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MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: October 5, 2012

SUBJECT: ZC 12-08 - Final Report, Saint Elizabeths East Campus
Proposed Zoning Text and Map Amendment from Unzoned to the Saint Elizabeths East (StE) District

I. RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission approve 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. BACKGROUND

At its July 9, 2012 meeting, the Zoning Commission voted to set down for public hearing this application for a zoning map and text amendment for the Saint Elizabeths East Campus site. The application represented the culmination of many years of intensive discussion between the Federal General Services Administration (GSA), Federal Historic Preservation, DC Historic Preservation and the Office of Planning (OP) on how best to plan for this land resource and meet all the objectives of the various stakeholders for the site and the City, to ensure that it reinforces the historic fabric of the District, provided for the preservation and reuse of the historic buildings, provide opportunities to provide new construction for commercial, residential, and other uses. The report from the Office of Planning, dated June 1, 2012, provided a description of the proposal, as well as additional background pertaining to area planning initiatives and other development occurring in the vicinity of this site. At the setdown meeting, the Commission discussed a number of issues for which clarification was requested; these issues are discussed in Section IX of this report.

III. 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. Construction to date includes the District's Unified Communications Center (UCC), 11.80 acres, at the northern tip of the site in 2003¹ and a new Saint

¹ ZC 01-36C



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CASE NO. 12-08
EXHIBIT NO. 13

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 includes 13.93 acres currently within the planned unit development (PUD) area of the Saint Elizabeths psychiatric hospital (Attachment 2). The hospital is to submit a separate application to the Zoning Commission to modify its PUD boundary.

IV. 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 (Exhibit 2 of the record). 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. 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.

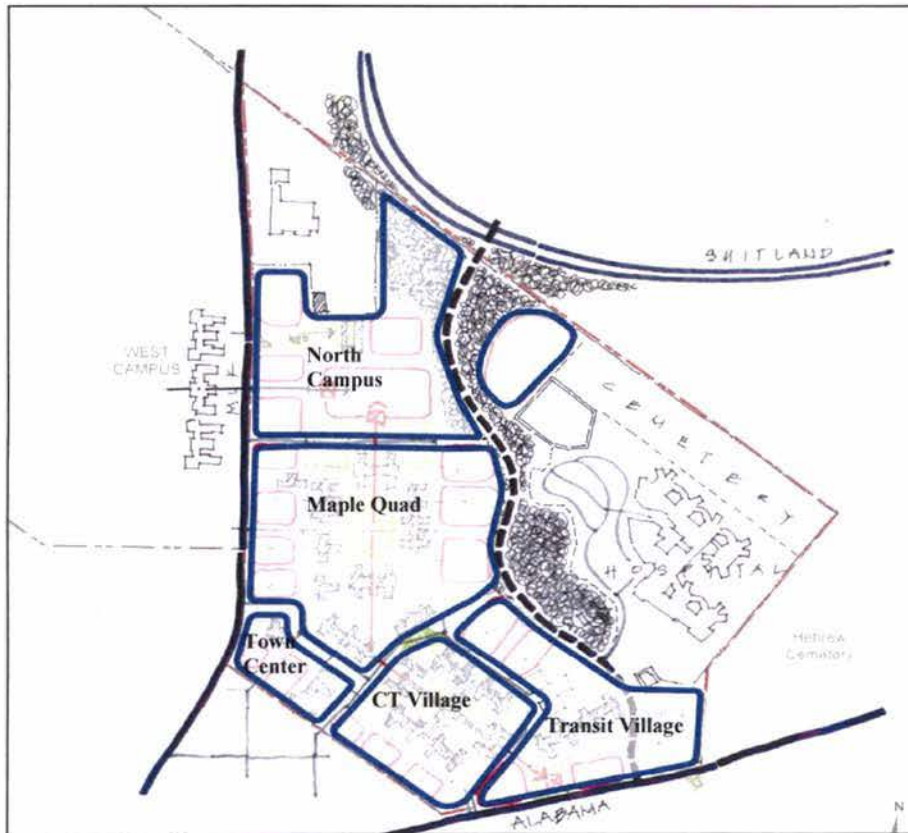
Overall, the plan establishes the development potential of the East Campus via the adaptive reuse of existing buildings as well as new construction; mix of uses; scale of development; open space system; circulation and access; and the creation of special spaces. The development is to create a new, cohesive 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.

² ZC 02-45, 04-08, 04-08A

³ ZC 10-06

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.

V. 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 a 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 Saint Elizabeths Master Plan and Design Guidelines, June 4, 2012 (Exhibit 3 of the record) serves as supplemental guidance to the Comprehensive Plan and the Framework Plan and outlines specific goals, including:

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

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

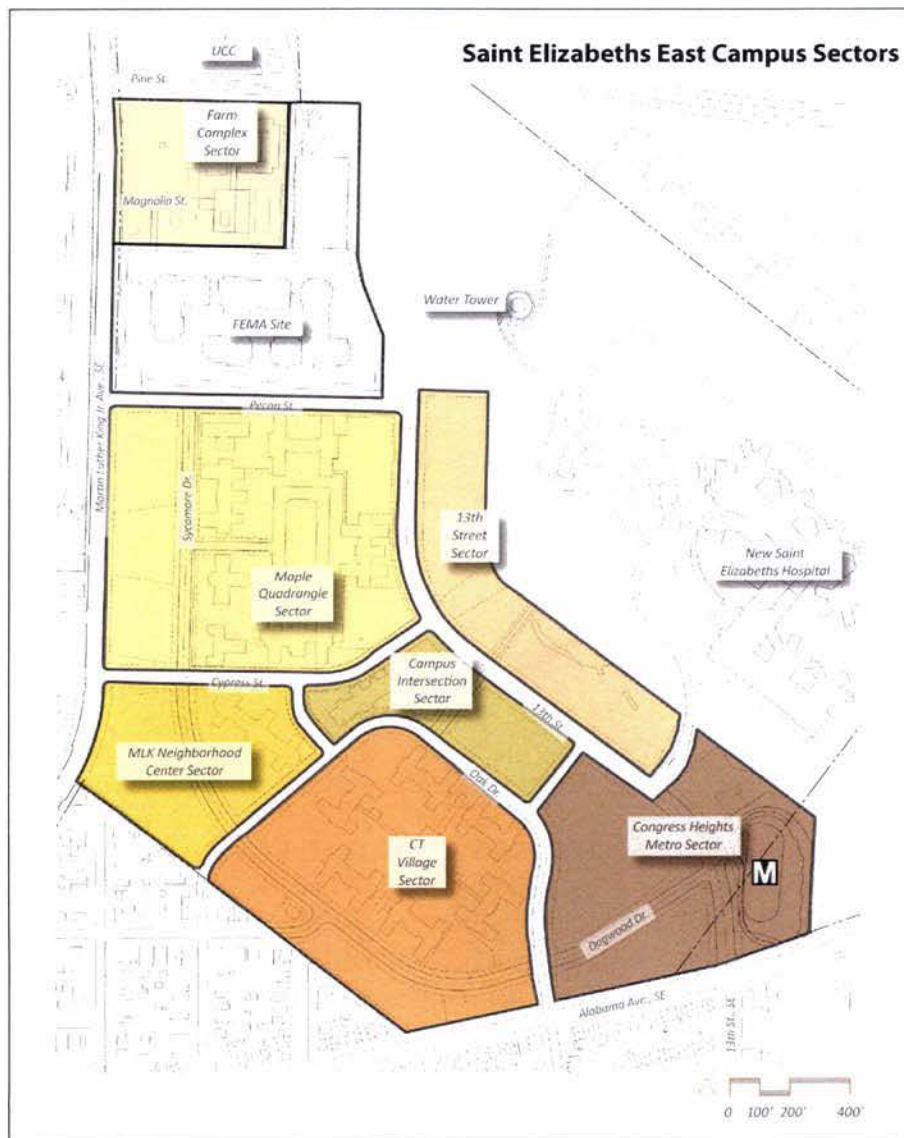
⁵ Saint Elizabeths East Redevelopment Framework Plan, December 16, 2008, page 33.

