

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JL for* Jennifer Steingasser, Deputy Director
DATE: February 27, 2015
SUBJECT: Setdown Report for ZC #05-38B, Marina View
Modification of an Approved PUD and Related Map Amendment

I. SUMMARY RECOMMENDATION

Mill Creek Residential Trust, LLC has submitted an application for a modification to an approved Planned Unit Development (PUD) (#05-38A) in order to construct two residential buildings on a site together with two existing residential towers. The application would retain the approved PUD-related C-3-C zone, but would reduce the approved height, density, number of units, lot occupancy and vehicular parking. The proposal would also modify the architecture of the two new proposed buildings. The application also requests two areas of zoning flexibility. The new buildings would be mostly residential with one retail bay at the corner of M and 6th Streets. The proposed development is not inconsistent with the Comprehensive Plan, and the Office of Planning, therefore, recommends that the PUD modification be set down for public hearing.

II. APPLICATION-IN-BRIEF

Location: East side of 6th Street, SW between M and K Streets. Ward 6, ANC 6D.

Applicant: Mill Creek Residential Trust, LLC

Current Zoning: PUD-related zone of C-3-C

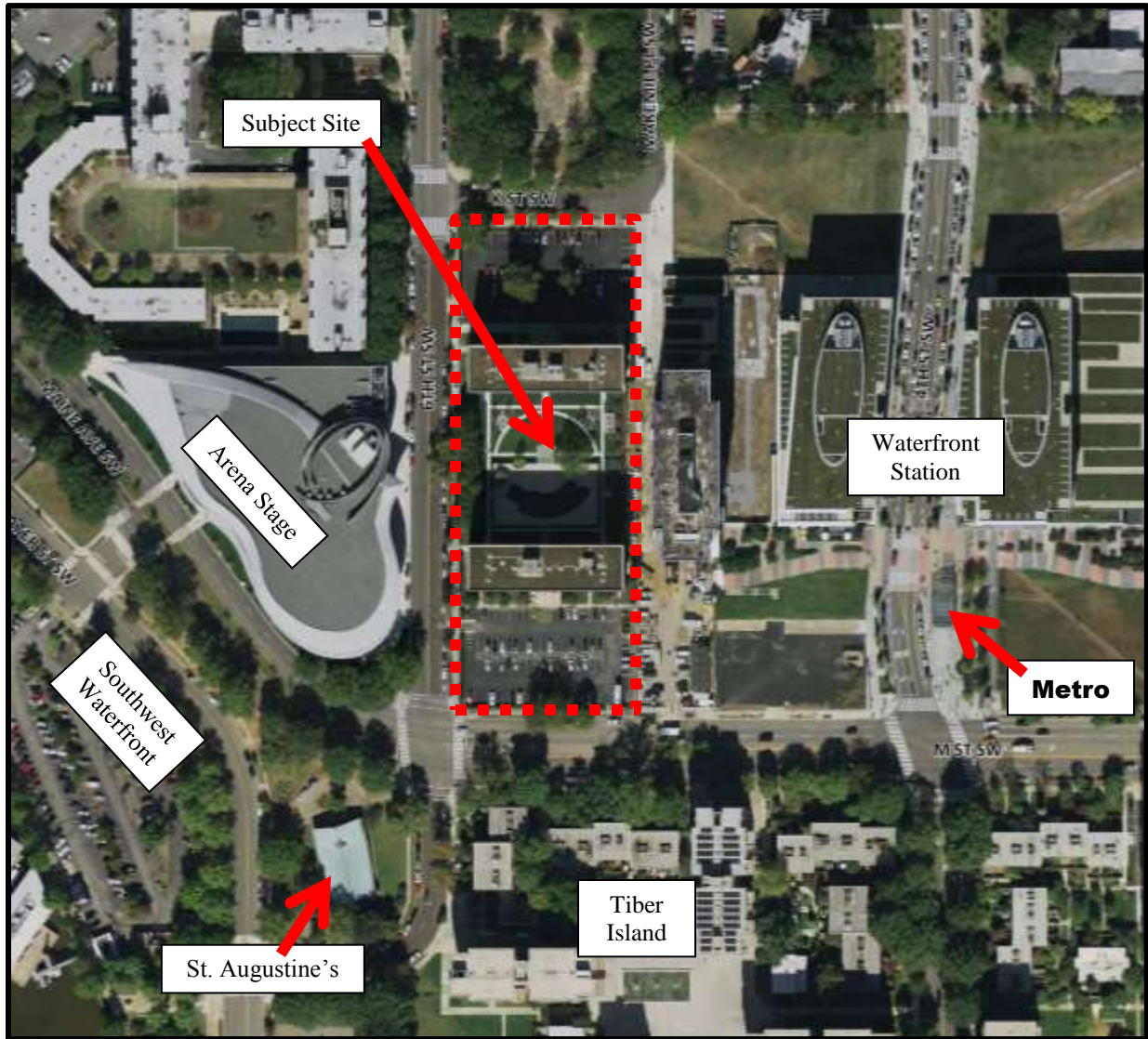
Property Size: 135,262 sf (3.1 acres)

