

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

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

**DATE:** July 21, 2017

**SUBJECT:** **ZC Case 05-28R:** Final Report for Modifications to the First-Stage approval and Second-Stage PUD for Block F, Parcel 8, filed by Parkside Residential LLC; and  
**ZC Case 05-28S:** Final Report for Modifications to the First-Stage approval and Second-Stage PUD for Block F, Parcel 10, filed by Parkside Residential LLC

**I. APPLICATION**

At its public meeting of May 22, 2017, the Commission set down the subject applications for second-stage PUD, for two seven-story multi-family buildings, each with the option to provide retail or apartment units on the ground floor, and twenty-five townhouses. A single below-grade parking garage would connect Parcels 8, 9 (ZC Case 05-28Q) and 10 beneath the proposed multi-family buildings on parcels 8 and 10, as described below.

*Table 1: Parcels 8 and 10*

	<b>First Stage Approval<sup>1</sup></b>	<b>Proposal</b>
Residential Units	330-365	366 <sup>2</sup>
Gross Floor Area	293, 625 SF	301,406 SF
Lot Occupancy	50 percent <sup>3</sup>	58 percent <sup>4</sup>
Floor Area Ratio	3.32 <sup>5</sup>	3.75
Building Height		
-Kenilworth Terrace	90 feet	85 feet
-Parkside Place	47-72 feet	42 feet
Off-Street Parking	485 surface spaces <sup>6</sup>	166-191 garage spaces <sup>7</sup>

<sup>1</sup> For all of Block F

<sup>2</sup> For all of Block F, including ZC 05-28Q.

<sup>3</sup> Approved lot occupancy for all of Block F.

<sup>4</sup> Proposed lot occupancy for Parcels 8 and 10.

<sup>5</sup> The approved number was 3.13 for block area. This number is the equivalent for lot area.

<sup>6</sup> For all of Block F

<sup>7</sup> For Parcels 8 and 10 only

The proposed second-stage applications follow the first-stage approval of the PUD by the Commission under Order 05-28 in that it approved two mid-rise multi-family buildings with townhouses facing Parkside Place.

## II. SITE AND AREA DESCRIPTION

Parcel 8 is in the central portion of the PUD and is bound by Grant Place to the northeast, Parkside Place to the northwest, Kenilworth Terrace to the southeast and Roosevelt Place to the southwest. It is proposed to be surrounded by townhouses to the northwest, a mid-rise apartment building to the southwest and future high-rise apartment buildings to the southeast.

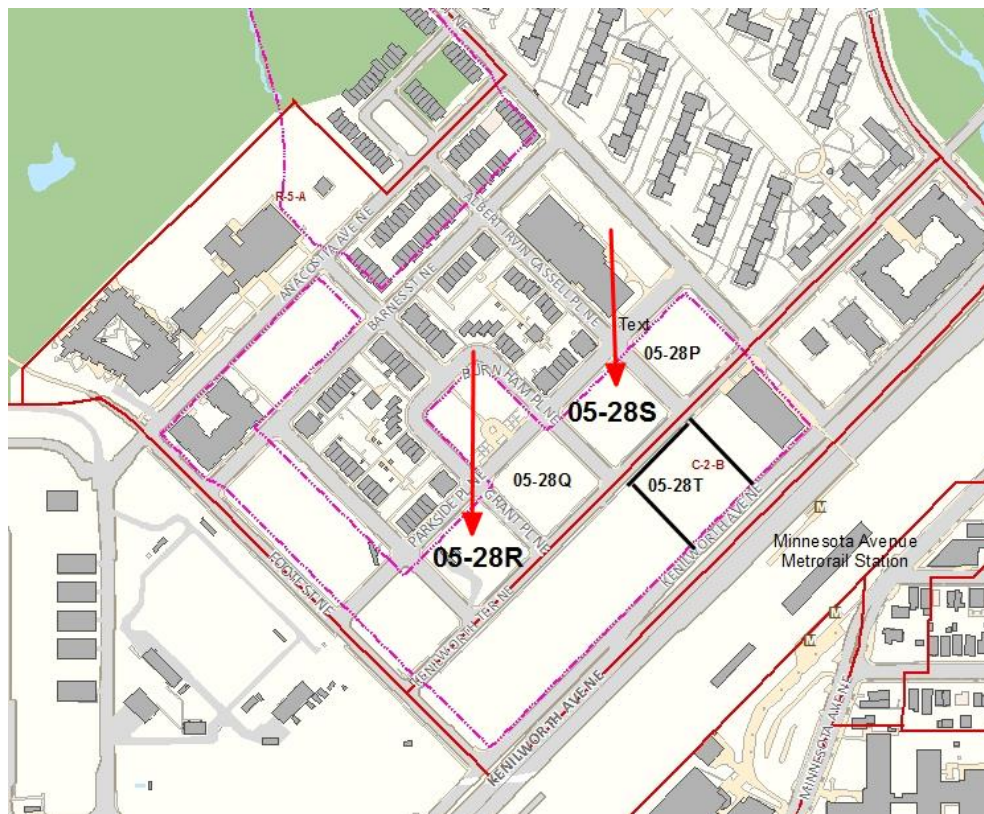
Parcel 10 is also located in the central portion of the PUD and is bound by Cassell Place to the northeast, Parkside Place to the northwest, Kenilworth Terrace to the southeast and Burnham Place to the southwest. It is proposed to be surrounded by townhouses to the northwest, a future mid-rise apartment building to the northeast (ZC 05-28P), and a future post-high school educational building to the southeast.

