Government of the District of Columbia
Office of Zoning

Z.C. CASE NO.: 05-08

As Secretary to the Commission, I herby certify that on MAR 24 2005 copies of this Z C Notice of Public Hearing and Notice of Proposed Rulemaking were mailed first class, postage prepaid or sent by inter-office government mail to the following

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ATTESTED BY: _____
Jerrily R. Kress, FAIA
Director

ZONING COMMISSION
District of Columbia
CASE NO. 05-08
EXHIBIT NO. 3

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ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, June 2, 2005, 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 05-08 (Text Amendment - Capitol Gateway Overlay District)

THIS CASE IS OF INTEREST TO ANC 6D

On March 4, 2005, 2004, the Office of Planning, on behalf of the District of Columbia, petitioned, through a set down report, for a text amendment to amend the Capitol Gateway Overlay (CG Overlay) as it would apply to Squares 702, 703, 704, 705, and 706 and Reservation 247, the "Ballpark Site" The Zoning Commission set down the case for public hearing at its meeting of March 14, 2005. The Office of Planning set down report also served as the pre-hearing statement for this case.

The property that is the subject of this application is approximately 20 acres in size, including internal roads, and is zoned CG/CR zoning, which permits medium to high density commercial, residential, or mixed use development The subject site is within the Near Southeast area of the Anacostia Waterfront Initiative, and has been chosen as the location for a new sport stadium for use by the Washington Nationals Major League Baseball Team

The proposed text amendment is as follows.

Title 11 DCMR (Zoning) is proposed to be amended as follows.

A. Chapter 16 CAPITOL GATEWAY OVERLAY DISTRICT Section 1600, PREAMBLE, subsection 1600.2 is amended to add the following new purpose:

"(f) Provide for development of Squares 702-706 and Reservation 247 as a ballpark for major league sport and entertainment and associated uses."

B Chapter 16, CAPITOL GATEWAY OVERLAY DISTRICT, is amended to add the following new Section 1606: to read as follows:

"1606 BALLPARK

1606 1 A Ballpark may be constructed and operated within Squares 702, 703, 704, 705 and 706 and Reservation 247 (the "Ballpark Area").

1606.2 For the purposes of this section, the term Ballpark means 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.

1606 3 The Ballpark may also 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

1606.4 Notwithstanding § 631.1 of this Title, no portion of the FAR need be used for residential purposes within the Ballpark Area.

1606.5 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 (36 Stat 452; D.C Official Code §§ 6-601.01 to 6-601 09), as amended

1606 6 In addition to the streetwall setbacks of §1606 15, 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.

1606.7 All parking spaces shall be provided underground At or above grade parking spaces shall be permitted if approved by the Zoning Commission pursuant to §1606 17, subject to the applicant demonstrating:

(a) Practical difficulty with the provision of underground parking; and

(b) Compliance with the provisions of § 1606.18

1606.8 Eleven-hundred (1,100) parking spaces shall be provided for the Ballpark use within the Ballpark Area Any parking spaces in addition to this amount shall be permitted if approved by the Zoning Commission pursuant to §1606.17, subject to the applicant demonstrating:

(a) 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

(b) Compliance with the provisions of § 1606 18

1606 9 In considering whether to approve additional above ground parking spaces under §1606.8, the Commission shall judge, balance, and reconcile the need for additional off-street parking against any adverse

impacts the presence of the parking structure will have on traffic, and the aesthetics and development of the surrounding neighborhood

1606 10 Any bus parking and loading platforms and berths shall be located internal to a building, with doors and entrance ways designed to compliment the building façade, and shall permit safe and convenient vehicular and pedestrian movement.

1606 11 The Zoning Commission may grant relief from the requirements of § 1606 10 if necessary to the economic viability of the Ballpark and if consistent with the purposes of the CG Overlay as stated in §1600.2.

1606 12 A minimum of one pedestrian entrance gate shall be provided on each street frontage

1606.13 The Ballpark shall devote not less than twenty percent (20%)of the building's exterior perimeter façade to neighborhood serving retail, service, entertainment, or arts uses ("preferred uses") as permitted in §1807 2 of this Title, with the addition of "museum" and "office associated with baseball use"

(a) Preferred uses shall have a street orientation;

(b) Preferred uses shall provide direct exterior access at ground level,

(c) Not less than fifty percent (50%) of area devoted to preferred uses shall be devoted to display windows having clear or low-emissivity; and

(d) The minimum floor to ceiling height of area devoted to preferred uses shall be 14 feet clear

(e) The average depth from the exterior façade in towards the center of the building for space devoted to preferred retail shall be 50 feet.

1606 14 The Zoning Commission may grant relief from the any or all of the requirements of § 1606 13 if necessary to the economic viability of the Ballpark and if consistent with the purposes of the CG Overlay as stated in §1600.2 and the provisions of §1606.18.

1606.15 Each building or structure in the Ballpark Area shall be set back for its entire height and frontage not less than the following amounts, measured from the property line·

(a) South Capitol Street – 15 feet minimum, provided that a minimum of 60% of the street-wall shall be constructed on the setback line

1606 16 No private driveway may be constructed or used from either South Capitol Street of P Street SE to any parking or loading berth areas in or

adjacent to a building or structure constructed after {*Effective Date Of This Section*].

1606 17 The Ballpark and all other proposed buildings or structures within the Ballpark Area shall be subject to the approval of the Zoning Commission.

1606 18 An applicant requesting approval under this section 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 CG Overlay District as set forth in §1600.2;

(c) Be in context with the surrounding neighborhood and street patterns,

(d) Provide for openness of views and vistas toward the Capitol Dome, and between the Ballpark, other 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;

(i) Encourage safe and active streetscapes through the provision of active ground level uses including retail, entertainment, cultural, and pedestrian concourse space;

(j) Minimize unarticulated blank walls adjacent to public spaces through facade articulation,

(k) Promote the use of best practice environmental design

(l) Minimize associated noise;

(m) Minimize light spill, and

(n) Utilize signage design and location to maximize effectiveness while minimizing adverse visual impact on streetscape character.

1606 19 The Commission may 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.

1606.20 The Commission may hear and decide any additional requests for relief from Zoning Regulations for the subject site Such requests may be advertised, heard, and decided together with the application for Zoning Commission review and approval

1606.21 At the time of filing an application with the Commission, the applicant shall pay the filing fee specified in § 3180 1(b)(16), plus such fees as apply to any additional zoning relief requested The provisions of § 3181 relating to the administration of fees shall apply, except that the applicant may appeal any decision of the Director regarding the fee schedule to the Commission, which shall decide the appeal as a preliminary matter to hearing the application."

C Chapter 30 ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, Section 3011 REVIEW AND PROCESSING OF APPLICATIONS AND PETITIONS, subsection 3011.1 is amended to add a clause to the end of the subsection to read as follows

"The exception from the requirements of this subsection shall not apply to an application for Zoning Commission approval pursuant to § 1606 unless accompanied by a written report of the Office of Planning certifying that the application is compliant with the standards of that section "

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, D.C. Official Code § 6-641 01 *et seq*) (2001 Ed))

The public hearing on this case will be conducted in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning Pursuant to § 3020, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W , Washington, D C 20001 **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY JEFFRIES, JOHN G. PARSONS, AND KEVIN HILDEBRAND, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY CLIFFORD MOY, ACTING SECRETARY TO THE ZONING COMMISSION.