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MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: March 25, 2011

SUBJECT: ZC Case 05-28E: Final Report for Major Modification to Approved First-Stage PUD – Parkside, Blocks G, H and I, filed by District of Columbia Primary Care Association and Lano Parcel 12 LLC.

APPLICATION

District of Columbia Primary Care Association and Lano Parcel 12 LLC, the applicants, request Zoning Commission approval for major modifications to Z.C. Order 05-28 for Blocks G, H and I of the approved first-stage PUD. This request is the result of the need to accommodate a health clinic, a community college building and the ability to market the office space to the federal government. The subject application was set down by the Commission on January 10, 2011, consolidating the proposed first-stage modifications for cases 05-28B and 05-28C for Blocks G, H and I, to permit the following:

1. Subdivide Block I into Block I1 and Block I2
 - a. Block I2:
 - Change the use from residential to medical office to permit a health clinic.
 - Decrease the building height:
 - ❖ Kenilworth Avenue: from 90 feet and 9 stories to 53 feet and 5 stories;
 - ❖ Kenilworth Terrace: from 54 feet and 5 stories to 23.83 feet and 2 stories.
 - Change the PUD-related map amendment from C-2-B to CR.
 - b. Block I1:
 - Change the use from residential to educational to permit a community college.
 - Add ground level retail along Kenilworth Terrace.
 - Modify the building height:
 - ❖ Kenilworth Avenue: from 90 feet and 9 stories to 110 to 110 feet and 8 stories;
 - ❖ Kenilworth Terrace: from 54 feet and 5 stories to 21 feet and one story.
 - Change the PUD-related map amendment from C-2-B to CR.
2. Block H
 - Increase the building height:
 - ❖ Kenilworth Avenue: from 110 feet and 11 stories to 130 feet and 12 stories;
 - ❖ Kenilworth Terrace: from 44 feet and 4 stories to 90 feet and 8 stories.
 - Change the PUD-related map amendment from CR to C-3-C.
3. Subdivide Block G into Block G1 and Block G2
 - a. Block G2:
 - Change use from residential to office.
 - Add ground floor retail along Kenilworth Terrace
 - Modify the building height:
 - ❖ Kenilworth Avenue: from 90 feet and 9 stories to 110 feet and 11 stories;

CASE NO.

05-28E

EXHIBIT NO.

