

**APPLICATION OF 1319 SOUTH CAPITOL OWNER, L.L.C. FOR REVIEW OF  
BUILDINGS AND STRUCTURES ON SOUTH CAPITOL STREET**



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**LOTS 14, 15, 53, 54, 60-64, 68, 70, 810, 811, AND 831 IN SQUARE 653**

## **I. Introduction**

This application is submitted on behalf of 1319 South Capitol Owner, L.L.C. (the “**Applicant**”) for Zoning Commission review and approval of new construction along South Capitol Street south of N Street, SW. The property is comprised of Lots 14, 15, 53, 54, 60-64, 68, 70, 810, 811, and 831 in Square 653 (collectively, the “**Property**”). The Property is comprised of approximately 37,453 square feet of land area and is located in the CG-2 Zone District.

The Property is the site of a surface parking lot and eight (8) rowhouses. The Applicant is proposing to develop the Property with an eleven (11) story residential building containing approximately 302 residential units (the “**Project**”). The construction of the proposed residential units, including family-sized units, and the design of the building further the goals of the Capitol Gateway (“**CG**”) zones.

The Applicant submits this application pursuant to Subtitle K, Section 512 of the District of Columbia Zoning Regulations, which requires Zoning Commission design review of properties with frontage on South Capitol Street. The Applicant also seeks flexibility pursuant to Subtitle X, Section 603.1 for relief from the rear yard (under Subtitle K, Section 502.7), court (Subtitle K, Section 502.9), and South Capitol Street setback (Subtitle K, Section 510.1(b)(1)) requirements of the Zoning Regulations.

The Property is located between Buzzard Point and the Navy Yard directly west across South Capitol Street from Nationals Park. The Project provides significant housing opportunities in a growing area of the City. The Project includes a diverse unit mix, including studios, one-bedrooms, two-bedrooms, three-bedrooms, and at least three new townhouse units, which will provide housing for a variety of residents from single adults to families. The Project also provides significant affordable housing opportunities and the retention and restoration of portions of the existing rowhouses on the Property.

## **II. Jurisdiction of the Zoning Commission**

The Zoning Commission has jurisdiction to grant approval of the proposed development, and the requested flexibility relief pursuant to Subtitle K, Section 512 and Subtitle X, Section 603 of the Zoning Regulations.

## **III. Capitol Gateway Zones**

The Capitol Gateway zones were established in order to promote nine primary goals:

- a. 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;
- b. Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural, and hotel uses;

- c. Allow for continuation of existing industrial uses, which are important economic assets to the city, during the extended period projected for redevelopment;
- d. Provide for a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings, and provide for continuous public open space along the waterfront with frequent public access points;
- e. Require suitable ground-level retail and service uses and adequate sidewalk width along M Street, SE, near the Navy Yard Metrorail station;
- f. Provide for development of Squares 702-706 and Reservation 247 as a ballpark for major league sport and entertainment and associated uses;
- g. Provide for the establishment of South Capitol Street between M Street, SE, and the Anacostia waterfront as a monumental civic boulevard;
- h. Provide for the development of Half Street, SE as an active pedestrian oriented street with active ground floor uses and appropriate setbacks from the street facade to ensure adequate light and air, and a pedestrian scale; and
- i. Provide for the development of First Street, SE as an active pedestrian oriented street with active ground floor uses, connecting M Street, the Metro Station, and existing residential neighborhoods to the Ballpark site and the Anacostia Waterfront.

11-K DCMR 500.1

#### **IV. Description of Property**

The Property is an L-shaped parcel fronting on N Street SW to the north, South Capitol Street to the east, private property to the south, and an alley to the west. The Property is directly across the street from Nationals Park, north of the Camden South Capitol Apartments, which are the subject of Z.C. Order No. 06-41, and south and east of rowhouses, smaller commercial and institutional buildings. The Property contains approximately 37,453 square feet of land area and is located in the CG-2 Zone. The Property is two blocks east of the Greenleaf recreation center and housing development and two blocks north of the Anacostia River. The Property is less than a ½ mile from the Navy Yard-Ballpark Metrorail Station and one block south of the bus lines along M Street. An image of the Property and the surrounding area is included in Exhibit F at Page 3 and pictures of the Property and the surrounding properties are included at Pages 5 and 6 of Exhibit F.

#### **V. Description of Project**

The Applicant proposes to develop the Property with a residential building that includes up to approximately 269,661 square feet of residential use in an eleven (11) story building (the “**Building**”). The Project will have a floor area ratio (“**FAR**”) of 7.2, a maximum building height of 110 feet, and will occupy up to approximately 69% of the Property. The Project will provide

approximately 302 residential units<sup>1</sup>, approximately 180 vehicular parking spaces, and approximately 100-107 bicycle parking spaces. More detailed zoning tabulations are included in on Page 4 of Exhibit F.

The Building is thoughtfully planned with its future residents and the long-time surrounding residents and structures in mind. The Building is designed with highly articulated facades on each side and provides a building configuration to maximize views, light and air available to the units. In all, the residential building will provide spaces that appeal to a range of residents, including a component of housing opportunities for families.

The Project's residential units will begin on the ground floor with a variety of residential unit sizes, including three new "townhouse units" embedded in the new building and fronting on South Capitol Street and walk-out units along N Street and the rear yard on the west side of the Building.

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, as well as units.

