

SETDOWN MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JL* Joel Lawson, Associate Director, Development
DATE: Review February 28, 2025
SUBJECT: ZC Case 07-08D – Amendment to Subtitle C, §§ 718.3 and 718.7 (a) to extend the Zoning Regulations permission to use land in Squares 767, 768, and 822 for Ballpark-related surface parking lots to December 18, 2028

I. BACKGROUND

This case was filed as a minor modification to amend the zoning regulations text to allow an extension of the date permitting temporary parking lots to serve the Ballpark, from April 1, 2023 to April 1, 2025. OP filed a report in support at [Exhibit 4](#). The case was not scheduled for Zoning Commission consideration, and was subsequently updated and amended in 2024 as a petition for a text amendment requiring a public hearing, to extend the expiration date for parking lots on Squares 767, 768 and 882 from April 1, 2023 to December 18, 2028.

Previous extensions have included both the parking regulations text amendment and a modification to the Arthur Capper / Carrollsburg PUD, as the temporary parking squares are also within the boundaries of that PUD. A PUD modification without hearing case was filed on September 4, 2024 (03-12AA / 03-13AA). The current PUD permission for the temporary parking use expires December 18, 2025, and the applicant is requesting a PUD modification to December 18, 2028. OP will provide analysis of the PUD modification request separately once a meeting date has been scheduled.

II. RECOMMENDATION

OP recommends the Commission **set down for a public hearing** the following modifications, as requested by the petitioner, to Subtitle C, Chapter 7 of the Zoning Regulations, with the existing expiration date **crossed through**; and the requested date **bolded and underlined**:

Subtitle C, Chapter 7 VEHICLE PARKING

§ 718 TEMPORARY SURFACE PARKING LOTS FOR BALLPARK

718.3 Any certificate of occupancy issued pursuant to this subsection shall expire no later than April 1, 2018., except that with respect to Square 767, Lots 44-47, Square 768, Lots 19-22, and Square 882, Lot 77, any certificate of occupancy issued pursuant to this subsection shall expire no later than April 1, 2023 December 18, 2028.

...

718.7 If and when valid building permits issued pursuant to this section authorize an aggregate of three thousand seven hundred seventy-five (3,775) or more parking spaces, the construction and use of additional temporary spaces on any of the subject squares shall require special exception approval of the Board of Zoning Adjustment pursuant to

Subtitle X, and in accordance with Subtitle C §§ 718.8 through 718.10 and the following provisions:

(a) Any certificate of occupancy issued pursuant to this subsection shall expire no later than April 1, 2018, except that with respect to Square 767, Lots 44-47, Square 768, Lots 19-22, and Square 882S, any certificate of occupancy issued pursuant to this subsection shall expire no later than April 1, 2023 December 18, 2028; and ...

III. SUMMARY

Location and Legal Address	Square 767 Lots 44-47, Square 768 Lots 19-22, and Square 882, Lot 77 in Near Southeast Washington, DC
Ward, ANC	Ward 8, ANC 8F (ANC 6D at the time of original approval)
Applicant	Cynthia A. Giordano for District of Columbia Housing Authority (DCHA)
Approved Project	Time-limited permission to use specified lots for Ballpark-related parking.
Past Approvals	07-08 (2007) – allowed temporary ballpark parking to April 1, 2013 07-08A (2007) – modification to add additional parking lot locations and other changes 07-08B (2012) – five year time limit extension to April 1, 2018 07-08C (2019) – five year time limit extension to April 1, 2023
Current Request	Third extension request for Ballpark-related parking, to December 18, 2028. This date would be consistent with the requested expiration date in the 03-12/03-13 PUD Order.

IV. MODIFICATION REQUEST

The District of Columbia Housing Authority (DCHA), owner, is requesting a zoning text amendment to allow an extension of the term limit for Ballpark parking use of lots in Squares 767, 768, and 882. The termination date would be December 18, 2028. No other changes to the text are proposed – no squares or lots are proposed to be added to the list of temporary parking sites.

Figure 1 below shows the location of the squares and lots governed by these provisions in the Zoning Regulations. All the lots are within the boundaries of the Capper-Carrollsburg PUD, ZC 03-12/03-13, and a concurrent Modification of Consequence request to extend to the same date has been filed (03-12AA/03-13AA).

All the properties for which the extensions are requested are relatively flat, paved, and currently used for ballpark-related parking. The sites are all within convenient walking distance of the ballpark, and, per the access limitations already placed in Order 07-08, are not now and would not be accessed through existing low density residential areas.

The original 5-year time limit and the subsequent 5-year extensions were intended to allow sufficient time for these underutilized sites to be developed as part of the Capper-Carrollsburg PUD 03-12/03-13 and that, as they were constructed, they would include parking spaces that would become available to Ballpark patrons to replace the surface parking. However, since that time, fewer of the large scale PUD buildings than expected have been constructed.

