

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director

DATE: May 18, 2015

SUBJECT: **Public Hearing Report for ZC #06-46B**
Square 701 Half Street
Modification to an Approved Design Review Under the Capitol Gateway Overlay

I. SUMMARY AND RECOMMENDATION

This application seeks a modification of an approved design review under the Capitol Gateway Overlay, located just north of the ballpark on the east side of Half Street. The original project was approved by the Commission on February 12, 2007, and included an office building at M Street – which has since been constructed – a hotel, and two residential buildings, all with ground floor retail. The present owner seeks to modify the design of the southern portion of the project, from a private alley south to N Street.

The application successfully addresses many of the criteria of the Capitol Gateway Overlay and the Office of Planning (OP) strongly supports the project. OP has requested additional information as described in this report, and pending resolution of those issues would have no objection to the overall application. OP also supports the requested zoning relief.

II. APPLICATION-IN-BRIEF

Location	Northeast corner of N and Half Streets, SE Ward 6, ANC 6D	
Applicant	Half Street Residential PJV, LLC (Jair Lynch Development)	
Zoning	CR / CG (Commercial Residential / Capitol Gateway Overlay)	
Site Area	63,183 sf	
Proposed Development	A 110', 7.31 FAR mixed use building with residential and retail, and options for a hotel and extra second floor retail.	
	Option 1a – No hotel or extra 2 nd floor retail Residential 401,600 sf Hotel 0 sf <u>Retail 60,100 sf</u> Total 461,700 sf	Option 1b – No hotel; extra 2 nd floor retail Residential 393,700 sf Hotel 0 sf <u>Retail 68,000 sf</u> Total 461,700 sf

	Option 2a – Hotel; no extra 2 nd floor retail Residential 326,500 sf Hotel 75,100 sf <u>Retail 60,100 sf</u> Total 461,700 sf	Option 2b – Hotel and extra 2 nd floor retail Residential 318,600 sf Hotel 75,100 sf <u>Retail 68,000 sf</u> Total 461,700 sf
Relief	No new relief is required pursuant to this modification. <ul style="list-style-type: none"> - The proposed plans are consistent with relief previously approved for: <ul style="list-style-type: none"> o Loading (§ 2201, provide 1 55' berth where 2 are required); and o Half Street setback (§ 1607.2, setback at 80' instead of 65'). - The proposed plans reduce the extent of relief previously approved for: <ul style="list-style-type: none"> o Roof structure setback (§ 630.4, 0' setback from court, multiple rooftop structures). - The proposed plans no longer require relief previously approved for: <ul style="list-style-type: none"> o Ground-floor preferred uses (§ 1607.3); o Half Street preferred use frontage (§ 1607.4); and o Minimum ground-floor floor to ceiling height (§ 1607.5). 	

III. SITE AND AREA DESCRIPTION

The subject property is located at the northeast corner of Half and N Streets, SE, directly across N Street from the ballpark. The subject site is partially vacant; a portion of the underground parking garage was built during construction of the office building to the north, which was part of the original case 06-46. The remainder of the site was excavated, but left vacant. The property is bound on the south by N Street, on the west by Half Street, and on the north by the aforementioned office building. Cushing Place forms much of the eastern property boundary, but that right-of-way terminates without intersecting N Street. In that location the property abuts the lot to the east where a hotel was recently constructed (ZC #12-19).

Across Cushing Place from the subject site will be a mixed use development that recently started construction (ZC #12-05). That project will include residential, hotel, office and ground floor retail, with a maximum height of 130'. To the north is the 55 M Street office building, which is part of the original 06-46 application and which has a height of 110'. The Half Street entrance to the Navy Yard metro station is under that building. Across Half Street is a site which was approved for mixed use development (ZC #08-30) but never built. The site currently houses "The Fairgrounds", which is open for entertainment on game days. The surrounding neighborhood also includes a mix of residential, office, hotel and retail development.

IV. PROJECT DESCRIPTION

The application proposes to modify the architecture approved in the residential and hotel portions of ZC #06-46. ZC #06-46 included an office building at M Street bounded by a private alley on the south which connected Half Street and Cushing Place. The office building has been constructed. South of the alley, known as Monument Place, the original application contained a

hotel, two residential buildings, and ground floor retail. The present application maintains the residential uses, and requests flexibility to possibly provide a hotel. The total floor area would be very similar, but retail floor area would be increased due to a large second story retail space. The application also proposes changes to the massing on the upper levels of the east side of the building, but general maintenance of the approved building form on Half Street. See Sheets X1 through X4 for comparisons of the floor plans. The most obvious change from the approved application would be the skin of the building; The current application proposes a different color scheme and material palette.

