ZONING TEXT AMENDMENTS TO THE W-1 ZONE

RECEIVED
D.C. OFFICE OF ZONING
2002 JUL 31 P 2:15

PETITION TO THE

DISTRICT OF COLUMBIA ZONING COMMISSION

Application of:
U.S. National Park Service
Washington, D.C.

The President and Directors of
Georgetown College
Washington, D.C.

By:
Arnold & Porter
Cynthia A. Giordano
Nathan W. Gross

July 30, 2002

ZONING COMMISSION
District of Columbia
CASE NO.02-31
EXHIBIT NO.3

STATEMENT IN SUPPORT OF PROPOSED TEXT AMENDMENTS FOR BOATHOUSE USE IN W-1 ZONES

U.S. NATIONAL PARK SERVICE AND GEORGETOWN UNIVERSITY, PETITIONERS

July 30, 2002

I. BACKGROUND

This memorandum requests that the Zoning Commission schedule a public hearing to consider adopting text amendments affecting the use of riverfront properties for use as non-motorized boathouses. The Petitioners are the National Park Service ("NPS" or the "Park Service") and the President and Directors of Georgetown College, also known as Georgetown University ("Georgetown," or the "University"). The proposed text amendments, if adopted, would affect one property in the near term and others in the longer term. The near-term prospect is a property identified as Tract 102-114 that fronts on the Potomac River approximately one-fourth of a mile west of Key Bridge and due south of the Georgetown University campus. In addition, there are several locations along the Anacostia and Potomac Rivers where the Park Service and other agencies are interested in encouraging non-motorized boathouses and where the text amendment could facilitate such development.

A. The Georgetown Site. Tract 102-114 is owned by the U.S. government and controlled by the Park Service, which has entered into an Exchange Agreement (the "Agreement") with the University[1]. Under the Agreement, Georgetown will exchange

[1] A recent survey by Rice Associates submitted as part of this application depicts a slightly amended site, with the northern boundary extended and identified as "A portion of Parcel 300/1, Square 1179."

for Tract 102-114 a similar-size parcel of land that it owns farther to the west, which parcel also fronts on the Potomac River. The University has owned this parcel (Tract 102-109) since 1990. It was a gift from the CSX Corporation and was formerly part of the CSX railroad right-of-way that extended west and north from the Georgetown waterfront. In the 1990s the University and the National Park Service ("NPS") engaged in discussions regarding a potential land swap of Tract 102-109 with another parcel of similar size (Tract 102-114) owned by the U.S. government and located immediately south of the University campus. In 1998 a formal agreement was concluded providing for a suitable study period and conditions for both parties, leading up to an exchange of ownership.[2]

The purpose of the property exchange is to enable the University to build a boathouse for the use of its crew team and a limited sailing program, while the Park Service obtains a different parcel of waterfront green space along the Potomac. The terms of the Exchange Agreement restrict the proposed boathouse in numerous ways, including:

- The only permitted use of the land is for a non-motorized boat house.
- The height of the boathouse is limited to 40 feet and certain other dimensional requirements.
- The remainder of the 1.09-acre property will be maintained in a naturally landscaped condition.
- The design of the boathouse must be consistent with those in "boathouse row" on the Schuylkill River in Philadelphia or Northeastern University's boathouse.
- There must be no parking on the site.

The property exchange will occur only after zoning is established on the property and various other conditions of sale have been met. The petitioners have separately

---

[2] NPS is legally prohibited from leasing government property, hence the need for a sale or exchange of property and accordingly seeking zoning on it to allow boathouse use and development.

applied for a zoning map amendment from "unzoned" federal land to W-1, the lowest density of the three Waterfront zones. This zone is designed to allow a suitable mix of waterfront uses such as marinas and is a low-density zone suitable for controlling the scale of a new boathouse. See the description of the proposed Georgetown University boathouse, as well as a site plan, floor plans, rendering and elevation in *Exhibit A*.

B. Other Potential Boathouse Locations. In addition to Georgetown University's proposed boathouse, the National Park Service desires to enable other boathouses to be constructed in several other potential locations. One or more boathouses may be desirable as part the Park Service's current review of future uses for Anacostia Park as well as locations on the west bank of the Anacostia and the Potomac River. This review is occurring in tandem with the Anacostia Waterfront Initiative ("AWI"), being spearheaded by the Office of Planning and with a major commitment of effort by 18 federal agencies as well.

A key concept in the AWI planning is the desirability of a continuous open space trail, accommodating biking and hiking, along both sides of the Anacostia and connecting with existing bike trails along the Potomac River and Tidal Basin areas. The preliminary plans favor creation of a few non-motorized boathouses for recreation and to help enliven the riverfront trail with suitable activity spots of an environmentally friendly nature. The proposed text amendments would help carry out such plans.

Without the text amendments, variances by the Board of Zoning Adjustment ("BZA") would be needed at some or all future boathouse locations to waive the normal parking requirement for a marina and waive the requirement that every lot must have frontage on a street. If the text amendments are adopted, the zoning process will simply

be adoption of zoning for the affected property. Some of the potential boathouse locations are as follows:

- *Anacostia Park.* Various locations along the east bank of the Anacostia River are being considered for boathouse use. The great majority of the riverfront land on the east bank for several miles consists of the Anacostia Park. This park, maintained and managed by the National Park Service, has some recreation facilities, but is predominantly open grassland with some other vegetation along the waterfront.
- The West Bank of the Anacostia also offers at least two potential locations for future boathouses -- a site upstream of the Navy Yard, between new development now occurring on the former Washington Gas property and the river, and the stretch of the riverbank between the 11th Street bridge and the railroad bridge. (See the attached maps in *Exhibit B.*)
- Finally, there may be potential for an additional boathouse along the Potomac River in areas zoned W-1 on the Georgetown waterfront.

