NCPC
NATIONAL CAPITAL PLANNING COMMISSION

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Executive Director

Patricia E Gallagher, AICP

IN REPLY REFER TO
NCPC File No. Z C. 05-08

AUG 10 2005

Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D C 20001

Members of the Commission.

The National Capital Planning Commission, at its meeting on August 4, 2005, approved the enclosed action on the proposed text amendment to Zoning Regulations of the District of Columbia to modify the Capitol Gateway Overlay District to define "Ballpark" and to allow a Ballpark Use Also enclosed, for your information, is a copy of the Staff Recommendation for the project

Please be advised that the Ballpark design must be submitted to NCPC for review and comment under Section 5 of the National Capital Planning Act

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

cc: Mark Touhey
Chairman
D C Sports and Entertainment Commission

Enclosures

ZONING COMMISSION
District of Columbia
CASE NO. 05-08
EXHIBIT NO. 24

ZONING COMMISSION
District of Columbia
CASE NO.05-08
EXHIBIT NO.24

COMMISSION ACTION

NCPC File No. ZC 05-08

Proposed Text Amendment to the Zoning Regulations of the District of Columbia to modify the Capitol Gateway Overlay District to define "Ballpark" and to allow a Ballpark Use

Squares 702, 703, 704, 705, and 706 and Reservation 247
Southeast Washington, D.C.

Submission by the Zoning Commission of the District of Columbia

August 4, 2005

Commission Action Requested by Applicant

Approval of report to the Zoning Commission of the District of Columbia pursuant to Section 8 of the National Capital Planning Act (40 U.S.C. § 8724(a)) and D C. Code § 2-1006(a).

Commission Action

The Commission:

Comments favorably on the proposed text amendment to the zoning regulations of the District of Columbia to modify the Capitol Gateway Overlay District to define "Ballpark" and to allow a Ballpark Use, and finds that it does not adversely affect the identified federal interests and that it is not inconsistent with the Comprehensive Plan for the National Capital.

Makes the following recommendations:

(a) That the retail space along South Capitol Street be used to articulate the façade to avoid unbroken expanses of the building wall.
(b) That stadium lighting both exterior and interior to the stadium be designed such that it minimizes adverse affect upon views of the Capitol building at night from surrounding points.
(c) That the definition of building height include the height of stadium lighting above the building structure.
(d) That signage both interior and exterior to the stadium be designed such that it minimizes adverse affect upon views to the Capitol building, to and from the waterfront, and along

South Capitol Street. This applies particularly to the stadium scoreboard and other illuminated or animated signage.

(e) That parking facilities for both passenger vehicles and buses be located interior to the Ballpark site and below ground, and that compliance to such parking requirements not be limited by the applicant's ability to demonstrate an adverse affect to the economic viability of the Ballpark.

(f) That the total number of parking spaces on site be limited to 1,225 spaces unless otherwise demonstrated that more are needed and can be accomplished without adverse impact.

(g) That a higher percentage of the Ballpark's South Capitol Street wall be built up to the setback line and that building articulation not be used as an artificial substitute for a lack of activity at the street level.

(h) That the security concerns of the Architect of the Capitol and the Capitol Police Board be given due consideration during the Ballpark design process, particularly as they relate to the height of the proposed Ballpark.

Deborah B Young
Secretary to the National Capital Planning Commission

STAFF RECOMMENDATION

NCPC File No. ZC 05-08

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

Proposed Text Amendment to the Zoning Regulations of the District of Columbia to modify the Capitol Gateway Overlay District to define "Ballpark" and to allow a Ballpark Use

Squares 702, 703, 704, 705, and 706 and Reservation 247
Southeast Washington, D C.

Submission by the Zoning Commission of the District of Columbia

July 28, 2005

Abstract

The District of Columbia Zoning Commission has taken proposed action to modify the Capitol Gateway Overlay District in Southeast Washington, D C. to define "Ballpark" and make "Ballpark" an allowable use in the Overlay District in Squares 702, 703, 704, 705, and 706, and in Reservation 247. The proposed action would also establish a Zoning Commission review and approval process and design guidelines for a ballpark and associated uses. All ballpark structures would require Zoning Commission review; none would be permitted as a matter of right in the Overlay District.