16



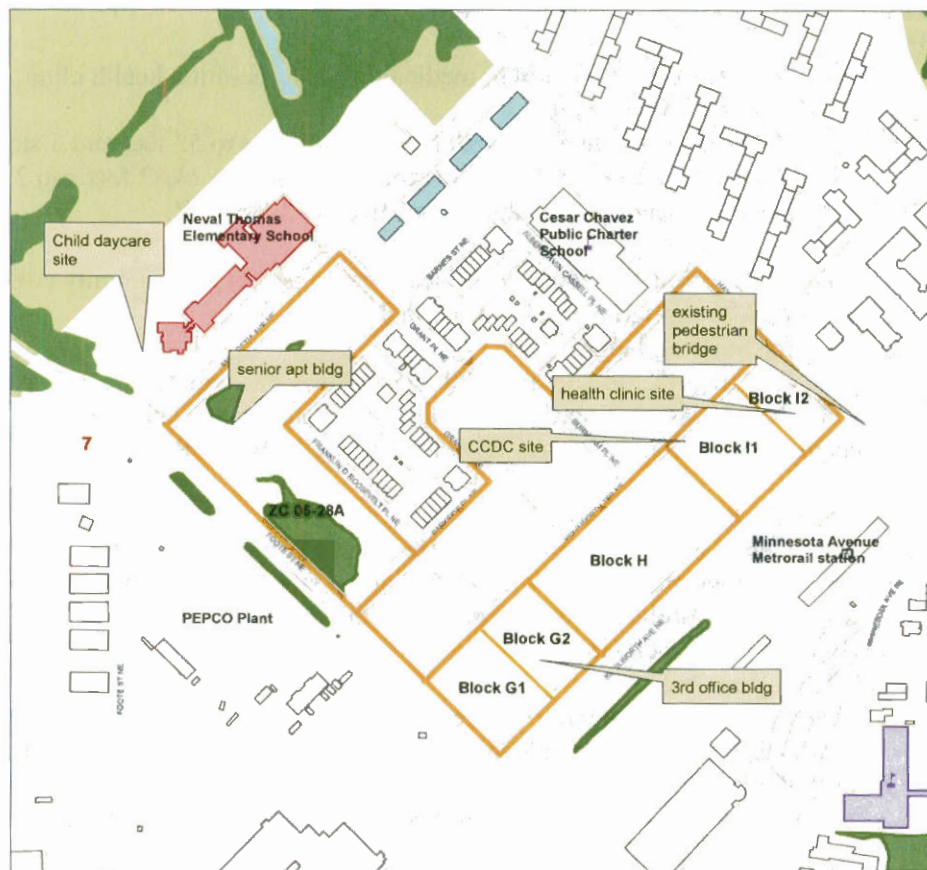
- ❖ Kenilworth Terrace: from 54 feet and 5 stories to 90 feet and 8 stories.
- Change the PUD-related map amendment from C-2-B to CR.
- b. Block G1:
 - Add ground floor retail to Kenilworth Terrace.
 - Increase the building height:
 - ❖ Kenilworth Avenue: from 90 feet and 9 stories to 110 feet and 11 stories;
 - ❖ Kenilworth Terrace: from 54 feet and 5 stories to 90 feet.
 - Change the PUD-related map amendment from C-2-B to CR.

SUMMARY RECOMMENDATION

The Office of Planning recommends that the Commission approve the request as a major modification to Zoning Commission Case No. 05-28, subject to the condition contained at the end of this report.

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, public and assisted housing, and Anacostia Parkland to the northeast; and Hayes Street, Caesar Chavez 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, approximately two blocks north of the site.



Map of Parkside PUD

The Minnesota Avenue Metrorail station is located on the east side of Kenilworth Avenue, accessible by an existing pedestrian bridge. 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 15.5 acres in size. At the center are 100 row houses constructed in the early 1990s as part of a preliminary phase of the development at Parkside. These row houses are not part of the PUD. Some internal roads and the major underground utilities have been constructed, although the site remains undeveloped. Construction began recently on Block A, proposed to be improved with a senior citizen apartment building.

PROPOSAL

The area that is the subject of this major modification request is located between Kenilworth Avenue, Kenilworth Terrace, Foote Street and Hayes Street. It consists of Blocks G, H and I. The existing pedestrian bridge over Kenilworth Avenue and I-295 from the Minnesota Avenue Metrorail station is located adjacent to Hayes Street, between Kenilworth Avenue and Kenilworth Terrace. The proposed bridge would be located mid-block, between Foote and Hayes streets and access Parkside at what is defined by the PUD as Block H.



