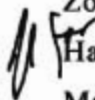


GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

SUPPLEMENTAL REPORT

TO: Zoning Commission for the District of Columbia
FROM:  Harriet Tregoning, Director, Office of Planning
DATE: May 11, 2007
SUBJECT: Zoning Commission Case 07-08 – Supplemental Report for an amendment to the zoning regulations and to allow temporary parking lot as a permitted use on specific squares within the CR, W-2, C-3-C, and R-5-B Districts.

1. RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission adopt the advertised amendments to the Zoning Regulations which allow for temporary parking lots on specific squares proximate to the Ballpark. OP further recommends that the Commission take emergency action to adopt the amendment, so that it will be effective immediately.

2. BACKGROUND

At its April 9, 2007 public meeting, the Zoning Commission considered a request for consideration of text amendments to the zoning regulations to permit temporary (5 year maximum) parking lots on specified squares within walking distance of the Ballpark, currently under construction on South Capitol Street. The Commission also considered a request for emergency action. At the meeting, the Commission did not take emergency action, but set this proposal down for a public hearing and authorized a 30 day notice period. The Commission further indicated that it would consider taking emergency action to adopt the amendment after the hearing is concluded.

Parking lots are currently prohibited in the CR and W Districts by §§ 602.1(j) and 902.1(l), respectively, of the Zoning Regulations. Accessory parking lots are permitted by special exception in the C-3-C District.

3. PROPOSAL

As noted in the OP report of March 30, 2007, the proposed text amendment would:

- Apply only to Squares 660, 665, 700, 701, 707, 708, 708E, 708S, 744S, 767, 768, 769, and 882, as identified by the owners of the Nationals. The sites are shown on map Attachment I, and described in more detail in chart Attachment II.
- Allow matter of right surface parking lots on these squares until April 1, 2013 at the latest.
- Establish that, when not in use for Ballpark event parking purposes, the parking lots could be used for other parking purposes. OP originally proposed that the spaces be required to be made available for ballpark use 3 hours before a game or other ballpark event, and

remain available until at least 3 hours after the event. The intent was to ensure that the spaces are available for ballpark event patrons at reasonable times, and that the traffic to or from events is not overly concentrated into a short time-span. However, as noted at the public meeting, this requirement could be problematic for the efficient use of the parking lots for other uses, and it is unlikely that most patrons would arrive at a game or event that much in advance. As such, OP is now recommending that the time-frame be narrowed to 1.5 hours before an event. After the event, OP recommends that the timeframe remain 3 hours, to ensure that patrons are not required to leave sooner than they otherwise might.

- Require conformance to relevant provisions of existing zoning regulation §§ 2115 (size of parking spaces) and 2117 access, maintenance, and operation) to regulate normal parking lot design and function related issues such as minimum parking space and driveway aisle sizes; maximum grades; surface materials; landscaping, screening, and lighting regulations. Special exception approval by the BZA of spaces which do not conform to these requirements would be permitted, in accordance with §3104.
- Establish a cumulative maximum number of 3,775 surface parking spaces to be provided on these lots. This number is derived from the D.C. Major League Baseball Park Transportation Management Plan prepared for the DC Sport and Entertainment Commission (DCSEC) as part of the Zoning Commission review of the ballpark design (ZC Case 06-22). That study concluded that *“the peak parking demand for a weekday afternoon game will be 3,850 spaces and for a weekend game, 4,900 (including the 10% circulation factor).”* The CG Overlay limits on-site parking to 1,225 maximum, so the anticipated off-site parking requirement would be a maximum of 3,775 spaces in total (4,900 – 1,225).

The DC Sport and Entertainment Commission (DCSEC) and the Nationals have indicated that 2,500 to 3,600 parking spaces would be possible on the potentially available portions of these squares, but that it is unlikely that all of these sites will actually be available for use as surface parking at any one time. Many factors will limit their availability or suitability, including pending redevelopment of the sites and environmental remediation costs, so the actual total number of spaces provided pursuant to this section will likely be between 1,200 and 2,500.

Special exception approval by the BZA of accessory Ballpark parking spaces in excess of this maximum would be permitted in accordance with §3104, subject to the applicant providing a traffic study assessing potential impacts.

With the exception of the amendment to reduce the hours that the spaces would be available for exclusive ballpark events, OP is not proposing any substantive changes to the advertised text.

Many of the proposed sites are located within the CG Overlay, within the CG/CR and CG/W-2 Districts. Some of the other sites are within the boundary of the Arthur Capper / Carrollsburg Hope VI PUD (Zoning Commission Case 03-12 / 13), and these sites are zoned CR, CG/C-3-C, and R-5-B. In a separate application, a minor modification to the Arthur Capper / Carrollsburg PUD (03-12 / 03-13) has been submitted to amend the approved PUD to allow temporary surface parking lots on the relevant squares within the PUD boundary (Squares 767, 768, 769, and 822). At the public meeting, the Commission requested additional information on how parking on the commercially zoned portion of Square 822 might impact the ability to develop this and other residentially zoned sites – this information is to be provided in a separate report from the Arthur Capper PUD applicant.

