

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

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Text Amendments to Subtitles :

K 603,612,613,614 (StE Zones): Case No.

: 12-08B

:

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Monday,

December 3rd, 2018

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 12-08B 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

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

ELISA VITALE

MAXINE BROWN-ROBERTS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

HILLARY LOVICK, ESQ.

The transcript constitutes the minutes from
the Public Hearing held on December 3rd, 2018.

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

(7:03 p.m.)

1
2
3 CHAIRMAN HOOD: All right. We're ready to get
4 started. Good evening, ladies and gentlemen, this is a
5 public hearing of the Zoning Commission for the District of
6 Columbia. Today's date is December 3, 2018. We're located
7 in Jerrily R. Kress Memorial Hearing Room.

8 My name is Anthony Hood. Joining me this evening
9 are Commissioner Turnbull, Commissioner Shapiro, Commissioner
10 May. We're also joined by the Office of Zoning staff, Ms.
11 Sharon Schellin, Office of the Attorney General, Ms. Lovick,
12 as well as the Office of Planning staff, Ms. Steingasser, Ms.
13 Vitale, and Ms. Brown-Roberts.

14 I am calling two cases today, the first case we
15 will be hearing first is Zoning Commission Case Number 12-
16 08B. And the second case that we're going to be hearing this
17 evening is Zoning Commission Case Number 18-16.

18 This proceeding is being recorded by a court
19 reporter and is also webcast live. Accordingly, we must ask
20 you refrain from any disruptive noises or actions in the
21 hearing room, including display of any signs or objects.

22 Notice of today's hearing was published in the
23 D.C. registry. Copies of that announcement are available to
24 my left on the wall near the door.

25 The hearing will be conducted in accordance with

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1 provisions of 11 DCMR Chapter 5 as follows, preliminary
2 matters, presentation by the Office of Planning, in this case
3 -- both cases, report of other government agencies, report
4 of the ANC, organizations and persons in support,
5 organizations and persons in opposition, organizations and
6 persons that are undeclared.

7 The following time constraints will be maintained
8 in this meeting. The Office of Planning has up to 60 minutes
9 in both cases, but I'm sure there will be no need for that
10 with either one, organizations, five minutes, individuals,
11 three minutes.

12 All persons wishing to testify before the
13 Commission in this evening's hearing are asked to register
14 at the witness kiosk to my left. The staff will be available
15 throughout the hearing to discuss procedural questions.

16 Please turn off all electronic devices at this
17 time so as not to disrupt these proceedings. At this time,
18 the Commission will consider any preliminary matters. Does
19 the staff have any preliminary matters in the first case?

20 MS. SCHELLIN: No, sir.

21 CHAIRMAN HOOD: Okay. Let's go to our first case,
22 which is Zoning Commission Case Number 12-08B. Ms. Brown-
23 Roberts.

24 MS. BROWN-ROBERTS: Good evening, Mr. Chairman and
25 Members of the Commission. The Office of Planning recommends

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1 that the Zoning Commission approve text amendments to
2 Subtitle K, the STE zone, to assign height limits of 40, 80,
3 and 90 feet across the STE zone, allow emergency shelter as
4 a matter of right to use within the STE-2 zone, and correctly
5 identify the healthcare use category as medical care in
6 Subtitle K, Section 612.

7 At the time of zoning of the St. Elizabeth's East
8 campus, Parcel 2 of the STE zone was assigned and identified
9 for the FEMA building, a federal use, and a height limit was
10 not assigned.

11 The proposal is to assign height limits of 40, 80,
12 and 90 feet for buildings within this zone. The proposed
13 height limits are based on the height limits approved by the
14 Commission of Fine Arts for the FEMA building as being
15 compatible with the existing buildings and proposed heights
16 on other parcels within the historic district.

17 The proposal will also allow emergency shelter use
18 as a matter of right within the STE Zone 2 instead of by
19 special exception. The proposal would allow the current
20 men's shelter on another parcel to be relocated to Parcel 2
21 and would provide a holistic set of services and uses,
22 including a number of matter of right uses, such as daytime
23 care and medical care.

24 Third, at Subtitle K, Section 612, a correction
25 is proposed to identify the healthcare use category as

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1 medical care, as is the case in other subtitles.

2 The proposals are not inconsistent with the
3 comprehensive plan. The St. Elizabeth's East redevelopment
4 framework plan, and the St. Elizabeth's master plan and
5 design guidelines.

6 Again, we recommend approval of the proposed text
7 amendments. Thank you, Mr. Chairman, and I'm available for
8 questions.

9 CHAIRMAN HOOD: Okay. Thank you, Ms. Brown-
10 Roberts. Commissioners, any questions? Okay. I don't think
11 -- all right. I think it's pretty straightforward. Thank
12 you, Ms. Brown-Roberts, for this report. Let's go to any
13 other government reports.

14 I didn't see any, other than the Office of
15 Planning's report. I didn't see anything else. It was
16 pretty straightforward; the request. All right. Let's go
17 to the report of ANC. Do we have any ANCs that would like
18 to testify on this case? Ms. Cuthbert, come right down. Do
19 we have a letter from you?

20 (Off mic comment)

21 CHAIRMAN HOOD: Okay. I have a letter from you
22 from the earlier case. Was that supposed to be in this case;
23 for this case?

24 MS. SCHELLIN: There's nothing in this case.

25 CHAIRMAN HOOD: My computer must be acting up or

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1 something, because I don't have it. Ms. Cuthbert, before we
2 get started, let's introduce yourself, turn your mic on, and
3 then we can fuss about where the letter is.