Blocks G, H and I

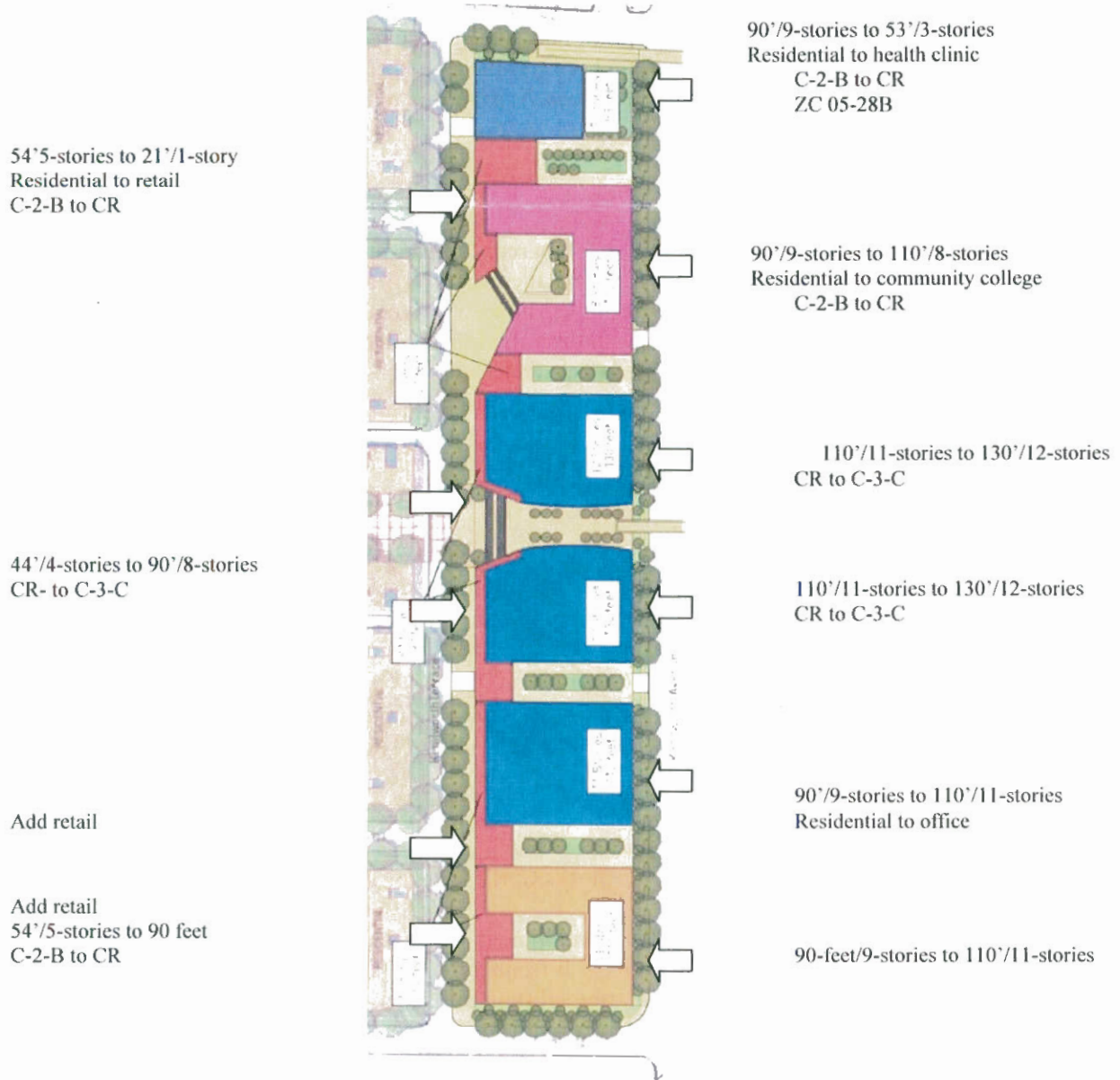
Block I was approved by the Commission for development as a residential apartment building, ranging in height between 5 and 9 stories, and 54 to 90 feet. It fronts on three streets: Kenilworth Terrace, Hayes Street and Kenilworth Avenue. The applicant proposes splitting this block in two, Block I1 and Block I2, at the corner of Kenilworth Avenue, Kenilworth Terrace and Hayes Street.

Block I2 is requested to be modified to permit a health clinic with a building height of 53 feet and three stories, and no residential use. Block I2, located adjacent and to the southwest of Block I1, would be modified to permit a community college at a height of 110 feet and 8 stories. A courtyard would be provided opening into the Parkside community, and ground floor retail would be provided at the front of the building and also between the health clinic and community college buildings. A modification to the PUD-related map amendment is requested for the community college on Block I1 from C-2-B to CR.

