

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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MEMORANDUM

TO: District of Columbia Zoning Commission

ZONING COMMISSION
District of Columbia

FROM: Jennifer Steingasser *JS*
Deputy Director

CASE NO. 05-28A

EXHIBIT NO. 21

DATE: May 30, 2008

SUBJECT: ZC Case 05-28A: Final Report for Phase II PUD for Blocks A, B and C of
"Parkside," filed by Parkside Residential LLC.

I. APPLICATION

The subject application was set down by the Commission on January 14, 2008, for a second stage PUD to permit the development of 177,066 square feet of land (4.06 acres) on blocks A, B and C. Block A is to be developed with a 98-unit four-story senior citizen apartment building, and will include a mix of incomes at or below 60 percent of the Area Median Income (AMI). Blocks B and C are to be developed with 112 market rate and workforce rate row houses.

II. SUMMARY RECOMMENDATION

The Office of Planning recommends that this application be **APPROVED** subject to additional information or commitment to 80% AMI for the 50 rowhouses dedicated to workforce housing and additional information about market rate values in this area.

III. AREA DESCRIPTION

The overall PUD site is located in Ward 7 and the North East quadrant of the District. It is bound generally by Kenilworth Avenue to the southeast; Foote Street and a Pepco power plant to the southwest; Anacostia Avenue, Neval Thomas Elementary, housing, and Anacostia Parkland to the northeast; and Hayes Street, Caesar Chavez Public Charter High School, and Mayfair Mansions and Paradise at Parkside residential developments to the northeast. Vehicular access to Kenilworth Avenue is provided via Nannie Helen Burroughs Avenue, about two blocks north of the site.

The Minnesota Avenue Metrorail Station (Orange Line) is located on the east side of Kenilworth Avenue. The existing pedestrian connection across Kenilworth Avenue to the Metrorail station is considered to be inadequate. A few blocks to the southwest and on the east side of Kenilworth Avenue is the existing "downtown" for the surrounding neighborhood, with relatively low density commercial establishments lining Minnesota Avenue, N.E.

The overall PUD site is about 15 acres in size. At the center are 100 row houses constructed in the 1990s as part of a preliminary phase of the development at Parkside. These row houses are not part

of the overall PUD. Some internal roads and the major underground utilities have been constructed, although the site remains undeveloped.

The area that is the subject of this second stage PUD application is located at the western end of the overall PUD site. It consists of blocks A, B and C. The subject blocks are located on the southeast side of Anacostia Avenue, across from Neval Thomas Elementary School, and on the northeast side of Foote Street, across from the Pepco power plant.

The Parkside PUD is bounded by Kenilworth Avenue, N.E. to the southeast, Foote Street, N.E. to the southwest, Anacostia Avenue, N.E. to the northwest and Hayes Street, N.E. to the northeast. The underlying zone districts are R-5-A and C-2-B. It was approved for 3,003,000 square feet of gross floor area, including:

- 1,500 to 2,000 dwelling units;
- 500,000 to 750,000 square feet of office space; and
- 30,000 to 50,000 square feet of retail space.

The site is currently vacant.

II. BACKGROUND

The proposed Second Stage PUD is the first part of the Parkside PUD the Commission approved in Order 05-28. That order approved an overall PUD that includes the following:

- Development of the site with approximately 2.3 to 2.6 million square feet of residential space (1,500 to 2,000 units); up to 500,000 to 750,000 square feet of office space; and 30,000 to 50,000 square feet of retail development, along with parks, roads and underground, surface and structured parking; and
- Commercial and residential buildings up to a height of 110 feet along Kenilworth Avenue; mixed use buildings up to 90 feet in height along the central spine; and residential buildings 54 to 84 feet in height along the east and west boundaries of the site, stepping down to row houses and flats. A one-acre park is to be located the core of the site.
- The closure of some existing road rights-of-way and opening of other new rights-of way to provide access onto and through the site.

IV. PROPOSAL

The applicant is proposing to develop Blocks A, B and C with residential uses, as described below.

Block A

Block A was approved by the Commission for development as an apartment building for senior citizens. It fronts on three streets; Anacostia Avenue, Foote Street and Barnes Street. It also is adjacent to Block C, to be developed as row houses, and is separated from those row houses by a 30-foot wide linear park that will run from Anacostia Avenue through to Barnes Street.

The following table compares the proposed building to the criteria approved under Z.C. Order 05-28.

Table 1: Block A

	Approved	Proposed
Gross Floor Area	Maximum 134,400 square feet	96,900 square feet
Floor Area Ratio	Maximum 4.12	2.22
Number of Units	Maximum 105-120	98
Building Height	Maximum 54-84 feet	54 feet
Lot Occupancy	Maximum 62.6 percent	51.6 percent
Off-Street Parking	Minimum 17 spaces	18 spaces

The proposed building is smaller than what was approved under ZC Order 05-28, but conforms to the above criteria. Approved as a U-shaped building facing east, the applicant now proposes to orient the building to the west, rotating it 180 degrees. This will have the effect of shifting the vehicular access to the building to Anacostia Avenue instead of Barnes Street, and away from the fronts of proposed row houses on the opposite side of the street. The main pedestrian entrance to the building will instead be from Barnes Street, across from the fronts of the proposed row houses on the opposite of the street and within Block B.

