

**MEMORANDUM**

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, ^{JS} Deputy Director for Development Review & Historic Preservation

DATE: June 29, 2012

SUBJECT: Setdown Report - Proposed Zoning Text and Map Amendment Unzoned to the Saint Elizabeths East (StE) District for the Saint Elizabeths East Campus.

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I. RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission setdown text for a new zoning district and a map amendment to establish regulations for the Saint Elizabeths East (StE) District. This zoning district would implement the objectives of the Comprehensive Plan; the Saint Elizabeths East Redevelopment Framework Plan (Framework Plan), approved by the City Council on December 16, 2008; and the Saint Elizabeths East Master Plan and Design Guidelines (Master Plan), June 4, 2012.

II. SITE DESCRIPTION

The Saint Elizabeths campus is a 336-acre site located in Ward 8 and divided by Martin Luther King Blvd, SE, into an east and west campus (Attachment 1). The entire campus contains numerous historically significant structures and is a designated historic district. The west campus is currently under development with the federal government's United States Department of Homeland Security (DHS). The 180-acre Saint Elizabeths East campus, a portion of which is the subject of this application, has been under District control since 1987. New construction has been limited to the District's Unified Communications Center (UCC), 11.80 acres, at the northern tip of the site in 2003¹ and a new Saint Elizabeths psychiatric hospital (51.26 acres) at the southeast corner of the property². Approval has been granted for the construction of a new water tower³ (3.33 acres) northwest of the hospital.

The approximately 85 acre area that is the subject of this text and map amendment will include 13.93 acres of the planned unit development (PUD) area of the Saint Elizabeths psychiatric hospital (Attachment 2). The hospital is submitting a separate minor modification application to the Zoning Commission to modify its PUD boundary.

III. SAINT ELIZABETHS EAST REDEVELOPMENT FRAMEWORK PLAN

There have been several planning efforts for the Saint Elizabeths East campus, including the extensive planning process which culminated in the Saint Elizabeths East Redevelopment Framework Plan, adopted by Council on December 16, 2008 (Attachment 3). The Framework Plan is designed to guide future redevelopment of the site and identifies site constraints, highlights development opportunities, and establishes development principles for the eventual build-out of the East Campus.

The Framework Plan serves as a supplement to the Comprehensive Plan and outlines eight guiding principles for development at Saint Elizabeths:

¹ ZC 01-36C

² ZC 02-45, 04-08, 04-08A

³ ZC 10-06

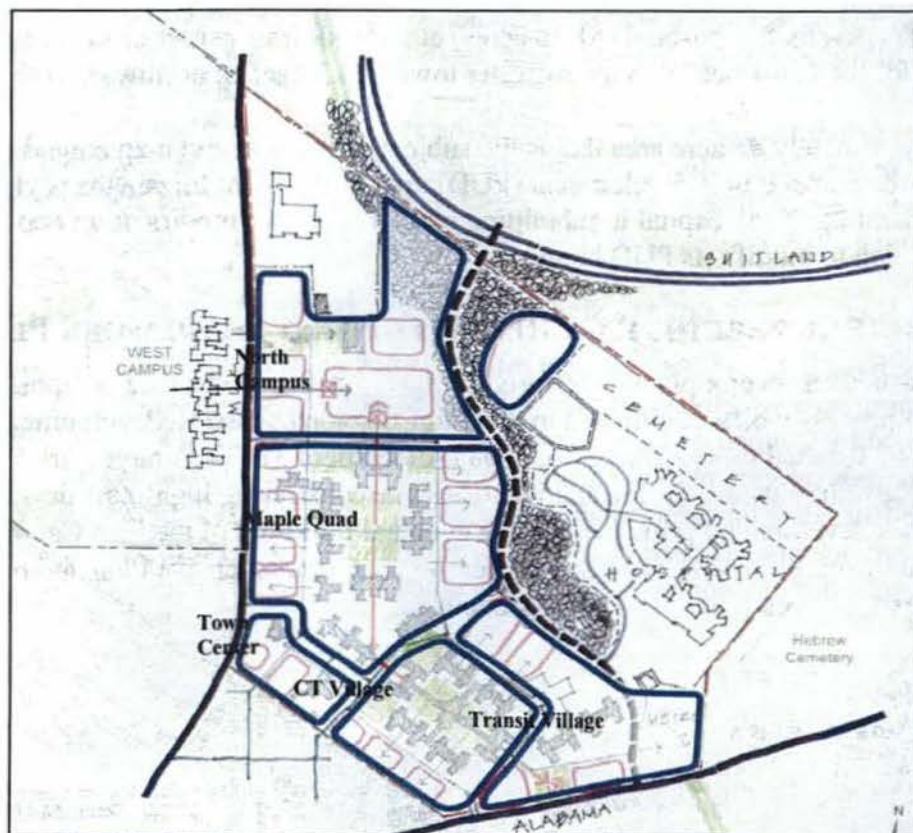


1. Capture the unique identity to create a sense of place.
2. Reinvigorate the campus as an important neighborhood center.
3. Preserve and celebrate resources.
4. Embody the District's design and sustainability goals.
5. Create a strong public realm.
6. Improve community connectivity and open up access to the campus.
7. Enhance multi-modal transportation networks.
8. Support wider economic development initiatives.

Overall, the plan establishes the development potential of the East Campus via the adaptive reuse of existing buildings as well as new construction; mix of uses; scale of development; open space system; circulation and access; and the creation of special spaces. The development is to create a new, cohesive neighborhood while allowing flexibility to shape development in line with the Plan's vision that has a mix of uses, with variety in housing types, businesses, institutions and government agencies.

Based on these guidelines and principles which resulted from extensive public discussion, the plan calls for the creation of five new neighborhoods (Map A), each with a defined character influenced by the presence of existing historic structures, topography, and proximity to transportation networks and other features. Other proposed improvements include the creation of new internal roads and a parkway which was envisioned to allow north-south travel through the site from Suitland Parkway to Alabama Avenue, as well as enhancing site connections to Martin Luther King Ave., Alabama Ave., and Suitland Parkway, SE.

Map A



North Campus

The North Campus neighborhood anchors new development and creates a vibrant street edge along Martin Luther King Jr. Avenue. Preservation and reuse of the barns, cottages and adjacent green for special uses is preferred. The height and intensity of new development will be focused on the interior of this neighborhood. Preferred land uses include commercial-driven mixed-use development featuring government office and limited residential.

Maple Quad

The Maple Quad lends itself to the adaptive reuse of existing buildings as institutional or educational land uses. Preservation of the green quadrangle is desired for community and civic uses. Infill development within this neighborhood should provide a transition between the North Campus and existing historic buildings. New development along Martin Luther King Jr. Avenue should feature pedestrian oriented ground floor uses to activate this Great Street.

Town Square

New development in the Town Square neighborhood anchors an emerging retail main street that begins further south along Martin Luther King Jr. Avenue. A mix of commercial, residential, and community uses create a hub of activity that connects the existing neighborhood to the rest of the campus. Additional civic uses may include a community center, child care, health clinic, etc. Green space is incorporated into the broader network of open spaces on the campus.

CT Village

CT Village is a residential neighborhood that features the adaptively reused and restored historically significant buildings around a new green quad. New development will blend seamlessly into the old and the scale of development will be sensitive to the low scale residential area to the south of the campus.

Transit Village

This new neighborhood will incorporate Transit Oriented Design (TOD) principles by providing a mix of land uses at the Congress Heights Metro station. A proposed parkway along the ravine enhances connectivity and creates an opportunity for active recreation.

IV. SAINT ELIZABETHS MASTER PLAN

With the decision of the US Department of Homeland Security (DHS) to consolidate its operations on the West Campus in 2007, the District saw an opportunity and a potential catalyst for expanding the City's innovation sector⁴ in Ward 8. It was envisioned that this federal agency would attract federal contractors and security-related businesses to this area and over time increase neighborhood demand for improved retail and services and expand job opportunities for Ward 8 residents.

The creation of the Master Plan was the required next step in fulfilling the goals of the Framework Plan which recommended that "*Implementation of this Framework Plan will require the development of a more detailed master plan for the campus.*"⁵ The Master Plan serves as supplemental guidance to the Comprehensive Plan and the Framework Plan and outlines specific goals, including:

⁴ Innovation strategy is discussed on Page 7 of this report.

