


**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

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

**DATE:** October 18, 2013

**SUBJECT:** ZC Case 05-28J/K: Final Report for a Second-Stage PUD and Major Modification to Approved First-Stage PUD, Parkside, Block E, filed by CI GD Parkside 7 LLC.

**APPLICATION**

The Commission set down the subject application in two stages, as described below.

1. Case No. 05-28J, an application for second-stage review of the proposed building for Block E, was set down by the Commission on April 29, 2013, on condition that it would not be advertised until the applicant filed an application to modify the first-stage approval.
2. Case No. 05-28K was set down on June 24, 2013. It is an application to modify the first-stage approval for the building on Block E as shown in Table 1 below.

*Table 1*

	First-Stage PUD	Proposed Modification
Number of Dwelling Units	140-160	186
Gross Floor Area	183,000 SF	185,356 SF
Lot Occupancy	63 percent	73 percent
Floor Area Ratio	4.6	5.3
Building Height	54 feet; 74 feet; 90 feet	64 ft., 6 in.; 74 feet; 80 ft., 2 in.
Off-Street Parking	0	65

The two applications were consolidated for hearing and advertisement purposes, and the consolidated applications are the subject of this report.

The proposed second-stage application follows the first-stage approval of the PUD by the Commission under Order 05-28 in that it approved a mid-rise apartment building on Block E.

**SUMMARY RECOMMENDATION**

The Office of Planning recommends that the Zoning Commission **APPROVE** the application.

### SITE AND AREA DESCRIPTION

Block E is located on the south side of the Parkside PUD. The PUD site is 15.5 acres in size and located in Ward 7 in the North East quadrant of the District. Block E is bound by Franklin D. Roosevelt Place to the northeast, Parkside Place to the northwest, Kenilworth Terrace to the southeast and Foote Street to the southwest. It is proposed to be surrounded by townhouses to the northwest, mid-rise apartments to the northeast and high-rise apartments to the southeast. The PEPCO substation is located to the southwest.

### PROJECT DESCRIPTION AND ANALYSIS

The applicant proposes to construct a six-story, 186-unit multi-family building that would be one-hundred percent affordable at sixty percent AMI. The building would occupy the entire block bounded by Kenilworth Terrace, Franklin Delano Roosevelt Place, Parkside Place and Foote Street, N.E. It would be in the shape of a 'C', opening out toward Parkside Place to the northwest, and would be constructed above a one-level, sixty-five space parking garage that would occupy the entire lower level of the building. The garage would not count toward FAR, but would result in the first floor of the building being approximately one-half flight up from the level of the surrounding sidewalk. Parking spaces within the garage would be located less than twenty feet from lot lines abutting a public street, requiring flexibility from § 2116.12 of the Zoning Regulations. Flexibility would be required from the minimum side yard required for Roosevelt Place and Foote Street.

Twenty-eight percent of the units would be efficiencies, forty-seven percent one-bedrooms, nineteen percent two-bedroom and six percent three-bedroom units. Eleven, or six percent of the units, would have lofts.



Vicinity Map

The façade of the building would be a mixture of materials and colors, resulting in a contrast of colors of brown, tan and beige, with red accents. Brick would be used up to the second floor, with a darker course of brick at the street level and as an accent at the main entrance to the building. Projecting bays faced with tan colored fiber cement panels would extend out from the façade and down from the sixth floor through to the second, between which would be beige fiber cement panels. Red fiber cement panels would be used to outline the bays at the two corners of the building facing Kenilworth Terrace, delineate the corners of the building and the edges of the courtyard, and cap the lofts. Red painted metal would mark the lobby entrance overhang and underline the Juliette balconies. Metal railings would be provided for each of the balconies, corrugated metal siding would be used beneath the larger windows between the third and sixth floors and metal coping would demarcate the top edge of the structure. Balconies would be placed to mark the top floor of the building, and would be brought all the way down the façade in two places to indicate and reinforce the building entrances.

Foundation plantings would be provided along the Kenilworth Terrace, Foote Street and Parkside Place frontages, providing a residential feel to the building and screening the partially above-grade parking garage. The fourth side, facing Roosevelt Place, would have no foundation plantings as the width of the public space narrows and faces northeast. Brick articulation would be provided.