**Location:** Square 5041, Lot 806, and Square 5056, Lots 809 and 813

**Ward, ANC:** Ward 7, ANC 7D

**Applicant:** Parkside Residential LLC

**PUD-Related Zoning:** R-5-A to C-3-A (ZR58<sup>8</sup>)



Vicinity Map

<sup>8</sup> 1958 District of Columbia Zoning Regulations

### III. PROJECT DESCRIPTION – CHANGES SINCE SETDOWN

A complete discussion of the proposed development can be found in the OP Setdown Report dated May 12, 2017 (ZC Case 05-28R, Exhibit 11, and ZC Case 05-28S, Exhibit 10). Since filing for setdown the applicant revised the application pursuant to comments from the Office of Planning and the Commission. A summary of those comments can be found on pages 3 through 6 of this report.

### IV. COMMISSION AND OFFICE OF PLANNING SETDOWN COMMENTS

On May 26, 2017, the applicant filed revised plans (ZC Case 05-28R, exhibits 13A1 and 13A2), and (ZC Case 05-28S, exhibits 27A1 through 27A4) in response to comments received at the Commission’s public meeting on May 22, 2017. One prehearing statement was filed for both cases on May 26, 2017 (ZC Case 05-28R, Exhibit 13). A summary of the Commission’s comments with the applicant’s responses is listed below.

Commission/OP Comment	Applicant’s Response	OP Analysis
1. Apartment buildings are flat and dull. Add detail. Make penthouses a darker color. Need more information.	Additional color was added to the façade renderings, making them more vivid.	The accent colors of each of the two buildings were deepened, providing contrast with the silver-grey on much of the remainder of the façade. The color of the penthouse does not appear to be much different. The applicant should bring samples to the hearing for the Commission’s review to better evaluate colors and materials.
2. Provide balconies.	Two balconies per floor were added on Parcel 8, and six Juliette balconies were added per floor on Parcel 10. Due to wood frame construction, it is not possible to add balconies that cantilever out over public space. Instead their provision would reduce the size of the living space. The number of balconies added are what the market would support for smaller units.	The addition of balconies, although limited due to architectural constraints, improves the residential appearance of these buildings.
3. Increase green roofs or add solar panels to apartment buildings	The multi-family buildings are designed to LEED Gold standards. Solar panels are not proposed now but could be included in the future in lieu of other sustainability measures, should prices warrant their installation. Due to the wood-frame construction of the buildings, only an extensive	OP supports the LEED Gold designations of the buildings, but would support the provision of additional green technologies to make the multi-family buildings eco-friendly to the extent possible.

