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September 29, 2020

VIA IZIS

Zoning Commission
of the District of Columbia
441 4th Street, NW - Suite 210
Washington, DC 20001

**Re: Applicant's Response to ANC Resolution
Z.C. Case No. 20-14 - Design Review
5 M Street, SW (Square 649, Lots 43, 44, 45, and 48)**

Dear Members of the Zoning Commission:

On behalf of VNO South Capitol LLC and Three Lots in Square 649 LLC (together, the "Applicant"), the owner of 5 M Street, SW (Square 649, Lots 43, 44, 45, and 48) (the "Property"), we hereby submit the following response to the resolution submitted by Advisory Neighborhood Commission ("ANC") 6D dated September 24, 2020, and included in the record at Exhibit 19 (the "ANC Resolution"). The Applicant is disappointed that it could not come to an agreement with the ANC, despite modifications being made to the design which the Applicant believed were directly responsive to the ANC's concerns. Accordingly, the following responds to the final written comments set forth in the ANC Resolution and provides specific commitments that were requested by the ANC.

1. Gateway Design

The ANC Resolution states that the design of the proposed building on the Property does not properly demonstrate the "gateway" architectural transition from the mixed-use neighborhood on the east side of South Capitol Street to the residential neighborhood on the west side of South Capitol Street. *See* ANC Resolution, pp. 1-2. The ANC Resolution specifically states that the Applicant should lower the portion of the building that fronts on South Capitol Street to create a "more visually compelling and physically welcoming entry" to the neighborhood. *See* ANC Resolution, p. 2.

The Applicant has designed both Schemes to reflect the monumental corridor of South Capitol Street, to emphasize the significance of the "corner" at the intersection of these two important streets, and to create an appropriate transition into the more residential character of the Southwest neighborhood.

First, the project deliberately institutes a strong street presence along South Capitol Street, with a masonry retail base at the ground level and an 130-foot tall glass and concrete modernist tower above, with setbacks above 110 feet. This design establishes the western wall of the view corridor towards the Capitol, maintaining monumental views down the civic boulevard which will “ensure the preservation of the historically important axial view of the Capitol Dome” in accordance with the stated objectives of the M and South Capitol Streets Subarea.

Second, the design of the building’s M and South Capitol Street corner incorporates distinctive architectural elements that create an appropriately-scaled and uniquely-identified gateway at this location and into the Southwest area. The building includes corner projecting bays to the east and south within the large gridded fenestration and precast concrete to emphasize the importance of the M and South Capitol Street intersection. The scale of the upper level grid massing and interlocking forms anchor the building at the corner and underscore the high-density zoning of the Property. To provide a low-height at this corner as suggested by the ANC would be directly in contrast with the objective of the M and South Capitol Street Subarea of creating a “high-density mixed-use corridor” and would create a break in the streetwall which is intended to frame the views from the south towards the Capitol to the north.

Third, the project creates appropriate transitions from the high-density corridor into the more-residential character of the Southwest neighborhood. Design elements in both Schemes reflect the mid-century modern characteristics of buildings in the surrounding neighborhood, which is further discussed below. Along M Street, the building includes lower building heights as the building moves away from South Capitol Street and towards the lower-density residential neighborhood to the west. In addition, the building’s two-story brick podium further establishes a horizontal connection to the surrounding low-rise townhomes and includes walk up units and traditional masonry to reflect their architectural design.

Based on the foregoing, the Applicant believes that the project reflects the site’s important gateway location. The Applicant submits that the overall design of both Schemes respects the monumental South Capitol Street corridor, creates a streetwall to frame views towards the Capitol, provides a unique, high quality design, and provides an appropriate transition from the high-density corner at South Capitol Street into the lower-rise residential neighborhood to the south and west.

2. Southwest Architectural Context

The ANC Resolution states that the project does not reflect the “various architectural elements of the Southwest neighborhood” and does not include enough balconies or varying building heights that are present in other buildings within the neighborhood, including the recently approved Bard complex. *See* ANC Resolution, p. 2.

Despite the ANC’s assertions, the Applicant’s design team worked hard to create a project that fits in well within the context of this important site, which includes both (i) the South Capitol Street corridor, which is intended for high density development and (ii) the Southwest neighborhood, which has its own architectural context.

Specifically, the project establishes the important street wall that is needed along the east building façade to create the desired view corridor towards the Capitol. The building then incorporates a variety of height step-downs along M Street from the 130-foot tall building height at the corner to the lower level Pavilion at the southwest corner. At this corner, the building materiality transitions to a more glass and metal palette to increase porosity and bring light and air through the site. These setbacks, step downs, façade articulations, and change in materials provide an appropriate transition as the building moves closer to the surrounding residential neighborhoods. Along Half Street, the project incorporates direct walk-up units with traditional “stoops” and brick masonry to pay respect to the row homes in the immediate area.

