

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Matt Jesick, Project Manager
JL for
Jennifer Steingasser, Deputy Director

DATE: April 11, 2022

SUBJECT: Public Hearing Report for Case #21-27, 1301 South Capitol Street
Design Review in the CG-2 Zone

I. RECOMMENDATION

This application filed is for a new mixed use building in a zone which establishes a mandatory review by the Zoning Commission. Evaluation of the subject application is against the criteria contained in Subtitles K Chapter 5 and Subtitle X Chapter 6. OP is supportive of development of this site, and has met with the applicant a number of times, raising concerns and issues for additional clarification from the applicant. The applicant has responded to many of these issues. OP can recommend approval of the application once the outstanding items identified in this report have been satisfactorily addressed.

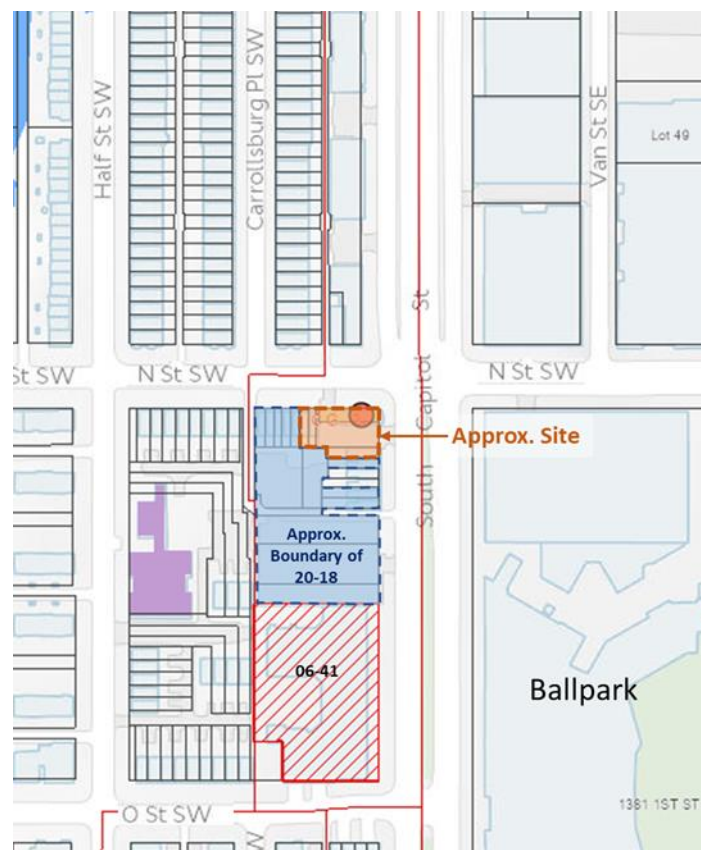
II. SUMMARY OF OP COMMENTS

Prior to the public hearing, the applicant should provide, to the record, revisions to the application to address the following:

1. Address design comments from OP's Urban Design Division;
2. Provide a LEED checklist. The design should, at a minimum, meet LEED Gold standards and the applicant should commit to actual certification;
3. Provide solar energy generation on-site;
4. Submit elevation drawings for south and west façades;
5. Identify on the plans the locations of the IZ units;
6. Describe or quantify the penthouse IZ contribution;
7. Demonstrate that the design complies with K § 510.1(b)(1), which stipulates that a minimum percentage of the building façade must be built to the setback line;
8. Clarify whether the existing rowhouses that are part of this proposal are currently occupied as residential units; and
9. Provide analysis through a Racial Equity lens as required under the Comprehensive Plan.

III. SITE AND CONTEXT

Address	1301 South Capitol Street
Legal Description	Square 653, Lots 65, 66, 827, 829, and 830
Ward / ANC	6, 6D
Zone	CG-2 (Capitol Gateway Medium Density Mixed Use; new development subject to mandatory Zoning Commission design review against specified criteria)
Property Size	7,131 square feet
Existing Development	1 story commercial building at corner; 1 rowhouse on South Capitol; 2 rowhouses on N Street; surface parking with two curb cuts.
Adjacent Properties and Neighborhood Character	East – Across South Capitol Street, Ballpark, ballpark garages North – Across N Street SW, one story commercial uses fronting on S. Cap; Rowhouses on Carrollsburg Place South-West – Site of ZC Case 20-18, which approved development of a 110 ft. tall residential building, including some of the existing rowhouses fronting onto South Capitol Street and N Street SW. West – Rowhouses which will be incorporated into the building approved in ZC #20-18; additional rowhouses across the alley beyond. South – Rowhouses along S. Capitol Street, including three rowhouses incorporated into ZC Case 20-18; Residential development approved in 06-41 beyond that.



IV. PROJECT DESCRIPTION

The applicant proposes a mixed use building of 49 units, with a height of 108 ft. 6 in. and an FAR of 7.07. Along with the residential lobby, and associated spaces, the ground floor would have two retail bays. The second floor would be dedicated to office use, and residential units would be on floors three through ten, plus one unit in the penthouse. The roof would also have communal recreation space. The proposal is subject to IZ, and the applicant estimates that this would result in five IZ units; the penthouse residential space also has an affordable housing requirement. The main entrance would face N Street. The project would not provide vehicular parking or loading, so all curb cuts currently accessing the site would be closed, but a pedestrian path would link N Street to the rear of the building for trash removal and functions like residential move-ins or move-outs. The public space would have seating for outdoor dining as well as new landscaping.