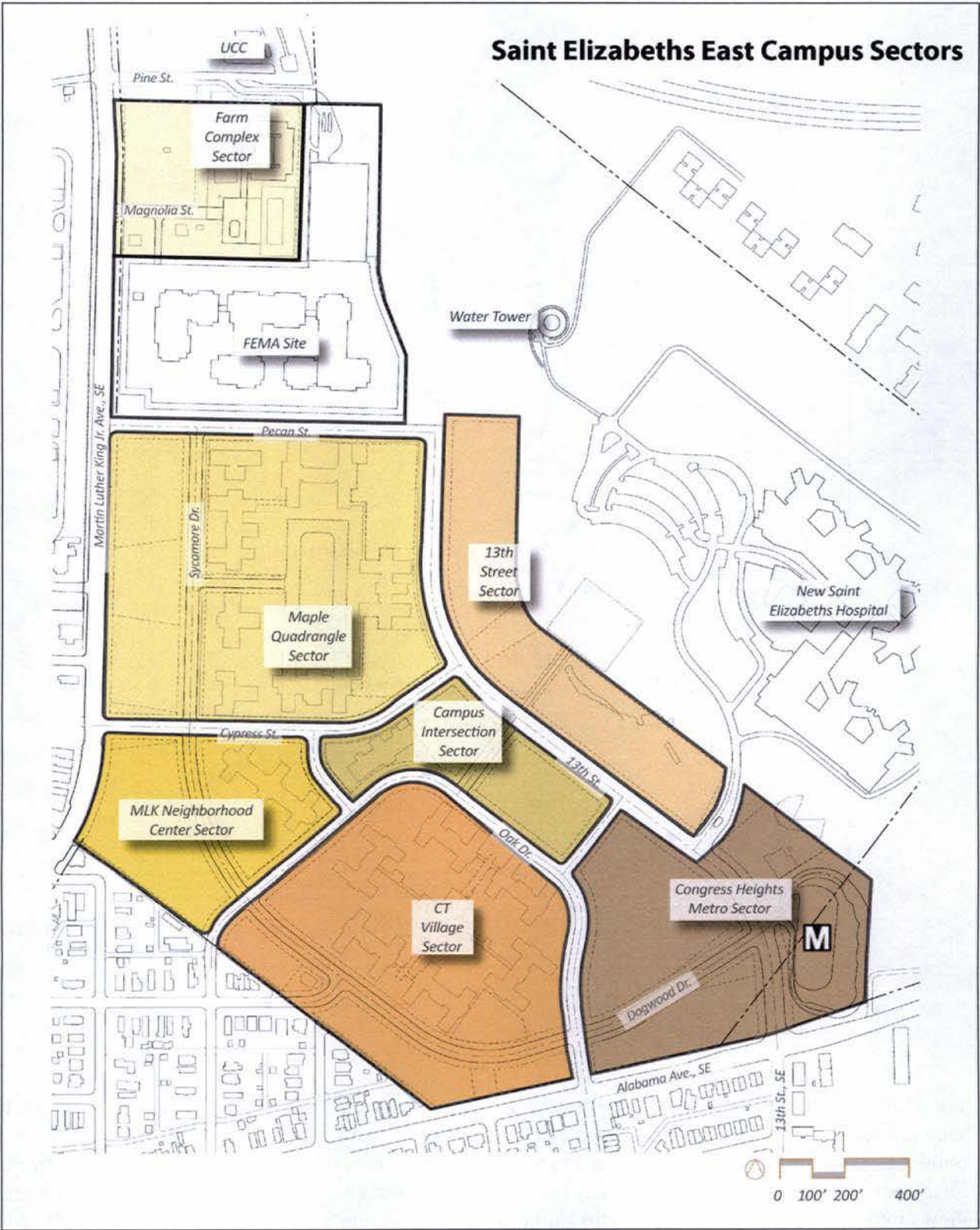
⁵ Saint Elizabeths East Redevelopment Framework Plan, December 16, 2008, page 33.

1. Identifying a market-based, implementable development program that realizes the economic development objectives of the city, while enabling the preservation of historic assets and character.
2. Establishing a diverse mix of uses and development densities that will support the vision of a vibrant, mixed use development that implements two key objectives:
 - (a) Anchoring the Martin Luther King, Jr. Avenue retail corridor and activating the edges of the campus with neighborhood-serving amenities;
 - (b) Accommodating uses that support the District's emerging innovation economy tied to national security industries;
3. Ensuring the Plan promotes a unique sense of place rooted in the reuse of historic buildings retention of the original campus character;
4. Designing a complementary public realm and street network that reinforces placemaking principles and creates destinations that link to the surrounding community and the West Campus;
5. Cultivating a comprehensive sustainability approach that informs the master planning process and leads to innovative solutions for the site; and
6. Crafting design guidelines that supply the ground rules for future development and provide the flexibility to respond to changing times.

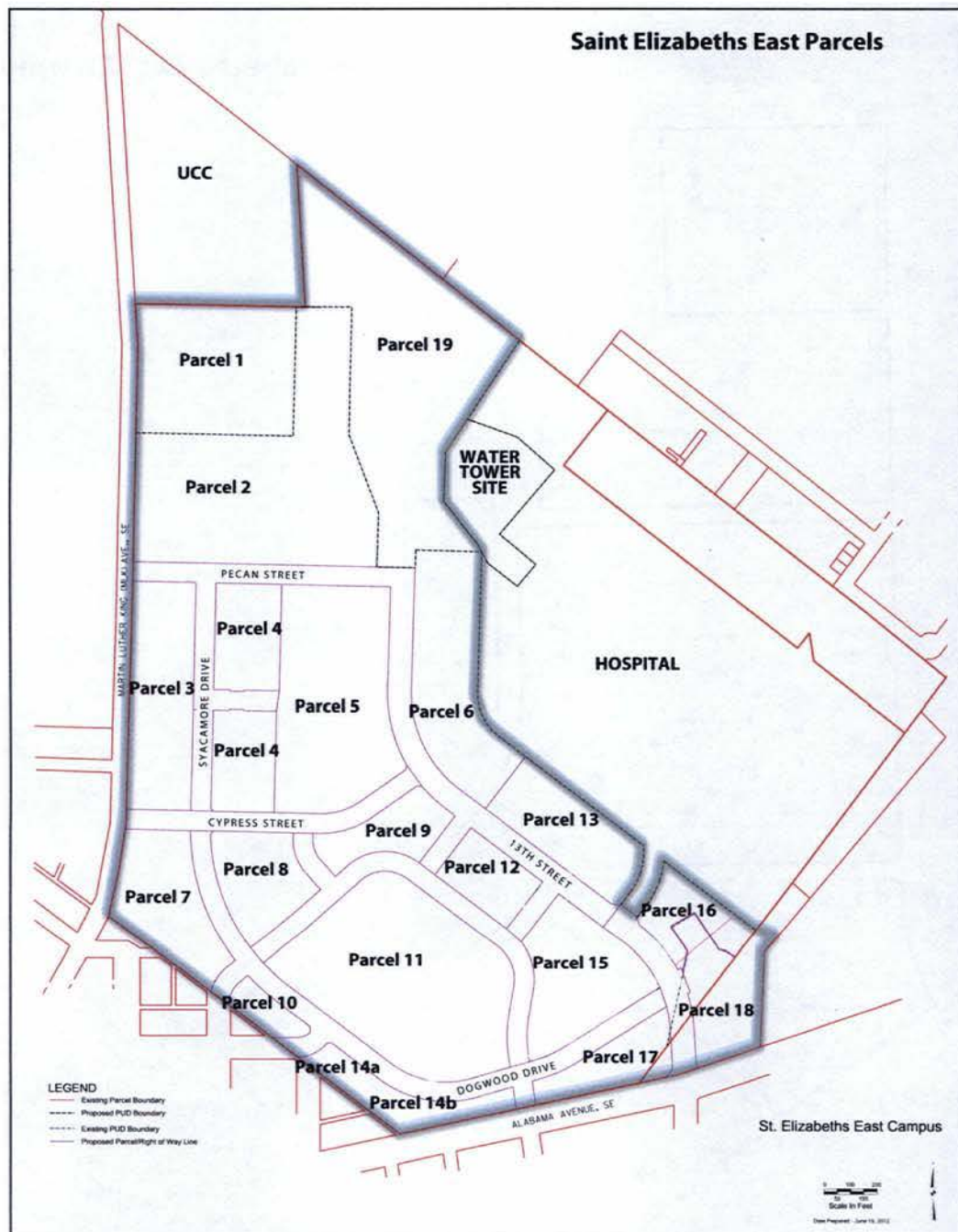
As with the creation of the Framework Plan, the Master Plan for the redevelopment of St Elizabeths East campus, involved extensive community input and participation. The more detailed plan recommended by the Master Plan has redefined the neighborhoods based on a comprehensive analysis of the internal and area-wide road network; existing historic buildings, the proposed uses, and how to better configure potential development parcels. In addition, DHS and the City came to an agreement to locate the Federal Emergency Management Agency) FEMA on the East Campus. The Master Plan identifies eight neighborhoods or sectors as shown on the Map B.

The Master Plan further divides each of the neighborhoods into nineteen parcels (Map C) each having its own design principles and guidelines that are tailored to its unique development intent and site conditions. The variety in subdistricts establishes diversity across the campus.

Map B



Map C



The Master Plan provides a land use framework and vision for the redevelopment of the campus to accommodate important public services and neighborhood needs. Along with the reuse of the historic buildings, new buildings are envisioned to accommodate a mix of uses including housing, offices, retail, institutional, and innovation⁶ uses. Key urban design features include open space areas which preserve views into the historic site from Martin Luther King Jr. Avenue, parks, connections to the adjacent

⁶ Innovation uses includes research, education, training, entrepreneurship, technology transfer and private sector commercial activities.

residential area to the southeast, and a transit square at the Congress Heights Metrorail station. The development program identifies the potential for approximately 4.2 million square feet of space in both new construction and the reuse of historic buildings on the site with portions of the site to remain as undeveloped open space (Parcel 19).

V. OTHER PLANNING PROCESSES

The District's vision for the redevelopment of the Saint Elizabeth East Campus was embodied in the creation of the Saint Elizabeths Redevelopment Initiative of 2011, an overarching effort to coordinate multiple planning efforts which would affect the redevelopment of the campus. Concurrent with the development of the Master Plan were the following planning initiatives:

Transportation Plan

The District Department of Transportation (DDOT) and the Federal Highway Administration (FHWA) have closely coordinated regarding the master planning process and the proposed improvements to the transportation network serving Saint Elizabeths East Campus. An Environmental Assessment (EA) for the proposed transportation improvements and their potential impacts is being prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the Council of Environmental Quality (CEQ) regulations (40 CFR 1500-1508) and the FHWA's Environmental Impact and related Procedures (23 CFR 771).

Historic Preservation

The entire campus of Saint Elizabeths is a historic district, designated locally and nationally. When the East Campus was transferred to the District of Columbia in 1987, a process was triggered to put in place permanent protection of the property, in accordance with Section 106 of the National Historic Preservation Act of 1966. In 1989, a Memorandum of Agreement was developed which require a consultation process with identified parties to review all undertakings on the historic campus. As part of the master planning process the Historic Preservation Office, the federal Advisory Council on Historic Preservation, the transportation team conducting the EA and the master planning team had consultations to review the effects of all proposals and any anticipated adverse effects on historic resources. The issues were resolved through this consultative process that included public review and a comment period. As a result, all design for new construction is subject to review by the District of Columbia Historic Preservation Review Board and the United States Commission of Fine Arts.

