



MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director
DATE: July 2, 2012
SUBJECT: **Public Hearing Report** for ZC #11-03A, Southwest Waterfront Phase 1
Second Stage Planned Unit Development
Public Hearing 3 – Parcel 4 and Vicinity

I. SUMMARY RECOMMENDATION

Hoffman-Struever Waterfront, LLC, has submitted an application for a Second Stage Planned Unit Development (PUD) to construct a portion of the Southwest Waterfront development west of Maine Avenue, SW, and on piers and docks over the Washington Channel. At its April 9th public meeting the Commission set the application down for four separate public hearings, with different parts of the project forming the topic area for each hearing.

In regard to the portion of the project to be discussed at the July 12th Public Hearing, the Office of Planning (OP) recommends **approval** of the:

- Design for Building on Parcel 4
- Piazza Mews and Jazz Alley
- Capital Yacht Club Plaza
- Capital Yacht Club Building
- Wharf adjacent to Parcels 4 & 5
- Maine Avenue adjacent to Parcels 4 & 5
- 7th Street Park

Although OP generally supports the overall design of Parcel 4, concerns remain about the extra visual height implied by the design of the mechanical penthouses.

II. APPLICATION-IN-BRIEF

Background: On October 17, 2011 the Commission approved the First Stage PUD for the entire Southwest Waterfront (SWW), which established the PUD-related zoning for the property, the site plan, the general use mix, the general massing of buildings, the maximum heights for buildings, the maximum FAR for the entire development, and general circulation patterns.

This application, a Second Stage PUD, is made in order to review the proposed architecture of the buildings, uses within the buildings, design of open spaces, specific circulation impacts, and compliance with the intent and purposes of the PUD process, the Regulations and the First Stage PUD (§§ 2402.2(b), 2406.12 and 2408). At its April 9th public meeting, the Commission set down the application for a public hearing in four parts, with each hearing night focusing on a different parcel and its immediate surroundings:

Hearing Night #1 – June 28 – Parcel 2
Hearing Night #2 – July 2 – Parcel 3
Hearing Night #3 – July 12 – Parcel 4
Hearing Night #4 – July 23 – Parcel 11

This report covers Parcel 4 and its surroundings. OP's June 18th and June 20th reports addressed Parcels 2 and 3, respectively, and a final report will address Parcel 11 and its surroundings.