V. ZONING SUMMARY

The subject site is zoned Capitol Gateway-2, (CG-2), which “is intended to permit medium-density mixed-use development with a focus on residential use and provide for the establishment of South Capitol Street as a monumental civic boulevard” (K § 502.1). Pursuant to Subtitle K § 512, this zone includes a mandatory Zoning Commission review against specific criteria found in Subtitles K and X. The following tables compares the proposal to the zoning, including the area of requested flexibility, pursuant to X § 603:

CG-2	Requirement	Proposal	Relief
Lot Area	n/a	7,131 sq.ft.	Conforming
Height K § 502.4	110 ft. max.	108 ft.6 in.	Conforming
Residential Units	n/a	Approx. 49	Conforming
Commercial Area	n/a	10,041 sq.ft.	Conforming
FAR K § 502.3	7.2 max (51,343 sq.ft.)	7.07 (50,425 sq.ft.)	Conforming
Lot Occupancy K § 502.6	90% max.	71.8%	Conforming
Rear Yard K § 502.7	15 ft. min.	15 ft.	Conforming
Side Yard K § 502.8	None required	None	Conforming
Closed Court K § 502.9	Width – 4 in. / ft. of height = 36.2 ft. Area – (Width^2)*2 = 2,616 sq.ft.	15 ft. 210 sq.ft.	Flexibility Requested
GAR K § 502.11	0.3	Not provided	Assumed Conforming

CG-2	Requirement	Proposal	Relief
Vehicular Parking K § 513.2(a)	No minimum	None provided	Conforming
Bicycle Parking C § 802	Long term – 1 per 3 units Short term – 1 per 20 units	24 long term 4 short term	Conforming
Loading C § 901	None required	None provided	Conforming
South Cap. Setback K § 510.1(b)(1)	15 ft. min.	15 ft.	Conforming
South Cap. Street Wall K § 510.1(b)(1)	Min. of 60% of building face must be at the setback line	Not provided	Further information required
South Cap. Step Back K § 510.1(b)(3)	1-to-1 step back above 110 ft.	n/a (Max. bld. height is < 110 ft.)	Conforming
South Cap. Vehicular Entrances K § 510.1(b)(4)	No new parking or loading entrances	Complies	Conforming

VI. REVIEW CRITERIA

The zoning for this site, in Subtitle K § 512, provides specific criteria for the Zoning Commission review of proposed developments. The following is OP's analysis of the standards applicable to this application.

Subtitle K Design Review Criteria

512 ZONING COMMISSION REVIEW OF BUILDINGS, STRUCTURES, AND USES (CG)

512.1 *The provisions of this section apply to properties:*

[...]

- (d) *Abutting South Capitol Street, other than renovation or replacement of an existing row dwelling within Squares 653 or 655; or for a minor addition not exceeding fifty percent (50%) of the gross floor area of the original row dwelling structure;*

The site fronts on South Capitol Street, so the project is subject to design review.

512.2 *With respect to those properties described in Subtitle K § 512.1, all proposed uses, buildings, and structures, or any proposed exterior renovation to any existing buildings or structures that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.*

512.3 *In addition to proving that the proposed use, building, or structure meets the standards set forth in Subtitle X and the relevant provisions of this chapter, 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:*

(a) *Help achieve the objectives of the Capitol Gateway defined in Subtitle K § 500.1;*

The proposal would help achieve relevant objectives of K § 500.1, such as developing the neighborhood with residential uses and contributing to the establishment of South Capitol Street as a monumental civic boulevard.

(b) *Help achieve the desired use mix, with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail, or service uses;*

The applicant proposes a mixed use building with approximately 49 units, along with ground floor retail space and office space on the second floor.

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

The overall mass of the building would be in keeping with the scale of development along South Capitol Street, a monumental corridor, and similar in height to other recent construction near the ballpark. The height and FAR are appropriate to the location in a dense, transit accessible neighborhood. At the ground level, the design would help to activate the street with ground level retail, and the public space could have sidewalk cafes, similar to other mixed use buildings in the area.

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

The proposed design should minimize conflict between pedestrians and vehicles on public ways. Existing curb cuts would be closed. The design would not include vehicular parking or loading, so no vehicles would be crossing pedestrian space. OP continues to recommend refinements to the public space design to further improve the pedestrian experience and to conform with adopted streetscape guidelines. The applicant should also provide more information about materials used for the gate at the pedestrian / service alley on the west side of the building. See below in this report for additional details about suggested design refinements.

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

The design would have transparent retail windows at the ground level as well as retail entrances onto the public sidewalk. Upper stories facing South Capitol and N Streets would have a variety of bays and balconies to break up the mass of the façade. According to the submitted renderings and floor plans, windows would also be located on the western and southern facades. The applicant should submit elevation drawings for those façades. OP has suggested to the applicant ways to

refine the design and we continue to suggest further design improvements. See below in this report for additional detail about ways both the architecture and the public space design could be improved.

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

According to the most recent submission, Exhibit 21A, the applicant is studying the LEED points that can be earned by the proposed building. OP and DOEE have recommended that the design achieve LEED Gold at a minimum and that the applicant commit to actual certification. OP and DOEE have also recommended inclusion of solar power on the building, and DOEE's referral suggests a number of other ways the design can achieve more sustainability.