The height of the building would scale down from east to west. It would be at a height of seventy-four feet on the east side, with lofts that would extend up to a height of 80 feet, 2 inches. The west side of the building would be at a height of 64 feet, 6 inches, facing row houses 39 feet, 6 inches in height. The roofs of the lofts would be angled, sloping toward the courtyard.

The first floor would be located approximately one-half flight up, providing privacy to first floor residents and allowing for a more formal entrance, with stairs leading up to the main lobby doors. A metal awning would be over the entrance. A ramp to the left of the stairs would provide handicap access into the building. Vehicular entrance to the building would be from Parkside Place. A solid-slat steel roll-up door would be provided, in a color similar to the surrounding brick.

Pedestrian access would be from Kenilworth Terrace on the southeast side of the building. Vehicular and bicycle access to the parking garage would be provided from Parkside Place. Outdoor bicycle racks would be provided within public space near the lobby entrance. One hundred thirty eight (138) bicycle parking spaces would be provided within the garage at a rate of 0.75 spaces per unit. An additional six bike racks would be provided within public space on Kenilworth Terrace.

A service entrance accommodating refuse and loading would be located on Foote Street, facing the PEPCO plant and capable of servicing thirty-foot trucks. Larger trucks would be accommodated within Foote Street when necessary, through the use of temporary parking restrictions.

Along the Parkside Place frontage of the building, separating the courtyard from the street, would be two transformers on concrete pads, enclosed and screened by a wooden fence and gates within the subject property.

The courtyard would be improved as private recreational space for residents. It would include a vegetated pergola, outdoor seating and a mounded lawn. This courtyard would be accessible to Parkside Place via stairs from the public sidewalk or from within the building. Raised planter beds would function not only to enliven the courtyard and provide for a green roof over the garage, but to provide separation between the residential windows opening onto the courtyard from the users of the courtyard.

The application indicates that the building would be designed to achieve 41 Green Communities points, out of a minimum of 36 required to achieve certification.

## **BACKGROUND**

To date eight other 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 to permit a 98-unit senior citizen apartment building on Block A at sixty 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 apartment buildings. Construction is complete on the senior citizen apartment building. Building permits are expected to be filed in July 2015.
- 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: Major modification application for blocks G, H and I. The Commission voted to approve the request for blocks I1 and I2 and deny the requests for blocks G and H without prejudice. The order became final on August 26, 2011.
- ZC 05-28B: Second-stage and PUD-related map amendment application for Block I2 was requested to permit a three-story health clinic. The order became final on August 26, 2011 and the building was scheduled to open October 16, 2013.
- ZC 05-28C: Second-stage and PUD-related map amendment application for Block I1 was requested to permit an eight-story community college building. The order became final on August 26, 2011 and has expired.
- ZC 05-28I: Second-stage and PUD-related map amendment application for Block D was requested to permit the development of a private park. The order became final on August 26, 2011. Permits are expected to be filed in December 2013.
- ZC 05-28H: Two-year time extension for the PUD and the PUD-related map amendment until October 3, 2013. The order became final on February 3, 2012.
- ZC 05-28L: Two-year time extension for the first-stage PUD was filed on October 2, 2013.

## **MODIFICATIONS**

The lot area of Block E was listed as 40,000 square feet in the first-stage PUD, and FAR and gross floor area were calculated based on that number. In actuality the square footage of the block is less, at 31,358 square feet, because the public space had been included in the earlier calculation. As a result the FAR has increased, as shown in Table 1, page 1, although the building square footage has increased only marginally. The increase in the number of units reflects a change in market demand for smaller units.

The first-stage PUD also provided building heights meant to relate to adjacent development, stepping down from ninety feet on the south to 54 feet on the north. Instead, the proposed building would have a maximum height of eighty feet, two inches on the south, stepping down to 64 feet, six inches on the north.

Parking for the subject building was proposed under the first-stage approval to be combined with the parking on Block J, with none of the parking for this building to be provided on the subject parcel. The increase in the number of parking spaces is a result of the applicant's desire to locate the off-street parking spaces associated with this building to the subject property, and not to locate them elsewhere.