	green roof would be feasible, and is under consideration for controlling stormwater management.	
4. Add solar panels on the townhouses or explain why they cannot be provided. They are more of a priority than a green roof, which can be replaced with storm water retention.	Solar panels will be provided as an option on the townhouses to the original purchasers.	OP strongly recommends the applicant incorporate solar panels for all townhouse units to create a more resilient and economically progressive project. Should the solar panels not be provided on each townhouse unit as part of the initial construction, OP recommends that all units be pre-wired to accept solar panels, allowing future owners to more easily add them.
5. Rowhouse design needs work. Side elevations do not turn corner. Fiber cement panels on 4 <sup>th</sup> floor visible from street. Use thin brick instead?	Fiber cement panels were replaced with brick veneer for the fourth-floor facades on sheets T-20.1 & T-20.2. Sheet T-2.04 depicts the revised side elevations, adding additional windows, increasing the size of the third-floor windows. End units at a street or service alley corner would have brick exteriors (Exhibit 13A2, 05-28R).	The increased number of, and the larger sized windows on the third floor, improve the façade, reduces the expanse of solid walls and improves connectivity with the street. Provision of brick on the rear of the end units at street corners or service alleys minimizes the visibility of fiber cement panels from the street while improving the appearance of houses.
6. Provide all IZ numbers, including affordable and workforce, and request flexibility to not comply.	Twenty percent of the proposed dwelling units would be reserved for workforce housing. Upon completion of all currently pending second-stage applications, 30% would be affordable at 60% AMI, 12% between 80 and 120% and 58% at market rate.	OP supports the applicant's request. The proposal to construct market rate housing would be beneficial to the community and contribute to the variety of various housing options available in Ward 7. To date 74 percent of the housing constructed at Parkside is affordable for up to 60 percent AMI, 11 percent for an AMI between 80 and 120 percent, and 56 units at market rate.
7. Tighten up flexibility on materials and signage.	The applicant submitted plans depicting signage on the awnings of the retail units, if retail is provided. Sheet A 3.01 contains an expanded materials board, with drawings better depicting the location of the various façade materials.	OP finds that the expanded materials sheet and elevation drawings better define the proposed façade materials and colors.

<p>8. Building on Parcel 8 (dwg. 4.01) is not livable and needs improvement.</p>	<p>Color was added to the façade and detail added to enhance the visibility of the balconies at the corner of the building.</p>	<p>The applicant made the balconies in the drawings more distinct, especially at the building corner, and made the colors of the building more vibrant.</p>
<p>9. Submit plans and drawings showing the ground floor retail as consistent with the request for flexibility and an analysis of its viability and impact.</p>	<p>Retail space is proposed to serve as neighborhood serving, approximately 7,000 square feet in each building. The applicant is working with the community on desired retail. The small size of the retail space would make it suitable for neighborhood serving only. If a federal tenant is secured for Parcel 12 (05-28T), a critical mass of retail space, in combination with existing and proposed residential units, would potentially result in consumer demand 12 hours/day. (see Sheets A 3.15 – A 3.18, Exhibit 27F2)</p>	<p>OP supports the applicant working with the community on the type of retail desired and the small size of the retail space so as not to compete with existing Ward 7 destination retail. OP supports the option of providing residential units should the market not support additional retail space so as not to have a negative effect on the other planned retail within Parkside.</p>
<p>10. How is the provision of retail on Parcels 8 and 10 consistent with the Comprehensive Plan?</p>	<p>First-stage approval included a PUD-related map amendment to the C-3-A, a zone that permits retail. Although retail use may not be consistent with the FLUM, it would be consistent with many of the policies of the Comp Plan, as the Comp Plan is more than the FLUM.</p>	<p>OP finds this option to provide ground floor retail not inconsistent with the Comprehensive Plan when reviewed in the context of the approved Phase 1 PUD; see Section IX of this report for OP discussion.</p>
<p>11. Provide a count for number of units by bedroom type, with and without retail provided</p>	<p>Sheet A-0.07 (Exhibit 13A1, 05-28R) provides unit counts, broken down by type and floor for each of the two parcels, with and without the retail.</p>	<p>OP finds the list responsive to the Commission’s request.</p>
<p>12. Submit detail on refuse collection.</p>	<p>All refuse collection would be private. Trucks would use the private alley to collect from the rear of the townhouses. Trucks would back into the loading areas of the apartment buildings to collect refuse.</p>	<p>OP supports the collection of refuse from the rear and from within the apartment buildings, but would prefer the trucks be able to turn around within the buildings rather than back in.</p>
<p>13. Submit landscaping plans, including how plants would thrive above the garage.</p>	<p>Landscaping plans were submitted (L-1.01 thru L 3.-3, Exhibit 13A2, 05-28R). Sheet L-3.03 describes the automatic irrigation system for intensive</p>	<p>Landscaping plans were submitted depicting street tree plantings, amenity area plantings within the multi-family building courtyards, and plantings along</p>