C. Zoning Rationale. These zoning text amendments are proposed in this case rather than a separate multiple variance case at the Board of Zoning Adjustment ("BZA") for two reasons. The first is to save some time so that the University may proceed to finalize plans and go to construction approximately six months earlier than otherwise. The delay occurs because the W-1 zoning proposed in the map amendment case must have a final order in effect before variance applications could even be filed. Second, and more importantly, the proposed text amendments are designed to address site development issues not only of the Georgetown University boathouse but also a series of

other boathouses or "boathouse rows" along the Potomac and Anacostia Rivers contemplated by the National Park Service, the Office of planning and other waterfront planning such as that being done by the National Capital Planning Commission ("NCPC"). The Office of Planning, along with NPS and NCPC, is involved in waterfront planning initiatives (especially the Mayor's Anacostia Waterfront Initiative) aimed at making better recreational use of the city's rivers, among many other objectives. Boathouses can be one source of low-impact recreational activity along the city's waterfronts.

In a number of these additional boathouse locations, the surrounding land will be public parks, and the boathouse sites may lack street frontage as normally required for creation of a record lot in order to build a structure. Also, in some of the locations, parking for vehicles may be infeasible or undesirable, and may be unnecessary as well for use by a nonprofit or institutional boat club or team. Given the agreement between NPS and GTU to cooperate on the University's boathouse, it is a logical extension of that effort to propose text amendments that will be of use to additional boathouses sponsored or authorized by NPS, public schools and others. Note that the flexibility to be provided by the proposed amendments applies only to facilities where there would be no renting of boats for use by the general public. Boathouses or marinas with public or commercial use of watercraft would not have the exemption from street access to the lot and the parking waiver.

II. PROPOSED ZONING TEXT AMENDMENTS

The four zoning text amendments proposed in this Petition provide special regulatory controls and flexibility for waterfront properties surrounded by public park

land and having no street frontage. The proposed amendments are as follows, together with commentary in italics after each one:

1. Adopt a new definition in Section 199:

Boathouse – a building or structure designed and used to store and provide water access for non-motorized watercraft. Eligible watercraft include racing shells, kayaks, canoes, sailboats, rowboats and similar boats. One or more motorized safety launches for coaches are allowed for supervision of rowing practice and water safety. A boathouse may include rest rooms, showers, locker rooms, kitchen, exercise area, boat storage and maintenance, coach's office, rowing tank, dock, and related functions.

Comment: This definition limits the facility to non-motorized watercraft and sets forth the basic components allowed in a boathouse. A few motorized boats for coaches are allowed for safety and supervision of rowing. The definition also provides a specific linkage to "boathouse" as a permitted use in the W zones.

2. Amend § 3202.3 to allow creation of a lot without street frontage, as follows:

3202.3 Except as provided in § 2516 and the Act of Congress of June 28, 1898 (30 Stat. 520, chapter 519, § 5), a building permit shall not be issued for the proposed erection , construction, or conversion of any principal structure, or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate lot of record; except buildings and structures related to a fixed right-of-way mass transit system approved by the Council of the District of Columbia; **and except land that fronts on a public body of water and is otherwise surrounded by public park land.** Any combination of commercial occupancies separated in their entirety, erected, or maintained in a single ownership shall be considered as one (1) structure.

Comment: This proposed amendment to §3202.3 (within §3202 Building Permits) would allow creation of a lot without street frontage in those very limited situations where the land fronts on a public body of water and on other sides is surrounded by public park land. There are a number of locations along the Anacostia and Potomac Rivers where existing parkland exists and where it may well be unnecessary and undesirable to create a public street along a parcel in order for it to be eligible to be subdivided as a lot.

3. Amend the use provisions in § 901.1 of the Waterfront zone to add "boathouse" as a matter-of-right use with two conditions, as follows:

901.1(v) Boathouse; Provided that the boathouse shall be used by a boat club, private institution, public school or other local government entity for

recreational or competitive boating activities of a non-commercial and nonprofit nature, and no rental of watercraft to the general public shall be allowed; and provided further that the boathouse shall either be constructed in the W-1 zone or limited to the area requirements of the W-1 zone as set forth in §§ 930, 931 and 932 of this title.

Comment: This amendment to §901.1 of the Waterfront zones would add "boathouse" as a permitted use as a matter of right, but subject to conditions including a limitation that the boathouse may only be for the use of a boat club, institution or public school for recreational and competitive purposes, with the important caveat that no renting of watercraft to the general public is allowed.

4. Amend the parking regulations in §2101.1 under "Places of Public Assembly (Except Hotels)," as follows:

USES	NUMBER OF PARKING SPACES REQUIRED
~~Boat club or~~ marina	1 for each 4 berths or slips
Boathouse	**No requirement**

Comment: This proposed amendment to the parking schedule in § 2101.1 would establish that no parking is required for a boathouse. The lack of a requirement, of course, does not prevent parking from being provided in those locations where it is feasible and desirable.

III. PUBLIC BENEFITS OF THE PROPOSED TEXT AMENDMENTS

1. Low-Impact Recreational Use of the Waterfront; No Adverse Effects on Neighboring Property. The proposed boathouse will help animate this part of the waterfront while generating no motor vehicle traffic and providing no paved surface for parking. The boathouse will be an environmentally "friendly" use on the waterfront and will not adversely affect the use and enjoyment of neighboring properties.

The members of the crew team will walk to the boathouse, either from the Georgetown University campus immediately to the north of the site or from the end of K Street. The rowing shells will be brought to the boathouse from the end of K Street to the east of the boathouse site. In addition to use by the University's crew team, the

boathouse will be used for a limited University sailing program and by young day campers during three to four weeks of the summer. Thus, the facility will provide for healthy, outdoor activity for university students and, during the summer, a few younger students. Very little noise other than human voices and the lapping of water will be generated by the activities on site, although a few, motorized coaches launches will be needed for water safety and to supervise rowing. The proposed activities are highly desirable on the Potomac River, especially given the fact that Washington's riverfronts are inaccessible to the public or underutilized for recreation in all too many places. Because the boathouse property fronts on the Capitol Crescent Trail, the proposed use will also add visual and recreational interest for hikers and bikers on this part of the trail. As mentioned previously, there will be no parking or vehicular traffic at the site because of lack of street access and prohibition of parking under the terms of the land exchange. Finally, under the terms of the Exchange Agreement, "The University agrees to maintain as much of the site as possible in a naturally landscaped condition." Thus, the site will continue to be substantially devoted to grass and small trees -- part of the park environment along the Potomac.