The owners of the Southeast Federal Center site may also request, in a separate application, approval for temporary surface parking lots on portions of that site in accordance with the existing provisions of the SEFC Overlay. The SEFC Overlay currently permits temporary surface parking lots for a maximum period of 5 years with Zoning Commission approval. OP has also been advised that the Nationals are approaching other area property owners where existing development provides opportunities for shared underground parking – OP continues to encourage this parking solution as preferable, particularly over the long term.

4. ANALYSIS

All of the proposed locations for the temporary parking are within easy and convenient walking distance of the ballpark. By spreading out the locations, the traffic impacts on any one location may be lessened. The Nationals management will be able to “cross-reference” ticket holders driving to the ballpark from different parts of the region with the parking lot that is most easily and conveniently accessed by them, thereby lessening traffic impacts on DC neighborhoods.

OP strongly encourages the use of mass transit and encourages the Nationals to provide meaningful incentives for the use of mass transit and other alternatives to the private automobile. Normally, OP is not supportive of surface parking lots and would not support surface parking on these squares as a permanent use to address currently perceived parking need. However, a short term shortage of parking available to patrons could lead to illegal parking on streets and private property in the surrounding area, excessive “circling” of drivers looking for parking spots, and potentially a negative impact on the short term success of this important District facility. As new re-development projects are constructed (as anticipated), parking space within those developments will be available to ballpark patrons, much the same way Verizon Center patrons utilize parking in downtown office buildings. However, the majority of these buildings will not yet be constructed when the Ballpark opens in 2008. This proposal would help to address the short term need for an interim parking solution. The 5 year time limit would also allow the Nationals organization additional time to educate, encourage, and develop incentives for ballpark patrons to use alternatives to the private automobile to get to and from the stadium.

OP has been advised that the use of new permeable concrete surfaces is being considered for use where permeable surfaces would be permitted by the District Department of Environment (DDOE). OP would be very supportive of the use of permeable surfaces for the temporary parking lots where subsurface contamination conditions allow. In addition to reducing off-site storm water drainage, the use of advanced or experimental permeable surfaces for temporary parking lots could be valuable test cases for new permeable surface technologies which could then be applied with greater certainty throughout the rest of District.

5. CONCLUSION

OP recommends that the Zoning Commission adopt these text amendments. OP also recommends that the Zoning Commission take emergency action to adopt the amendment, so that it will be effective immediately. This would facilitate both the timely construction of these parking lots, and the ability of the Nationals to most efficiently allocate these spaces in such a way as to minimize traffic impacts through the neighborhood. As such, the proposed emergency action by the Commission would further the public interest and will not have any adverse impacts on the public health, safety, welfare, or morals.

The proposed amendments to the Zoning Regulations are as follows, with new text and additions to existing provisions shown in **bold and underlined** text:

A. Chapter 1 amendment is amended by adding the following new definition:

199.1 **Ballpark** – the building and use authorized by Zoning Commission Order 06-22.

B. Chapter 3, R-2, R-3, R-4, and R-5 Residential District Use Regulations §350 R-5 Districts: General Provisions is amended by adding the following new provision:

“350.4 (h) Temporary surface parking lot accessory to the Ballpark shall be permitted on Square 882 in accordance with § 2110. In the event that the cumulative parking limit established in § 2110.1 (a) is met, additional temporary surface parking spaces accessory to the Ballpark on Square 882 shall be permitted as a special exception use if approved by the Board of Zoning Adjustment pursuant to § 2110.2.”

C. Chapter 6, Mixed Use (CR) Districts § 601 Permitted Uses is amended by adding the following new provision:

“601.1 (u) Notwithstanding § 602.1, temporary surface parking lot accessory to the Ballpark shall be permitted on Squares 660, 665, 700, 701, 767, 768, 769, or 882 in accordance with § 2110. In the event that the cumulative parking limit established in § 2110.1 (a) is met, additional temporary surface parking spaces accessory to the Ballpark on Squares 660, 665, 700, 701, 767, 768, 769, or 882 shall be permitted as a special exception if approved by the Board of Zoning Adjustment pursuant to § 2110.2.”