Commission Action Requested by Applicant

Approval of report to the Zoning Commission of the District of Columbia pursuant to Section 8 of the National Capital Planning Act (40 U.S.C § 8724(a)) and D C. Code § 2-1006(a).

Executive Director's Recommendation

The Commission:

Comments favorably on the proposed text amendment to the zoning regulations of the District of Columbia to modify the Capitol Gateway Overlay District to define "Ballpark" and to allow a Ballpark Use, and finds that it does not adversely affect the identified federal interests and that it is not inconsistent with the Comprehensive Plan for the National Capital.

Makes the following recommendations:

(a) That the retail requirements for the South Capitol Street façade be greater than twenty percent
(b) That stadium lighting both exterior and interior to the stadium be designed such that it does not interfere with views of the Capitol building at night from surrounding points.
(c) That the definition of building height include the height of stadium lighting above the building structure
(d) That signage both interior and exterior to the stadium be designed such that it does not impede upon views to the Capitol building, to and from the waterfront, and along South Capitol Street. This applies particularly to the stadium scoreboard and other illuminated or animated signage.
(e) That parking facilities for both passenger vehicles and buses be located interior to the Ballpark structure or below ground, and that compliance to such parking requirements not be limited by the applicant's ability to demonstrate an adverse affect to the economic viability of the Ballpark
(f) That the total number of parking spaces on site be limited to the 1,225 spaces recommended by the District of Columbia Office of Planning
(g) That reference to the requirement for review of the Ballpark design by the National Capital Planning Commission under Section 5 of the National Capital Planning Act be included within the text of the proposed action.
(h) That a higher percentage of the Ballpark's South Capitol Street wall be built up to the setback line and that building articulation not be used as an artificial substitute for a lack of activity at the street level.
(i) That the security concerns of the Architect of the Capitol and the Capitol Police Board be vetted during the Ballpark design process, particularly as they relate to the height of the proposed Ballpark.

* * *

BACKGROUND

Previous Commission Action

In October of 2002, the Commission sent the following comments to the Zoning Commission after reviewing the proposed Capitol Gateway Overlay District·

The Commission concludes that the proposed zoning text and map amendments would not adversely affect the identified federal interests nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital. Furthermore, the Commission made the following recommendations.

- The National Capital Planning Commission **requests** to be included as a referral agency in the special exception process as set forth in the CG/W-2 Zoning District - Section §1603 of the proposed regulations.

- The Commission **recommends** that the Zoning Commission revisit the South Capitol Street area once the South Capitol Study is complete so as to develop zoning tools which will encourage the avenue to develop as a coherent corridor and gateway to the National Capital

Capitol Gateway Overlay District

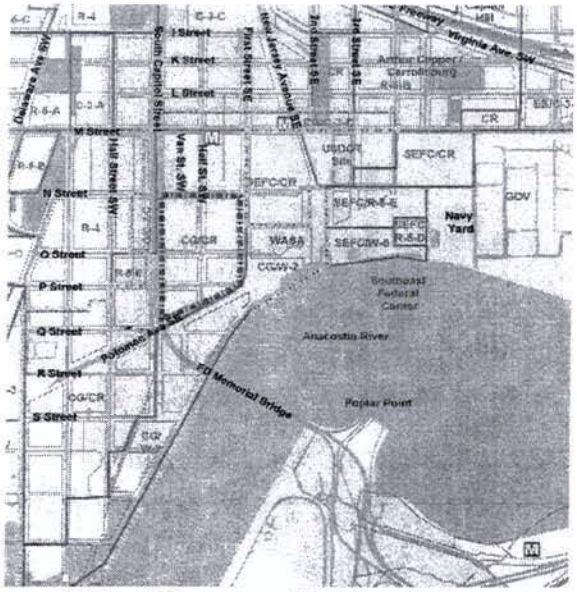
The Capitol Gateway Overlay District is applied to the Buzzard Point and Capitol Gateway areas, which are designated for mixed use development in the Comprehensive Plan for the National Capital. The purposes of the Capitol Gateway Overlay District are to:

(a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally indicated in the Comprehensive Plan and recommended by planning studies of the area;
(b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;
(c) Allow for continuation of existing industrial uses, which are important economic assets to the city, during the extended period projected for redevelopment;
(d) Provide for a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings, and provide for continuous public open space along the waterfront with frequents public access points;
(e) Require suitable ground-level retail and service uses and adequate sidewalk width along M Street, SE, near the Navy Yard Metrorail station

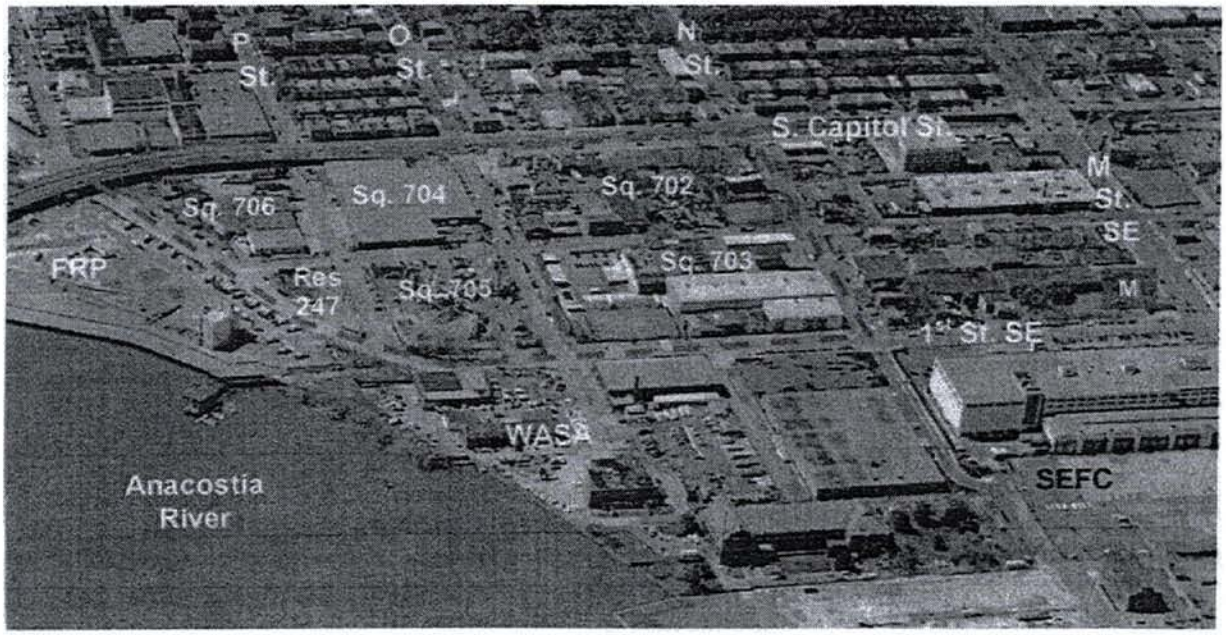
PROJECT DESCRIPTION

Site

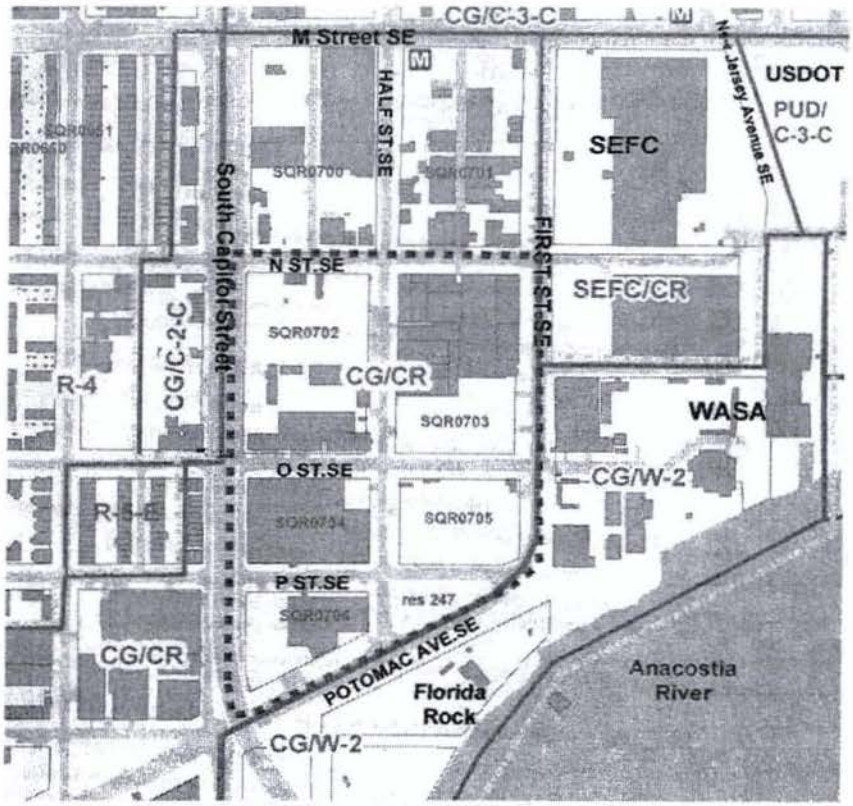
The site for the proposed major league baseball stadium encompasses Squares 702, 703, 704, 705, and 706, and Reservation 247 in Southeast Washington, D.C. Portions of O and P Streets would be closed between South Capitol Street and 1st Street, SE to accommodate the stadium's construction. The site is adjacent to the Anacostia waterfront and within walking distance of Metrorail's Navy Yard station on the Green Line.



Site of Proposed Ballpark Area



View of Ballpark Area from Anacostia River



Limits of Ballpark Area Showing Squares

PROPOSAL

The Zoning Commission has taken a proposed action to approve a text amendment to the Zoning Regulations to modify the Capitol Gateway Overlay District (Chapter 16) to define "Ballpark" and "Ballpark Area" and to allow a ballpark to be constructed in Squares 702, 703, 704, 705, and 706, and Reservation 247 in Southeast Washington, D.C..