2. Consistency with the Comprehensive Plan. The Home Rule Act provides that zoning shall not be inconsistent with the *Comprehensive Plan for the National Capital* (the "Plan"). The requested map amendment is fully consistent with, and advances relevant policies of, the Comprehensive Plan.

a. Waterfront Planning, Recreation and Environment. The District Elements of the Plan, at 10 DCMR 1115.1(c) under "Public and Institutional Land Use Objectives," calls for the District to engage in waterfront planning and to capitalize on "unrealized

opportunities for creating exciting and imaginative water-focused recreation . . . and cultural development along the Anacostia and Potomac Rivers and [ensure] that new development enhances the physical and environmental quality of the rivers and adjoining areas." The proposed W-1 zoning and non-motorized boathouse use would advance this public objective.

b. Ward Two Element – Urban Design, Recreational Use. The Ward Two Element of the Plan, under Urban Design objectives at 10 DCMR 1317.1(d) states:

> *Emphasize superior design of new development and open space along Ward 2 waterfront areas:*
>
> *(1) The city, working with the National Park Service, shall ensure that Ward 2 waterfront areas, including Georgetown, Maine Avenue, Buzzard Point and along the Anacostia, provide public access and use.*

The proposed boathouse as designed can accurately be described as being of superior design quality. In granting conceptual design approval on October 18, 2001, the Commission of Fine Arts members were generous in their praise of the design, its suitability for the waterfront site and the manner in which it enhances and is compatible with the design of the adjacent Washington Canoe Club boathouse. The Historic Preservation Review Board and the Old Georgetown Board were also supportive. This positive result began with the mandate of the Park Service in the Exchange Agreement that the boathouse design must be generally consistent with the design of either Boathouse Row" on the Schuylkill River in Philadelphia or the boathouses of Northeastern University. Muse Architects examined a number of additional boathouses, including those in Cambridge, Massachusetts.

The resultant design uses gabled roofs, materials of shingle and stone, and porches and decks to link this new boathouse to the boathouse traditions of the past and create a handsome complement to the adjacent Washington Canoe Club structure. Because of topography and the low building scale, the proposed boathouse will be virtually invisible from points inland from the shore and primarily viewable from the Potomac River and the Virginia shore.

c. Federal Element – Natural Features and Recreation on Waterfronts. The Federal Elements of the Comprehensive Plan include the following policy statement under "Natural Features, Shorelines and Waterfronts:"

> *All lands within 150 to 200 feet of the water's edge along the Potomac and Anacostia Rivers should be managed in a manner that will encourage the enjoyment and recreational use of water resources, while protecting the scenic values of the waterways.*

The Applicants believe that the requested W-1 zoning, the boathouse use and design and continued open space use will advance this public policy.

d. Generalized Land Use Map – Land Use Element. The Generalized Land Use Map of the District's Land Use Element designates the subject site within a generous, continuous band of land along the edge of the Potomac River for use as "Parks, Recreation and Open Space." Clearly, the proposed zoning and restricted recreational and open space use of the Property as required under the Exchange Agreement are consistent with this land use designation.

IV. CONCLUSION

For the reasons set forth in this statement, the Petitioners respectfully request that the Zoning Commission schedule a public hearing to consider adoption of the proposed text amendments.

Sincerely,

Cynthia A. Giordano

Nathan W. Gross, AICP

EXHIBIT A: The Proposed Georgetown University Boathouse

THE GEORGETOWN UNIVERSITY BOATHOUSE

After conceptual design and feasibility studies by Robert A.M. Stern Architects confirming the feasibility of the use, the University selected Muse Architects in Washington, D.C., to design the new boathouse. Muse Architects undertook extensive field studies of the boathouses referenced above and others, including those in Cambridge, Massachusetts. The resulting design has been approved with extremely favorable comments by the Historic Preservation Review Board, the Old Georgetown Board and the Commission of Fine Arts.

The site is located immediately adjacent to the Washington Canoe Club and Potomac Boat Club facilities. The building massing was conceived as three parts, in deference to these smaller structures adjacent to the site. Gabled roofs, materials of shingle and stone, and porches and decks link this new boathouse to the boathouse traditions of the past and create an handsome complete to the adjacent boathouse of the Washington Canoe Club. Because of topography and the low building scale, the proposed boathouse will be virtually invisible from points inland from the shore and primarily viewable from the Potomac River and the Virginia shore.