Proposal: As previously approved, add two buildings to the existing Marina View complex. However, modify the approved PUD to reduce the approved height, FAR and number of units in the new construction. Maintain the PUD-related C-3-C zoning. Currently proposed height of 85 feet, FAR of 3.40 and 260 new units (516 total).

Requested Flexibility: In conjunction with the PUD modification, the applicant is seeking the following flexibility:

1. Grouping of Compact Spaces (§ 2115.4); and
2. Loading (§ 2200).

III. SITE AND AREA DESCRIPTION



2013 Aerial Photo

The subject site is located on the east side of 6th Street, SW, between M and K Streets. The site has two existing 90' tall I.M. Pei-designed towers around a central courtyard. The courtyard is roughly half landscaping and half hardscaping with a pool for the residents. The surface parking lots at the north and south ends of the site are the locations for the two proposed new towers. There are three existing curb cuts on the site – one to the southern parking lot from 6th Street, and one from 6th Street and one from K Street into the north parking lot.

The site is bordered on the east by the Waterfront Station property (ZC #02-38A), including a private alley, part of Waterfront Station, immediately adjacent to the subject site. Waterfront station includes an existing 130' tall residential tower on the east side of the private alley, and an

approved but unbuilt office building along M Street that would be 127' tall. The Waterfront metro entrance is on the west side of 4th Street, one block from the subject site. To the northeast of the subject site a residential building, recently given second-stage PUD approval by the Commission (#02-38D), is under construction. To the north is the Town Center West Park, with a pond and seating areas. Across 6th Street is a 90' tall residential building to the northwest and Arena Stage directly to the west. The Wharf PUD (#11-03) is to the west and southwest, including the St. Augustine's church site which is being redeveloped with a new church and residential building. Tiber Island is across M Street to the south, and includes both townhouses and 90' tall buildings.

IV. PROJECT DESCRIPTION

Approved PUD

The approved project consisted of two new towers, each at 112' tall, with one north and one south of the I.M. Pei towers. Please see a copy of the approved plans at Exhibit C of the applicant's December 22, 2014 submission. The new buildings, while generally rectilinear along M and K Streets and their corners with 6th Street and the alley, had a curvilinear expression on the courtyards facing the Pei towers. The buildings tapered from a narrow profile on 6th Street to a wider body mid-block, with a minimum dimension between the new construction and the Pei towers of 56'. The approved PUD would have maintained the curb cuts on 6th Street and used them to access the underground garages. The approved project also contemplated significant changes to the central courtyard between the Pei buildings with the addition of an amenities building and restoration of the landscape to a configuration more similar to its original intent. 05-38 would also have included retail along the entire M Street ground floor frontage.

