessed along M Street to create a terrace and a double-height space behind. It would contain retail space and, potentially, some office space.

The "C" section is broken into more than one façade treatment. Along Half Street and half of L Street the brick base is modified to serve taller-than-usual first floor units with front steps and stoops, and a band of square windows for second floor units entered from a common corridor inside the building. On floors 3 -11 the precast stone, glass and metal grid treatment of the "A" section is modified to reflect a residential, rather than office, use and scale. Each section of the grid encompasses three floors and is taller than it is wide. The grids are subdivided into 6 sections with thick mullions and most are further divided into smaller sections by industrial sash-type windows and operable hopper windows. Some bays are given variety with larger panes of glass and / or inset balconies with metal railings. The grids on floors 11 and 12 frame only two stories, rather than three stories as in the "A" section.

The other half of the L Street façade also employs a grid, but of metal panels infilled with gridded glass in the center, dark brick on the sides, shallow balconies with metal cladding and railings, and composite wood. Despite the metal details, this portion of the facade appears somewhat more traditional than other sections of the building, although the color palette appears to be exceptionally dark. (See Exhibit 14A4, page 66 and Exhibit 14A9, page 134). The first floor of this area is treated as a more conventional apartment building with large areas of glass for the lobby and common areas.

Atop “C’s” roof would be a 20-foot high metal and glass penthouse containing mechanical equipment, four apartments, residential amenity space, a pool and trellis. The approximately 2,909 square feet of penthouse residential space would generate an affordable housing requirement. On page 13 of the pre-hearing statement (Exhibit 14) the applicant states, at the time OP completed this report, that this requirement would be met by providing at least 233 square feet of residential space within the building. This would be part of an IZ-compliant unit affordable to a household at 50% of the MFI Income.

## **V. DESCRIPTION OF THE ALTERNATIVE RESIDENTIAL SCHEME**

Although there would be non-residential uses on the ground floor of this alternative, it is referred to as the residential scheme by both the applicant and the Office of Planning.

This 687,733 square foot proposal would contain 615 residential units – 8 of which would be on the penthouse level, and 23,948 square feet of retail space. The entire building would have 13 floors and an FAR of 9.09. The building would be 130 feet high, except for the section at the corner of M and Half Streets, which would be nine-stories high on M Street and step-up to 11 stories and then to 13 stories. There would be a 1:1 upper levels setback along South Capitol Street at the 110-foot level. 311 parking spaces would be provided, as well as more than the required number of long-term and short term bicycle spaces, and more than the required loading facilities. Zoning tabulations specific to this alternative are on page 105 of Exhibit 14A8.

At the time OP completed this report the applicant indicated it would respond to the affordable housing requirements for the 7,018 square feet of occupiable penthouse space by providing at least 562 square feet of IZ residential space on-site at a 50% median family income (MFI) affordability level.

With respect to design, the majority of the “A” section of the residential scheme building would be similar to the design of that section for the mixed-use scheme. The principal differences would be:

- Modifications to the size and shape of the pre-cast stone grid to respond to the lower floor heights of the residential uses. There would be three floors outlined within each of the grid shapes in this scheme and the grid elements would be taller than they would be wide.
- A finer-scaled grain to the fenestration, and operable hopper windows, with both being similar to what is proposed for the “C” section in both alternatives.
- A variation in the northern bays of the South Capitol Street façade that would fill-in the area left open above the lowest levels of the mixed-use alternative. There would be apartments with a façade similar to that in the eastern part of the “C” section along L

Street in both alternatives. This would include the same dark metal cladding of structure, metal panels, dark brick, and balconies with wood undersides.

This scheme also provides a 24-foot deep terrace with a parapet at the 9<sup>th</sup> floor on South Capitol Street and a 20-foot high metal and glass penthouse. The penthouse will include 4 residential units and residential amenity space. The resulting affordable housing compliance has been described above.

The design of the “B” section of the building would be the most different part of the residential scheme. It also would have retail space on the first and second floors but would have apartments on the stories above. While its façade would be a curtain wall, its height would step down from 13 stories to 11 stories and to 9 stories as it gets closer to the corner of M and Half Streets. The type and scale of the fenestration would also change with each step-down. A set-back and terrace at the third level would also help to reduce the apparent scale of the lower section and would be consistent with the height of the building base in Section “A” and, to some extent, with the rowhouses across M Street.