In addition, the Applicant has incorporated design elements from the Southwest’s architectural vernacular. Based on the ANC’s request to see more modernist elements in the project, the Applicant’s design team fully redesigned the hyphen elements located on L and South Capitol Streets to incorporate a more articulated structure and create more legible floor slabs and building column grid. The redesign also involved the use of clean masonry lines in an effort to complete the use of the precast concrete, and the addition of balconies in a style that reflects Southwest architecture. Moreover, with the three-foot shift of the ground floor along M Street, the articulated mass became more of a floating element in both Schemes, which is consistent with the more traditional design aesthetic seen throughout Southwest.

While the ANC cites to various residential developments throughout Southwest (i.e., Tiber Island, Carrollsburg Square, etc.), these developments are all located within areas zoned for moderate and medium density development, which is unlike the Property which is zoned and planned for high density development. Within Southwest, only three blocks are zoned D-5 – all of which are in the M and South Capitol Streets Subarea, which specifically calls for the creation of a high density corridor. Within this small grouping of squares, the only existing context is the Skyline hotel which was constructed around 1962 and incorporates elements of the Southwest design aesthetic. Specifically, it includes framed multiple stories within a gridded structure. Similarly, both Schemes seek to incorporate a modern twist on these elements and, as such, reflect the Southwest culture that currently exists in this limited area slated for the high density corridor.

Despite the fact that the residential developments cited by the ANC are not similarly-situated to the Property, the Applicant did work to incorporate elements from these projects into the revised design of the “hyphen” portions of the project (north and east facades of the residential scheme; north façade of the mixed-use scheme). Specifically, the Applicant proposes to incorporate balconies which are a common design element seen throughout Southwest. In this revision that was completed between filing the application and submitting the Prehearing Submission, the Applicant added 17 balconies in the Mixed-Use Scheme and 34 balconies in the Residential Scheme. These added balconies complement the outdoor space provided in the hopper-like windows in both Schemes. The balconies further represent the residential use of the buildings, adding human scale within the overall composition.

Moreover, the ANC compares the project to the Randall School development, stating that the project should incorporate similar design elements such as street setbacks, open space, preservation of the building’s historic structure, and blending of the neighborhood’s older structures with newer design concepts. *See* ANC Resolution, p. 2. The Applicant recognizes the

value of this design but notes that it was reviewed and approved in an entirely different context. First, the Randall School is an historic building, which necessitated specific design, massing, height, and setback considerations that are not applicable to the Property which is not historic and does not have an existing building other than the non-historic 7-11 structure which will be removed. Second, the Randall School is located at 820 Half Street, SW, which is a block to the west of South Capitol Street and behind the Randall Recreation Center facilities. Thus, the Randall School redevelopment is not subject to the design standards for South Capitol Street, which require the creation of a consistent street wall and strong architectural framing of views towards the Capitol. Third, the Randall School was approved as part of a planned unit development (“PUD”) in Z.C. Order No. 07-13 *et seq.*, which has different purposes and evaluation standards from the design review standards applicable to the Property, and was rezoned as part of that PUD from R-4 (RF-1) to C-3-C (MU-9), which is a medium-high density zone that permitted the proposed residential tower. The Generalized Policy Map (“GPM”) designates the Randall School in a Neighborhood Conversation Area, while the Property is designated in a Land Use Change Area. Therefore, the Randall School project is not similarly-situated to the proposed building, as the two properties are located within entirely different zoning, land use, and historic designation contexts.

3. Consistency with Southwest Neighborhood Small Area Plan

As stated in the Applicant’s Prehearing Submission (Exhibit 14), an evaluation of the project’s consistency with the Southwest Neighborhood Small Area Plan (“SW Plan”) is not required as part of the subject design review application. *See* 11-X DCMR § 601.1. However, because the project is located within the boundaries of the SW Plan, the Applicant provided a detailed analysis of how the project is fully consistent with the goals and objectives of the SW Plan. *See* Exhibit 14D. The Applicant’s responses to the ANC’s assertions related to Principles #1-#6 in the SW Plan are set forth below.