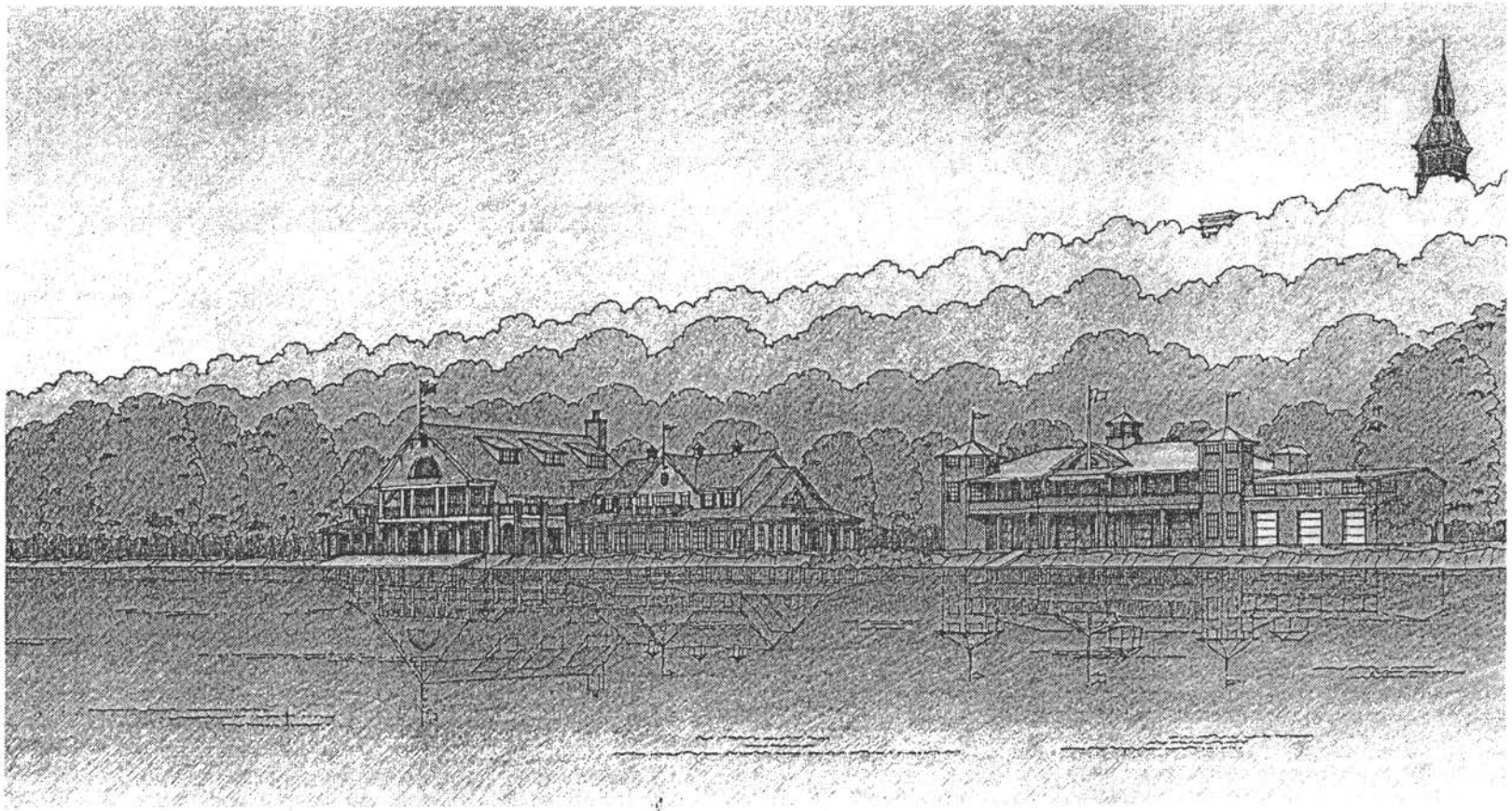
The boathouse will have functional areas for racing shell storage, repair bay, rowing tank (for indoor practice in inclement weather), showers/locker rooms/restrooms, ante room with kitchen, multi-purpose area for exercise and training, observation deck, coach's office, dock and ramp for water access. Because the site is nine feet below the 100-year flood plain elevation, the design will allow flood waters to enter the first floor but not reach the upper floors. After floods, the mud will be cleaned from the ground floor to make the structure ready for use again. Because its location on a flood plain, the D.C. Environmental Health Administration and Watershed Protection Division will review the project.

The zoning computations for the boathouse are as summarized below, subject to relatively minor modifications:

▪ Land Area	1.09 acres, or 47,480 s.f.
▪ Gross floor area	33,199 s.f.
▪ FAR	0.69 vs. 1.0 nonresidential allowed in W-1
▪ Lot Occupancy	41% (building coverage of 19,378 s.f.
▪ Height	40 feet to ceiling of uppermost story

These zoning text amendments are proposed rather than a multiple variance case at the Board of Zoning Adjustment ("BZA") for two reasons. The first is to save some time so that the University may proceed to finalize plans and go to construction four to six months earlier than otherwise. The delay occurs in part because the W-1 zoning proposed in the map amendment case must have a final order in effect before the variance application can be filed. Second, and more importantly, the proposed text amendments

are designed to address site development issues not only of the Georgetown University boathouse but also a series of other boathouses or "boathouse rows" along the Potomac and Anacostia Rivers contemplated by the National Park Service and other waterfront planning such as that being done by the National Capital Planning Commission ("NCPC"). The Office of Planning, along with NPS and NCPC, is involved in waterfront planning initiatives (especially the Mayor's Anacostia Waterfront Initiative) aimed at making better recreational use of the city's rivers, among many other objectives. Boathouses can be one source of low-impact recreational activity along the city's waterfronts.



GEORGETOWN UNIVERSITY

NEW NON-MOTORIZED BOATHOUSE

WATER STREET, N.W. WASHINGTON D.C.

RECEIVED
D.C. OFFICE OF ZONING
2002 AUG -6 PM 2:15

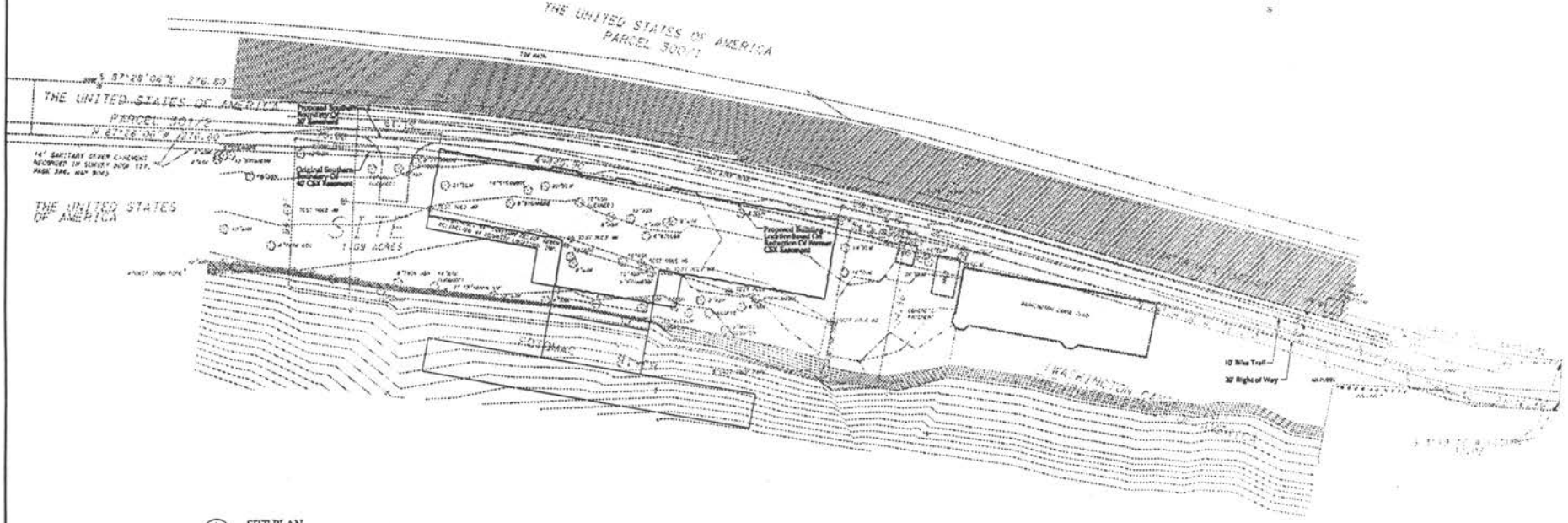
MUSE ARCHITECTS

GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET, N.W. WASHINGTON D.C.