Ward and ANC: Ward 6, ANC 6D

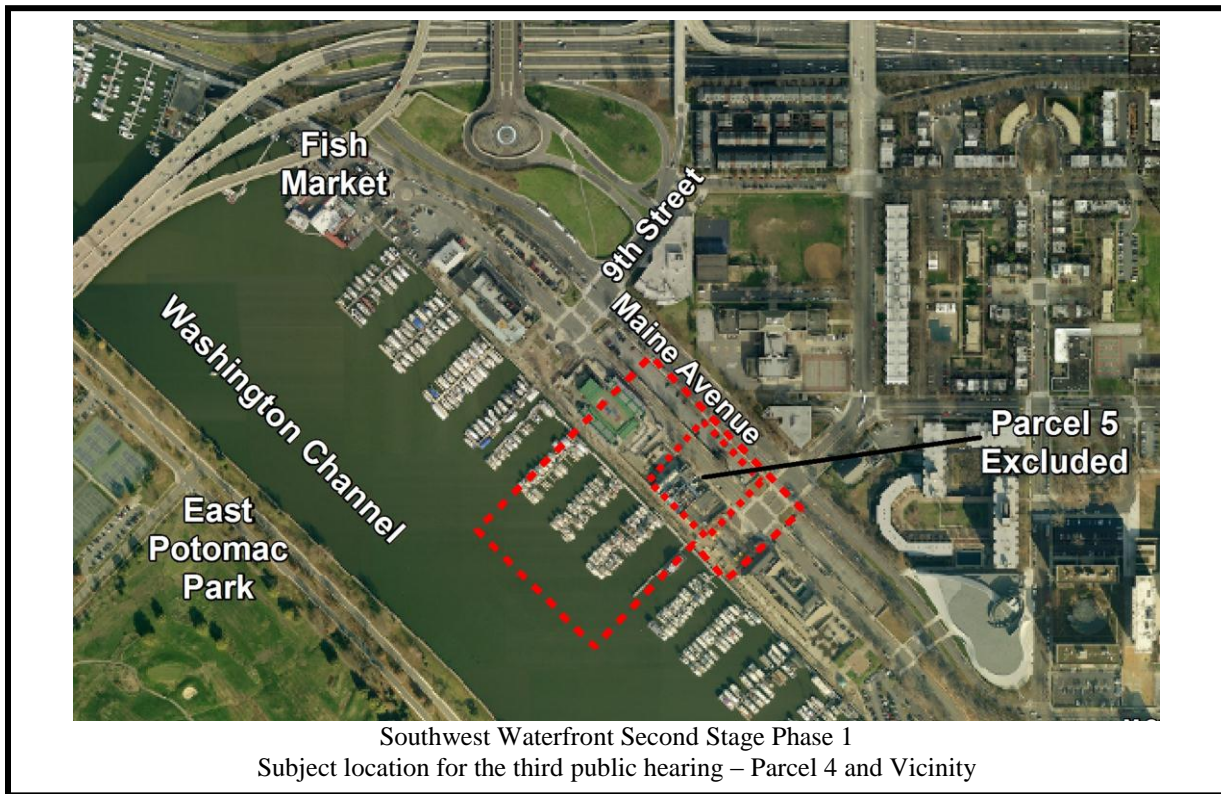
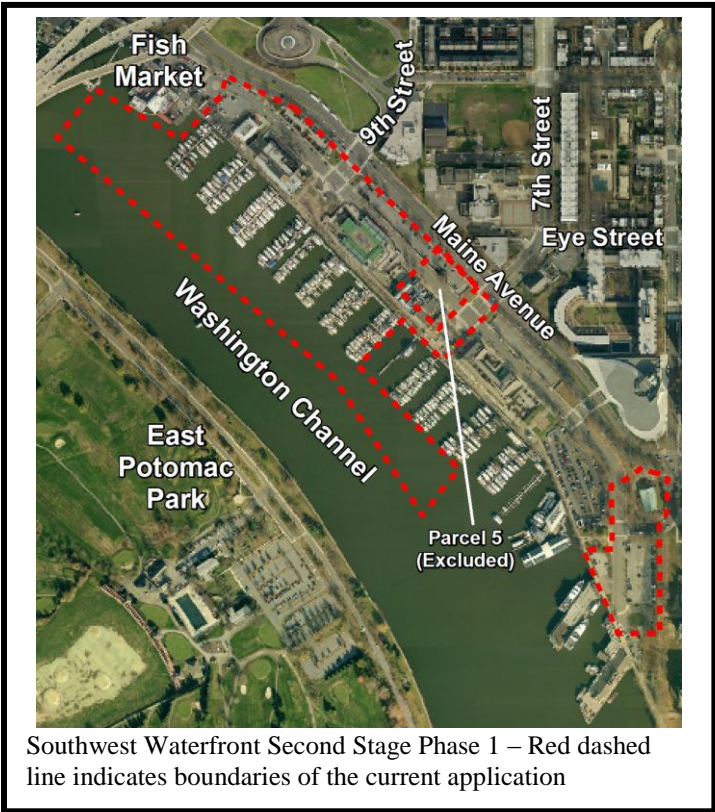
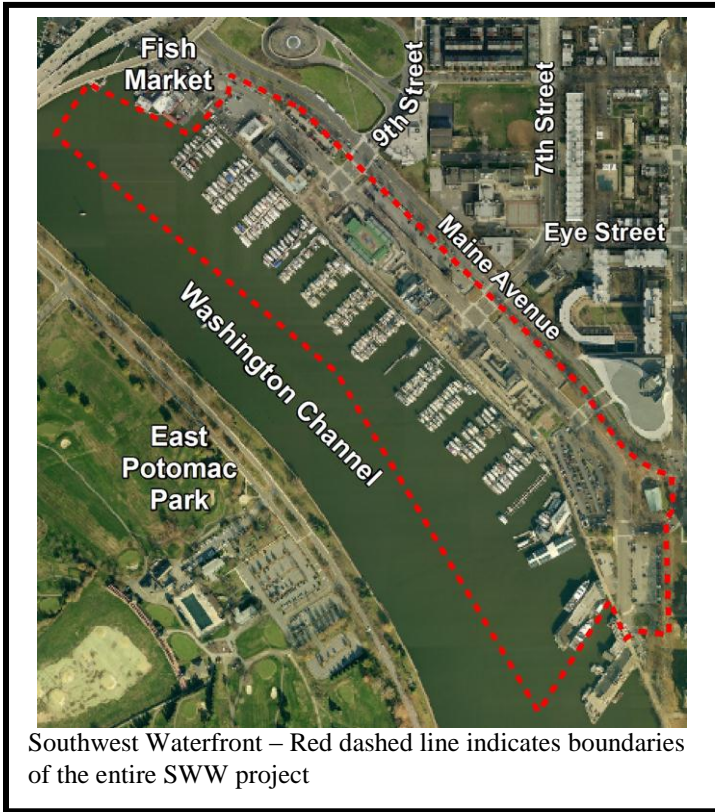
Applicant: Hoffman-Struever Waterfront, LLC, dba Hoffman-Madison Waterfront