The building is proposed to be four stories in height, with 18 parking spaces located at or below grade. The basement will also include storage and utility space, and a two-bedroom apartment. Vehicular access to the trash room, located on the first floor, will be from Foote Street, facing the Pepco plant.

The upper levels of the building will include one and two-bedroom apartments and laundry facilities on each floor. All other common areas will be located on the first floor and will include a fitness room, a library/computer room, an arts and crafts room, a salon, a coffee bar and a reception area on the first floor. An outdoor terrace for use of the residents will also be located on this level, a portion of which will cover five of the off-street parking spaces, including the two spaces designed to be accessible to the handicapped.

A variety of materials are proposed for the exterior of the building. These materials include a combination of masonry and EIFS, resulting in a variety of textures and colors. Fenestration will be varied across the face of the building.

Concurrent with this application are applications with the Office of the Surveyor to eliminate existing building restriction lines along Anacostia Avenue and Foote Street (S.O. 07-1212) and to narrow those same streets by twenty feet (S.O. 07-1213). The subject application indicates that this is for the purpose of improving the urban feel of this development. These two applications are still in processing at the Department of Consumer and Regulatory Affairs.

S.O. 07-1212 proposes the elimination of the ten foot building restriction line along Anacostia Avenue and Foote Street. The Office of Planning does not object to this proposal because it has the potential to increase the flexibility of the design of the three blocks by increasing the options available to the applicant for the layout of the houses. The creation of narrower streets is appropriate for low/moderate density areas, such as the subject property.

S.O. 07-1213 proposes to decrease the width of Anacostia Avenue and Foote Street from 90 feet to 70 feet. However, in this case DDOT has objected to the closing of a portion of Foote Street because it reduces the future transportation alternatives that may be available with respect to that street. Therefore, the Office of Planning also does not support the closing of a portion of Foote Street.

The Office of Planning is not opposed to the request to the right-of-way width of Anacostia Avenue from 90 to 70 feet. In this case DDOT did not cite a need for possible alternatives in the future that would necessitate the additional right-of-way. Therefore, the Office of Planning is not opposed to the closing of a portion of Anacostia Avenue.

Blocks B and C

Table 2: Block B

	Approved	Proposed
Gross Floor Area	Maximum 69,940 square feet	108,912 square feet
Floor Area Ratio	Maximum 1.26	2.10
Number of Units	Maximum 35-45	46
Building Height	Maximum 28-52 feet	47 feet