Innovation Strategy for Economic Development

The District has received a grant from the US Economic Development Administration to fund an Innovation Strategy for the redevelopment of the campus. The goal of the Innovation Strategy is to assess the Department of Homeland Security (DHS) economy and leverage opportunities that may be presented. This strategy was incorporated into the Master Plan. The main recommendation is for the creation of an Innovation Hub on the East Campus which could provide opportunities for programs such as technology transfer, small business assistance, virtual incubation, early stage financing, Federal procurement, science, technology, engineering and mathematics (STEM) programs and career path development, university-industry collaboration, mentoring and internship, and employment matching.

Neighborhood Investments

In the creation of the Master Plan, the existing and proposed users of the campus; the Saint Elizabeths hospital, the Office of Unified Communications (UCC), and the DC Water (Water Tower) were all

participants in the planning process to ensure that proposed new developments and uses would not compromise their function and security.

District Investment and Facilities

As part of the Master Plan development, consideration was given to the many investment initiatives in Congress Heights and Anacostia in order to leverage these assets to create a whole community that encompasses and complements development on the campus and the wider community.

Federal Emergency Management Agency

A Master Plan for the area designated for the FEMA development by DHS was developed as an amendment to the 2008 Master Plan for the Consolidation of St. Elizabeths. A wide range of studies were conducted by the federal agencies and other consulting parties including the District's Office of Planning, DDOT, and DEMPED. The development on the FEMA site (Parcel 2) is planned to accommodate 750,000 gross square feet of space and a 775 space employee parking structure garage.

ANALYSIS

Summary of Proposed Zoning – the St. Elizabeths East (StE) District

The vision for St. Elizabeths East is for the redevelopment of the largely unused former hospital site to a vibrant and lively community with a mix of residential, commercial, cultural, institutional, and innovation uses that respect the character set by the historic nature and architecture of the property. The proposed new zoning is intended to provide for the realization of that vision, through the creation of a new St. Elizabeths East (StE) District with a series of a stand-alone zones or subdistricts (StE-1 through StE-19) reflecting the use and densities proposed in the Master Plan. The zone designations correspond to the parcel numbers of the Master Plan.

Including existing building area, the StE District is envisioned to have approximately 4.2 million square feet of developable building space (exclusive of the StE-2, StE-18, and StE-19 subdistricts) that will ensure a broad mix of uses, particularly those that enhance the pedestrian experience. A key concept in the Master Plan is that the historic resources will be retained, except for a few targeted demolitions, and new development sited and designed to respect the historic resources. New construction will be concentrated on undeveloped parcels with buildings located and scaled to minimize visual impact on adjacent historic buildings.

The Master Plan also includes building design standards that encompass the development goals for each subdistrict. The purpose of these standards is to guide the building form, especially as it relates to the historic resources and the street. The standards include ground floor uses; open space; and façade articulation regulations to create an active and interesting pedestrian environment. These have been reflected in the proposed zoning for the site.

Use Mix

The campus is planned to have a mix of uses complemented by open space areas capable of being programmed to ensure vitality and social activity across the campus. To achieve this goal, the proposed zoning provides for flexibility in uses, within appropriate building heights and densities.

The uses allowed are organized in categories based on similar activities, functions, physical characteristics, impacts or operational behaviors. The examples of uses within each category are typical uses within that category, but are not intended to be a comprehensive list. Most of the uses would be as

a matter-of-right, although some uses such as higher intensity community-based residential facilities and health facilities would be allowed only with special exception review by the Board of Zoning Adjustment to assess their potential impacts on the surrounding area and uses. Prohibited uses have also been identified and are those uses considered to be inconsistent with the Framework Plan and Master Plan's vision of a mixed use neighborhood. These include uses such as vehicle sales and repair, heavy industrial uses, self-service storage, and drive-through facilities.

The proposed zoning also includes a new "open space" zone, for the existing ravine area (StE-19). No development would be permitted within this zone.

Preferred Uses

The Master Plan designates *Preferred Retail Areas* to help create a vibrant development with unique places along major streets and intersections of the campus. To achieve the vibrancy envisioned on the campus, the StE District regulations would require that fifty percent (50%) of the ground floor of buildings be devoted to arts, design and creation; food and alcohol services; retail; or service uses in the following subdistricts at the following locations:

1. StE 3, facing Martin Luther King Jr. Avenue SE, Cypress Street SE, or Sycamore Street SE and the park;
2. StE 7, facing Martin Luther King Jr. Avenue SE, Cypress Street SE, or Dogwood Drive SE, or Oak Drive SE;
3. StE 14b, facing Dogwood Drive SE, Oak Drive SE, or the southwest corner;
4. StE 15, facing Dogwood Drive SE, 13th Street SE, Oak Drive SE, or the park;
5. StE 16, facing 13th Street SE and the southwest corner; and
6. StE 17, facing Dogwood Drive SE, 13th Street SE, or Oak Drive SE.

Preferred use design requirements include a fourteen foot minimum interior height minimum, that the retail be at the same level as the adjacent sidewalk, and that fifty percent (50%) of the street wall on the ground floor is to be clear doors and display windows. These requirements are the same as ones for other parts of the city where zoning requires ground floor preferred uses.

Inclusionary Zoning

Inclusionary zoning will apply to residential developments, except that bonus density will not be awarded as it has been incorporated into the recommended floor area ratio and lot occupancy standards for each subdistrict. The purpose of not providing additional density is to have certainty with respect to building form and the ultimate density of development across the site.

Building Heights

The proposed density and building massing standards, based on building heights described in the master Plan, establish an appropriate development scenario for the site and address the context of existing to new buildings, allowing heights to transition down to adjacent historic buildings. As noted in Table 1 below, building heights range from zero (on Parcel 19, the ravine) to nine stories with the tallest buildings along 13th Street, away from the historic buildings. The building story ranges noted in the Master Plan have been converted to building heights, based on a 14-foot tall ground floor and 10-foot floor-to-floor upper story heights for new buildings.

Floor Area Ratio (FAR), Lot Occupancy and Rear Yard

Based on the parcels of the Master Plan, the StE District was divided into the StE-1 through StE-19 Districts for the purpose of establishing floor area ratio (FAR), lot occupancy, building height, and rear yard requirements, as noted below in Table 1:

Table 1

Zone District	Area (sq.ft.)	FAR (Max.)	FAR – Required Residential (Min.)	FAR – Above Grade Parking (Max.)	Height (Max. Ft.)	Lot Occupancy (Max. %)	Rear Yard (Min. Ft.)
StE-1	292,808	0.20	-	-	25	25	-
StE-2	538,669	4.00	-	-		75	-
StE-3	207,495	2.50	-	-	80	60	-
StE-4	193,326	0.50	-	-	25	60	-
StE-5	360,593	1.50	-	-	65	60	-
StE-6	242,610	3.20	1.60	-	90	75	-
StE-7	164,079	1.50	1.00	§ 3306.3	§ 3306.4	60	-
StE-8	118,021	0.40	-	-	25	60	-
StE-9	84,845	1.50	-	-	65	60	-
StE-10	35,898	1.50	-	-	40	60	20
StE-11	479,132	0.70	-	-	25	60	-
StE-12	76,716	3.00	1.50	-	80	75	-
StE-13	152,358	3.20	1.60	-	90	75	-
StE-14a	37,068	1.50	-	-	40	60	20
StE-14b	53,207	1.50	1.00	-	40	60	20
StE-15	186,932	2.00	1.00	§ 3306.3	80	75	-
StE-16	76,206	3.20	1.60	-	90	75	-
StE-17	89,057	0.50	-	§ 3306.3	70	60	-
StE-18	148,976	4.00	-	-	90	75	-
StE-19	585,588	0.00	-	-	0	n/a	-

This would result in an overall maximum possible FAR of slightly less than 1.7 for the entire site, excluding parcels 2, 18 and 19, or an FAR of 1.84 including those parcels.

To ensure that the overall development maintains the mix of uses envisioned across the campus, a portion of the overall FAR within districts StE-6, StE-7, StE-12, StE-13, StE-14b, StE-15, and StE-16 is required to be dedicated to residential use. This, along with StE-10 and StE-14b, results in an overall requirement for a minimum of approximately 1.3 million square feet of residential development on this site, in accordance with the Master Plan.

Further, through a combined lot mechanism, residential use can be transferred to other districts (except the, StE-2, StE-10, StE-14a, StE-14b, StE-18, or StE-19 subdistricts) provided the maximum total FAR and height for the receiving district remains as outlined in Table 1. The transfer of required residential use between parcels shall be through a declaration of covenants between the sending and the receiving parcels. The covenants shall be administered in accordance with Combined Lot provisions already in place in other parts of the city.

Development on the site will have the flexibility to be provided below grade, surface or above grade structured parking. In addition to the FAR within subdistricts StE-7, StE-15, and StE-17, additional FAR for above grade structured parking is provided. However, any of the additional FAR that is not used for above grade parking may be utilized for any other use permitted within that zone. Along public rights-of-way, any above grade structured parking would be required to be “wrapped” with more street activating uses.

Parking

The Master Plan sets a target of 4,800 new below grade, surface or above grade parking spaces, intended to address DDOT’s concerns regarding the capacity of adjacent roadways to accommodate additional traffic and to encourage alternate access options. This target does not include any parking associated with the Federal Emergency Management Agency (StE-2), Washington Metropolitan Transit Authority facilities (StE-18), existing surface parking lots, historic structures, and any existing facilities associated with DC government.

As drafted, the zoning reflects this by limiting off-street parking on the site to 4,800 spaces. This cap could only be exceeded through a special exception submission to the Board of Zoning Adjustment, including detailed traffic and transportation demand management plans. However, the zoning does not establish minimums, or maximums, for parking on any individual parcel, and parking is not required to be on the same lot as each individual building. This is intended to permit flexibility in the location and timing of the parking, to encourage shared parking where appropriate, and to allow the market to respond to parking needs that are likely to evolve over the extended course of the development of the site. For example, this parking flexibility would permit the provision of more parking than may be required in the first phase of the development in order to “jump start” development on the campus as a whole, without the construction of subsequent parking that would over-park the site. The allotment of parking spaces on the campus would be monitored through submissions to the Department of Consumer and Regulatory Affairs for building permits. Developments that include below grade, surface parking or above grade structured parking will be required to provide an accounting of the total number of parking spaces within the campus which count towards the 4,800 parking space cap.

