



RECEIVED

D.C. OFFICE OF ZONING

Office of the Director

2006 NOV - 6 PM 4: 25

ZONING COMMISSION  
District of Columbia

**MEMORANDUM**

**TO:** Zoning Commission for the District of Columbia

**FROM:** *EM* Ellen M. McCarthy, Director, Office of Planning

**DATE:** November 6, 2006

CASE NO. 06-44

EXHIBIT NO. 3

**SUBJECT:** Zoning Commission Case 06-44 - Report for Setdown for an Emergency Text Amendment to the Mixed Use Commercial Residential (CR) District to permit a temporary WMATA bus parking facility on Square 700 Lot 46.

**RECOMMENDATION**

In response to the request of Holland & Knight representing MR N Street Southeast LLC, Mr Ballpark 5 LLC and the Washington Metropolitan Area Transit Authority (WMATA), the Office of Planning (OP) recommends that the Zoning Commission adopt the following text amendment to DCMR Chapter 11 (Mixed Use Commercial Residential):

In §601 Permitted Uses, addition of a new §601.7 as follows:

**“601.7 Notwithstanding §602.1, and not subject to any otherwise applicable proximity requirement, a surface parking lot accessory to the Washington Metropolitan Area Transit Authority garage facility located on Square 700, Lot 857, is permitted as a temporary use:**

- a. for a period of five (5) years maximum, which may be renewed by the Zoning Commission, on Square 703, Lot 53 if relocated from Square 661, Lot 805; and**
- b. for a period of three (3) years maximum, which may be renewed by the Zoning Commission, on Square 700, Lot 46.”**

This language is similar to that proposed by the applicant, except that it imposes a more stringent time limit. OP recommends this action **on an emergency basis** so that the text amendment will be effective immediately upon setdown, and that the matter be set down for hearing at the earliest possible date. OP further recommends that the Commission authorize the issuance of a Notice of Proposed Rulemaking for the text and that the Commission allow the immediate advertisement of the text. This will allow for full consideration of the proposed rule within the 120-day length of the emergency.

**BACKGROUND**

WMATA employee parking associated with the WMATA Bus Garage located at M and Half Streets SE is currently located within Square 701, proximate to the Navy Yard Metro entrance at the corner of M Street and Half Street SE. This metro station is scheduled for a major upgrade to greatly expand its capacity as it is the closest metro station to the new ballpark, and is at the

center of an area undergoing a rapid redevelopment from low density commercial / industrial to high density office, residential, retail, and entertainment district. WMATA has contracted with Monument Realty to complete this work; Monument also owns all of the west side of this square and has large holdings in Square 700 to the east.

In order to complete the work on the metro station in time for the planned opening of the ballpark in 2008, work must commence on the upgrade as soon as possible. As Monument plans to initiate this work in conjunction with site preparation for a larger redevelopment of their lands in the area, there is an immediate need for this bus parking facility to be moved to a new location in close proximity. Most of the undeveloped land in the vicinity is zoned CR, which lists "parking lot" as a prohibited use (§602.1). As such, options for relocation are very limited. The entire area is also within the Capitol Gateway (CG) Overlay District, within which a vibrant new mixed use waterfront neighborhood is envisioned.

### **PROPOSAL**

As described in their letters to the Commission dated October 27, 2006 and November 3, 2006, Monument Realty and WMATA have identified an existing piece of land owned by Monument in Square 700, which is of a size and in a location suitable for this use. The site is located within Square 700, and fronts onto South Capitol Street to the west, and backs onto Van Street to the east, and. Monument Realty anticipates that the temporary use of the site for employee parking would be for approximately 2 years, after which time WMATA employee parking would be within underground parking constructed for the larger Monument redevelopment on Square 701. The existing building on the site would have to be demolished and the site paved and landscaped for use as a parking lot. The parking lots would be required to be accessed from Van Place SE.

### **ANALYSIS**

OP does not object to this proposal, which would facilitate the critical upgrading of the Navy Yard metro station. The site is in close proximity to the bus garage, so would be convenient for workers and should not result in any new traffic patterns which would impact surrounding neighborhoods.

Even though much of South Capitol Street will be under reconstruction by the District Department of Transportation (DDOT) during this time period, any approval should ensure appropriate fencing, adequate landscaping, and lighting designed to ensure minimal light spill onto South Capitol Street and businesses / residences to the west. Vehicular access to the site would not be permitted from South Capitol Street. Although the applicant has requested this temporary permission for a period of 5 years, indications have been made to OP that the use would be required only for approximately 2 years. As such, in order to accommodate the Monument schedule with some flexibility, OP recommends that the temporary permission be for a period of 3 years only.

### **CONCLUSION**

The proposed text amendment is consistent with District efforts to upgrade the Navy Yard metro station and to facilitate the construction of the new baseball stadium and other Southeast neighborhood development. This text amendment would provide for a suitable temporary

WMATA employee parking lot which is needed immediately to replace the current one located on the site of the Monument development. Delaying the effective date of this amendment would seriously hinder WMATA operations and jeopardize the ability to complete the metro station improvements in time for the planned opening of the ballpark. As such, the Office of Planning recommends that the proposed amendment to 11 DCMR (ZONING) be set down and advertised for hearing, and that the text amendment be effective immediately upon setdown.

OP recommends that the applicant ensure that all vehicles access the site from Van Street SE, and that landscaping, fencing, and lighting be incorporated into the design to minimize any potential impact on South Capitol Street.

EM/jl