

## MEMORANDUM

**TO:** District of Columbia Zoning Commission

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

**DATE:** August 30, 2019

**SUBJECT:** ZC Case 12-08C – Set down and Pre-Hearing Report for a Proposed Zoning Text Amendment to Subtitle K Chapter 6, St. Elizabeths East Campus Zones (StE) zones §§ 602, 604, 608, 609, and 619.

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### **I. RECOMMENDATION**

The Office of Planning (“OP”) recommends the Zoning Commission **set down** for a public hearing, text amendments to Subtitle K Chapter 6, Saint Elizabeths East Campus Zones §§ 602, 604, 608, 609, and 619 of the Zoning Regulations. The text amendments would:

- Change the maximum FAR allowed in the StE-13, StE-15 and StE-17 zones to reflect their proximity to the Congress Heights Metro Station and recommendation of the *St. Elizabeths East Master Plan and Design Guidelines*, June 4, 2012.
- Clarify that the maximum lot occupancy for each zone applies to residential use only to be consistent with the lot occupancy requirement in other mixed-use zones.
- Amend the restriction to allow access to parking and loading areas directly from the adjacent named streets on which StE-10, StE-13, StE-14A, StE-14B, StE-15, or StE-17 fronts.
- Transfer the required preferred use from StE-14B to StE-15 and StE-17.
- Amend the street names.

This report serves as the prehearing report required by Subtitle Z § 501. OP also requests flexibility to work with the Office of the Attorney General and other District agencies to refine the language if needed, as well as draft any concomitant amendments required throughout Subtitle K, Chapter 6.

### **II. BACKGROUND**

The *Saint Elizabeths East Master Plan and Design Guidelines* (Master Plan), June 4, 2012 subdivided the campus into 19 parcels (Attachment 1), provided illustrations of the development potential (Attachment 2), and included development parameter such as recommended land use, FAR, and building height for each parcel. Based on the recommendations of the Master Plan, the St. Elizabeths East Campus Zones (StE) (ZC 12-08) were created and subsequently amended in ZC 12-08A and ZC 12-08B. Each parcel of the Master Plan was given a corresponding StE subzone (Attachment 3). The development of the campus is now under way, and with more detailed site analysis some of the flexibility granted by the Master Plan was not fully accommodated in the zoning. The proposed changes would not be inconsistent with the Master Plan.

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### III. PROPOSED TEXT AMENDMENT

The Office of Planning recommends text amendments to the following sections of the Subtitle K, Chapter 6 (StE Zone) (text to be deleted is marked with ~~strikethrough~~ and new text is shown in **bold and underlined**):

a. Amend Subtitle K § 602.1 as follows:

**602 DENSITY – FLOOR AREA RATIO (FAR) (STE)**

602.1 The maximum permitted FAR of buildings in the StE zones shall be given in the following table:

**TABLE K § 602.1: MAXIMUM PERMITTED FAR**

| <b>Zone District</b> | <b>FAR (Max.)</b>                  | <b>FAR – Required Residential (Min.)</b> | <b>FAR – Above Grade Parking (Max.)</b> |
|----------------------|------------------------------------|--|---|
| StE-1                | 0.20                               | -  | -                                       |
| ...                  |                                    |  |   |
| StE-13               | <del>3.20</del> <b><u>4.00</u></b> | <del>1.60</del> <b><u>2.00</u></b>       | -                                       |
| StE-14A              | 1.50                               | -  | -                                       |
| StE-14B              | 1.50                               | 1.00                                     | -                                       |
| StE-15               | <del>2.00</del> <b><u>2.50</u></b> | <del>1.00</del> <b><u>1.20</u></b>       | Subtitle K § 602.2                      |
| StE-17               | <del>0.50</del> <b><u>1.00</u></b> | -  | Subtitle K § 602.2                      |
| ...                  |                                    |  |   |

*Analysis*

The proposal would increase the maximum FAR on StE-13 to 4.0, StE-15 to 2.50 and StE-17 to 1.0. The increases in the maximum FAR on these parcels offer an opportunity to capitalize on their close proximity to the Congress Heights Metro station. The proposed increases in FAR would be accommodated in the maximum height limits of its zone and would remain compatible with the historic buildings and district.

