

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser,
Deputy Director, Development Review & Historic Preservation
Elisa Vitale, AICP, Development Review Specialist

DATE: October 19, 2020

SUBJECT: ZC Case 18-04A – Set Down and Pre-Hearing Report for Proposed Text Amendments to the Zoning Regulations: Subtitle A, Sections 209.2, Regarding Construction of Playing Fields and Accessory Structures on unzoned land (Parcel 149 Lots 65 -66).

I. RECOMMENDATION

The Office of Planning (OP) recommends text amendments to Subtitle A, section 209 of the Zoning Regulations, specifically the restrictions on unzoned land. The amendments would permit the construction of one additional restroom facility at the athletic playing fields at RFK. OP recommends that the proposed text amendments be set down for a public hearing and requests the flexibility to work with the Office of the Attorney General (OAG) to further refine the proposed language.

II. BACKGROUND

Zoning Commission Order 18-04, September 17, 2018, approved text amendments to the Zoning Regulations to permit the matter of right construction and use of three (3) athletic playing fields and six (6) associated accessory structures without each structure being on separate lots of record located on unzoned land next to the Robert F. Kennedy Memorial Stadium. The amendments also provided for an unenclosed pavilion structure adjacent to the fields if approved by the Commission through the design review procedures of Subtitle Z, Chapter 6. The six (6) matter-of-right accessory structures consist of a visitor building, a storage building, a restroom facility and three (3) shade structures. Zoning Commission Order 18-17, December 6, 2018, found that the proposed unenclosed pavilion structure met the requirements for design review

Events DC, which has a long-term lease agreement with the National Park Service (NPS) on behalf of the District Government, formally opened The Fields at RFK Campus in June 2019. The unenclosed pavilion, one (1) shade structure, visitor building, storage building, and restroom facility have been constructed and are currently in use. Events DC has determined that an additional restroom facility is required. In September of 2020, Events DC approached OP to request further amendment to the Zoning Regulations to permit construction of an additional accessory structure on unzoned land. The RFK campus, which covers approximately 190 acres of land adjacent to the Anacostia River, is currently unzoned and designated for Parks, Recreation, and Open Space on the Future Land Use Map and as a Land Use Change Area on the Generalized Policy Map.

The amendments to the Zoning Regulations are necessary to allow for the issuance of building permits for the interim uses on land that is not yet zoned or subdivided.

Proposed Text Amendment

Subtitle A

Section 209 Restrictions on Unzoned Land

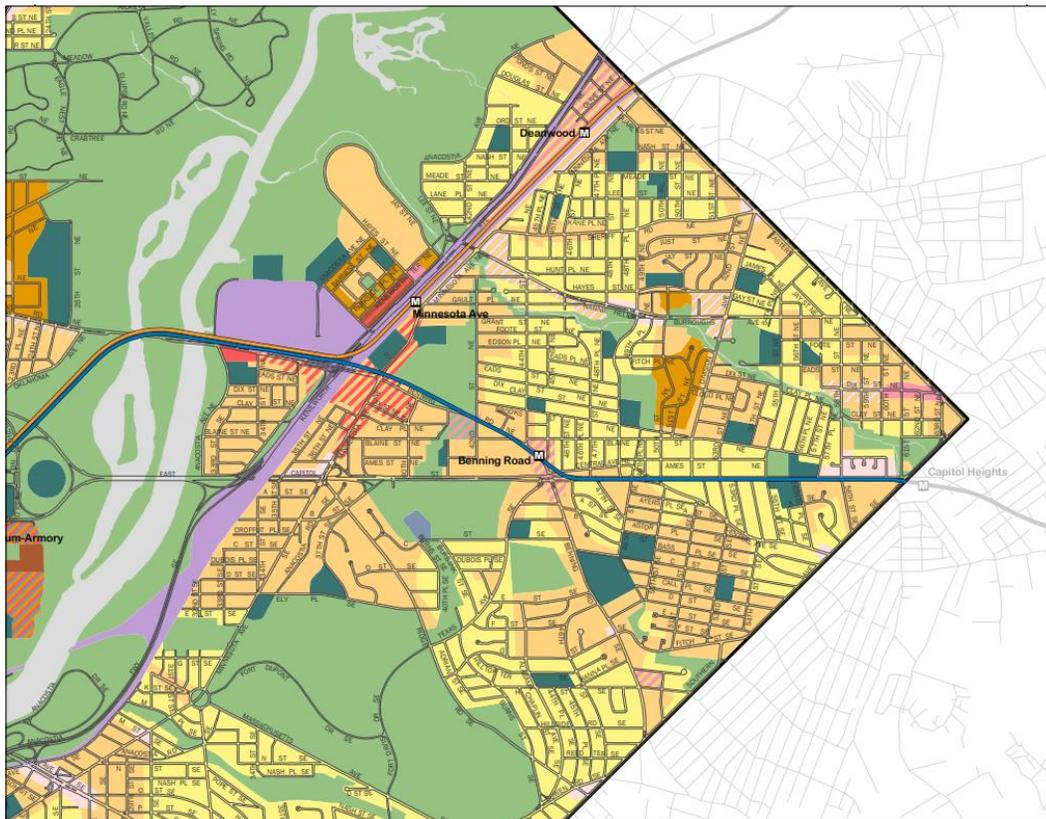
209.1 No building permit or certificate of occupancy shall be issued nor proceeding instituted before the Board of Zoning Adjustment, nor shall any property in private ownership be used for any purpose until after the Zoning Commission has designated zoning for the property, except as may otherwise be authorized by the Zoning Commission as a map or text amendment.