On each of its facades, the Building incorporates high-quality and durable materials and a color palette that complements the style of the surrounding neighborhood, particularly the older townhouses and institutional buildings. More specifically, the Building incorporates a façade that primarily employs masonry integrated with glass forms. The Building has been designed to frame the scenic vistas north and south along South Capitol Street while respecting the intent of the setbacks required from South Capitol Street.

The Project's focus on outdoor areas is intentional and directly responds to the larger stay-at-home dynamic introduced by the current pandemic and related resident wellness benefits. Balconies have been incorporated liberally throughout the Building facades, to allow for outdoor respite for residents while also providing for architectural features to further refine and articulate the Building form. The balcony projections into such setbacks are minor and deliberate, including designing such balconies out of glass so that they will not interfere with the viewsheds along this important thoroughfare.

Along South Capitol Street, the Building is primarily masonry punctuated by dynamic glass forms including vertical components and balconies. The shapes and cadence of the Building openings are intended to integrate the design of the South Capitol rowhouses while the materiality and coloration is intended to reflect and complement the South Capitol rowhouses while not mimicking these forms. The design allows both components of the Project (and other South Capitol rowhouses) to exist in a coherent but separate fashion that also draws similarities to the newer surrounding building context such as the neighboring building at 1345 South Capitol Street. The Building incorporates "projecting" sawtooth components along its northern façade (although these do not project into public space) and dispersed vertical groupings of balconies to break up the mass and relate the Building's form to the adjacent rowhouses. The

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<sup>1</sup> The Applicant requests flexibility to increase or decrease the unit count by 10%.

South Capitol Street façade will also feature three new “townhouse” units, as shown on Pages 21 and 25 of Exhibit F that will reflect the scale and character of the rowhouses being retained along this frontage.

Along the N Street façade, the northern tip of the Building has been designed to be comprised primarily of glass, while still integrating masonry banding, in order to allow the “weight” of the Building to seem reduced along N Street. Similarly, the Building is proposed to be set back from the N Street rowhouses approximately 15 feet from the N Street property line while portions of the N Street homes are retained, restored, and integrated into the Project design. The fusion of the new Building and the existing rowhouses has been carefully studied to maximize the preservation of four (4) of the five (5) existing rowhouses along this frontage while also allowing for the reuse of those units. The new Building is carved away from the existing four (4) rowhouse forms at the base of the new Building to allow for each rowhouse to exist on its own and to be able to be seen as the single-family home for which it was constructed.

The west facade of the Building is similarly highly articulated, as the Applicant believes that this façade should address the community to the west and avoid the appearance of the Building “turning its back” on the existing residential neighborhood. On the west façade, the Building has been designed to complement and incorporate the scale and materials found in the Syphax Village community. Specifically, the scale of the Syphax rowhouses is reflected in the brick cornice line and detailing along the west façade of the Building. The Building employs a wide variety of architectural features to break down the mass and add visual interest along the west elevation, including breaking the long linear façade into two primary planes, creating an ample court at the southwest of the Property, integrating numerous balconies, substituting glass for masonry along the eleventh story, and introducing recessed vertical components, including balconies.

Two (2) of the three (3) South Capitol rowhouses owned by the Applicant are being retained and restored. These structures will be designed to accommodate residential or commercial use. The Building has been designed to complement the color, materiality and design of these rowhouses while also allowing these rowhouses to exist on their own. The Project sets back from these rowhouses a significant degree, including the provision of significant open space between the rowhouses (including the neighbor’s rowhouses) and the new Building. The Building was also designed to step back along its northern façade that fronts on the east/west alley, resulting in even more prominence for the South Capitol rowhouses.

The Project has developed a robust and unique landscaping design that allows for the integration of an interior hardscaped and landscaped plaza that will incorporate trees and special paving materials. The landscaped area on the interior of the site opens up to South Capitol and fuses with the east-west alley to welcome pedestrians into the site. Similarly, the landscape plaza turns north into a mews that embraces and integrates the west facade of the rowhouses fronting on South Capitol. The Project also includes maximizing tree cover in public space, including installing a double row of trees where possible along South Capitol Street and ample front yards and trees along N Street.

The Project has been designed to include sustainability measures, including that the Project will meet or exceed the LEED v.4 Silver Level for New Construction, as shown on Page 44 of Exhibit F.

The main Building pedestrian entrance will be located on South Capitol Street. Parking and loading for the Building will be accessed from the sixteen (16) foot wide public alley to the west. The Project will also include an area for vehicular pick-up/drop-off adjacent to the Building entrance along South Capitol Street that will be accessed through the existing ten (10) foot wide public alley along South Capitol Street. This vehicular pick-up/drop-off area is designed to be a unique “pressure relief valve” for the traffic along South Capitol Street, providing a pull-off and waiting areas for rideshare vehicles, taxis, and similar vehicles. The Applicant notes that a portion of the east/west alley from South Capitol Street was closed; however, the remaining public alley piece remains open and in use by the existing South Capitol rowhomes. In addition, the Applicant is party to an easement agreement with neighboring property owners setting forth their rights of access to this public alley segment.

The Building is the subject of a detailed development agreement between the Applicant and the Southwest Neighborhood Assembly, Inc. (“SWNA”). This development agreement resulted from myriad meetings with the community and is reflected in the design being introduced to the Commission today. The Applicant and its whole design team appreciates the time that SWNA has spent on this project and looks forward to continuing that relationship.

