

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** *JL for* Jennifer Steingasser, Deputy Director  
**DATE:** May 23, 2016  
**SUBJECT:** **Public Hearing Report** for ZC #11-03E, Wharf 7th Street Pier  
Second Stage Planned Unit Development

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**I. SUMMARY RECOMMENDATION**

At its February 8, 2016 public meeting, the Zoning Commission set down an application filed by Wharf District Master Developer, LLC for a Second Stage Planned Unit Development (PUD) to construct a pier at the terminus of 7<sup>th</sup> Street at the Wharf. The pier would include the fixed pier itself, a shade structure, retail kiosk, floating wetlands and floating docks. The proposal is not inconsistent with the first stage PUD approval, the Comprehensive Plan, or the Zoning Regulations. The Office of Planning (OP), therefore, recommends approval of the application.

**II. APPLICATION-IN-BRIEF**

**Location:** 700 Maine Avenue, SW, on the water adjacent to 7<sup>th</sup> Street Park

**Ward and ANC:** Ward 6, ANC 6D

**Applicant:** Wharf District Master Developer, LLC

**PUD-Related Zoning:** W-1 (over the water)

**Property Size:** 96,805 square feet (2.2 acres)

**Proposal:** The applicant proposes a design for a recreational pier, including the fixed pier itself, a shade structure, retail kiosk, floating wetlands and floating docks.

**Background:** The Zoning Commission approved a First Stage PUD for the entire Wharf project on October 17, 2011. That approval 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 and the maximum FAR for the entire development.

The Zoning Regulations describe a Second Stage PUD as a detailed review that examines the architecture of the proposed buildings, uses within the buildings, design of open spaces, site circulation, site infrastructure 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)

### III. AREA AND PROJECT DESCRIPTION



Wharf 7<sup>th</sup> Street Pier Site – 2015 Aerial Photo

The Wharf project site is generally bounded on the north by the fish market, on the northeast by Maine Avenue, and on the west by the proposed extent of the piers of the new development. To the south the Wharf extends approximately to N Street. The northern half of the Wharf site, from 7<sup>th</sup> Street north to the Fish Market, was excavated and construction has begun on the parking garage that will be underneath Parcels 1 through 5. Utility work has also been done in Maine Avenue. Maine Avenue and 7<sup>th</sup>, 9<sup>th</sup> and M Streets provide auto access to the site. The Waterfront and L'Enfant Plaza metro stations are within walking distance of the property.

Construction on Parcels 1 through 5 is moving forward, and the accompanying open spaces such as 7<sup>th</sup> Street Park would be completed along with the vertical structures. The design for the 7<sup>th</sup> Street Pier was not included in previous second stage PUD applications, but the applicant now wishes to accelerate its construction to better align with the opening of nearby buildings and parks. The subject site for the current application is a tax lot created over the water, extending from the bulkhead, in line with the 7<sup>th</sup> Street right-of-way. The 7<sup>th</sup> Street Pier would extend 432 feet into the channel, and include the following features:

- 20,976 sf fixed pier
- 2,441 sf floating dock
- Seating
- Swings
- Floating wetlands
- Lighting
- Fire pit
- Shade structure
- 200 sf retail kiosk

The fixed pier and floating dock would be clad in Kebony, an engineered wood created to replicate the durability of tropical hardwoods. That material would also be used for benches, the railing top and for the retail kiosk. Other materials would include aluminum for the gangways to the floating dock, mesh fencing, standing light poles, painted steel for the shade structure, and metal tubing for the swing structures. The main spine of the pier would curve horizontally and vertically, slightly arcing out from the bulkhead while descending in elevation to a low point before ascending to the end of the structure. A second level of the fixed pier would extend from the bulkhead continuously at the lower elevation and connect to the higher sections through stairs, wide seating steps, and sloped decking. The shade structure would mostly parallel the bulkhead, but would also extend partially over the pier. It would feature an undulating canopy design. The retail kiosk would be located under the shade structure, and fixed and moveable seating would be available nearby. The applicant envisions the pier as a recreational amenity where kayaks and small boats could enter the water, where pedestrians could simply walk and enjoy the views, and also where various group activities could be held, either at the terminus of the pier or at the shade structure.

Because the construction of this pier is proposed to be advanced from when it was originally scheduled, the applicant has prepared a revised transition plan for the Gangplank Marina. See Sheets 3.1 – 3.14 of Exhibit 20A. The applicant has continued their dialogue with the Gangplank Marina liveboard residents and other interested parties, and, according to the written statement at Exhibit 20, developed the marine transition plan with their input.

#### **IV. COMPREHENSIVE PLAN**

The Commission found during its review of the first stage PUD that the Wharf 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 the tenets of the Plan.

The proposal would further a number of the Plan's Guiding Principles, including integrating large development sites to surrounding neighborhoods, creating new public gathering places, and creating new park spaces along the City's waterfronts. The proposal is also consistent with specific elements of the Comprehensive Plan, including the Lower Anacostia Waterfront / Near Southwest Area Element, which encourages the creation of new parks along the waterways in the neighborhood (Policy AW-1.1.4). The Parks, Recreation and Open Space Element also calls for more recreation amenities for a growing population, and specifically more water-oriented recreation (§ 812.7). The Comprehensive Plan's Future Land Use Map, while calling for high density mixed use on the bulk of the Wharf site, also shows that Parks, Recreation and Open Spaces uses are appropriate right along the water.

## **V. ZONING**

In the first stage PUD, the Commission approved PUD-related zoning of W-1 for the area of water from the bulkhead line to the pierhead line. The current proposal is consistent with W-1 and requires no areas of zoning flexibility.

## **VI. PURPOSE AND EVALUATION STANDARDS OF A PUD**

The purpose and standards for Planned Unit Developments are outlined in Chapter 24 of the Regulations. 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). Because of the minimal scope of this project, as well as its provision of recreational amenity to residents, OP concludes that the impact on city services would be favorable.

## **VII. 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, setting aside space for local or unique retailers, and environmental design. As part of the first stage PUD, the Commission required that the applicant prepare a benefits implementation chart with each subsequent second stage PUD. That chart is shown at Exhibit 2F. Construction of the 7<sup>th</sup> Street Pier would implement a portion of the urban design of the Wharf, create a new public pier, and enhance recreational opportunities, all benefits of the original PUD.

### **VIII. AGENCY COMMENTS**

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

### **IX. COMMUNITY COMMENTS**

The site is located in ANC 6D. As of this writing neither the ANC or community members have contacted OP, but the ANC has voted unanimously to support the project.

### **X. SUMMARY OF OP COMMENTS**

OP supports the design for the 7<sup>th</sup> Street Pier and feels that it will contribute positively to the recreation environment of the Wharf generally, and specifically in the vicinity of 7<sup>th</sup> Street Park. The proposal is in conformance with the First Stage PUD and is not inconsistent with the Comprehensive Plan, so OP therefore recommends approval of the application.