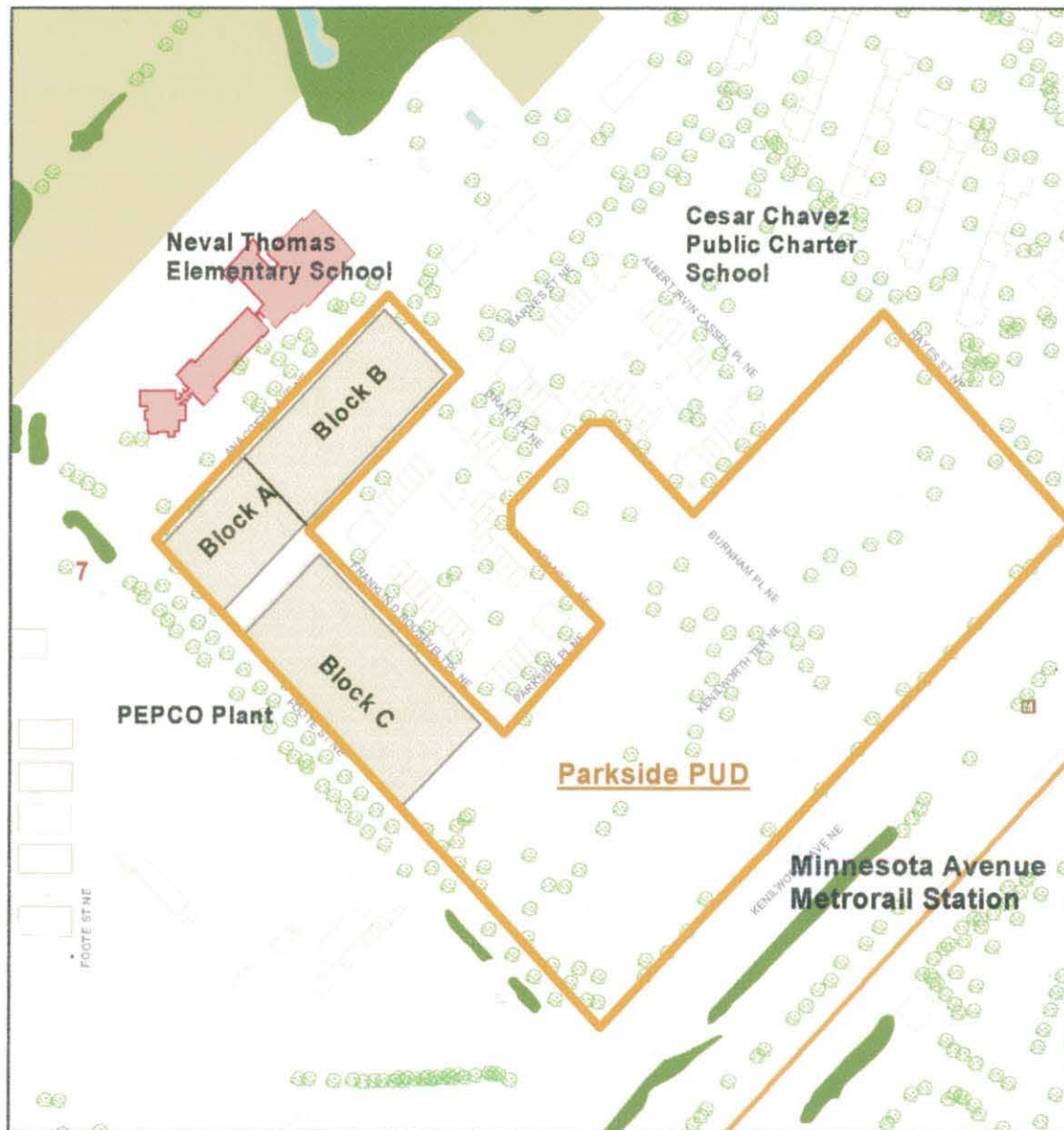
Table 3: Block C

	Approved	Proposed
Gross Floor Area	Maximum 277,920 square feet	160,636 square feet
Floor Area Ratio	Maximum 3.31	2.01
Number of Units	Maximum 140-160	66
Building Height	Maximum 43-64 feet	47 feet

ZC Order 05-28 approved Block B for row houses and Block C for apartment buildings. Since then the applicant has determined that both of these blocks would be better served if developed as row houses. The net effect on the shifting of density from the apartment buildings on Block C to the row houses on Block B is that Block B will be more dense than originally proposed and Block C will be less. However, overall there will be less gross floor area, a lower floor area ratio and fewer units on the combination of these two blocks than previously approved.

The row houses proposed are to be a mixture of two, three and four bedroom units. Most, but not all, will have either one or two-car garages, rear loaded only from a private alley system. Roof top decks will be offered as an option as private outdoor space. Units not improved with a garage will have access to a rear yard for private recreation.

A variety of recreation spaces is proposed between and among the rows of houses. Landscaped areas will provide for passive recreation, while greens surrounded by houses will allow for more active recreation. Additionally, residents will also have access to the playgrounds at Neval Thomas Elementary School for younger children and older children will have access to the facilities at a community center several blocks to the north.



Vicinity Map

The row houses are proposed to be designed in conformance with the Green Communities Criteria. Included in this are Energy Star rated appliances, energy efficient lighting and low VOC paints and adhesives.

Exteriors of the buildings are designed to include a variety of materials, including colored split-faced block along the first floors of the units. Upper levels will be a combination of hardy board and hardy plank, a cementitious material designed to give the appearance of wood. Protruding bays, varied fenestration and changes in materials and colors will articulate the facades of the row houses.

Similar to Block A, the two pending applications filed with the Office of the Surveyor (S.O. 07-1212 and S.O. 07-1213) also affect Blocks B and C. These requests will narrow the public space to the front of row houses along Anacostia Avenue and Foote Street, and eliminate existing building restriction lines.

V. ZONING

The Zoning Commission approved a PUD-related map amendment for the subject application, rezoning the site from R-5-B to C-3-A, subject to fifteen conditions. Listed below are those conditions and a review of how the subject application conforms to them.

1. *The Applicant shall submit, with the application for second-stage approval of the PUD, an application for rezoning the PUD site from R-5-A and C-2-B to C-3-A and CR that specifies the proposed rezoning by square and lot.*

The subject application also includes a concurrent request to amend the Zoning Map for Square 5041, Lots 809, 814, 815, 817, 818 and 819 from R-5-A to C-3-A.

2. *The first-stage PUD is approved in accordance with the plans and materials submitted by the Applicant marked as Exhibits 2, 21, and 52 of the record, as modified by the guidelines, conditions, and standards of this Order.*

The subject application is generally in accordance with the plans and materials submitted as a part of the First Stage PUD approval.

3. *The second-stage design of the PUD shall be based on further development and refinement of the plans marked as Exhibits 2, 21, and 52 of the record, as modified by the guidelines, conditions, and standards of this Order and shall include all public benefits described in Findings of Fact 32 through 34.*

The subject application further refines the plans for development on Blocks A, B and C by providing additional detail necessary for Stage II review. It also includes a listing and description of the public benefits and amenities proposed as a part this application.