**VI. The Applicant Satisfies the Burden of Proof for Zoning Commission Review of Buildings, Structures, and Uses along South Capitol Street**

Pursuant to Subtitle K, Section 512 of the Zoning Regulations, the Applicant must demonstrate that the application satisfies the specifically delineated requirements of the Capital Gateway (Section 512.3 for general Capital Gateway requirements and Section 512.6 for properties with frontage on South Capitol Street). The Applicant must also satisfy the Design Review requirements set forth in Subtitle X, Section 604.

A. The Applicant Satisfies the Standards with Regard to Zoning Commission Review Under the CG Design Review Regulations for a Property with Frontage Along South Capitol Street

The Applicant satisfies the Capital Gateway Design Review standards as follows.

**1. The proposed building will achieve the objectives of the Capital Gateway as defined in Subtitle K, §500.1 (11-K DCMR § 512.3(a)).**

The Project will achieve the objectives of the Capital Gateway zones that are set forth in Section III above. The Applicant is proposing a residential development that will include a diverse mix of unit types and has also noted space for potential commercial areas. The height and density of the Building are appropriate for this area and are within the height and density permitted in the CG-2 Zone District. Further, the Building envelope is not inconsistent with its medium density residential and moderate density commercial designation on the District of Columbia Comprehensive Plan’s Future Land Use Map (“FLUM”). Specifically, the addition of approximately 302 residential units in this area that includes a concentration of new non-

residential uses including the Nationals Ballpark, hotels, and other commercial uses, will contribute to the desired use mix in the Capitol Gateway zones, particularly along South Capitol Street.

Additionally, the Project uses high-quality materials that complement the existing buildings along South Capitol Street and in the neighborhood along with employing a building form that significantly sets back from and defers to South Capitol Street. This Building materiality and configuration allows for the framing of the South Capitol monumental boulevard between the US Capitol Dome and the Anacostia River. Further, it will enhance such view while adding to the vitality of the surrounding Capital Gateway area.

**2. The proposed building will help achieve the desired use mix, with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses (11-K DCMR § 512.3(b))**

This development will provide significant residential uses, which is consistent with Section 512.3(b) of Subtitle K. The development is primarily devoted to these preferred uses. The approximately 302 residential units will include a mix of unit types (studios, junior one-bedrooms, one-, two-, and three- bedrooms, with and without dens, and three townhouses) that will accommodate a diverse resident base. The Applicant is also requesting the flexibility to use the two (2) existing South Capitol rowhouses for either residential or commercial use.

Adding to the Project's contribution to a vibrant use mix in this neighborhood, the Applicant is proposing to design the three new "townhouse units" within the new Building along South Capitol Street as potential live/work units that could allow for a greater offering of neighborhood serving commercial uses and daytime activity. These additional use components, along with the Building's primarily residential use type, would achieve the desired use mix of Section 512.3(b) of Subtitle K.

**3. The proposed building will be in context with the surrounding neighborhood and street patterns. (11-K DCMR § 512.3(c))**

The Project is consistent with the medium density development encouraged along South Capitol in the CG-2 Zone. The Property is abutting and immediately north of the building at 1345 South Capitol Street, SW approved by Z.C. Order No. 06-41, which is also 110 feet in height and has a similar FAR. The neighboring building and many other similar residential and mixed-use projects along South Capitol Street near the Property frame the vistas along this corridor similarly to the Project. The Project will be consistent with the build-out of this area and allow for the infill in a long-missing piece of the South Capitol corridor's fabric while still preserving and including the Property's long-existing rowhouses. The development will also encourage pedestrian activity along South Capitol Street through the inclusion of well-designed streetscape improvements, a robust landscaping and hardscaping strategy, walk-out "townhouse units," and a central lobby.

The design of the Project is meant to appropriately situate the Building along South Capitol Street and complement the developments in the surrounding area. The Property comprises almost half of a city block and is currently significantly underutilized, mostly as a

surface parking lot. The Project will bring this corner of N Street SW and South Capitol Street into consistency with the existing development patterns while sensitively integrating the Building into its immediate surroundings. Not only does the Building include the required fifteen (15) foot deep setback from South Capitol Street for its southernmost component, but the remainder of the building sets back an even greater distance so that it does not interfere with the viewsheds along South Capitol Street. The Project also includes a fifteen-foot-deep setback along N Street above the retained rowhouse components to allow for the Building to defer to the surrounding residential fabric and retain views out to South Capitol Street for the neighborhood to the west of the Property.

**4. The proposed building will minimize conflict between vehicles and pedestrians. (11-K DCMR § 512.3(d))**

The proposed design promotes a safe and efficient pedestrian experience, particularly along South Capitol Street, which is expected to be a primary pedestrian corridor within the Capital Gateway. Ingress and egress to the garage will be through the existing north/south sixteen (16) foot wide alley to the west of the Property. Pick-up/drop-off activity will occur on the existing east-west public alley entering the property from South Capitol Street. This South Capitol alley component also allows for vehicular and pedestrian access to the rear of the rowhouses that the Applicant does not own adjacent to, and interspersed with, the Property. The private space adjacent to this public alley spur has been designed to allow for vehicular access such that multiple vehicles entering the site from South Capitol Street can be accommodated and conflicts and congestion on South Capitol Street can be avoided.

In addition, the Building has been designed so that it sets back to the south of the existing east/west alley. The existing rowhouse immediately to the north of this alley will be razed as part of the Project. The resulting open space around this alley will allow for heightened pedestrian safety while also providing greater visibility for vehicles that utilize it. Further, the Applicant intends to utilize an enhanced degree of hardscaping and related special materials, including, if permitted, on the public alley spur from South Capitol, which will make clear that this environment is intended for pedestrians.

