

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

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IN THE MATTER OF: :
   
:
   
Text Amendments to Subtitle K:
   
to Increase Permitted FAR, : Case No.
   
Clarify Lot Occupancy Limits, : 12-08C
   
Reflect New Street Names and :
   
Alignments, and to Transfer :
   
Preferred Use Requirements :
   
within St. Elizabeths East :
   
:
   
-----:

Thursday,
   
November 21, 2019

Hearing Room 220 South
   
441 4th Street, N.W.
   
Washington, D.C.

The Public Hearing of Case No. 12-08C by the
   
District of Columbia Zoning Commission convened at 6:30
   
p.m. in the Jerrily R. Kress Memorial Hearing Room at 441
   
4th Street, N.W., Washington, D.C., 20001, Anthony J.
   
Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice Chairperson
- MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,  
Development Review & Historic Preservation  
MAXINE BROWN-ROBERTS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MAXIMILIAN TONDRO, ESQ.

The transcript constitutes the minutes from  
the Public Hearing held on November 21, 2019.

P-R-O-C-E-E-D-I-N-G-S

(6:32 p.m.)

1  
2  
3 CHAIRMAN HOOD: All right. Good evening, ladies  
4 and gentlemen. This is a public hearing of the Zoning  
5 Commission for the District of Columbia. My name is Anthony  
6 Hood. Joining me shortly will be Vice Chair Miller,  
7 Commissioner Shapiro, Commissioner May, and Commissioner  
8 Turnbull.

9 We're also joined by the Office of Zoning staff,  
10 Ms. Sharon Schellin and Mr. Paul Young; Office of the  
11 Attorney General, Mr. Tondro; Office of Planning, Ms.  
12 Steingasser and Ms. Brown-Roberts.

13 Let me take a moment.

14 (Pause.)

15 CHAIRMAN HOOD: Okay. This hearing will be  
16 conducted in accordance with provisions of 11 DCMR Chapter  
17 5, as follows. And I will incorporate the opening statement  
18 into the record. And that will be for the record. So we  
19 don't have any preliminary matters. Ms. Brown-Roberts?

20 MS. BROWN-ROBERTS: Good evening, Mr. Chairman,  
21 and members of the Commission. Maxine Brown-Roberts with the  
22 Office of Planning.

23 The St. Elizabeths East master plan and design  
24 guidelines of 2012 subdivided the campus into 19 parcels and  
25 provided illustrations for the development potential and

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1 permitted such as recommended land use, FAR, and building  
2 heights for each parcel. Based on these parameters, the St.  
3 Elizabeths East campus zones were created.

4           The development of the campus is now underway, and  
5 with more detailed site analysis some of the flexibility  
6 granted by the master plan is not being realized and are  
7 being accommodated in the zoning.

8           The proposed amendment covers five areas. First,  
9 the proposal would slightly increase the maximum FAR allowed  
10 under Section 602 on Parcels 13, 15, and 17 to reflect and  
11 capitalize on the proximity to the Congress Heights Metro  
12 Station and the master plan which recommends these parcels  
13 for significant development due to their proximity to the  
14 metro station.

15           Parcel 13 would gain an additional 0.8 FAR while  
16 Parcels 15 and 17 would gain an additional 0.5 FAR. The  
17 additional FAR would be accommodated within the height  
18 limits, and some of the additional FAR would be dedicated to  
19 residential use.

20           This would not be inconsistent with the  
21 comprehensive plan which encourages residential use near the  
22 metro station. Granting the additional FAR on these parcels  
23 would not exceed the maximum density approved for the master  
24 plan.

25           Second is the amendment to Section 619 to transfer

1 the location of required preferred uses to concentrate them  
2 around the metro station area. The master plan assigned some  
3 street frontages to have preferred used which are retail and  
4 other activity uses.

5 The plan currently recommends Parcels 14B to be  
6 primarily residential in use with preferred uses leading into  
7 the transit center area. The proposal is to relocated the  
8 preferred uses from Parcel 14 to Parcels 15 and 17 which are  
9 closer to the transit center area.