Proposed Modification

Overall Design

The modified proposal would maintain the basic program of the original, with two buildings of mostly residential as well as a relatively small amount of retail. The proposed buildings, however, would be smaller than the approved ones, as shown in the table below. For further detail please refer to the table in section VII of this report, Zoning.

Feature	Approved	Proposed
Height	112'	85'
FAR	4.39	3.40
Number of Units	580 (256 existing +324 new)	516 (256 existing + 260 new)
Parking	569 total spaces	290 total spaces

The new buildings would be five feet shorter than the Pei buildings. The section drawing through the entire development on Sheet A-20 provides a useful image of the building heights, as do the renderings on Sheets G-02 and 03 at the beginning of the plan set. Like in the original

design, the buildings proposed in this modification would be more narrow on 6th Street and would flare out toward the interior of the site. In preliminary discussions with the applicant, OP stated a desire to have that architectural feature be more prominent, more like the original PUD. Such a design treatment would provide an extra sense of openness next to the Pei buildings with a greater expression of landscape along 6th Street. A wider opening could also provide more room for the vest-pocket parks, which would be an enjoyable amenity for building residents. OP has asked the applicant to demonstrate that the plantings in the pocket parks would have enough soil depth for healthy growth.

Ground Floor Residential Units

The buildings would have a significant number of residential units on the ground floor with access directly to the street. This feature provides a great way to activate and put eyes on the street. Sheet L-11 shows how ground floor façade, and therefore the units themselves, will be set back from the sidewalk. This distance could provide the sense of privacy and separation needed to make ground level units work, but additional detail should be provided that shows the landscaping and architecture of those areas of the ground floor. OP has advised the applicant to submit detailed renderings or elevations of the ground floor in advance of a public hearing. Rendering G-02 should also be revised to show residential units at the east end of the M Street building rather than retail spaces.

Roof Plan

The rooftop plan, Sheet A-29b, is unclear and should be revised to better explain different roof heights, the number and height of rooftop structures, and the location of green roof. It appears from section drawings that the rooftop structures are ten feet tall and would comply with the 1-to-1 setback, but it also appears that flexibility is required for multiple rooftop structures. It should also be clarified whether residential units would have access to the “Lower Roof”.

Materials

The building materials are listed on Sheet A-18c of the plan set and include a mix of cementitious panels, metal panels, composite metal panels, and metal louvers. The overall impression on M Street and rounding the corners onto 6th is of a white frame encapsulating a darker amalgam of metal and glass. The white frame drops away where the building steps back slightly from 6th Street. At the ground levels the building is set back and the white columns seem to support the mass of the upper stories, which is reminiscent of the Pei buildings. See Sheets A-16 through A-19b and G-02 and 03. The applicant should provide photographic examples of the materials proposed, as well as elevations of the east sides of the buildings, which, at least for the M Street building, would be highly visible from the street.

In the application flexibility is requested to vary the materials as long as the quality of the materials is the same. Such language, while it has become standard, may not provide enough control over materials once a project reaches the building permit stage. If the application is

approved, OP will work with OAG and DCRA to craft language for the Order that allows necessary flexibility for developers while also assuring a high quality of design as expected in the PUD process.

Green Features

No information is provided as to how this project would rate on a LEED rating scale, a useful tool to evaluate the sustainability of a project. The should be provided prior to a public hearing. Also, Section H of Exhibit H of the application implies that a green roof is provided, but as noted above, the plans give no information about a green roof.

Transportation

The subject site is highly transit accessible, at its closest being located only one block from the Waterfront metro. This location is also highly bikeable, and a bikeshare station is located near the intersection of 4th and M. The garage plans show significant bicycle parking, and the application should summarize the total amount of bike parking and where it is located, as well as any other biking amenities that the buildings might include. The proffers associated with the original PUD include a commitment to provide a secure bicycle storage space for every residential unit (Exhibit A, page 8, top). The applicant should confirm the extent of the bicycle parking program.