**5. The proposed building will minimize unarticulated blank walls adjacent to public spaces through facade articulation. (11-K DCMR § 512.3(e))**

The elevations attached as Pages 14-16 of Exhibit F and the renderings attached as Pages 20-31 of Exhibit F depict the proposed Building facades. The proposed Building facades are highly articulated and differentiated on each elevation, thus eliminating unarticulated blank walls adjacent to public spaces. The façade articulation is accomplished through the use of high-quality building materials, brick patterning, glass accents, and balconies. The unique shape of the Building also presents multiple opportunities for highly differentiated façade designs, and the proposed facades meet the objectives of the Capital Gateway area to enliven the streetscape with articulated facades. Of particular note, as mentioned above, the “rear” of the Building is designed as though it is a street facing, or even front, façade. The façade contains masonry and glass materiality similar to the South Capitol and N Street facades along with detailing and articulation to break down the mass and add visual interest for neighbors to the west.



6. **The proposed building will minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards. (11-K DCMR § 512.3(f))**

The Building has been designed to meet LEED v. 4 Silver certification standards for New Construction, as shown on Page 44 of Exhibit F. Some of the key “green” features include indoor and outdoor water use reduction strategies, energy performance optimization, low emitting materials, and construction and demolition waste management, among other elements including indoor air quality considerations both during construction and before occupancy, quality views analysis, occupant controllability of lighting and thermal control systems, functional testing of MEP equipment via the commissioning process, and ventilation strategy compliance.

7. **The building or structure incorporates 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. (11-K DCMR § 512.6(a))**

As described above, the proposed Building is designed to frame the South Capitol Street boulevard in a manner sensitive to its importance. This is achieved through Building articulation, honoring the setback along South Capitol Street, and employing only small, primarily transparent balconies within such space, and streetscape improvements and plantings along the street, all as demonstrated by the plans attached as Exhibit F.

8. **The building incorporates massing, location of access to parking and loading, and location of service areas to recognize the proximate residential neighborhood use and context, as applicable. (11-K DCMR §512.6(b))**

As described above, the Building utilizes its form and materiality in order to respond to and assimilate within the neighborhood surrounding the Property, including integrating the rowhouses on the Property along N Street and South Capitol into the Project. It is such sensitivity that allows the Building to also relate to the scale and style of the residential community immediately to the west of the Property and farther afield. As mentioned above, the Building sets back from the South Capitol and N Street rowhouses that are located both on and adjacent to its Property. The Building utilizes a glass façade in lieu of its primarily masonry materiality along its top floor to step the Building down into the neighborhood. In addition, the articulation of the Building along the rear allows for the massing to be further reduced.

The primary pedestrian access to, and experience of, the Property will be from and along South Capitol Street. The main entrance and walk out “townhouse units” along South Capitol, as well as the walk-out units and setback along N Street, will assist to activate the streetscape and allow the Building to be better “broken down” and assimilated into the neighborhood along its street frontages. Additionally, the Project’s landscaping and hardscaping strategy and overall increased activity will enhance pedestrian safety.

Vehicular parking and loading will be accessed from the sixteen (16) wide alley to the west of the Property, minimizing pedestrian/vehicular conflicts and utilizing an alley that can easily accommodate the vehicular demands it will handle. Pick-up/drop-off activity will occur via the ten (10) foot public alley from South Capitol Street, which will minimize congestion and vehicular conflicts on South Capitol.

**9. 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. (11-K DCMR §512.6(c))**

As depicted in Exhibit F, the Project improves a largely vacant and underdeveloped site and frames, but does not impede, the views to the Capitol Dome or the waterfront. Importantly, the Project does not detract from the view of the Capitol, other federal monumental buildings, the waterfront, or the Ballpark. Rather, the superior design of the Project will provide a favorable view for tenants and residents of neighboring rowhouses and buildings, and visitors to the area.

As mentioned above, the Building sets back fifteen (15) feet or more from South Capitol Street, but for a small number of primarily translucent balconies that improve the aesthetics of the façade.

**B. The Applicant Satisfies the Standards with Regard to Zoning Commission Design Review Under the Design Review Regulations**

The Applicant satisfies the general Design Review standards as follows.

**1. The Proposed Project Will Not Be Inconsistent with the Comprehensive Plan. (11-X DCMR § 604.5)**

The purposes of the Comprehensive Plan are to a) define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; b) guide executive and legislative decisions and matters affecting the District and its citizens; c) promote economic growth in jobs for District residents; d) guide private and public development in order to achieve District and community goals; e) maintain and enhance the natural and architectural assets of the District; and f) assist in conservation, stabilization and improvement of each neighborhood and community in the District (DC Code Section 1-245(b)).

