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MEMORANDUM

TO: District of Columbia Zoning Commission

FROM:  Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: April 8, 2011

SUBJECT: **ZC Case 05-28C: Final Report** for a Second Stage PUD for Block I1 of "Parkside," filed by Lano Parcel 12 LLC for the Community College of the District of Columbia.

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the second-stage application, subject to the approval by the Zoning Commission of Case 05-28E, which would provide for necessary modifications to the first-stage approval for this site.

APPLICATION

Lano Parcel 12 LLC, the applicant, has petitioned the Zoning Commission for a Second Stage PUD pursuant to permit a new campus of the Community College of the District of Columbia. The current proposal is the major change requested under ZC 05-28E, for which the Commission held a public hearing on April 4, 2011. A decision meeting has been scheduled on May 9, 2011.

BACKGROUND

The original First Stage PUD application for the Parkside development was approved by the Zoning Commission and became effective on April 13, 2007. To date five additional Parkside applications have been filed, as described below.

ZC 05-28A: Second-stage application and modification for blocks A, B and C (refer to Appendix 2) was approved by the Commission and the order became effective on October 3, 2008, including a 98-unit senior citizen apartment building on Block A at 60 percent of AMI, and 112 townhouses on blocks B and C, 42 of which would be made available at 80 to 120 percent of AMI. Modification was required to permit 66 townhouses on Block C in place of low-rise apartments. Construction has begun on the senior citizen apartment building.

ZC 05-28E: Modification request for Blocks G, H and I, set down by the Commission on July 26, 2010. The hearing was held on April 4, 2011 and continued to April 18, 2011, with a decision set for May 9, 2011.

- Change to the PUD-related map amendment from C-2-B to C-R;
- Change to the use from residential to community college; and
- Amend the building height:
 - Kenilworth Avenue: from 90 feet and 9 stories to 110 feet and eight-stories;
 - Kenilworth Terrace: from 54 feet and 5 stories to 21 feet and one-story.

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ZC 05-28B: Second-stage application for part of Block I was filed on May 10, 2010. This request was set down by the Commission on July 26, 2010, is scheduled for hearing on April 18, 2011, and is the subject of a separate OP report.

ZC 05-28C: Application for blocks G, H and I was filed on June 3, 2010 to permit a community college. This request was set down by the Commission on July 26, 2010 and is the subject of this application.

ZC 05-28D: Two-year PUD extension request to October 3, 2013 was determined to be premature and was denied without prejudice by the Commission at its public hearing on July 12, 2010.

PROPOSAL

Block II, the subject of this second-stage application, is located on the southwest side of proposed health center, between Kenilworth Terrace and Kenilworth Avenue. The proposed Community College of the District of Columbia (CCDC) building would be C-shaped, with an open courtyard facing Kenilworth Terrace. A second open courtyard would face Kenilworth Avenue, located between the community college building and the health center next door. This courtyard would function as a terrace adjacent to the college's cafeteria, allowing for outdoor seating and landscaping.

CCDC currently has five locations within the District. However, this would be the first to be located east of the river. Programs offered at CCDC would include associate degrees, certificate programs, continuing education and workforce development. The applicant expects that no more than 500 students, 25 faculty and 50 staff members would be on the site at any one time.

The proposed building would have 260,000 gross square feet, a lot occupancy of 84 percent and an FAR of 7.4. The building would be 110 feet and 8 stories in height along Kenilworth Avenue and 21 feet and one-story along Kenilworth Terrace. It would contain 87 above grade structured parking spaces plus twenty bicycle spaces. Two access points to the garage are proposed, one would be shared with the health center to the north, and the second would be from Kenilworth Terrace, designed to accommodate both truck and automobile traffic. Pedestrian access would be from Kenilworth Terrace, with vehicular access from both Kenilworth Avenue and Kenilworth Terrace.

Several of the facades of the building would not be at right angles to either the ground or the other facades of the building. An outdoor plaza would be located on the ground level, with retail spaces on the Kenilworth Terrace side of the building. The ground level would also include a student center, job center, an auditorium and retail space.