## **FLEXIBILITY**

The application requests flexibility from four sections of the Zoning Regulations: Section 775.5, Side Yard, Section 2116.12, Location of Parking Spaces, Section 2115.4, Compact Parking Spaces and Section 2201.1, Loading.

### Section 775.5, Side Yard

Side yard are not required in commercial zones, but if provided, a minimum of two inches for each foot of building height, or 13.5 feet for the proposed building is required. The subject building is not proposed to be built to the lot lines along either Foote Street or Roosevelt Place, resulting in a side yard of eighteen inches from Roosevelt Place and five inches from Foote Street. As the proposed structure would be the only structure on the block, provision of side yards is not necessary. Therefore, OP supports this request for flexibility.

### Section 2116.12, Location of Parking Spaces

This section requires that parking provided within the structure be located at least twenty feet from all lot lines. Parking would be located less than twenty feet from the property lines on all four sides of the building. As the garage would be partially above grade, it is subject to this provision.

This provision is intended to ensure that above-grade parking would not deaden the street. In this case pedestrian access to the building would be provided along two frontages, Kenilworth Terrace and Parkside Place, through the use of stairs and ramps. Plantings of shrubs and ground covers would soften the base and provide a residential feel to the building. Residential windows approximately one-half flight up would provide an element of privacy to the first floor units, and would be provided on all four sides of the building. Therefore, OP supports this request for flexibility.

#### Section 2201.1, Loading

This section requires one loading berth fifty-feet in depth, one loading platform two hundred feet deep and one service/delivery space twenty feet deep. A loading dock with a curb cut capable of servicing thirty-foot trucks would be provided on the Foote Street side of the building, with the occasional larger truck capable of being accommodated through the use of temporary on-street parking restrictions. DDOT and the Public Space Committee found the design to be acceptable, and the Transportation Impact Study submitted as a part of the application concluded that the design would have minimal vehicular and pedestrian impacts. Therefore, OP supports this request for flexibility.

#### Section 2115.4, Compact Car Parking Spaces

This section requires that compact parking spaces be provided in groups of at least five contiguous spaces, and the applicant is requesting to provide one set of four contiguous spaces. These spaces would be accessible from the same aisle and provision of less than five together would not impair the function of the garage. Therefore, OP supports this request for flexibility.

### **SECOND-STAGE REVIEW CONDITIONS**

The Zoning Commission approved a PUD-related map amendment for the subject application, from R-5-A to C-3-A, subject to fifteen conditions, some of which are relevant to this site. 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 subject application includes a request to amend the zoning of Square 5041, Lot 808 from R-5-A to C-3-A, as approved under the first-stage PUD.

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 first-stage PUD included an approval for a multi-family building for Block E. The applicant is now requesting second-stage approval for that building, but with modifications, including an increase in building height, number of dwelling units, floor area ratio, lot occupancy gross floor area and the provision of off-street parking.

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 application provides the further development and refinement of the design, necessary for second-stage review. It also includes a listing and description of the public benefits and amenities proposed as a part of this application for the subject property and the PUD as a whole.

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 generally consistent with the use and general layout proposed for the site. However, the applicant proposes to modify the building height, and increase the residential square feet, FAR, lot occupancy, gross floor area and the number of dwelling units for Block E only, and has requested a modification to the first-stage approval.

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.<sup>1</sup>*

The application proposes that one hundred percent of the units would be affordable at 60 percent AMI for thirty years. IZ would require that 8 percent of the units remain affordable at 80 percent of AMI for the life of the building.

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 detailed architectural plans, elevations and landscape plans indicating the design of the proposed building.

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, when this access was deemed not feasible.

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*

---

<sup>1</sup> The first-stage PUD predates the Inclusionary Zoning Regulations.

*access; (b) address traffic conditions pertaining 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 Transportation Impact Study, dated May 9, 2013 was submitted as a part of this second-stage application. It concludes that the proposed development would not result in detrimental impacts to the transportation system, and is well served by Metrobus and Metrorail. It also notes that completion of the new pedestrian bridge over Kenilworth Avenue will serve to improve access to transit.

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 05-28H extended the first-stage PUD until October 3, 2013, within which time any outstanding second-stage PUD applications must be filed. The subject application was filed on March 4, 2013, prior to the expiration of the first-stage PUD. On October 2, 2013, the applicant filed a request to extend the first-stage approval by two more years.