The design of the residential scheme’s “C” section along Half Street and L Street appears to be almost identical to the design of the “C” section in the mixed-use alternative. This includes the four penthouse residential units atop this section.

## **VI. EVALUATION OF ALTERNATIVES**

### **A. Conformance with Subtitle I §616 for Buildings in the M and South Capitol Street Sub-Area of the Downtown Zones**

#### *§ 616 M AND SOUTH CAPITOL STREETS SUB-AREA*

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

For both alternatives the proposed building is within the sub-area, does not intrude on the South Capitol Street axis, and would contribute towards the provision of a high-density mix of uses.

*§ 616.2 The general location of the M and South Capitol Streets Sub-Area is the D-5 zoned property with frontage on either side of the designated tertiary street segments of South Capitol Street corridor north of M Street, as indicated with the green lines in Figure I § 616 ... including all or parts of Squares 640, 641, 643E, 644, 646, 648 649, ...*

In both alternatives the property is within the sub-area, in Square 649.

*§ 616.4 The uses for a building with frontage on a designated primary street segment is governed by Subtitle I § 601.*

For both alternatives the proposal complies. The site is not on a primary or secondary street segment.

*§ 616.5 The uses for a building with frontage on a designated tertiary street segment are governed by the zone district.*



For both alternatives, the proposal complies. The site is on a tertiary street segment, where there are no special use regulations and where there are no modifications to dimensional regulations that are not otherwise modified by the sub-area regulations.

*§ 616.6 A building with frontage on the designated primary street segments of M Street, S.E. shall:*

The site is not on M Street, S.E., nor on a designated primary street.

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

*(a) There shall be no setback on the west side of South Capitol Street in Square 649 between L and M Streets, S.W.;*

The design complies for both alternatives. There would be no setback on South Capitol Street.

Sections (b) and (c) are not applicable.

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

The design for both alternatives complies.

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

The design for both alternatives complies.

Section (f) is not applicable.

*(g) A minimum of sixty percent (60%) of the street-wall on the west side of South Capitol Street shall be constructed on the setback line.*

The applicant states that

- for the mixed-use alternative 69% of the street wall on South Capitol Street would be constructed to the setback line, in compliance with this requirement; and
- for the residential alternative 86% of the street wall on South Capitol Street would be constructed to the setback line, in compliance with this requirement.

*§ 616.8 All proposed buildings and structures, or any proposed exterior renovation to any existing buildings or structures that would result in an alteration of the exterior designs facing the street segments in the sub-area shall be subject to review and approval by the Zoning Commission in accordance with the provisions in Subtitle I, Chapter 7.*

A single application has been filed to encompass both alternatives for this requirement.

### **B. Conformance with Subtitle I § Chapter 7 Design Review Requirements for Certain Locations in the Downtown Zones**

Sections 701.1 and 701.2 require the “uses, site plans [and] buildings” to be reviewed by the Zoning Commission in accordance with the following provision in Chapter 7.

*§ 701.2 (a) In addition to proving that the proposed use, building or structure meets the special exception standards set forth in Subtitle X, Chapter 9, an applicant requesting approval under this section shall*

*prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:*

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

As noted above, for both alternatives the design of the building, its uses and the public space improvements help achieve the objectives of preserving the axial view of the Capitol dome and furthering the development of a high-density mixed-use corridor.

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

Both alternatives would be consistent with the surrounding street patterns and would not intrude on their rights of way. The set-back from M Street S.W. would enhance the utility of that street's sidewalk and would be consistent with regulations that apply to M Street S.E.

For both alternatives the building design would, on balance, be not inconsistent with the neighborhood context, although it only the mixed use alternative that would somewhat reinforce the neighborhood's mid-century modern design tradition of a single development consisting of tall buildings, low buildings and open space. The Southwest Neighborhood SAP cites this design tradition as a worthy model for future design within the neighborhood.