PUD-Related Zoning: C-3-C (landside) and W-1 (waterside)

III. SITE AND AREA DESCRIPTION

The entire SWW project site is shown in the first aerial photo below, and the area of the Second Stage PUD application in the second photo. The third photo shows the extent of the property under consideration in the third (July 12th) public hearing. This portion of the property is bounded on the north by Parcel 3 and the Avenue Mews, on the northeast by Maine Avenue, and on the west by the proposed extent of the docks of the new development. On the southeast side this portion of the application includes the 7th Street Park, but excludes Parcel 5, which will be considered in a future second stage PUD application.

The site of Parcel 4 and its surroundings is currently the site of the Washington Kastles temporary tennis stadium and Gangplank Marina (GPM) docks. Water Street still exists on the ground, although it has been legally closed. Across Maine Avenue from the subject site is an office building and Jefferson Junior High School.



IV. PROJECT DESCRIPTION AND ANALYSIS

The portion of the project under consideration at this public hearing consists of a mixed use residential building on Parcel 4, the Piazza Mews and Jazz Alley, the Capital Yacht Club plaza and building, the wharf and Maine Avenue adjacent to Parcels 4 and 5, and the 7th Street Park. This report will provide OP's analysis of each of the components. Relevant drawings are contained in two plan sets – one titled "Overall Plan Elements," which applies to all four public hearings for the application, and one titled "Volume 3," which applies to this public hearing specifically. References in parentheses indicate the relevant sheets from the "Volume 3" plan set, unless noted as referring to the "Overall Plan Elements" (OPE) plan set.

Overall, OP supports the proposed designs, which would improve the character of the waterfront area and provide an active, enjoyable destination for neighborhood residents, other District residents, and visitors. The proposed public spaces, such as the wharf, mews and plazas, would provide pleasant, multi-modal corridors suitable for walking, biking and localized slow driving, as well as areas for flexible and retail seating. The design is not inconsistent with the first stage PUD approval, the Comprehensive Plan, or the Zoning Regulations.

Parcel 4 (1.1 – 1.41)

Parcel 4 would contain a rental apartment building and a condo building, which would generally occupy the Maine Avenue and wharf sides of the building, respectively. The top two floors, however, would be exclusively condo. The condo building, per the Land Disposition Agreement and First Stage PUD approval, would be entirely market rate. The apartment building would have almost 26,000 square feet of affordable units and about 15,500 square feet of workforce housing. The ground floor would have a significant amount of retail on all sides, and the second floor would be entirely retail.

OP generally supports the design of the building and feels that it would help to generate an active public realm and positively contribute to the visual appeal of the SWW. OP supports the significant use of balconies, which should add animation to adjacent mews and plazas, but notes, as stated in the setdown report, that the floor plans do not match the renderings of the balconies at the "prow" of the building facing the wharf. Additional balconies on the rental portion of the building could also add to the animation of public spaces.

The two story element of Parcel 4 next to the Capital Yacht Club Plaza provides a lower scale, as well as a change in texture with industrial features and the use of recycled and / or burnt brick (1.35). OP supports the use of recycled brick.

Portions of the Parcel 4 mechanical penthouse extend to the edges of the building. Renderings and elevations (1.2 – 1.9) indicate that the penthouse would appear like an extra story above the 130 foot level. The roof level plans (1.31 and 1.32) do not indicate that the extra size is needed

for mechanical equipment or egress. OP does not support extending the main walls of the building to create considerable extra visual height for the building.