6. Crafting design guidelines that supply the ground rules for future development and provide the flexibility to respond to changing times.

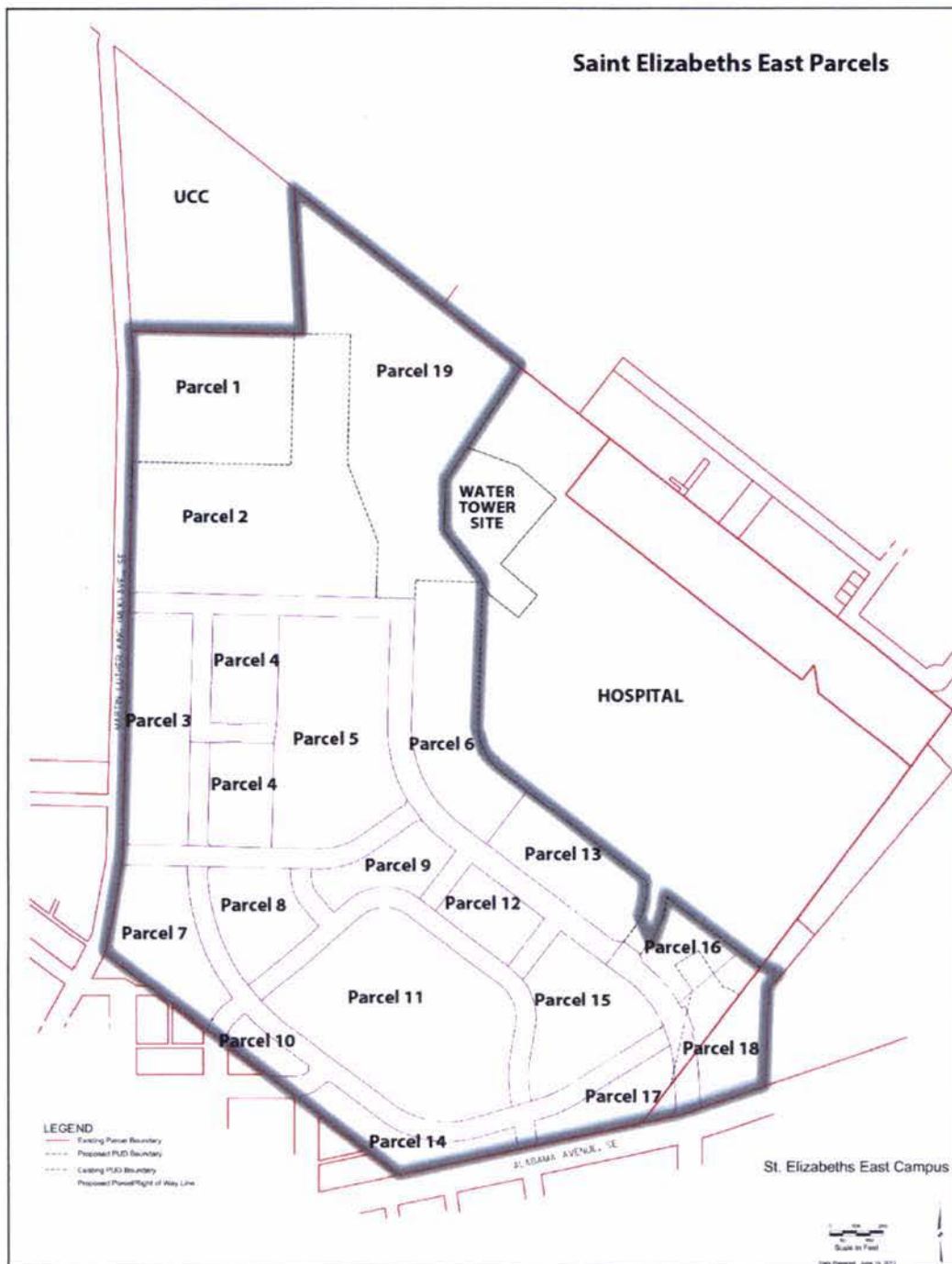
As with the creation of the Framework Plan, the Master Plan for the redevelopment of St Elizabeths East campus, involved extensive community input and participation. The more detailed plan recommended by the Master Plan has redefined the neighborhoods based on a comprehensive analysis of the internal 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 residential area to the southeast, and a transit square at the Congress Heights Metrorail station. The

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

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).

VI. 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 has been 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 requires 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.