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 a multi-family building on Block E.

### **PUD EVALUATION STANDARDS**

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.

Second-stage PUD applications are reviewed for consistency with the first-stage PUD approval, the PUD process and the intent and purpose of the Zoning Regulations. The Commission, in approving the application, may attach conditions, guidelines and standards in support of its decision, as described in § 2408.6 of the Zoning Regulations.

### **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*



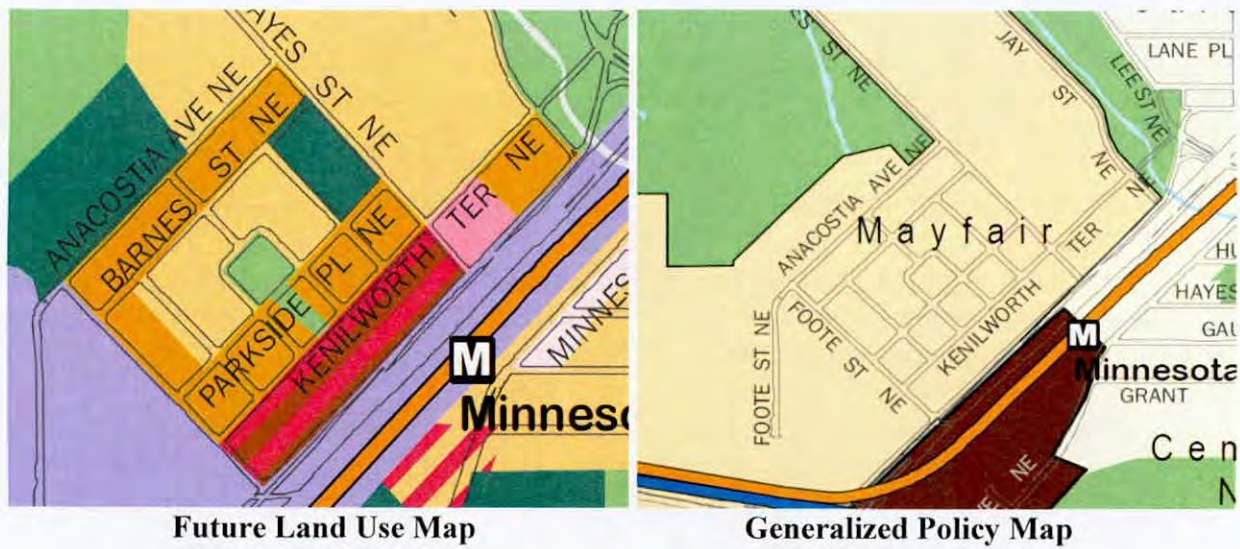
*development of the site under... matter of right...*” Amenities are defined under § 2403.7 as including “*one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors.*”

The applicant proposes the following benefits and amenities for this second-stage PUD:

- Special Value for the Neighborhood: The application proposes the provision of housing that would transition from the mixed uses across Kenilworth Terrace to the row houses on Parkside Place, on a long vacant site.
- Affordable and Workforce Housing: The application proposes to provide 186 rental units to households making no more than 60 percent AMI for thirty years. This building is not subject to Inclusionary Zoning (IZ) because the first-stage approval was in April 2007, prior to the adoption of IZ in March 2008.
- First Source Employment Program: The applicant commits to enter into an agreement to participate in the Department of Employment Services First Source Employment Program to promote and encourage the hiring of District residents. The applicant’s construction manager/contractor for the project will include the agreement as a part of its contracts with all subcontractors, and will require the construction manager/contractor provide documentation to the District.
- Pedestrian Bridge: As part of the first-stage approval, the applicant committed to providing twenty-five percent of the cost, not to exceed three million dollars, toward the construction of the pedestrian bridge to provide improved access to the Minnesota Avenue Metrorail station and neighborhoods located to the east of Kenilworth Avenue. Groundbreaking is expected in the first quarter of 2014, with estimated completion at the end of 2016.

## **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 and the 2010 amendments. The overall PUD has been found to be not inconsistent with the 2006 Plan or the 2010 amendments.