Block H is proposed to remain office, but increase from 110 feet and 11 stories to 130 feet and 12 stories. Residential use along Kenilworth Terrace that had been proposed at a height of 44 feet and 4 stories would be eliminated, but the ground level retail would be retained. The two buildings would continue to be

separated to allow for the proposed pedestrian overpass from the Metrorail station, which would still align with the pedestrian walkway, the park and Grant Street on the northwest side of Kenilworth Terrace. A PUD-related map amendment is requested from CR to C-3-C.

DETAIL OF PROPOSED MODIFICATIONS OVER PROPOSED SITE PLAN



Block G would be split into Block G1 and Block G2. Block G2 would be modified from residential to office use, and increase in height from 9 stories and 90 feet to 11 stories and 110 feet. The portion along Kenilworth Terrace would remain at 54 feet and 5 stories, and ground level retail would be added on the Kenilworth Terrace side. Block G1 would remain residential, and the building height would increase from 90 feet and 9 stories along Kenilworth Avenue to 110 feet and 11 stories, but would remain at 54 feet and 5 stories along Kenilworth Terrace. Ground floor retail would be added to the Kenilworth Terrace side of the building. A PUD-related map amendment is requested from C-2-B to CR.

No changes to the benefits and amenities package as approved under ZC Case 05-28 is proposed. Should the Commission approve this application, the benefits and amenities for the two second-stage applications, ZC 05-28B and 05-28C, would be discussed when those applications go to hearing.

BACKGROUND

The proposed modifications are to the first-stage approval of the PUD by the Commission under Order 05-28. That order approved an overall PUD that includes the following:

- PUD-related map amendment from R-5-A and C-2-B to C-3-A and CR.
- 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.
- Commercial and residential buildings between 90 and 110 feet in height 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.

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 was approved by the Commission and the order became effective on October 3, 2008. Application approved 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 05-28B: Second-stage and modification application for part of Block I was filed on May 10, 2010. Modification was requested to change the use from high-rise residential to a three-story health clinic. The Commission separated the second-stage and modification requests, assigning 05-28E to the modification request, and combining it with the modification request in 05-28C. This request was set down by the Commission on July 26, 2010.
- ZC 05-28C: Modification and PUD-related map amendment application for blocks G, H and I was filed on June 3, 2010. This is the subject application and proposes to increase office space, add a community college and decrease the amount of residential space. Second-stage is requested for the community college building. The Commission separated the second-stage and modification requests, assigning 05-28E to the modification request, and combining it with the modification request in 05-28B. This request was set down by the Commission on July 26, 2010.
- 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.
- ZC 05-28E: Modification request for Blocks G, H and I, set down by the Commission on July 26, 2010, and the subject of this application.

ANALYSIS

The application requests to modify the PUD-related map amendments to accommodate the larger buildings proposed in this application. The overall gross floor area and FAR would remain unchanged, but would be distributed differently. The table below reflects the changes requested from the first stage approval for Blocks G, H and I only.

	First Stage PUD (05-28)	Major Modification (05-28E)
Block G		
• Residential SF	504,700	306,000
• Residential Units	393-438 ¹	325-375
• Office SF	0	415,000
Block H		
• Office SF	500,000-750,000	700,400
Block I		
• Residential SF	504,700	0
• Residential Units	393-438 ²	0
• Medical SF	0	43,800
• Educational SF	0	260,000

The following overall bulk regulations would remain unchanged:

- Total Gross Floor Area: 1,709,800 square feet;
- Total FAR: 7.05;
- Total Off-street Parking: 1,400 spaces.

Overall lot occupancy would increase slightly from 80.6 percent to 81 percent.

A comparison of the requested modifications to the original PUD approvals is shown in the following table.

	Approved under First Stage PUD	Major Modification (05-28E)
Residential Units	1,500 – 2,000	960 – 1,395 ³
Office SF	500,000 – 750,000	1,115,000
Medical SF	0	43,800
Educational SF	0	260,000
Maximum Building Height	110 feet	130 feet

Maximum building height along Kenilworth Avenue would increase from 110 feet to 130 feet, and minimum building height along Kenilworth Terrace would decrease from 44 feet to 21 feet. The proposed increase in building height on Block H from 110 feet to 130 feet results in the request to modify the underlying PUD-related map amendment from C-2-B to CR. The maximum building height permitted under C-2-B/PUD is 90 feet. In order to accommodate the proposed 110-foot building height for the community college, the third office building and the modified residential building, CR/PUD is requested, which permits a maximum building of 110 feet.

