

## MEMORANDUM

**TO:** District of Columbia Zoning Commission

**FROM:** *JL for* Jennifer Steingasser, Deputy Director

**DATE:** May 16, 2016

**SUBJECT:** **Public Hearing Report** for ZC #11-03F, Wharf Pier 4  
Modification and Second Stage Planned Unit Development

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### **I. SUMMARY RECOMMENDATION**

Wharf District Master Developer, LLC has submitted an application for a modification of the first stage Planned Unit Development (PUD) and a second stage PUD to expand an existing pier and construct a commercial building on the pier at the southern end of the Wharf development. The first stage modification would change what had been approved as a residential structure on the pier to a commercial structure, and the second stage PUD proposes the specific design for the building and pier. The modification would not be inconsistent with the overall intent of the original first stage PUD approval or the Comprehensive Plan, and the second stage approval would not be inconsistent with the modified first stage PUD, the Comprehensive Plan, or the Zoning Regulations. The Office of Planning (OP), therefore, recommends approval of the application.

### **II. APPLICATION-IN-BRIEF**

**Location:** 580 Water Street, SW (Square 473, Lot 889)

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

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

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

**Property Size:** 232,533 square feet (5.3 acres)

**Proposal:** The applicant proposes to change the first-stage-approved residential use on the pier to a commercial use, and proposes a second-stage-design for the commercial building and pier.

**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.

According to § 2409.9, modifications that cannot be approved by the Zoning Administrator and cannot be reviewed as a consent calendar item by the Commission shall be processed by the Commission as a second-stage application. The Zoning Regulations also 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 Pier 4 – 2015 Aerial Photo

The Wharf project site is generally bounded on the northwest 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, is currently under construction, as are Parcel 11, at M and 6<sup>th</sup> Streets, and Waterfront Park, at the very southern end of the project and adjacent to the subject pier. The Police Pier is just to the south of the subject site and an extension of Water Street currently provides access to that facility, in addition to Pier 4. Pursuant to the design for Waterfront Park approved with application #11-03A, the park will replace the former nearby surface parking lot and the extension of Water Street will be made more narrow and pedestrian friendly, and include special paving materials. The promenade right along the water would also be reconstructed.

### **First Stage Modification**

The first stage PUD, application #11-03, approved a residential use on the site with a total height of four stories and 45' and a total floor area of 45,000 sf. Since that approval, the applicant has received approval from the Army Corps of Engineers for work in the Washington Channel. The Corps, however, denied the request to place residential uses on the pier, and the applicant therefore seeks a modification to change the previously approved residential building to a smaller commercial building. That building would continue to accommodate the existing cruise ships that operate on the pier, while also accommodating a commercial use in the new portion of the structure. The modification does not seek to change the overall shape of the pier as originally approved; the existing structure would remain and a new pier segment would be constructed and extended further into the channel.

### **Second Stage PUD**

The applicant proposes to reuse the existing “head house”, the two-story building where the pier meets the shoreline, as well as the concrete canopy structure over the bulk of the pier. The head house would be used for passenger ticketing and office space for the commercial cruise operations, which would now remain at Pier 4. The one-story concrete canopy structure would be renovated and used for passenger waiting and staging areas, a kitchen, storage and office space. An additional two stories would be built on top of the existing structure and be primarily used for office space. The total gross floor area of the combined buildings would be 31,936 square feet, well within the 45,000 square feet approved in the first stage PUD. The building height would be 43 feet and three stories, also in conformance with the original approval. Above the third floor would be an eight foot tall penthouse set back a minimum of 10'8” from the edge of the roof. Much of the roof would be green, with total green roof area adding up to 9,740 square feet. The applicant has revised the green design of the building and is committing to a LEED Gold level.