512.6 *With respect to a building or structure that has frontage on South Capitol Street, S.E.:*

- (a) *The building or structure shall incorporate massing, materials, and buildings and streetscape landscaping to further the design and development of properties in a manner that is sensitive to the establishment of South Capitol Street as a monumental civic boulevard;*

The building's massing and streetscape landscaping would be conducive to the establishment of South Capitol Street as a monumental civic boulevard. The building would help to frame the view toward the Capitol, in a portion of the street that, on the west side of the street, currently lacks a strong street wall. OP continues to work with the applicant to refine the design to ensure that it would adequately comply with DDOT's adopted South Capitol Street streetscape guidelines.

- (b) *The building or structure shall incorporate massing, location of access to parking and loading, and location of service areas to recognize the proximate residential neighborhood use and context, as applicable; and*

The building would not provide vehicle parking or loading. Parking is not required, and the small size of the site would make the provision of an underground parking garage difficult if not impossible. Loading is not required, and proximity to the intersection of South Capitol and N Streets would make on-site loading impractical, with negative impacts to N Street. The proposed on-street loading zone would serve both residential and commercial uses, with the service entrance accessed through the west side private "alley". The applicant should clarify the use of the space shown as circulation on the ground level at the rear of their building, with access to a private easement to the south of this site.

- (c) *The application shall include a view analysis that assesses openness of views and vistas around, including views toward the Capitol Dome, other federal monumental buildings, the Ballpark, and the waterfront.*

Renderings toward the Capitol Dome and toward the Anacostia River are included in Exhibit 21B. The building's massing and streetscape landscaping would be conducive to the establishment of South Capitol Street as a monumental civic boulevard. It would help to frame the view toward the Capitol, in a portion of the street that, on the west side of the street, currently lacks a strong street wall.

Subtitle X Design Review Criteria

603 *DESIGN REVIEW FLEXIBILITY*

603.1 *As part of the design review process, the Zoning Commission may grant relief from the development standards for height, setbacks, lot occupancy, courts, and building transitions; as well as any specific design standards of a specific zone. The design review process shall not be used to vary other building development standards including FAR, Inclusionary Zoning, or green area ratio.*

Pursuant to this section, the applicant requests flexibility from the requirements for closed court dimensions, for a closed court at the rear of the building.

	Requirement	Proposed
Closed Court Width	36.2 ft.	15 ft.
Closed Court Area	2,616 sq.ft.	210 sq.ft.

603.2 *Except for height, the amount of relief is at the discretion of the Zoning Commission, but provided that the relief is required to enable the applicant to meet all of the standards of Subtitle X § 604. The Zoning Commission may grant no greater height than that permitted if the application were for a PUD.*

The requested flexibility would help the design meet the goals of the Capitol Gateway zone to provide residential uses and street-activating uses such as retail. A fully compliant closed court would occupy over a third of the site, but a court is desired to provide opportunity for additional air and light to the dwelling units on this side of the building. Also, in this instance, while technically a closed court, the court in question would abut a larger open area approved in case #20-18.

604 *DESIGN REVIEW STANDARDS*

604.1 *The Zoning Commission will evaluate and approve or disapprove a design review application subject to this chapter according to the standards of this section and for Non-Voluntary Design Reviews subject to this chapter according to the standards stated in the provisions that require Zoning Commission review.*

604.2 *For Non-Voluntary Design Review, the application must also meet the requirements of the provisions that mandated Zoning Commission approval.*

The requirements of Subtitle K are reviewed above.

604.3 *The applicant shall have the burden of proof to justify the granting of the application according to these standards.*

604.4 *The applicant shall not be relieved of the responsibility of proving the case by a preponderance of the evidence, even if no evidence or arguments are presented in opposition to the case.*

604.5 *The Zoning Commission shall find that the proposed design review development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

The project would not be inconsistent with the Comprehensive Plan. The plan encourages redevelopment at appropriate locations in this neighborhood with high density mixed use buildings that create attractive pedestrian-oriented streets and that employ high quality architecture and public spaces (LU-1.2.4). The Land Use Element also generally encourages infill development near metro stations, especially stations located near underutilized land, and along major corridors (LU-1.4.1 and LU-1.4.2). Policy LU-1.5.1 encourages the redevelopment of vacant or underutilized land, especially where it creates a gap in the street fabric.

Similarly, the Transportation Element calls for transit oriented development, and supports pedestrian improvements near metro stations (T-1.1.4). The Urban Design Element includes policies which seek to protect and enhance important views like the view toward the Capitol (UD-1.2.4, 1.4.1, and 1.4.3).

The project would also further the policies of the Lower Anacostia Waterfront and Near Southwest Element. Those policies seek to “transform South Capitol Street into a great urban boulevard and walking street, befitting its role as a gateway to the U.S. Capitol...” (AW-2.2.1).

The project would also not be inconsistent with the Comprehensive Plan’s land use maps, which are described in the Framework Element. The Generalized Policy Map shows the subject site as part of a Neighborhood Enhancement Area, which “are neighborhoods with substantial amounts of vacant and underutilized land” and where infill development “must be consistent with the land-use designation on the Future Land Use Map and with Comprehensive Plan policies” (Comprehensive Plan, Sections 225.6 and 225.7). The Plan goes on to state that “The guiding philosophy in Neighborhood Enhancement Areas is to ensure that new development responds to the existing character, natural features, and existing/planned infrastructure capacity” (Section 225.7). Furthermore, “New development in these areas should support neighborhood and city-wide housing needs, reduce crime and blight, and attract complementary new uses and services that better serve the needs of existing and future residents” (Section 225.8).

