

SUPPLEMENTAL MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: September 23, 2022

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

I. RECOMMENDATION

The Zoning Commission held a hearing on this project on April 21, 2022. The Office of Planning (OP) noted at that time that most of the issues identified in our written report (Exhibit 24) had been addressed, but that we would continue to work with the applicant on our list of items and on other concerns raised by the Commission at the hearing, especially regarding the design of the building. The Commission scheduled a continued hearing for June 23, which the applicant later postponed to October 3 in order to allow for additional interaction with the ANC. This report presents an update on OP's previous comments, based on the updated exhibits in the record, up to and including Exhibits 38 through 38F. OP can now recommend **approval** of the design review application and the associated requested flexibility.

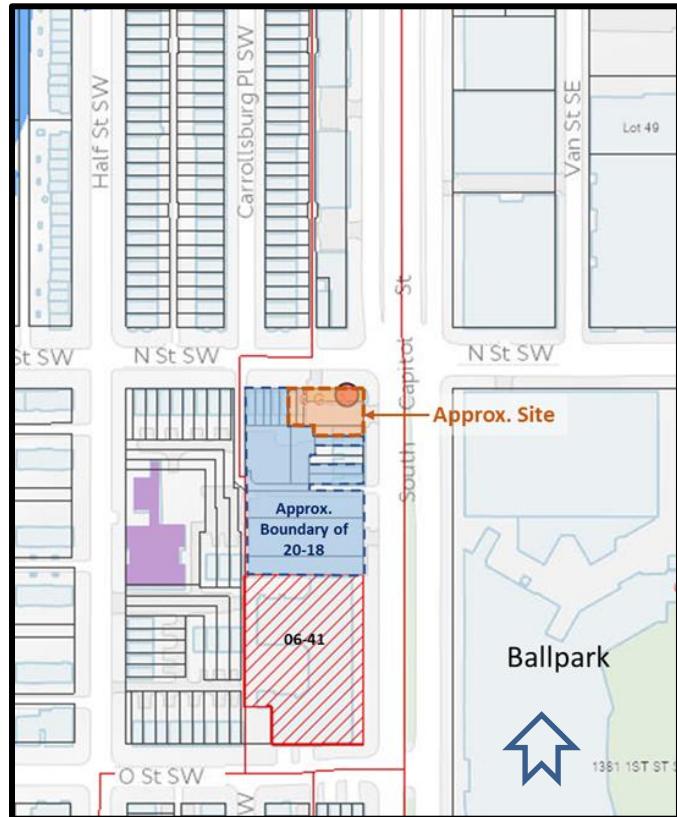
II. SUMMARY OF OP COMMENTS

In our initial report (Exhibit 24), OP provided comments on outstanding items to be addressed by the applicant. The following table presents an update on the status of those issues as of this writing.

	Comment from Initial OP Report (Exhibit 24)	Applicant Response	Current Status
1	Address design comments from OP's Urban Design Division;	The applicant modified the design in response to OP's initial comments, and OP and the applicant have continued design discussions since the first hearing.	Resolved – OP has continued to provide feedback to the applicant, who has made further changes to the design. OP finds the architecture much improved since the initial designs; Two further suggestions are noted in this report.

	Comment from Initial OP Report (Exhibit 24)	Applicant Response	Current Status
2	Provide a LEED checklist. The design should, at a minimum, meet LEED Gold standards and the applicant should commit to actual certification;	Exhibit 27E is a LEED scorecard indicating that the project would achieve LEED Gold. Exhibit 27A states that the applicant agrees to actual certification, and the proposed conditions in Exhibit 38F also would require certification.	Resolved
3	Provide solar energy generation on-site;	The most recent plans (Exhibit 38A1, Sheet A212) indicate an area on the roof reserved for solar panels and provide preliminary solar energy generation calculations.	Resolved
4	Submit elevation drawings for south and west façades;	Elevation drawings were submitted previously (Ex. 27B1).	Resolved – OP anticipates that the applicant will submit to the record elevations reflecting the present design.
5	Identify on the plans the locations of the IZ units;	The most recent plans in the record, Exhibit 38B1, list the IZ units on the cover page and identify them on the floorplans.	Resolved
6	Describe or quantify the penthouse IZ contribution;	The applicant stated in Exhibit 27A that the penthouse-generated IZ unit would be located on site.	Resolved
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;	Exhibit 27A states that the design will comply with this requirement.	Resolved
8	Clarify whether the existing rowhouses that are part of this proposal are currently occupied as residential units;	Exhibit 27A states that the existing units are occupied.	Resolved – The proposed conditions at Exhibit 38F indicate that the applicant will assist the existing residents in finding new units.
9	Provide analysis through a Racial Equity lens as required under the Comprehensive Plan.	Exhibit 27A includes an analysis of the project through a racial equity lens.	Resolved

III. LOCATION



IV. ZONING SUMMARY

Below is an updated zoning table, describing the current proposal which has been amended slightly since the first public hearing. Most of the changes are minor, but two new areas of flexibility – rear yard, and South Capitol Street setback, would be needed, as discussed later in this report.