10 This would allow the residential use to be  
11 maximized on Parcel 14B and for mixed and concentration of  
12 preferred uses around the metro station to contribute to the  
13 vibrancy of the transit center. This would also be in  
14 keeping with the master plan recommendation for significant  
15 development due to the proximity to the metro area.

16 Third, Section 604 is amended to clarify that the  
17 maximum lot occupants for each zone applies to residential  
18 use only and would be consistent with the lot occupancy  
19 requirement in other mixed use zones.

20 Fourth, Section 608 and 609 restrict access to  
21 parking and loading areas directly from an adjacent street  
22 and recommends that access be from an alley or a smaller side  
23 street.

24 However, some parcels, because of topography or  
25 having frontage on several streets, access has so be provided

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1 from a street. This proposal would allow access in those  
2 circumstances.

3 Finally, during the transition from the 1958  
4 regulations to the 2016 regulation, there are areas of  
5 conflicting or erroneous cross references and corrections of  
6 street names were also made in Chapter 6. The proposal would  
7 make these corrections and would not change the approved  
8 regulation.

9 Thank you, Mr. Chairman. And I'm available for  
10 questions.

11 CHAIRMAN HOOD: Okay, thank you. As I stated, Ms.  
12 Schellin, I want to make sure that our opening statement is  
13 incorporated in the record. I didn't need to read through  
14 all of that.

15 Let me see, how many people here who are going to  
16 testify tonight? I know we have one from the Deputy Mayor's  
17 Office. Okay, all right. All right, so that's why. You can  
18 come to the table if you want. I mean, you can shorten it  
19 or whatever. You'll have the floor if you start.

20 But let me see first, any questions or comments  
21 from my colleagues of Ms. Brown-Roberts?

22 VICE CHAIR MILLER: I might have a question, but  
23 I'll wait until after the executive speaks.

24 CHAIRMAN HOOD: So I think we have copies, Ms.  
25 Schellin? Okay.

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1 MS. OWENS: I have additional copies?

2 CHAIRMAN HOOD: You have? They're up here, I  
3 think. Did you pass something already?

4 MS. OWENS: I passed them up.

5 CHAIRMAN HOOD: Oh, that's where she went. Just  
6 give us a moment, she's going to make copies.

7 MS. OWENS: Okay.

8 CHAIRMAN HOOD: Don't tell the Deputy Mayor we're  
9 unorganized, because we're not.

10 (Laughter.)

11 MS. OWENS: Your secret's safe with me. Latrena  
12 Owens, L-A-T-R-E-N-A.

13 CHAIRMAN HOOD: Ms. Schellin, we're not going to  
14 put her on the clock. She's not ---

15 MS. SCHELLIN: Okay.

16 CHAIRMAN HOOD: So whenever you get ready, you can  
17 begin.

18 MS. OWENS: Okay. Good afternoon, Commissioner  
19 Hood and members of the Zoning Commission. My name is  
20 Latrena Owens, and I am the executive director of the St.  
21 Elizabeths East redevelopment within the Office of the Deputy  
22 Mayor for Planning and Economic Development.

23 I am here to testify in support of Zoning Case 12-  
24 08, text amendment to Subtitle K, to increase permitted FAR,  
25 clarify lot occupancy limits, reflect new street names and

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1 alignments, and to transfer preferred use requirements within  
2 St. Elizabeths East zones.

3 I would like to thank you for holding this  
4 hearing and to recognize the invaluable contributions of the  
5 Ward 8 community, past and present members of ANC 8C,  
6 residents of Congress Heights, Ward 8 Council Member Trayon  
7 White and his staff, and those who have been active in making  
8 the redevelopment of historic St. Elizabeths East possible.

