

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** <sup>JLS</sup>  
Jennifer Steingasser,  
Deputy Director, Development Review & Historic Preservation  
**DATE:** April 2, 2018  
**SUBJECT:** ZC Case 18-xx – Setdown and Pre-Hearing Report for Proposed Text Amendments to the Zoning Regulations: Subtitle A, Sections 209.2 and 301.3, Regarding Construction of Playing Fields and Accessory Structures on unzoned land (Parcel 149 Lots 65 -66).

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**LATE SUBMISSION**

The Office of Planning respectfully requests the Commission waive its rules (Z §400.6) and accept this report less than ten (10) days prior to a scheduled meeting.

**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 and section 301, building permit requirements. The amendments would permit the construction of three athletic playing fields and associated accessory structures. The amendments would also provide for Zoning Commission design review and approval of an unenclosed pavilion structure adjacent to the fields. 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**

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.

Events DC, which has a long-term lease agreement with the National Park Service (NPS) on behalf of the District Government, embarked on a visioning process for future development of the RFK property. With the departure of DC United, which had used the RFK stadium, for its new soccer-specific stadium in SW DC, Events DC is proposing to move forward with improvements to the surface parking lots that served RFK stadium and which are no longer needed. In the short term, Events DC proposes to develop a multi-purpose field complex to the north and east of the existing RFK stadium building.

The project would include three synthetic turf fields with two soccer fields and one multi-purpose field that could accommodate baseball or softball diamonds and soccer and lacrosse. Three accessory structures including a visitor building, storage building, and restroom facility would be sited to the west of the playing fields. Events DC is also proposing a larger, open-sided pavilion structure that would serve field users.

Future plans for the RFK campus include additional short- and long-term improvements. While certain goals have been established, including flexibility for events and programming, increased and sustainable open space, improved circulation for all modes, and neighborhood compatibility, a map amendment will be required to place zoning on the RFK campus and to allow for the future redevelopment of the site.

At this time, 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.

### III. 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 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; ~~or~~
  - (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) Permitted accessory structures shall not exceed a maximum height of twenty feet (20 ft.) and one story, a maximum gross floor area of 1,000 square feet and shall be limited to the following three structures: a visitor building, a storage building, and restroom facilities.
    - (ii) In addition to the accessory structures listed in Section 209.2(i), an unenclosed pavilion no greater than 6,000 square feet in gross floor area and 30 feet in height may be installed provided the Zoning Commission finds that said structure, as designed, meets the standards of Subtitle X, Chapter 6 and is not inconsistent with the Comprehensive Plan, small area plan(s), and other adopted planning studies that pertain to the site.

### Section 301 Building Permits

301.1 Except as provided in Subtitle A §§ 301.5 and 301.7, a building permit shall not be issued for the proposed erection, construction, conversion, or alteration of any structure unless the plans for the erection, construction, conversion, or alteration fully conform to the provisions of this title.

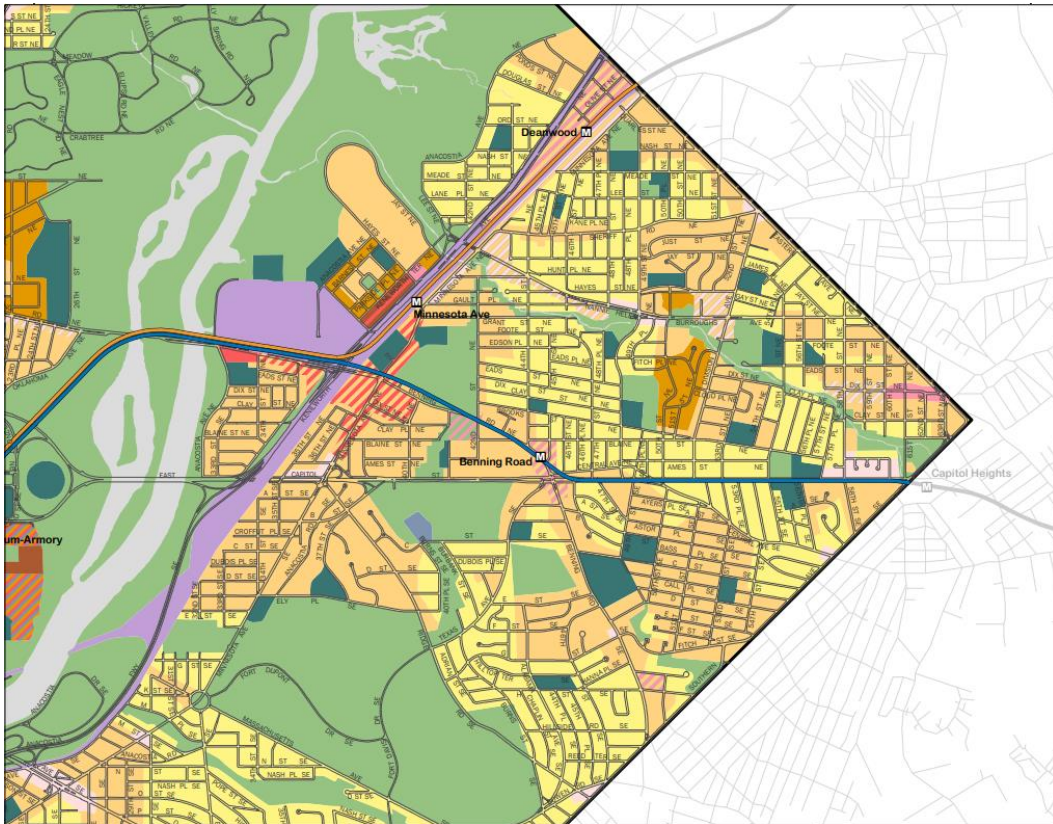
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301.3 Except as provided in the building lot control regulations for Residence Districts in Subtitle C and § 5 of An Act to amend an Act of Congress approved March 2, 1893, entitled “An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities,” and for other purposes, approved June 28, 1898 (30 Stat. 519, 520, as amended; D.C. Official Code § 9-101.05, a building permit shall not be issued for the proposed erection, construction, or conversion of any principal structure, or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate lot of record; except a building permit may be issued for:

- (a) Buildings and structures related to a fixed right-of-way mass transit system approved by the Council of the District of Columbia;
- (b) Boathouse, yacht club, or marina that fronts on a public body of water, is otherwise surrounded by public park land, and is zoned MU-11;
- (c) Any combination of commercial occupancies separated in their entirety, erected, or maintained in a single ownership shall be considered as one (1) structure;
- (d) Trapeze school and aerial performing arts center to be constructed pursuant to Subtitle K;
- (e) A structure in the USN zone to be constructed on an air rights lot that is not a lot of record; ~~and~~
- (f) Buildings and structures approved as part of a campus or private school plan or medical campus plan;
- (g) Water Tower on the east campus of Saint Elizabeths pursuant to Subtitle X; and**
- (h) Installation and use of of playing fields and associated accessory structures to support such fields on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium.**

## IV. 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-1.2.1: Closing the Gaps*** Achieve a better distribution of parks in all neighborhoods of the city. This will require a priority on improving or expanding parks in: (a) more densely populated neighborhoods with limited open space; (b) areas that are more than ½ mile from a neighborhood or community park (or a federal park that serves an equivalent function); (c) areas where substantial new housing growth is expected, based on the forecasts of the Comprehensive Plan; and (d) areas where the existing recreation centers and parks are in poor condition. 805.5

***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

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