The Future Land Use Map designates the site as appropriate for Medium Density Residential and Moderate Density Commercial mixed use. The Framework Element describes Medium Density Residential as a designation used for:

neighborhoods or areas generally, but not exclusively, suited for mid-rise apartment buildings. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. Pockets of low and moderate density housing may exist within these areas, Density typically ranges from 1.8 to 4.0 FAR, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-3 Zone District is consistent with the Medium Density Residential category, and other zones may also apply. 227.7

Moderate Density Commercial is described as follows:

This designation is used to define shopping and service areas that are somewhat greater in scale and intensity than the Low-Density Commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts that draw from a broader market area. Buildings are larger and/or taller than those in Low Density Commercial areas. Density typically ranges between a FAR of 2.5 and 4.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-5 and MU-7 Zone Districts are representative of zone districts consistent with the Moderate Density Commercial category, and other zones may also apply. 227.11

The proposed development would not be inconsistent with the land use designations shown on the Plan's land use and policy maps and described in the Framework Element. The development is consistent with the existing zoning, including an FAR of 7.07, which is achieved through the provision of inclusionary zoning units. Furthermore, "The Future Land Use Map is intended to be used in conjunction with the Comprehensive Plan's policies and actions" (227.1), and this proposed development would be consistent with a number of Plan policies from the Land Use, Transportation, Urban Design, and Lower Anacostia Waterfront and Near Southwest Elements.

Comprehensive Plan Analysis through a Racial Equity Lens

The Implementation Element calls for "*the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.* 2501.8" The direction indicates that the equity analysis is intended to be based on the policies of the Comprehensive Plan and part of the Commission's consideration of whether a proposed zoning action is "not inconsistent" with the Comprehensive Plan, rather than a separate determination about a zoning action's equitable impact.

To date, the applicant has not provided this analysis but has been advised to do so prior to the hearing.

Equity is conveyed throughout the Comprehensive Plan, particularly in the context of zoning, where certain priorities stand out. These include affordable housing, displacement, and access to opportunity. The updated Comprehensive Plan further recognizes that advancing equity requires a multifaceted policy approach:

Equitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices that reduce and ultimately eliminate disparities while fostering places that are healthy and vibrant. Equitable development holistically considers land-use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, health care, technology, workforce development, and employment opportunities. As the District grows and changes, it must do so in a way that encourages choice, not displacement, and builds the capacity of vulnerable, marginalized, and low-income communities to fully and substantively participate in decision-making processes and share in the benefits of the growth, while not unduly bearing its negative impacts. Framework Element, § 213.7

In the context of zoning, certain priorities stand out, including affordable housing, displacement, and access to opportunity. One of the important ways the Comprehensive Plan seeks to address equity is by supporting additional housing development, particularly on currently vacant lands. The Plan recognizes that without increased housing the imbalance between supply and demand will drive up housing prices in a way that creates challenges for many residents, particularly low-income residents. The Comprehensive Plan further recognizes the importance of inclusionary zoning requirements in providing affordable housing opportunities for households of varying income levels.

The Comprehensive Plan Lower Anacostia Waterfront/Near Southwest Area Element provides demographic data about this Planning Area:

In 2017, the area had a population of 18,125. Between 2000 and 2017, the population increased by about 3,996. 1903.1

As of 2017, just under 52 percent of the Lower Anacostia Waterfront/Near Southwest Planning Area's residents were white, which is a significant increase from 24 percent in 2000. In 2017 just under 40 percent of the Planning Area's residents were Black, which is a decrease from 67 percent in 2000. Some of this change in demographics can be attributed to the net gain in developable land and subsequent new construction of residential units attracting residents to the area. Additionally, most of the new residential buildings have primarily consisted of market rate one-bedroom units, attracting more young professionals to the area for the first time. Approximately six percent of the area's residents are of Hispanic/Latino origin, and 10 percent are foreign-born. 1903.2

Based on land availability, planning policies, and regional growth and development trends, the Lower Anacostia Waterfront/Near Southwest Planning Area will experience significant growth in population, households, and jobs over the coming decades. The population, which was 18,125 in 2017, is expected to grow to 40,200 in 2025, 48,997 in 2035, and 58,789 in 2045. The number of households is expected to increase from 10,083 to 33,915 in 2045. 1903.4

Data from the District Department of Employment Services (DOES) and the Office of Planning (OP) indicates approximately 49,511 jobs were in the Lower Anacostia Waterfront/Near Southwest Planning Area in 2015. This represents 6.2 percent of the District's job base. Job growth is expected to increase significantly to 65,698 jobs in 2025, 79,397 jobs in 2035, and 92,314 jobs in 2045. 1905.1

The Plan also describes the housing stock in the planning area:

A majority of the housing stock in the Lower Anacostia Waterfront/Near Southwest Planning Area is contained in multi-family buildings. In 2017, about 71 percent of the housing stock was located in buildings with 20 or more units, which is more than twice the District-wide proportion of 35.4 percent. The housing stock is a mix of buildings built in the 1960s and 1970s through urban renewal and buildings built in the last five years. About 25 percent of the area's housing stock consists of row houses and townhomes, which is similar to the District-wide level of 26 percent. However, the proportion of single-family detached homes in the Lower Anacostia Waterfront/Near Southwest Planning Area is less than two percent, which is substantially less than the District-wide total of 11.9 percent. 1904.1

In 2017 7.5 percent of the residential units in the Lower Anacostia Waterfront/Near Southwest Planning Area were vacant, which is the same as the vacancy rate in 2000. The percentage of vacant units is slightly lower than the District as a whole. Between 2000 and 2017, homeownership rates in the area increased from 28.2 percent to 34.1 percent, while the portion of renter-occupied units decreased. 1904.3

According to the 2019 Housing Equity Report and the State Data Center, the Lower Anacostia Waterfront & Near Southwest Area has about 6% of the District's affordable housing units. ANC 6D, where this project would be located, has about 6% of the affordable housing. The Planning Area's goal is to create 7,960 new housing units and 850 new affordable housing units, and this project would support that goal.