The Future Land Use Map recommends the Medium Density Residential land use for the subject property, defined as “neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use.”

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. 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 land use designation on the Future Land Use Map or the depictions on the Generalized Policy Map. It would provide for a six-story apartment building consistent with the existing character of the surrounding area and the land use designation on the Future Land Use Map.

The proposal to provide an affordable multi-family building on the site would further the following Land Use, Transportation, Housing, Environmental Protection, Urban Design elements and the Far Northeast and southeast Area Element policies of the Comprehensive Plan, as described below.

### Chapter 3: Land Use Element

**Policy LU-1.2.2: Mix of Uses on Large Sites** Ensure that the mix of new uses on large redeveloped sites is compatible with adjacent uses and provides benefits to surrounding neighborhoods and to the city as a whole. The particular mix of uses on any given site should be generally indicated on the Comprehensive Plan Future Land Use Map and more fully described in the Comprehensive Plan Area Elements. Zoning on such sites should be compatible with adjacent uses. 305.7

**Policy LU-1.3.2: Development Around Metrorail Stations** Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas. 306.11

***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

***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

***Policy LU-1.3.5: Edge Conditions Around Transit Stations*** Ensure that development adjacent to Metrorail stations is planned and designed to respect the character, scale, and integrity of adjacent neighborhoods. For stations that are located within or close to low density areas, building heights should “step down” as needed to avoid dramatic contrasts in height and scale between the station area and nearby residential streets and yards. 306.14

#### 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

***Policy T-2.2.2: Connecting District Neighborhoods*** Improve connections between District neighborhoods through upgraded transit, auto, pedestrian and bike connections, and by removing or minimizing existing physical barriers such as railroads and highways. However, no freeway or highway removal shall be undertaken prior to the completion of an adequate and feasible alternative traffic plan that has been approved by the District government. 408.6

#### 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

***Policy H-1.1.3: Balanced Growth*** Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing. 503.4

***Policy H-1.1.5: Housing Quality*** Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. 503.6

**Policy H-1.2.2: Production Targets** Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in the city over the next 20 years should be affordable to persons earning 80 percent or less of the areawide median income (AMI). Newly produced affordable units should be targeted towards low-income households in proportions roughly equivalent to the proportions shown in Figure 5.2. 504.7

#### Chapter 6: Environmental Protection Element

**Policy E-1.1.1: Street Tree Planting and Maintenance** Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods. 603.4

**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

**Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff** Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 613.3

**Policy E-3.2.1: Support for Green Building** Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities. 614.2

**Policy E-4.2.3: Control of Urban Runoff** Continue to implement water pollution control and "best management practice" measures aimed at slowing urban runoff and reducing pollution, including the flow of sediment and nutrients into streams, rivers, and wetlands. 619.8

#### Chapter 9: Urban Design Element

**Policy UD-2.2.1: Neighborhood Character and Identity** Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context. 910.6

**Policy UD-2.2.4: Transitions in Building Intensity** Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood. 910.11

**Policy UD-2.2.7: Infill Development** Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs. 910.15

### 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

***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

***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

***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 subject application would provide new multi-family housing affordable at sixty percent AMI within the Parkside neighborhood. Currently a vacant lot, the site would be developed with an apartment building intended to provide some step-down in height from the planned high-rise apartment buildings on Kenilworth Terrace to the row houses to be constructed across from the site on Parkside Place. The façade of the building would be a mixture of materials and colors, resulting in a unique contrast of colors.

The green roof above the below-grade garage would lessen stormwater runoff impacts and street trees around the site would be preserved or replaced as necessary. Landscaping planted across Foote Street would continue to buffer the site from the PEPCO plant. Foundation plantings around three sides of the perimeter of the structure would soften the appearance of the building along those facades and the reflective roof would reduce the heat island effect of the building.

### **AGENCY REFERRALS**

Comments were received from the following agencies, as described below.

- District Department of Transportation (DDOT), in an email dated October 10, 2013, indicated that in general they had no issues with the application;
- DCWater: Submitted a letter dated October 8, 2013 indicating the need to replace the water main beneath Kenilworth Terrace to service the proposed uses fronting on Kenilworth Terrace between Foote Street and Hayes Street, N.E. (See Attachment 1), and
- Public Space Committee: The Committee approved the plans on August 21, 2013.