Loading

Generally, the Master Plan advocates that loading entrances not be on the front of buildings and discourages them along from Martin Luther King Jr. Ave SE, Dogwood Street, 13th Street, or Oak Drive. The proposed zoning addresses this by allowing loading berths from these streets only by special exception. In order to minimize visual impacts it is recommended that these entrances utilize architectural treatments to mitigate visual impacts. Similar restrictions also are proposed for entrances to parking.

Review Procedures

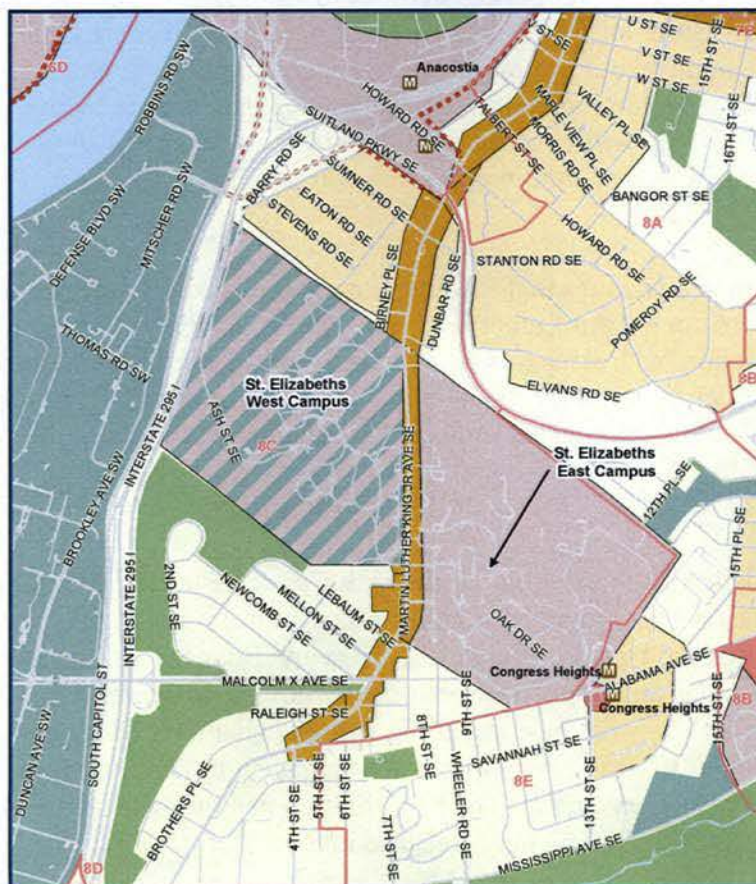
All new buildings, or additions to existing buildings that are constructed to the standards outlined on the StE District and the Master Plan would be permitted as a matter-of-right. As the property is a District of Columbia historic district, the Historic Preservation Review Board would review all new construction, additions, some subdivisions and road construction, the moving or demolition of historic buildings, and any exterior alterations that may not be compatible with the character of the historic district. In addition, the Historic Preservation Office reviews projects at or adjacent to the historic buildings and their landscapes, pursuant to a deed covenant. The Commission of Fine Arts also reviews any District or federal government projects, including new construction or exterior work.

Given the standards outlined in the Master Plan and other planning efforts and the building design standards, increases in building height or floor area ratio would not be permitted by PUD. The purpose of this restriction is to provide certainty to the building form, in terms of height and bulk, consistent with the Master Plan. PUDs would be available to provide flexibility to address any unforeseen development scenario, with the caveat that the design is consistent with the purpose and intent of the StE District. Any PUD submitted to the Zoning Commission for review would have to meet the requirements and guidelines of Chapter 24 and the general provisions of the StE District.

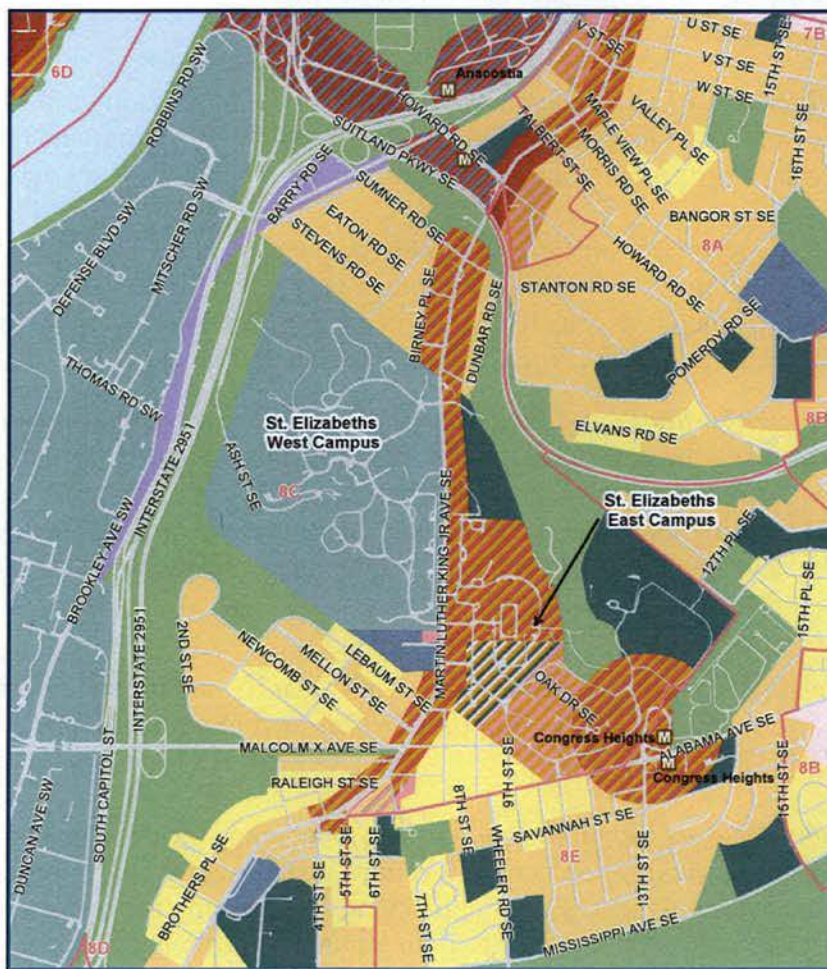
VI. COMPREHENSIVE PLAN

The proposal is considered not inconsistent with the Comprehensive Plan, as amended. The Generalized Policy Map identifies St. Elizabeths East as one of the “*Land Use Change Area*”, and “*Main Street Mixed Use Corridor*” along Martin Luther King Jr. Avenue, SE. Land Use Change areas are described as “*Areas where change to a different land use is anticipated. The guiding philosophy in the Land Use Change areas is to encourage and facilitate new development to promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplace, parks and civic facilities. . .*”

Main Street Mixed use Corridors are described as areas that “. . . have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and save neighborhood needs. Any development and redevelopment that occurs should support transit use and enhance the pedestrian environment.”



The amended Future Land Use Map (Amendment #50) designates the entire site as a Mixed Use area where two or more land uses are encouraged. Designations include mixed medium density residential/medium density commercial at the north end; mixed medium density residential/low density commercial/local public facilities to the east of Sycamore Drive and North and south of Cypress Street; mixed medium density residential/moderate density commercial within and around the Parcel 11; mixed medium density residential/medium density commercial around the Congress Heights Metro Station; and Parks, Recreation, and Open Space over the ravine.



The development would further important policy statements of the Citywide Land Use, Transportation, Urban Design, Housing, and Historic Preservation Elements of the Comprehensive Plan:

Land Use Element:

Policy LU-1.2.1: Reuse of Large Publicly-Owned Sites Recognize the potential for large, government-owned properties to supply needed community services, create local housing and employment opportunities, remove barriers between neighborhoods, provide large and significant new parks, enhance waterfront access, and improve and stabilize the city's neighborhoods. 305.5

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

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Policy LU-1.2.4: New Methods of Land Regulation Recognize the opportunity afforded by the District's large sites for innovative land regulation (such as form-based zoning) and the application of sustainable design principles (green building and low impact development) on a large scale. 305.9

Policy LU-1.2.5: Public Benefit Uses on Large Sites Given the significant leverage the District has in redeveloping properties which it owns, include appropriate public benefit uses on such sites if and when they are reused. Examples of such uses are affordable housing, new parks and open spaces, health care and civic facilities, public educational facilities, and other public facilities. 305.10

Policy LU-1.2.6: New Neighborhoods and the Urban Fabric On those large sites that are redeveloped as new neighborhoods..., integrate new development into the fabric of the city to the greatest extent feasible. Incorporate extensions of the city street grid, public access and circulation improvements, new public open spaces, and building intensities and massing that complement adjacent developed areas. Such sites should not be developed as self-contained communities, isolated or gated from their surroundings. 305.11

Policy LU-1.2.7: Protecting Existing Assets on Large Sites Identify and protect existing assets such as historic buildings, historic site plan elements, important vistas, and major landscape elements as large sites are redeveloped. 305.12

Policy LU-1.3.1: Station Areas as Neighborhood Centers Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, reduce reliance on the automobile, enhance neighborhood stability, create a stronger sense of place, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each Metro station area is unique and must be treated as such in planning and development decisions. The Future Land Use Map expresses the desired intensity and mix of uses around each station, and the Area Elements (and in some cases Small Area Plans) provide more detailed direction for each station area. 306.10

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

Policy LU-1.3.6: Parking Near Metro Stations Encourage the creative management of parking around transit stations, ensuring that automobile needs are balanced with transit, pedestrian, and bicycle travel needs. New parking should generally be set behind or underneath buildings and geared toward short-term users rather than all-day commuters. 306.15

Transportation Element:

Policy T-1.1.3: Context-Sensitive Transportation Design transportation infrastructure to support current land uses as well as land use goals for compact, accessible neighborhoods. Make the design and scale of transportation facilities compatible with planned land uses. 403.9