The proposed mixed-use development would provide market-rate and affordable housing under the District's Inclusionary Zoning program. Speaking generally, the production of more housing decreases the upward pressure on overall housing prices. This project would provide approximately 49 new residential units, and would also comply with the provision of inclusionary zoning requirements consistent with inclusionary zoning. The applicant has been advised to supply plans showing the location of the IZ units, and how the IZ requirement from the habitable penthouse, with its deeper level of affordability, would be provided.

By providing new housing, including affordable housing, within walking distance of transit, the application would provide a housing option for individuals who rely on transit to get to work. This housing location would be a short metro ride away from many job opportunities in the downtown core. Walking or biking to work would also be an option, either to downtown or to employment areas such as the Navy Yard and surrounding area. Housing at this location, currently vacant land, would not result in the displacement of any existing residents.

The applicant is also proposing to provide ground floor retail, which could bring an added level of amenity to the residents of this building and the neighborhood. Similarly, the second floor office space could provide opportunities for employment and the location of services which could be of

benefit to the neighborhood. Plan policy 310.8 states that, among other things, an inclusive neighborhood should have “Easy access to shops and services that meet day-to-day needs”.

The project would also tend to lead to a healthier community. Creating a walkable neighborhood would mean fewer residents using automobiles for travel, resulting in less pollution. Redeveloping a site, that appears today to be entirely impervious, with a green roof should reduce total stormwater runoff. In order to maximize the project’s environmental benefits for the city, OP has encouraged the applicant to, at a minimum, achieve LEED Gold certification in their design, and maximize solar energy generation. Although not enforceable through a Design Review case, the applicant is also strongly encouraged to enter into a robust construction management plan to minimize the environmental impacts of the construction process on the neighborhood, and adjacent neighbors in particular.

Southwest Neighborhood Plan

The Southwest Neighborhood Plan, was adopted by City Council in 2015 to supplement the Comprehensive Plan and provide more detail for planning decisions in the Southwest neighborhood. Although the SAP does not provide a great deal of detail for this location in particular, the project would help to achieve a number of the Plan’s goals for the neighborhood, summarized on pp. 5-8:

- Enhance pedestrian connections and safety throughout the neighborhood.
- Support the transformation of South Capitol Street into a high density, urban boulevard that establishes a robust pedestrian realm.
- Ensure that future development is compatible with the existing design of the community.

Through the submission of additional information, it may be shown that the application furthers additional goals of the SAP, including:

- Adopt Sustainable DC goals to showcase the Southwest neighborhood as a steward of green, sustainable practices targeting stormwater management, healthy living, and energy efficiency.
- Maintain a mix of affordable and market-rate residential units that better serve community needs.

604.6 The Zoning Commission shall find that the proposed design review development will not tend to affect adversely the use of neighboring property and meets the general special exception criteria of Subtitle X, Chapter 9.

The proposed development should not affect neighboring properties adversely. A building of this scale will generate new shadow, but the impacts on lower-height development to the north should be limited to early in the day, and would not be out of character for areas with high density buildings. The scale of the building is also consistent with the intent of the Regulations, which permit the proposed height and FAR. The building has been designed to have detailed architecture on all sides, so would not present a blank face to any nearby properties.

604.7 *The Zoning Commission shall review the urban design of the site and the building for the following criteria:*

- (a) *Street frontages are designed to be safe, comfortable, and encourage pedestrian activity, including:*
 - (1) *Multiple pedestrian entrances for large developments;*
 - (2) *Direct driveway or garage access to the street is discouraged;*
 - (3) *Commercial ground floors contain active uses with clear, inviting windows;*
 - (4) *Blank facades are prevented or minimized; and*
 - (5) *Wide sidewalks are provided;*

The design of the project would encourage pedestrian activity. Construction would close one existing curb cut on South Capitol Street and one existing curb cut on N Street, creating a continuous pedestrian environment without vehicular cross traffic. The ground floor retail would have entrances directly onto the sidewalk, increasing activity and ground-level visual interest through the use of outdoor seating and large windows into the retail spaces. Wide sidewalks would be provided, though OP continues to work with the applicant to ensure that the public space design conforms to adopted standards. The use of balconies and façade detailing also adds articulation to the design, and helps to activate the streetscape.

- (b) *Public gathering spaces and open spaces are encouraged, especially in the following situations:*
 - (1) *Where neighborhood open space is lacking;*
 - (2) *Near transit stations or hubs; and*
 - (3) *When they can enhance existing parks and the waterfront;*

The proposed design shows outdoor seating for the retail uses on the site. The small size of the site does not create opportunities for larger plazas or park areas.

- (c) *New development respects the historic character of Washington's neighborhoods, including:*
 - (1) *Developments near the District's major boulevards and public spaces should reinforce the existing urban form;*
 - (2) *Infill development should respect, though need not imitate, the continuity of neighborhood architectural character; and*
 - (3) *Development should respect and protect key landscape vistas and axial views of landmarks and important places;*

Renderings toward the Capitol Dome and toward the Anacostia River are included in the application. The building's massing and streetscape landscaping would be conducive to the establishment of South Capitol Street as a monumental civic boulevard. It would help to frame the view toward the Capitol, in a portion of the street that, on the west side of the street, currently lacks a strong street wall.