For both alternatives the proposed uses are congruent with the neighborhood context of residential, office and retail uses. South Capitol Street already has a significant amount of modern high-rise and high-density office and residential uses and new buildings have set aside ground floor space for retail and food and beverage uses. A similar pattern prevails on M Street, S.E. While that street has not been as consistently developed densely there are five high-rise apartment buildings between South Capitol Street and 5<sup>th</sup> Street and two more have been approved. Five of these seven have ground floors reserved for non-residential uses. These taller buildings with more intense usage are separated by residential, institutional and industrial use buildings of no more than two stories. There are also lower-scale buildings and vacant land north of the site, although these sites are designated for more intense mixed-use development by the existing zoning or the Southwest Neighborhood Small Area Plan. To the immediate south of the site, across M Street is a sub-neighborhood of two-story rowhouses. The rowhouses closest to the applicant's site face Carrollsburg Place and present blank side walls to M Street.

For both alternatives the building design would, in balance, generally be not inconsistent with the neighborhood's design context.<sup>1</sup>

Under both alternatives the design of the base somewhat integrates the building into the scale of nearby one and two-story buildings. The masonry cladding references the all-masonry rowhouses to the south, which have blank side walls on M Street, and other lower-scale rowhouses throughout the neighborhood. The addition of steps and stoops on much of the Half street frontage continues the pattern of separate rowhouse entrances to the south, on Carrollsburg Place. The stepdown of Section "B" at M and Half Streets also helps to modulate the scale of the building as it gets farther from the South Capitol Street high-rise context. This stepdown is much more successful with the lower design in the mixed-use scheme than with the pavilion in the residential scheme. The lower height of the mixed-use scheme is also more congruent with the design guidelines of the Southwest Small Area Plan than is the height in the residential

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<sup>1</sup> For design purposes OP considers that context to include South Capitol Street and the Near Southwest neighborhood, but not, as the applicant includes, Navy Yard/Capitol Riverfront and Buzzard Point. The other areas cited by the applicant have very different contexts than the applicant's site, which serves as part of the monumental axis framing the Capitol Dome and as a gateway to the near Southwest neighborhood.

scheme. The glass curtain walls at this corner in both alternatives is crisp but relates more to buildings at The Wharf than to closer buildings.

In both alternatives, the materials and massing of the stone-clad gridded “A” and “C” sections respond to the scale and materials of new buildings on South Capitol Street – including the baseball stadium – and reference several of the neighborhood’s mid-rise and high-rise mid-century-modern buildings.

In both alternatives, the “A” section and a large portion of the “C” section would employ industrially-referencing fenestration and balconies intended to connote hopper windows. While this treatment could be considered to be more appropriate within a Capitol Riverfront/ Navy Yard and Buzzard Point context, it does reference an existing industrial building two blocks south on South Capitol Street and the DMV vehicle inspection station across Half Street, S.W. OP encouraged the applicant to re-think the scale of this fenestration for the residential portions of both alternatives, which the applicant did, as reflected in the drawings in Exhibit 14. In both alternatives the applicant has also reinforced the residential nature of portions of the “C” section façade on L Street by including more masonry and balconies. This is also true of the northern portion of the South Capitol Street façade in the residential scheme’s “A” section.

While the treatment of the corner of South Capitol Street and M Street in both alternatives is congruent with the context of the surrounding neighborhood, it could benefit from a more significant architectural response to this intersection’s serving as a gateway to the Near Southwest neighborhood. At present the gridded module on the South Capitol Street side projects four feet at levels 7 and 8 in the mixed-use scheme and at levels 9, 10 and 11 in the residential scheme. The projection is also perforated on its side. These choices call attention to the corner but do not seem to draw the eye inwards towards the Near Southwest neighborhood. OP has encouraged the applicant to consider refining the design of the corner in both alternatives to enhance its potential gateway presence.

*(3) Minimize conflict between vehicles and pedestrians;*

Both alternatives would locate curb cuts on Half Street and L Street, which are subject to less pedestrian traffic than South Capitol Street or M Street.

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

Both alternatives include no blank walls adjacent to public spaces.

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

As currently presented both alternatives would meet the minimum threshold of 50 points needed to be certified as LEED Silver (LEED v4 for building design and construction). Sustainability features would include 30,644 square feet of green roof in the mixed-use scheme and 21,785 square feet of green roof in the residential scheme. Both alternatives would include at least 750 square feet of east-facing solar panels. Although both alternatives meet sustainability standards, OP has encouraged the applicant to consider other measures that would increase the LEED score for both alternatives.

*§ 701.3 The Zoning Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.*

For neither alternative has the applicant requested any special exception relief other than that integral to this design review process. For neither alternative has any variance relief has been requested.

