MEMORANDUM

TO: Zoning Commission for the District of Columbia

FROM: Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation, DC Office of Planning

DATE: June 29, 2012

SUBJECT: Zoning Commission Case 07-08B - **Setdown** Report for Text Amendment to the Chapter 21, Off-Street Parking Requirements to extend the current provision allowing temporary parking associated with the ballpark.

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1. RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission set down for a public hearing this proposal to amend Chapter 21 the Zoning Regulation text, to extend the previously approved allowance for temporary surface parking lots (changes from the existing text are **bold** and **underlined)**:

Chapter 21, OFF STREET PARKING REQUIREMENTS

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 603, 605, 657, 658, 660, 661, 662, 662E, 664, 664E, 665, 700, 701, 707, 708, 708E, 708S, 744S, and 882; Square 658, Lot 7; and Square 767, Lots 44 - 47; Square 768, Lots 19 - 22; and Square 769, Lots 18 - 21 ("the subject squares") in accordance with §§ 2110.3 through 2110.5 and the following provisions:

(b) Any certificate of occupancy issued pursuant to this subsection shall expire no later than ~~April 1, 2013~~ **April 1, 2018**.

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~~ **April 1, 2018**;

ZONING COMMISSION
District of Columbia
CASE NO. 07-08B
EXHIBIT NO. 1

No other modification, deletions, or additions to the approved text are proposed.

This report also serves as the supplemental filing as required by Section 3013.

ZONING COMMISSION
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2. BACKGROUND

In Zoning Commission Order 05-08 (October, 2005), the CG Overlay was amended to permit the construction of the new ballpark and to establish building and design review criteria. Among the regulations for the Ballpark site was the District's first *maximum* on-site parking limit of 1,225 spaces.

In Zoning Commission case 07-08 (July 30, 2007), the Commission approved amendments to the zoning regulations to allow temporary surface parking lots on 11 squares in the general vicinity of the Ballpark. Although surface parking is allowed in many zones, the properties were zoned W-2 and C-R, neither of which allows surface parking. In addition to conditions to limit the total number of spaces at 3,775 maximum, and to establish access, surface treatment, landscaping, and lighting requirements, April 1, 2013 was set as the expiration date for any parking lot certificate of occupancy issued pursuant to this amendment.

This text was subsequently amended in 07-08A (May 12, 2008) to include eight additional squares. That amendment also established a requirement for a portion of the parking spaces to be set aside for a car-sharing program. Otherwise, all of the conditions of 07-08, including the April 1, 2013 expiration, were retained and extended to the additional squares.

Refer to Attachment "A" for a map showing the location of the squares, and Attachment "B" which provides a copy of the current related text as approved in 07-08 and 07-08A.

3. PROPOSAL

At the request of the Nationals organization, OP is proposing that the zoning regulations text be amended to extend the term limit for these temporary parking spaces from April 1, 2013 to April 1, 2018, an additional five years. No squares or lots would be added to the existing list, and no amendments to any of the other conditions are proposed.

4. ANALYSIS

All of the squares in question are relatively flat and currently paved over. Most are unused or underutilized, although many are not currently used for ballpark related parking. The sites are all within easy and convenient walking distance of the ballpark, and, per the access limitations already placed in Order 07-08, will not be accessed through existing low density residential areas.

The original 5 year time limit was intended to allow sufficient time for these underutilized sites to be developed. It was anticipated at the time that as new re-development projects were constructed, parking space within those developments (especially office buildings) would be available to ballpark patrons, much the same way that parking in downtown office buildings is available to patrons of the Verison Center. However, since that time, fewer than expected new developments in the area have been constructed, due to the broader economic downturn.

The Nationals organization has indicated to OP that the surface parking spaces remain necessary, and their allocation to season ticket holders allows the Nationals management to 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 potentially lessening traffic impacts through DC neighborhoods.

OP also anticipated that, during the additional 5 year time limit, the Nationals organization would be able to further educate, encourage, and develop incentives for ballpark patrons to use alternatives to the private automobile to get to and from the stadium.

5. CONCLUSION

As noted in OP reports submitted as part of the original approval, OP is generally not supportive of surface parking lots. In addition to being a poor use of the District's valuable land base, extensive surface parking lots can disrupt neighborhood fabric; be a source of crime, noise, trash, and light-spill; encourage the use of the private automobile over other less environmentally damaging forms of transportation; and contribute significantly to storm water run-off water pollution problems facing our great river systems. OP continues to not support surface parking as a permanent use. Rather, OP has strongly encouraged the use of mass transit and has encouraged the Nationals to provide additional incentives for the use of mass transit and other alternatives to the private automobile.