A. Principle #1: Mix of Building Heights

The ANC Resolution states that the project should include rowhomes within the high rise building, similar to the Bard development. However, similar to the Randall School development, the Bard is also not similarly situated to the Property. The Bard is located at 501 I Street, SW, was approved as a PUD in Z.C. Order No. 17-21, and is more than a half mile to the west of South Capitol Street. While the Bard may positively contribute to the Southwest community by providing a lower-scaled development reflective of rowhomes, it is not intended to define the South Capitol Street monumental corridor, which is specifically required for development at the Property. The Bard is zoned for moderate-density development as part of the PUD and is located in an area that calls for moderate density development. Therefore, it was designed, reviewed and approved under an entirely different zoning and land use context compared to the proposed project and thus is not a comparable development.

Furthermore, the project does incorporate a mix of building heights and lower-scale massings that reflect the rowhomes in the surrounding area. While the South Capitol Street frontage rises to a height of 130 feet with 1:1 setbacks at 110 feet, the building steps down as it moves westward towards the lower-density residential neighborhood, particularly at the Pavilion at the southwest corner, which has a lower height and greater porosity than the rest of the building.

The Pavilion serves as a transition into the Southwest neighborhood and helps to recognize the lower scale of development immediately to the south and southwest of that corner. On all other elevations, the building's podium is provided as a two-story expression that creates a horizontal connection to the surrounding townhomes. The podium's traditional brick and masonry materiality, walk-up units with conventional "stoops," and single-story expressions compared to the large proportions of the towers above pay homage to the townhomes to the south and west. Therefore, although the project does not include individual row homes as requested by the ANC, the base of the building has been designed to mimic – both in materiality, scale, and functionality where appropriate – the existing rowhomes in the surrounding residential neighborhood.

B. Principle #2: Design Excellence

The building design has been inspired and influenced by a variety of architectural contexts that have been used successfully in the surrounding neighborhood. At the same time, its design has been tailored to highlight the monumental corridor of South Capitol Street with unique and special architecture. As described above, the base of the building is designed to complement the scale and materiality of the surrounding low-rise townhomes, while the glass and concrete towers above establish a strong streetwall to frame the monumental views up South Capitol Street and define M Street as a vibrant retail corridor.

As stated in the Office of Planning ("OP") report (Exhibit 17), the building is comprised of three distinct architectural elements that are complementary in terms of materiality and massing while reflecting the distinct uses within and the varying street frontages in all directions. At the intersection of M and South Capitol Streets, the towers employ multi-story pre-cast stone grids with metal and glass fenestration. In both schemes, the Pavilion has a modernist curtain wall of metal and glass to create porosity through the site and add visual interest and differentiation at this corner. Along L and Half Streets, the façade has multiple treatments, with walk-up units at the ground level, large gridded fenestration along Half Street and half of L Street, and more traditional masonry on L Street and a portion of South Capitol Street in the Residential Scheme. To complement surrounding design traditions, the building also incorporates varied rooflines along M Street and an upper level setback facing South Capitol Street. High quality materials have been used throughout the project to provide texture and articulation on all facades. Taken together, these strategies are combined within a cohesive design intent that serves to break down the large city block into appropriate segments that each highlight its street frontage and celebrates the functions within.

C. Principle #3: Variation in Building Frontages with Continuous Massing

As described above, the building has been divided into three distinct architectural expressions to reflect the differing contexts in each direction and to break down the massing of the single large building. The Applicant prioritized variety in each elevation, using scale and materiality to express the multiple uses within the building and reflect the distinct contexts of each street frontage. At the same time, the base of the building is consistent, establishing a strong podium with a single brick material, a continuous scale and massing, and a unified retail frontage. A consistent streetscape design is also provided along all sides of the Property, with wide sidewalks, landscaping, street trees, and pedestrian-oriented lighting to unify the Property and attract pedestrians from all directions. Thus, the Applicant submits that the project has been

designed to simultaneously incorporate variation in the building frontages while at the same time providing a consistent and unified massing at the ground level.

D. Principle #4: Enhanced Green Space

The project incorporates a number of environmental features, including enhanced green spaces in the form of courtyards, terraces, green roof areas, and landscaping in the public space. In direct response to comments from the ANC, the Applicant increased the M Street setback by three feet to allow for additional green space and landscaping and create a more gracious public space with wider sidewalks and an enhanced pedestrian experience.

As noted in the ANC Resolution, a Heritage Tree is located in public space near the corner of L and Half Streets. The Applicant is working with DDOT's Urban Forestry Division in monitoring and identifying the best preservation plan for the tree, which could include relocating the tree to a more appropriate and beneficial location within the District or constructing the building around the tree with specified preservation requirements. Similarly, the Applicant is also working with DDOT on the three Special Trees that are located within the Property. The Applicant will comply with all District laws related to both the Heritage Tree in public space and the Special Trees within private property.

