

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** *JLS*  
 Jennifer Steingasser, Deputy Director  
**DATE:** January 27, 2017  
**SUBJECT:** **Public Hearing Report for ZC #10-21A**  
 88 V Street, SW – Modification of an approved Zoning Commission design review under the Capitol Gateway Zone

**I. BACKGROUND AND RECOMMENDATION**

The original design review application for this property was approved by the Commission on July 11, 2011. Since that time the property has changed hands and the new owner proposes a revised design, but with a very similar program. The Office of Planning (OP) is supportive of the revised design and can recommend approval of the application pending resolution of the remaining issues identified in this report.

**II. APPLICATION-IN-BRIEF**

**Location:** Square 667S, Lots 4,5,6 and 804 Ward 6, ANC 6D  
**Applicant:** V Street SW, LLC  
**Zoning:** CG-5 (Medium density mixed use – formerly Capitol Gateway Overlay / W-2)  
**Proposed Development:** 86’3”, 5.79 FAR mixed use building  
**Relief:** The original approval granted relief from loading requirements, penthouse setbacks, and unequal penthouse heights, as well as flexibility to height and FAR. The revised design would eliminate the need for the previously granted zoning relief, but as proposed would require relief from total penthouse height.

**III. SUMMARY OF OP COMMENTS**

OP Comment	Planning and / or Zoning Rationale
Eliminate projections into public space on 1 <sup>st</sup> Street and Half/Water Street.	It is a goal of the Comprehensive Plan and the CG zone to preserve views toward the water. Projections can increase the bulk of the building and narrow the viewshed along streets.

OP Comment	Planning and / or Zoning Rationale
Confirm that all projections meet public space regulations for setbacks, and redesign stairs to meet the Buzzard Point streetscape guidelines.	Redesign of the public space and stairs could potentially have impacts on the design of the ground floor.
The design should achieve a higher LEED score.	Environmental protection is an important goal of the Comprehensive Plan, especially in waterfront locations. The CG zone also encourages buildings with a high degree of sustainability.
Revise penthouse design to conform to the height regulation.	The penthouse can have a total height of no more than 15’.
Provide more information on the materials used at the penthouse level.	Complete information is needed for staff and the Commission to fully evaluate a project.

#### IV. SITE AND AREA DESCRIPTION

The subject property is located on the south side of V Street, SW between Half Street and 1<sup>st</sup> Streets, in the neighborhood known as Buzzard Point. Please refer to the vicinity map in Attachment 1. The property is currently vacant. It and most surrounding properties are zoned CG-5, but the property to the northwest is zoned CG-4. The abutting streets have the following right-of-way (ROW) widths:

V Street – 80’; 1<sup>st</sup> Street – 90’; Water Street (Half Street) – 60’

The property is bound on the south by the former Buzzard Point Marina, a National Park Service (NPS) property which no longer operates as a marina. The National Park Service is currently evaluating different options for redeveloping that site as waterfront parkland. The former Coast Guard Headquarters is located across 1<sup>st</sup> Street to the west; The eight story building is a likely candidate for repurposing. A Pepco power generation facility is located across V Street to the north. The wider neighborhood is characterized by industrial uses, and is beginning to be redeveloped pursuant to the CG zone. The proposed soccer stadium would be located north of T Street, two blocks north of the subject site. Ft. McNair is located along the western edge of Buzzard Point.

#### V. PROJECT DESCRIPTION

The applicant is seeking to modify the previous Zoning Commission design review approval for this site. The application is made pursuant to Subtitle K, Chapter 5, the Capitol Gateway (CG) Zone, in order to construct a residential building with ground floor retail. No PUD or rezoning approval is required.

The main entrance to the residential part of the building would be located on V Street. Additional entrances, including one directly into a residential unit, would help activate the V Street streetscape. The 110 proposed apartments would consist primarily of one- and two-

bedroom units. IZ floor area totaling approximately 6,800 square feet would be provided per the IZ and penthouse regulations. The entrance to the approximately 2,000 square foot retail area is proposed for 1<sup>st</sup> Street, though it would also be accessible from the lobby. A consolidated entrance to the parking and loading would be on 1<sup>st</sup> Street.