	green roof and the areas above the garage, with soil at a depth of 2 feet for shrubs, perennials and ground covers. Berms creating a soil depth of 3 feet would be created for shade trees.	Kenilworth Terrace. The Kenilworth Terrace plans include two options; one if retail is provided on the first floor and the other if residential use is provided.
14. Submit a traffic study 45 days in advance of the public hearing.	A Comprehensive Transportation Report (CTP) was filed May 19, 2017, more than 45 days in advance of the hearing.	DDOT was reviewing the CTP as of the writing of this report. Recommendations contained within the CTP were included as conditions of approval under Section XII at the end of this report.
15. Request a modification to permit up to 378 dwelling units on Block F should no retail be provided on Parcels 8 and 10, and flexibility to not comply with IZ for those two parcels.	The maximum number of dwelling proposed for Block F, assuming no retail is provided, would be 365, consistent with the first-stage approval. Modification to not comply with IZ is based on the 20% workforce housing proposed within this application.	OP agrees no modification is necessary for the number of dwelling units, and supports the 20% workforce housing as proposed for these two applications.
16. How is the provision of retail on Parcels 8 and 10 consistent with the Comprehensive Plan?	First-stage approval included a PUD-related map amendment to the C-3-A, a zone that permits retail. Although retail use may not be consistent with the FLUM, it would be consistent with many of the policies of the Comp Plan, as the Comp Plan is more than the FLUM.	See Discussion below

**V. ZONING AND FLEXIBILITY**

Requested Modifications:

- a. Allow ground floor retail as an option in the multifamily buildings.
- b. Increase Gross Floor Area from 293,625 to 301,406 Square Feet for the two parcels
- c. Increase Floor Area Ratio from 3.32 to 3.82 for Parcel 8, and to 3.75 for Parcel 10
- d. Increase Lot Occupancy from 47 to 58 Percent<sup>9</sup>
- e. Reduce Parking from 485 to between 166 and 191 Spaces, depending on the number of garage spaces constructed within the townhouses.

<sup>9</sup> 47% is based block area, which includes public space, and 59% is based on lot area, which does not include public space.

Requested Flexibility:

- a. Section 2516.4, Exceptions to Building Lot Control to allow multiple buildings on a record and to allow theoretical lots not in compliance with rear yard and court requirements. Required to allow the rear yards of the theoretical lots to not conform to rear yard and court requirements. Courts provided would be 8 feet in width, less than the minimum 12 feet required and would function as pedestrian walkways between rows of townhouses.<sup>10</sup>
- b. Permit either retail or residential uses on the first floors of the multi-family buildings, depending on market conditions.
- c. Phasing: Allow three years from approval to file for building permits, and four years to begin construction.
- d. Various Flexibility:

The applicant requests flexibility to the following:

1. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, and toilet rooms, provided the variations do not change the exterior configuration or appearance of the structure;
2. To provide a range in the number of residential units and number of parking spaces plus or minus ten percent from the number depicted on the plan and in the written materials;
3. To vary the final selection of the color of the exterior materials so long as it is within the color range proposed, based on availability at the time of construction;
4. To vary the final streetscape design and materials, as required by District public space permitting authorities;
5. To vary the number, location, and other features of the Project's signage to coordinate with the specific retailer needs;
6. To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit, or to address the structural, mechanical, or operational needs of the building uses or systems
7. To make minor refinements to the ground floor façade details and dimensions of the multi-family buildings at the time of construction; and
8. With respect to the twenty percent workforce component of the for-sale residential use, to apply income restriction only to the first sale of the unit without restriction on resale.

Numbers 1 through 4: The various flexibilities of numbers 1 through 4 should not substantially alter the approved plans.

Numbers 5, 6 and 7: OP suggests that any "minor refinements" to numbers 5, 6 and 7 be submitted to the Zoning Commission as a consent agenda item prior building permit as they could result in significant changes to the approved design.

Number 8: OP does not support the "flexibility" to apply income restrictions *only* to the first sale of units as requested in number 8. Such flexibility is contrary to the goals of creating and providing a reliable supply of affordable housing.

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<sup>10</sup> Flexibility requested from ZR58, under which the first-stage approval was granted.

The additional time requested would allow the applicant to more evenly bring new housing onto the market and improve the ability to judge the retail market following the construction of retail space on Parcel 9 (ZC 05-28Q).