JULY 11, 2002

COVER SHEET

A0.01



1 A0.04 SITE PLAN
SCALE 1" = 30'

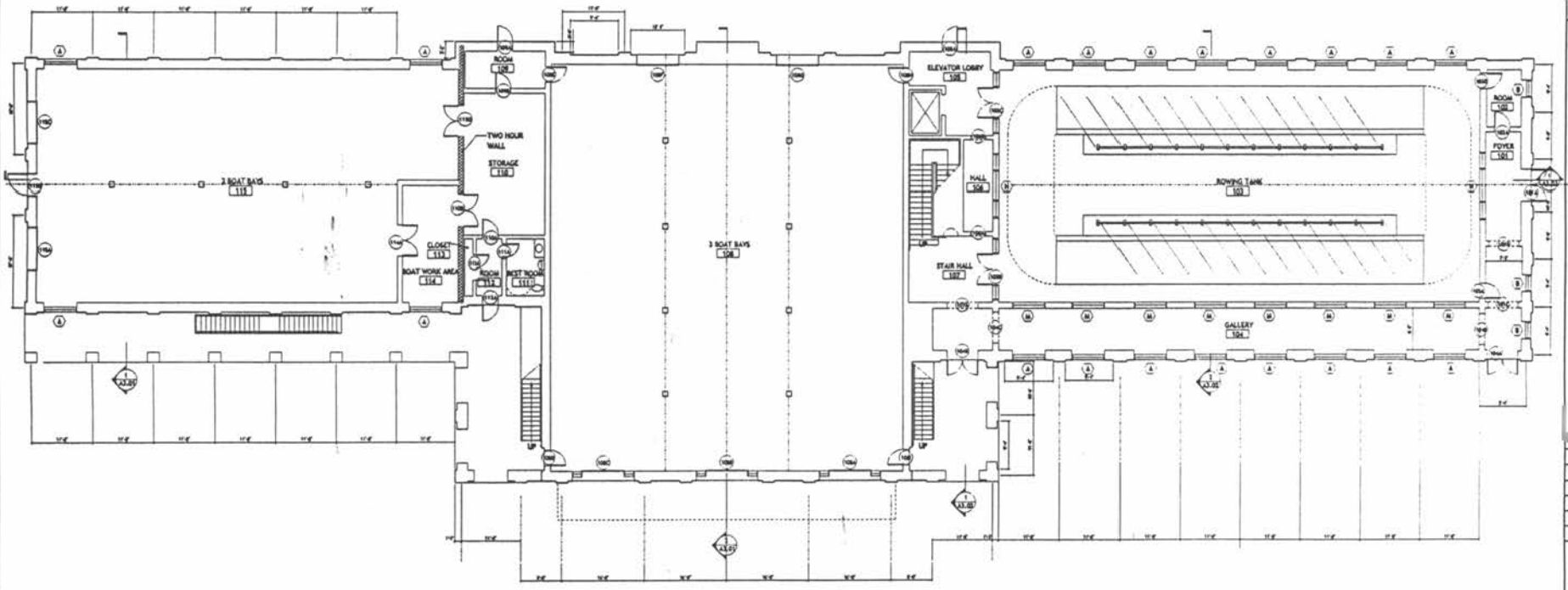
MUSE ARCHITECTS

GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET NW WASHINGTON D.C

APRIL 13, 2022
APRIL 18, 2022
MAY 2, 2022
MAY 16, 2022
JULY 11, 2022

SITE PLAN
SCALE: 1" = 30'

A0.04



1 / A1.01 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

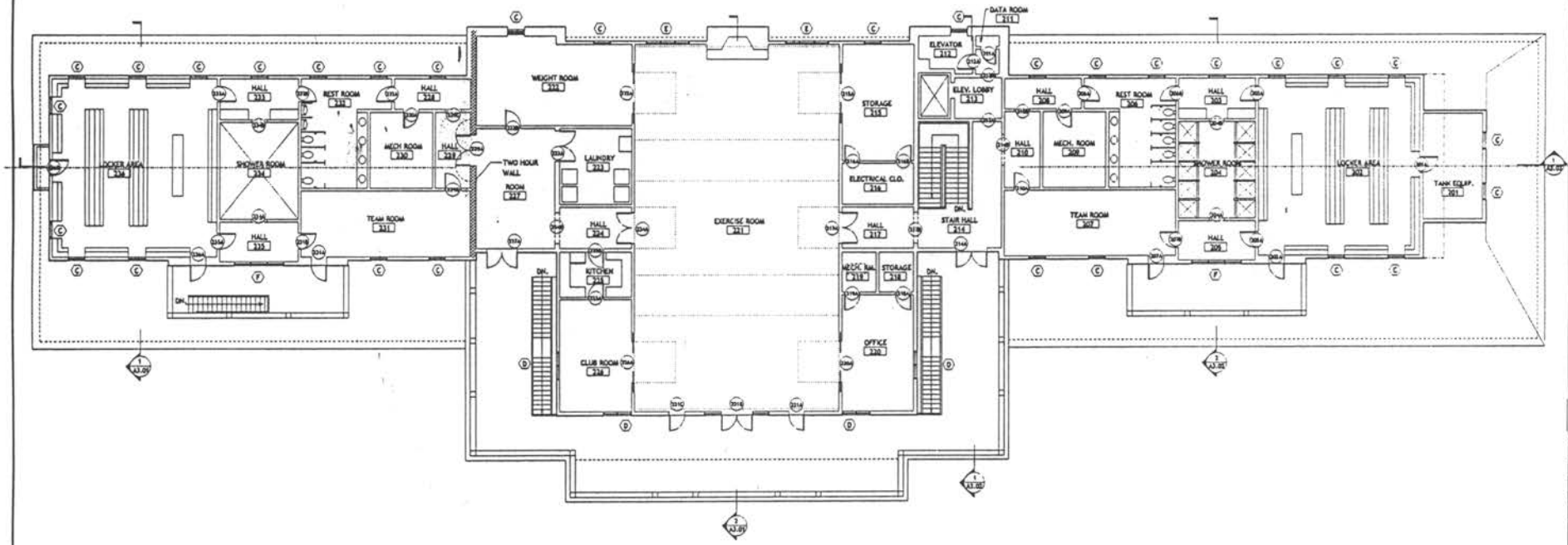
MUSE ARCHITECTS

GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET N.W. WASHINGTON D.C.