4. *In accordance with the plans and materials noted above, the approved PUD shall consist of approximately 1,500–2,000 dwelling units, 500,000–750,000 square feet of office space, 30,000–50,000 square feet of retail, with approximately 2,400 total parking spaces. The entire project will include approximately 3,003,000 square feet of gross floor area resulting in an overall density of approximately 4.44 FAR. The total lot occupancy of the PUD will be approximately 62.4 percent. The maximum height of the PUD will be 110 feet, which will be reserved solely for the buildings located in the center portion of Parcel 12 fronting Kenilworth Avenue. The heights for the remaining buildings shall not exceed 90 feet and must scale down to lesser heights around the existing townhomes, as depicted in the Applicant's plans.*

The subject application is consistent with the density and the building heights proposed for the site. Block A is proposed to be developed as proposed, with only minor modifications. However, the applicant proposes to alter the density distribution by shifting units from Block C to Block B, and not constructing apartment buildings on Block C. Rather, both Block B and Block C will be developed similarly with row houses, at a combined density of less than what was approved for the two blocks combined.

5. *If the Applicant cannot secure a lead tenant for the office use, it may use that portion of the development envelope for an additional 500,000–750,000 square feet of residential space.*

Not applicable.

6. *The PUD will reserve 20 percent of the total residential component as units affordable to households having an income not exceeding 80 percent of Area Median Income for the Washington, DC Metropolitan Statistical Area (adjusted for family size). Those reserved as affordable rental units will remain affordable for at least 30 years; the affordability restriction for the affordable for-sale housing shall be consistent with the terms required by the public subsidy the homebuyer uses to provide gap financing.*

This Phase II application proposes the development of 210 residential units, 98 of which will be located within the senior citizen apartment building on Block A. All of the units within the senior citizen apartment building are proposed to be affordable at 60 percent of AMI, which results in 45 percent of the residential units in this phase as being affordable, and in excess of the 20 percent required for the overall PUD for this phase.

7. *The PUD will reserve 20 percent of the total residential component for workforce housing targeted to households that have an income between 80 and 120 percent of the Area Median Income for the Washington, D.C. Metropolitan Statistical Area (adjusted for family size).*

The row houses are proposed to be sold at market and workforce housing rates. Workforce housing is defined as housing for those households earning between 80 and 120 percent of AMI. The applicant proposes to set aside 20 percent of the residences for workforce housing by reserving approximately 102 of the townhouse units for workforce housing as follows:

- 50 townhouses reserved for households earning up to 93 percent of AMI;
- 4 townhouses reserved for households earning up to 100 percent of AMI; and
- 48 townhouses reserved for households earning up to 120 of AMI.

A total of 26 percent of the residential units in this Second Stage PUD will be available as workforce housing. OP notes that the 93% is an unusual percentage and

recommends that the lower AMI be no more than 80%. In order to fully understand the comparative value of the housing, OP has also requested information about what the market rate prices are for this area.

8. *The Applicant shall submit, as part of the second-stage application, landscape plans, detailed architectural plans, and elevations indicating the design treatment of each building.*

The subject Phase II application includes landscape plans, detailed architectural plans and elevation drawings.

9. *The Applicant shall submit, as part of a second-stage application, an analysis of the potential for providing access to the PUD Site from Benning Road.*

The application includes an analysis of the feasibility of providing vehicular access to the site from Benning Road and concludes that there are 3 reasons not in favor of the construction of such a roadway. First, it would result in the mixing of residential traffic to the site with truck traffic accessing the trash transfer station. Second, it could result in increased truck traffic utilizing the residential streets of Parkside to access the trash transfer station or the Pepco power plant. Lastly, at least one bridge would have to be constructed as a result of water features. Therefore, the applicant concludes that the provision of vehicular access from Benning Road is not feasible.

DDOT has not provided comments to the Office of Planning on this analysis.

The Benning Road access will be necessary to support the density proposed for the overall PUD, especially the portions of the PUD located closer to the Kenilworth Avenue. The subject application is only the first part of the overall PUD to request second stage approval, and only proposes low to moderate density housing. Therefore, resolution of this issue is not necessary for the approval of this second stage PUD application, but it will need to be resolved for the remainder of the PUD to be approved.

10. *The Applicant shall submit, as part of a second-stage application, a detailed traffic study that will (a) address the adequacy of pedestrian and vehicular access to the PUD Site, including an analysis of the DDOT recommendation with respect to pedestrian access; (b) address traffic conditions pertaining to Kenilworth Avenue, particularly in light of the transportation initiatives identified by DDOT as planned or underway in the vicinity, such as the Kenilworth Avenue Corridor study; and (c) analyze the traffic impacts of the PUD in light of other new developments and uses in the vicinity, such as the Cesar Chavez Public Charter School.*

A traffic study was submitted as a part of the subject application. The traffic study concluded that “the proposed development will not have an adverse impact on the transportation infrastructure in the area.” DDOT informed the Office of Planning by telephone that they are in agreement with the conclusion of the traffic study.