Sheet 1.31 shows large rooftop terraces, which OP supports. It also shows large, habitable rooms at the rooftop level, which are not permitted, and which have not been reduced in size from the time of setdown. (Please refer to sheet 7.15 of the setdown plan set.)

OP also encourages the applicant to examine opportunities for an increased amount of green roof on this parcel.

Piazza Mews and Jazz Alley (3.11 – 3.14)

OP supports the design of the mews. The Piazza Mews would provide some loading and back of house access for Parcel 4, however it would also have significant retail frontage (1.22). The western end of the Piazza Mews would be a pedestrian-only zone, and renderings show outdoor seating in that area. As with Parcel 3, OP, in order to promote pedestrian activity and general activation of the mews, encourages the applicant to consider the eastern end of the Piazza Mews for outdoor seating during non-loading hours. There is one rendering of the mews (3.11) and it appears that it would be paved with stone pavers. More information should be provided about lighting in the Piazza Mews.

Jazz Alley is located between Parcel 4 and Parcel 5, running from Maine Avenue to the wharf. The applicant envisions it as a location for a music club, bar and restaurant (1.22). The ground floor uses of Parcel 5, to be reviewed in a future second stage PUD, will also contribute to the activity of this mews. The rendering of Jazz Alley (3.13) shows lights strung over the alley. The rendering also shows two different types of stone pavers. OP supports the overall design direction for Jazz Alley.

Capital Yacht Club Plaza (3.6 – 3.10)

The CYC Plaza would be a relatively intimate open space. It would serve the hotel entrance on Parcel 3b, the condo entrance on Parcel 4, retail uses on the southern part of Parcel 4, and the CYC itself across the wharf from the plaza. OP supports the proposal to plant a large tree in the plaza to lend an air of permanence to the square as well as create shade and a pleasing aesthetic for users of the space. OP also supports the use of flexible seating and planted-joint pavers in the plaza.

Capital Yacht Club Building (2.1 – 2.11)

OP supports the overall design for the Capital Yacht Club building. The natural stone masonry and copper or zinc siding will provide a contrast to the materials used on larger buildings. This structure will provide a home for a long-term waterfront entity, and should help bring activity to this part of the wharf.

Wharf (3.1 – 3.5)

The wharf in front of Parcels 4 and 5 would generally be a 60 foot wide mixed use space that would serve as a corridor for pedestrians and bicycles, and would also be used for outdoor seating and kiosk-type retail (3.2). The 20 feet closest to the buildings would be a café seating zone. The next section would be a 20 foot wide mixed traffic zone with limited vehicular use but with pedestrian and bicycle priority. OP supports the use of the wharf by different travel modes. The final 20 feet would be the promenade zone for strolling, flexible seating, trees and kiosk-type retail.

The wharf would have an elevation of about 12 feet above sea level in this location, gradually sloping up from the bulkhead and toward the building entrances (4.2). As it would be in front of other parcels, the wharf would be paved with a mix of mortared and open joint pavers, and granite accent bands would help denote the different zones (3.3). Along the length of the wharf a trench drain would also demarcate the transition from the shared zone to the promenade zone, and a pattern of trees and pole lanterns would form a visual and physical barrier between those two areas. Next to the water, the wharf would have low wooden seating that could also serve as a barrier to the water. Low-level lighting would be tucked under the seating, and blue lights would illuminate the water side of the wharf (OPE, 3.3).

Maine Avenue (3.21 – 3.25)

As part of the construction of Phase 1 of the SWW, the developer would make improvements to Maine Avenue. Improvements near Parcels 4 and 5 would include:

- a dedicated bike path
- a Capital Bikeshare station
- bike racks
- a second row of trees
- a continuous planting strip
- a new 10 foot sidewalk and café zone, inboard from planting strip
- new curb, gutter, trash and recycling fixtures, and streetlights

OP strongly supports the preservation of any existing street trees and the planting of new trees, and encourages the applicant to work with DDOT's Urban Forestry Administration on ensuring their growth and preservation. In this particular case, three existing street trees next to Parcels 4 and 5 will be preserved (3.24). Several infill trees will be planted in line with the preserved trees, and a new second row of trees will be planted as part of the continuous soil trench.

As noted in the first stage PUD, the curb lane of Maine Avenue is proposed to be converted to 24 hour parking from a part time travel lane. This will allow for bulb-outs at intersections, such as at the intersection of 7th Street, which would allow for a shorter pedestrian crossing distance and provide room for a bike share station.