No other comments were received.

### COMMUNITY COMMENTS

ANC 7D, at its regularly scheduled meeting of February 12, 2013, voted to support the application.

The Single Member District Commissioner for ANC 7D07 submitted a letter to the file dated September 10, 2013 in support of the application.

The Parkside Civic Association submitted a letter to file in support of the application.

### COMMISSION AND OFFICE OF PLANNING SETDOWN COMMENTS

At the setdown meetings of April 27, 2013 and July 29, 2013, the Commission requested the applicant provide information and clarification on the following items. The revised application addresses those concerns as described below.

COMMENTS	RESPONSES
1. Examine alternatives to soften the appearance of the wall and gates of the transformer enclosure as viewed from the proposed residential row houses across Parkside Place.	Sheet A-3.6 depicts a revised design of the façade facing Parkside Place, including the transformer enclosure as viewed from the proposed townhouses. Instead of locating the transformers behind a brick wall, they are now proposed to be located behind board-on-board wooden fencing. As a material commonly used in residential applications, wooden fencing evokes a softer appearance and would provide a transition from the denser apartment building to the less dense townhouses. The applicant also eliminated the brick pylons from the fencing at the edge of the courtyard, making it less visible and appear less heavy.
2. Examine alternatives to the Roosevelt Place street level façade to soften its impact from the sidewalk.	The applicant proposes to provide a darker color brick within the recessed brick courses along the sidewalk along the Roosevelt Place façade. Additional plantings are not feasible due to the lack of public space between the public sidewalk and the building, and the northeastern exposure of that side of the building.
3. Submit a LEED checklist to document the proposed Silver or better rating of the building.	The applicant submitted a Green Communities checklist indicating that the proposal would achieve 41 points. A minimum of 35 points is required to achieve certification for new construction.
4. Provide additional drawings, including but not limited to a detailed roof plan, more refined elevations, and contextual drawings depicting surrounding existing and proposed development.	Sheet A-1.6, Roof Plan, and Sheet 1.7, Roof Plan Diagram and Loft Section, Sheet A-0.6, Site Massing Views, depicts the proposed building and all proposed surrounding development.

<p>5. Provide details of First Source Employment Program, including for all second-stage approvals.</p>	<p>Details of the First Source Employment Program were included in the pre-hearing statement on a sheet titled "Parkside Employment Commitment" under Exhibit D.</p>
<p>6. Have the completed projects within the neighborhood resulted in job gains?</p>	<p>Yes. Job gains in the neighborhood include sixty at the Educare Program at the Neval Thomas Elementary and fifty new permanent jobs at the Unity-Parkside Health Center. Twenty-six permanent jobs are expected to be created by the proposed apartment building. Construction jobs created include over three hundred for health clinic and 212 for the proposed apartment house.</p>
<p>7. Submit detailed traffic study at least 45 days prior to the public hearing. DDOT, the applicant, the ANC and the neighbors need to be on the same page before the hearing.</p>	<p>The applicant submitted a traffic study in its prehearing statement, which was filed on August 8, 2013, more than 45 days in advance of the public hearing. Also included was a letter from ANC 7D, a letter from the single member district commissioner for 7D07 and a letter from the Parkside Civic Association, all in support. Parkside Civic Association indicated that the applicant's traffic consultant attended one of their meetings and was available to answer questions.</p>
<p>8. Request flexibility from Section 2116.12.</p>	<p>The prehearing statement includes a request for flexibility from Section 2116.12, to permit above-grade structured parking to be located less than twenty feet from a property line. The applicant also requested flexibility from Section 775.5 for the required side yards along Foote Street and Roosevelt Place, Section 2201.1, Loading, and 2115.4, Compact Car parking spaces.</p>
<p>9. Would there be more market rate housing in the remainder of Parkside if this building is one hundred percent affordable?</p>	<p>There would still be market rate housing in Parkside if the subject application is approved as a one-hundred percent affordable building. The first-stage approval of the PUD approved an affordable housing requirement of twenty percent for the entire PUD, but did not specify how the units were to be distributed. Should the Commission approve the subject application, nineteen percent, or 284 out of 300 affordable units would be provided.</p> <p>The first-stage PUD also required that twenty percent of the units be designated as workforce, or for families earning between eighty and 120 percent of AMI. To date three percent, or 42 out of 300 units, have been approved.</p>