D. Chapter 6, Mixed Use (CR) Districts § 602 Prohibited Uses is amended by adding the following new text:

“602.1 (j) Parking lot, ~~except a temporary surface parking lot permitted pursuant to §601.1(u).~~”

E. Chapter 7, Commercial (C) Districts § 741 Uses as a Matter of Right (C-3) is amended by adding the following new provision:

“741.5 d) Temporary surface parking lot accessory to the Ballpark shall be permitted on Square 769 in accordance with § 2110.1 (a). In the event that the cumulative parking limit established in § 2110.1 (b) is met, additional temporary surface parking spaces accessory to the Ballpark on Square 769 shall be permitted as a special exception if approved by the Board of Zoning Adjustment pursuant to § 2110.2.”

F. Chapter, 9 Waterfront (W) Districts § 901 Uses as A Matter of Right is amended by adding the following new provision:

“901.1 (v) Notwithstanding 352.3, temporary surface parking lot accessory to the Ballpark shall be permitted on Squares 707, 708, 708E, 708S, or 744S, in accordance with § 2110. In the event that the cumulative parking limit established in § 2110.1 (a) is met, additional temporary surface parking spaces accessory to the Ballpark on Squares 707, 708, 708E, 708S, or 744S shall be permitted as a special exception in a W-2 District if approved by the Board of Zoning Adjustment pursuant to § 2110.2.”

- G. Chapter 9, Waterfront (W) Districts § 902 Prohibited Uses is amended by adding the following new text:

“902.1 (l) Parking Lot, except a temporary surface parking lot permitted pursuant to § 901.1 (v);”

- H. Chapter 21, Off Street Parking Requirements is amended by adding the following new section:

“2110 Temporary Surface Parking Lots and Spaces for the Ballpark

2110.1 Permitted Use - Notwithstanding §§ 602.1 and 902.1 and not subject to any otherwise applicable proximity requirement, a temporary surface parking lot accessory to the Ballpark shall be permitted as a temporary use on Squares 660, 665, 700, 701, 707, 708, 708E, 708S, 744S, 767, 768, 769, and 882 (“the subject squares”) in accordance with §§ 2110.3 through 2110.5 and the following provisions:

- (a) The cumulative total of all temporary surface parking spaces for which a valid Building Permit has been issued pursuant to this section shall not exceed 3,775 parking spaces.**
- (b) Any certificate of occupancy issued pursuant to this subsection shall expire no later than April 1, 2013.**
- (c) The application for a building permit for matter of right construction shall include a detailed accounting demonstrating that the circumstances described in § 2110.2 do not apply;**

2110.2 Special Exception - If and when valid building permits issued pursuant to § 2110.1 authorize an aggregate of 3,775 or more parking spaces, the construction and use of additional temporary spaces on any of the subject squares shall require approval of the Board of Zoning Adjustment pursuant to § 3104, and in accordance with §§ 2110.3 through 2110.5 and the following provisions:

- (a) Any certificate of occupancy issued pursuant to this subsection shall expire no later than April 1, 2013 and**
- (b) The BZA application shall include a detailed accounting of the number and locations of temporary parking spaces provided**

pursuant to § 2110.1; 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;

2110.3 Any parking lot authorized shall be available for exclusive use of attendees at any baseball game or other public event described in §1612.3 for a time period extending from 1.5 hours prior to the scheduled start time of the event, to 3 hours after the event. At all other times, the parking lot may be used for:

- i. Parking on a general basis for "non-commercial motor vehicles" as that term is defined by 18 DCMR § 13.12.3 (c), except vehicles equipped to serve as temporary or permanent living quarters; or**
- ii. A seasonal or occasional market for produce, arts or crafts with non-permanent structures.**

2110.4 No use, other than permitted in this section shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless the use or structure is otherwise permitted in the District in which the parking lot is located; and

2110.5 A temporary surface parking lot provided in accordance with this section shall comply with the following standards:

- (a) A full size automobile parking space shall be a minimum of nine feet (9 ft.) in width and nineteen feet (19 ft.) in length, exclusive of access drives or aisles. A compact car parking space shall be a minimum of eight feet (8 ft.) in width and sixteen feet (16 ft.) in length exclusive of access drives or aisles, and shall be visibly marked as a "compact car" or "small car" parking space.**
- (b) Parking shall be designed so that no vehicle or any part thereof shall project over any lot line or building line. All parking areas and spaces shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicle without moving any other vehicle onto public space.**
- (c) When parking spaces are so arranged that an aisle is required for accessibility or maneuvering space between rows of 2 or more parking spaces, or between a row of 2 or more parking spaces and the perimeter of the area devoted to parking spaces, the aisle shall have a clear width of not less than twenty feet (20 ft.) or ninety degree (90°) angle parking, and not less than seventeen feet (17 ft.) for angle parking that is sixty degrees (60°) or less as measured from the center line of the aisle.**