## VI. 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 807, and Square 5056, Lots 810, 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 and townhouses on each parcel, with surface parking between. The applicant is now requesting second-stage approval, but with modifications to:

- Increase the apartment building footprints from 47 to 58 percent to accommodate below-grade parking garage and eliminate surface parking;
- Reduce on-site parking from 485 to between 166 and 191, depending on the number garage spaces constructed within the townhouses;
- Increase GFA from 293,625 to 301,406 square feet
- Increase FAR from 3.32 to 3.82 for Parcel 8, and to 3.75 for Parcel 10; and
- Allow for the option to provide up to 14,515 square feet of retail space within the two multi-family buildings.

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 general layout proposed for the site. However, the applicant proposes to modify the use through the possible addition of up to 14,515 square feet of retail space on the ground floors of the multi-family buildings, and modify building height, lot occupancy and floor area ratio, gross floor area and off-street parking for Block F, parcels 8 and 10 only, through a 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>11</sup>*

Twenty percent of the units within Parcels 8 and 10 (equal to 58 units) are proposed to be reserved as workforce housing. Workforce housing is affordable at between 80 and 120 percent AMI; no other affordable housing is proposed within Parcels 8 and 10.

Pursuant to the first stage approval 20 percent of the total housing within Parkside would be affordable at 80 percent AMI and 20 percent would be workforce housing affordable at between 80 and 120 percent AMI. To date 74 percent of the housing constructed at Parkside is affordable at 60 percent AMI, 11 percent at 80 to 120 percent AMI and 56 units at market rate.

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 buildings (ZC 05-28R, Exhibit 13A2).

On Parcel 8 silver grey brick veneer would be used around the base facing Kenilworth Terrace, or first floor, of the multi-family buildings, with a darker shade of grey brick veneer above. Fiber cement panels in a light shade of blue would provide accents along the upper residential floors. The building on Parcel 10 would include fiber cement panels in shades of browns and oranges, but also with dark gray window panels on each building.

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<sup>11</sup> The first-stage PUD predates the Inclusionary Zoning Regulations.

A roof top amenity area would be provided on the seventh floor of each multi-family building, with a portion dedicated to green roof. Condensers serving the building would be provided on the roof of the buildings.

Two sets of drawings were provided for the Kenilworth Terrace frontage. If developed as residential, private patios separated from each other and from the public sidewalk would be provided. If developed as commercial, planter boxes would be used to separate the outdoor space dedicated to the individual retail spaces, with the outdoor areas potentially available for outdoor restaurant or café seating. Signage for the individual retail spaces would be provided on canopies extending out over the outdoor space.

The townhouses would be clad in brick, with brick veneer at the fourth floor. Windows on the sides of the end units have modified so that all of the window sizes are consistent, with some recesses within the façade to mimic where windows potentially could have been placed and enhancing interest in the design. End units at either a street or service alley corner would be faced in brick, with a bay on the third floor faced in siding.

One or two garage spaces would be provided within the townhouse units, with an option available to the initial purchasers to have either two tandem garage spaces, or an extra room and one garage space. Solar panels would only be provided if desired by the initial purchasers of each unit.

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 by the Commission.

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 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 Comprehensive Transportation Review was filed May 19, 2017 (ZC 05-28R, exhibits 12A1 through 12A9, and ZC 05-28S, exhibits 11A1 through 11A9) was submitted as a part of these second-stage applications. It concludes that the proposed developments would not result in detrimental impacts to the surrounding transportation system, provided all planned site design elements and mitigation measures are implemented.

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 05-28O extended the first-stage PUD until October 3, 2017, within which time any outstanding second-stage PUD applications must be filed. The subject applications were filed on February 7, 2017, prior to the expiration of the first-stage PUD.

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 opted to file the second-stage applications in phases. The subject applications are for twenty-five townhouses and two multi-family buildings, each with the option to include ground floor retail.

## **VII. 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.

## **VIII. 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.*”

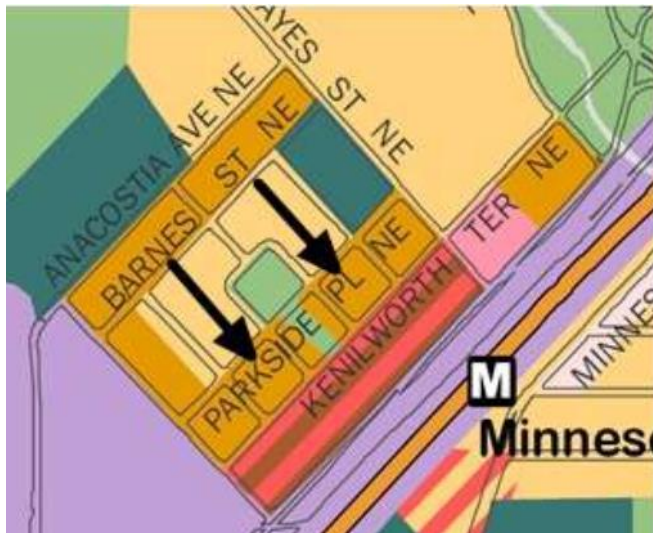
The applicant proposes the following benefits and amenities for this second-stage PUD:

- **Special Value for the Neighborhood:** The application proposes the provision of new housing and commercial development options for Parkside, while transitioning those uses between the lower density housing to the east with the future office buildings across Kenilworth Terrace, on a long vacant site.

- Site Planning, and Efficient and Economical Land Utilization: The proposed development would potentially expand retail uses into Parkside, within easy access of the lower density housing northwest of Parkside Place, contributing to the creation of a complete and walkable community.
- Housing and Affordable Housing: Twenty percent of the housing proposed within the applications would be dedicated to workforce housing, affordable at 80 to 120 percent AMI.
- 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. DDOT expects construction to begin in 2018, with completion expected in 2020.
- Environment and Sustainability: The buildings have been designed to achieve LEED Gold. Overall, the PUD has been designed to exceed of LEED-ND.

## IX. COMPREHENSIVE PLAN

As discussed in the OP setdown report dated May 12, 2017 (ZC 05-28R, Exhibit 11, ZC 05-28S, Exhibit 10), the application would further major policies from various elements of the Comprehensive Plan, including the Land Use, Transportation, Housing, Environmental Protection, and Urban Design elements and the Far Northeast and Southeast Area Element. Since approval of the first-stage PUD the City Council adopted the 2006 Comprehensive Plan and the 2010 amendments. The overall PUD was found to be not inconsistent with the 2006 Plan and the 2010 amendments.



**Future Land Use Map**



**Generalized Policy Map**

The Future Land Use Map designates the site for Medium Density Residential land use, 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 Future Land Use Map or the Generalized Policy Map. It would provide for two seven-story multi-family buildings and twenty-five townhouses, consistent with the existing character of the surrounding area and the land use designation on the Future Land Use Map.

The proposal to provide a mix of multi-family and one-family housing on the site with limited retail on the two sites would further policies and actions within the Land Use, Transportation, Housing, Environmental Protection, Economic Development, Urban Design elements and the Far Northeast and Southeast Area Element policies of the Comprehensive Plan, as described below.

The proposal can be considered not inconsistent with the Future Land Use Map or the Generalized Policy Map when viewed comprehensively as part of the overall approved PUD, which includes a mix of uses. The predominant use would be residential. The sites are located across from a mixed-use designation that includes medium density commercial uses, which would include retail. Section 226 of the Framework Element of the Comprehensive Plan states:

*“226.1 The Generalized Policy Map and Future Land Use Map are intended to provide generalized guides for development and conservation decisions. Several important parameters, defined below, apply to their use and interpretation.*

- a. The Future Land Use Map is not a zoning map. Whereas zoning maps are parcel-specific, and establish detailed requirements for setbacks, height, use, parking, and other attributes, the Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards. By definition, the Map is to be interpreted broadly.”*

At the time of the adoption of the first-stage PUD the entire area of the PUD was designated as mixed use, a combination of Medium Density Residential and Medium Density Commercial on the Generalized Land Use Map in effect at the time. Shopping and service areas were designated as one of the predominant uses within the medium density commercial land use category. This mixed-use category was mapped not only over properties proposed to include retail use, but also atop the subject properties, now proposed to include retail by the applicant.

With the adoption of the new Comprehensive Plan in 2006, the Generalized Land Use Map was replaced with a Future Land Use Map. The Parkside area was identified for land uses that reflect the approved first-stage PUD. Therefore, a modification to change the land use from residential to a mix of residential and retail for the subject properties would be not inconsistent with the documents upon which the original PUD was approved.