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	10,960 sq.ft.	Conforming
FAR K § 502.3	7.2 max (51,343 sq.ft.)	7.195 (51,313 sq.ft.)	Conforming
Lot Occupancy K § 502.6	90% max.	84%	Conforming

CG-2	Requirement	Proposal	Relief
Rear Yard (west side) K § 502.7	15 ft. min.	Ground floor – zero feet Upper floors – 15 ft., except for balconies – 11 ft.	Flex. Requested for ground floor and for balconies
Side Yard K § 502.8	None required	None	Conforming
Closed Court K § 502.9	Width – 4 in. / ft. of height = 36.2 ft.* Area – (Width²)*2 = 2,616 sq.ft.*	15 ft. 210 sq.ft.	Flexibility Requested
GAR K § 502.11	0.3	0.305	Conforming
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.	Main façade – 15 ft. Bays, balconies and corner element project 3 to 4 feet into setback	Flexibility Requested
South Cap. Street Wall K § 510.1(b)(1)	Min. of 60% of building face must be at the setback line	Main façade is at the setback line.	Conforming
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

*Court calculations by OP based on full building height of 108.5 ft.; New design would occupy most of the first floor of the court; Applicant should supplement the record with court calculations for both the remnant court on the first floor and the court beginning on the 2nd floor.

V. OP DESIGN COMMENTS

OP, including the Urban Design division, has continued to work with the applicant on the architecture of the building, with the objective of more fully meeting the goals and review criteria of the Capitol Gateway zone, such as:

- *Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk, and design of buildings, as generally indicated in the Comprehensive Plan and recommended by planning studies of the area (K § 500.1(a));*

- *Provide for the establishment of South Capitol Street between M Street, S.E., and the Anacostia waterfront as a monumental civic boulevard (K § 500.1(g));*
- *Be in context with the surrounding neighborhood and street patterns (K § 512.3(c));*
- *Minimize unarticulated blank walls adjacent to public spaces through facade articulation (K § 512.3(e)).*

OP has reviewed updated iterations of the design, including the most recent submission, and supports the modifications such as greater brick detail in the bottom two floors to differentiate them from upper floors and to better relate to historic neighborhood architecture; a darker brick color; a regularized public space concept; and a better overall ground floor plan. OP offers two final recommendations:

1. If the western retail bay on N Street would be something like a coffee shop, as indicated in the renderings, the applicant should consider more hardscape in front of the store to allow for outdoor seating. OP's previous guidance to include more landscaping in that spot was based on the assumption that the liquor store would be located on N Street. The most recent design shows the liquor store on South Capitol Street.
2. OP continues to recommend that the balconies be more aligned across both the north and east sides of the building. Their current arrangement seems somewhat random. Further consistency among the balconies could be achieved with a unified treatment of the guardrails, which appear to have different materiality between the brick and glass portions of the façade.

VI. FLEXIBILITY ANALYSIS

The design in the most recent set of plans, Exhibit 38A1, would require two new areas of flexibility – South Capitol Street setback, and rear yard (west side of the building). The Commission can grant that flexibility pursuant to Subtitle X § 603. OP's analysis of the relevant criteria is below. OP continues to recommend approval of the previously requested court flexibility.

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.

The design shown in Exhibit 38A1 would require flexibility from the South Capitol Street setback (K § 510.1(b)(1)) and from rear yard (K § 502.7). While the main plane of the South Capitol Street façade is at the 15 ft. setback line, retail show windows, balconies, and the corner tower element appear to project three or four feet into the setback area.

The original design of the building had a conforming rear yard, with 15 ft. of open space at ground level. The updated design shows the ground floor extending to the western (rear) property line,

while the main façade on upper floors would maintain the 15 ft. rear yard. Balconies would project into that yard, however, so flexibility would be required both for the ground floor and for the balconies on upper floors.

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 to achieve the design review standards of Section 604. The projecting balconies, an important part of the overall composition of the façade, would help to enliven the street face of the building, as called for by the review criteria. The balconies would be relatively small and composed primarily of glass, so should not interfere with the overall views toward the Capitol or toward the water. Similarly, show windows at the ground floor would have limited visual impact on the corridor; In fact, at present, they would not be visible from the south due to the presence of the rowhouses, which are built to the property line.

The flexibility requested for rear yard at the ground level would allow the building to abut the neighboring building to the west (ZC #20-18). The expanded ground floor was conceived as a way to address neighborhood concerns about the noise and visual impacts from loading and trash functions, which previously would have been more exposed. Now a retail bay is proposed along that property line, and an internal corridor is now proposed to handle all loading and trash functions inside the building. The main façade of the upper stories would meet the rear yard requirement, but balconies would project into the required rear yard. Flexibility for the balconies would add to the livability of the dwelling units, and should not result in significant impacts to nearby properties.

JLS/mrj