VII. ANALYSIS

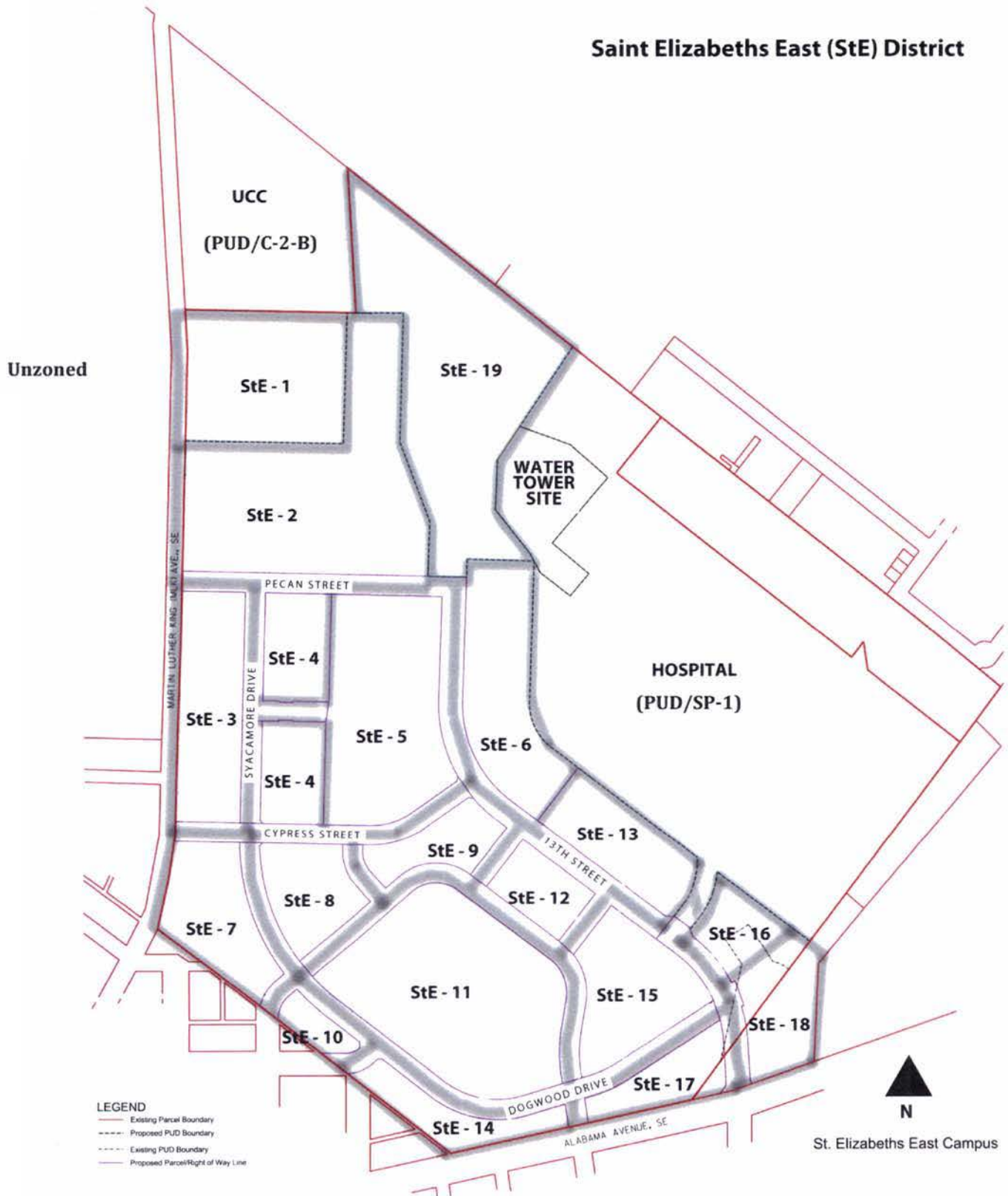
Summary of Proposed Zoning – St. Elizabeths East (StE) District

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 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 (Map D).

The parcels of the Master Plan were conceptualized in consultation with the historic preservation community and were based on the differences in the nature, character and architecture of each part of the campus. Clusters of buildings were built at different time periods (1902, 1930s, 1940s, etc.) and with variations in styles and orientations. As such, infill and additions with new construction on the lots around the historic buildings and settings have to respond to the different conditions. The proposed subdistricts are allocated according to a parcel. The purpose of this zoning approach is to provide matter-of-right zoning on a parcel by parcel basis that provides certainty to the community as well as to individual developers that the site will be built according to the vision contained in the Master Plan which applies to urban form a diverse set of design guidelines as well as uses. As seen on Table 1 on page 11, each parcel has a defined FAR, height, lot occupancy, rear yard and uses mix corresponding to the planning for the area. Although this may appear like a lot of zones, the intent is to add clarity and certainty to the zoning,

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.

MAP D



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. 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.

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.

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 on 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	-	-	90	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. Further discussion on the parking is provided on the DDOT Report submitted under separate cover.

Loading

Generally, the Master Plan advocates that loading entrances not be on the front of buildings and discourages them along 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. 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.

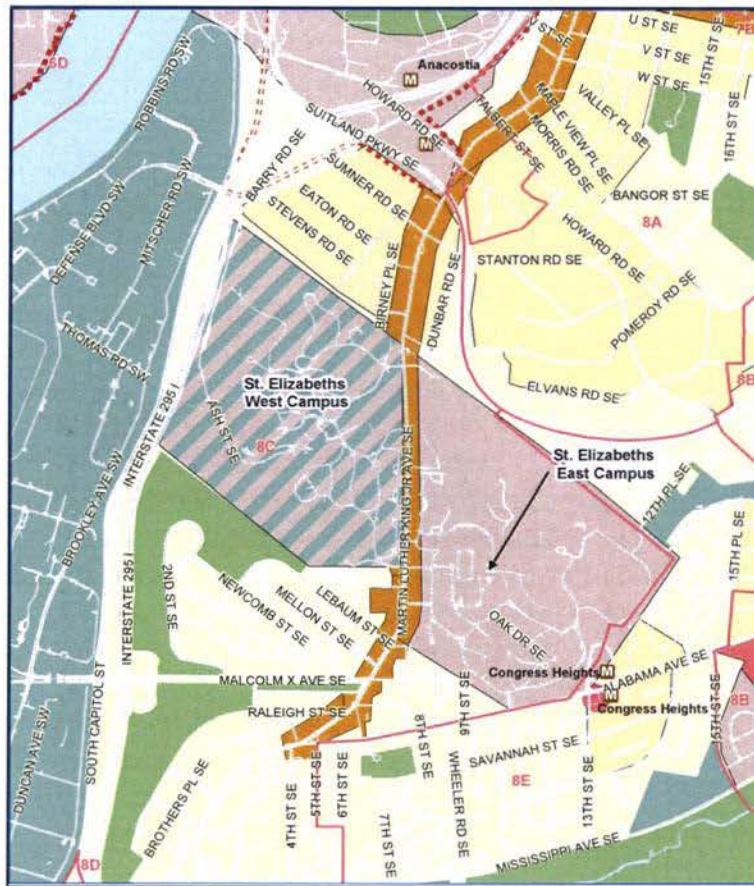
Given the standards outlined in the Master Plan and other planning efforts and the building design standards, increases in building height or floor area ratio would not be permitted by PUD. The purpose of this restriction is to provide certainty to the building form, in terms of height and bulk, consistent 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.