The requested modification to permit retail would also not be inconsistent with the following Comprehensive Plan Guiding Principle:

- 4. The District needs both residential and non-residential growth to survive. Nonresidential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. 217.4*

The addition of this small amount of retail space within the Parkside PUD, less than 15,000 square feet, could result in job opportunities for Ward 7 residents that do not currently exist and allow for the potential of adding space to the Parkside PUD for the provision of locally serving retail. The subject application would also provide new multi-family and townhouse housing within the Parkside neighborhood. Currently two vacant lots, the sites would be developed with two mid-rise buildings intended to provide some step-down in height from the planned high-rise office buildings across Kenilworth Terrace to the lower density townhouses proposed to face Parkside Place and the lower density housing already constructed across Parkside Place from the two sites.

## **X. AGENCY REFERRALS**

On May 12, 2017 OP requested comments from the following agencies on the subject applications.

- Department of Consumer and Regulatory Affairs (DCRA);
- Department of Employment Services (DOES);
- Department of Energy and Environment (DOEE);
- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR);
- District of Columbia Public Schools (DCPS);
- District Department of Transportation (DDOT);
- Fire and Emergency Medical Services (FEMS);
- Metropolitan Police Department (MPD); and
- DC Water (DCWater)

DOEE, in an email to OP dated July 18, 2017, stated that “to create a more resilient and economically progressive project, it is strongly recommended that the project incorporate solar panels for all townhouse units.”

No other comments were received.

DDOT comments are expected to be filed separately.

## **XI. COMMUNITY COMMENTS**

ANC 7D, at its regularly scheduled meeting of June 13, 2017, committed to a continuation of dialogue and review with the applicant.

No other community comments were received.

## **XII. RECOMMENDATION**

The Office Planning has no objection to the addition of retail space within the apartment buildings, the reduced sizes of the loading berths or the request for three years from the date of approval for the construction of the two apartment buildings. The retail, together with the retail proposed for

Parcel 9 (ZC 05-28Q) and Parcel 12 (ZC 05-28T) have the potential create a critical mass of retail space to better serve the Parkside community, which currently has no retail options. The reduced size of the loading berths, although requiring flexibility from ZR58, the version of the zoning regulations to which the subject applications are subject, would conform to the provisions of ZR16, as the loading regulations were revised and updated.

OP finds the addition of balconies, while limited, improve the residential appearance of the apartment buildings and understands the limitations in the provision of balconies due to the wood frame construction and the trade-offs between larger balconies and larger units and what the market would support. The addition of more intense colors brightens the facades of the apartment buildings and OP encourages the applicant to provide material samples at the hearing to better illustrate the actual colors proposed. Similarly, the modifications to the townhouses, including additional windows on the end units, the addition of brick at the rear of the end units and the use of brick veneer on the fourth floors enhances the facades of these homes.

The Office of Planning recommends approval of the requested modifications, some of which result from the difference in the area of Block F 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. Although the applicant revised the heights of the buildings, they are still designed to step down from Kenilworth Terrace to Parkside Place, in acknowledgment of the lower density residential uses that have already been constructed to the northwest.

The application is not inconsistent with the Comprehensive Plan, including the provision of retail within an area where two land use designations come together, with one permitting medium density commercial uses, and furthering many policies of the Comprehensive Plan, when considered in the context of the approved PUD. Therefore, the Office of Planning recommends that the Commission **APPROVE** the subject application subject to the following conditions to which that the applicant has agreed.

1. Submission of a materials board with all materials in all colors proposed to better articulate the actual proposed finishes of the buildings.
2. Solar panels are provided for each townhouse, or, should the Commission opt not to require the installation of solar panels on the roof of each townhouse, that each of the townhouses are pre-wired to accept solar panels, whether solar panels are included in the initial purchase or not.
3. The cost of residential parking shall be unbundled from the lease or purchase price of each unit.
4. A TDM plan shall be prepared and a TDM coordinator, responsible for organizing and marketing the plan, designated. The TDM coordinator will act as a point of contact with DDOT.
5. All parking on site shall be priced at market rates at a minimum, defined as the average cost for parking in a 0.25-mile radius from the site.
6. A Transportation Information Center Display (electronic screen) shall be installed within the residential lobbies of the multi-family buildings, containing information related to local transportation alternatives.

Regarding the flexibility requested by the applicant and discussed in section V of this report, OP suggests that any “minor refinements” to numbers 5, 6 and 7 be submitted to the Zoning

Commission as a consent agenda item prior building permit as they could result in significant changes to the approved design and OP does not support the “flexibility” to apply income restrictions *only* to the first sale of units as requested in number 8.

JS/sjm<sup>AICP</sup>  
Case Manager: Stephen J. Mordfin, AICP