### **C. Conformance with Special Exception Review Standards of Subtitle X § 901.2**

The standards are that in the judgment of the Zoning Commission the application

*§ 901.2 (a): Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

As discussed above, both alternatives would be in harmony with the zoning regulations and maps for the D-5 zone and the M and South Capitol Street Sub-Area.

*§ 901.2 (a): Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

For both alternatives it does not appear likely that the proposal would tend to adversely affect the use of neighboring property in accordance with the zoning regulations. Both would provide significantly more vehicle parking than is required, more bicycle parking than is required and more loading than is required. This would minimize the potential impact on street parking in the neighborhood. The proffered easement agreement with the adjacent property in Square 649 would help ensure there would be no additional curb cuts within the Square. Both alternatives would provide uses that would increase the demand for additional retail or food and beverage uses and provide space for such uses. The provision of steps and stoops in the "C" section of both alternatives would set a positive precedent for other new residential development on currently unused or underutilized land. For both alternatives, shadowing on existing residential properties would be minimized by the site's being located north of the only nearby residences, which are to the south across the 90-foot wide M Street, S.W. The 160-foot right of way of South Capitol Street and the presence of the underpass would help to mitigate any impacts to properties on the east side of that street under either scenario. Properties to the north or west are either industrial or vacant.

*§ 901.2 (c) Will meet such special conditions as may be specified in this title.*

This has been evaluated above for both alternatives and these conditions would be met.

## **VII. ANC COMMENTS**

ANC 6D had not submitted comments to the file at the time OP completed this report.

## **VIII. OTHER PUBLIC COMMENTS**

At the time OP completed this report, the file contains one letter of support for the residential alternative (Exhibit 15).

## **IX. OTHER DISTRICT AGENCY COMMENTS**

The District Department of Transportation (DDOT) has filed a report (Exhibit 16) stating DDOT has no objection to approval of either proposed scheme, subject to conditions concerning the proposed easement for the driveway between the applicant's property and Lot 47, and the implementation of the Transportation Demand Management Plan in the applicant's

Comprehensive Transportation Review and four additional conditions to the TDM relating to curb extensions, the sidewalk on L Street and the proposed Capital Bikeshare Station.

There were no District agency comments on file at the time OP completed this report.

### Site Location

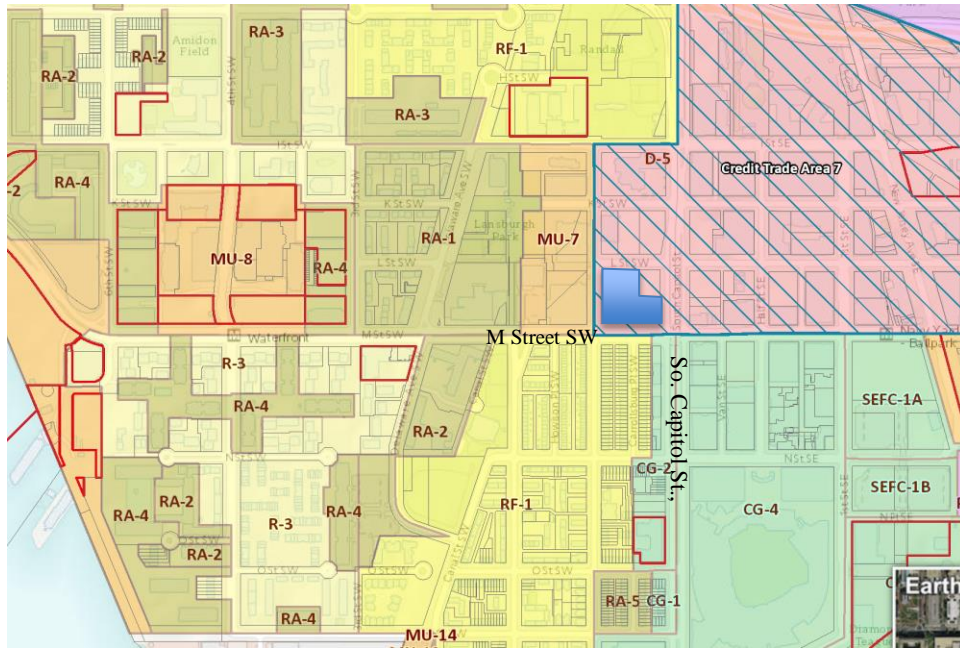


Figure 1. Site (in blue) Location Map