Facade materials would be a combination of glass curtain walls and metal panels with punched windows. The Kenilworth Avenue facade would be all curtain walls, with a combination of curtain wall and punched windows facing the health center and Kenilworth Avenue. The south elevation would be primarily punched windows. The Commission did express concern at setdown regarding the amount of glass and CCDC's ability to darken classrooms as necessary. In response the applicant proposes to provide window shades for use as needed.

The building would be designed to LEED Silver rating. The design would include green and reflective roofs, provision of bicycle parking spaces and changing rooms, use of low-emitting adhesives, sealants, paints and flooring systems. The building would also be designed to more efficiently use water and energy. A LEED checklist was included in the application, dwg. 13A of the application.

A reflective roof would be provided on the tallest part of the structure, located on the south side of the site. Most of the remainder of the building, including a seven-story section and a portion of the one-story section adjacent to Kenilworth Terrace, would be improved with a green roof. The remainder of the one-story section of building adjacent to Kenilworth Terrace would be a pedestrian plaza.

ZONING and OP ANALYSIS

As part of its original First Stage consideration, 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. As part of Case 05-28E, the applicant has requested that this PUD-related map amendment be to CR rather than C-3-A.

Listed below are the relevant 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 PUD-related map amendment is addressed under ZC 05-28E.

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 plans and materials submitted are in conformance with the modifications requested under ZC 05-28E for the proposed community college.

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 is in conformance with the use and building heights as requested to be modified under ZC 05-28E.

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 Second Stage 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.*

An analysis on the potential for providing access to the PUD site from Benning Road was submitted as a part of the first second-stage application, ZC 05-28A.

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 impact study was submitted as a part of the subject application, and is being evaluated by DDOT.

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, and on November 16, 2007 a partial second-stage application was filed. That partial second-stage application, ZC 05-28A, became effective on October 3, 2008. The subject application was filed less than three years from the effective date of the order for ZC 05-28A.

The applicant is not requesting any relief from specific zoning regulations.

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.

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. With a lot area of 57,240 square feet for the community college building, the application meets the minimum site area requirements of § 2401.1(c) required for a PUD within a commercial zone district.

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.*"

In addition to the benefits and amenities that were proffered by the applicant and approved by the Commission under the original first-stage PUD, the applicant proposes the following benefits and amenities for this second-stage PUD:

- **Community College:** The application proposes to establish the first CCDC campus east of the river. This campus will provide educational opportunities to residents of Parkside and all of Wards 7 and 8 that are not currently available. The Office of Planning views this as an important neighborhood amenity which will help area residents gain the training and experience needed.
- **First Source Employment Program:** The applicant will enter into an agreement to promote and encourage the hiring of District residents during the development and construction process. Additional detail regarding this proffer is needed.

The establishment of a community college east of the river is a significant amenity for Parkside and all of wards 7 and 8. It will offer post-high school educational opportunities in a part of the City where such opportunities are not currently made available. The building will also be constructed to LEED Silver level, and will include green roof to minimize storm water runoff, and reflective roof to lessen heat island effect. As no additional relief is requested as a part of this second-stage PUD application, the Office of Planning finds that the benefits and amenities package to be acceptable.

COMPREHENSIVE PLAN (refer to Appendix 1)

The Zoning Commission found the overall PUD to be not inconsistent with the Comprehensive Plan in effect at the time. The overall PUD is also not inconsistent with the 2006 Comprehensive Plan, adopted by the City Council after the approval of the original PUD. It would make available college level education to an underserved part of the City. The proposed building would be located on a currently vacant tract of land with easy access to the Minnesota Avenue Metrorail station. A green roof and a reflective roof would be incorporated into the building.

The proposal is not inconsistent with the policies of the Comprehensive Plan, the land use designation on the Future Land Use Map or the depictions on the Generalized Policy Map. It will provide for college level education in a building that is consistent with the existing character of the surrounding area the land use designation on the Future Land Use Map.

AGENCY COMMENTS AND REFERRALS

DDOT is expected to submit written comments in a separate report to the Commission.

COMMUNITY COMMENTS

ANC 7D, at its regularly scheduled meeting of March 8, 2011, voted to oppose the application.