The ANC Resolution also requests that the Applicant provide public access to Landsburgh Park. However, Landsburgh Park is located at 1st Street, SW, on the north side of L Street, SW and on the far side of the DMV from the Property and is not located adjacent to the development project. Furthermore, the courtyards in the project have been designed to serve the tenants and occupants of the building and are not open to the public. While providing public access to Landsburgh Park could be considered a type of amenity or benefit as part of a PUD, it is not required in this design review application under the applicable evaluation standards.

E. Principle #5: Incorporate Sustainable Building and Site Design

The project has been designed to incorporate numerous sustainable building and site design elements, including extensive and intensive green roofs, native and adaptive plant species, and new street trees and landscaping in the public space and within the courtyard, terraces, and rooftop areas. The building also includes roof pavers with high solar reflectivity, a water source heat pump, high performance windows, central ventilation with energy recovery and pressurization systems, and electric vehicle charging in the garage. Both Schemes will achieve LEED Silver under LEED v4 for Building Design and Construction and will also include solar panels on the east facing penthouse walls as shown in the supplemental plans submitted with the Prehearing Submission (Exhibit 14B).

With respect to flood resiliency, a small portion of the Property is located within the 500 year floodplain (*see Figure 1*). Accordingly, the Applicant has been working with DOEE to ensure that the building is fully compliant with current regulations required for projects within the 500 year flood plain and consistent with DOEE's strict guidelines and strategies for flood plain management. Moreover, the building has been designed so that the residential slab is elevated above the 500-year floodplain elevation.

The Applicant’s team has also reviewed the District’s Resilient DC plan, which is a District initiative to guide regulations and policies related to all types of resiliency, including initiatives in response to climate change, including flooding. The proposed project will comply with the Resilient DC plan’s two stated goals related to flood issues that are within the Applicant’s purview as follows:

Policy 2.1.1 – Ensure that all new buildings are built to be climate ready by 2032 – This policy states that new buildings should be “built to last to protect residents, visitors, and workers during heatwaves, tropical storms, and floods. In addition, when possible, building and site design should contribute to neighborhood adaptation, which could include vegetation to provide cooling and water management.” Consistent with this policy, and as described above, Applicant has designed the building so that the residential slab is elevated above the 500 year flood plain, and has incorporated a variety stormwater management strategies.

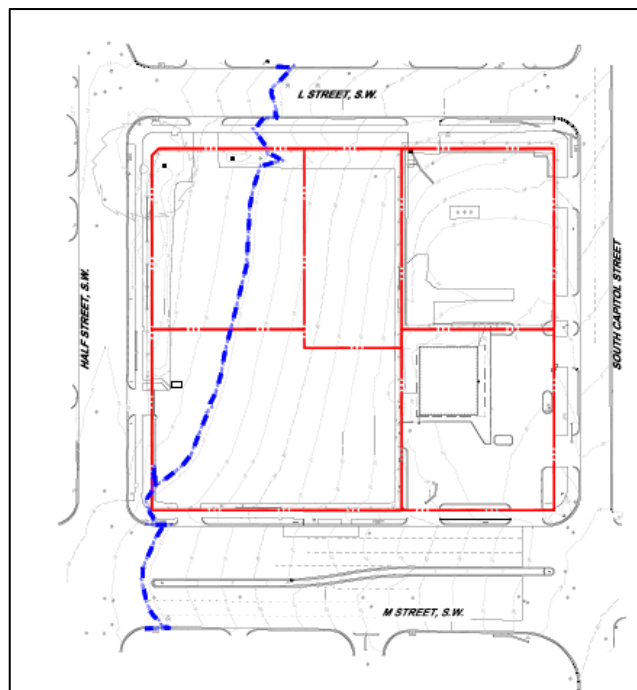
Consistent with this policy, and as described above, Applicant has designed the building so that the residential slab is elevated above the 500 year flood plain, and has incorporated a variety stormwater management strategies.

Policy 2.3.2 – Increase affordability and adoption of flood insurance – This policy is intended to lower flood risk and the cost of flood insurance for businesses and residents. However, because the project will be elevated above the 500 year flood plain, it will not likely need flood insurance.