7th Street Park (3.15 – 3.20)

The 7th Street Park would be a much more green area compared to other plazas in the project. The main feature of the area would be a low grassy knoll crossed by walking paths and planted with trees (3.16). Renderings and section drawings indicate that trees would be very large. The applicant should clarify the size of the trees at the time of planting and also indicate the soil volume available and whether it would be sufficient for trees to reach the size shown. OP appreciates the specificity of the plans in showing the types of fixtures, pavers and plant species at the park (3.19 and 3.20).

V. COMPREHENSIVE PLAN

The Commission found during its review of the first stage PUD that the SWW project is not inconsistent with the Comprehensive Plan. OP finds that the current second stage PUD application is generally consistent with the first stage as approved and does not detract from project's correlation with major tenets of the Plan. The proposal would further a number of the Plan's Guiding Principles and major policies from Plan elements such as the Land Use; Transportation; Economic Development; Parks, Recreation and Open Space; Urban Design; and Lower Anacostia Waterfront / Near Southwest Area Elements. The application is not inconsistent with the Plan's Generalized Land Use Map or the Future Land Use Map. The proposal is also consistent with the Development Plan & Anacostia Waterfront Initiative Vision for the Southwest Waterfront (the SWW Plan). For a complete analysis of the overall project against relevant planning policies, please refer to the Office of Planning's March 30 Setdown Report.

VI. ZONING

In the first stage PUD, the Commission approved PUD-related zoning of C-3-C for the northern landside portion of the SWW, including Parcel 3, and W-1 for the water side of the development. Also in the first stage PUD, the Commission granted zoning flexibility for the exact mix of uses, within certain ranges.

The June 22nd written submission states that four areas of flexibility are required for the building on Parcel 4. Those four areas are analyzed below, followed by a discussion of other flexibility required for the application. Some areas of flexibility are similar to those discussed in OP's reports for the first two public hearings, but are included again here for a comprehensive analysis.

1. PUD Design

The application requests flexibility in the exact design of PUD elements, including mostly minor and interior elements. Many PUDs have included similar flexibility in the past, and OP does not object to including most of the items here.

Regarding the flexibility in the number of units, however, a 10% variation in the total number could noticeably affect trip generation, parking ratios or other aspects of the development. A smaller variation would result in more certainty about the potential benefits and impacts of residential uses on Parcel 2.

The applicant has requested flexibility in the location of affordable units shown on sheets 4.2 – 4.6 of the OPE plan set. OP does not object to some flexibility in the exact location of individual affordable units, but the applicant should commit to an overall distribution pattern so that affordable units do not become overly clustered.

2. Roof Structure Setback (§ 411)

The rooftop plans for Parcel 4 (1.31 and 1.32) do not list the heights of rooftop structures nor their setbacks from adjacent building walls. OP recommends that the Commission not approve any flexibility for rooftop structure setback until adequate drawings are received. More information should also be provided about the necessity of the overall size of the rooftop structure.

Portions of the Parcel 4 mechanical penthouse extend to the edges of the building. Renderings and elevations (1.2 – 1.9) indicate that the penthouse would appear like an extra story above the 130 foot level. OP does not support extending the main walls of the building to create considerable extra visual height for the building.

3. Flexibility to Replace the Cogeneration Plant

The applicant requests flexibility to replace the cogeneration plant with other power sources that could be located on Parcel 2 and / or other parcels. This change could impact the rooftop structure on Parcel 4. The request states that rooftop equipment for alternative power sources, potentially on Parcel 4, could be enclosed “with walls of unequal height and in separate enclosures...” (April 22nd Written Statement, Attachment A, pg. 2). OP does not recommend approval of this area of flexibility. Such changes would be more appropriately handled as a modification to the PUD, especially as the rooftop structures proposed to date seem large, and additional changes to them could impact the appearance of buildings in the project.

4. Flexibility to Vary the Selection of Public Space Fixtures and Materials

OP does not object to this area of flexibility. The request states that any replacement fixtures or materials would be similar in type, color and quality to those shown in the application.

5. Loading Requirements (§ 2201)

Loading for Parcel 4 is provided from the Piazza Mews. The ground floor plan (1.25) appears to show that all retail on the northern side of the mews and the apartment and condo uses would

have direct access to the loading, while retail on the south side of the parcel would have less direct access, across the mews.