	<p>Sixty percent, or nine hundred of the remainder of the units, were designated as market rate. Four percent or fifty-eight of the market rate units have received second-stage approval.</p>
<p>10. Some of the materials and some of the colors are questionable. Questionable use of cementitious panels on everything above the second floor, except for what is corrugated metal.</p>	<p>The applicant has revised the color of the building, eliminating the light blue. Instead the building would be primarily a mix of beige, tan and brick, with dark red accents. Corrugated metal would still be provided, but limited to areas beneath and between windows, and providing red accents instead.</p>
<p>11. Explain the scheme of the balconies.</p>	<p>The balconies, all Juliette, are used to accentuate certain features. Above the main entrance on Kenilworth Terrace and above the resident's entrance to the building from the courtyard the balconies would be placed on every floor, denoting orientation and emphasizing the location of the entrance, culminating in overhangs above the doors. Along the Foote Street, Kenilworth Terrace and Roosevelt Place facades, there would be balconies along the sixth floor, demarcating the top floor of the building.</p>
<p>12. The lack of any kind of cornice and no logic to the odd pop-up structures. The lofts do not look like architectural embellishments. Some thought needs to be put into the roof.</p>	<p>Red accents were added to the top of the lofts and to the projecting bays, drawing attention to the top of the building. Metal coping would be used along the top edges of the building, except for the top of the corner pieces facing Kenilworth Terrace, which would be outlined in red fiber cement fascia. The "pop-up" structures are lofts with roofs slanted toward the courtyard in the center of the building, resulting in a variety of building heights.</p>
<p>13. Document that there is a one-to-one setback for the roof structures. Need a more detailed roof plan.</p>	<p>There is only one roof structure, the elevator override, as shown on Sheet A-1.6, Roof Plan. It is five feet in height and set back a minimum of 39 feet, 11 <sup>5</sup>/<sub>8</sub> inches from the edge of the roof.</p>
<p>14. Need architectural enlargements of the facades.</p>	<p>Sheets A-3.7 and A-3.8, Exterior Materials, are enlargements of portions of the building, including notations indicating specific material features.</p>
<p>15. Provide more photographs of the surrounding neighborhood for context.</p>	<p>Sheets A-0.4 and A-0.5, Photos of Existing Site Conditions, contain photographs of the surrounding properties from all four sides of the subject property. A "View Key" provides an aerial photograph of the subject property.</p>



16. Corner joists need to be detailed properly. The corner piece near the entrance is awkward. Why is part of it sloped and part of it level?	Sheet A-3.1, view from Foote Street, depicts the corner piece near the entrance. Sheet A-1.6, Roof Plan, depicts all of the corner pieces on the roof. All four corner pieces slope downward toward the courtyard or the center of the building.
17. Clarify the height of the proposed building facing Parkside Place.	The height of the portion of the building facing Parkside Place is sixty four feet, six inches.
18. Need clarity on the site plan with regard to trees proposed to remain, or be removed and replaced.	Sheet L-1.0, Site Plan, depicts the locations of street trees proposed to remain and those that would be newly planted. Sheet C-101, Demolition Plan, depicts the locations of all trees on-site to be removed and the locations of trees proposed to remain.
19. Provide drawing numbers on all future submissions.	Drawing numbers were added to all sheets.

### RECOMMENDATION

The Office Planning is supportive of the addition of a one-hundred percent affordable building within Parkside. This proposal would provide much of the required affordable housing that is a condition of approval of the first-stage PUD. Colors of the building have been modified, with the addition of a deep red color as an accent to contrast with the tan and beige used over much of the facades. The red serves to make certain features and aspects of the building stand out, marking the top or corners of the building. Although OP typically questions above-grade parking, placement of the first floor approximately one-half flight up would provide a sense of privacy to the residents of the first floor while allowing for a more prominent entrance atop a flight of stairs.