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-1.1.5: Joint Development Attract new riders to the transit system by fostering transit-supportive commercial and residential joint development projects on Washington Metropolitan Area Transit Authority (WMATA) owned or controlled land and on private properties adjacent to Metrorail stations. 403.11

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-1.1.4: Mixed Use Development Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. 503.5

Policy H-1.1.7: New Neighborhoods Accommodate a significant share of the District's projected housing demand in "new neighborhoods" developed on large sites formerly used for government functions. In addition to housing, these neighborhoods must include well-planned retail, public schools, attractive parks, open space and recreation, as well as needed supportive services. The new neighborhoods should include a variety of housing types, serving a variety of income levels. 503.8

Policy H-1.2.3: Mixed Income Housing Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing. 504.8

Urban Design Element:

Policy UD-1.2.1: Respecting Natural Features in Development Respect and perpetuate the natural features of Washington's landscape. In low-density, wooded or hilly areas, new construction should

preserve natural features rather than altering them to accommodate development. Density in such areas should be limited and setbacks should be provided as needed to protect natural features such as streams and wetlands. Where appropriate, clustering of development should be considered as a way to protect natural resources. 904.3

Policy UD-1.4.1: Avenues/Boulevards and Urban Form Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/ boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city. 906.6

Policy UD-2.2.2: Areas of Strong Architectural Character Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development within such areas does not need to replicate prevailing architectural styles exactly but should be complementary in form, height, and bulk (see Figure 9.10). 910.7

Policy UD-2.2.11: Parking Structures Encourage creative solutions for designing structured parking to minimize its visual prominence. Where feasible, the street side of parking structures should be lined with active and visually attractive uses to lessen their impact on the streetscape. 910.21

Policy UD-2.3.2: Large Site Scale and Block Patterns Establish a development scale on large sites that is in keeping with surrounding areas. "Superblocks" (e.g., oversized tracts of land with no through-streets) should generally be avoided in favor of a finer-grained street grid that is more compatible with the texture of Washington's neighborhoods. This also allows for more appropriately scaled development and avoids large internalized complexes or oversized structures (see Figure 9.16). 911.4

Policy UD-2.3.4: Design Trade-offs on Large Sites Balance economic development and urban design goals on large sites. In some cases, it may be appropriate to develop a site in a manner that does not capitalize on its full economic value in order to achieve an important urban design objective, such as creation of new waterfront open space or preservation of a historic landmark. 911.7

Policy UD-2.3.5: Incorporating Existing Assets in Large Site Design Incorporate existing assets such as historic buildings, significant natural landscapes, and panoramic vistas in the design of redeveloped large sites. For sites that were originally planned as integrated complexes of multiple buildings, historic groupings of structures should be conserved where possible. 911.8

Policy UD-3.1.5: Streetscape and Mobility Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling, and driving. Transit shelters, benches, bicycle parking, safe pedestrian connections, and clear way-finding signage should be provided to facilitate multi-modal travel. 913.12

Policy UD-3.1.7: Improving the Street Environment Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall. 913.14

Policy UD-3.1.8: Neighborhood Public Space Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the

“activation” of such spaces through the design of adjacent structures; for example, through the location of shop entrances, window displays, awnings, and outdoor dining areas. 913.15

Policy UD-4.1.1: Design Guidelines Develop illustrated design guidelines for selected residential areas and commercial districts addressing such architectural aspects as facade design, building texture and materials, lighting, detail, signage, and building to street relationship. Design guidelines should allow for flexibility and creativity, and in most cases should be performance-oriented rather than based on rigid standards. 916.6

Policy UD-4.1.5: Small Area Plans Integrate urban design considerations into small area plans. Consider the use of illustrative design guidelines and place-specific urban design standards as part of these plans. 916.10

Historic Preservation Element:

Policy HP-2.4.1: Rehabilitation of Historic Structures Promote appropriate preservation of historic buildings through an effective design review process. Apply design guidelines without stifling creativity, and strive for an appropriate balance between restoration and adaptation as suitable for the particular historic environment. 1011.6

Policy HP-2.4.2: Adaptation of Historic Properties for Current Use Maintain historic properties in their original use to the greatest extent possible. If this is no longer feasible, encourage appropriate adaptive uses consistent with the character of the property. 1011.7

Policy HP-2.4.3: Compatible Development Preserve the important historic features of the District while permitting compatible new infill development. Within historic districts, preserve the established form of development as evidenced by lot coverage limitations, yard requirements open space, and other standards that contribute to the character and attractiveness of those areas. Ensure that new construction, repair, maintenance, and improvements are in scale with and respect historic context through sensitive siting and design and the appropriate use of materials and architectural detail. 1011.8

Policy HP-2.4.4: Suitability to the Historic Context Apply design standards in a manner that accounts for different levels of historic significance and different types of historic environments. Encourage restoration of historic landmarks while allowing enhancements of equivalent design quality, provided such enhancements do not damage the landmark. Exercise greater restraint in residential historic districts and areas with a clear prevailing development pattern or architectural style. Allow greater flexibility where the inherent character of historic properties can accommodate greater intervention or more dramatic new design, for example, in non-residential areas and in areas without a significant design pattern. 1011.9

Policy HP-2.4.6: Preservations Standards for Zoning Review Ensure consistency between zoning regulations and design standards for historic properties. Zoning for each historic district shall be consistent with the predominant height and density of contributing buildings in the district. Where needed, specialized standards or regulations should be developed to help preserve the characteristic building patterns of historic districts and minimize design conflicts between preservation and zoning controls. 1011.11

Policy HP-2.5.2: Historic Landscapes Preserve the distinguishing qualities of the District's historic landscapes, both natural and designed. Protect public building and monument grounds, parks and parkway systems, government and institutional campuses, gardens, cemeteries, and other historic landscapes from deterioration and incompatible development. 1012.3

Policy HP-2.5.5: Public Campuses Recognize campuses in federal ownership as both historic landscape settings for important government facilities and as open green space for the entire city. Preserve the communal value of these campuses by protecting them from overdevelopment. Balance any new development against the public interest in retaining open green space. 1012.6

The development would also support the relevant policies of the Far Southeast/Southwest Area Element, which includes seven "policy focus areas" of which St. Elizabeths is one, and indicates that they require a greater level of direction and guidance.

Policy FSS-2.2.1: St. Elizabeths East Campus

Redevelop the East Campus of St. Elizabeths Hospital as a new community containing a mix of uses, including mixed density housing, retail shops, offices, a comprehensive mental health care facility, and parks and open space. Mixed use development, including retail and service uses, should be promoted along Martin Luther King Jr. Avenue, should face the street and should be open to the public. Other uses such as satellite college campuses, civic uses, and local public facilities should be incorporated. 1812.4

Policy FSS-2.2.3: Relationship To Nearby Uses

Ensure that future development on St. Elizabeths enhances the surrounding neighborhood. It is particularly important that the site's reuse is coordinated with planning for the nearby Anacostia and Congress Heights Metro Stations, Poplar Point, Barry Farm, and the Martin Luther King Jr. Avenue/Malcolm X shopping district. 1812.6

Policy FSS-2.2.4: Development Density

Provide development densities and intensities on the site that are compatible with adjacent residential neighborhoods and that promote new economic development of the site, with higher densities clustered in the area closest to Martin Luther King Jr. Avenue and the Congress Heights Metrorail station. Areas of high density should include the North campus subarea and the area surrounding the ravine to take advantage of the steep topography to accommodate additional height and density without negatively impacting viewsheds. 1812.7

Action FSS-2.2.A: St. Elizabeths East Campus Framework Plan

Complete the Framework Plan for the East Campus of St. Elizabeths Hospital and submit it to the DC Council as a Small Area Plan. 1812.8

Policy FSS-2.2.5

Leverage the location of the Department of Homeland Security on the West Campus and a portion of the East Campus to bring needed economic development opportunities to Ward 8, especially retail opportunities to serve both the new nonresidential daytime population and the existing and new residential populations. 1812.7a

Policy FSS-2.4.1: Congress Heights Metro Station Mixed Use

Encourage reuse of the Congress Heights Metro station site and its vicinity with mixed use medium density residential and commercial development through the use of planned unit developments that promote new economic development. Development on the site should be cognizant of the adjacent lower density neighborhood to the west and south, provide a connection to the future development on the St.

Elizabeths Campus, and create a stronger sense of identity and gateway for the Congress Heights neighborhood. Medium density development on the portions of the northwest quadrant of Square 5814 would be compatible with the adjacent lower density neighborhood to the west and south with appropriate design review through a Planned Unit Development process. Strongly encourage WMATA to make its land available for joint development around Congress Height Metro Station. 1814.3

VII. CONCLUSION

The Office of Planning **recommends that the Zoning Commission setdown** the proposed text and map amendments. The proposed amendments would further the goals and objectives of the Comprehensive Plan as well as the Saint Elizabeths East Redevelopment and Framework Plan and the Saint Elizabeths East Master Plan and Design Guidelines.