However, the concern remains that, in spite of DDOT's aggressive street parking management program in the area, a shortage of parking available to patrons could lead to illegal parking on streets and private property in the surrounding area.

OP has requested to the Nationals organization that they provide, at the public hearing, an update on how the conditions of the original approval have been met, including efforts to encourage the use of transit, bicycles, and other means to access the stadium.

OP therefore recommends that the Zoning Commission set this proposal down for a public hearing.

ATTACHMENTS

1. Site Map of existing sites
2. Existing ballpark parking related zoning regulation text

JLS/jl

Attachment 1

07-08B - Approved Ballpark Temporary Surface Parking Lot Locations

Government of the District of Columbia
Vincent C. Gray, Mayor
Office of Planning ~ June, 2012

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

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Attachment 2

Current Zoning Regulation text related to ballpark temporary surface parking lots:

CHAPTER 6 MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS

601 USES AS A MATTER OF RIGHT (CR)

601.1 The following uses shall be permitted as a matter of right in a CR District:

(ee) Notwithstanding § 602.1, temporary surface parking lot accessory to the Ballpark shall be permitted on Squares 603, 605, 657, 660, 661, 662, 662E, 664, 665, 700, 701, 882; and on Square 658, Lot 7; Square 767, Lots 44-47; Square 768, Lots 19-22; and Square 769, Lot 19 and those portions of Lots 18 and 20 within the CR District; 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 603, 605, 657, 658, 660, 661, 662, 662E, 664, 665, 700, 701, 882; and on Square 767, Lots 44-47; Square 768, Lots 19-22; and Square 658, Lot 7; Square 769, Lot 19 and those portions of Lots 18 and 20 within the CR District, shall be permitted as a special exception if approved by the Board of Zoning Adjustment pursuant to § 2110.2.

602 PROHIBITED USES (CR)

602.1 The following uses shall be specifically prohibited in CR Districts:

(o) Parking lot, except a temporary surface parking lot permitted pursuant to § 601.1(ee);

CHAPTER 9 WATERFRONT DISTRICTS

901 USES AS A MATTER OF RIGHT (W)

901.1 The following uses shall be permitted in the W-1, W-2, and W-3 Districts as a matter of right:

(dd) Notwithstanding § 352.3[1], temporary surface parking lot accessory to the Ballpark shall be permitted on Squares 664E, 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 664E, 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.

902 PROHIBITED USES (W)

902.1 The following uses are prohibited in Waterfront Districts:

(o) Parking Lot, except a temporary surface parking lot permitted pursuant to § 901.1 (dd)

[1] OP believes this is an error in the zoning regulations, and that this should read "§ 902.1".

CHAPTER 21 OFF-STREET PARKING REQUIREMENTS

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 603, 605, 657, 658, 660, 661, 662, 662E, 664, 664E, 665, 700, 701, 707, 708, 708E, 708S, 744S, and 882; Square 658, Lot 7; and Square 767, Lots 44 - 47; Square 768, Lots 19 - 22; and Square 769, Lots 18 - 21 ("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.

(d) No certificates of occupancy for this use shall be issued until the District Department of Transportation has approved a traffic routing plan for the lot, which shall include the impact of other proposed lots if required by DDOT.

(e) The traffic routing plan described in § 2110.1(d) shall not direct traffic through I St., SW, P St., SW, or 4th St., SW.

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 one and a half (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:

(a) Parking on a general basis for "non-commercial motor vehicles" as that term is defined by 18 DCMR § 1312.3 (c), except vehicles equipped to serve as temporary or permanent living quarters; or

(b) 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.

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) Compliance with the requirements of §§ 2110.5 (c) and (d) is not required if the parking is managed during a specified twelve (12) hour peak period to be determined by the District Department of Transportation 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 required 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.

(j) A minimum of 5% of parking spaces shall be reserved for a registered and recognized, publicly accessible car/ride-share program with a significant District user base and a mandate that is not commuter-oriented, such as GoLoco. These car/ride share spaces shall be provided in premium, visible, bannered locations and will be available, for a fee, exclusively for this use until the start of the event on that day.

SOURCE: Final Rulemaking published at 54 DCR 8976 (September 14, 2007); as amended by Final Rulemaking published at 54 DCR 10300 (October 26, 2007); as amended by Final Rulemaking published at 55 DCR 7308 (July 4, 2008).