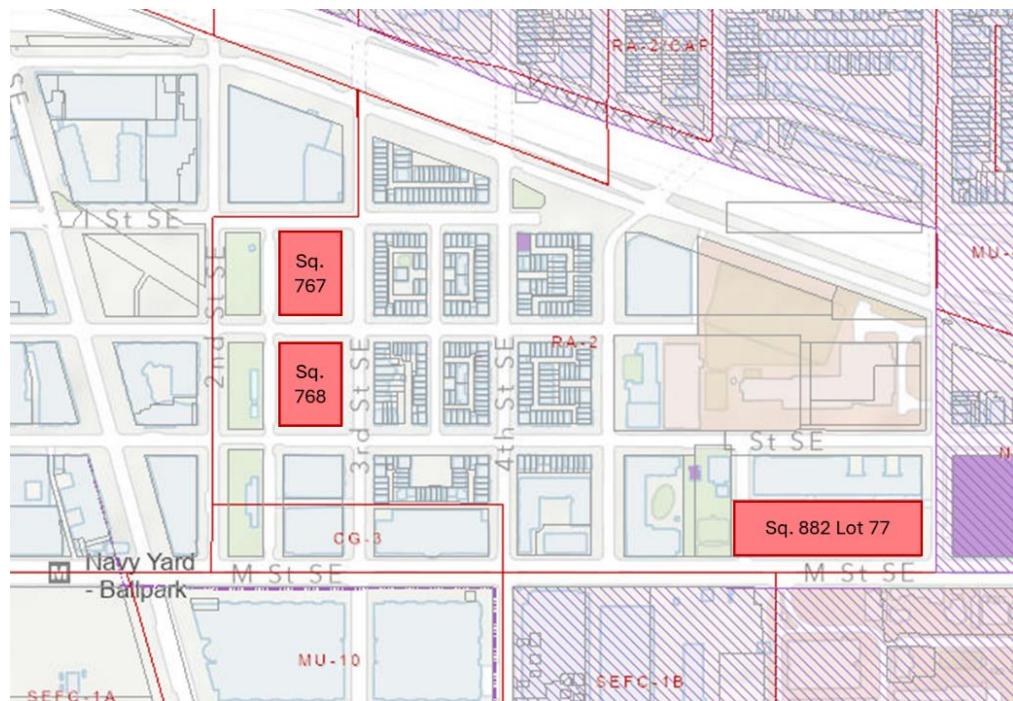


Figure 1. Sites for Which Temporary Surface Parking Lot Use Extensions Are Requested

V. COMPREHENSIVE PLAN ANALYSIS

The use of these sites for temporary surface parking lots has already been determined to be not inconsistent with the Comprehensive Plan, in the original text amendment case 07-08, and in ZC Arthur Capper-Carrollsburg PUD Case No. 03-12E/03-13E). While there have been updates and amendments to the Comprehensive Plan since then, those changes would not appear to substantively affect that determination. The land remains available for continued development under the approved PUD, and the proposed extension for the parking lots would not delay or prevent any Stage 2 PUD processing for these sites. Continuing the current use of the sites for temporary vehicle parking lots would keep them available for future affordable housing and would not be inconsistent with the approved PUD.

A. EQUITY ANALYSIS

The Implementation Element of the Comprehensive Plan calls for “*the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis*”^{2501.8}. Equity is conveyed throughout the Comprehensive Plan, particularly in the context of zoning, where avoiding displacement of existing residents, the provision of affordable housing and creating access to opportunity is a priority. The applicant has provided racial equity lens analysis at [Exhibit 8](#). The petition notes community outreach and engagement efforts, and the petitioner is encouraged to continue these prior to a public hearing for this case.

In this case, the proposed text amendment would extend the term of approval for existing temporary parking lots associated with the existing Ballpark. Surface parking is not, over the long term, the best or highest use of this land, including when viewed against Comprehensive Plan maps or policies or through the Commission’s Racial Equity Tool. However, the sites are within the Arthur Capper/Carrollsburg PUD, and are approved for temporary Ballpark parking, but then for higher

density mixed use development. The text amendment before the ZC does not impact long term use or density on these sites, which are all governed by the approved PUD.

There would be no displacement of existing residents or businesses associated with this text amendment, since the sites do not contain any residential use, and the only business would be the surface parking lots to be retained. This temporary text amendment would not have a significant or long term impact on housing, employment, or service opportunities.

The provision of disaggregated race and ethnicity data regarding population, income, and other metrics typically provided as part of the Racial Equity Analysis is not pertinent to this proposal that seeks temporary extension of the approved parking use to serve the Ballpark, which is a major amenity and employment opportunity to the neighborhood and District as a whole. The future development of these sites, pursuant to the approved PUD, will be subject to Zoning Commission review as a further processing of the PUD, at which time a comprehensive racial equity analysis including disaggregated data would be provided.

B. COMPREHENSIVE PLAN WRITTEN ELEMENTS

Overall, new surface parking lots, particularly ones close to metro stations and the waterfront, would not further Comprehensive Plan policy direction. However, the requested time extension for the existing parking lots within the PUD boundary would, on balance, not appear to be inconsistent with Comprehensive Plan policy objectives over the long term. In particular, the applicant notes the following:

Housing Element Policy H-1.4.4: Public Housing Renovation - the request would not impede and, over the longer term, could facilitate DCHA housing efforts associated with the PUD;

Economic Development Element Policy ED-2.3 Tourism and Hospitality Economy - the request would allow retention of the surface parking upon which the existing Ballpark depends, until such time as these properties redevelop in ways to include enclosed parking that could be available to Ballpark event patrons; and

The Lower Anacostia Waterfront / Near Southeast Area Element - notes the importance of the Ballpark to catalyzing development in the area, including new retail and housing opportunities.

C. SUMMARY OF PLANNING CONTEXT ANALYSIS

The request is not to provide new parking lots, or to replace any existing uses with parking. Rather, it is to allow the continued use of existing Ballpark related parking lots, which have plans in place to minimize the potential impact on the overall street-grid and surrounding residential neighborhoods. No existing businesses or residents would be directly or indirectly displaced by extending the parking term limit as proposed. removal of the temporary parking lots with no plan for replacement parking in place could lead to impacts on the surrounding neighborhood, as well as the viability of the important Ballpark facility.

As such, the request would not have long-term planning impacts, or on the Comp Plan when viewed through a Racial Equity Lens.