The proposed action adds Section 1606 to Chapter 16 of the District of Columbia Zoning Regulations to define "Ballpark" as "a stadium or arena, including accessory buildings or structures (including, but not limited to office and transportation facilities) that has as its primary purpose the hosting of professional athletic team events." Further, it allows a "Ballpark" to "be used to host events customarily held in such facilities including, but not limited to performances, amateur sporting events, municipal functions, and public or private ceremonies." The proposed action also defines "Ballpark Area," the location within the Capitol Gateway Overlay Area within which a Ballpark may be built and operated, as "Squares 702, 703, 704, 705, and 706, and Reservation 247."

Section 1606 also eliminates residential floor area ratio requirements for the Ballpark Area, and sets the maximum height of the Ballpark structure, its setback from South Capitol Street, the number and location of passenger vehicle and tour bus parking spaces, the location of the Ballpark's pedestrian entrances, and the minimum amount of street front retail.

Further, Section 1606 does not permit a Ballpark to be constructed in the Ballpark Area as a matter of right, rather it requires that any Ballpark or associated structures be reviewed by the Zoning Commission for compliance with the detailed requirements for siting, architectural design, site plan, landscaping, and sidewalk treatments outlined within Section 1606.

Detailed Requirements of Proposed Text Amendment

Floor Area Ratio

No portion of the floor area ration (FAR) need be used to satisfy the residential FAR requirements applicable to other development projects within the Capitol Gateway Overlay District.