VIII. 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. . .*”

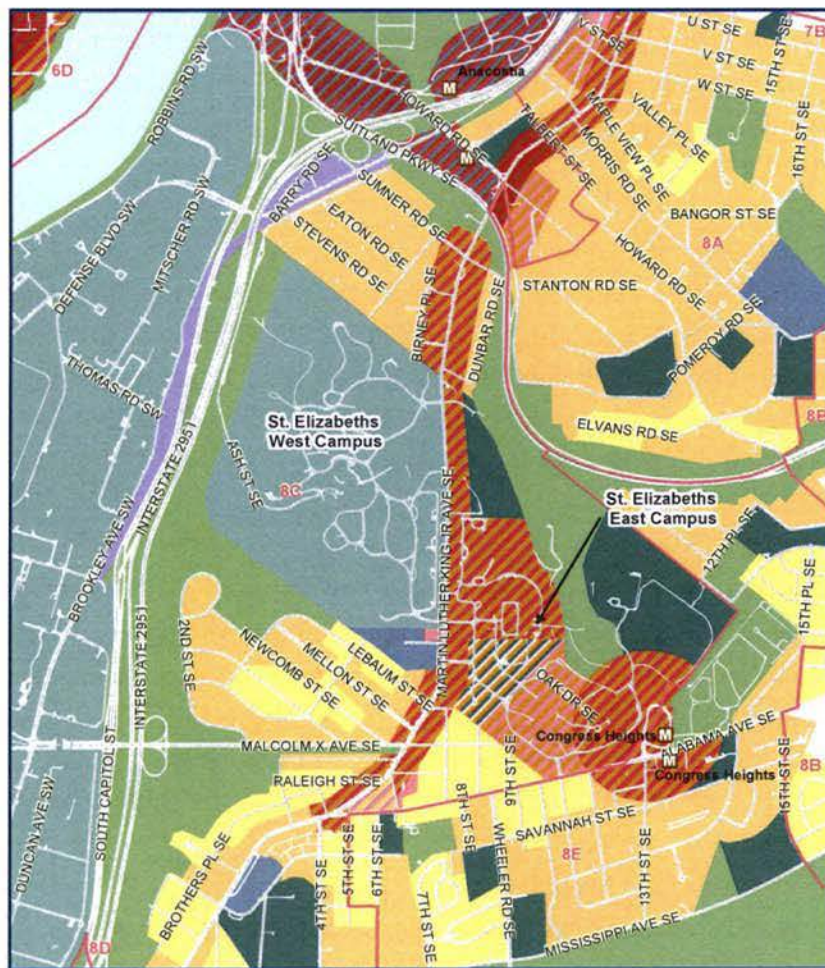
Main Street Mixed use Corridors are described as areas that “*. . . have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and save neighborhood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

Generalized Policy Map



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.

Future Land Use Map



The development would further important policy statements of the Citywide Land Use, Transportation, Urban Design, Housing, and Historic Preservation Elements of the Comprehensive Plan. A complete review of the applicable policies can be found in Attachment 3.

IX. RESPONSE TO MATTERS RAISED BY THE ZONING COMMISSION AT SETDOWN

At the July 9, 2012 Zoning Commission meeting, the Commission voted to setdown for Public Hearing this application, but requested additional detail or clarification on a number of issues. Following is a summary of these comments along with responses.

1. Basis for 4,800 parking spaces

Based on the proposed uses and square footage of the overall development, approximately 2,499 parking spaces would be required under the existing Zoning Regulations. The recommended 4,800 parking spaces cap was derived from analysis, assumptions and goals provided by DMPED, DDOT, a parking consultant, and OP. Due to the phased nature of the project, the parking provisions would allow for early users to respond to current market/site conditions, but also allow for the full utilization of parking

spaces to potentially lower parking provided in future development that would not hinder the achievement of more aggressively low parking numbers in the future that will respond to expectations of shifting mode-splits etc. Detailed transportation analysis suggested that in order to satisfy the market and encourage initial businesses to locate at St. Elizabeths an assurance they need is that parking will be available for their employees and customers. Therefore, the proposal allows for the parking to be front loaded complemented by aggressive TDM measures.

2. Connections to Congress Heights Community

The site wide principles on circulation and connectivity emphasize the importance of making connections into the campus by extending the roads from the Congress Heights neighborhood to the south. Connections are also created along Martin Luther King Jr. Avenue at key intersections, which will be reinforced the porous nature of the campus boundary once the perimeter fence is removed. The Anacostia station is 0.5 miles from the closest campus gate, Gate 1, and 0.9 miles from the Coast Guard gate, Gate 4.

3. St. Elizabeths East and West campus Connection

The St. Elizabeths West Campus will be a highly secure site, with direct vehicular connection to the East Campus only provided via a tunnel, beneath Martin Luther King Jr. Avenue. The tunnel will connect to the proposed FEMA site (Parcel 2), which will also be highly secure. There will also be pedestrian access across Martin Luther King Jr. Avenue to the West Campus gate. Additionally, a shuttle service is proposed to bring DHS employees through the East Campus to the gates of the West Campus.

4. Congress Heights Station Second Entrance

The District continues to coordinate with WMATA on a number of issues including an additional entrance to the Congress Heights Station to provide easier and more direct access to the East Campus development. WMATA has completed a concept level study of adding an additional entrance and they are working cooperatively with the District to reconfigure the vehicle/bus entrance to the station to better align with the goals for the East Campus redevelopment.

5. WMATA Bus Routes and Infrastructure

Coordination with WMATA is ongoing. However, the dialogue and plans for future bus routes and the location of infrastructure has not taken place to date. These conversations and decisions will happen following initial coordination with WMATA on infrastructure construction related issues. Streets will be constructed to accommodate WMATA buses and the sidewalk widths will accommodate bus shelters.

6. Bike Paths

As part of the street development, accommodation for bicycles will be made in the right-of-way throughout the campus and will include bike racks in appropriate locations.