- (d) *Buildings strive for attractive and inspired façade design, including:*

- (1) Reinforce the pedestrian realm with elevated detailing and design of first (1st) and second (2nd) stories; and*
- (2) Incorporate contextual and quality building materials and fenestration;*

The design and materials are generally attractive, and the massing is appropriate for the location and conforms to the planning and zoning of the site. OP's Urban Design Division has reviewed the architecture and public space design of the building and offers the following comments. The feedback is intended to maximize the quality of the design, given its prominent location on a monumental corridor, and to maximize the functionality and attractiveness of the public space and ensure that it complies with adopted public space design guidelines. OP has discussed design modifications with the applicant, and has synthesized them in the following comments.

1. Design the façade on South Capitol Street with a more monumental character. There are many ways this can be done. Several examples are minimizing the contrast between material used for the brick façade and window projections, introducing horizontal elements that extend across the width of the building, and changing the small square windows to have traditional dimensions.
2. Provide more visual interest through the design of the corner window projection and less on the facades facing South Capitol and N streets. For example, redesign the zig-zag window/balcony projections on South Capitol and N streets to have a more regular alignment and shift that creativity to the design of the corner window projection.
3. Further develop the roofline of the building so it is more consistent with the tiered designs of other buildings on South Capitol Street. An effective way to do this is reducing the height of the window projections so they stop at the height of the window sill on the top floor.
4. Differentiate the first and second floors from the main body of the building. This can be done by subtle changes in materials, horizontal elements on the building, and redesigning/widening show windows so that they don't align with windows on the upper floors. Also, relocate doors to the ground floor retail from the show windows to the façade of the building and between the show windows.
5. Redesign the South Capitol streetscape so the widths of tree boxes and pedestrian walkways follow the streetscape guidelines. This includes a 2 ft. step out at the curb, 6 ft. tree box, and 11 ft. sidewalk in public space, and a 6 ft. tree box and 9 ft. sidewalk in the 15 ft. building setback.
6. The streetscape on N Street needs to be more clearly defined as commercial or residential. This can be done by having sidewalk from the building to the tree box in the area adjacent to the commercial area on the corner, and including a landscaped area between the building and back of the sidewalk in front of the residential entrance and liquor store with narrow walkways going to the residential lobby, liquor store, and pedestrian access to the back of the building.
7. Clarify the design of the wall facing the street at pedestrian entrance to the back of the building. Some drawings show this as screened with a brick wall and others show it has an open gate.
8. Develop a signage plan for the ground floor retail.

(e) *Sites are designed with sustainable landscaping; and*

In addition to the green roof, the applicant proposes to plant new street trees. OP and DOEE have encouraged the applicant to meet LEED Gold standards at a minimum and achieve actual certification, and DOEE's comments (Attachment 1) include other suggestions for how the project can be made more sustainable.

(f) *Sites are developed to promote connectivity both internally and with surrounding neighborhoods, including:*

- (1) Pedestrian pathways through developments increase mobility and link neighborhoods to transit;*
- (2) The development incorporates transit and bicycle facilities and amenities;*
- (3) Streets, easements, and open spaces are designed to be safe and pedestrian friendly;*
- (4) Large sites are integrated into the surrounding community through street and pedestrian connections; and*
- (5) Waterfront development contains high quality trail and shoreline design as well as ensuring access and view corridors to the waterfront.*

The development will reinforce the pedestrian environment of the neighborhood by bringing a substantial building mass to a prominent corner that currently lacks significant street presence. The building would include long term bicycle parking beyond what is required, and the elimination of all curb cuts would maximize pedestrian safety.

604.8 *The Zoning Commission shall find that the criteria of Subtitle X § 604.7 are met in a way that is superior to any matter-of-right development possible on the site.*

The proposed building and site design generally meet the criteria in a way that would be superior to a building not subject to design review, although additional refinements of the building and public space design have been provided to the applicant, and should be addressed.

VII. AGENCY COMMENTS

DDOT comments are provided at Exhibit 23, noting no objection to the proposal subject to the implementation of the Transportation Demand Management Plan and Loading Management Plan, and addressing public space. Comments from the Urban Forestry Division of DDOT within that report note that the applicant should consult with them regarding the Tree Canopy Protection Amendment Act, as there may be a special tree on the property.

OP has also received feedback from the following agencies:

- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR); and
- Department of Energy and the Environment (DOEE).

DHCD and DOEE comments are included as attachments.

DPR's comments are as follows:

After reviewing Zoning Commission cases #21-27, we acknowledge that the development will provide private recreational amenities and spaces on the rooftop and public areas on the first floor. Still, we have some questions and would like to share recommendations for improving equitable access to public recreational amenities.

Firstly, regarding the open spaces on the ground floor and contiguous to the sidewalk, we would like to ensure that these spaces are publicly accessible, providing seats, shade, landscape, and adequate lighting to the public realm. An additional question is the addition of artwork that would enrich the pedestrian experience in the corridor, as it is currently shown in a rendering of the front garden at the South Capitol Street view included in Exhibit 2G3.

Secondly, regarding the proposed private amenities mentioned in Exhibit #1, *"The upper floors of the Building are designed to capture the views of the Anacostia River to the south, the Capitol to the north, and the stadium immediately adjacent to the Property. The rooftop is designed to provide a respite for the residents, complete with a pool and amenity space and units."* The location of the pool on the rooftop does not seem to be indicated in Exhibit 2G1. Is the pool still being considered a recreational amenity provided by the developer for the exclusive use of the residents?

