



MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: September 9, 2011

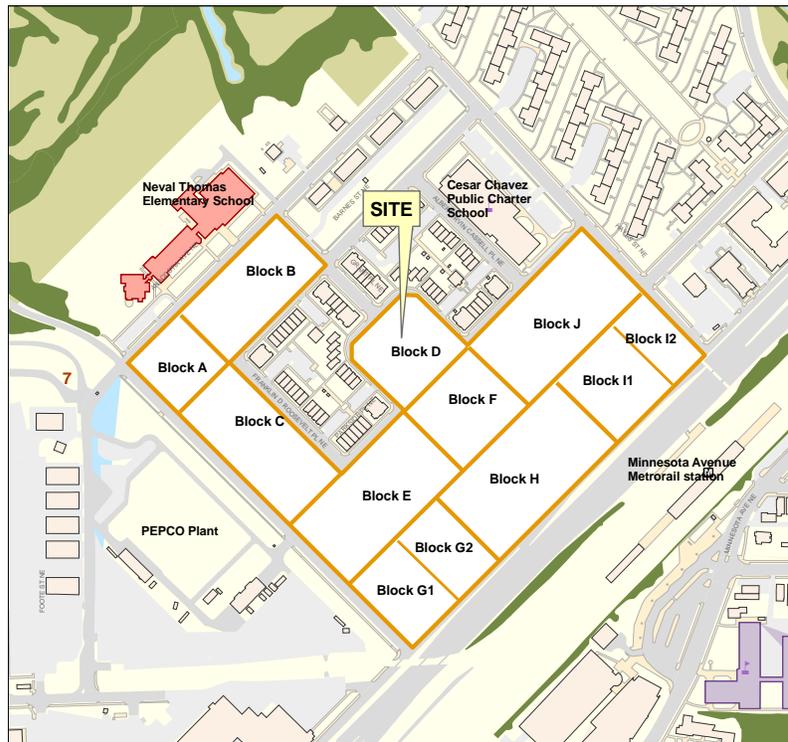
SUBJECT: ZC Case 05-28F: Final Report for a Second-Stage PUD for Block D and a PUD-related map amendment filed by Lano Parcel 12 LLC.

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the second-stage application.

APPLICATION

Lano Parcel 12 LLC, the applicant, has petitioned the Zoning Commission for a second-stage PUD for the development of Block D as an approximately one-acre private park that would be open to the public as an amenity to be located at the core of the site.



Vicinity Map



BACKGROUND

To date the following Parkside applications have been filed, as described below.

- ZC 05-28: First-stage approval of the approximately 15.5 acre PUD and related map amendment became final on April 13, 2007.
- 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 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 apartment buildings. Construction has begun on the senior citizen apartment building.
- 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. Final action was granted June 27, 2011.
- ZC 05-28B: Second-stage and PUD-related map amendment application for Block I2 was requested to permit a three-story health clinic. Final action was granted on June 27, 2011.
- ZC 05-28C: Second-stage and PUD-related map amendment application for Block I1 was requested to permit an eight-story community college building. Final action is scheduled for July 26, 2011.
- ZC 05-28G: Major modification request for blocks B and C to reduce the number of townhouse units resulting from changes to the sizes of the units and for corresponding changes to the townhouse facades and landscape details. The public hearing is scheduled for October 24, 2011.
- ZC 05-28H: Two-year PUD extension request to October 3, 2013, scheduled to be reviewed by the Commission at its public meeting of September 26, 2011.

SITE DESCRIPTION

Block D is located within the approximate center 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. The proposed park consists of approximately one acre (40,761 square feet). Block D is bound by Burnham Place to the northeast, Grant Place to the west and southwest and Parkside Place to southeast. It is surrounded on three sides by approximately one hundred townhouses constructed in the 1990s that are not a part of the PUD to the northeast, northwest and southwest.

PROPOSAL

Block D, the subject of this second-stage application, is proposed to be developed as a one-acre private passive park that would be open to the public. It would occupy the entire block and be developed with trees, planting beds and seating, including ten benches and six sets of tables and chairs designed to accommodate chess games. Maintenance of the park would be the responsibility of the applicant.