JS/mbr

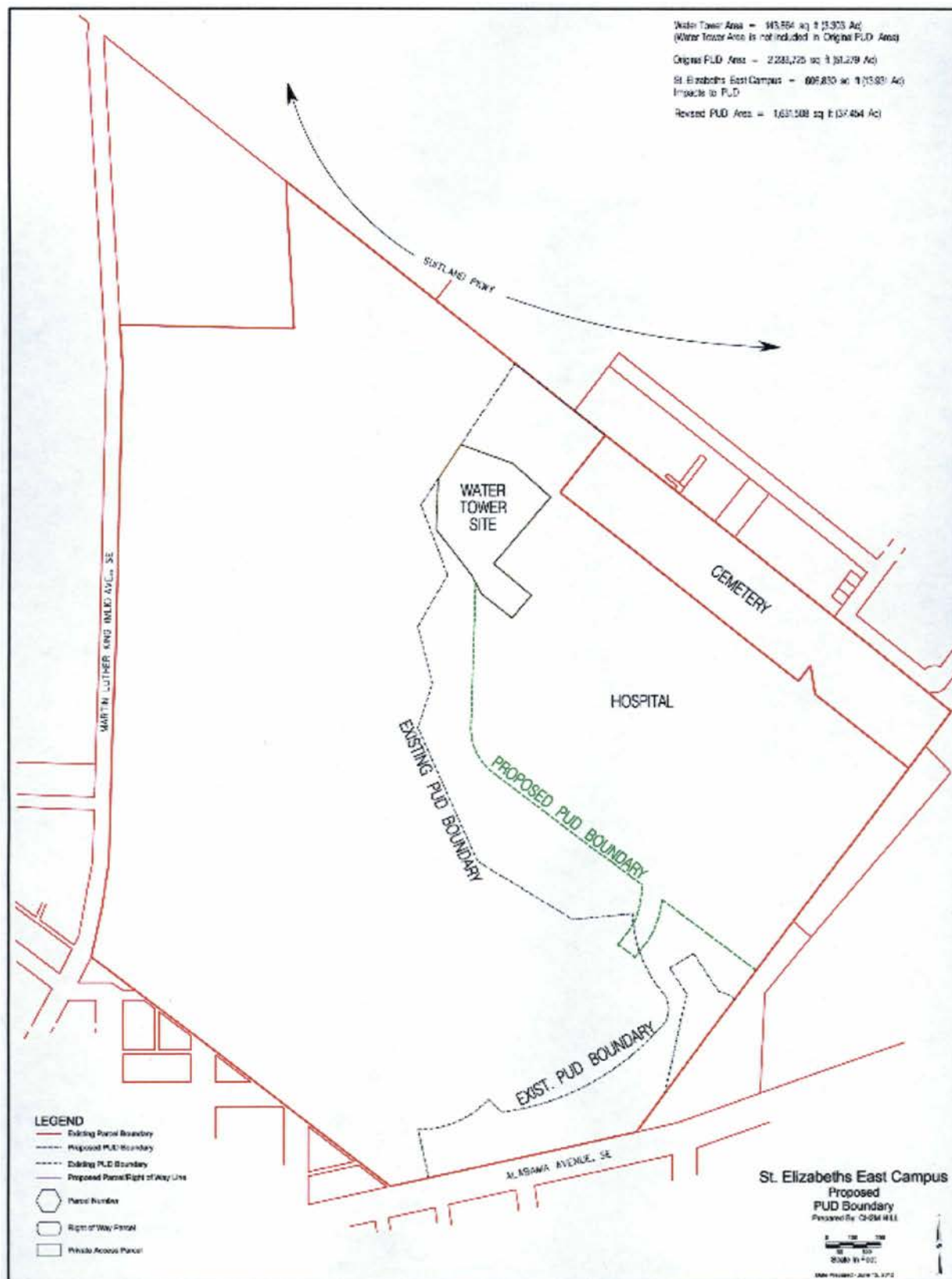
Attachments:

1. Saint Elizabeths East Campus
2. Saint Elizabeths Hospital Boundary Modification
3. Saint Elizabeths East Redevelopment Framework Plan, December 16, 2008 (*under separate cover*)
4. Saint Elizabeths East Master Plan and Design Guidelines, June 4, 2012. (*under separate cover*)

Attachment 1 - Saint Elizabeths East Campus



Attachment 2
Saint Elizabeths Hospital Boundary Modification



CHAPTER 33 - SAINT ELIZABETHS EAST CAMPUS (StE) DISTRICT

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3301 GENERAL PROVISIONS AND APPLICABILITY

- 3301.1 The Saint Elizabeths East Campus (StE) District is a unique location district created to implement the public policy goal and objectives of the Comprehensive Plan, the St. Elizabeths Redevelopment Framework Plan, as approved by the Council of the District of Columbia on December 16, 2008, and the Saint Elizabeths East Master Plan and Design Guidelines, June 4, 2012.
- 3301.2 The StE District shall apply to the area historically referred to as the Saint Elizabeths East Campus, and generally bounded by the Unified Communications Center to the north; open space and the St. Elizabeths Psychiatric Hospital the east; Alabama Avenue and the residential community to the south; and Martin Luther King, Jr., Avenue to the west.¹ Where there are any inconsistencies between the above description of the District and the descriptions set out in the metes and bounds descriptions attached to the Notice of Final Rulemaking published in the *D.C. Register* on *(date to be determined)*, the latter shall apply.
- 3301.3 The StE District shall constitute the Zoning Regulations for the geographic area referred to in § 3301.2. Where there are conflicts between this chapter and other chapters of this title, the provisions of the StE District shall govern.

3302 PURPOSES

- 3302.1 The StE District is intended to provide for the development of this site with a mix of uses, achieved through the adaptive reuse of existing buildings as well as new construction.

¹ This area is depicted in Map A, which is attached to this Public Hearing notice.

3302.2 The StE District is intended to provide for a broad mix of uses, including residential, commercial, hospitality, educational and civic uses consistent with the Master Plan, with a target of approximately 4.2 million square feet of development, exclusive of the StE-2, StE-18, and StE-19 subdistricts and specified above grade parking.

3302.3 The purposes of the StE District are to:

- (a) Improve community connectivity and access to and through the campus
- (b) Enhance the unique and historic identity of the campus ;
- (c) Reinvigorate the campus as an important neighborhood center;
- (d) Preserve and adaptively reuse the historic resources;
- (e) Embody the District's design and sustainability goals;
- (f) Create a safe public realm and enhanced pedestrian experience;
- (g) Enhance multi-modal transportation networks;
- (h) Support wider economic development initiatives;
- (i) Ensure a parking supply that meets the needs of the St Elizabeths site while minimizing impacts on surrounding neighborhoods and incurring acceptable impacts on the surrounding road network.

3302.4 Land Use and Urban Design principles for the StE District include:

- (a) Create a safe environment by providing for a mix of uses and open spaces that are capable of being programmed to ensure vitality and social activity;
- (b) Create a desirable development opportunity by providing for flexibility in uses and appropriate building heights and densities.
- (c) Provide street-activating uses such as retail on the ground floor of buildings along designated public streets;
- (d) Recognize the unique and historic characteristics of the site and provide for the appropriate reuse of the historic buildings and new development that will respect the site's historic nature;
- (e) Design and site new development sensitively to preserve existing gateways, vistas, and campus landmarks;
- (f) Create focal points to help establish a unique sense of place and orientation;
- (g) Provide for significant open space, including community parks, plazas, and natural open space on the site.
- (h) Provide for the preservation of the existing ravine within subdistrict StE-19 in its current, natural state.
- (i) Promote the use of best practice environmental and stormwater management design.

3303 USES

3303.1 The following use categories are applicable to the StE District:

- (a) **Agriculture** - The on-site cultivation, or maintenance of plants, or the breeding or keeping of animals and livestock intended for personal use or eventual sale or lease off-site, including but are not limited to: farm, truck garden, beekeeping, greenhouse, dairy, horticultural nursery, or community garden.
- (b) **Animal Sales, Care, and Boarding** - The on-site sale, medical care, or short term boarding of animals for a fee, which may include licensed veterinary practices such as medicine, surgery, or dentistry for animals, the provision of animal services such as grooming, training, or care-taking, including but not limited to pet shop, veterinary clinic or hospital, pet grooming establishment, dog day care center, animal boarding facility, animal sales establishment, or animal shelter.
- (c) **Antennas** - Any structure involving conducting, transmitting, or receiving communication signals, encompassing the portions of the structure responsible for signal transmission and reception, any associated towers, commercial broadcast antenna, mobile telecommunication antenna, microwave dish, satellite earth station, whip, or yagi antennas immediately-related support and stabilizing elements, and rotating or other directional mechanisms;
- (d) **Arts Design and Creation** - The on-site design, rehearsal, or creation of visual, auditory, or performance art. This use may encompass work space for artists, artisans, or craftsmen practicing fine arts or applied arts or crafts, and may include the sale of items created on the site; including but not limited to artist studio, artisan production including kiln-fired, metal-working, wood-working, furniture making and glass-blowing arts, photographic studio, recording studio, radio, or broadcasting studio, or arts incubator.
- (e) **Basic Utilities** - The commercial or governmental generation, transmission, distribution, or storage of energy, water, stormwater, cable, or telecommunication-related information, commonly taking the form of infrastructure services which are provided city-wide including but not limited electrical sub-station, telephone exchange, optical transmission node, electronic equipment facility, sewer plant, water treatment plant, methods and facilities for renewable energy generation, or utility pumping station.
- (f) **Chancery** - The principal offices of a foreign mission used for diplomatic or related purposes, and annexes to such offices (including ancillary offices and support facilities), including the site and any building on such site that is used for such purposes.
- (g) **Community-based Institutional Facility** - Monitored care to individuals who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living; have been assigned to the facility; or are being detained by the government, other than as a condition of probation, including, but not limited to, adult rehabilitation home, youth rehabilitation home, or detention or correctional facilities;

- (h) Daytime Care - The non-residential licensed care, supervision, counseling, or training, for a fee, of individuals who are not related by blood, adoption, or marriage to the caregiver, and who are present on the site for less than 24 hours per day, including, but are not limited to: child care centers and programs, pre-schools, nursery schools, before-and-after school programs, or elder care centers and programs.
- (i) Education – Education and academic institutions that provide District or state mandated basic education or educational uses of higher learning which offer courses of general or specialized study leading to a degree as well as accessory play areas, dormitories, cafeterias, recreational, or sports facilities; including, but not limited to, private schools, public or charter schools at the elementary, middle, junior high, or high school level; colleges, community colleges, universities, or boarding schools.
- (j) Emergency Shelter - Any use providing 30 days or less of temporary housing to indigent, needy, homeless, or transient individuals as well as provide ancillary services such as counseling, vocational training, or similar social and career assistance.
- (k) Entertainment, Assembly, and Performing Arts - Facilities designed primarily for public assembly that enables patrons to experience visual, auditory, performance, or literary arts; attend sporting events or conferences; or to participate in active leisure activities, typically characterized by activities and structures that draw large numbers of people to specific events or shows, including, but not limited to bowling alley, miniature golf, movie theatre, concert hall, or stadium.
- (l) Food and Alcohol Services - The sale of food, alcoholic drinks, or refreshments prepared on the premises and sold to customers for immediate consumption on or off the premises, including, but not limited to: prepared food shop, café, delicatessen, restaurant, fast food establishment, bar, nightclub, ice cream parlor, or coffee shop.
- (m) Health Care - The on-site licensed provision of medical diagnosis, treatment, or prevention of illness or disease of humans, or medical or surgical care to patients including, but not limited to: dentist, doctor, optician, hospitals, clinics, or medical offices.
- (n) Institutional - Any non-governmental use involving the public assembly of people or provision of services for social, cultural, or religious purposes and which may include uses of a public, nonprofit, or charitable nature generally providing local service on-site to people of a local community, including, but not limited to, private clubs, private libraries, non-profit social service providers, or religious facilities.
- (o) Large Scale Government - Any use involving services owned, managed, or provided by a governmental entity and associated with providing regional or wider services, including, but are not limited to: airports, jails, truck dispatch facilities or police/fire training facilities.