Suppose the pool and community space mentioned in Exhibit #1 are still part of the project. In that case, we anticipate that the increment in density proposed by this development will mainly trigger additional demand for outdoor public amenities, such as dog parks, community gardens, sports courts and fields, and playgrounds. Some of our sites within a ½ mile radius of this development (King Greenleaf Recreation Center, Randall Recreation Center, Lansburgh Park, Diamond Teague, The Yards Park, and Canal Park) provide a diverse array of outdoor amenities. DPR would always welcome any interest from private developers to partner with us for potential improvements aligned with upcoming investments at these sites, so they would address the needs of existing and future residents.

VIII. ANC COMMENTS

As of this writing the record contains no comments from the ANC.

IX. COMMUNITY COMMENTS

At Exhibit 22 is a request for party status in opposition.

X. ATTACHMENTS

1. DHCD and DOEE Comments

JLS/mrj

Attachment 1
Agency Comments

DHCD Comments

RE: Zoning Commission #21-27 - Application for design review at South Capitol Street, SW

Bulmash, Gene (DHCD) <gene.bulmash@dc.gov>

Fri 4/1/2022 2:10 PM

To: Jesick, Matthew (OP) <matthew.jesick@dc.gov>

Matt,

DHCD has no objection to the proposed Design Review. In addition, DHCD notes that the applicant is proposing to meet the IZ requirement and requests that the applicant provide more than just the required IZ set-aside. DHCD requests the applicant to provide at least 12% of the gross floor area as IZ, with at least 1-unit at 50% MFI & the remaining units at 60% MFI, if the building will be rental.

Let me know if you have any questions. Thanks & cheers,

Gene Bulmash, Inclusionary Zoning Program Manager (he/his)
District of Columbia Department of Housing and Community Development
1800 Martin Luther King Jr. Avenue SE | Washington, D.C. 20020
(p) 202-442-7168 | (c) 202-577-2297 | (f) 202-645-5884
Gene.Bulmash@DC.gov
<http://dhcd.dc.gov>



DOEE Comments

DOEE Development Review Comments

ZC 21-27: South Capitol Street SW

DOEE notes that the applicant is still evaluating the developing their LEED strategy, at the time of writing. DOEE encourages the applicant to pursue LEED Gold certification using either the LEED Homes: Multifamily Midrise or LEED v4.1 Residential rating system, which are best suited for this project and offer the greatest benefits for future residential tenants.

DOEE encourages the applicant to pursue environmental benefits beyond the LEED rating system. The following recommendations are intended to assist the applicant with incorporating sustainable design and construction strategies that will yield higher LEED scores and minimize the project's impact on the environment.

Many of these strategies can be financed with no upfront cost through [DC PACE](#). The [DC Green Bank](#) and the [DC Sustainable Energy Utility](#) (DCSEU) also offer innovative financial products and technical assistance to help projects gain access to capital. To learn about project-specific financing options, contact Crystal McDonald at cmcdonald1@dcseu.com or complete DCSEU's [Custom Rebate Form](#).

Energy Performance and Electrification

If the applicant is looking to increase their commitment to sustainability, some of the most significant gains would be in the areas of energy efficiency and maximization of on-site renewable energy, both of which are District priorities. Maximizing energy efficiency at the time of construction will more cost effectively assist in meeting [Building Energy Performance Standards](#) (BEPS) in the future. The BEPS program was established in Title III of the Clean Energy DC Omnibus Act of 2018. The Act states that starting in 2021, owners of buildings over 50,000 square feet that are below a specific energy performance threshold will be required to improve their energy efficiency over the next 5 years. Projects below the performance threshold will be able to choose between a performance pathway, which requires that they document a 20% reduction in energy usage over the 5-year compliance period, or a prescriptive list of required energy efficiency measures. The next BEPS will be established in 2027 and again every six years, and the compliance threshold will increase each cycle. New projects are encouraged to maximize energy efficiency during the initial design and construction in order to meet BEPS upon completion.

In line with the District's goal of carbon neutrality and the objectives of the [Sustainable DC 2.0](#) and [Clean Energy DC](#) plans to reduce greenhouse gas emissions, DOEE encourages the applicant to design the project to be fully electric (i.e., eliminate the on-site combustion of fossil fuels).

DOEE and DCRA are evaluating options to include building electrification requirements in future code updates. Building electrification involves powering all building appliances and systems (e.g., domestic hot water, heating equipment, cooking equipment) with electricity rather than fossil fuels (e.g., natural gas or fuel oil). Efficient electric systems reduce indoor air pollution caused by combustion equipment and can save on operating costs, especially when coupled with solar energy. All-electric buildings can also save on construction costs by avoiding the need to install gas piping. It's easier and more cost-effective for new construction to be designed with electric systems than it is to retrofit buildings later, so DOEE strongly encourages projects to evaluate electric options as part of their initial energy modeling exercises. For more information about building electrification in the District, visit [this resource page](#) created by the Building Innovation Hub.

Net-Zero Energy

Clean Energy DC, the District's detailed plan to reduce greenhouse gas emissions, calls for net-zero energy (NZE) building codes by 2026. DOEE encourages the project to explore net-zero energy construction/certification ahead of this planned code requirement. An NZE building is a highly energy-efficient building that generates enough on-site, or procures acceptable offsite, renewable energy to meet or exceed the annual energy consumption of its operations. NZE buildings can benefit both owners and tenants through significantly lower operating costs, improved occupant comfort and improved indoor air quality. Under the [2017 District of Columbia Energy Conservation Code](#), projects can use Appendix Z as an alternative compliance pathway, which provides a working definition and guidance for NZE.