11. *The Applicant shall submit, as part of a second-stage application, materials addressing (a) the design and anticipated use of the pedestrian retail plaza at the center of the PUD Site, including whether it should be open to slow-speed vehicular traffic, and (b) potential cooperation with Pepco to provide adequate landscaping to buffer the Pepco site from the PUD Site.*

The pedestrian retail plaza is not applicable to this application. However, the buffering of the Pepco plant is relevant and the applicant proposes to work with the District and adjacent landowners to provide a buffer within the public space to the front of the Pepco property. The applicant submitted a "Street Tree Layout Plan," dated March 21, 2008, that details the provision of a row of evergreen trees between the Pepco property line and the sidewalk, the retention of the existing shade trees located between the sidewalk and the curb, and the interspersing of ornamental trees between the shade trees. The evergreens will provide a screen between Foote Street and the Pepco power plant, and the addition of the ornamentals will further buffer Pepco property. As a result, the applicant has provided adequate landscaping to buffer the Pepco site from the subject property.

12. *The Applicant shall specify, in its second-stage application, the period of affordability applicable to the for-sale affordable units.*

The affordable units proposed within the senior citizen apartment building will not be offered for sale. Therefore, this condition is not applicable to the subject application.

13. *The first-stage approval is valid for a period of one year, within which time a second-stage application shall be filed. If the second-stage application is for less than the entire development described in this Order, no subsequent second-stage application may be filed after three (3) years from date of approval of the partial second-stage. It is within the Zoning Commission's discretion to extend these periods.*

ZC Order 05-28 became effective on April 13, 2007. The subject application is for less than the entire Parkside development and was filed on November 17, 2008, less than a year later.

14. *Given the size of the PUD, the Applicant may file the second-stage application in phases for one or more of the buildings.*

The applicant has opted to file the second stage applications in phases. The subject application is for three of the ten blocks approved for the overall PUD.

15. *In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §§ 2-1401.01 et seq. (the "Act"), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or*

business. Sexual harassment is a form of sex discrimination that is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the act will not be tolerated. Violators will be subject to disciplinary action.

The application indicates that the applicant will comply with the provisions of the Human Rights Act.

COMMISSION AND OFFICE OF PLANNING CONCERNS

At the setdown meeting of January 14, 2008, the Commission requested the applicant provide information and clarification on the following items that were either noted by either the Commission or the Office of Planning in the setdown report. The revised application addresses those concerns as described below.

1. Provide an updated drawing of the entire Parkside PUD.

The applicant has submitted as revised drawing of the entire PUD, depicting the revised layout as requested in this application.

2. Provide documentation that financing for the construction of the pedestrian bridge to the Metrorail station will be forthcoming.

The applicant submitted a letter from the Office of the Deputy Mayor for Planning and Economic Development (ODMPED), dated February 19, 2008, indicating that ODMPED has committed \$5,000,000 to the project, in addition to the applicant's commitment of either \$3,000,000 or 25 percent of the cost of the construction of the bridge, whichever is less.

3. Provide addition drawings depicting elevations, proper dimensions and materials proposed.

Additional drawings depicting elevations, proper dimensions and materials were submitted by the applicant. These drawings provide more detail that includes measurements of sidewalks, spacing between street trees and materials to be used. Specific species of shrubs, groundcovers, ornamental and shade trees are listed, including caliper measurements for trees.

Widths of the alleys, including the proposed asphalt and permeable paving widths, sidewalks widths and the widths of bio-retention areas, tree planting areas and lawns are also provided.

Elevation drawings were also submitted, detailed proposed materials and dimension for the proposed townhouses and senior citizen building.

4. Provide additional information regarding the benefits of converting the rear yards of the townhouses.

The applicant provided additional information regarding the benefits of converting the rear yards of the townhouses into vehicular access to private garages. Although this will require the paving of much of the rear yards, the only other option available is to front load the garages, and provide direct vehicular access from the street. This would result in the provision of many curb cuts and driveways across the fronts of the properties. Private balconies will be offered on many of the units and green spaces are proposed on both Block A and Block B for use by townhouse residents for recreational purposes.

5. Provide documentation as to how the 20 percent of the residential units will be set aside for workforce housing.

The row houses are proposed to be sold at market and workforce housing rates. Workforce housing is defined as housing for those households earning between 80 and 120 percent of AMI. The applicant proposes to reserve 20 percent of the residences for workforce housing by reserving approximately 102 of the townhouse units for workforce housing as follows:

- 50 townhouses reserved for households earning up to 93 percent of AMI;
- 4 townhouses reserved for households earning up to 100 percent of AMI; and
- 48 townhouses reserved for households earning up to 120 of AMI.

A total of 26 percent of the residential units in this Second Stage PUD will be available as workforce housing, resulting in the provision of 20 percent of the total workforce housing required for the entire Parkside PUD. OP notes that 93% is an unusual percentage and recommends that the AMI for the lower end be at no higher than 80%. OP has also requested information regarding the market rate prices for this area.