¹ One-half of the 785-875 residential units proposed for Blocks G and I that could have been constructed on Block G.

² One-half of the 785-875 residential units proposed for Blocks G and I that could have been constructed on Block I.

³ Includes the reduction of between 80 and 105 dwelling units that were approved for Blocks A, B and C under ZC Case No. 05-28A.

The requested modifications would have no effect on the overall density of the site, as FAR and GFA would remain unchanged. However, the uses would be distributed differently, in different buildings, resulting in this major modification request. Additional retail would be located on the ground floors of buildings facing Kenilworth Terrace, which would be available to serve the increased number of office workers during the day. The additional uses, including the health clinic and the community college, would have the potential to enliven the street over a greater portion of the day, making the community more into a destination.

Educational services are not adequately provided for across the river. The location of a community college within Parkside would complement the other existing and proposed educational opportunities that the Parkside neighborhood has and will have to offer, from the proposed child care center at Neval Thomas Elementary, the elementary school itself and Cesar Chavez Public Charter High school.

The increase in the amount of office space available would better serve to market those proposed buildings, and expand the opportunities for their use and success. With the expansion of the Central Employment Area (CEA) as defined by the General Services Administration (GSA), Parkside is now eligible for GSA solicitations for the leasing of office space to the federal government, including a request from the Department of Homeland Security for 1.1 million square feet of office space. Ward 7 does not currently have any federal installations.

As approved under the original PUD, the primary daytime use would be office space, which would have the potential to activate the street during the day during the week. Weekends and evening hours the office buildings would be expected to be primarily vacant. The addition of a community college has the potential to expand activity into the street during the evening hours, as students taking classes after work would be present. The health clinic also would have hours that extend beyond those typically found in a general office building, increasing the number of people on the street for a greater portion of the day and improving the mixed use aspect of these three blocks. These modifications would also increase the variety of services available within Parkside, increasing the desirability and usefulness of Parkside to not only the residents of Parkside, but of Ward 7 as a whole through the expanded mix of uses.

The other modifications requested, including building height and the PUD-related map amendments to support those building height modifications, are necessary to support the expanded uses proposed. Some of the lost residential space would be made up for by increasing the size of the residential building at the corner of Kenilworth Avenue, Foote Street and Kenilworth Terrace. Although additional residential units within this building would be desirable so as to minimize the amount of lost residential space, this building should be designed to step-down toward the proposed lower density residential areas to the southwest.

The subject application represents a loss of between 460 and 500 residential units from Blocks G and I. In addition, between 80 and 105 dwelling units were lost under Case 05-28A, which approved second stage approval and minor modification for Blocks A, B and C. Combined, this represents a loss of approximately one-third of the number of the number of dwelling units as originally proposed. Although, as the applicant points out in the application, other residential development has taken place recently in close proximity to Parkside, this development is not a part of the PUD. The Office of Planning does not want Parkside to lose the residential component to this mixed-use PUD, significantly altering this proposed community.