The following table summarizes some of the modifications proposed in 06-46B, and which items would remain the same.

Item	Approved	Proposed
Height	110'	No change
Site Area	67,856 sf	No change
FAR	6.82	6.80
Total Floor Area	462,790 sf	461,700 sf
Residential Floor Area	320,100 sf	401,600*
Residential Units	330	350 - 445
Hotel Floor Area	105,560 sf	75,100 sf**
Hotel Rooms	190	80 to 128
Retail floor area	37,130 sf	60,100 sf***
Optional retail floor area	n/a	7,900**
Half Street Stepback	12' stepback at 80' in height	No change
Parking Spaces	231	231

* Maximum residential floor area with no hotel and no retail option on second floor.

** Residential floor area would be reduced by an equal amount if hotel or retail options are pursued.

*** Baseline retail floor area without second floor option.

Overall Building Design

The proposed building would have retail in every portion of the ground floor not used for lobbies or back-of-house space. See Sheet A2 of the plan set. Retail would line all of Half Street, with the exception of one residential lobby and the lobby for the large second floor retail space at the northern corner of the site. OP recommends that this entrance be moved south or east to allow a more active use to enliven the corner and complement the retail space across Monument Place to the north. N Street would also have 100% retail frontage except for a residential lobby. Here Cushing Place extends via public access easement under the proposed building to connect with N Street. Monument Place would have a "Courtesy Lobby" to allow users of the parking garage below to reach the surface. This space would also act as the hotel lobby if the applicant pursues

a hotel option. In the application materials, the hotel is variously described as being 80, 101 and 128 rooms. The applicant should clarify the scope of the hotel use.

The second story would have a large retail space at the northern end, residential amenity and leasing space in the middle, and second story retail at the corner of Half and N. The southern bar of the building, along N Street, is proposed for either retail or residential. On upper floors the building would have an “E” shape, with hotel possibly occupying the northernmost bar. Two separate residential “buildings” would split most of the rest of the space. On floor three a double-height retail space would continue the retail space at the corner of Half and N. That area can be seen in plan on Sheet A3 and in section on A8. (Note that all references to architectural drawings refer to the Updated Architectural Plans and Renderings, Exhibit 7A.) Above the seventh floor the building would step back 12 feet from Half Street. Numerous balconies would be included in the design, which, together with outdoor retail space, would add to the vitality of surrounding streets.

On the roof the design proposes a pool for one of the residential buildings, and a feature described by the applicant as an architectural embellishment at the southwest corner of the building. The feature can be seen in renderings on Sheets A10 – A13.

Parking, Transportation and Open Space

The parking below the northern end of the site was constructed when the office building was built. Although it is beneath this building, vehicles will only access that area from the parking entrance under the office building. All retail parking for the entire 06-46 project would be in the northern portion of the garage. The southern portion, to be built by the present applicant, would house only residential and hotel parking, and would be accessed from Cushing Place. That portion of the garage would have 231 spaces, when vault spaces are included. The applicant should clarify on the plans where in the garage bike parking is located and how many spaces are provided.

According to the traffic study, Exhibit 7B, a hotel drop-off area is contemplated: “Under the hotel option, a circular driveway is contemplated off of Cushing Place to provide a short-term drop-off/pick-up area for hotel guests” (Transportation Study, p. 35). The transportation study, in Figure 16A, also includes a floor plan showing the drop off area. This plan should be incorporated into the main plan set, and the applicant should calculate how the change would impact the amount of ground floor preferred uses.

Most open spaces around the building are located in public space, and their design will be finalized in consultation with DDOT. Monument Place, however, is part of the subject property, and will be designed and maintained by the applicant. The proposed design, shown on Sheet L2 of Exhibit 7A, contemplates outdoor seating and catenary and pole lights. The paving materials are not identified. Some planting areas are also proposed. Additional detail on the plan view and a rendering of Monument Place would help the evaluation of the design and provide a better sense of the materials proposed.