9 St. Elizabeths East is one of District's largest  
10 redevelopment projects. What was once a mental health  
11 community in Washington D.C.'s Ward 8 is rapidly becoming a  
12 destination for retail, housing, entertainment, cultural  
13 amenities. And the city is leading the charge to renew this  
14 183-acre historic site.

15 In the fall of 2013, St. Elizabeths East site  
16 began transforming into a publicly accessible community asset  
17 beginning with the opening of the Gateway DC, a pavilion and  
18 urban park, Gateway hosts art exhibits, outdoor festivals,  
19 and other special events.

20 In the fall of 2014, the District opened the  
21 R.I.S.E. Demonstration Center, an event facility that serves  
22 as host to various conferences, innovation events, and  
23 community programs. Collectively, Gateway DC and the  
24 R.I.S.E. Demonstration Center have attracted hundreds of  
25 thousands of visitors from across the city to the campus.

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1           The District has continued the revitalization of  
2 St. Elizabeths East with the Entertainment and Sports Arena,  
3 or ESA, that opened in the fall of 2018. This venue is the  
4 new home court for the WNBA champions, Washington Mystics;  
5 the NBA G League team, Capital City Go-Go; and the official  
6 practice facility for the NBA Washington Wizards.

7           The 183,000 square foot, 4,200 seat facility is  
8 a year-round destination for residents and visitors alike.  
9 Last week, Mayor Bowser also announced that Whitman-Walker  
10 Health has signed on as the very first tenant and will build  
11 a state of the art health facility at St. Elizabeths East to  
12 provide critical healthcare services.

13           The new 118,000 square foot facility will provide  
14 primary behavioral, dental, and substance misuse treatment  
15 services expanding on the services currently provided at  
16 Whitman-Walker Max Robinson Center located at 2301 Martin  
17 Luther King, Jr. Avenue.

18           And that's not it. On tomorrow, the residences  
19 at St. Elizabeths will welcome residents to brand new  
20 affordable apartments just steps away from the metro. There  
21 are 202 affordable apartments at reduced rents for  
22 individuals and families that make less than 50 percent of  
23 area median income which is roughly \$58,000 year for a family  
24 of four.

25           DMPED also strongly supports Zoning Case 12-08.

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1 Most of the items outlined in the amendment are cleanup items  
2 and/or clarifications to street names, occupancy limits, and  
3 preferred uses within the St. Elizabeths East zones.

4           However, as DMPED moves forward with development,  
5 what is most critical is the proposed increase in density for  
6 StE-13, -15, and -17 zones. This FAR increase is vital to  
7 creating a St. Elizabeths East that provides robust  
8 affordable housing, retail, and office uses near the Congress  
9 Heights Metro Station.

10           These changes further the ability for St.  
11 Elizabeths East to achieve a self-sustaining critical mass  
12 that will achieve the economic development goals envisioned  
13 in the 2012 master plan.

14           As the Office of Planning detailed in their  
15 report, the increase in density will not increase the St.  
16 Elizabeths East density beyond what is contemplated in the  
17 master plan and will better align with the plan and city's  
18 goals.

19           More specifically, the proposed updated FAR for  
20 each of the StE-13, -15, and -17 zones is consistent with the  
21 target FAR identified in the master plan for each such  
22 parcel.

23           As a result, the FAR increase will distribute a  
24 modest amount of additional density over several parcels for  
25 a cumulative positive effect. The increase in the FAR will

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1 provide opportunity to incentivize, an incentive for more  
2 impactful development.

3           This residential density increase will directly  
4 address the city's housing goals by allowing the developer  
5 to increase to number of affordable units in zone StE-14 from  
6 260 to 325, in zone StE-15 from 199 to 239, an increase to  
7 105 units.

8           For StE-17 zone, the increased density allows for  
9 larger blocks of space that will provide greater flexibility  
10 for a range of commercial tenants that will likely co-locate  
11 adjacent to the Whitman Walker Health Center.