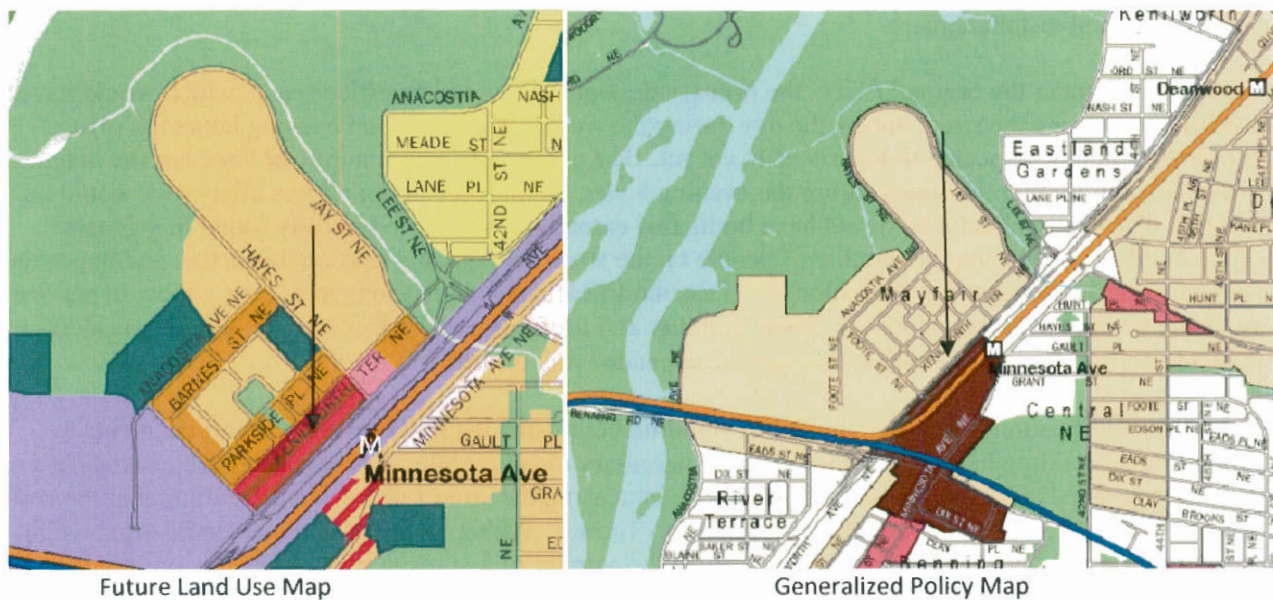
To make up for some of the lost residential units the applicant proposes to increase the size of the building at the corner of Kenilworth Terrace, Kenilworth Avenue and Foote Street. This building is proposed to step-down along its Kenilworth Terrace frontage, but should also step-down as it goes around the corner onto Foote Street. This would acknowledge the lower density proposed for the other side of Kenilworth Terrace. Although this may represent a further reduction in the number of dwelling units provided, it is important that the various parts of the PUD fit together, and ensure that one does not overwhelm the other.

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 had been determined to be consistent with the objectives and evaluation standards of a Planned Unit Development, as defined in 11 DCMR § 2400. This major modification request is to increase the mix of uses permitted within this mixed-use community, while still providing the uses proposed in the original PUD application, and to redistribute the gross floor area and FAR, while maintaining the amount of floor area as originally proposed.

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 PUD the City Council has adopted the 2006 Comprehensive Plan. This major modification request is evaluated within the context of the 2006 Comprehensive Plan.



The Future Land Use Plan map recommends mixed use for Blocks G, H and I, a mixture of high density residential and medium density commercial. High density residential is defined as buildings eight or more stories in height. Medium density commercial is defined as retail, office and service businesses that draw from a citywide market. The requested modifications, including the health clinic and the community college, would draw from a larger market than just Parkside.

The Generalized Policy map identifies Parkside as a "Neighborhood Enhancement Area." Neighborhood Enhancement Areas are those neighborhoods with substantial amounts of vacant residentially zoned land. Parkside is a largely vacant neighborhood that is proposed to be developed primarily with residential uses, but should be developed consistent with the recommendations of the Future Land Use Map. The proposed mix of land uses would be consistent with the Future Land Map, as stated above, and therefore also consistent with the recommendations of the Generalized Policy Map.