6. Provide an analysis regarding the feasibility of providing vehicular access to the PUD site from Benning Road.

The application includes an analysis of the feasibility of providing vehicular access to the site from Benning Road and concluded that there are three reasons not in favor of the construction of such a roadway. First, it would result in the mixing of residential traffic to the site with truck traffic accessing the trash transfer station. Second, it could result in increased truck traffic utilizing the residential streets of Parkside to access the trash transfer station or the Pepco power plant. Lastly, at least one bridge would have to be constructed as a result of water features. Therefore, the applicant concludes that the provision of vehicular access from Benning Road is not feasible. DDOT has not commented on this analysis.

7. Provide additional buffering of the Pepco power plant from the PUD site along the southwest side of Foote Street, in front of Pepco property.

The applicant submitted a "Street Tree Layout Plan," dated March 21, 2008, that details the provision of a row of evergreen trees between the Pepco property line and the sidewalk, the retention of the existing shade trees located between the sidewalk and the curb, and the interspersation of ornamental trees between shade trees. The evergreens will provide a screen between Foote Street and the Pepco power plant, and the addition of the ornamentals will further buffer Pepco property.

VI. 2006 COMPREHENSIVE PLAN

The Zoning Commission found the overall PUD to be not inconsistent with the Comprehensive Plan in effect at the time. Since approval of the first stage PUD the City Council adopted the 2006 Comprehensive Plan. This second stage PUD is evaluated within the context of the 2006 Comprehensive Plan.

The proposal would further the following policies of the 2006 Comprehensive Plan, as described below.

Chapter 3: Land Use Element

Policy LU-1.3.3: Housing Around Metrorail Stations

Recognize the opportunity to build senior housing and more affordable "starter" housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations. (§ 306.12)

The subject application proposes ***to build senior housing*** and workforce or ***more affordable housing*** within close proximity to the Minnesota Avenue ***Metrorail Station***, and make a financial contribution to the construction of a new pedestrian bridge over Kenilworth Avenue to improve access to the station.

Policy LU-1.3.4: Design To Encourage Transit Use

Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots. (§ 306.13)

The subject application proposes as an amenity a financial contribution toward the construction of a new pedestrian overpass to the Minnesota Avenue Metrorail Station from the west side of Kenilworth Avenue for the ***comfort and convenience of passengers walking to the station***.

Chapter 4: Transportation Element

Policy T-1.1.4: Transit-Oriented Development

Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points. (§ 403.10)

The subject application proposes to make a financial contribution toward the construction of a pedestrian bridge over Kenilworth Avenue, a ***pedestrian-oriented transportation improvement***, providing direct access to the Minnesota Avenue Metrorail station.

Chapter 5: Housing Element

Policy H-1.1.1: Private Sector Support

Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. (§ 503.2)

The subject application will provide **new housing** at a location consistent with the provisions of the 2006 Future Land Use Plan. It will provide for senior housing to meet the needs of District residents, and row houses suitable for either District families looking to move up, or as an opportunity for families to move into the District.

Policy H-1.3.1: Housing for Families

Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments. (§ 505.6)

The subject application proposes 112 new **housing units for families**. Designed as row houses, these units will include a mixture of two, three and four-bedroom units.

Policy H-4.2.2: Housing Choice for Seniors

Provide a wide variety of affordable housing choices for the District's seniors, taking into account the income range and health care needs of this population. Recognize the coming growth in the senior population so that the production and rehabilitation of publicly-assisted senior housing becomes a major governmental priority. (§ 516)

Block A is proposed as an **affordable housing choice for the District's seniors**. It is an affordable 98-unit senior citizen apartment building at 60 percent AMI.

Chapter 6: Environmental Protection Element

Policy E-1.1.2: Tree Requirements in New Development

Use planning, zoning, and building regulations to ensure that trees are retained and planted when new development occurs, and that dying trees are removed and replaced. If tree planting and landscaping are required as a condition of permit approval, also require provisions for ongoing maintenance. (§ 603.5)

The application includes a "Street Tree Layout Plan," drawing no. L1-1, specifying proposed shade and ornamental trees to be **planted when new development occurs** along the streets and within the property. The plan also proposes the retention of four existing trees. As a part of the application, conformance with this plan will be **required as a condition of permit approval**, if approved by the Commission.

Policy E-1.1.3: Landscaping

Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity. (§ 603.6)

In addition to the street trees proposed by the “Street Tree Layout Plan,” the application also includes the “Anacostia Avenue Park Plan,” drawing no. L1-2. This plan proposes groundcovers, shrubs and ornamental trees within this park and along Anacostia Avenue to **enhance streets and public spaces**. It also proposes two bio-retention plantings along building faces to **reduce stormwater** runoff. The application also proposes foundation plantings around the senior citizen apartment building and the row houses.