The Master Plan subdivides the campus into 8 Sectors (Attachment 4). StE-13 (Parcel 13) is within the 13<sup>th</sup> Street Sector which is recommended for dense new development on the edge of the ravine. Subsequent to the Master Plan, more detailed analysis of the parcel area and topography were undertaken, and it was determined that the steep topographical change at the rear of the property will cause some of the parking garage levels to be counted as gross floor area. The proposed additional 0.8 FAR would be within the FAR limit recommended by the Master Plan and would be easily accommodated within the 90-foot height limit. In keeping with the Comprehensive Plan policy to maximize density and encourage residential use around Metrorail stations, at least half of the additional FAR would be required to be dedicated to residential use.

StE-15 (Parcel 15) and StE-17 (Parcel 17) are identified as being within the Congress Heights Transit Center Sector which the Master Plan envisions as having significant opportunities for economic development due to their proximity to the Metro Station. In the proposed amendment, StE-15 would gain an additional 0.50 FAR of which a minimum of 0.2 FAR would be for residential

use. The additional potential FAR gained through Subtitle K § 602.2 (an additional 1.0 FAR for parking but which could be used for other uses permitted in the zone) would result in the total available FAR being 3.5, which could be easily accommodated in the permitted building height of 80 feet.

On StE-17, the proposed additional FAR would be 0.50. In conjunction with the additional 2.0 FAR gained through Subtitle K § 602.2, the total available FAR would be 3.0. Again, the permitted height of 70 feet would accommodate the small amount of additional density proposed.

The Master Plan sets out a goal for approximately 5 million square feet of development (page 3) for the entire campus and states that due to zoning restrictions the likely total square footage yield would be approximately 4.2 million square feet (page 79). The parcels have subsequently been surveyed and based on the maximum FAR allowed by zoning on each parcel, the square footage yield has been increased to approximately 4.42 million square feet. The increase in density for StE-13, StE-15, and StE-17 would result in approximately 255,577 additional square feet of space on the campus which would increase the total maximum potential density to 4.88 million square feet (assuming the inclusion of the StE-10, StE-14 and StE-15 development plans that are below the anticipated allowable FAR in total and StE-12, the Entertainment and Sports Arena (ESA) which is now completed, and is only built out to approximately 50% of its allowable density). The Master Plan was not intended to restrict the square footage to 4.2 million on the campus but rather intended that assumptions utilized for anticipated zoning to be subsequently implemented were likely to result in such square footage figure. The 4.88 million square feet figure is in alignment with the targeted 5 million square feet of overall development set forth by the Master Plan.

b. Amend Subtitle K § 604.1 as follows:

**604 LOT OCCUPANCY (STE)**

604.1 The maximum permitted lot occupancy for **residential uses** in the StE zones shall be given in the following table:

**TABLE K § 604.1: MAXIMUM PERMITTED LOT OCCUPANCY**

| Zone District | Lot Occupancy<br><b><u>for Residential</u></b><br><b><u>Use</u></b><br>(Max.%) |
|---------------|--|
| StE-1         | 25   |
| ...           |  |

Analysis

The proposal clarifies that the lot occupancy maximums on TABLE K § 604.1 refers only to residential use, similar to other mixed-use zones in the Zoning Regulations.

c. Amend Subtitle K § 608 and Subtitle K § 609 as follows:

**608 PARKING (StE)**

...

608.10 Parking spaces within an above-grade structure along 13th Street, ~~Dogwood Street~~, and Sycamore-Street **Drive** shall be lined with preferred uses as defined in Subtitle K § 621 on the ground floor to a depth of thirty feet (30 ft.) minimum.

...