7. Cogeneration Plant

The District conducted preliminary feasibility studies of building a cogeneration plant on the East Campus site to serve future tenants. The study was based on estimated phasing of the development,

user-types, estimated utility loads etc. Based on the best assumptions, the District was able to make at the time of the study, the cogeneration plan was found to be financially infeasible. However, if assumptions change in the future, the District continues to be supportive of building a cogeneration plant at the site. The site identified for the cogeneration plant in the Master Plan is not considered final, but would not impact identified wetlands.

8. Cross section of the Ravine

See Attachment

9. Height of the Water Tower

The water tower was approved by the Zoning Commission (ZC10-06) for a height of 175 feet and will accommodate two million gallons of water.

10. Wetland within Parcels 13 and 16

During the review for the Transportation Environmental Assessment an ecological survey identified two wetlands areas on Parcels 13 and 16. The wetland on Parcel 13 is a 0.24-acre forested wetland in an isolated depression and appears to receive surface water runoff from the surrounding hillsides and groundwater from several seeps to the south and east. The wetland on Parcel 16 is 0.22-acre scrub-shrub wetland and appears to be a man-made basin (created by the access road embankment) that collects stormwater runoff from parking areas associated with the hospital and surrounding upland areas. The basin has no apparent outlet. A small stream enters the wetland from the south, carrying flow from a pipe of unknown origin. As isolated waters, these areas would not be regulated under the Clean Water Act (CWA), but they may be regulated by DDOE under the District Water Pollution Control Act. Prior to development, a jurisdictional determination from US Army Corp of Engineer (USACE) will be done to confirm whether the areas meet the wetland criteria and are isolated.

11. Inclusionary Zoning

As stated in Section VII of this report, Inclusionary zoning will apply to residential developments and the bonus density has been incorporated into the recommended FAR and lot occupancy standards for each subdistrict. The affordability requirement will be determined in individual based on individual land disposition and development agreements for each subdistrict, but at a minimum, Inclusionary Zoning will apply.

12. Creation of the Subdistricts

The parcels of the Master Plan were conceptualized in consultation with the historic preservation community and were based on the differences in the character and architecture of each part of the campus the overall desired amount of new development, and the ability of individual parcels to sensitively accept new development. Clusters of buildings were built at different time periods with variations in building styles, height, and orientations. Therefore, additions and new construction on the undeveloped areas around the historic buildings and settings have to respond to the different conditions.

The purpose of this zoning approach is to provide matter-of-right zoning on a parcel by parcel basis that provides certainty that the site will be built according to the vision contained in the Master Plan which applies to urban form and a diverse set of design guideline as well as clarity regarding development

potential for each site. Each parcel is unique and there are very few instances in which the FAR, height, lot occupancy, rear yard and uses are the same on multiple parcels that would allow for zone districts with parameters that apply to multiple sub districts.

13. Zoning Review Matrix

Under the Zoning Review process (ZRR) the proposed StE District would be a stand-alone chapter within the Special Purpose Subtitle. Special Purpose districts apply to single large sites that have a cohesive, self-contained set of regulations to guide site design, building height and bulk, land uses, or other aspects of development. These zones have unique, stand-alone provisions that apply to only one geographical area. The proposed StE district is written in the format of the existing Regulations since the ZRR is ongoing and its format may change. The proposed StE district would be converted to the new format similar to the existing stand-alone zones and submitted as part of the new Special Purpose chapter.

14. Community Input

Stakeholder engagement was undertaken by OP jointly with the District Department of Transportation so that stakeholders could provide guidance on both the Master Plan and the Environmental Assessment for the East Campus Transportation Network. Collectively, these meetings provided the stakeholders with multiple platforms for engaging with the team during the three phases of the plan development process: analysis, exploration of alternatives, and development of the final plan. The proposed zoning was presented at two ANC-8C public meetings, September 12, 2012 and October 3, 2012.

X. AGENCY COMMENTS

DDOT and DMPED will submit reports under separate cover.

XI. COMMUNITY COMMENTS

At its September 12, 2012 meeting, OP made a presentation to ANC 8C, within which the Saint Elizabeths East Campus site exists. The ANC and other members of the community asked various questions but the overwhelming topic was the retention of the existing chapel on parcel 7 (Subdistrict StE-7). The community and the ANC was adamant that the chapel be preserved and wanted reassurance that this would be done. It was explained by the DEMPED representative that it was not envisioned by the Master Plan that the chapel be retained as it is not a historic building. Secondly, the chapel is located on a parcel that occupies a prominent location on the site that could accommodate uses that would be more beneficial to the community, such as a supermarket. OP explained that the proposed zoning does not address the retention of specific buildings except to provide development standards within each subdistrict that would complement the retained historic buildings. However, the StE-7 zone does not preclude the retention of the chapel.

On October 3, 2012, OP again met with ANC-8C to explain and answer questions regarding the uses, density height and lot occupancy of each subdistrict and how they relate to the recommendations of the Master Plan. Some of the actions recommended by the ANC are as follows:

1. *Dedicate StE-1 for a therapeutic equestrian center.*

The use is encompassed and would be permitted under § 3303.1(m), Health Care.

2. *Permit only 5 stories on StE-17 and StE-18.*

OP believes that the proposed height of 70 feet or six stories for buildings in the StE 17 and a proposed maximum height of 90 feet or eight stories for the StE-18 zone are appropriate. These parcels are slated for new development and are located at, and across from the Congress Heights metro station. The Master Plan envisions and it is the OP's policy to encourage higher density development around metro stations. It is not anticipated that the proposed height would negatively impact the existing residential use as they are separated by Alabama Avenue which has a right-of-way width of 110 feet.

3. *Include mixed income residential.*

Inclusionary zoning will apply to residential developments. The affordability requirement will be determined in individual land disposition and development agreements for each subdistrict, but at a minimum, Inclusionary Zoning will apply. In addition, a Land Use Principle of the Master Plan is to "Assess the mix of housing options for differing income levels, family composition, and accessibility requirements."⁷

4. *Delete § 3303.7.*

The section permits Emergency Shelters for five to 15 persons and Community Based Institutional Facilities for seven to 15 persons to be permitted as a special exception if approved by the Board of Zoning Adjustment. If this section is eliminated, these uses would be permitted as a matter-of-right.