The original PUD contained commitments to basic TDM measures; the applicant should consult with DDOT to determine if additional or updated TDM measures are necessary. The proposal would utilize the alley for all parking and loading access, which would be a significant improvement for the pedestrian environment on 6th and K Streets where curb cuts currently exist. Because all traffic is going onto the alley, and because at present the alley only exits to the north, the applicant should consult with DDOT about the potential need for a transportation study. All vehicles would exit onto K Street and Makemie Place. Those streets' intersections with 6th and Eye Streets, respectively, are both controlled only by a single stop sign. DDOT should weigh in on the distribution of trips in the transportation network. Finally, the applicant should confirm that they are permitted to use the private alley on the adjacent property to the east.

Inclusionary Zoning

The original PUD included a proffer of 11,500 square feet of workforce units. The current applicant should, at a minimum, comply with current IZ regulations.

V. COMPREHENSIVE PLAN POLICIES

The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

1. Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. (§ 217.1)
6. Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. (§ 217.6)
7. Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. (§ 217.7)
8. The residential character of neighborhoods must be protected, maintained and improved. Many District neighborhoods possess social, economic, historic, and physical qualities that make them unique and desirable places in which to live. These qualities can lead to development and redevelopment pressures that threaten the very qualities that make the neighborhoods attractive. These pressures must be controlled through zoning and other means to ensure that neighborhood character is preserved and enhanced. (§ 218.1)
11. The District of Columbia contains many buildings and sites that contribute to its identity. Protecting historic resources through preservation laws and other programs is essential to retain the heritage that defines and distinguishes the city... (§ 218.4)
13. Enhanced public safety is one of the District's highest priorities and is vital to the health of our neighborhoods. The District must continue to improve safety and security... (§ 218.6)
27. Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs. (§ 220.3)

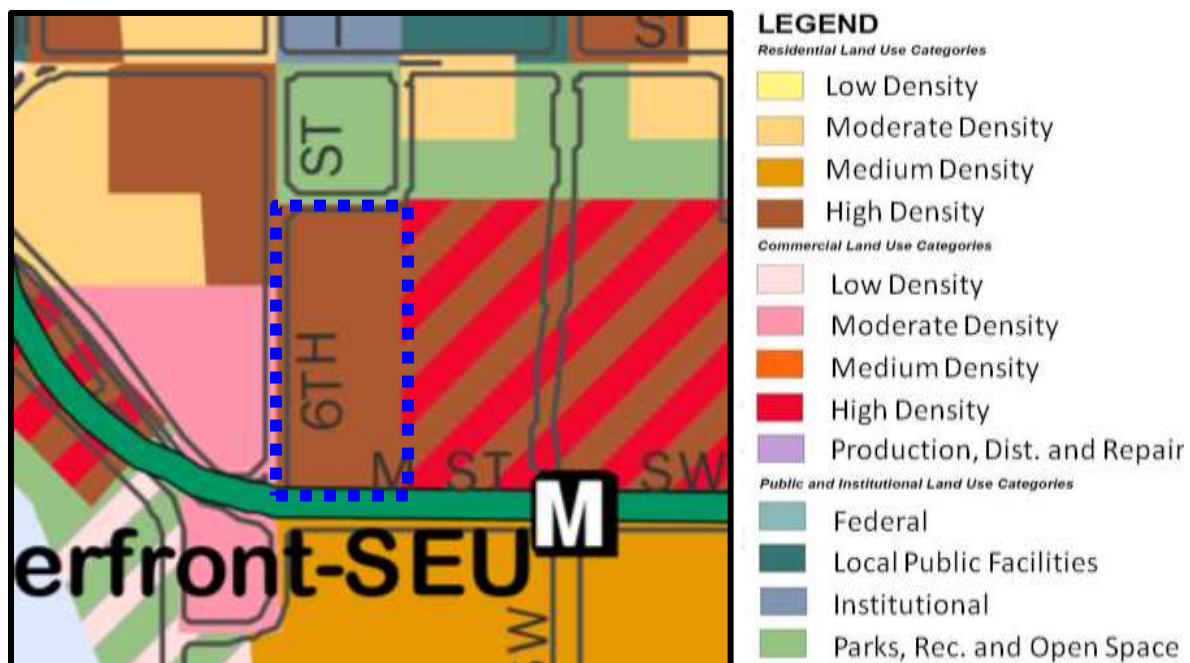
The application is also consistent with major policies from various elements of the Comprehensive Plan. The Land Use Element encourages infill development and development near metro stations (Policies LU-1.3.1 and LU-1.3.2). The project would provide increased residential density near the Waterfront metro station. The Transportation Element supports transit-oriented development and discourages auto-oriented uses (T-1.1.4 and T-1.2.3). The proposed development would concentrate housing within walking distance of Metro and improve the streetscape to encourage walking. The project would also eliminate three curb cuts and use the alley for all parking and loading access. The Lower Anacostia Waterfront / Near Southwest Area Element encourages the improvement of M Street as a "graciously landscaped" urban