608.14 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 Subtitle K § 621; or from Martin Luther King Jr. Avenue, S.E., ~~Dogwood Street~~ **Sycamore Drive, 12<sup>th</sup> Street,** 13th Street, or Oak Drive-; **provided, however, that the restrictions of this provision do not apply to buildings located in the StE-10, StE-13, StE-14A, StE-14B, StE-15, or StE-17 zones.**

...

**609 LOADING (StE)**

...

609.2 Where other options for access to ~~parking spaces~~ **loading** 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 Subtitle K § 621; or from Martin Luther King Jr. Avenue, S.E., ~~Dogwood Street~~ **Sycamore Drive, 12<sup>th</sup> Street,** 13th Street, or Oak Drive-; **provided, however, that the restrictions of this provision do not apply to buildings located in the StE-10, StE-13, StE-14A, StE-14B, StE-15, or StE-17 zones.**

Subsequent to the Master Plan and the Zoning of the campus, the roadways were surveyed and recorded. The western spine road which was divided into Sycamore Drive and Dogwood Street has now been renamed Sycamore Drive for its entirety between Cypress Street and 13<sup>th</sup> Street. Oak Drive, the central loop road, which formerly extended across Sycamore Drive now ends where it intersects with Sycamore Drive. The extensions across Sycamore Drive are now 8<sup>th</sup> Street and 12<sup>th</sup> Street which are extensions of the adjacent neighborhood streets into the campus. The proposed amendments would reflect the new street names (see Attachment 6 for a map showing the street names).

Where parking is located above grade, the Master Plan recommends that the parking be lined with active uses or treated with enhanced architectural facades on public streets or where the garage facade can be viewed from a major street. The plan also restricted parking and loading entrances where preferred uses are required. This restriction would affect StE-10, StE-13, StE-14A StE-14B, StE-15, or StE-17 zones. However, there would be no preferred uses on StE-10, StE-14A, and StE-14B and therefore the restriction is not applicable.

For StE-13, it is anticipated that Cherry Street (the street just to the northwest of StE-15) would be continued into StE-13 to provide access to two buildings. Due to severe topographical changes (see photo, Attachment 5), the Cherry Street access would only be able to service a portion of the buildings. The consolidation of loading to serve both buildings on the parcel would also not be possible due to the topography. Since there would be no street to the north of the Parcel 13 to allow for a consolidated north curb cut/vehicular, there will be a need for additional, smaller and ancillary loading access along 13<sup>th</sup> Street.

StE-15, is a large parcel which fronts on four streets, three of which would prohibit parking or loading entrances. Having a single entrance for parking and loading to serve all four buildings would be costly as well as impractical. Similarly, StE-17 is bounded by four streets; loading and parking entrances, are discouraged on three of them in the current regulations, and the fourth, Alabama Avenue, would not be granted a curb-cut.

All the roadways within the campus would be public streets and any curb cuts and driveways would be subject to review by the Public Space Committee at the time of public space permitting. As part of that review, the location of parking and loading access points would be reviewed and the recommendations of the Master Plan and Zoning Regulations would be reviewed and considered. Therefore, allowing flexibility to coordinate the location of preferred uses and access points is appropriate.

d. Amend Subtitle K § 619 as follows:

**619 PREFERRED USE REQUIREMENTS (STE)**

...

619.2 Each building that faces the following streets or locations in the following zones shall devote not less than fifty percent (50%) of the gross floor area of the ground floor to preferred uses:

(a) ...

(b) StE-7: facing Martin Luther King Jr. Avenue, S.E., Cypress Street, S.E.,  
~~Dogwood~~ **Sycamore** Drive, S.E., or ~~Oak Drive~~ **8<sup>th</sup> Street**, S.E.;

~~(c)~~ StE-14B: facing ~~Dogwood Drive, S.E., Oak Drive, S.E., or the southwest corner;~~

~~(d)~~**(c)** StE-15: facing ~~Dogwood~~ **Sycamore** Drive, S.E., 13<sup>th</sup> Street, S.E., Oak Drive, S.E., or the park;

~~(e)~~**(d)** StE-16: facing 13<sup>th</sup> Street, S.E., and the southwest corner; and

~~(f)~~**(e)** StE-17: facing ~~Dogwood~~ **Sycamore** Drive, S.E., 13<sup>th</sup> Street, S.E., or ~~Oak Drive,~~ **12<sup>th</sup> Street**, S.E.