Summary

OP is very supportive of the overall design of the proposal, although clarification and further details should be submitted. The Capitol Gateway Overlay, as described in additional detail later in this report, seeks to create an active pedestrian and transit-oriented environment and a vibrant entertainment district, especially in the area north of the ballpark. This project should help achieve those aims with a cohesive pedestrian environment with all parking and loading concentrated on Cushing Place. The abundance of retail, the open-air retail on the upper levels at Half and N, and the many residential balconies would help activate the area.

V. ZONING

The subject site is zoned CR / CG (Commercial-Residential / Capitol Gateway Overlay). The CR district is designed to “help create major new residential and mixed use areas in planned locations at appropriate densities, heights and mixture of uses” (600.3(a)). The Capitol Gateway Overlay is intended to encourage a mix of uses while creating a pedestrian-friendly environment.

The applicant’s proposal requires relief from penthouse setback requirements, though the degree of relief is much less than what was previously approved. That special exception is reviewed below. The design would also maintain areas of relief previously granted by the Commission, including the Half Street stepback and loading. The Half Street stepback was approved by special exception to be 12 feet deep at a height of 80 feet, as permissible under § 1607.2. Loading will be provided exactly as proposed under 06-46, and as described in the following table.

Item	Required			Provided
	Retail	Residential	TOTAL	
55 foot berth	1	1	2	1
30 foot berth	1	n/a	1	3
20 foot delivery space	1	1	2	2
100 square foot platform	1	n/a	1	Although Sheet A2 does not call out loading platforms, there is enough room for the required platforms.
200 square foot platform	1	1	2	

1. Special exception from penthouse requirements (§ 630.4)

The application requests relief from the setback of the southernmost elevator penthouse from the court wall, and for providing four rooftop structures where only three would be permitted.

The southern bar of the building is relatively narrow and the feasible locations for an elevator core are limited. It would also seem that placing the elevators toward either the front or the back of the bar would help maintain contiguous retail space on the second floor, should that option be pursued. The core, therefore, is pushed to the outside of the building envelope, in this case

against the interior courtyard. The rooftop structure would have no setback from the court wall. The reduced penthouse setback would have minimal impact on occupants of the building, and no impact on nearby properties. This design would have much less setback relief than the original plan, which had a very large penthouse lining a large percentage of the interior courtyard.

The building would have three elevator cores, which means three separate rooftop structures are permitted. In the present design, a fourth structure – an egress stair – is proposed at the eastern end of the southern wing, presumably to meet fire code. The stair and the closest other penthouse could be put inside one enclosing wall, but the result would be an overly large rooftop structure, more visible than the two proposed smaller ones. OP supports the requested areas of relief.

Lot Occupancy

In commercial zones, including CR, there is no lot occupancy limit for floors with no residential uses, or with only residential lobbies. Lot occupancy limits, which in CR is 75%, begin on the floor where residential uses begin. In this case, the ground floor would have an 83% lot occupancy, which would be permitted because it is a commercial floor. Floors three through ten would have lot occupancies of 70% or below. On the second floor the applicant proposes an unusual method of lot occupancy calculation. The second floor could have residential units along N Street, and the application “lassos” the residential part of the floor together with the open court space and uses that area as the basis of the lot occupancy calculation. See the red-dashed line on Sheet A2 for the lassoed area. The applicant has provided OP with a Zoning Administrator determination on a past development project that permitted a similar calculation. OP has asked the ZA to comment on whether that interpretation is broadly applicable and could be used in this case. It is OP’s opinion that lot occupancy should only be based on the area of the lot. Should the second story need lot occupancy relief, OP would support that relief.

VI. CRITERIA OF THE CAPITOL GATEWAY OVERLAY

The Capitol Gateway Overlay District lists a number of objectives for the overlay and provides specific criteria for the Zoning Commission review of proposed developments. The following is OP’s analysis of these standards as applied to the application.

§ 1600.2 The purposes of the CG Overlay District are to:

- (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;**

The project proposes residential and retail uses, which are appropriate in the CG Overlay. The proposed height of 110 feet and the design shown by the applicant are generally appropriate to an area near the center of the city and accessible by Metro. OP supports the style of architecture.

The massing of the building is not inconsistent with Comprehensive Plan direction for the area, nor the regulations of the overlay that govern building form.