Chapter 9: Urban Design Element

Policy UD-1.5.1: Mitigating Freeway Impacts

Reduce the negative effects of freeways on neighborhoods by decreasing blight around freeway overpasses and underpasses, and improving pedestrian and bicycle overpasses. Longer-term solutions that address the design of the freeways themselves also should be explored. Such solutions should consider rebuilding freeways to reduce their “iron curtain” effect and developing the air rights over sunken freeways. (§ 907.3)

The application proposes a financial contribution toward the construction of a new **pedestrian overpass** over Kenilworth Avenue. The overall PUD proposes high-rise office and mixed-use buildings along the Kenilworth Avenue frontage. These buildings will enhance the area and buffer the low-scale residential units from the freeway.

Chapter 17: Far Northeast & Southeast Area Element

Policy FNS-1.1.2: Development of New Housing

Encourage new housing for area residents on vacant lots and around Metro stations within the community, and on underutilized commercial sites along the area’s major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast, taking steps to ensure that the housing remains affordable for current and future residents. (§ 1708.3)

The subject application proposes the **development of new housing for area residents on vacant lots and around Metro stations within the community**.

Policy FNS-2.8.2: Kenilworth-Parkside Transit Oriented Development

Support mixed-use residential, retail, and office development on the remaining vacant properties in the Kenilworth-Parkside neighborhood. Take advantage of this area’s proximity to the Minnesota Avenue Metrorail station and its relative isolation from the low-density single family neighborhoods to the east to accommodate medium to high density housing that is well connected to transit and the adjacent waterfront open space. (§ 1718.6)

The overall PUD proposed a **mixed-use residential, retail and office development on remaining vacant properties in the Kenilworth-Parkside neighborhood**. The subject application takes advantage **this area’s proximity to the Minnesota Avenue Metrorail station** through increased density, a mix of uses and a financial contribution toward the construction of a pedestrian overpass connection the site to the station.

Policy FNS-2.8.3: Density Transitions at Parkside

Provide appropriate height and scale transitions between new higher density development in the Kenilworth-Parkside neighborhood and the established moderate density townhomes and apartments in the vicinity. Buildings with greater heights should generally be sited along Kenilworth Avenue and Foote Street, and should step down in intensity moving west toward the river. (§ 1718.7)

The subject application ***provides appropriate height and scale transitions***. As the development proposed to take place furthest to the west, it is proposed to be developed with townhouses and a four-story apartment building, consistent with the ***established townhouses and apartments in the vicinity***.

Policy FNS-2.8.4: Buffering around Parkside

Maintain sufficient buffering, screening, and separation between new development at Kenilworth-Parkside and the adjacent Pepco plant and waste transfer station. (§ 1718.8)

The proposed plan ***maintains buffering, screening, and separation between new development and the adjacent Pepco plant***. None of the proposed row houses directly face the Pepco plant from Foote Street. They are either oriented into the center of the block, or are set back from the street and face a common green that is proposed to include the planting of ornamental trees to the front of each unit.

Policy FNS-2.8.5: Parkside Access Improvements

Improve vehicular, pedestrian and bicycle access to the Kenilworth-Parkside area. This should include improved horizontal clearance at the railroad crossings, safer pedestrian access ways, better signage, and improvements to the Kenilworth Avenue interchanges. (§ 1718.9)

The subject application includes an ***improvement to the pedestrian access to the Parkside area*** through a financial contribution toward the construction of a ***safe pedestrian access way*** over Kenilworth Avenue to the Minnesota Avenue Metrorail station.

The 2006 Future Land Use Map designates the site as within the “medium density residential” land use category, defined as “*neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. This designation also may apply to taller residential buildings surrounded by large areas of permanent open space.*”

The 2006 Generalized Policy Map depicts the site as within the “Neighborhood Enhancement Areas” designation. “*The guiding philosophy in Neighborhood Enhancement Areas is to ensure that new development “fits in” and responds to the existing character, natural features, and existing /planned infrastructure capacity. New housing should be encouraged to improve the neighborhood and must be consistent with the land use designation on the Future Land Use Map.*”

The proposal is not inconsistent with the policies of the 2006 Comprehensive Plan, the land use designation on the 2006 Future Land Use Map or the depictions on the 2006 Generalized Policy Map. It will provide for medium density residential development that is consistent with the existing character of the surrounding area the land use designation on the Future Land Use Map.

VII. SNAP – Neighborhood Cluster 30, Strategic Neighborhood Action Plan

The 2003 SNAP planning process identified near-term goals for individual neighborhood clusters. The site is part of Cluster 30, which includes the Mayfair and Central Northeast neighborhoods. Cluster workshop participants were asked to identify priorities for additional action planning. Area residents listed the following issues as being of top priority:

- Abandoned Housing
- Public Safety
- Commercial Development
- Youth Development

The subject application proposed development especially furthers the Public Safety through the development of vacant land and supporting the provision of improved access for new and existing residents from the Metro Station.

VIII. KENILWORTH Avenue Corridor Transportation Study (DDOT)

The Kenilworth Avenue Corridor Transportation Study is dated May 2007. Kenilworth Avenue is an important part of the District's transportation network. To some users, it serves as an essential commuter route, while to others it is a key link to their neighborhoods. At the same time, it is also an obstacle, where it prevents easy movement between residents on either side from such destination points as the Anacostia River, a park or recreation area, a school, or a place to shop.