Permitted Height

According to the proposed action, "the Ballpark's maximum permitted height shall be that permitted by the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (Stat. 452, D C. Official Code §§ 6-601.01 to 6-601 09), as amended." In addition, any portion of the Ballpark that exceeds 110 feet in height "shall provide an additional one-to-one (1:1) step back from the building line along South Capitol Street."

Setbacks

Each building or structure in the Ballpark Area shall be set back for its entire height and frontage not less than 15 feet measured from the property line along South Capitol Street, provided that a minimum of 60 percent of the street-wall shall be constructed on the set back line. Additionally, any portion of the Ballpark that exceeds 110 feet in height shall provide an additional one-to-one (1:1) step back from the building line along South Capitol Street

Required Street Front Retail

The Ballpark is required to devote not less than 20 percent of the building's exterior perimeter façade to neighborhood serving retail, service, entertainment, or arts uses, or museum uses or offices associated with baseball use. Such uses are required to have a street orientation, provide direct exterior access at ground level, have a minimum floor to ceiling height of 14 feet, an average depth of 50 feet, and have not less than 50 percent of their exterior wall area devoted to display windows with clear or low-emissivity glass The Zoning Commission may grant relief from any of these requirements if necessary to the economic viability of the Ballpark and if consistent with the purposes of the Capitol Gateway Overlay District and the architectural design requirements contained within the text of Section 1606.

Passenger Vehicle Parking

One thousand two hundred and twenty five parking spaces will be provided for passenger vehicles for the Ballpark use within the Ballpark area and located underground Additional

parking spaces and parking spaces not located underground will be permitted subject to the approval of the Zoning Commission upon the applicant demonstrating that the parking spaces are needed to satisfy parking demand generated by the Ballpark not met by existing or approved but not yet constructed parking facilities, and by the applicant proving the case of practical difficulty in providing such spaces underground. In such a case, the Zoning Commission will consider the request for additional parking or parking not below ground against any adverse impacts that the parking will have on traffic and aesthetics to the surrounding neighborhood.

Bus Parking

All bus parking and loading platforms and berths will be located internal to a building in the Ballpark Area, with doors and entrance ways designed to complement the building façade, and to permit safe and convenient vehicular and pedestrian movement. The Zoning Commission may grant relief from this requirement if necessary to the economic viability of the Ballpark and if consistent with the purposes of the Capitol Gateway Overlay District.

Pedestrian Entrance Gates

A minimum of one pedestrian gate to the Ballpark is required to be positioned on each street frontage of the Ballpark.

Driveway Curb Cuts

No private driveway may be constructed or used from either South Capitol Street or P Street, SE to any parking or loading berth in or adjacent to Ballpark buildings.

Design Guidelines

An applicant requesting approval for a Ballpark in the Ballpark Area must prove that the proposed siting, architectural design, site plan, landscaping, and sidewalk treatment for the building or structure will:

(a) Be of a superior quality;
(b) Help achieve the objectives of the Capitol Gateway Overlay District;
(c) Be in context with the surrounding neighborhood and street patterns;
(d) Provide for openness of views and vistas between the Ballpark, federal monumental buildings, the waterfront, and the surrounding neighborhood;
(e) Provide for safe and convenient movement to and through the site, including to public transit and to the Anacostia River;
(f) Minimize conflict between vehicles and pedestrians;
(g) Encourage the design and development of properties in a manner that is sensitive to the establishment of South Capitol Street as a monumental civic boulevard;
(h) Encourage safe and active streetscapes through the provision of active ground level uses including retail, entertainment, cultural, and pedestrian concourse space;
(i) Minimize unarticulated blank walls adjacent to public spaces through façade articulation;
(j) Promote the use of best practice environmental design,

(k) Minimize associated noise;
(l) Minimize light spill; and
(m) Utilize signage design and location to maximize effectiveness while minimizing adverse visual impact on streetscape character

The Zoning Commission further reserves the right to impose requirements pertaining to building or structure design, appearance, landscaping, signage, lighting, and other such requirements, as it deems necessary to protect neighboring property and to achieve the purposes of the Capitol Gateway Overlay District. The commission may hear and decide any additional requests for relief from zoning regulations for the subject site. Exception from the requirements of Section 1606 shall not apply to an application for Zoning Commission approval unless accompanied by a written report of the Office of Planning certifying that the application is compliant with the standards of that section.