- (d) Aisle widths serving compact car spaces exclusively shall have a clear width of not less than twenty feet (20 ft.) for ninety degree (90°) angle parking and not less than sixteen feet (16 ft.) for angle parking that is sixty degrees (60°) or less as measured from the center line of the aisle.
- (e) During the time period described in §2110.3, compliance with the requirements of §§ 2110.5 (c) and (d) is not required for parking provided for exclusive use for patrons of Ballpark events if the parking is managed by employed attendants who park the vehicles using the parking facility; in which case a permanent sign shall be posted at each entrance in full view of the public that states: "Attendant assisted parking is required by the District of Columbia Zoning Regulations." The sign shall also state the hours during which attendant parking is required. The sign shall have a white background, with black lettering that is no less than two inches (2 in.) in height.
- (f) A driveway that provides access to parking spaces shall:
- i. Have a maximum grade of not more than twelve percent (12%) with a vertical transition at the property line;
 - ii. Be not less than twenty-five feet (25 ft.) from a street intersection as measured from the intersection of the curb line extended;
 - iii. Be not less than twelve feet (12 ft.) in width if designed for one-way circulation or fourteen feet (14 ft.) if designed for two-way circulation; and
 - iv. Be not more than twenty-five feet (25 ft.) in width.
- (g) All parking spaces, including access aisles, driveways, and ramp areas shall be surfaced and maintained with an all-weather surface. In addition to traditional impervious surfaces, allowable all weather surfaces include porous (or pervious) concrete, porous asphalt, and/or mechanically-reinforced grass, excluding grass or gravel.
- (h) The parking lot shall be kept free of refuse and debris and shall be landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping with trees and shrubs shall cover a minimum of five percent (5%) of the total area of the parking lot, or an area as determined by the Board of Zoning Adjustment for a parking lot requiring Board approval.
- (i) Any lighting used to illuminate a parking lot or its accessory building shall be so arranged that all direct rays of lighting are confined to the surface of the paved area devoted to parking.

Sq.	Location	Ownership	Zoning	Potential spaces	Current Use	Anticipated use
660	Potomac and S Capitol Streets SW	Steuart Investment 1625 S Cap LLC	CG/CR	250	Vehicle repair, industrial	Vehicle repair, industrial
665	Half and S Streets SW	PEPCO	CG/CR	850-950	PEPCO substation	PEPCO substation
700	M and South Capitol Streets SE	WMATA Public Storage Trust Monument Realty Potomac Dev't Corp George Quinn Family Susan Bell	CG/CR	100	Bus repair garage, Storage facility, Small business, vacant	No redevelopment proposal in process; Some temporary WMATA parking
701	M and 1 st Street SE	WMATA Monument Cohen Welch Family	CG/CR	210	Metro station, Vacant, warehouse	Mixed use office / residential / hotel and retail development approved and under construction
707	Potomac Avenue SE	Florida Rock DC	CG/W2 / C3C PUD	From 0 to 500, pending resolution of land ownership, development, and environmental issues	Concrete plant	Mixed use office, residential, hotel and retail PUD application in process on FRP
708	S Capitol Street SE	Florida Rock Jemal Buzzard Point	CG/W-2 / C3C PUD CG/W-2		Concrete plant industrial	Mixed use office, residential, hotel and retail PUD application in process on FRP; Other land within proposed new right-of-way for the bridge and access realignment
708 E	Potomac Avenue SE	Florida Rock Jemal's Buzzard Point	CG/W-2 / C3C PUD CG/W-2		Concrete Plant Storage tanks	Mixed use office, residential, hotel and retail proposal in process on FRP portion; Other land within proposed new right-of-way for the bridge and access realignment
708S	S Capitol Street SE	Jemal's Buzzard Point Florida Rock Steuart Investment	CG/W-2		Storage tanks, helipad	No specific redevelopment; within proposed new right-of-way for the bridge and access realignment
744S	1 st Street SE	WASA	CG/W-2		400	WASA pump stations and ancillary spaces
767	3 rd & K Streets SE	DCHA USA	CR PUD ¹	210 to 400	Vacant, parking	Mixed use as per Arthur Capper Hope VI PUD Canal Blocks Park
768	3 rd & M Streets SE	DCHA USA	CR PUD ¹		Vacant, bus parking	Mixed use as per Arthur Capper Hope VI PUD, Canal Blocks Park
769	3 rd & M Streets SE	DCHA Wm. C. Smith & Co USA	CR PUD, ¹ CG/C3C		Vacant, parking	Mixed use as per Arthur Capper Hope VI PUD, Canal Blocks park
882	700 block M Street SE	DCHA	R-5-B, CR	Up to 450	Vacant	office building and rowhouse residential as per Arthur Capper Hope VI PUD

¹ Within the Arthur Capper / Carrollsburg PUD.

Note: according to the best information available to the OP at this time – information is subject to change and updating.