The Single Member District Commissioner for ANC 7D07 submitted a letter to the file dated April 4, 2011 in support of the application.

Parkside Civic Association submitted a letter to file dated February 10, 2011 in support of the application.

Eastland Gardens Civic Association submitted a letter dated March 25, 2011 in opposition to the application.

Mayfair Mansion Tenants Association, Inc. submitted a letter to the file dated March 30, 2011 in opposition to the application.

Groundwork Anacostia Rive DC submitted a letter to the file dated April 3, 2011 in support of the application.

Councilmember Yvette Alexander submitted a letter to the file dated February 23, 2011 in support of the application.

A petition in support of the application was submitted to the file with 64 signatures.

Four community residents submitted letters to the file in support of the application.

RECOMMENDATION

The Office of Planning supports the proposal for a community college that will provide college level educational opportunities to the existing and future residents of not just Parkside, but for all of residents east of the river. The proposed second-stage PUD is not inconsistent with the elements of the Comprehensive Plan or the major modifications requested to the original first-stage approval under ZC 05-28E. However, that application, scheduled for decision on May 9, 2011, has not yet been decided by the Commission and must be approved before this application can be granted.

Therefore, the Office of Planning recommends that the application be approved, subject to the approval of ZC Case 05-28E by the Commission.

JS/sjm^{AICP}

Case Manager: Stephen J. Mordfin, AICP

Appendix 1

COMPREHENSIVE PLAN CITATIONS

Chapter 3: Land Use Element

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)

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)

Chapter 6: Environmental Protection Element

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)

Chapter 9: Urban Design Element

Policy UD-2.2.11: Parking Structures

Encourage creative solutions for designing structured parking to minimize its visual prominence. Where feasible, the street side of parking structures should be lined with active and visually attractive uses to lessen their impact on the streetscape. (§ 910.21)

Chapter 12: Educational Element

Policy EDU-3.3.1: Satellite Campuses

Promote the development of satellite campuses to accommodate university growth, relieve growth pressure on neighborhoods adjacent to existing campuses, spur economic development and revitalization in neighborhoods lagging in market activity, and create additional lifelong learning opportunities for DC residents. (§ 1214.5)