5. *Keep StE-19 as open space.*

The proposed StE-19 zone is recommended for open space and § 3303.3 states "*Within the StE-19 subdistrict, no use is permitted except for Open Space and Transportation Infrastructure.*"

XII. ATTACHMENTS

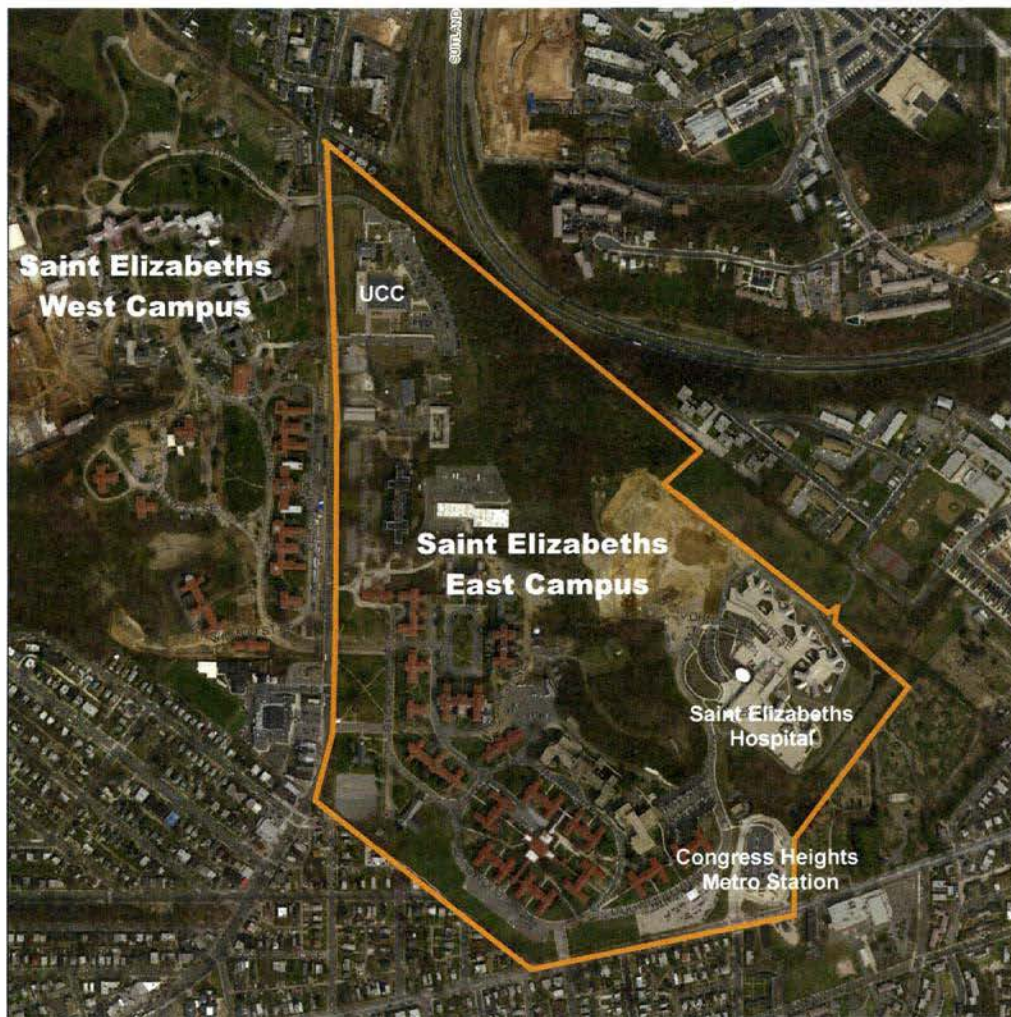
1. Aerial of Saint Elizabeths East Campus
2. Saint Elizabeths Hospital Boundary Modification
3. Comprehensive Plan Elements Analysis
4. Cross-section of Ravine
5. Proposed Map and Text Amendments

⁷ St. Elizabeths East Master Plan and Design Guidelines, June 4, 2012, page 44.