DOEE has published a *Net-Zero Energy Project Guide*, a *Multifamily Guide*, and an *Integrated Design Charrette Toolkit* to assist project teams with planning, designing, constructing and operating NZE buildings. These and other resources can be found at doee.dc.gov/service/greenbuilding.

For the past few years, DOEE has offered grants to projects exploring NZE design and other innovative green building approaches. Case studies and final reports from some of these projects are available at [here](#).

If the applicant is interested in NZE construction, either on this project or future projects, DOEE can be of assistance. Please reach out to Connor Rattey at connor.rattey@dc.gov for more information.

Solar

DOEE encourages the applicant to incorporate solar panels into the project's design. DOEE recommends consulting with an expert from [DCSEU](#) to learn about custom rebate options and other financial incentives for renewable energy and energy efficiency measures. Maximizing solar energy production will contribute to achieving the District's goals to rely on 100% renewable electricity by 2032 and increase local solar generation to 10% of total electricity by 2041. As a result of the District's commitments, there are many financial

incentives to install solar. One way that the project can maximize solar energy production is to integrate solar photovoltaic arrays into green roofs. See the GAR and Stormwater Management section below for more details.

Climate Resilience

In order to prepare for the impacts of climate change, including increased flooding and extreme heat, DOEE encourages the team to assess how climate change will affect the project and to incorporate resilient design strategies. As part of the [Climate Ready DC Plan](#), DOEE released [Resilient Design Guidelines](#) to assist project teams considering climate resilient design. Additional DOEE Climate Adaptation and Preparedness resources are available at doee.dc.gov/climateready.

LEED offers [Resilient Design pilot credits](#) that guide project teams through identifying climate risks and mitigation strategies. USGBC offers [RELI 2.0](#), a dedicated rating system for resilient design and construction.

Green Area Ratio and Stormwater Management

DOEE encourages the applicant to exceed the minimum GAR and stormwater requirements. This project is located in an area of the District that has a municipal separated storm sewer system (MS4), which means that stormwater runoff is discharged, untreated, into local water bodies. Stormwater from this project site is discharged into the Potomac River. Stormwater management strategies used by projects located in the MS4 are more environmentally beneficial than those used by projects in the combined sewer system (CSS). Additional on-site stormwater retention can earn the project Stormwater Retention Credits (SRCs) that can be sold through DOEE's Credit Trading Program. SRCs can be sold directly to DOEE through the SRC Price Lock Program (for projects located in the [MS4 Sewer System](#) only) or sold on the open market. For more information, please visit doee.dc.gov/src or email Matt Johnson at src.trading@dc.gov.

DOEE encourages the applicant to incorporate solar energy generation into the project's green roof design, which can be accomplished without diminishing the project's GAR or stormwater requirement compliance. DOEE has issued guidance on how to successfully incorporate solar into green roofs on pages 41 & 42 of the [2020 Stormwater Management Guidebook](#). DOEE is prepared to meet with the project team to discuss GAR and stormwater opportunities on the project site. To set up a review meeting with the stormwater team at DOEE, please contact Ayende Thomas at ayende.thomas@dc.gov.

Deconstruction, Reuse, and Embodied Carbon Reduction

Wherever possible, DOEE encourages the reuse of existing buildings and materials because the demolition of these buildings and construction of entirely new buildings is very carbon intensive. Given that this project involves razing the existing structures on-site, DOEE encourages the applicant to conduct a simple life-cycle analysis (LCA) to measure and reduce the impacts from the proposed project's structural and envelope design. An LCA is an effective

tool to measure the embodied carbon, or global warming potential (GWP), of a building and its materials. An LCA can inform decisions about the selection and quantity of materials used, and can assist with dematerialization (i.e., reducing the amount of a given material).

Dematerialization reduces environmental harm and saves money.

Embodied carbon is the sum of all greenhouse gas emissions resulting from the construction of buildings, including materials and construction activities. It is estimated that 23% of the world's GHG emissions result from construction. Most of these embodied emissions are associated with the production and use of concrete and steel, common structural elements. The energy savings of a high-performance building can take decades to offset the impacts of the building's construction.

DOEE recently funded two grant projects focused on reducing embodied carbon through LCAs. The lessons learned by these grantees may help the applicant identify simple ways to reduce the project's embodied carbon and understand how to conduct a basic LCA. The reports from these projects are available here: [LCA for St. Elizabeth's Building 2 Commercial Office by Hickok Cole](#) and [Embodied Carbon Life Cycle Assessment Assistance for Southeast Neighborhood Library by Quinn Evans](#).

In 2018, construction and demolition (C&D) activities in the US generated 600 million tons of waste. The reuse and rehabilitation of existing buildings can reduce waste and embodied carbon. When reuse is not possible, deconstruction or pre-demolition salvage can divert waste from landfill and incineration and allow for reuse of building materials. Destruction is the process of carefully and intentionally dismantling a building rather than demolishing it. While this process is more time consuming than demolition, reusing salvaged materials can reduce construction costs, and the sale of salvaged or recyclable materials can generate additional revenue. Organizations like [Community Forklift](#) collect donations of unwanted and salvaged building materials throughout the DC region. DOEE is also working to develop a Donation and Reuse program and may have additional resources and information available at the time of project construction. The applicant is encouraged to reach out to Connor Rattey at connor.rattey@dc.gov encouraged if they are interested in deconstruction of existing structures or donation and reuse of building materials.