209.2 Nothing in this chapter shall prevent either of the following:

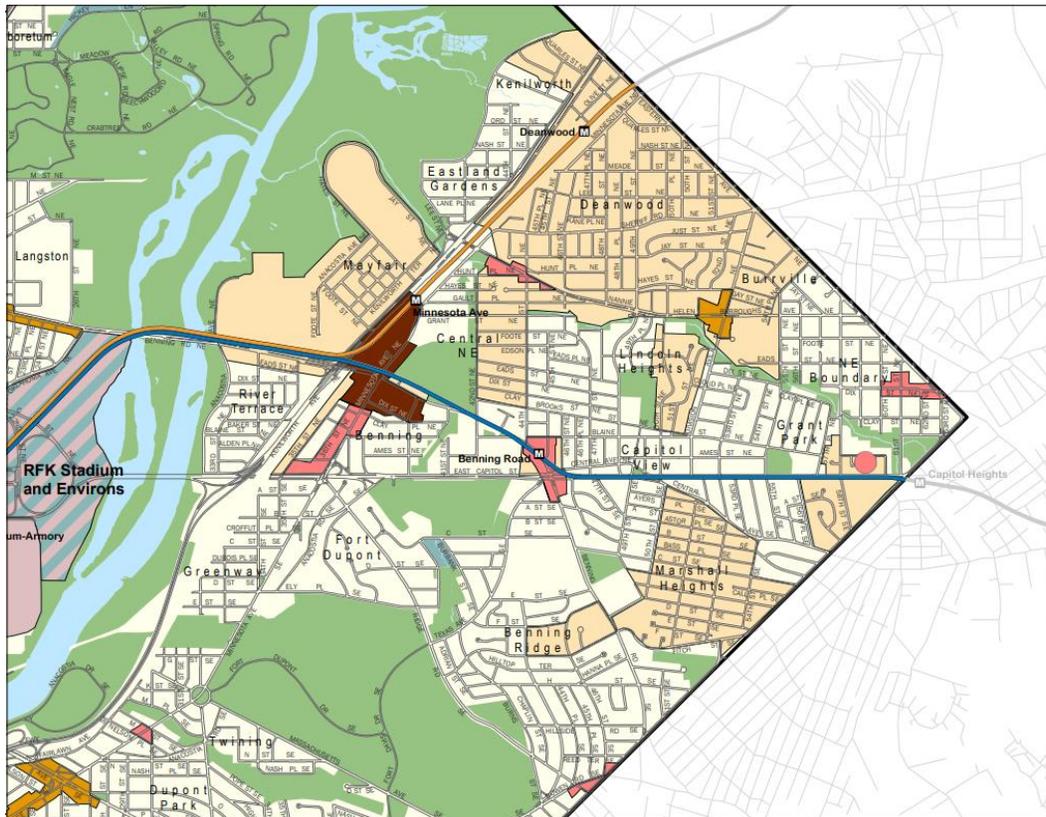
- (a) Minor repairs and alterations to buildings and structures for which no building permit is required under the D.C. Construction Code Supplements;
- (b) A caretaker from residing on property formerly owned by the Government of the United States, or property in the Central Area formerly owned by the government of the District of Columbia, for which zoning has not been designated, for the purpose of maintaining and preventing the deterioration of the premises; or
- (c) Installation and use of playing fields and associated accessory structures to support such fields on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, more specifically known as Parcel 149, Lots 65 and 66, subject to the following:
 - (i) ~~Three (3)~~**Four (4)** accessory structures shall be permitted: a visitor building, a storage building, and **two (2)** restroom facilities. Each permitted accessory structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of one thousand square feet (1,000 sq. ft.);
 - (ii) Three (3) shade structures shall be permitted, provided that any individual shade structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of six hundred and fifty square feet (650 sq. ft.); and
 - (iii) In addition to the ~~three~~**four** accessory structures listed in subparagraph 209.2(c)(i), and the shade structures listed in subparagraph 209.2(c)(ii), an unenclosed pavilion shall be permitted and used provided the Zoning Commission finds that said structure, as designed, meets the standards of Subtitle X, Chapter 6 other than § 604.8. The pavilion shall be either covered or uncovered, and have no greater than a six thousand square feet (6,000 sq. ft.) footprint. If covered, a canopy no greater than thirty feet (30 ft.) in height may be installed.