PROJECT ANALYSIS

Identified Federal Interests

Identified federal interests include South Capitol Street, the United States Capitol Building, the Anacostia River, O and P Streets, SE, the Southeast Federal Center, the Washington Navy Yard, Reservation 247, the Navy Yard Metrorail station, the L'Enfant Plan, NCPC's South Capitol Street Planning Study, Memorials and Museums Master Plan, Legacy Plan, and the Anacostia Waterfront Initiative.

Executive Summary

Overall, staff finds no major concerns with the proposed text amendment and finds that it addresses most of the same issues that staff was able to identify as relevant to the Commission's interests The Ballpark use is not inconsistent with the Comprehensive Plan nor would it, in and of itself, adversely affect the identified federal interests. The District of Columbia is required to submit the Ballpark design to the Commission for review under the National Capital Planning Act, and the Commission would have the opportunity to comment on specific design issues at that time. The development controls included as part of the proposed text amendment and the requirement for the Ballpark itself to be reviewed by the zoning commission provide additional assurance that the Ballpark design will be sensitive to identified federal interests.

Staff did identify several issues that are worthy of Commission comment; these are discussed in more detail below:

Security of the Capitol Complex

Because of the relative elevations of the Ballpark Area site and the Capitol Building, and the proposed height limit of the Ballpark of 130 feet, it is possible that the occupied portions of the Ballpark may be equal to or exceed the height of occupied portions of the Capitol Building The

Architect of the Capitol (AOC) has expressed concern that this issue be fully vetted as the Ballpark design review proceeds

Views

The Ballpark will be a very large and prominent building near the Anacostia River and along the South Capitol Street gateway to the city. Its size and placement create significant design challenges to ensure that it will complement, rather than compromise the prominence of the Capitol building in surrounding viewsheds Additionally, if a signature bridge is constructed at this important gateway, the Ballpark design might compete visually with the bridge. Staff recommends that the architectural development controls be amended to contain language that requires the Ballpark design to complement the Capitol building.

Light Pollution

The National Capital's illuminated monuments and significant buildings comprise perhaps the most recognizable symbol of the city. During night time hours, they boldly identify the city, its dynamic urban skyline As ballparks are also highly illuminated during use, the proximity of the proposed Ballpark to the Capitol in particular creates a design challenge When seen from the ridges and parkways surrounding the downtown, the illuminated ballpark should not detract from the Capitol, Washington Monument, and Lincoln and Jefferson Memorials. Lights from the Ballpark should be directed away from the National Mall.

Signs

Staff is concerned that signage both exterior to and interior to the Ballpark could adversely affect views from the river, along South Capitol Street and to the Capitol building itself. Signage placed on the exterior of the building as well as signage within the Ballpark that is visible from outside of the building is likely to be large, illuminated, animated and to contain advertising. In particular, a scoreboard structure is likely to be a prominent feature of any Ballpark building. Such signage should be carefully controlled to contribute to rather than detract from views in the South Capitol Street corridor. Staff recommends that the proposed text amendment be modified to include language protecting important views from the intrusion of Ballpark signage.

Height and Street Wall

The maximum height of a Ballpark constructed in accordance with the proposed text amendment would be consistent with that of other future buildings along South Capitol Street. The proposed text amendment suggests that the Ballpark wall facing South Capitol Street should be stepped back above a height of 110 feet, consistent with the zoning along South Capitol Street. The proposed text amendment allows for sufficient flexibility in the height of a future Ballpark to allow its design to respond to a complex variety of planning factors currently in flux. Staff will review the future Ballpark design to determine whether the proposed height along South Capitol Street creates an appropriate street wall in this location. Staff recommends, however, that the proposed definition of building height be amended to include any stadium light standards that extend above the building structure.