The shape of the proposed building is modified from the original approval, which had a semi-circular form facing south. The revised building is rectilinear, without a curving façade. The applicant states that the revised design leads to a more efficient overall layout, and more efficient unit layouts. The material palette would also be completely revised. See Sheets A-17 and A-18 of Exhibit 11A. Prominent materials include metal panel, as well as “concave architectural wall panels”, which the applicant has stated will be made of a pre-case material. The concave wall panels would contrast with convex aluminum fins on other portions of the building.

Many units would have balconies, which OP strongly supports. Three residential units would be located at the penthouse level and would have private terraces. The roof would also have a community room and communal outdoor space. The penthouse materials appear to be mostly white metal panel, but the applicant should confirm the material selections for the penthouse.

### **Projections**

As noted above, the V Street façade of the building would have several entrances. Because of the need to raise the ground floor above the flood elevation, those entrances are accessed by stairs and a ramp. The applicant should clarify that those projections into public space meet the construction code requirements for projections, which require a 12’ setback from the back of the curb for all projections, including stair handrails. The 12’ setback would also apply to below-grade parking vaults, and the applicant should confirm that the proposed parking vault would also meet the construction code. Anything less than 12’ would require a code waiver. In addition, based on a preliminary review of the plans, it appears that the design would not meet the Buzzard Point streetscape guidelines, now in effect. Those guidelines would require redesign of the stairs in order to allow for a 5’ tree box and an 8’ sidewalk. Such a redesign could potentially impact the ground floor on V Street and how it relates to the street.

The design also proposes bay projections on the three street façades of the building. OP objects to the projections on 1<sup>st</sup> and Half Streets. It is a goal of the CG zone and the Comprehensive Plan to maintain views toward the Anacostia River. Projecting building mass into the right-of-way would have the effect of narrowing the view corridor.

The general parameters of the building are shown in the table below.

Item	CG-5	Approved	Proposed	Relief
Lot Area	n/a	19,287 sf	No change	n/a
Residential Units	n/a	97 (Flex. for 75 – 110)	110	n/a
<b>FAR K § 505.3</b>	4.0 max. 4.8 max. (IZ) <b>5.8 max. (ZC Flex.) (111,865 sf)</b>	<b>5.74 (110,707 sf)</b>	<b>5.79 (111,714 sf)</b>	<b>ZC Flexibility Required</b>
<b>Height K § 505.4</b>	60' max. 80' max. (IZ) <b>90' max. (ZC Flex.)</b>	<b>84.5'</b>	<b>86'3"</b>	<b>ZC Flexibility Required</b>
<b>Penthouse Height K § 505.5</b>	<b>12', 1 story 15', 2 stories for mech.</b>	<b>18'6"</b>	<b>12' 18'6" total with mechanical</b>	<b>Required*</b>
Rooftop Structures C § 1500.9 C § 1502	Equal height of walls, 1-to-1 setback	Setbacks not 1-to-1; Various heights	Equal heights for res., equal heights for mech.; 1-to-1 setback in all locations	Now Conforming
Lot Occupancy	n/a	75% (14,465 sf)	75% (14,465 sf)	Conforming
Side Yard K § 505.6	None required If provided, 5' min.	None	None	Conforming
Rear Yard K § 505.7	12' min.	22'6" avg.	21.6' avg.	Conforming
River Setback C § 1102.1(a)	75' from bulkhead	90' approx.	Not provided	Conforming
Parking C § 701	1 per 3 dwelling units in excess of 4 dwelling units (35 spaces)	108 (including vault)	69 spaces (+ 44 vault spaces = 113 spaces)	Conforming
Loading C § 901	one 30' berth one 20' delivery space one platform	55' berth 20' delivery space (in tandem) No platform	one 30' berth one 20' space one 100 sf platform	Now Conforming

\* The applicant has stated that the penthouse could utilize the 18'6" height limit in place when the original application was approved. The Office of the Attorney General (OAG) advised OP that the penthouse would need to comply with the current standards in the Regulations.

As noted in the table, Zoning Commission flexibility, pursuant to Subtitle K §§ 505.3(c) and 505.4(c), is required in order to allow the requested FAR and height. Below are the cited regulations.