III. COMPREHENSIVE PLAN

The proposed changes to the regulations would allow for the construction of accessory buildings at RFK that would support short-term, community-serving recreational uses. The proposed short-term use, and associated buildings, would not be inconsistent with the Comprehensive Plan. There would be no impact on either the Future Land Use Map, or the Generalized Policy Map. The proposal would further Capitol Hill and Parks, Recreation, and Open Space objectives by converting obsolete surface parking lots to recreational playing facilities serving Capitol Hill and District residents.



Future Land Use Map



Generalized Policy Map

Capitol Hill Area Element

Policy CH-1.1.12: RFK Stadium Area Provide improved buffering and landscaping screening along 19th Street and elsewhere in the vicinity of RFK Stadium in order to reduce the effects of noise, dust, vibration, and air pollution on the adjacent Hill East community. Work collaboratively with the National Park Service and National Capital Planning Commission on long-range plans for the stadium and adjacent parkland and parking lots. Waterfront open space in this area should be retained and improved for the benefit of Hill East, Kingman Park, and Rosedale residents. 1508.13

Policy CH-1.2.5: Riverfront Parks Ensure that the proposed Anacostia waterfront parks are designed and planned to benefit Capitol Hill residents, with efforts taken to create safe pedestrian, bicycle, and transit connections to the shoreline and to provide park facilities and services that respond to the needs of Hill East neighborhoods. 1509.5

Policy CH-1.2.6: Improved Park and Recreation Services Improve parks, playgrounds, and recreational facilities throughout Capitol Hill, with a priority on the Near Northeast neighborhood (between H Street and Florida Avenue). The 2006 Parks Master Plan determined that this area was particularly deficient in recreational facilities. Continue efforts to improve safety, security, and maintenance levels at all parks in the Capitol Hill Planning Area. 1509.6

Policy CH-1.2.7: National Park Service Coordination Recognize that most of the parkland in and around the Capitol Hill Planning Area is owned and operated by the National Park Service (NPS), and consequently that a high level of coordination is required between the District and federal governments to ensure that this land is managed in the best interest of Capitol Hill residents. NPS parks include Lincoln Park, Stanton Park, Folger Park, Garfield Park, Seward Square, Marion Park, and the Virginia Avenue playground, as well as the RFK stadium area. These spaces should be conserved and improved as aesthetic, recreational, and natural resources. 1509.7

Policy CH-2.4.6: RFK Stadium Area Encourage better use of the National Park Service lands around RFK Stadium, including park and trail improvements that connect Hill East to the Langston Golf Course and National Arboretum areas to the north. 1514.11

Parks, Recreation, and Open Space Citywide Element

Policy PROS-1.1.3: Park Diversity Provide a diverse range of recreational experiences in parks within the District of Columbia, including a balance between passive and active recreational uses, and a mix of local-serving, region-serving, and national recreational uses. 804.10

Policy PROS-1.4.5: Park Amenities on NPS Land Where consistent with other policies in the Comprehensive Plan and NPS plans, and where supported by nearby neighborhoods and needs assessments, encourage federal government projects that would provide new recreational amenities such as soccer fields, picnic areas, and trails serving District residents on national parkland. 807.8

Policy PROS-2.1.1: Recreational Facility Development Improve the physical and psychological health of District residents by providing a variety of recreational and athletic facilities, including playing fields, tennis courts, swimming pools, basketball courts, trails and paths, and open areas for other sports activities. 809.5