This study examined these conflicting functions, and explored options for improving Kenilworth Avenue (between Pennsylvania Avenue and Eastern Avenue) within the context of three major goals:

- Providing a safer, more pedestrian friendly, environment;
- Creating a more pleasing urban setting for Kenilworth Avenue; and
- Improving access for local neighborhoods.

These overarching goals form the basis for identifying a vision that lead to individual projects that, when implemented, can result in significant improvements to the corridor. The vision for Kenilworth Avenue addresses issues related to access, safety, and transportation for drivers, pedestrians, bicyclists, and people using public transit.

IX. GREAT STREETS INITIATIVE

Minnesota Avenue, Nannie Helen Burroughs Avenue and Benning Road are all within the vicinity of the subject site and are designated as "Great Streets". The goals for the initiative are:

- To make major corridors and boulevards throughout the District of Columbia clean, safe, and attractive neighborhood destinations that represent the city's diversity and overall quality of life.
- To use public tools to leverage private investments and enhancements.
- To provide neighborhood-preferred goods and services in well-maintained facilities while retaining, expanding, and attracting businesses.
- To create broad stakeholder support and participation in the initiative.

In general, the proposal would further the objectives of the Great Streets Initiative for the designated streets in the area, although the subject site is not directly on them so the impact – positive or negative – is limited.

X. CONSISTENCY WITH THE PUD EVALUATION STANDARDS OF SECTION 2400

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations or result in an action inconsistent with the Comprehensive Plan. The overall PUD has been determined to be consistent with the objectives and evaluation standards of a Planned Unit Development, as defined in 11 DCMR § 2400. This second stage PUD, which is generally consistent with ZC Order 05-28, is also consistent with the PUD evaluation standards.

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 benefits to the surrounding neighborhood can be achieved. At 4.06 acres, the application meets the minimum site area requirements of § 2401.1(c) required for a PUD within a commercial zone district. No additional flexibility has been requested as a part of this Phase II PUD application, with the exception of shifting of density from Block C to B.

XI. PUBLIC BENEFITS AND AMENITIES

Public benefits are defined in § 2403.5 as “*superior features... that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under... matter of right...*” Amenities are defined under § 2403.7 as including “*one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors.*”

The applicant proposes the following benefits and amenities for the Second Stage PUD:

- Special Value for the Neighborhood: The application proposes as a benefit the provision of housing for seniors on a fixed income, and market rate and workforce rate housing to a community comprised primarily by subsidized housing projects. The Office of Planning considers this as a benefit.

- First Source Employment Program: The applicant proposes to enter into an agreement to promote and encourage the hiring of District residents. The Office of Planning considers this as a benefit.
- Local Business Opportunity Program: The applicant proposes to enter into a Memorandum of Understanding with the Local Business Opportunity Commission to utilize local businesses in the development of the project. The Office of Planning considers this as a benefit.
- Pedestrian Bridge over Kenilworth Avenue: DDOT proposes to construct a pedestrian bridge over Kenilworth Avenue that will connect Parkside with the Minnesota Avenue Metrorail station. Preliminary Engineering for this bridge by DDOT is expected to commence shortly, and DDOT has committed a total of five million dollars toward the completion of this project. The applicant proffers to pay 25 percent or up to three million dollars of the cost of this bridge. The Office of Planning considers this to be an amenity.

A significant part of this benefits and amenities package is the financial contribution toward the construction of the pedestrian bridge over Kenilworth Avenue. This bridge will not only provide pedestrian access to the Minnesota Avenue Metrorail Station from the Parkside development, but to adjacent and nearby housing as well.

The combination of these offerings will result in a project superior to what could be developed as a matter of right. The benefits and amenities are appropriate in relation to the degree of flexibility requested. Therefore, the Office of Planning supports this benefits and amenity package.

XII. AGENCY COMMENTS

DDOT responded by telephone to the Office of Planning that they found the traffic study submitted by the applicant to be acceptable.

No other comments were received.

XIII. COMMUNITY COMMENTS

The Office of Planning requested comments from ANC 7D, but none were received.

XIV. RECOMMENDATION

The Office of Planning is very supportive of this project, the first phase in the completion of the Parkside neighborhood development. The development will add new residential opportunities in the area, including affordable senior housing that will be of benefit to neighborhood residents and the District as a whole. The project is not inconsistent with the policies of the 2006 Comprehensive Plan.

The issue regarding the proposal of vehicular access to the overall PUD site from Benning Road still needs to be resolved. However, as this second stage PUD application is for a low and moderate density development within the PUD, the provision of this roadway is not necessary at this time. However, for the higher density proposals its construction may be warranted. Therefore, the Office of Planning recommends that the applicant continue to work with DDOT on the resolution of this issue.

The Office of Planning recommends that this application be **APPROVED** subject to additional information or commitment to 80% AMI for the 50 rowhouses dedicated to workforce housing and additional information about market rate values in this area.

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