**K § 505.3(c) The Zoning Commission may grant bonus density for residential development in a building or a combined lot development, using a guideline of 1.0 FAR in excess of the normally-allowed maximum of 4.0 FAR, provided that:**

- (1) **The building or combined lot development shall include at least 2.0 FAR of residential uses;**

A total allowable FAR of 5.8 is calculated by adding the maximum matter-of-right FAR of 4.0, the IZ bonus FAR of 0.8, and the 1.0 FAR bonus granted by this subsection. Should the Commission grant the additional 0.99 FAR requested, the proposed building would have approximately 5.69 FAR of residential development and approximately 0.1 FAR dedicated to non-residential uses. OP has no objection to the extra 0.99 FAR. The extra density would be used to provide additional residential development, a use that is needed in this area.

- (2) **The Zoning Commission, at its discretion, may allow construction of such bonus density on the property zoned CG-5 or may allow only for the bonus density to be transferred off-site to a lot or lots zoned CG-4;**

OP has no objection to the applicant's proposed use of the bonus FAR on the subject site.

**K § 505.4(c) The Zoning Commission, at its discretion, may grant an additional ten feet (10 ft.) of building height in excess of the base amount to accommodate the bonus density provision of Subtitle K § 505.3;**

OP has no objection to the granting of 6'3" of extra building height. The added height would permit additional residential use and would allow the building to be raised to guard against flooding.

## **VI. CRITERIA OF THE CAPITOL GATEWAY ZONE**

The subject site is zoned CG-5 (Capitol Gateway). The CG zone is intended to encourage a mix of uses while creating a pedestrian-friendly environment and buildings that interact well with the surrounding public space. The zone has a number of objectives and provides specific criteria for proposed developments. The following is OP's analysis of the relevant standards as applied to the application. (Criteria not relevant to this site have been omitted.)

### **Purposes of the CG Zone**

**K § 500.1 The purposes of the Capitol Gateway (CG) zones (CG-1 through CG-7) 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 proposal for residential uses would contribute to the overall mix of uses in the area. Residential uses are highly encouraged in the CG zone, and the proposed development would be one of the first such uses in Buzzard Point. The use would begin to increase pedestrian activity in the area. The proposed height of 86'3" feet and FAR of 5.79 are within the limits permissible in this zone. Overall, the design shown in the application responds to its site and provides an attractive face to the waterfront. The height and general massing are appropriate given the location in an area slated to redevelop with a mix of medium and high density uses.

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

The proposed residential use would introduce a new use type to the immediate vicinity. Though not visitor-related, the residential building would increase pedestrian activity and add eyes on the street, as well as eyes on the waterfront park space proposed to the south. Residents would support non-residential uses in the area. The ground floor retail would serve as a walkable destination for residents of this building as well as other nearby residents or workers.

- (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;**

The height proposed by the application is within that allowed in this zone, and the overall bulk of the building is appropriate. A reduced height along the water was achieved in general throughout Buzzard Point when the Commission rezoned the waterfront lots to CG-5, while zoning inland lots mostly to CG-4, which allows more height (up to 130') and density (up to 8.0 FAR).

However, the proposed projections into Half and 1<sup>st</sup> Streets could have the effect of narrowing the view corridor toward the Anacostia River. OP recommends that the design be revised to remove the bay projections on Half and 1<sup>st</sup> Streets.

### **Zoning Commission Review Criteria**

**K § 512          Zoning Commission Review of Buildings, Structures and Uses**

**K § 512.1        The following provisions apply to properties located:**

- (a) **Within the CG-5 zone;**

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

**K § 512.3** In addition to proving that the proposed use, building, or structure meets the standards set forth in Subtitle X and the relevant provisions of this chapter, an applicant requesting approval under this section shall prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

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

As described above, the proposed use and building would generally help to achieve the objectives of the CG Overlay. The objectives could be more fully met by maintaining the full width of the view corridors on Half and First Streets.

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

The CG zone encourages development of the area with a mix of uses, especially residential. The proposed development would help to achieve that desired mix by bringing a residential and retail component to a neighborhood that today is almost entirely commercial and industrial. One of the purposes of an increase in residential uses is to increase street activity. The design of the project furthers that goal by placing multiple residential entrances on the street.