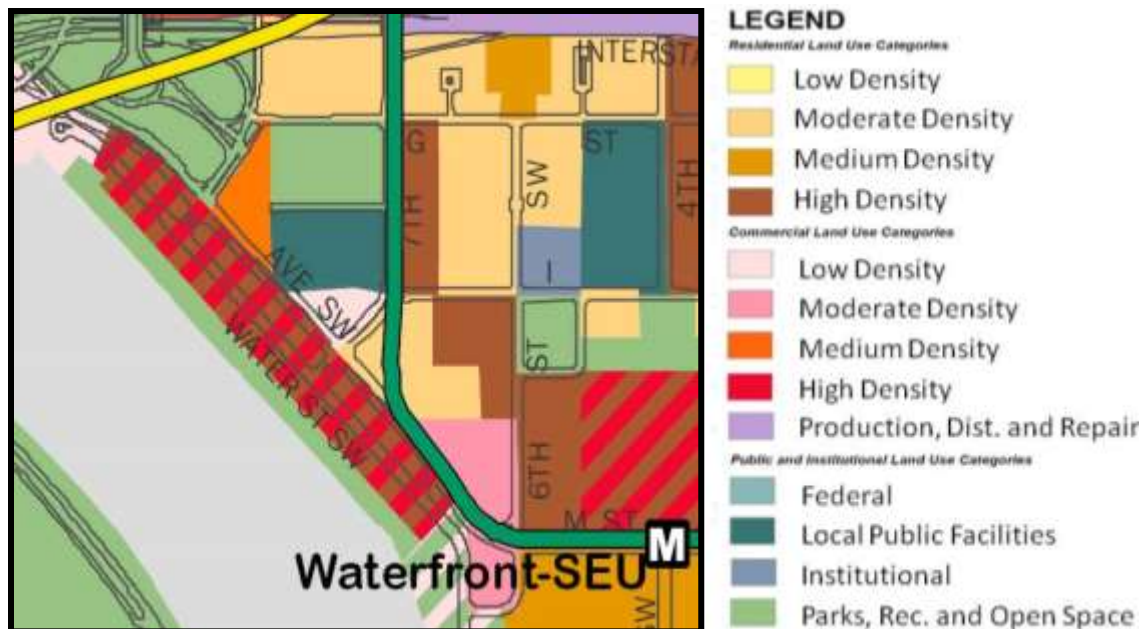
Since the time of setdown, the design of the building has been revised. Major changes include curved building “corners”, significant additional windows, and a reduced size of the third floor. Revised material selections include wood panels and soffits, architectural polished concrete block at the pier level, and metal panels on much of the side of the building as well as the primary building entrance. OP strongly supports the design of the building. Exhibit 23, the revised plan set, provides information on the lighting proposed for the pier (see Sheets 1.20 and 1.21). As of this writing, the submitted materials do not include information on the materials of the pier itself, but in email correspondence with OP, the applicant has indicated that the existing concrete surface on the existing pier would remain, and that the new finger pier would also have a concrete surface. OP notes that construction is already underway on the finger pier.

Pedestrians would be able to access the pier from the north or south via a new promenade along the water or through Waterfront Park and the extended Water Street. Bicycles would be able to approach the site from the same pathways. The updated plans show locations for bike parking at the pier level, as well as a shower room for employees on the second floor of the building. Sheet 1.0 of Exhibit 23 indicates that a total of 13 bike spaces would be provided. Maine Avenue, 6<sup>th</sup>

Street and Water Street would provide auto access to the subject site. Auto parking spaces dedicated to the site would be located on the land side adjacent to the pier, as well as in surface and garage parking lots within the Wharf development, depending on the stage of construction (Exhibit 2F, Sheets 0.9 and 0.10). Bus parking for boat patrons would occur in dedicated spaces on Maine Avenue (Exhibit 2F, Sheets 0.12 and 0.13).

#### IV. COMPREHENSIVE PLAN

The Commission found during its review of application #11-03 that the Wharf project is not inconsistent with the Comprehensive Plan. OP finds that the modified first stage PUD and the proposed second stage PUD would also not be inconsistent with the Plan. The proposed project would continue to further a number of the Plan's Guiding Principles, including the development of non-residential uses to increase the job mix in the city, and integrating large sites into the existing urban fabric (Comprehensive Plan, §§ 217.7 and 217.5).