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

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 11: Community Services and Facilities Element

The goal for community services and facilities is:

Provide high-quality, accessible, efficiently managed, and properly funded community facilities to support the efficient delivery of municipal services, protect public health and safety, and enhance the well-being of current and future District residents. (§ 1101.1)

Policy CSF-2.1.1: Primary and Emergency Care

Ensure that high quality, affordable primary health centers are available and accessible to all District residents. Emergency medical facilities should be geographically distributed so that all residents have safe, convenient access to such services. New or rehabilitated health care facilities should be developed in medically underserved and/or high poverty neighborhoods, and in areas with high populations of senior citizens, the physically disabled, the homeless, and others with unmet health care needs. (§ 1106.12)

Chapter 17: Far Northeast & Southeast Area Element

Policy FNS-1.2.7: Health Care Facilities

Provide additional facilities to meet the mental and physical health needs of Far Northeast and Southeast residents, including primary care facilities, youth development centers, family counseling, drug abuse and alcohol treatment facilities. Such facilities are vital to reduce crime and promote positive youth development. Specific plans for new social service and health facilities should be developed through needs assessments, agency master plans, strategic plans, and the city's public facility planning process. All plans should be prepared in collaboration with the community,

with input from local ANC's and civic associations, residents and businesses, and local community development corporations and non-profit service providers. (§ 1709.7)

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 subject application is not inconsistent with the provisions of the Comprehensive Plan. The addition of a medical clinic and community college, and the increase in office space, would only serve to increase the variety of services and employment available within the community. Medical services, not previously proposed as a use in Parkside, are almost nonexistent within Ward 7.

The proposal is not inconsistent with the land use designation on the Future Land Use Map or the depictions on the Generalized Policy Map. It would add medical office and expanded educational opportunities to a community consistent with the existing character of the surrounding area and the land use designation on the Future Land Use Map.

KENILWORTH AVENUE CORRIDOR TRANSPORTATION STUDY

The Kenilworth Avenue Corridor Transportation Study is dated May 2007. Kenilworth Avenue is an important part of the District's transportation network. It functions as both a commuter route, while also providing access to residential 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.

The development of Blocks G, H and I, as modified, would provide a more diversified and pleasing urban setting for Kenilworth Avenue. It would continue to result in a street wall along Kenilworth Avenue between Foote and Hayes streets, defining the Parkside neighborhood, while increasing the types of uses permitted, resulting in a more pleasing urban setting providing an expanded realm of opportunities to those that will live and work in Parkside.

AGENCY COMMENTS AND REFERRALS

In a memorandum dated February 3, 2011, the Department of Health indicated their continued support for the health clinic.

No other comments were received.

COMMUNITY COMMENTS

No comments were received from ANC 7D.

The Office of Planning received an email from a community member in opposition to the application.

No other comments were received.

RECOMMENDATION

The Office of Planning is supportive of the addition of a health clinic and community college to Parkside, and views these uses as improving not only the variety of uses within this mixed use community, but also as expanding the services and opportunities available to the people of not only Parkside, but also Ward 7. The addition of the health clinic, and especially the community college, has the potential to activate the street during a greater portion of the day and week than office buildings alone could do.

The increase in office space would make the proposed office buildings more competitive and able to meet the minimum guidelines of GSA for federal installations. This increase has reduced the amount of residential space available. Although the applicants have attempted to make up for some of this by increasing the size of the residential building on Block G1, and have not decreased the total amount of FAR or GFA within these three blocks from that which was proposed in the approved PUD, the Office of Planning has some concerns regarding the bulk of that residential building. The building does step back somewhat away from Kenilworth Terrace, across from which lower density residential building are proposed. Additional step backs as the building rounds the corner at Foote Street and Kenilworth Terrace would acknowledge this reduction in density within Parkside as one moves away from Kenilworth Avenue, and away from the density proposed for Block H. The Office of Planning also recommends that the applicant consider the impacts any future residential reductions would have on the overall PUD.

The Office of Planning recommends approval of the requested major modifications, subject to the following condition:

- That the residential building proposed on Block G1 be reduced in height along its Foote Street frontage.

JS/sjm^{AICP}

Case Manager: Stephen J. Mordfin, AICP