- (b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;**

The project proposes ground floor retail, which would meet the intent of this section, and which would enhance the pedestrian experience along Half and N Streets. The retail would add to the planned entertainment and retail environment in the area near the baseball stadium. The influx of new residents would also help support local retail options. The potential hotel on the site would support the goal of the overlay to attract more visitors to the area.

- (h) Provide for the development of Half Street S.E. 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;**

Because of the residential use and concentration of ground floor retail, the proposed development would create an active pedestrian character on Half Street. The design would also meet CG Overlay guidance, in conformance with the previous approval, by stepping back the building façade at 80 feet in height. Overall, the architecture would provide an appropriate building for this section of the neighborhood.

§ 1607 Buildings, Structures and Uses on Half Street, SE, South of M Street, SE

§ 1607.1 The following provisions apply to new buildings, structures, or uses with frontage on Half S.E. south of M Street S.E., within the CG Overlay.

§ 1607.2 Any portion of a building or structure that exceeds sixty-five (65) feet in height shall provide a minimum step-back of twenty (20) feet in depth from the building line along Half Street S.E. Pursuant to § 3104, the Zoning Commission may grant relief from this requirement, to a maximum of fifteen (15) feet in height and eight (8) feet in depth, for the provision of reasonable development footprints.

The applicant proposes to maintain the same stepback approved with the original application – a 12 foot stepback at 80 feet in height.

§ 1607.3 Each new building shall devote not less than seventy-five percent (75%) of the gross floor area of the ground floor to retail, service, entertainment, or arts uses ("preferred uses") as permitted in §§ 701.1 through 701.5 and §§ 721.1 through 721.6 of this Title; provided, that the following uses shall not be permitted: automobile, laundry, drive-through accessory to any use,

gasoline service stations, and office uses (other than those accessory to the administration, maintenance, or leasing of the building).

The proposed design devotes 75.9% of the ground floor to preferred uses.

§ 1607.4 Preferred uses shall occupy 100% of the building's street frontage along Half Street S.E., except for space devoted to building entrances or required to be devoted to fire control.

Other than two building entrances, 100% of the Half Street frontage is devoted to preferred uses. As seen on Sheet A2 of the plan set, the lobby for a residential building is at the southern half of the building footprint. The entrance is slightly recessed to provide breathing room between the hustle-bustle of the street and the lobby. The entrance to the large second story retail user is at the corner of Half Street and Monument Place. OP recommends that this entrance be moved south or east to allow a more active use to enliven the corner and complement the retail space across Monument Place to the north.

§ 1607.5 The minimum floor-to-ceiling clear height for portions of the ground floor level devoted to preferred uses shall be fourteen (14) feet.

The proposed design would provide 14 foot floor-to-ceiling heights for all ground floor preferred uses.

§ 1607.6 For good cause shown, the Zoning Commission may authorize interim occupancy of the preferred use space required by § 1607.2 by non-preferred uses for up to a five (5) year period; provided, that the ground floor space is suitably designed for future occupancy by the preferred uses.

The application does not request interim uses.

§ 1607.7 No private driveway may be constructed or used from Half Street S.E. to any parking or loading berth areas in or adjacent to a building or structure constructed after February 16, 2007.

All parking and loading shall be accessed from Cushing Place.

§ 1607.8 Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 § 633 shall not apply.

Section 633, which requires ground floor public open space, is not applicable to this project.

§1610.1 The following provisions apply to properties located:

- (c) On a lot located within Squares 700 or 701, north of the Ballpark site;**
- (f) Any lot which is the recipient of density through the combined lot provisions of § 1602.**

§1610.2 With respect to those properties described in § 1610.1, all proposed uses, buildings, and structures, or any proposed exterior renovation to any existing buildings or structures that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.

§1610.3 In addition to proving that the proposed use, building, or structure meets the standards set forth in § 3104, an applicant requesting approval under this section must prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

- (a) Help achieve the objectives of the CG Overlay District as set forth in §1600.2;**

The project would help achieve the objectives of the CG Overlay. The project would add a mix of uses to the area, including ground floor retail. The height and bulk of the building would be appropriate and as prescribed by the Comprehensive Plan. The use mix would help establish Half Street as an active street with retail amenities for neighborhood residents and visitors. The development would provide adequate sidewalk width along Half and N Streets.