The Office of Planning recommends approval of the requested major modifications, some of which results from the difference in the area of Block E as noted in the first-stage approval versus the actual square footage of the lot and the use of the term “block occupancy” in place of “lot occupancy” in the order for the first-stage approval. OP also supports the modification to permit the parking associated with this building to be located within the building, and within a different building several blocks away, increasing the efficiency and use of those spaces. Although the applicant revised the heights of the building, it is still designed to step down from Kenilworth Terrace to Parkside Place. It is also designed in the shape of a “c” as approved under the first stage, allowing for the provision of west-facing private landscaped open space for the building’s residents.

OP also recommends approval of the requested flexibility to loading, location of parking spaces, compact car parking and to permit reduced side yards.





DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1100 4th STREET, SW | SUITE 310 | WASHINGTON, DC 20024

October 8, 2013

Stephen J. Mordfin, AICP  
Development Review Specialist  
DC Office of Planning  
1100 4th Street, S.W., Suite E650  
Washington, DC 20024

Re: Zoning Commission Case #05-28J  
Square 5041, Lot 808

Dear Mr. Mordfin:

Please consider this letter as DC Water's response to the Zoning Commission's request for comments on Case #05-28J Parkside Building E (Parkside Pl. NE to the north, Roosevelt Pl. NE to the east, Kenilworth Terr. NE to the south, and Foote St. NE to the west). The proposed building(s) are generally not representative of the size, floor area, density, and/or use of the existing buildings adjacent to and/or in the vicinity of the project site. Therefore, the water and sewer demands for the proposed building(s) will likely be dissimilar to the existing water and sewer demands of the buildings adjacent to and/or in the vicinity of the project site. There is existing public water and sewer infrastructure located within 250 feet of the project site, therefore, the public water and sewer infrastructure is considered available per DCMR 12.

Please note that as a part of the redevelopment conditions established at the time of the initial PUD (2008), DC Water and Bank of America (applicant at the time) identified that any existing cast iron, lead joint water main in public space would be replaced with ductile iron pipe, mechanical joint (see the attached map) which has been the standard material for water main construction since the mid 1960's. Approximately one half of the systems' water main was identified for replacement. The replacements have preceded with the individual redevelopment projects. The 1943 cast iron, lead joint pipe in Kenilworth Terrace NE was identified for replacement; it abuts seven (7) lots. Provisions for the replacement of the portion of water main fronting this site (from the intersection of Foote St. to Roosevelt St. NE) will need to be established in order for DC Water to approve any new water connections for this property.

Replacement of this line is unlikely to be included in a DC Water's Capital Improvement Program in the immediate future. DC Water did replace water main in Kenilworth Ave with the DDOT street reconstruction and is proposing sewer upgrades from Hayes Street to the sanitary pumping station in Anacostia Ave. Neither of these projects affects Kenilworth Terrace. The applicant may at their option elect to replace or extend the public water and sewer systems, at their expense, to meet their project needs, or wait until DC Water replaces the water and sewer systems.

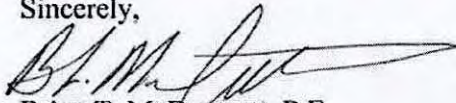
Stephen J. Mordfin  
Zoning Commission Case #05-28J  
October 8, 2013

Page | 2

The response above describes the existing water and sewer infrastructure, and DC Water's evaluation of that infrastructure, as it currently exists per the date of this letter. This information is subject to change. A final determination of the existing public system's ability to support the proposed project cannot be made until detailed plans are submitted to DC Water for review.

If you have any questions or need further details, please do not hesitate to contact me at 202-646-8610 or email me at [Brian.McDermott@dcwater.com](mailto:Brian.McDermott@dcwater.com).

Sincerely,

A handwritten signature in black ink, appearing to read "B.T. McDermott", with a long horizontal flourish extending to the right.

Brian T. McDermott, P.E.  
Director, Permit Operations

cc:

The attached map shows the utility of the 100000 2010-2015 K...  
The applicant has applied for a first stage PUD, including the proposed building, in  
2008. The current application makes the changes to the first stage approval as shown  
on the chart above.  
To date second stage approvals have been granted by the zoning Commission for 66-  
28A (includes the completed senior care building), 66-28B (includes the completed  
residential building), 66-28C (includes the proposed CTRC, etc.), and 66-28E (was a  
modification request that was denied).