The Project advances these purposes by furthering the social, economic, and physical development of the District through the construction of new residential units on vacant and underutilized land along South Capitol Street. The Project also assists to achieve the District's goals to increase housing supply, including affordable housing supply. In particular, the Project is in accordance with the Mayor's Housing Equity Report of 2019 which puts an onus on the production of new housing, particularly affordable housing, in the District of Columbia. The Project will assist to reach the Housing Equity Report's goal of 36,000 units of housing, including 12,000 units of affordable housing, by 2025.

a. Land Use Map

The Future Land Use Map designates the Property as appropriate for medium density residential and moderate density commercial uses. The proposed development, with an overall FAR of 7.2 and a height of 110 feet for a residential project is consistent with this designation.

b. Land Use Element

Broadly, the Land Use Element cites the importance of transit-oriented developments and the importance of residential development on large sites. The Project is consistent with the following policies from the Land Use Element:

***Policy LU-1.1.5: Urban Mixed Use Neighborhoods:*** Encourage new central city mixed use neighborhoods combining high-density residential, office, retail, cultural, and open space uses in the following areas:

- Mount Vernon Triangle
- North of Massachusetts Avenue (NoMA)
- Downtown East
- South Capitol Street corridor/Stadium area
- Near Southeast/Navy Yard

The location of these areas is shown in the Central Washington and Lower Anacostia Waterfront/Near Southwest Area Elements. Land use regulations and design standards for these areas should ensure that they are developed as attractive pedestrian-oriented neighborhoods, with high-quality architecture and public spaces. Housing, including affordable housing, is particularly encouraged and should be a vital component of the future land use mix.

***Policy LU-1.3.2: Development Around Metrorail Stations:*** Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.

***Policy LU-2.4.5: Encouraging Nodal Development:*** Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity

and character of surrounding residential areas and does not unreasonably impact them.

***Policy LU-1.4.1: Infill Development:*** Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

The Project will enliven a vacant and underutilized parcel of land along South Capitol Street and provide approximately 302 residential housing units of varying sizes near a Metrorail station. The Project is the quintessential “infill development” as it will allow for the efficient and productive use of a vacant lot that currently serves as a significant “gap” in the neighborhood fabric, while also providing for the incorporation of several existing rowhouses on the Property. As stated above, the Project design allows for the Building’s height, mass, and scale of development to respect the integrity and character of surrounding areas and it does not adversely impact them.

c. Transportation Element

Similar to the Land Use Element above, the Transportation Element cites the importance of transit-oriented development, while it also focuses on the importance of integrating pedestrian resources and safety into residential development. The proposed development is consistent with several policies in the Transportation Element:

***Policy T-1.1.4: Transit-Oriented Development:*** Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points.

***Policy T-1.2.3: Discouraging Auto-Oriented Uses:*** Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas.

***Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning:*** Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings, and parks.

***Policy T-2.4.1: Pedestrian Network:*** Develop, maintain, and improve pedestrian facilities. Improve the city’s sidewalk system to form a network that links residents across the city.

***Policy T-2.4.2: Pedestrian Safety:*** Improve safety and security at key pedestrian nodes throughout the city. Use a variety of techniques to improve pedestrian safety, including textured or clearly marked and raised pedestrian crossings, pedestrian-actuated signal push buttons, and pedestrian count-down signals.

The Transportation Element promotes strengthening the link between land use and transportation as new development occurs and that is precisely what this Project does. The Property is within walking distance of both a Metrorail station and bus lines. The Project design also encourages bicycling and walking, as it includes streetscape improvements and activation of the South Capitol Street frontage. Altogether, the Project encourages the employment of diverse modes of transportation by providing the infrastructure for, or being designed for, the use of walking, biking and using public transportation.

d. Environmental Protection Element

The Project promotes the following policies of the Environmental Protection Element:

***Policy E-1.1.1: Street Tree Planting and Maintenance:*** Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods.

***Policy E-1.1.3: Landscaping:*** Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.

The Project design focuses on maximizing its enhancement of the surrounding public space in large part through the incorporation of a significant degree of street trees. For example, the Project has incorporated two rows of street trees along its South Capitol Street frontage where the depth of the available area can accommodate the required tree and sidewalk spacing. As described above, the Project also includes a unique urban plaza and garden area that will feature robust landscaping, including trees that will enhance the public space through the aggregation of adjacent private space, reduce stormwater runoff, and establish a sense of identity for this location, along with beautifying the Building frontages. The Building also employs green roofs within its southwest court and on its roof.

The Building is also designed to achieve the LEED v. 4 Silver level for New Construction, incorporating a variety of sustainable measures to meet such level.

e. Urban Design Element

The Urban Design Element describes the essential relationship between a property's location within the urban fabric including along certain boulevards and vistas and a building's design. The Project furthers several of the Urban Design Element policies including:

***Policy UD-1.2.4: View Protection:*** Recognize and protect major views in the city, particularly characteristic views of city landmarks, and views from important vantage points. Recognize the importance of views to the quality of life in the city and the identity of Washington and its neighborhoods.

***Policy UD-1.4.1: Avenues/Boulevards and Urban Form:*** Use Washington’s major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city.

***Policy UD-1.4.2: City Gateways:*** Create more distinctive and memorable gateways at points of entry to the city, and points of entry to individual neighborhoods and neighborhood centers. Gateways should provide a sense of transition and arrival, and should be designed to make a strong and positive visual impact.

***Policy UD-1.4.3: Avenue/Boulevard Vistas and View Corridors:*** Protect views and view corridors along avenues/boulevards, particularly along streets that terminate at important civic monuments or that frame distant landmarks. Vistas along such streets should be accentuated by creating more well-defined street walls, improving landscaping, and requiring the highest architectural quality as development takes place.

***Policy UD-1.4.5: Priority Avenues/Boulevards:*** Focus the city’s avenue/boulevard design improvements on historically important or symbolic streets that suffer from poor aesthetic conditions. Examples include North and South Capitol Streets, Pennsylvania Avenue SE, and Georgia Avenue and the avenues designated by the “Great Streets” program.