JANUARY 24, 2012
MARCH 26, 2012
APRIL 16, 2012
APRIL 23, 2012
MAY 14, 2012
JUNE 18, 2012
JULY 11, 2012

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

A1.0



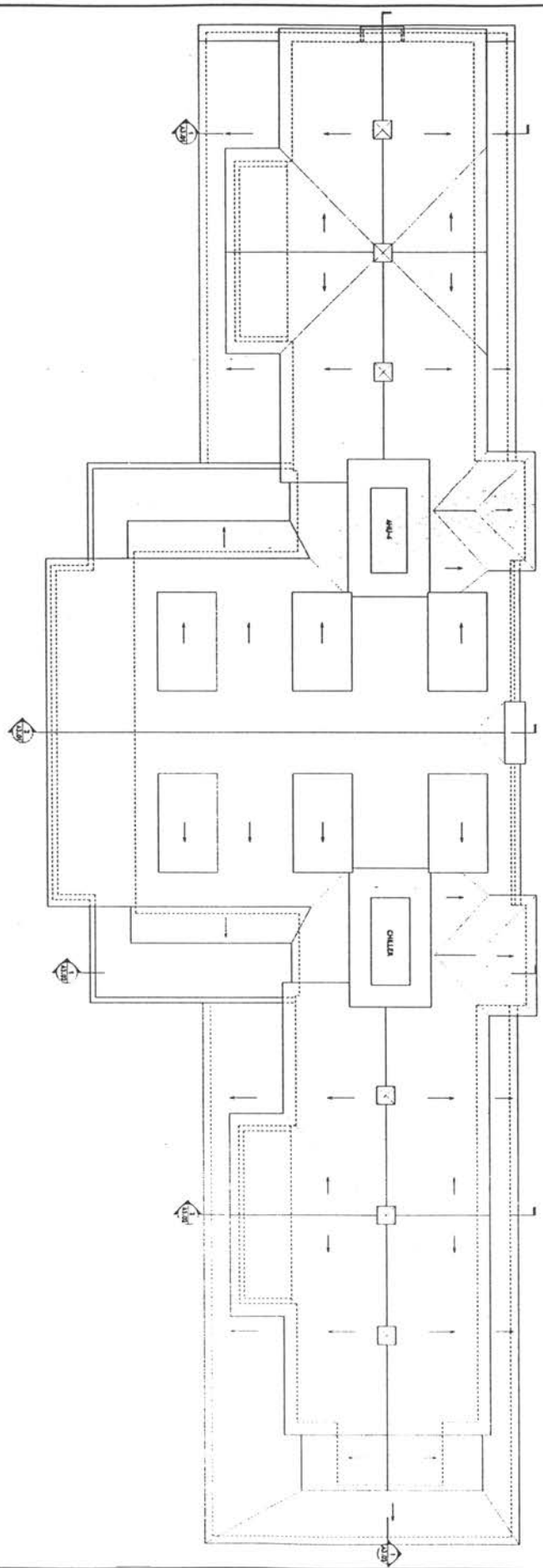
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

MUSE ARCHITECTS

GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET N.W. WASHINGTON D.C.