- (b) Help achieve the desired mixture of uses in the CG Overlay District as set forth in §§ 1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses;**

The proposal would provide residential and retail, appropriate uses in an area developing as a mixed use neighborhood with a focus on entertainment and hospitality uses. Retail is identified as a preferred use in the CG overlay.

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

The proposed development would respect and enhance the surrounding neighborhood and street patterns. The neighborhood has an emerging architectural character with some of the new buildings on M Street, 1st Street, South Capitol and the baseball stadium sharing a modern vernacular. The design of the proposed building would expand on that trend by using traditional materials in a modern way, and by incorporating active street-level retail typical of an urban entertainment area.

(d) Minimize conflict between vehicles and pedestrians;

The proposed design would minimize conflict between vehicles and pedestrians. All loading and parking would be accessed from Cushing Place, which serves as an alley for this square.

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

The building would have almost no blank walls fronting public space. The ground floor would be mostly retail with glass storefronts, residential building entrances, and retail and hotel lobbies.

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

Based on the LEED checklist provided in Exhibit C of the written statement, the building would definitely qualify for 52.5 points, the minimum amount needed to be equivalent to the Silver level. According to the checklist, 22 additional points are possible. OP asks the applicant to firmly commit to those 22 “maybe” LEED points.

§ 1610.5 With respect to a building or structure which has frontage on Half Street S.E. south of M Street S.E. or Front Street S.E. south of M Street S.E.:

(a) The building or structure shall provide for safe and active streetscapes through building articulation, landscaping, and the provision of active ground level uses including retail, entertainment, cultural, and pedestrian concourse space;

The proposed building provides active ground floor uses for its entire perimeter, save for loading and parking access areas. The abundance of ground floor retail, the open-air retail on the upper levels at Half and N, and the many residential balconies would help activate the area. The provision of an active Monument Place could provide a significant pedestrian amenity, and the concentration of loading and parking access from Cushing Place would minimize pedestrian conflicts.

(b) The building or structure shall provide for safe and convenient movement to and through the site, including to public transit, the Ballpark, and to the Anacostia River; and

This site has extremely convenient access to metro, the river and the ballpark. The site is directly across N Street from the ballpark, a matter of feet from the Half Street metro entrance, and about two blocks from the Anacostia River. The pedestrian environment contemplated by the application and supported by the proposed uses would facilitate pedestrian movement.

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

The application includes renderings showing views to and from the ballpark. Because of a number of taller buildings existing, under construction and proposed north of this site, views of the Capitol would not be possible, or would be extremely limited.

§1610.7 The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.

As described in this report, the design of the project would require relief from rooftop structure regulations, and would maintain stepback and loading relief previously approved with the original application.

VII. COMMUNITY COMMENTS

As of this writing OP has received no comments on the project from the community, but the ANC has voted to support the project.

VIII. DISTRICT AGENCY COMMENTS

As of this writing OP has received comments on the application from MPD, who has no objection to the application. Please see the MPD comments in Attachment 2.

IX. ATTACHMENTS

1. Vicinity Map
2. MPD Referral Comments

JS/mrj

ATTACHMENT 1

VICINITY MAP



Attachment 2 MPD Referral Comments



GOVERNMENT OF THE DISTRICT OF COLUMBIA
METROPOLITAN POLICE DEPARTMENT

MAY - 5 2015

Matthew R. Jesick
Development Review Specialist
D.C. Office of Planning
1100 4th Street, S.W., 6th Floor
Washington, D.C. 20024

Dear Mr. Jesick:

This is in response to the request that the Metropolitan Police Department (MPD) offer comments regarding a proposed development (Zoning Commission Case Number 06-46 (ZC 06-46). The development will be from Half Street, S.E., between M and N Streets, just north of the ballpark. The proposal modifies the architecture of the previous approval on this site, though the use of the program remains largely the same, the ground and second floor will more than likely be used as retail and possibly a hotel.

The proposal was forwarded to the First District Commander Jeff Brown, as the development would be located within the confines of the First District. Commander Brown reviewed the plans and has no objection to the proposed development.

I have also reviewed the plans and concur with Commander Brown's assessment. Thank you for the opportunity to provide comments on matters that impact the Department, as well as the service that we provide to citizens in the District of Columbia.

Sincerely,

Cathy L. Lanier
Chief of Police