4 MS. CUTHBERT: Good evening. I'm Mary Cuthbert,
5 Chair for Advisory Neighborhood Commission 8C. I'm here
6 regarding Case Number -- text amendment, Text Number 12-08B,
7 as in boy.

8 MS. SCHELLIN: When did you submit it? I'm sorry.

9 MS. CUTHBERT: November 30th.

10 MS. SCHELLIN: Friday. Yes, for some reason, it did
11 not make it in the record. Do you have an extra copy? I'll
12 make copies of it while you're giving your testimony.

13 MS. CUTHBERT: Yes, I do. She's going to make
14 copies. It's simple and short, as usual. Good evening,
15 Commissioners. I'm Mary Cuthbert, the Chair for Advisory
16 Neighborhood Commission 8C. We are at a public hearing on
17 November 7th at the Rise Demonstration Center. The text
18 amendment to Subtitle K603, 612, 613, and 614, St.
19 Elizabeth's zone.

20 Ms. Maxine Roberts from the Office of Planning
21 attended our meeting to explain the text amendment to the
22 Commissioners and the community. After many questions, the
23 Commissioners of ANC 8C voted, Advisory Neighborhood
24 Commission -- well, four Commissioners constitute a quorum.

25 The Commissioners present were the following, Mike

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1 Austin, Rhonda Hines, Teresa Stith, Mary Cuthbert, and
2 Sharece Crawford.

3 Four voted yes and one abstained. The vote
4 passed. Most of the text changes will enhance the St.
5 Elizabeth's East campus development for the new shelter,
6 housing, and medical facility.

7 That's very important to us east of the river.
8 That's why it's so simple and direct, to the point, because
9 we need these items that they're anticipating building, and
10 I'm really excited about the shelter for the homeless people.

11 What we have to do to make them feel whole again,
12 we have to do the holistic that they say, we in the community
13 have to stay on top of that, and the medical facility, I'm
14 excited. G.W. is coming. That's something that we need, a
15 quality hospital, because you have to understand, most people
16 east of the river can't afford to pay unless they have some
17 insurance.

18 CHAIRMAN HOOD: Okay. I want to thank you, Ms.
19 Cuthbert. We also want to make sure, you mentioned 614,
20 Square 614, is that part of this case?

21 MS. CUTHBERT: Yes.

22 CHAIRMAN HOOD: It is?

23 MS. BROWN-ROBERTS: Yes, Mr. Chair.

24 CHAIRMAN HOOD: Oh, okay. Okay. So to answer
25 your question, it is part of this case. 614 is definitely

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1 part of this case, even though it may not show up everywhere
2 else. Okay. Ms. Cuthbert, I want to first thank you for all
3 the work that you all have done, and all the work that you
4 will continue to do, regardless of where you are out there
5 in Ward 8. We appreciate it.

6 You're a longstanding advocate, ANC Commissioner,
7 and hard worker, and not just in Ward 8, but across the city,
8 so I want to publicly thank you for all the work that you've
9 done and all the work that you are going to continue to do.

10 See, these positions and titles come and go, but
11 we'll always be doing what we need to do for our city, so I
12 wanted to say that to you publicly. Hopefully, maybe, tell
13 Ward 8 to look at the nice comments I said about you as well.

14 So any questions or follow-up questions to Ms.
15 Cuthbert? Okay. All right. Thank you for all the work.
16 How you all like the sports and entertainment center out
17 there?

18 MS. CUTHBERT: Oh, we love it. I can walk -- I
19 can watch the young people walk to entertainment east of the
20 river.

21 CHAIRMAN HOOD: Yes.

22 MS. CUTHBERT: They don't have to drive, take the
23 bus, they are enjoying it.

24 CHAIRMAN HOOD: Well, that's good. That's good.
25 It's a nice facility and the additions that are coming is

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1 going to be great. Okay. Thank you very much and thank you
2 for taking the time to come down as well.

3 MS. CUTHBERT: You're welcome.

4 CHAIRMAN HOOD: Okay. What else do we have?
5 Let's go to -- do we have any other persons -- organizations
6 or persons who are here in support? Any other organizations
7 or persons who are here in opposition? Any other persons or
8 organizations -- other organizations or persons who are
9 undeclared?

10 Okay. Not seeing any, Commissioners, I think this
11 is flavored right. We have a resounding and outstanding
12 support from the ANC. I don't see any reason to hold this
13 up, but let me open it up and see what your pleasure is. If
14 no comments, I'll take a motion. No comments. Someone like
15 to make a motion?

16 COMMISSIONER SHAPIRO: Mr. Chair, I will move that
17 we take proposed action on Case 12-08B, Office of Planning
18 text amendment to Subtitle K, Section 603, 612, 613, and 614?
19 St. E's zone. I think that's correct.

20 CHAIRMAN HOOD: Right.

21 COMMISSIONER SHAPIRO: Look for a second.

22 COMMISSIONER TURNBULL: Second.

23 CHAIRMAN HOOD: Okay. It's been moved and
24 properly second. Any further discussion? All in favor?
25 Aye. Any opposition? Not hearing any, Ms. Schellin, would

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1 you please record the vote.

2 MS. SCHELLIN: Did Peter May second that or
3 Turnbull? Mike Turnbull. Yes, staff records the vote 5-0-0
4 to record final -- sorry, a proposed action on Zoning
5 Commission Case Number 12-08B. Commissioner Shapiro moving,
6 Commissioner Turnbull seconding, Commissioners Hood and May
7 in support, Commissioner Miller in support by absentee
8 ballot.

9 CHAIRMAN HOOD: Okay thank you.

10 (Whereupon, the meeting in the above-entitled
11 matter was concluded at 7:15 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 Case No. 12-08B

Before: DCZC

Date: 12-03-18

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.



Court Reporter

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