The uses on Parcel 4 require loading relief as shown in the table below. Please refer to the Overall Plan Elements plan set, Sheet 1.10.

Parcel 4 Loading Requirements

Facility Type	Required	Provided
55 Foot Berths	2	0
30 Foot Berths	1	1
100 sf Loading Platforms	1	1*
200 sf Loading Platforms	2	1*
Delivery Spaces	2	0

* Separate loading platforms are not distinguished; The total loading platform area would be 390 square feet (1.25).

Although the amount of loading relief is considerable, OP does not object to relief from loading, provided the applicant justifies the reduction in size or number of facilities and commits to loading management techniques such as limited loading hours and a loading coordinator for the building. In this case more information should be provided demonstrating that the loading facilities proposed would be sufficient.

6. Parking

Parking flexibility is required based on the current proposal. The total parking requirement for all uses on Parcels 2 through 4, and including the Day Docks at the Market Pier, is 1,039 spaces. According to sheets 1.13 and 1.14 of the OPE plan set, the parking garage under Parcels 2 through 4 would have a total of 1,095 parking spaces.

However, OP does question aspects of the parking allocation. Much of the garage parking would be reserved for residential, hotel, office and Capital Yacht Club use. The remaining uses would have a requirement of 682 spaces, but only 457 parking spaces would remain to share among them. Parking relief for the number of spaces is therefore required. Please refer to the table below.

Parcels 2 – 4 Parking Requirements

	Total Required Per Use	Dedicated Garage Parking Per Use*	"Leftover" Parking Requirements
Residential	197	418	0
Music Venue	418	0	418
Retail	156	0	156
Office	124	50	74
Hotel	87	100	0
CYC	23	70	0
Day Docks	17	0	17
Co-gen	17	0	17
Total	1,039	638	682
Total number of parking spaces in the garage*			1,095
Number of Spaces Available to Satisfy the "Leftover" Parking Requirement			457 (1,095 minus 638)

* Please refer to Sheets 1.13 and 1.14 of the OPE plan set.

OP supports a shared approach to parking, and can support the required parking relief, provided that spillover parking does not negatively impact nearby streets. The transportation study (pp. 61 – 65) shows that peak auto demand can be accommodated with garage parking and temporary surface parking on Parcels 1 and 6 through 10. In addition, the transportation study identifies, within walking distance of the site, public parking garages or lots with over 5,000 available parking spaces that could potentially be used for events at the music venue. Given that analysis, OP can support the parking flexibility required, and notes that the parking supply will be reevaluated as part of future second stage PUD applications.

7. Distribution of Affordable Floor Area

As part of the First Stage PUD approval, the entire SWW was required to provide at least 160,000 square feet of affordable housing. In order to achieve a balanced distribution of units throughout the project, 70,000 square feet was required to be provided in Parcels 2 – 5, and 70,000 square feet was required to be provided in Parcels 6 – 10. The remaining 20,000 square feet could be located at the applicant's discretion. The current application proposes approximately 99,000 square feet of affordable floor area in Phase 1, 9,000 square feet above what would be permitted by the First Stage order. OP does not object to slight deviations from the geographic mix of affordable floor area, but the applicant has not yet provided a rationale for this flexibility.

VII. 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 applicant is requesting approval of a second stage PUD. 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). OP to date has received no comments from referral agencies that would indicate that the project would have a negative impact on city services.

VIII. 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).

The first stage PUD included a number of benefits, including urban design, affordable housing, workforce housing, the creation of a BID, First Source Employment and CBE agreements, funding for a workforce intermediary program, coordinating apprenticeships with the construction contractor, leasing space to local or unique retailers, and environmental design. As part of the first stage PUD, the Commission required that the applicant prepare an implementation chart with each subsequent second stage PUD. That chart is shown at Exhibit E of the February 3rd written statement. Benefits are also described beginning on page 37 of that written statement. The benefits proffered with the current application are consistent with the first stage approval and are described below. This summary is identical to the summary included in the first two reports, but is included again here for the sake of completeness. The benefits are generally commensurate with the flexibility provided through the PUD.