...

**619.7 Combined, development in StE-15 and StE-17 shall include an additional 6,620 square feet of preferred uses on the ground floor above the preferred use square footage requirement pursuant to Subtitle K, § 619.2.**

Re-number existing-§ 619.7 to § 619.8.

Analysis

Amendments to the street names would reflect the new street names and segments.

Parcels 15 and 17 along with Parcel 16 are within the area identified on the Master Plan as the Congress Height Transit Center (See Attachment 5) and is described as, “The gateway to the East Campus from the Congress Height Metrorail station and is envisioned as a vibrant, mixed-use neighborhood center.” The Master Plan envisioned StE-14B to be primarily residential in use, with some other preferred uses leading into the transit center area. However, relocating the preferred uses from StE-14B to StE-15 and StE-17, closer to the transit center area, would allow residential to be maximized on StE-14B, and for a mix and concentration of other preferred uses around the metro station to contribute to the vibrancy of the transit center. The proposed change would be consistent with the recommendations of the Master Plan.

**V. PLANNING CONTEXT**

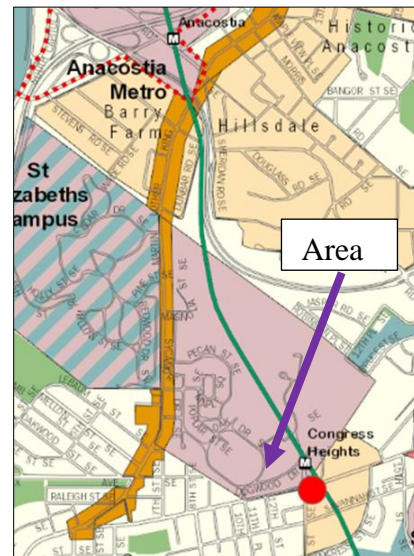
**A. Comprehensive Plan Maps**

The Future Land Use Map recommends Mixed Use-medium density residential and medium density commercial while the Generalized Policy Map designates the area as a Land Use Change Area and a Main Street Mixed Use Corridor along Martin Luther King, Jr. Avenue. In the St. Elizabeths East Campus Zone (StE), (ZC 18-20) the Commission found that the proposed heights and uses would not be inconsistent with these designations. The proposed changes in density would not be inconsistent with the Comprehensive Plan recommendations.

**Future Land Use Map**



**Generalized Policy Map**



The Commission has already determined the StE zoning to be not inconsistent with the Comprehensive Plan. The minor changes proposed in this modification would not impact that determination. The small increases in FAR proposed would allow for a small increase in intensity and a mix of uses around the Metro Station Area and would remain within the density recommended by the Future Land Use Map and the St. Elizabeths Master Plan. The increases in FAR would be accommodated within the height limits of the zones and would provide residential, employment and recreational opportunities for residents of the area.

## **VII. HISTORIC PRESERVATION**

The entire campus of Saint Elizabeths is a historic district, designated locally and nationally. All new construction is subject to review by the District of Columbia Historic Preservation Review Board and the United States Commission of Fine Arts.