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Attachment 1

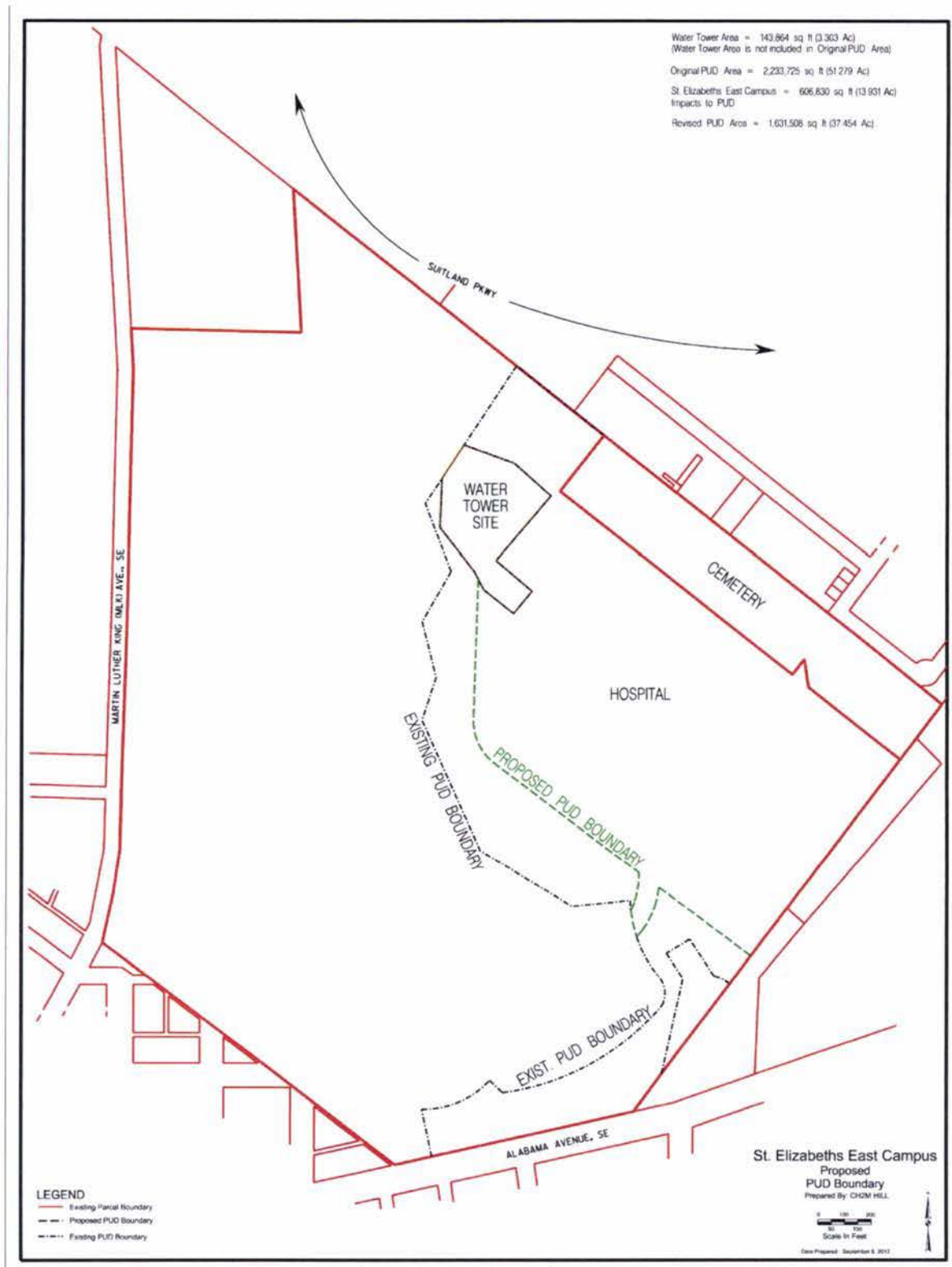
Saint Elizabeths East Campus



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Attachment 2

Saint Elizabeths Hospital Boundary Modification



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Attachment 3

Comprehensive Plan Elements Analysis

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

The proposed zoning will allow for a mixture of residential and employment opportunities will connect to the adjacent neighborhoods with an abundance of open space as well as useable park areas.

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

The Comprehensive Plan encourages a mix of uses including residential, commercial, local public facilities, parks, recreation, and open space which are reflected in the zoning districts proposed. The uses and density proposed would be compatible with adjacent uses and the surrounding community.

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

The proposed zoning is created specifically to address the specific conditions of the site and is based further on the sustainable design and low impact development principles outlined in the Master Plan.

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

The proposed zoning will allow for affordable housing, new parks and open spaces, health care and civic facilities, educational facilities, and other public facilities.

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

The subject property is a historic and the proposed heights, density, setbacks, lot occupancies proposed for each zone will, along with the Master Plan, accommodate the preservation of the majority of the existing historic buildings, important vistas into and from the site and the landscaped open spaces on the site.

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

The proposed densities and heights around the metro station are compatible to the surrounding area and with building will be able.

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

The proposed zoning recommends that parking in the vicinity of the metro station cannot be used for short term, commuter parking. The transportation demand management of transit, pedestrian, and bicycle will be incorporated to manage transportation movement through and around the site.

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

The proposed zoning is reflective of the density and use that can be accommodated by the transportation network detailed in the Master Plan.

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

The proposed zoning will support transit-oriented development as the highest density on the site is concentrated in the vicinity of the Congress Heights metro Station. It is envisioned in the Master Plan the shuttles will be provided to and from the further reaches of the site and also to the St. Elizabeths West Campus. The Master Plan details sidewalks through the site, along Martin Luther King Jr. Avenue and Alabama Avenue.

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

The proposed zoning will allow a mix of residential and commercial uses on the WMATA site and adjacent properties.

Housing Element:

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

The proposed zoning will allow a significant amount of residential uses and has specified areas where residential use are required.

Urban Design Element:

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

The St. Elizabeths Campus is a historic district and the proposed heights and density within each subdistrict would allow for developments that are compatible to the integrity of the historic district.

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

Parking structures are allowed within the district and there are restrictions which would prohibit their frontage along Martin Luther King Jr. Avenue, Alabama Avenue, and 13th Street.

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

Along with the existing streets additional streets will be created throughout the campus to break up large areas and also to make connections to the adjacent Congress height Neighborhood. introduces to break

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

The proposed zone districts allow for buildings with similar heights and density in areas adjacent to historic buildings. The new buildings which are away from historic buildings are allowed additional heights and density but are still relatively low particularly since the property also has the Congress Heights metro station. The 85 acre StE district would allow for development at approximately 1.84 FAR.

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

A majority of the buildings on the St. Elizabeths campus will be retained and and revitalized to accommodate the proposed new uses on the campus.

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

The proposed districts encourage ground floor retail uses and designate area where it is required and areas where they are permitted. Additionally, ground floor heights of at least 14 feet for retail uses allow for facades that encourage activities along the streets. Sidewalk widths to accommodate pedestrians are outlined in the master Plan.

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

The Master Plan outlines many areas of urban squares and public plazas throughout the campus to be the focus of community activities. The proposed heights and density for each zone districts allows for the preservation of these open areas.

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

The majority of the historic buildings on the site will be preserved and reused and the proposed zoning will allow for appropriate additions. Further design review will be accommodated by the Historic Preservation Review Board.

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

The proposed zoning will allow for the preservation of historic buildings and features. The zoning sets the density, height, setback for development of each parcel and allows for infill and necessary additions to the historic buildings. The density set for each parcel also allows for the preservation of open space.

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

The proposed StE zone standard is specific for each parcel and reflects the height and density appropriate of the historic building within each parcel.

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

Far Southeast/Southwest Area Element

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

The proposed zoning of the St. Elizabeths East Campus will allow for a mix of retail, mixed density housing, offices, integrated with educational institutions, civic uses and parks and open space. Development will allow direct access from Martin Luther King, Jr. Avenue.

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

The proposed zoning envisions the revitalization of the area along Martin Luther King Jr. Avenue and has incorporated the potential for the redevelopment of Congress Heights Metro Station into the zone plan.

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

The density on the site will be distributed across the site to be compatible to the existing historic district. The higher density and taller buildings will be near the Congress Heights Metro Station and area adjacent to the ravine.

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

The proposed zoning will allow office and retail development that can serve the West Campus development, while providing the same and employment, civic and institutional opportunities for the greater Ward 8 as well as residents of the campus.