Build-to and Setback Lines

The proposed text amendment requires that the Ballpark wall along South Capitol Street be set back 15 feet consistent with the set back that will be required of other future buildings along the street. Further, it requires that a minimum of 60% of the South Capitol Street wall be built up to this setback line. Staff recommends that a higher percentage of the wall be built up to the setback line and that building articulation not be used as an artificial substitute for a lack of activity at the street level.

Federal Reservation 247

This parcel, included within the Ballpark area footprint, is not currently in active or productive use. Additionally, it is included among the parcels slated to be transferred from the federal government to the District of Columbia under the Federal and District of Columbia Government Real Property Act of 2005 As such, the proposed text amendment does not adversely affect this federal interest

Percentage of Façade dedicated to Retail Use

Staff recommends that a higher percentage of the façade facing South Capitol Street be devoted to retail use above the 20 percent required by the text of the proposed action NCPC's South Capitol Street Planning Study calls for South Capitol Street to be transformed into a lively urban boulevard, and although the Ballpark use could be designed to be compatible with such a boulevard, the façade facing South Capitol Street must be active across its full length in order to contribute to rather than detract from the boulevard environment. Staff recommends that a greater percentage of the Ballpark façade facing South Capitol Street at street level be devoted to retail uses as defined in the proposed text amendment.

Parking

The Zoning Commission is recommending that Ballpark parking be limited to the minimum number of spaces required by Major League Baseball on site. This 41,000 seat stadium will offer only 1,225 parking spaces, all of which will be required to be built below ground. Given the proximity of the Navy Yard Metro Station and the large number of commercial parking spaces available downtown, it seems reasonable to limit the number of spaces provided directly at the Ballpark. Staff recommends that the proposed text amendment not include an allowance for the applicant to demonstrate economic necessity to add additional parking spaces.

Bus Parking

The text of the proposed action recommends that all bus parking serving the Ballpark be located within the Ballpark structure, unless the applicant is able to justify that doing so would not adversely affect the economic viability of the Ballpark. As economic viability is not a planning and zoning matter, staff is recommending that this phrase be eliminated from the text, and that all bus parking be required to be located within the Ballpark structure, regardless of economic justification

Review of Design under Section 5 of the National Capital Planning Act

As a District project outside of the Central Area, the Ballpark will be subject to review by NCPC under the National Capital Planning Act. The requirement for the Ballpark design to be reviewed by NCPC should be referenced in the proposed text amendment.

Federal and District Plans

Staff finds that the proposed text amendment generally conforms to and complements the following Federal and District plans:

- NCPC South Capitol Street Planning Study
- NCPC Memorials and Museums Master Plan
- NCPC Legacy Plan
- District of Columbia Anacostia Waterfront Initiative

L'Enfant Plan

The construction of a Ballpark in the Ballpark Area will have an adverse affect on the L'Enfant Plan. The proposed action anticipates closing portions of O and P Streets, SE and Federal Reservation 247. The impacts of closing these two streets and eliminating the federal reservation will require further consultation by the District of Columbia State Historic Preservation Officer during the project's design phase.

CONFORMANCE

Comprehensive Plan for the National Capital

Staff finds that the proposed text amendment is not inconsistent with the Comprehensive Plan for the National Capital. The text amendment will allow for an intensive mix of uses to be built within walking distance of the Metrorail system and will provide for additional recreational opportunities near the Anacostia Waterfront. Additionally, the text amendment would limit the amount of parking that could be built on site, thereby contributing to regional efforts to address traffic congestion and reduce air pollution.

Memorials and Museums Master Plan

The South Capitol street terminus at the Anacostia River is designated as a federal memorial or museum receiving site. The proposed text amendment to define and allow a Ballpark to occupy the defined Ballpark area will not adversely affect the site designated for the memorial or museum, however a prominent Ballpark design could impact the museum or memorial's viewshed. Staff will undertake a careful review of the Ballpark design relative to this identified federal interest when the design is submitted for Section 5 review.