F. Principle #6: Parking

The ANC Resolution states that the Applicant has not provided a proper trip generation analysis or plans to address double-parking and traffic congestion caused by the retail uses. With respect to trip generation, the Applicant submitted a Comprehensive Transportation Review (“CTR”) report (Exhibit 12) which found that the project would not have a detrimental impact on the transportation network due to the minor level of increased trips combined with the proposed mitigation measures and transportation demand management (“TDM”) plan. *See* CTR, p. 1. The CTR included a traffic impact analysis that was fully vetted by DDOT. *See* DDOT Report, p. 5 (Exhibit 16), stating that the Applicant and DDOT coordinated on an agreed-upon scope for the CTR that is consistent with the scale of the action. The CTR noted that although data collection was not possible during Spring 2020, as traffic volumes were not representative of typical traffic conditions due to District-wide restrictions in response to the Covid-19 pandemic, the Applicant analyzed 2020 traffic volumes comprised of turning movement count data collected between 2013 and 2019 with applied growth models. The DDOT report acknowledged this strategy, recognizing that new commuter peak hour traffic counts could not be collected due to Covid-19 but that the Applicant developed an appropriate alternate methodology. *See* DDOT Report, p. 14. Therefore,

Figure 1



although the ANC states that the Applicant did not provide “proper trip generation,” the Applicant’s strategy was fully vetted and approved by DDOT.

With respect to double-parking due to the retail use, the Applicant notes that there is no on-street parking on M or South Capitol Streets, such that the likelihood of double-parking adjacent to the retail storefronts will be minimized. The current circulation patterns also allow for around the block movement, and the project is designed with head-in/head-out on-site loading, which both help to reduce double parking. Moreover, the Applicant has incorporated a private driveway within the development site in order to fully internalize all parking, loading, and pick-up/drop-off activities. Specifically, the “through-lobby” concept will give pedestrians direct access from M Street through the building to the pick-up/drop-off zone behind the Pavilion. The Applicant has also agreed to incorporate language into its commercial leases that require the use of the on-site loading facilities and drop-off areas, such that all loading, deliveries, and pick-up/drop-off activities will be instructed to occur within the private drive and not on the surrounding public streets. Finally, the Applicant will also work with Google to establish a “pin drop” on GIS mapping devices that will be used by rideshare services such as Uber and Lyft. These strategies will collectively work to reduce or eliminate the incidence of double-parking and resultant traffic congestion adjacent to the building’s retail spaces.

With respect to the driveway easement for adjacent Lot 47, the Applicant has already agreed to provide an easement to the owner of Lot 47 at such time as development at that site moves forward. Doing so would allow development on Lot 47 to use the Applicant’s private driveway to access its parking and loading. Such an easement would be conditioned on the owner of Lot 47 agreeing to widen the 22-foot wide driveway by an amount necessary to accommodate the added vehicular and truck traffic associated with that development. The Applicant agrees to the condition set forth in the OP Report, which will be reflected in the final order approving the project.

With respect to Residential Parking Permits (“RPP”), the Applicant notes that none of the streets surrounding the Property are designated as RPP. However, in response to the ANC’s request, the Applicant will include a rider in all residential leases, to be initialed by the residential tenants, that restrict those tenants from obtaining RPPs.

4. Lighting and Signage

The ANC Resolution requests additional details on the Applicant’s lighting plan for the project. The Applicant previously provided a preliminary lighting plan to the ANC, a copy of which is attached hereto as Exhibit A. These plans show the types and locations of lighting proposed for the property as well as precedent images. The Applicant does not propose architectural lighting for the project; instead, the lighting will be functional and operational only, including low path lighting for egress, recessed downlights and wall sconces, and overhead downlights. The Applicant commits that no architectural neon lighting will be incorporated into the project.

The ANC also requested more details on the proposed building signage, including a commitment that the project will not include any digital signs. The Applicant included a detailed signage plan at Exhibit 14A, Sheets 90-96 and 156-163. In addition, the Applicant has coordinated

with OP to eliminate the upper level tenant signs (proposed for the Mixed-Use Scheme only) on South Capitol Street and to incorporate upper level tenant signage only along M Street in designated locations. *See* signage condition included in the OP Report, top of page 2. The Applicant agrees to this condition, which will be reflected in the final order approving the project. The Applicant also agrees that the project will not include any digital signs, which will also be reflected in the final order approving the project.

The Applicant appreciates the Commission's continued review of this application.

Sincerely,

HOLLAND & KNIGHT, LLP



Christine M. Shiker.



Jessica R. Bloomfield

Attachment

cc: Certificate of Service
Joel Lawson, Office of Planning (via email, with attachment)
Steve Cochran, Office of Planning (via email, with attachment)
Anna Chamberlin, District Department of Transportation (via email, with attachment)
Aaron Zimmerman, District Department of Transportation (via email, with attachment)
Gail Fast, ANC 6D Chair (via email at 6d01@anc.dc.gov, with attachment)
Anna Forgie, ANC 6D02 (via email at 6d02@anc.dc.gov, with attachment)

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2020, a copy of the foregoing letter and exhibit were served on the following by email:

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