Policy EDU-3.3.2: Balancing University Growth and Neighborhood Needs

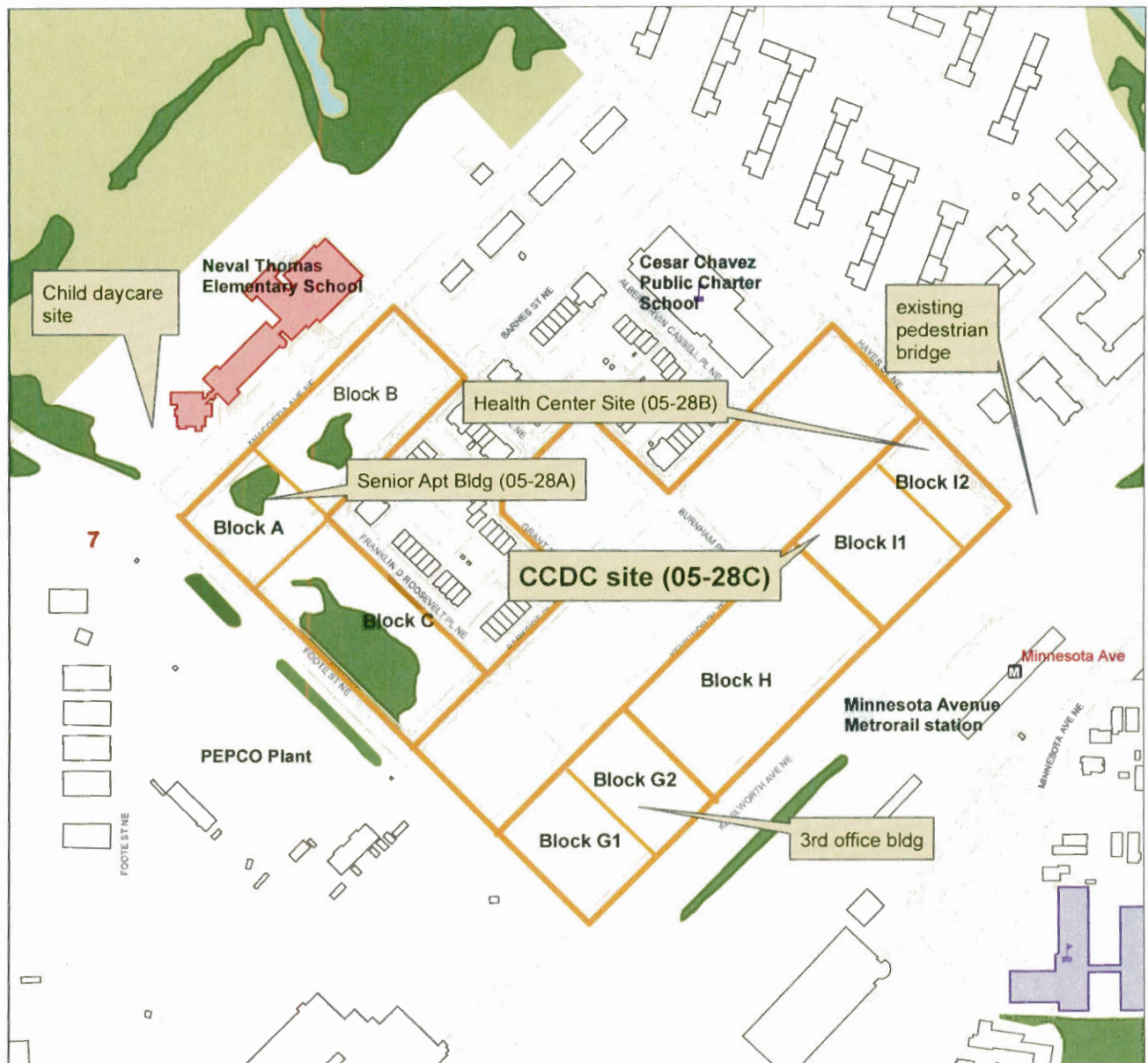
Encourage the growth and development of local colleges and universities in a manner that recognizes the role these institutions play in contributing to the District's character, culture, economy, and is also consistent with and supports community improvement and neighborhood conservation objectives. Discourage university actions that would adversely affect the character or quality of life in surrounding residential areas. (§ 1214.6)

The Future Land Use Map designates the site as within the "mixed land use" category, consisting of the "high density residential" and "medium density commercial" land use categories. High density residential is defined as "neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use." Medium density commercial is defined as "shopping and service areas that are somewhat more intense in scale and character than the moderate density commercial areas. Retail, office, and service businesses are the predominant uses."

The 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."*

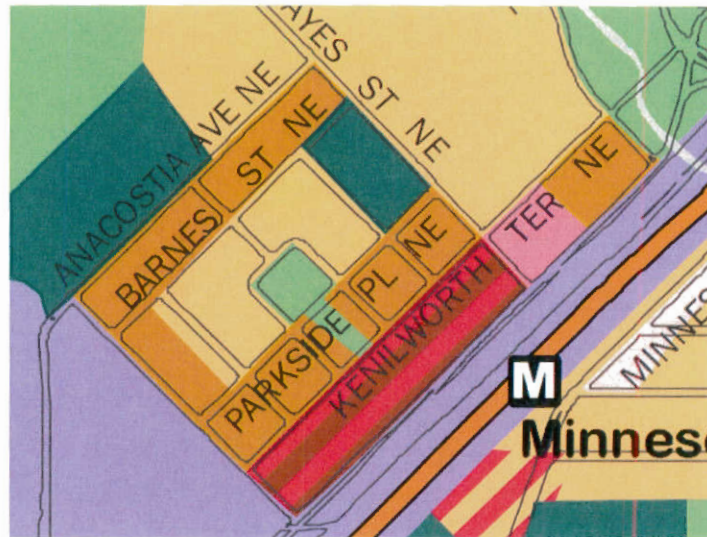
Appendix 2

AREA MAP



Map Depicting Location of Health Center Site within Parkside

Future Land Use Map



Generalized Policy Map