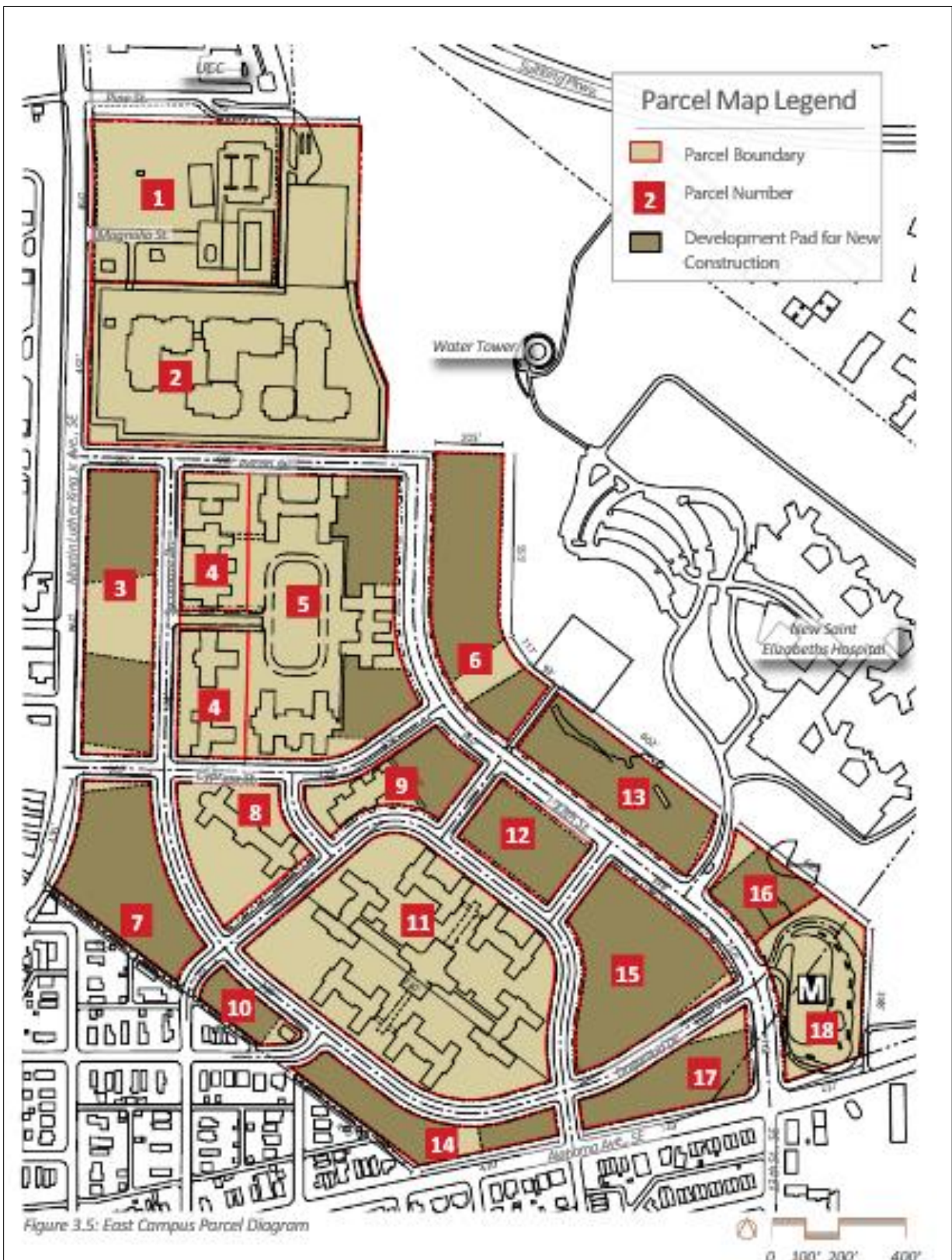
## **VII. ATTACHMENTS**

1. Attachment 1 – *The Saint Elizabeths Master Plan and Design Guidelines – Parcel Map*
2. Attachment 2 – *The Saint Elizabeths Master Plan and Design Guidelines Illustration Plan*
3. Attachment 3 – Saint Elizabeths East (StE) District
4. Attachment 4 – Attachment 4 – East Campus Sector Diagram
5. Attachment 5 - Topography on StE-13
6. Attachment 6 – Street Names

JS/mbr



Attachment 1 – *The Saint Elizabeths Master Plan and Design Guidelines* – Parcel Map