12           As a result, the additional amount of density,  
13 although modest, can be have a significant effort to increase  
14 the viability and marketability of the StE-17 parcel.  
15 Conversely, without the additional density, the projects in  
16 these zones will provide fewer affordable housing units and  
17 potentially under-build buildings for a site that calls for  
18 more.

19           All of the additional density would be located in  
20 close proximity to the Congress Heights Metro, creating a  
21 transit-oriented gateway with open space, cultural amenities,  
22 as well as an economic development that stimulates  
23 revitalization and regeneration in Southeast Washington.

24           These three parcels are the very definition of  
25 transit-oriented development. Falling short of the density

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1 identified in the master plan with this infrastructure in  
2 place would be a lost opportunity.

3           The new vision for the site is particularly  
4 bright. When complete, St. Elizabeths East will be a unique  
5 place to cultivate globally significant economic  
6 opportunities and security, and sustainable technologies and  
7 practices, a place where the nation's brightest minds can  
8 think, create, educate, and live.

9           For all of these reasons, DMPED strongly  
10 encourages the Commission to adopt OP's text amendment and  
11 increase FAR in the StE-13, -15, and -17 zones.

12 Thank you for your time and consideration. I'll be happy to  
13 answer any questions that relate to the campus development  
14 but will defer to my colleagues of the Office of Planning for  
15 any specific questions related to the text amendment changes.

16           CHAIRMAN HOOD: Okay. I want to thank you, Ms.  
17 Brown-Roberts, and also Ms. Owens, for you providing the  
18 testimony. Let's see if we have any questions or comments?

19           Vice Chair Miller?

20           VICE CHAIR MILLER: Thank you, Mr. Chairman.  
21 Thank you, Ms. Owens, for your testimony, and Mr. Brown-  
22 Roberts for your report.

23           So the 202, it's great to hear about the 202  
24 affordable housing units that -- they're actually open for  
25 occupancy tomorrow?

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1 MS. OWENS: So, the first 64 residents will move  
2 in tomorrow.

3 VICE CHAIR MILLER: That's great.

4 MS. OWENS: Yes.

5 VICE CHAIR MILLER: If someone can remind me of  
6 what the total goal of, and I appreciate the numbers that you  
7 provided about the increased number affordable housing units  
8 that will be provided on these parcels as a result of this  
9 density increase.

10 And I appreciate also Planning's comment that the  
11 height, it can be accommodated by within he height because  
12 of topographical and other conditions on the site.

13 But I don't know if Ms. Brown-Roberts, or Ms.  
14 Owens, you have the number of what, remind me of what the  
15 total goal is for the number of residential units on the St.  
16 Elizabeths campus, approximately, and what the affordable  
17 housing requirement is for it. Is it subject to IZ, or it's  
18 subject to whatever the disposition is in the particular  
19 case?

20 MS. OWENS: Correct. Each parcel is released in  
21 a RFP and then what comes back in the proposal. But for the  
22 current parcel, which is Parcel 11, we've got 252 units. And  
23 for Parcel 17, which would be a hotel and a total of about  
24 258 units and two multi-family buildings, so, right now,  
25 since this is new housing stock, we don't have, like, a total

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1 campus-wide housing number.

2 VICE CHAIR MILLER: Okay. Did you have anything  
3 to add to that? In the master plan, is there a total number?  
4 If not, that's fine. I should remember that myself, given  
5 the amount of hours I put into that.

6 But these housing units, are they beyond the  
7 sports and entertainment facility and the pavilion, the  
8 Gateway Pavilion? Is this the first development that's  
9 opening on the site?

10 MS. OWENS: Yes, it is. These are located right  
11 directly across the street from the Entertainment and Sports  
12 Arena.

13 VICE CHAIR MILLER: Yes, I've got ---

14 MS. OWENS: The adaptive reuse CT campus you  
15 wouldn't notice from the master plan.

16 VICE CHAIR MILLER: And what's the next one that's  
17 coming, just to ---

18 MS. OWENS: So the next one would be the Red Brick  
19 Project which is about, like, 89 townhomes and also two  
20 multi-family buildings and a hotel on Parcels 17 and 15, and  
21 also Whitman-Walker and ground floor retail.