The Property’s location along South Capitol Street underscores its visual importance as a frame of the US Capitol to the north and the Anacostia River to the south. The Project’s facades appropriately frame this viewshed, with articulation and materiality that complement the existing structures in the area, including those already located on the Property and in the near vicinity. Additionally, the Project provides the fifteen (15) foot setback along South Capitol Street (with small flexibility requested for primarily transparent balconies) to honor the distinctive civic boulevard and its unique vistas.

f. Housing Element

The Project provides residential housing and is consistent with the Housing Element. Specifically, the Project is consistent with the following policies within the Housing Element:

**Policy H-1.1.1: Private Sector Support:** Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.

**Policy H-1.1.4: Mixed Use Development:** Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

**Policy H-1.2.3: Mixed Income Housing:** Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing.

The Project is providing approximately 269,661 square feet of housing on a site that currently provides almost no housing. The Project also includes approximately 22,472 gross square feet of affordable housing. The provision of residential units at this site is significant given its history and the District's objective of creating significant new housing and affordable housing units. This location, along the major urban thoroughfare of South Capitol Street and at this particular intersection and in close proximity to a Metrorail station, is well suited to accommodate the degree of housing proposed by the Project. In fact, this location is ideally suited to deliver a meaningful piece of the significant additional housing supply, including affordable housing supply, that the District needs.

Further, the Applicant worked with the community to include a component of family-sized units in the Project. Specifically, the Project is planned to include three (3) new "townhouse" units along South Capitol Street and twelve (12) new three (3) bedroom units, along with a high degree of two (2) bedroom units. The Property's two (2) existing South Capitol rowhouses will also be restored to potentially function as single-family homes or commercial space as part of the Project. This allocation of space to "true" two (2) bedroom and larger units represents approximately 19% of the Building's residential net square footage as family-sized units. The Applicant will work to locate affordable units within the larger family-sized units created within the retained rowhouse components along N Street, SW.

g. Area Element

The Property is located within the "Lower Anacostia Waterfront and Near Southwest" Area Element, one of the ten area elements contained in the Comprehensive Plan. The Project is consistent with the following policies of the Area Element:

**Policy AW-2.2.1: South Capitol Street Urban Boulevard:** Transform South Capitol Street into a great urban boulevard and "walking" street, befitting its role as a gateway to the U.S. Capitol and a major Anacostia River crossing. Development along the street should include a mix of federal, District, and private uses.

***Policy AW-2.2.2: Ballpark Entertainment District:*** Leverage the construction of the Washington Nationals Ballpark to catalyze development of the South Capitol Street corridor with retail, high density residential, entertainment, and commercial uses.

The Project is precisely the development anticipated and encouraged by the Area Element. It provides a high-quality building on the South Capitol Street corridor, yet appropriately configures the Building envelope to frame the South Capitol scenic vista and complement the lower-scale adjacent buildings. As mentioned above, the Project additionally provides much-needed housing on a largely vacant site that is able to leverage the Property's location across the street from the Washington Nationals Ballpark and other significant development investments nearby, allowing the Ballpark Entertainment District to evolve into an even more thriving, multi-use, and unique location in the City.

- 2. 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. (11-X DCMR § 604.7(a))**

The Property fronts on South Capitol and N Streets. Both street frontages and streetscapes have been designed to be pedestrian-friendly including walk-out units at both frontages and a primary Building entrance that is surrounded by ample hardscaping and landscaping. The Building is also designed to provide significant setbacks along both N Street and South Capitol Street which allow the Project to promote a more pedestrian scale. Where possible, wide sidewalks have been provided to encourage pedestrian use. The Building only proposes parking and loading and pick-up/drop-off access from public alleys and does not propose any new curb cuts. The only existing curb cut serving the Property not relating to the public alleys will be closed.

There are no blank facades created by the Project. In fact, the Building has been carefully crafted in order to ensure that all sides are highly articulated and integrated into the surrounding fabric.

- 3. 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. (11-X DCMR § 604.7(b))**

The Project includes a unique landscaped and hardscaped plaza that allows for public use adjacent to the Building's main entrance and extending into the interior of the site. The result is a meaningful urban garden where residents, neighbors, and their pets can find respite. The Project also includes improvements to the South Capitol and N Street streetscapes which further augments the positive effect of the Project's inset garden area.



4. **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. (11-X DCMR § 604.7(c))**

The Project does not affect the historic character of Washington's neighborhoods. Rather, the Project complements the surrounding neighborhood, purposely massing the Building to accommodate its adjacent buildings, while carefully selecting the materiality and coloration to integrate nearby features and design. In fact, the Project retains, restores, and integrates six (6) rowhouses currently located on the Property into the design, providing a building form that defers to these homes. The Project does not mimic nearby neighborhood architectural character but rather integrates similar design components to provide a meaningful linkage between the existing fabric and the new construction.

As discussed above, the Project protects the vistas both south to the Anacostia River and north towards the Capitol. The Building reinforces the Property's prominent location along South Capitol Street while allowing for a robust infill project to deliver much needed housing in a primarily residential part of the neighborhood.

5. **Buildings strive for attractive and inspired façade design, including: (1) Reinforce the pedestrian realm with elevated detailing and design of first (1<sup>st</sup>) and second (2<sup>nd</sup>) stories; and (2) Incorporate contextual and quality building materials and fenestration. (11-X DCMR § 604.7(d))**

As shown in the plans attached as Exhibit F, the Building provides pedestrian-oriented street-frontage designs, including integrating walk-in units along N Street and South Capitol Street. The new component of the Building along South Capitol Street incorporates a two-story element intended to be a continuation of the cornice line of the existing rowhouses to the north while reducing the scale of the Building and allowing it to be more relatable to the pedestrian scale.