boulevard (Policy AW-1.1.9), which this project would help achieve. That element also encourages increased walkability in the neighborhood through the elimination of surface parking lots and the overall improvement of the pedestrian environment.

VI. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan’s Generalized Policy Map describes the subject site as a Neighborhood Conservation Area. Neighborhood Conservation Areas are primarily residential in nature and have very little vacant land. Where infill development occurs, however, it should be modest in scale, and major changes in density are not expected (Comprehensive Plan, § 223.4). The Plan notes that in Neighborhood Conservation Areas, “...new development and alterations should be compatible with the existing scale and architectural character of each area [and that] Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map” (ibid, § 223.5).

The Future Land Use Map (FLUM) indicates that the site is appropriate for high density residential uses. The Comprehensive Plan states that “This designation is used to define neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use...The corresponding Zone districts are generally R-5-D and R-5-E, although other zones may apply” (ibid, § 225.6). The scale of the proposed buildings would not be inconsistent with this designation. The approved commercial zoning would also allow the proposed retail at the corner of 6th and M, and while this particular parcel is planned for residential, a commercial use at an important corner on a major corridor two blocks from metro is not inconsistent with the overall guidance of the Comprehensive Plan to create complete, active and walkable communities. Maintaining the approved C-3-C zoning, therefore, is not inconsistent with these designations. Please refer to the excerpt of the FLUM below.



VII. ZONING

The site is has a PUD-related zone of C-3-C, which the current application would maintain. The proposal would comply with almost all parameters of the C-3-C PUD zoning, as noted in the table below.

Item	C-3-C PUD	Approved	Proposed
Height	130'	112'	85'
Lot Area	135,263 sf (existing)	135,263 sf	135,263 sf
FAR	8.0	4.39	3.40
Floor Area	1,082,104 sf total	584,905 sf res. and other <u>8,900 sf retail</u> 593,805 sf total	432,235 sf residential 5,220 sf retail <u>11,590 sf other</u> 449,045 sf total
Lot Occ.	No limit	51%	42%
Rear Yard	12' min. or 2.5" per ft of height = 17'	Court-in-lieu 56' wide	56'8"
Side Yard	None required; If provided 6' min. or 2" per ft of height = 14'2"	None	17'
Dwelling Units	n/a	580 (256 existing + 324 new)	516 (256 existing + 260 new)
Retail	n/a	8,900 sf	5,200 sf
Parking	Res: 1 per 3 d.u. = 172 Com: 1 per 750 sf over 3,000 sf = 3 = 175 total required	556 res. 8 com. 5 car-share = 569 total	277 res. 8 com. 5 car-share = 290 total
Loading	For each new building: 1 55' berth 1 200 sf platform 1 20 foot delivery	3 30' berths 1 1,100 sf platform 1 600 sf platform	2 30' berths 2 200 sf platforms (flexibility requested)

The original PUD approval granted flexibility from loading provisions and building lot control. The current proposal would require flexibility from the concentration requirement of compact spaces and from the loading standards. OP has also asked the applicant to confirm whether or not rooftop structure relief is necessary. A summary of each area of the requested relief is given below and OP will provide a complete analysis of the relief at the time of a public hearing.