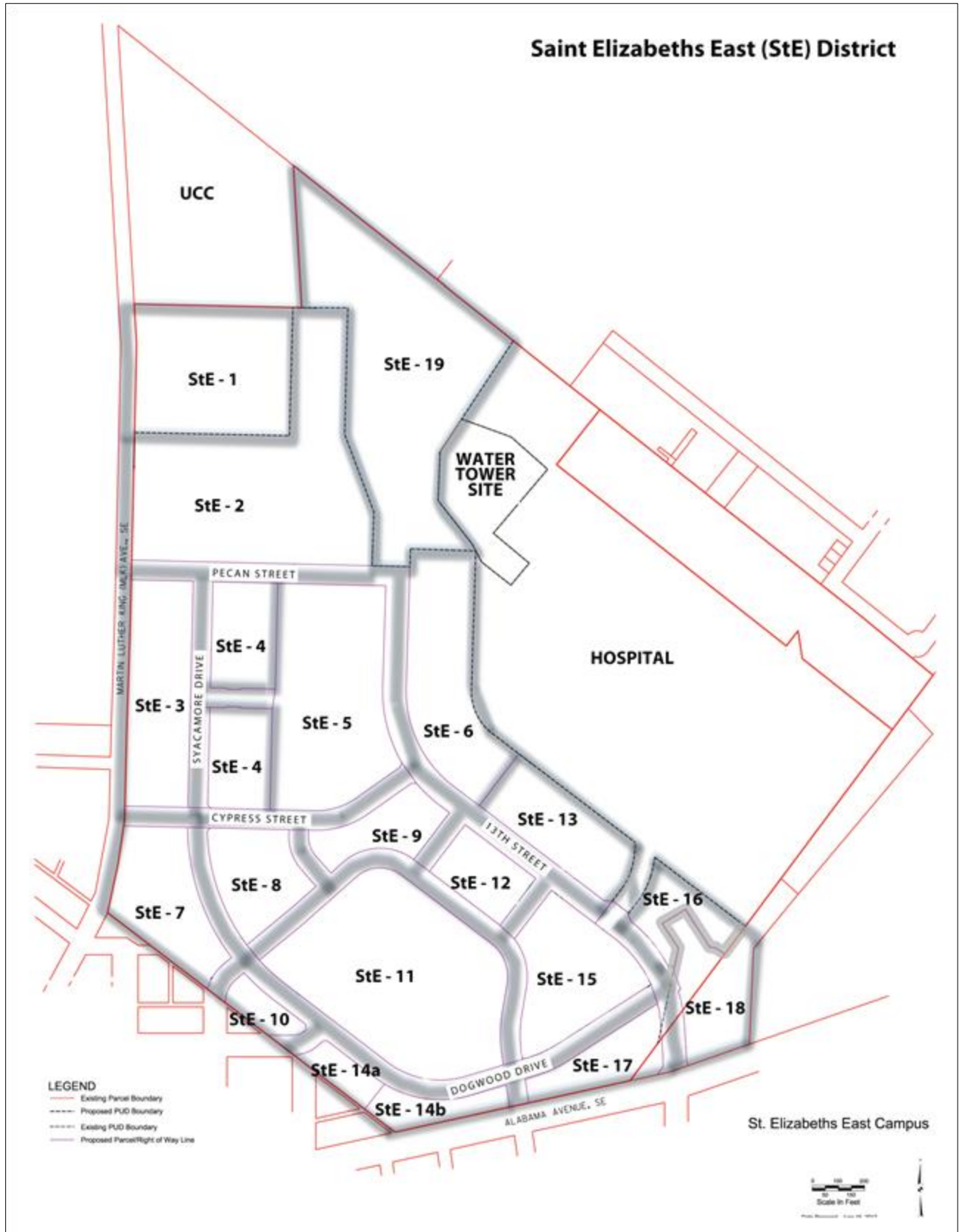




Attachment 2 – The Saint Elizabeths Master Plan and Design Guidelines Illustration Plan