As stated above, all sides of the Building are designed with facades appropriate for the Property's South Capitol location. The materials and window patterning selected for the Building are deliberately selected to incorporate the Property's context of residential rowhouses along with similarly-sized masonry structures such as 1345 South Capitol Street.

6. **Sites are designed with sustainable landscaping. (11-X DCMR § 604.7(e))**

The Project includes sustainable landscaping, including the significant urban garden courtyard discussed above and landscaping along South Capitol Street and N Street consistent with the District Department of Transportation's streetscape design guidelines. The Project also

includes sustainable elements such as green roofs and stormwater reduction strategies to meet the Green Area Ratio. Street tree species will be coordinated with the District Department of Transportation's Urban Forestry Division to ensure a diversity and durability of species as part of the greater urban tree canopy. Planting design will incorporate solar orientation and atmospheric exposure considerations to minimize maintenance. Plant selections will not include invasive species. Planting soils will include organic matter and an acceptable proportion of sand, silt and clay to promote plant growth and properly drain.

7. **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. (11-X DCMR § 604.7(f))**

The Project is designed to facilitate connectivity not only through the site but to the surrounding community. The Project includes streetscape improvements to the adjacent components of South Capitol and N Street to enhance the pedestrian experience and increase mobility. The development includes bicycle facilities within and adjacent to the Building.

The Project maintains the ten-foot wide east/west alley from South Capitol Street and allows for it to retain connectivity, including over the private portion of the Property. The Project also incorporates a north-south easement component connecting the rear portions of the adjacent rowhouses on South Capitol to the east/west alley.

C. The Applicant Satisfies the Special Exception Requirements with Regarding to Zoning Commission Review

Pursuant to 11-X DCMR Section 604.6, the Zoning Commission must find the Project meets the general special exception requirements of the Zoning Regulations. There is a two-pronged test to satisfy special exception review: (1) An applicant must demonstrate that the project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and (2) it will not affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. The Applicant meets these requirements as follows.

1. **The Proposed Design Is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps**

As made clear in the above discussions, the Project is in harmony with the general purpose and intent of the Zoning Regulations and the Zoning Map applicable to the Property. Broadly, the CG-2 Zone District permits a broad mix of residential, commercial, and other uses, including multiple dwelling residential buildings.

Aside from the flexibility requested for rear yard, South Capitol Street setback, and court requirements, the Project will meet all applicable CG-2 development standards. Most notably, the Project is within the 110-foot height limit, the 7.2 FAR limit and, at approximately 70% lot occupancy, is well below the 90% lot occupancy allowed in the CG-2 Zone District. The Building's proposed roof structure, including habitable space, is compliant with all zoning requirements relating to roof structures, including setbacks, heights and enclosures such that it, too, will be in harmony with the purpose and intent of the Zoning Regulations.

The Project's flexibility from the rear yard, setback and court requirements is what allows the Project to accommodate the available density within a building envelope that is deliberately crafted to fit on this site, in this specific neighborhood context. The Project's rear yard and court flexibility reflects a design that sites the Building appropriately in relation to the surrounding structures. While the Project will not provide the fully required rear yard, when considered with the rear landscaped courtyard, significant open space is provided at the rear of the Building. Moreover, the rear of the Property abuts Syphax Village's open yard and parking areas, resulting in ample open space behind the Project. The non-compliant court in the interior of the Property results from setting the Building back from the South Capitol-facing rowhouses while still providing the degree of housing that this site allows. Similarly, the Project's relief from the South Capitol setbacks for the balconies is carefully crafted to require the minimum flexibility required while still providing an architectural and functional enhancement to the Building additive to the Building's dynamic facades and not deleterious to the viewsheds along South Capitol. Accordingly, the rear yard, court and South Capitol setback flexibility will not tend to adversely affect the use of neighboring property and will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

## **2. The Proposed Building Will Not Affect Adversely the Use of Neighboring Property in Accordance with the Zoning Regulations and Zoning Map**

The Project will maintain the scale and density of the surrounding buildings and will fit appropriately into that context. The property to the south of the Building – 1345 South Capitol Street, SW – was the subject of a Planned Unit Development under Z.C. Order No. 06-41 and is of a similar height and density to the Project. Immediately to the east across South Capitol is the Nationals Ballpark. To the northeast is another tall, mixed-use building, similar to those framing South Capitol Street to the north and south. To the west and immediate north are lower-scale residential, institutional, and commercial buildings. The Project is in keeping with the scale of density and height of the surrounding buildings along South Capitol Street and fits appropriately into that context.

The Applicant has coordinated with the neighboring residents and surrounding community and will continue to do so, ultimately thoughtfully designing the Building to minimize adverse impacts on adjacent properties and incorporating features of those properties to underscore the complementary nature of the structures. Similarly, the Building maintains open spaces around the rowhouses along South Capitol Street while honing a building form and materiality that integrates the Building into its immediately surrounding neighborhood. These features will combine to produce a development that will be an asset to the neighboring community.