22 VICE CHAIR MILLER: Okay. Well, that's great.

23 MS. OWENS: Yes. It's exciting to see it come to  
24 fruition.

25 VICE CHAIR MILLER: It is. Thank you for all your

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1 work on that. And just, do these changes have to go through  
2 your Historic Preservation Office because of the landmark  
3 designation, and the massing, and the open space that may be  
4 affected?

5 MS. BROWN-ROBERTS: Each of the developments go  
6 through that. But the text amendment would not.

7 VICE CHAIR MILLER: Right, okay. Thank you.  
8 Thank you for your presentation.

9 CHAIRMAN HOOD: Okay, do we have any other  
10 questions or comments up here?

11 PARTICIPANT: No, sir.

12 CHAIRMAN HOOD: Okay, not seeing any. Let me just  
13 cut to the chase. Do we have any ANC Commissioners who are  
14 here who would like to testify? I'm not seeing any.

15 Do we have any organizations or parties who would  
16 like to testify in support or opposition, any organizations  
17 or parties who are here in support or opposition, not seeing  
18 any. Any undeclared? Not seeing any.

19 And typically we just, in the rulemaking, we  
20 usually just go by a list. I don't have a list, so I have  
21 two people, so I was just trying to cover everything. So any  
22 closing comments, Ms. Brown-Roberts or Ms. Owens?

23 MS. BROWN-ROBERTS: No, Mr. Chairman.

24 CHAIRMAN HOOD: I guess I'm just looking for  
25 somebody to say anything.

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1 MS. OWENS: No, Mr. Chairman. Thank you.

2 CHAIRMAN HOOD: Thank you. I just want to say I  
3 appreciate all the work that's been done. And I think a lot  
4 of thought, when I reviewed this, by where the density goes,  
5 so it shows a lot of effort and thought has gone into this.  
6 And I greatly appreciate it.

7 That's why we probably don't have as much to go  
8 through. I think the legwork has been done. So I want to  
9 commend both the Office of Planning and the Deputy Mayor for  
10 Planned Economic Development, so send my commendments back  
11 to him.

12 MS. OWENS: Will do.

13 CHAIRMAN HOOD: Okay. Along with the other piece.  
14 I appreciate it.

15 Let's see, anything else up here?

16 PARTICIPANT: No, sir.

17 CHAIRMAN HOOD: All right. Colleagues, any path  
18 forward? I think we're ready? Okay. Well, all right, I  
19 will move approval. Hold on one second so I close my -- I  
20 will move approval of Zoning Commission Case Number 12-08C  
21 and applaud both the efforts of the Office of Planning and  
22 the Deputy Mayor for Planned Economic Development. And hold  
23 one second.

24 VICE CHAIR MILLER: Second, ditto.

25 CHAIRMAN HOOD: And this is proposed action. Just

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1 wanted to know. Moved and properly seconded. Any further  
2 discussion?

3 All in favor?

4 (Chorus of ayes.)

5 CHAIRMAN HOOD: Any opposition? Not hearing any,  
6 Ms. Schellin, would you please record the vote?

7 MS. SCHELLIN: Staff records the vote five to zero  
8 to zero to approve proposed action in Zoning Commission Case  
9 Number 12-08C, Commissioner Hood moving, Commissioner Miller  
10 seconding, Commissioners Turnbull, May, and Shapiro in  
11 support.

12 CHAIRMAN HOOD: Okay, Ms. Schellin, do we have  
13 anything else before us tonight?

14 MS. SCHELLIN: No, sir.

15 CHAIRMAN HOOD: All right. So with that, I thank  
16 everyone for their participation. This hearing is adjourned.

17 (Whereupon, the above-entitled matter went off the  
18 record at 6:53 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 11-21-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



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Court Reporter

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