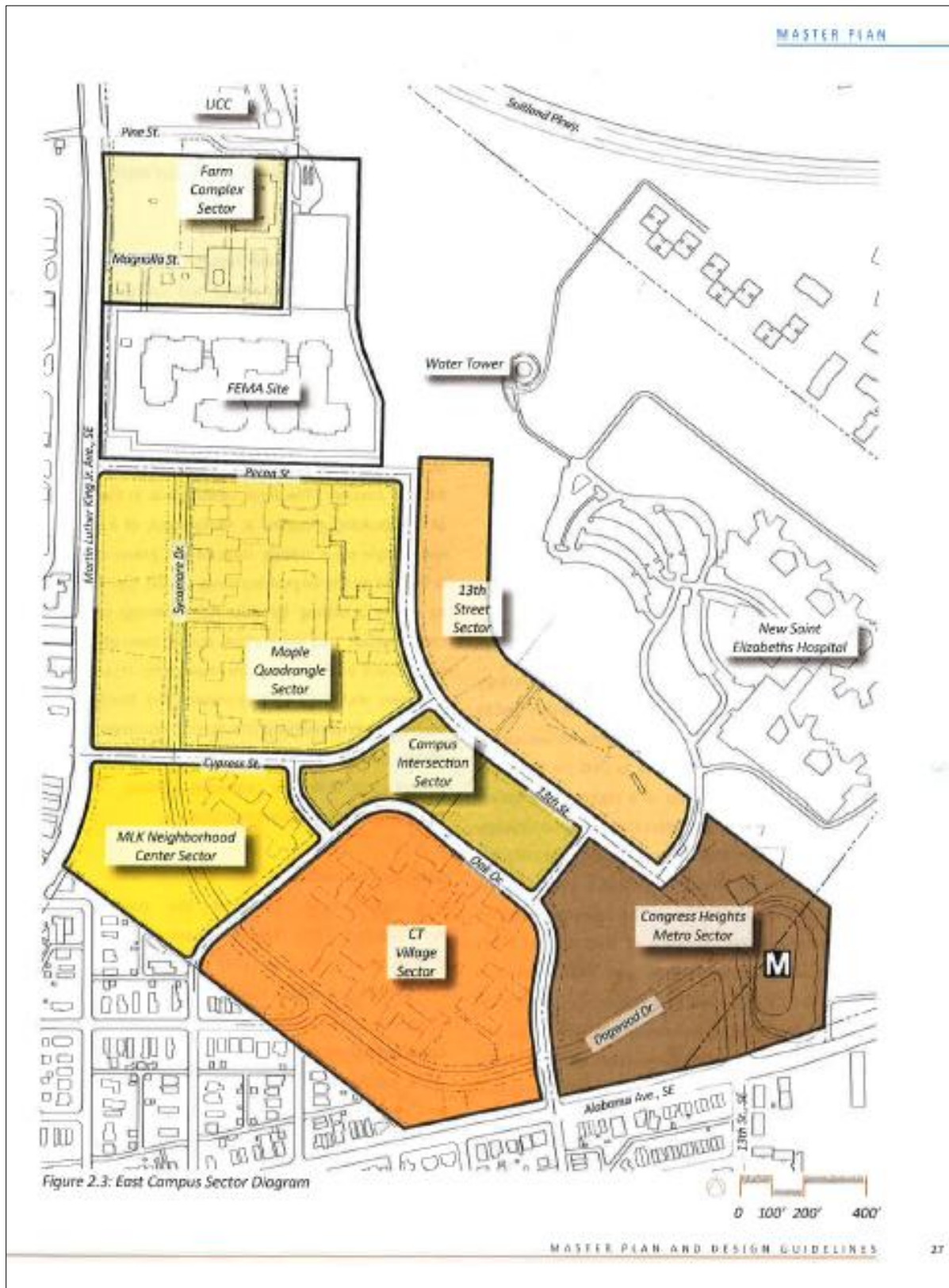


Attachment 3 – Saint Elizabeths East (StE) District





### Attachment 4 – East Campus Sector Diagram



Attachment 5 - Topography on StE-13