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

The proposed design is not out of character with the scale of existing surrounding development, or with potential new development as permitted by zoning. The former Coast Guard headquarters, the PEPCO generating station and the former office building along Water Street, which is to be converted to residential, are all of a height similar to that proposed in the current application. The mass of all those buildings, however, is considerably larger. In the future, the Comprehensive Plan calls for a mix of high density uses in the surrounding area, and the proposal would be in context with that future development. The use and building would reinforce the local street pattern. Pedestrian activity on V Street would increase and the presence of the structure near the street would help to visually define the V and 1<sup>st</sup> Street corridors.

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

The design would greatly enhance the pedestrian environment through construction of a sidewalk, planting of street trees and other landscaping, lighting in public space and on private property, and the introduction of street-activating uses. The parking and loading entrances would be combined on 1<sup>st</sup> Street.

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

The plans indicate that there would be almost no blank walls on the building. The building would have no “rear” elevation, and there is significant fenestration on all façades. The concave architectural panels and fins also add visual interest to the design. The extra residential entrances on V Street, including one directly into a unit, would add to visual interest on that façade and increase the amount of activity on that side of the building.

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

The applicant has submitted a LEED checklist, which indicates that the project would achieve a LEED Silver level. OP understands that because of the distance to Metro the project cannot take advantage of transit points in the LEED scoring system. Nevertheless, OP encourages the applicant to pursue a more rigorous environmental commitment.

Sheets L-17 and L-18 of Exhibit 11A show that the project would provide 6,258 square feet of green roof.

**K § 512.4 With respect to a building or structure to be constructed on a lot within the CG-5 District:**

**(a) The building or structure shall provide suitably designed public open space along the waterfront;**

This property is not directly on the waterfront, though is in close proximity to it. The Regulations require a 75 foot setback from the bulkhead line, and the entire property is outside that boundary. The National Park Service (NPS), owners of the former Buzzard Point Marina, are considering different designs for a park space on that lot, which would allow residents to have a closer interaction with the Anacostia River. The original design incorporated, at the request of NPS, a masonry wall along the property line between the subject site and the NPS land. The applicant should confirm that the wall would still be constructed. In general, construction of the building would greatly improve the public space around it and facilitate public access to the waterfront.



- (c) **The application shall include a view analysis that assesses openness of waterfront views and vistas, and views and vistas toward the Capitol Dome, other federal monumental buildings, existing neighborhoods, South Capitol Street, and the Frederick Douglass Bridge.**

The application materials include renderings showing views toward the property and the waterfront. Because of this project's location, construction would not impact views on the ground toward the Capitol, South Capitol Street or the Douglass Bridge. From the water, however, this building would improve the views of the neighborhood and the overall waterfront. It would be a contrast to the current views in this vicinity which consist mostly of office or industrial uses.

**K § 512.7 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.**

The applicant has requested no new areas of zoning relief. The revised application no longer needs the previously approved loading relief and penthouse relief. However, the proposed 18'6" penthouse would no longer meet the requirements of K § 505.5, which caps penthouse height at 15' for mechanical equipment. OP cannot recommend approval of a variance for the additional penthouse height, and recommends that the penthouse be redesigned to meet the 15' maximum.

### **General Special Exception Criteria**

As stated in K § 512.3, the proposed building and use must meet the special exception criteria of Subtitle X:

**X § 901 Special Exception Review Standards**

**X § 901.2 [...] the special exceptions:**

- (a) **Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;**
- (b) **Will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and**
- (c) **Will meet such special conditions as may be specified in this title.**

Approval of this application would generally be in harmony with the intent of the Zoning Regulations. The regulations for this neighborhood intend to facilitate a transition from a mainly industrial area to one with a mix of uses, including residential. The zoning also encourages a walkable environment. The proposed development would further both of those objectives. The

building would not be out of character with the scale of the surrounding community, both existing and proposed. Granting approval would not adversely affect neighboring properties.

## VII. AGENCY COMMENTS

As of this writing OP has received no comments from other city agencies.

## VIII. COMMUNITY COMMENTS

The ANC report can be found at Exhibit 9. OP has received no comments from the community.

## IX. ATTACHMENTS

1. Vicinity Map and Aerial Photo

JS/mrj

### ATTACHMENT 1 VICINITY MAP