SECOND FLOOR PLAN

A1.02



1 A1.03 ROOF PLAN
SCALE: 1/8" = 1'-0"

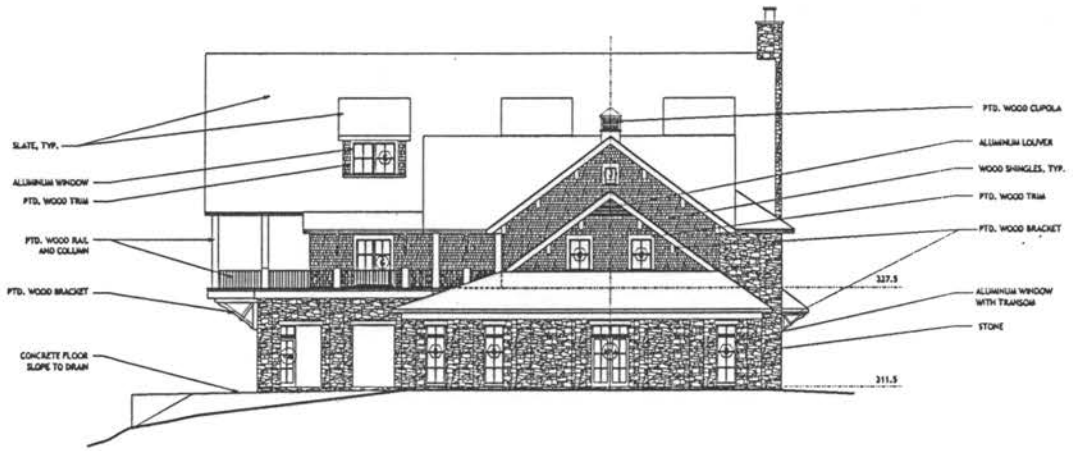
A1.03

ROOF PLAN

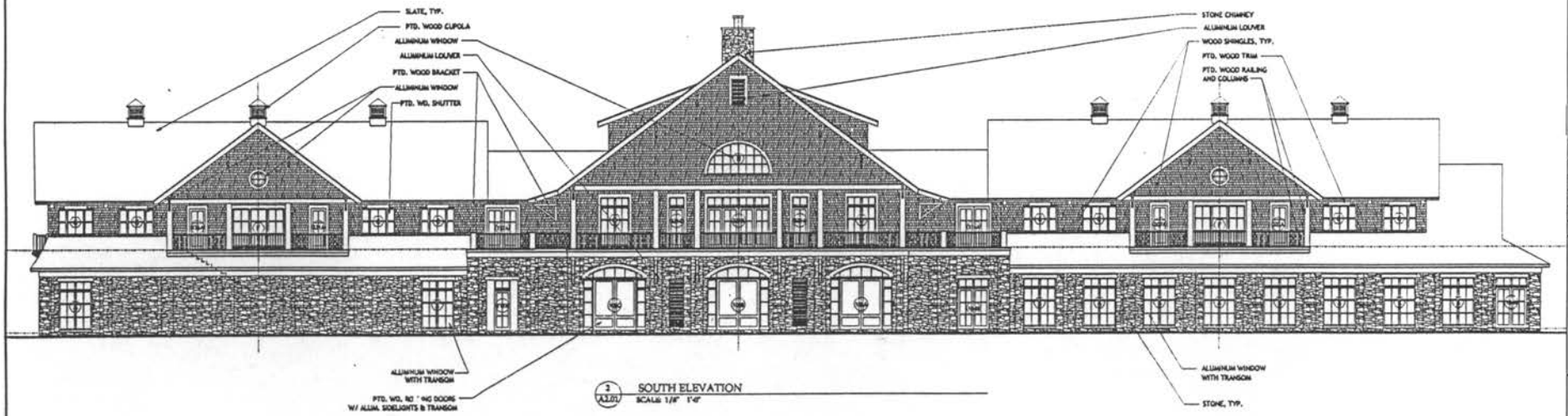
SCALE: 1/8" = 1'-0"

GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET, N.W., WASHINGTON D.C.

MUSE ARCHITECTS
3430 CONNECTICUT AVE., NW, WASHINGTON, DC 20015 202.966-6266
O'DONNELL GRAHAM LANDSCAPE ARCHITECTURE - 229 Prince Street, Annapolis, MD 21401 - Tel. 301.858.4330
MILLER PRYAN, INC. (Structural Engineering Consultant) - 1401 Dolley Madison Blvd, #210, McLean, VA. 22101 - Tel. 703.827.9552
AJ DICESARES, INC. (Mechanical Engineering Consultant) - 4301 Evergreen Lane Suite 204, Annandale, VA. 22003 - Tel. 703.914.3434



1 A2.01 EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 A2.01 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

MUSE ARCHITECTS

GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET, N.W. WASHINGTON D.C.

JULY 26, 2012
APRIL 16, 2012
MAY 18, 2012
JUNE 18, 2012
JULY 11, 2012

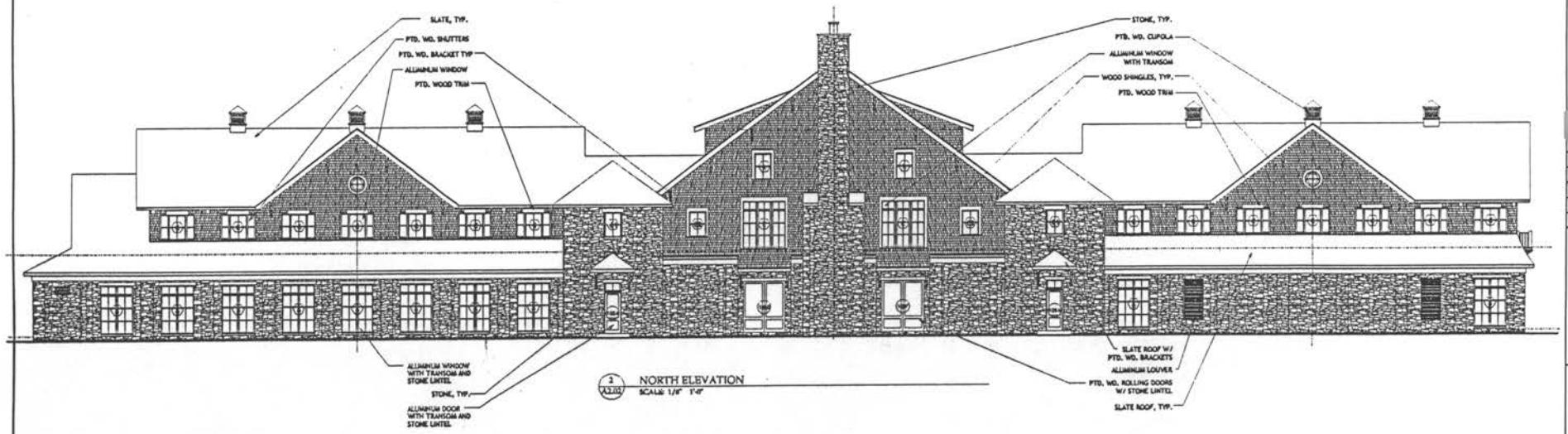
ELEVATIONS

SCALE: 1/8" = 1'-0"

A2.01



1 A2.02 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 A2.02 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