The central theme of the park would be a water feature surrounded by concrete pavers and seating, on the southeast side of the park adjacent to Parkside Place. On either side of the water feature would be the six sets of tables and chairs, three on each side, shaded by flowering understory trees, and twelve bicycle racks, six on each side. Six trees, including one existing mature tree, would border the water feature in a semi-circle opening out toward what is proposed to be the more densely developed portion of Parkside. A four-

foot granite wall would demarcate the lawn area from the water feature, and a four-foot six-inch brick sign with ornamental metal columns would be located along the Parkside Place frontage of the property, to the front of the water feature. This sign would include the message "Parkside Community." The drawings do not indicate any perimeter security fencing or gates. OP would not support a security fence or gates.

Extending from the water feature and the arc of trees back toward the northwest would be a brick walkway, surrounded by planting beds and the other two existing mature trees on the site, and lined with in-ground strip lighting. The remainder of the park would be improved as lawn, with shade trees planted around most of the perimeter. A sidewalk would surround all four sides of the park at the street.

The main attraction of the park, the water feature, would face a central plaza of a block that is proposed to be developed with mixed-use buildings, including residential and retail. Beyond the water feature in the opposite direction the intensity of the development of the park would decrease, consistent with the decrease in density of the surrounding residential uses.

The application does not indicate if the materials used for the walkways and central plaza would be pervious. The Office of Planning would support the use of pervious paving materials wherever appropriate within this park to minimize stormwater runoff.

The applicant held three charettes with the community to determine the design of the park. These charettes were held on July 12, August 2 and August 16, 2011.

The applicant informed the Office of Planning that the property would be maintained by the owner, and that ownership would be transferred to Anacostia Groundworks.

ZONING and OP ANALYSIS

The Zoning Commission approved a PUD-related map amendment for the subject application, rezoning the site from C-2-B to C-3-A, subject to fifteen conditions, only some of which are relevant to this site. Listed below are the conditions which are relevant 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.*

First -stage approval for the Parkside site included a PUD-related map amendment for the park site from R-5-A to C-3-A.

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

The first stage PUD approved a park as an open space amenity with no buildings or parking for Block D. The applicant is now requesting second-stage approval for that park with no buildings or 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 proposed park is an amenity to the entire Parkside PUD, providing passive recreation space to residents, visitors and workers to Parkside.

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 a landscape plan and a schematic of the proposed park. No buildings are proposed.

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

ZC Order 05-28 became effective on April 13, 2007, and on November 16, 2007 a second-stage application was filed. That second-stage application, ZC 05-28A, became effective on October 3, 2008. The subject application was filed on August 30, 2011, less than three years from the effective date of the order for ZC 05-28A.

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 park on Block D.

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

CONSISTENCY WITH THE PUD EVALUATION STANDARDS OF SECTION 2400

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

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “*designed to encourage high quality developments that provide public benefits.*” Through the flexibility of the PUD process a development that provides benefits to the surrounding neighborhood can be achieved. The proposed park would be an amenity that would benefit the surrounding neighborhood.

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 subject application is for the provision of a park that would be open to the public. This park would be an amenity to the entire Parkside PUD and was approved in the original PUD.

COMMISSION CONCERNS

The Commission noted at its July 11, 2011 public meeting that the design of the park at setdown was different from that shown on the first-stage approval. Although the design of the park as proposed varies from what was shown on the first-stage application, the use and size of the site, has not. In second-stage applications involving buildings, the design of the building often changes, while the use and approximate

size of the structure does not. The further development and refinement of the park as proposed is generally consistent with the first-stage approval.

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. The overall PUD has been found to be not inconsistent with the 2006 Plan.

The proposal would be consistent with the Future Land Use Map, which recommends the Parks, Recreation, and Open Space land use for the subject property. A park is consistent with this recommendation.

The proposal to provide a park on the site would also further the following Parks, Recreation and Open Space Element policies of the 2006 Comprehensive Plan, as described below.