- (p) Local Government - Services owned, managed, or provided by local government and associated with providing neighborhood-scaled services to meet the community needs of the directly adjacent areas, including, but not limited to: public community centers, police stations, libraries, or fire stations.
- (q) Lodging - Temporary housing for an agreed upon term of less than thirty (30) consecutive days; offered to the public for compensation, and open to transient rather than permanent guests, including, but not limited to, hotels, motels, inns, or bed and breakfast establishments.
- (r) Motor Vehicle-related - On-site sale, rental, service, maintenance, or refueling of motor vehicles or their components. These uses include the sale, installation or repair of parts, components, accessories, or fuel for motor vehicles, including, but not limited to, gas service station, auto repair facility, carwash, automobile sales, boat sales, or motorcycle sales.
- (s) Office - On-site administrative, business, professional, research, or laboratory-based activities. These uses are characterized by activities in an office setting that focus on the provision of off-site sale of goods or on-site information-based services, usually by professionals, including, but not limited to, real estate agency, law firm, accounting firm, advertising agency, stockbrokerage firm, or laboratory.
- (t) Open Space - Land that is intended to be preserved in a largely natural state.
- (u) Parking - The on-site short or long-term storage of motor vehicles, including surface lots or within structures, including, but not limited to: parking accessory to another use, public parking lot, public parking garage, and private garage
- (v) Parks and Recreation - Publicly accessible passive or active open space or a structure or facility under the jurisdiction of a public agency that is used for community recreation activities, including, but not limited to: Public plazas, parks, outdoor recreation, community gardens, areas devoted to recreational activities such as picnicking, boating, fishing, bicycling, tennis, or swimming, and structures or other recreation facilities such as auditorium, multi-purpose room, gymnasium, meeting space, open space, playground, playing court, golf course, playing field, or swimming pool, with associated accessory uses such as kitchen facilities.
- (w) Production, Distribution, Light Industrial, and Repair - The on-site production, distribution, repair, assembly, processing, or sale of materials, products, innovative -technology, or goods intended for a wholesale, manufacturing, or industrial application, including, but not limited to, centralized services or logistics for retail uses, wholesale goods establishments, outdoor material storage, warehouse, ground shipping facility, or wholesale sales.
- (x) Residential - Any use offering habitation to one or more households on a continuous basis established by tenancy with a minimum term of a month or property ownership, including, but are not limited to: single dwelling unit, multiple dwelling units. This use category includes residential facilities that provide housing and supervision for persons with disabilities, which may include 24-hour on-site supervision, lodging, and meals for individuals who require

supervision within a structured environment, and which may include specialized services such as medical, psychiatric, nursing, behavioral, vocational, social, or recreational services, including but not limited to community residence facilities, retirement homes, substance abusers' home, youth residential care home, assisted living facility, floating homes, and other residential uses.

- (y) Retail - The on-site sale of goods, wares, or merchandise directly to the consumer or persons without a resale license, typically to individuals in small quantities for their direct use, including, but not limited to, uses such as antique shop, drugstore, department store, card shop, grocery store, jewelry store, fabric store, or pawn shop but not including firearm sales.
- (z) Service - The contracting of work that does not necessarily result in a tangible commodity, typically providing personal services or small-scale product repair or services for consumer and business goods on-site, including, but not limited to: bank, appliance repair, travel agency, fitness center, yoga studio, shoe repair, tailor, or parcel delivery service; and
- (aa) Transportation Infrastructure - Structures or conveyances designed for individual mode or multimodal public transportation purposes, including, but not limited to: land or facilities for the movement or storage of transportation system components, streetcar or bus passenger depots, transportation rights of way, Metro stations, mass transit stations, bus stops, bicycle paths, bus transfer stations, accessways, airports, bicycle facilities, multi-use paths, pedestrian connections, or streets.

3303.2 The uses listed in § 3303.1 shall be permitted by-right in all subdistricts of the StE District, except as limited in §§ 3303.3 to 3303.8.

3303.3 Within the StE-19 subdistrict, no use is permitted except for Open Space and Transportation Infrastructure.

3303.4 Uses permitted within the StE-10 and StE-14a subdistricts shall be in accordance with the R-4 use provisions of DCMR 11 § 330 which includes but is not limited, to rowhouses, flats, attached or detached dwellings, and other uses compatible with a low to moderate density residential zone.

3303.5 Accessory Uses, buildings, or structures customarily incidental and subordinate to the principal uses permitted in § 3302 shall be permitted in any StE District except StE 19 as a matter of right, subject to the limitations in Chapter 25 of this Title.

3303.6 Preferred uses described in § 3305 shall be provided in accordance with the provisions of that section.

3303.7 A Community Based Institutional Facility shall be permitted in the StE District as a special exception if approved by the Board of Zoning Adjustment pursuant to the general standard of § 3104, the criteria set forth in § 3304 and the following conditions:

- (a) Health care facility that meets the definition for, and is licensed as, a skilled care facility or intermediate nursing care facility under the Health Care Facilities and Community Residence Regulations.
- (b) Emergency shelter for five to 15 persons, not including resident supervisors or staff and their families, subject to the standards and requirements of § 305; or
- (c) Youth rehabilitation home, adult rehabilitation home, or substance abusers' home for seven to 15 persons, not including resident supervisors or staff and their families, subject to the standards and requirements of § 306.

3303.8 The following uses are prohibited within the StE District as either a principal or an accessory use:

- (a) Any establishment that has as its principal use the administration of massages;
- (b) Any industrial use first permitted in the M District;
- (c) Correctional Facility;
- (d) Drive-through establishment, where goods are sold/rented or services rendered, directly to occupants of motor vehicles while in the vehicles;
- (e) Firearm Sales, including gun store, ammunition sales, pawn shop carrying guns, or weaponry store.
- (f) Self-service storage establishment that provides separate storage areas for individual or business uses;
- (g) Sexually-oriented business establishment;
- (h) Vehicle repair and servicing, including full-serve and mini-serve gas stations, unattended key card stations, car washes, quick lubrication services, and vehicle emission test sites; and
- (i) Vehicle sales.

3304 SPECIAL EXCEPTION GENERAL PROVISIONS

3304.1 In addition to the general standards set forth in § 3104, an applicant for a special exception to establish a Community Based Institutional Facility pursuant to § 3303.7 shall demonstrate that:

- (a) The proposal addresses any conditions pertaining to that use as detailed in this chapter;
- (b) Noise and other potential impacts associated with the operation of a proposed use shall not adversely affect adjacent or nearby uses;
- (c) Traffic conditions associated with the operation of a proposed use shall not adversely affect adjacent or nearby uses; and

- (d) The proposed building will comply with the applicable ground floor use.

3305 PREFERRED USE REQUIREMENTS

- 3305.1 Preferred uses shall include any use within the Arts, Design & Creation; Food & Alcohol Services; Retail; or Service use categories described in § 3303.1.
- 3305.2 Each building that faces the following streets or locations in the following subdistricts shall devote not less than fifty percent (50%) of the gross floor area of the ground floor to preferred uses:
 - (a) StE 3, facing Martin Luther King Jr. Avenue SE, Cypress Street SE, or Sycamore Street SE and the park;
 - (b) StE 7, facing Martin Luther King Jr. Avenue SE, Cypress Street SE, or Dogwood Drive SE, or Oak Drive SE;
 - (c) StE 14b, facing Dogwood Drive SE, Oak Drive SE, or the southwest corner;
 - (d) StE 15, facing Dogwood Drive SE, 13th Street SE, Oak Drive SE, or the park;
 - (e) StE 16, facing 13th Street SE an the southwest corner;
 - (f) StE 17, facing Dogwood Drive SE, 13th Street SE, or Oak Drive SE.
- 3305.3 Not less than fifty percent (50%) of the surface area of the street wall, including building entrances, of those building frontages described in § 3305.2 shall be devoted to doors or display windows having clear or low emissivity glass.
- 3305.4 Preferred uses shall provide direct, exterior access to the ground level.
- 3305.5 The minimum floor-to-ceiling height for portions of the ground floor level devoted to preferred uses shall be fourteen (14) feet.
- 3305.6 Ground floor area required for preferred uses may not be transferred to any other lot through the Combined Lot Development procedures of § 3307.
- 3305.7 For good cause shown, the Board of Zoning Adjustment may authorize interim occupancy of the preferred use space required under § 3305.2 by other uses permitted in the StE District for up to a five (5) year period, provided that:
 - (a) The ground-floor space is suitably designed for future occupancy by preferred uses;
 - (b) The proposed use is compatible with the surrounding uses; and
 - (c) It can be demonstrated that a preferred use cannot be accommodated due to market conditions.

3306 FLOOR-AREA-RATIO (FAR), HEIGHT, LOT OCCUPANCY AND REAR YARD SETBACK

3306.1 The StE District is divided into the StE-1 through StE-19 Districts for the purpose of floor area ratio (FAR), lot occupancy, and building height.