MUSE ARCHITECTS

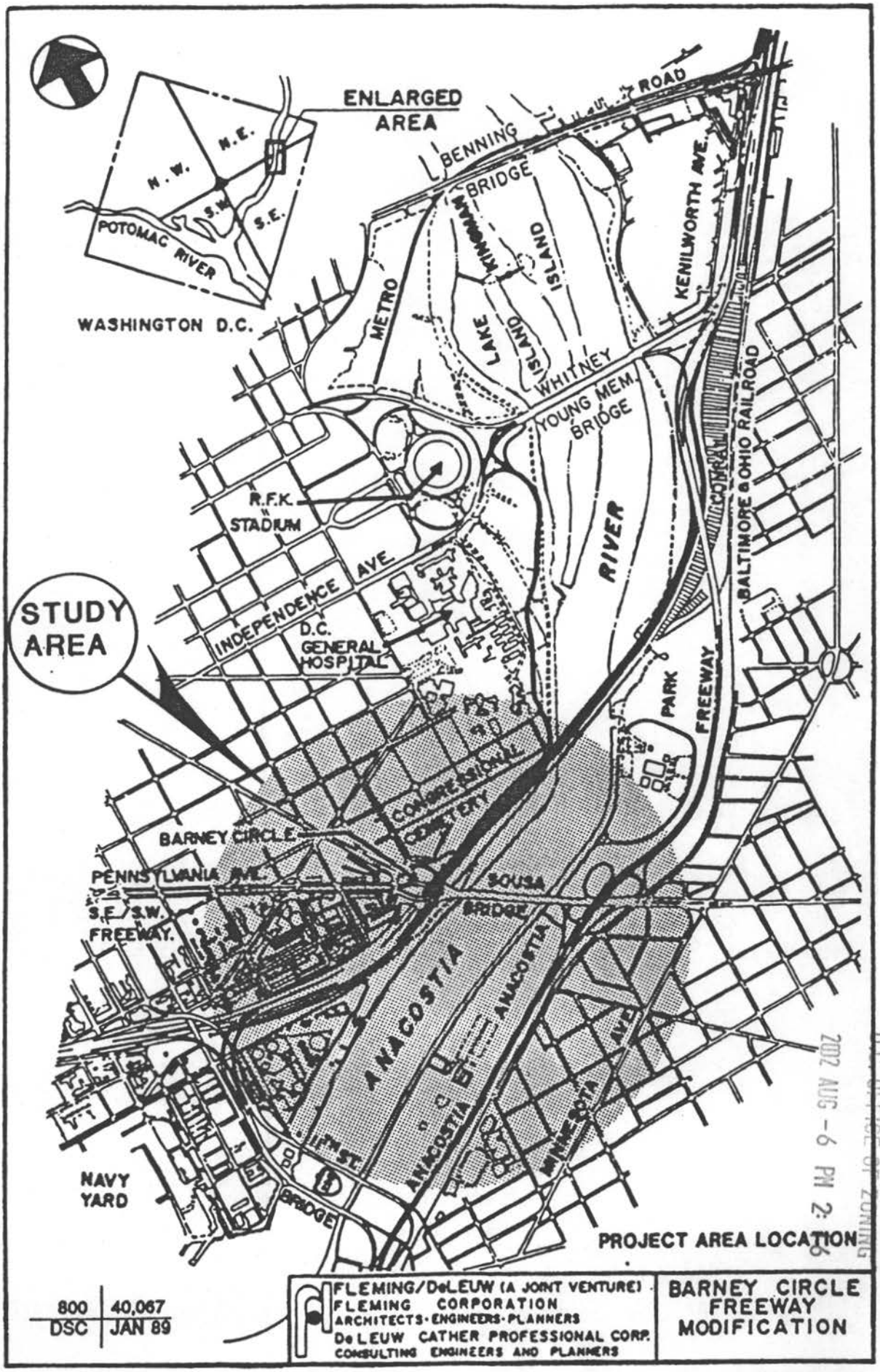
GEORGETOWN UNIVERSITY
NEW NON-MOTORIZED BOATHOUSE
WATER STREET NW WASHINGTON DC

ELEVATIONS

SCALE: 1/8" = 1'-0"

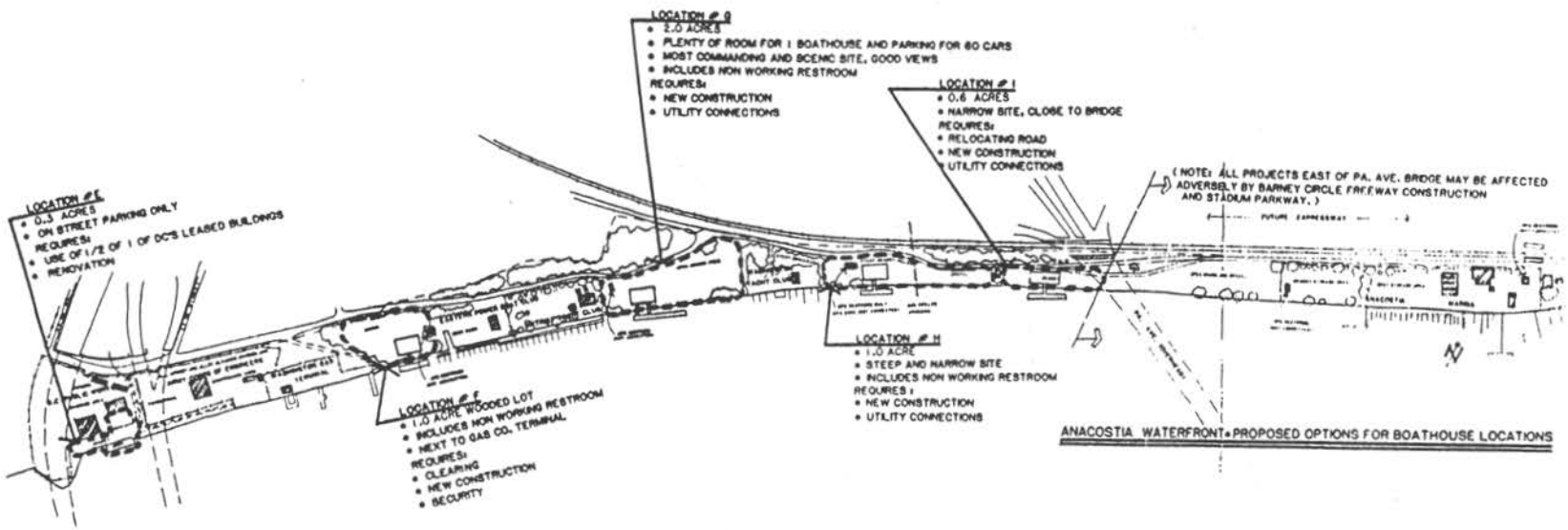
A2.02

EXHIBIT B: Anacostia River Maps – Boathouse Sites



BARNEY CIRCLE FREEWAY MODIFICATION PROJECT

RECEIVED
D.C. OFFICE OF ZONING
2002 AUG -6 PM 2:



Source: ***Special Study: Nonmotorized Boating in the Anacostia and Potomac Rivers, Washington, D.C.; National Park Service, 1989.***

RECEIVED
D.C. OFFICE OF ZONING
2002 AUG -6 PM 2:16