Policy PROS-1.4.1: Park Acquisition

Acquire and improve additional parkland to meet the recreational needs of existing and future residents. This should occur both through the expansion of existing parks, and the development of new parks. (§ 807.4)

Policy PROS-1.4.2: Acquisition Methods

Use a variety of methods to acquire and improve parkland, including easements, donations, land purchases, and park set-asides on new development sites. Recognize the impacts of new development on the need for additional park and recreational facilities, and mitigate impacts through dedication of parkland or in-lieu payments. (§ 807.5)

Policy PROS-1.4.3: Parks on Large Sites

Include new neighborhood and/or community parks on large sites that are redeveloped for housing and other uses that generate a demand for recreational services. The potential for such parks to enhance the connectivity of parks and open spaces throughout the city should be an important planning and design consideration, particularly where multiple large adjacent sites are being redeveloped. (§ 807.6)

Policy PROS-2.1.3: Quality and Compatible Design

Require all park improvements to be of high design and construction quality, sensitive to the natural environment, and compatible with surrounding land uses. (§ 809.8)

Policy PROS-2.2.2: Park Safety and Security

Design parks, trails, and recreational facilities to improve public safety. Avoid creating hidden and difficult to access areas where security problems or vandalism could result. Lighting, fencing, building materials, and other design components should be selected to enhance the safety of park users. Park lighting shall be compatible with adjacent residential neighborhoods. (§ 810.6)

The subject application would provide passive parkland within a new mixed-use community.

AGENCY COMMENTS

The Department of Parks and Recreation, in an email to the Office of Planning dated August 31, 2011, indicated that it had no comments on the application.

The Metropolitan Police Department, in an email to the Office of Planning dated September 1, 2011, “requested the area be well lit and the shrubs and plantings used are not too dense and/or high.”

No other agency comments were received.

COMMUNITY COMMENTS

ANC 7D did not respond to a request for comments.

CONCLUSION AND RECOMMENDATION

The Office of Planning finds the design of the park suitable and appropriate. It would provide a logical terminus to a central spine that would begin between the two proposed office buildings on Block H, continuing on to Block F, proposed to be developed with apartment buildings with ground floor retail. The decrease in the intensity of the development of the park from Parkside Place back toward Grant Place reflects the decrease in density and intensity of the Parkside neighborhood, with the density and intensity of the Parkside neighborhood decreasing from Kenilworth Avenue back toward Anacostia Avenue.

The “Images Board” submitted with the application depicts bike racks and a light fixture, but the Landscape Plan does not show the location of either the proposed bike racks or the light fixtures within the park. The Landscape Plan depicts the location of a “metal sign/columns,” but provides no additional information regarding the proposed purpose of this sign. Provision of lighting within the park would have the potential to increase safety after dark, and the provision of bike racks would serve a useful purpose for those choosing to bike to the site.

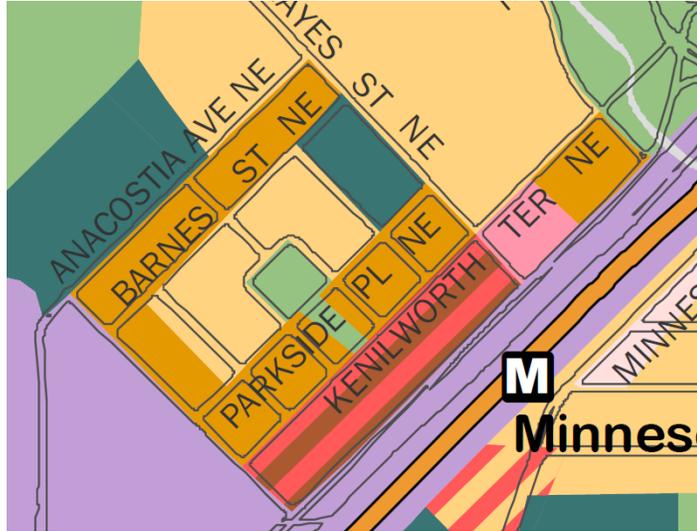
Therefore, the Office of Planning recommends that the application be approved, subject to the following conditions:

1. The park shall remain open to the public and shall not be enclosed by fencing and gates.
2. The applicant considers the use of pervious paving materials wherever appropriate within the park to minimize storm water runoff.

JS/sjm^{AICP}

Case Manager: Stephen J. Mordfin, AICP

Future Land Use Map



Generalized Policy Map