1. Affordable and Workforce Housing

Sheet 4.1 of the OPE plan set breaks down the affordable and workforce housing units provided in each parcel. The provisions for Parcels 2A, 2B, 4A and 4B generally appear to be consistent with the first stage Order. Of the total of 160,000 square feet of required affordable housing, the

Order required at least 70,000 square feet to be located in Parcels 2, 3 and 4, and at least 70,000 square feet in Parcels 6 through 10. The remaining 20,000 square feet could be distributed anywhere in the development. The current proposal for Parcels 2, 3 and 4 includes 99,071 square feet of affordable housing; Parcels 6 through 10 would provide the remainder of the affordable housing requirement. Flexibility is required to provide over 90,000 square feet of affordable units in this phase of development.

The Office of Planning and the Office of the Attorney General note that Parcel 11B is subject to Inclusionary Zoning (IZ) requirements as it was not part of the Land Disposition Agreement with the District and was not exempted from IZ. Nor did the Commission grant relief from IZ for that component of the project. The affordable housing component of that part of Parcel 11 will be examined in more detail at a later public hearing.

In addition to the affordable housing, 20% of all residential floor area above 500 units will be dedicated to workforce housing. Please refer to Sheets 4.2 – 4.7 of the Overall Plan Elements for plans showing the location of affordable and workforce units in each of the buildings.

2. Environmental Design

The February 3rd written statement (p. 43) indicates that the development would achieve LEED Gold – ND (Neighborhood Development) standards, and that all buildings except the church on Parcel 11A would achieve LEED Silver ratings or higher in the NC (New Construction) or CS (Core and Shell) categories. These standards are consistent with the first stage approval. Plans for Parcel 2 show that a considerable amount of the roof would be green roof (1.28, 1.30). A large stormwater cistern will be located under the wharf that will capture runoff from the most of development (OPE 6.1 – 6.3), and the cogeneration plant would re-use all runoff from up to a 3.2” storm event (OPE, 6.4).

3. Business Improvement District

The proposed business improvement district, or project association, would be responsible for maintenance of “private roadways, alleys, bicycle paths, promenade, sidewalks, piers, parks, and signage within the Project Site boundary” (February 3rd Written Statement, p. 47). The association would also be responsible for event programming at the SWW. The developer would create the association initially, and then it would be funded by assessments to each use in the project.

4. CBE and First Source Employment Agreements and Related Actions

As noted in the first stage PUD, the applicant has entered into a CBE agreement with the Department of Small and Local Business Development (DSLBD), which applies to project development costs. According to the application, the applicant has already begun, with the help of DSLBD, to employ CBE firms for some pre-development tasks.

The applicant also committed to reserve 20% of the retail space in the project for unique or local retailers. In addition, the application states that kiosks along the wharf and in other open spaces could be leased to start-up retailers (February 3rd Written Statement, p. 48). The kiosks are included in the 20% floor area devoted to unique and local retailers. The retail commitment is for the life of the project.

The applicant has also committed to help fund a workforce intermediary program with a total contribution of \$1,000,000, \$250,000 of which has already been paid. The balance, according to Exhibit E of the February 3rd written statement, is due when the applicant closes on the land lease with the District, which is anticipated at the end of 2012 or the beginning of 2013.

First stage PUD proffers also include the establishment of apprenticeship programs in the construction trades. Exhibit E of the February 3rd written statement provides a generalized summary of progress to date, but OP requests that more details about the progress of the apprenticeship programs be provided.

5. Other Benefits

In addition to the above-referenced benefits, which are described on pages 37 – 48 of the February 3rd written statement, other benefits will begin to be implemented during construction of the second stage PUD, including the urban design of the project, improvements to Maine Avenue, reservation of private property along Maine Avenue for additional publicly accessible space, construction of temporary dock facilities including utility connections, and the inclusion of approximately 1,450 bicycle parking spaces. The public park at the southern end of the SWW will also be constructed during the first phase of development and will be a significant open-space resource for the neighborhood.

IX. AGENCY COMMENTS

In response to a request for comments sent to various city agencies, the Office of Planning received a reply from the Metropolitan Police Department (MPD) stating that they had no comments or objections to the project. The Department of Transportation (DDOT) has submitted a report under separate cover. No other responses were received.

X. COMMUNITY COMMENTS

The site is located in ANC 6D. The ANC considered this application at their June 11 meeting and voted to not support the application. The applicant has held and attended many community meetings and is expected to continue their outreach efforts to the neighborhood and the ANC.