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

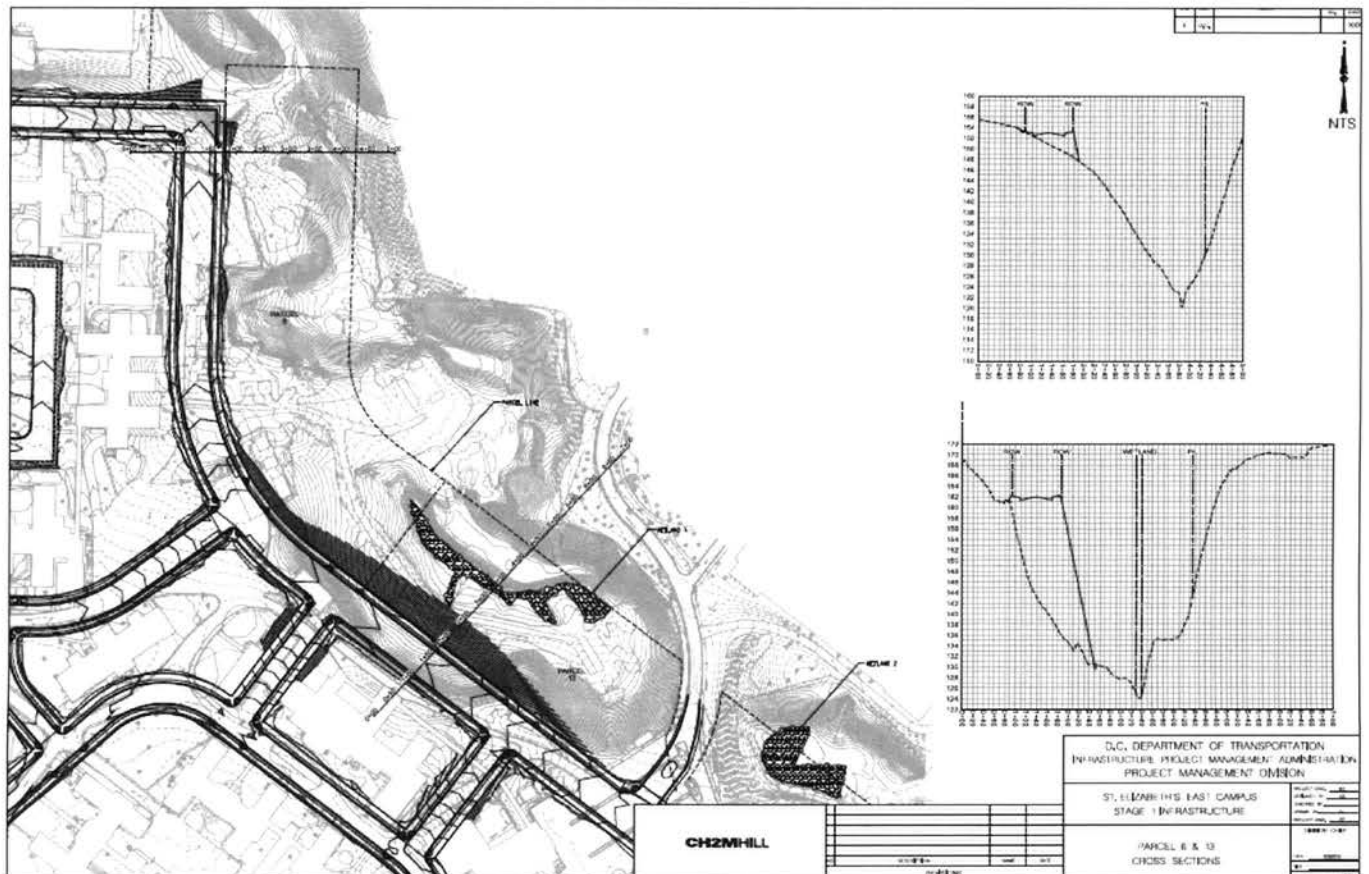
would be compatible with the adjacent lower density neighborhood to the west and south with appropriate design review through a Planned Unit Development process. Strongly encourage WMATA to make its land available for joint development around Congress Height Metro Station. 1814.3

The proposed zoning for the site will allow a mix of medium density residential and commercial development with the highest densities concentrated around the Congress Height Metro Station. The parcels adjacent to the existing low density residents are zoned for low density residential.

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Attachment 4

Cross-section of Ravine



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Attachment 5

Proposed Text Amendments

Since the setdown meeting, the Office of Planning and the Office of the Attorney General have continued to refine the text subsequent to the advertisement for the public hearing notice. Refinements include edits to make the intent of various sections more clear and edit to make the text legally sufficient. The core principles and structure of the StE remain intact.

CHAPTER 33 - SAINT ELIZABETHS EAST CAMPUS (StE) DISTRICT

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Inclusionary Zoning
Off-Street Parking
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Bicycle Parking
Roof Structures

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 Lot 2 in Square 5868, which is 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.⁸ 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.

⁸ This area is depicted in Map A, which is attached to this Public Hearing notice.

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.

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; and
- (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; and
- (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, 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 The following uses 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 specific conditions stated below:

- (a) Emergency shelter for five to 15 persons, not including resident supervisors or staff and their families, subject to the standards and requirements of § 305; and
- (b) Community Based Institutional Facilities for seven to 15 persons, not including resident supervisors or staff and their families, subject to the standards and requirements for Youth and Adult Rehabilitation Homes 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 at 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; and
- (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; and

(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; and

(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 to 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 to 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 sixty feet (60 ft.) from the intersection of an alley and public street as measured from the nearest intersection as defined by the intersection of the curb lines extended.

3310.4 Loading entrances shall not be located closer than thirty-two feet (32 ft.) from an intersection 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 this Title.

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.

Conforming amendments (additions to existing text is shown in bold and underlined).

Amend Chapter 21, § 2101.1 as follows:

2101.1 On and after May 12, 1958, all buildings or structures shall be provided with parking spaces as specified in the following table, **except for buildings and structures located in the StE District:**

Amend Chapter 26 as follows:

Subsection 2602.1(a) is amended to read as follows:

2602.1 Except as provided in § 2602.3, the requirements and incentives of this Chapter shall apply to developments that:

- (a) Are mapped within the R-2 through R-5-D, C-1 through C-3-C, USN, CR, SP, StE, and W-1 through W-3 Zone Districts, unless exempted pursuant to § 2602.3;

Section 2603 is amended as follows:

By adding new §§ 2603.6 and 2603.7 to read as follows:

2603.6 An inclusionary development for which the primary method of construction does not employ steel and concrete frame structure located in a StE District shall devote no less than 10% of the gross floor area being devoted to residential use for inclusionary units.

2603.7 An inclusionary development of steel and concrete frame construction located in a StE District shall devote no less than 8% of the gross floor area being devoted to residential use in an StE District.

By amending § 2603.4 to read as follows:

2603.4 Developments located in CR, C-2-B through C-3-C, USN, StE, W-2 through W-3, and SP Districts shall set aside 100% of inclusionary units for eligible moderate-income households.

By amending § 2603.4 to read as follows:

2604.1 Inclusionary developments subject to the provisions of this Chapter, **except those located in the StE District**, may construct up to twenty percent (20%) more gross floor area than permitted as a matter of right ("bonus density"), subject to all other zoning requirements (as may be modified herein) and the limitations established by the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452; D.C. Official Code § 6-601.01, et seq. (2001 Ed.)).

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MAP A