Future Land Use Map

The project would also not be inconsistent with individual policies from the Plan. Re-use of the existing head house would fulfill Policy LU-2.1.4, which encourages rehabilitation before demolition. The project would further several economic development policies that seek to diversify the stock of office space in the city and enhance tourist destinations and experiences such as the river cruises. The Lower Anacostia Waterfront / Near Southwest Area Element also supports the retention of commercial cruise ships along the waterfront (Policy AW-1.1.3). The proposed modification from a residential to a commercial use would be consistent with the guidance of the Future Land Use Map, which shows the area as appropriate for low density commercial development and park space.

## V. ZONING

In the first stage PUD, the Commission approved W-1 zoning for the site, along with a four-story, 45,000 square foot building. The basic parameters of the currently proposed development are shown in the following table.

Lot Area (sf)	232,533 sf (5.3 ac.)
Height	3 stories, 43'
Height – Penthouse	8' (min. setback 10'8")
Gross Floor Area	31,936 sf
FAR	0.14
Length – Existing Pier	Approx. 340'
Length – Proposed Pier	Approx. 540'
Lot Occupancy	OP estimates approximately 10%
Parking	<u>Office</u> 1 per 1,800 sf in excess of 2,000 sf = 18 spaces required <u>Marina</u> 1 per 4 berths = 2 spaces required 20 spaces provided off site ( <b>Flexibility Requested</b> )
Loading	1 30' berth, 1 20' space, 1 100 sf platform required No loading provided ( <b>Flexibility Requested</b> )

The second stage application requests flexibility from the specific zoning regulations listed below.

### 1. Parking (§ 2116.1)

The application requests flexibility to provide the required parking offsite, and to provide parking in different locations as construction of the Wharf continues. Eight parking spaces would be provided on the land side immediately adjacent to the pier. 12 spaces would be provided either in a surface lot or in parking garages, depending on the phase of construction for the Wharf. Please refer to Exhibit 2F, Sheets 0.9 and 0.10.

### 2. Loading Requirements (§ 2201)

The application requests flexibility from loading requirements for the project as shown in the table below.

Facility Type	Required	Provided
55 Foot Berths	0	0
30 Foot Berths	1	0

<b>Facility Type</b>	<b>Required</b>	<b>Provided</b>
20 Foot Delivery Spaces	1	0
100 sf Loading Platforms	1	0
200 sf Loading Platforms	0	0

OP does not object to the requested flexibility. A loading zone will be provided just off-site on the land side of the project. The submitted traffic study indicates that loading demand would be minimal, but to the extent that deliveries occur, loading management techniques are proposed that would minimize any impacts to the private street near Pier 4.

### **3. Penthouses (§ 411)**

The application requests flexibility to place mechanical equipment in more than one enclosure. The two enclosures would have a height of eight feet and would be set back more than the required one-to-one ratio. Dividing the enclosures would help to reduce their visual mass. OP has no objection to the requested flexibility.

### **4. Other Minor Flexibility**

The application also requests other minor flexibility that is often included as part of PUD applications. This includes the ability to vary interior components and vary the exact selection of exterior materials exterior details. If the application is approved, OP will work with OAG to craft language for the Order that allows an appropriate level of flexibility for the developers while also assuring the project is built substantially as shown in the plans approved by the Commission, and built to a high quality of design as expected in the PUD process. OP recommends that the applicant propose flexibility language in line with that approved by the Commission for Parcel 1 of the Wharf, case #11-03C.

## **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 first stage PUD modification and 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 small size of the proposed project, OP anticipates that any impacts on city services would be minimal and acceptable.

## **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 2H. Benefits are also briefly described on page 15 of Exhibit 2. Construction of this project would continue the overall implementation of the Wharf project and its benefits and amenities.

## **VIII. AGENCY COMMENTS**

As of this writing OP has not received comments from city agencies.

## **IX. COMMUNITY COMMENTS**

The site is located in ANC 6D. The ANC has submitted a letter to the record (Exhibit 18) indicating their support of the project.