3306.2 Except as provided in this section, the FAR, height of a building or structure , lot occupancy and rear yard in a StE District shall not exceed or be less than that set forth in the following table:

Zone District	FAR (Max.)	FAR – Required Residential (Min.)	FAR – Above Grade Parking (Max.)	Height (Max. Ft.)	Lot Occupancy (Max. %)	Rear Yard (Min. Ft.)
StE-1	0.20	-	-	25	25	-
StE-2	4.00	-	-		75	-
StE-3	2.50	-	-	80	60	-
StE-4	0.50	-	-	25	60	-
StE-5	1.50	-	-	65	60	-
StE-6	3.20	1.60	-	90	75	-
StE-7	1.50	1.00	§ 3306.3	§ 3306.4	60	-
StE-8	0.40	-	-	25	60	-
StE-9	1.50	-	-	65	60	-
StE-10	1.50	-	-	40	60	20
StE-11	0.70	-	-	25	60	-
StE-12	3.00	1.50	-	80	75	-
StE-13	3.20	1.60	-	90	75	-
StE-14a	1.50		-	40	60	20
StE-14b	1.50	1.00	-	40	60	20
StE-15	2.00	1.00	§ 3306.3	80	75	-
StE-16	3.20	1.60	-	90	75	-
StE-17	0.50	-	§ 3306.3	70	60	-
StE-18	4.00	-	-	90	75	-
StE-19	0.00	-	-	0	n/a	-

3306.3 FAR for structured parking located above grade is regulated as follows:

- (a) In addition to the FAR permitted by §3306.2, additional FAR for above grade parking is permitted as follows:
 - (1) Within the StE-7 subdistrict – 1.0 FAR;
 - (2) Within the StE-15 subdistrict – 1.0 FAR; and
 - (3) Within the StE-17 subdistrict – 2.0 FAR.
- (b) Any of the FAR permitted under §3306.3(a) that is not used for above grade parking may be utilized for any other use permitted within that zone.

- (c) Any above grade parking shall conform to the standards of §3309.
- (d) This density may not be transferred through the Combined Lot Provisions of §3307 to another parcel.

3306.4 Maximum permitted height within the StE-7 subdistrict is as follows:

- (a) For a distance of 250 feet measured from the north property line bounding Cypress Street, the maximum permitted height shall be 80 feet.
- (b) For the remainder of this parcel, the maximum permitted height shall be 50 feet.

3306.5 The height and FAR limits of §3306.2 shall serve as the maximums permitted under a Planned Unit Development (PUD).

3306.6 The minimum lot area for row dwellings in any StE District shall be 1,800 square feet with a minimum lot width of 18 feet.

3307 COMBINED LOTS

3307.1 In any StE subdistrict with a minimum residential requirement, two (2) or more lots within such a subdistrict may be combined for the purpose of achieving the required FAR equivalent of residential uses, subject to the following:

- (a) The total height and density limits of the subdistrict(s) shall not be exceeded; and
- (b) The combined lot provisions may not be used to transfer density to or from any property within the StE-2, StE-10, StE-14a, StE-14b, StE-18, or StE-19 subdistricts.

3307.2 No allocation of gross floor area shall be effective unless an instrument, legally sufficient to effect such a transfer, is filed with the Zoning Administrator and recorded by the Recorder of Deeds in the land records against all lots included in the combined lot development.

3307.3 The instrument shall be in the form of a declaration of covenants that:

- (a) Is signed by the owners of all affected parcels;
- (b) Runs with the land in perpetuity;
- (c) Burdens all parcels involved in the allocation of gross floor area;
- (d) States the maximum permitted gross floor areas for all uses in all parcels, the maximum allowed gross floor area for nonresidential uses in all parcels and the gross floor area of nonresidential uses allocated. The covenant shall further state that, after the transfer, the combined lots conform with the maximum gross floor area limitations.

- 3307.4 The declaration of covenants shall expressly state that it may be substantively amended or terminated only with the approval of the Zoning Administrator.
- 3307.5 The declaration of covenants shall be approved in content by the Zoning Administrator and certified for legal sufficiency by the Office of the Attorney General. The declaration shall also contain a written statement by the Director of the D.C. Office of Planning attesting to:
- (a) The lots' eligibility to allocate residential and nonresidential uses;
 - (b) The accuracy of the computations with respect to the amount of residential and nonresidential uses allocated; and
 - (c) Whether, after the transfer, the combined lots will conform with the maximum gross floor area limitations for the lots before any such transfer.

3308 INCLUSIONARY ZONING

- 3308.1 All residential development is subject to Inclusionary Zoning and shall be constructed according to the provisions set forth in Chapter 26 except for § 2604. (*amend § 2602.1, 2603*)
- 3308.2 The FAR, lot occupancy, and height maximums of § 3306.2 shall serve as the maximum permitted density for each subdistrict and were established to incorporate bonuses for the provision of inclusionary units, available in other zones.

3309 OFF-STREET PARKING

- 3309.1 The cumulative total of all parking spaces, including below grade, surface, and above grade structured parking, shall not exceed a total of 4,800 parking spaces, exclusive of parking on the StE-2 or StE-18 subdistricts, existing surface parking lots, historic structures, and any parking associated with existing District of Columbia Government facilities.
- 3309.2 Each application to the Department of Consumer and Regulatory Affairs for a development that includes above grade or below grade structured parking or surface parking shall provide an accounting of the total number of parking spaces within the StE District which count towards the 4,800 parking space limit.
- 3309.3 Additional parking spaces beyond the 4,800 space limit shall be permitted by special exception by the Board of Zoning Adjustment pursuant to § 3104 and in accordance with the provisions of §§ 3304.2 and 3304.3, provided that the applicant addresses compliance with the following standards:
- (a) The application shall include a detailed accounting of the existing and proposed number and locations of parking spaces provided pursuant to § 3309.1; and shall

also include a traffic study assessing the impacts of the proposed additional parking spaces on local traffic patterns for referral to and comment by the District Department of Transportation;

- (b) The applicant shall include a transportation demand management (TDM) plan, as well as District Department of Transportation analysis of the TDM plan. The parameters of the analysis shall be outlined by the District Department of Transportation; and
- (c) Vehicular access and egress will be located and designed so as to encourage safe and efficient pedestrian movement, minimize conflict with principal pedestrian ways, function efficiently, and create no dangerous or otherwise objectionable traffic conditions.

3309.4 For any application pursuant to § 3309.3:

- (a) The Board shall judge, balance, and reconcile the need for additional on-site parking against any adverse impacts the presence of the parking will have on traffic, and the aesthetics and development of the surrounding neighborhood; and
- (b) The Board may impose requirements pertaining to design, appearance, signs, massing, landscaping, and other such requirements as it deems necessary to protect neighboring property and to achieve the purposes of the StE District.

3309.5 Any additional commuter parking, beyond parking that may exist as of (*date of enactment*) within the St-E-18, shall be for the exclusive use of residents of, employees within, or visitors to the StE District or Federal employees of the adjacent St Elizabeths West Campus.

3309.6 Parking spaces shared by more than one use is permitted.

3309.7 Parking spaces need not be located on the same lot as the building or buildings they are intended to serve, but must be located on a lot within the StE District other than the StE-18 or StE-19 subdistrict.

3309.8 Parking spaces shall not be located between a street right-of-way line and the more restrictive of either a building façade or a line extending from and parallel to a building façade. A building used solely as a parking attendant shelter shall not trigger this restriction.

3309.9 Parking spaces provided within a structure shall be located at least twenty feet (20 ft.) from all lot lines that abut public streets, unless the surface of the parking spaces is at least ten feet (10 ft.) below grade, at all points along the building frontage.

3309.10 Parking spaces within an above grade structure along 13th Street, Dogwood Street, and Sycamore Street shall be lined with preferred uses as defined in § 3305.1 on the ground floor to a depth of thirty feet (30 ft.) minimum.

3309.11 All parking spaces, other than mechanical parking spaces shall be accessible at all times

from a driveway accessing either an improved street or an improved alley or alley system with a minimum width of ten feet (10 ft.).

3309.12 Parking spaces provided within a mechanized parking system need not meet the accessibility requirement of § 3309.10 as long as the mechanized parking system does.

3309.13 Parking spaces and drive aisles shall be designed in accordance with the standards of DCMR 11 Chapter 21.

3309.14 Where other options for access to parking spaces exist, such as from an alley or a different street, access to parking shall not be from a section of street where preferred uses are required in accordance with § 3305; or from Martin Luther King Jr. Ave SE, Dogwood Street, 13th Street, or Oak Drive.

3309.15 Approval of a driveway under this chapter shall not be interpreted to imply permission for a curb cut in public space. An applicant for a driveway with a curb cut in public space shall have the responsibility to obtain all other necessary approvals and permissions.

3310 LOADING

3310.1 Loading requirements for each use shall be as prescribed in Chapter 22, § 2201, § 2203, and § 2204 of this Title.

3310.2 Where other options for access to parking spaces exist, such as from an alley or a different street, access to loading shall not be from a section of street where preferred uses are required in accordance with § 3305; or from Martin Luther King Jr. Ave SE, Dogwood Street, 13th Street, or Oak Drive.

3310.3 Loading entrances shall not be located closer than forty feet (40 ft.) from the intersection of an alley and public street as measured from the intersection of the curb lines extended.

3310.4 Loading entrances shall not be located closer than forty feet (40 ft.) from an intersection of as measured from the intersection of the curb lines extended.

3310.5 Loading entrances shall make use of architectural treatments, to mitigate visual impacts,

3310.6 Access points to requiring a curb cut should be a sufficient distant from any street intersection so as not to disrupt traffic flow.

3311 BICYCLE PARKING

3311.1 The bicycle parking standards of this chapter apply to all newly constructed buildings.

3311.2 Bicycle parking spaces shall be provided in accordance with § 2119 of these regulations.

3312 ROOF STRUCTURES

- 3312.1 Rooftop penthouses not intended for human occupation , such as penthouses over mechanical equipment, a stairway or an elevator shaft shall be erected or enlarged pursuant to § 411 of this Title.

MAP A