## **VII. The Project Requests Flexibility from the Rear Yard, Court, and South Capitol Setback Requirements**

The Applicant seeks flexibility pursuant to 11-X DCMR § 603.1 for the rear yard (under Subtitle K, Section 502.7), court (under Subtitle K, Section 502.9), and South Capitol Street setback (under Subtitle K, Section 510.1(b)(1)) requirements of the Zoning Regulations. Section 603.1 of Subtitle X gives the Commission authority to grant relief from setback and court requirements to allow a project to further the Design Review standards. The Project's relief from the rear yard setback requirement, the court requirement, and the South Capitol setback requirement allow the Building to be highly articulated, efficient, and fit appropriately within the uniquely shaped site and accommodate the preservation and compatibility drivers so fundamental to the Building design.

### **Rear Yard Flexibility**

Pursuant to Subtitle K, Section 502.7, the CG-2 Zone requires a 15-foot rear yard. The southern portion of the Building complies with the rear yard requirement by providing a 15-foot rear yard, except for those points where balconies have been introduced on the rear, which have a depth of 11 feet and would require flexibility, as shown on Page 12 of Exhibit F. Further, the lot narrows at the northern portion and the Project abuts an alley. In order to capture enough area to create sufficiently-sized units on a double-loaded corridor in this northern portion of the Building, the Project requires rear yard flexibility at such location. As shown on Page 12 of Exhibit F, at this location, the Building is located 7 feet, 2.5 inches from the rear lot line (and, where balconies exist on this portion of the façade, 3 feet, 2.5 inches from the rear lot line), but is at least 15 feet from the center line of the alley for the vast majority of the westernmost portion of the rear face (and, where balconies exist on this portion of the façade, 11 feet from the alley center line line). This alley space acts to provide additional open space relief at the rear of the Building. In fact, under the 1958 Zoning Regulations, the CG/C-2-C Zone District, the predecessor to the CG-2 Zone District, permitted the incorporation of one half of the width of an alley into rear yard calculations. Therefore, there is a sufficient buffer between the rear of the Building and other properties to the west. As mentioned above, there is a large degree of open space, both green space and parking area on the adjacent property to the rear of the Property owned by Syphax Village. Additionally, this rear façade is highly detailed and articulated, as though it was a street-facing façade, with design components intended to reduce the perception of mass, as shown on Pages 16, 23, and 24 of Exhibit F.

### **Court Flexibility**

Pursuant to Subtitle K, Section 502.9, the CG-2 Zone requires an open court of four (4) inches per foot of height. Based on the 110-foot building height adjacent to Court 1, a court of 36 feet, 8 inches is required; however, as shown on Page 12 of Exhibit F, a court of 28 feet, 8 inches is provided. The court's shape and size are dictated by the unique shape of the Property and the lot lines of the adjacent properties, particularly those along South Capitol Street. However, the court, particularly when added to the rear portions of the adjacent lots fronting on South Capitol Street, would provide more than a sufficient court width considered together. This open court results from the Building's significant setback from the South Capitol rowhouses in part due to a development agreement between the Applicant and SWNA. As designed, the court

allows more than sufficient light and air for all units fronting on this open space in the Project while also providing for the full articulation of the adjacent façade, all while maintaining the neighboring properties' light and air.

### South Capitol Setback Flexibility

Pursuant to Subtitle K, Section 510.1(b)(1), the Capitol Gateway zones require a 15-foot setback along the South Capitol Street frontage. While the inset façade of the Building complies with that setback requirement, the Building's façade closest to South Capitol Street includes balconies beginning on the third level that project up to four (4) feet into the 15-foot setback zone. These canopies and balconies are an essential part of the articulation of the South Capitol façade and the balconies also provide important outdoor private space for residents. The Building includes balconies on all sides. The South Capitol balconies are designed to be largely transparent, which minimizes their visual impact in the setback area. Such balcony projections are in accordance with the relief approved for the 1345 South Capitol Street building immediately to the south of the Property by Z.C. Order No. 06-41. The Project's design incorporates a similar design detail which allows for the balconies themselves to act as a unifying design theme along this street frontage while still honoring the South Capitol viewshed.

The Project also incorporates walk-out patios and related brick walls that provide buffered front yards for the new "townhouse units" along the Building's South Capitol façade. Although these elements will be constructed into the South Capitol Street setback area (and only on private property), they will not in any way impede the vistas along South Capitol Street and, in fact, these will act to improve the aesthetics and visual interest along the ground level of the Property. These components will consist of patios that will extend approximately 10 feet, 4 inches into the 15-foot setback area and brick entry walls that will extend approximately 4 feet, 8 inches into the 15-foot setback area. These components will allow for the creation of protected tree pits on the private property that will provide a double row of trees along South Capitol Street, further enhancing the scenic vistas this boulevard provides.

Note that the Project proposes a canopy adjacent to the main building entrance that complies with the 15-foot setback requirement.

### **VIII. Exhibits**

The following exhibits are attached to this submission:

- Exhibit A:** Application Form
- Exhibit B:** Agent Authorization Letter
- Exhibit C:** Property Owner List
- Exhibit D:** Certificate of Notice
- Exhibit E:** Office of the Surveyor Plat

**Exhibit F:** Architectural Plans, Sections, Elevations, and Renderings/View Analyses;  
Photographs of the Property

**IX. Conclusion**

For the foregoing reasons, the Applicant asks that the Commission approve this development per the CG-2 Zone District requirements for a building fronting on South Capitol Street. It also asks that the Commission approve its request for flexibility from the rear yard, court, and South Capitol setback requirements. We look forward to presenting this application to the Commission at the public hearing on this matter and appreciate your time reviewing this application.

Respectfully,

\_\_\_\_\_/s/  
Jeff C. Utz

\_\_\_\_\_/s/  
Meghan Hottel-Cox