1. Grouping of Compact Spaces (§ 2115.4)

This section requires that compact parking spaces be grouped into clusters of no less than five spaces. Given the design of the garage, however, compact spaces would be grouped in various configurations of less than five spaces.

2. Loading (§ 2200)

Both new buildings would be required to provide one 55-foot berth, one 200 square foot platform and one 20 foot delivery space. The proposal would provide one 30-foot berth and one 200 square foot platform for each building. Prior to a public hearing, it should be clarified how the Pei towers load. And, although loading is not required for the retail space, information should be provided about how the retail would load and handle trash.

VIII. PURPOSE AND EVALUATION STANDARDS OF A PUD

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “designed to encourage high quality developments that provide public benefits.” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

The application exceeds the minimum site area requirements of Section 2401.1(c) to request a PUD. The applicant is requesting a modification of an approved PUD and related map amendment. The PUD standards state that the “impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project” (§2403.3). Based on comments to be supplied by referral agencies, OP will provide at the time of the public hearing an analysis of the project’s impact on city services.

IX. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 – 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that “the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” Sections 2403.9 and 2403.10 state that a project must be acceptable in all the listed proffer categories, and must be superior in many. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...” (§2403.12).

Page 3 of the Applicant’s written statement indicates that the amenities would remain the same as the original application. Should the project be set down for a hearing, OP will work with the applicant to be sure that the package of benefits is up to date. For example, the original PUD

proffered \$17,000 each to Bowen Elementary School and Amidon Elementary School. Since that time, those schools have merged and the list of amenities should be amended accordingly. The following is a summary of the benefits listed in the Order for 05-38, found beginning on page 6 of the application's Exhibit A, some of which may be considered amenity items. OP considers the list adequate for setdown, given that the proposed project is smaller in scale than that which was approved.

1. *Housing and Affordable Housing* – The current application would provide 260 new units. The original application committed to provide 11,500 square feet of “workforce” housing. That would equal 5.4% of the total new residential floor area. The present applicant should, at a minimum, provide inclusionary units in conformance with the IZ regulations.
2. *Preservation of Existing Development* – The applicant will preserve the existing I.M. Pei towers and the central plaza in its current condition.
3. *Urban Design, Architecture, Landscaping and Site Planning and Efficient and Economical Land Uses* – The buildings would help frame the street corridors while maintaining open space at the middle of the site. The project would also provide internal pocket parks for use by project residents.
4. *Effective and Safe Access and Transportation Management* – The present application would improve upon the original by eliminating all curb cuts and using the alley for all vehicular and loading access. The design would greatly improve the pedestrian environment through wider sidewalks and by replacing surface parking lots next to sidewalks with retail and residential uses. The application also included basic transportation demand management efforts. OP encourages the applicant to work with DDOT to study whether additional or updated TDM measures would be necessary.
5. *Uses of Special Value* – Including rental or purchase discounts to existing tenants; expanded workforce housing; Contributions to local schools; Contribution to Friends of the Southwest Library; Study of park renovation.
6. *First Source and LSDBE Commitment*

X. AGENCY REFERRALS

If this application is set down for a public hearing, the Office of Planning will refer it to the following government agencies for review and comment:

- Department of the Environment (DDOE);
- Department of Transportation (DDOT);
- Department of Employment Services (DOES);
- Department of Parks and Recreation (DPR);

- Department of Public Works (DPW);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- DC Water.

JS/mrj