

BEFORE THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

APPLICATION OF  
THE DISTRICT OF COLUMBIA SPORTS AND ENTERTAINMENT COMMISSION  
FOR REVIEW OF A BALLPARK FOR MAJOR LEAGUE SPORTS  
AND ENTERTAINMENT AND RELATED USES  
SQUARES 702 THROUGH 706 AND RESERVATION 247

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SUPPLEMENT TO APPLICATION



AERIAL VIEW

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June 23, 2006

ZONING COMMISSION  
District of Columbia

CASE NO. 06-22

EXHIBIT NO. 32

ZONING COMMISSION  
District of Columbia  
CASE NO.06-22  
EXHIBIT NO.32

**ZONING COMMISSION OF THE DISTRICT OF COLUMBIA**

**CASE NO. 06-22 (DISTRICT OF COLUMBIA SPORTS AND ENTERTAINMENT COMMISSION – CONSTRUCTION OF A MAJOR LEAGUE BASEBALL BALLPARK)**

**SUPPLEMENTAL STATEMENT OF APPLICANT**  
**JUNE 23, 2006**

This Supplemental Statement is submitted by the Applicant, the District of Columbia Sports and Entertainment Commission, on behalf of the District of Columbia (“DCSEC” or “Applicant”), in support of its application, filed with the District of Columbia Zoning Commission on May 3, 2006, pursuant to 11 DCMR § 1606.1 *et seq.*, for approval of the construction of a ballpark for major league sports and entertainment and associated uses (the “Ballpark”) in Squares 702 through 706 and Reservation 247 (the “Ballpark Site”). Pursuant to 11 DCMR § 3011.1, the Applicant included a written report of the Office of Planning certifying that the application is compliant with the standards of Section 1606 of the Zoning Regulations, thereby entitling the applicant to the hearing to be held on June 26, 2006.

The Applicant requested approval for three different options for construction of the Ballpark, identified as a Base Plan, Option One and Option Two. The Base Plan, Option One and Option Two differ primarily with regard to the location and amount of retail, service, arts and entertainment uses (“preferred uses”) fronting along the perimeter of the Ballpark. The Applicant requested relief for the Base Plan from the perimeter retail requirements of 11 DCMR §1606.14. The Applicant also requested relief from the requirements of 11 DCMR §1606.7 in order to construct a portion of the ballpark related parking in above-ground parking structures. Furthermore, the Applicant requested relief, pursuant to 11 DCMR §1606.22, (i) from the strict applicability of the setback requirements of 11 DCMR §1606.16 in order to accommodate the pedestrian ramp to be located at the northern end of the Ballpark along South Capitol Street; (ii)

for Option One and Option Two, from the strict applicability of the height requirement set forth at 11 DCMR § 1606.14(d) for a portion of the space within the Ballpark perimeter allocated for preferred uses; and (iii) for the Base Plan and Option One, from the strict applicability of the average depth requirement set forth at 11 DCMR § 1606.14(e) for the space within the Ballpark perimeter allocated for preferred uses. The Applicant noted that, with regard to the Base Plan Option One and Option Two, the Applicant intended to construct the above-grade parking garages after completion of the Ballpark, and that there would be, as an interim condition, a surface parking lot designed to accommodate 254 vehicles on the northern portion of the Ballpark Site.

Finally, the Applicant requested that the Zoning Commission approve the building envelope of the Second Phase Plan, which the Applicant anticipated would, in the event that a entity of the District or a developer selected by the District as provided for in Section 4 of the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Emergency Act of 2006 (Act 16-277, 53 DCR 1341) was chosen to conduct further development on the Ballpark Site, likely include Ballpark related development adjacent to and north of the N Place plaza in lieu of the above-grade parking structures which would take advantage of the full 7.0 FAR zoning envelope, as provided for in 11 DCMR §§ 1606.4 and 1601.1, and which would likely provide that the balance of the parking spaces required under the Lease with Baseball Expos, L.P. be below-grade, consistent with the requirements of 11 DCMR § 1606.7. The Second Phase Plan also anticipated additional Ballpark related development within the south plaza area of the Ballpark. The Applicant noted that the developer or the selected District entity would seek approval from the Zoning Commission once decisions were made as to the development of the areas north and south of the Ballpark within the Ballpark Site.

At a meeting of the Commission on May 25, 2006, held pursuant to 11 DCMR § 1606.24, the Zoning Commission offered preliminary comments on the application. As a result of the comments received from members of the Commission, Advisory Neighborhood Commission 6D, the District of Columbia Office of Planning, the District of Columbia Department of Transportation (“DDOT”), and others in the community, after having identified funds that allow for certain modifications of the Application, the DCSEC wishes to clarify certain issues raised by the members of the Commission and modify the application with regard to the amount and location of perimeter preferred uses. Additionally, after the Anacostia Waterfront Commission has had discussions with and selected a developer for the northern portion of the Ballpark Site, the Applicant wishes to modify the Application to request Commission approval of a preferred alternative development in lieu of the above-grade parking garages on the northern portion of the Ballpark Site that would provide for residential, hotel and retail development wrapped around reconfigured above-grade parking for Ballpark related use that would maximize development potential on that portion of the Ballpark Site consistent with the Zoning Commission’s vision for the Capitol Gateway Overlay District, contribute to the redevelopment of this area of Washington as a lively and thriving location for residents and visitors alike and ameliorate concerns raised by members of the Commission and others with regard to the utilization of and the visual affect of utilizing the northern portion of the Ballpark Site solely for above-grade parking garages. The development would be connected to the Ballpark building through conditioned space above the ground level of both buildings, making all development on the site one building as defined in the Zoning Regulations and allowing for the new development to utilize the same measuring point on South Capitol Street as the Ballpark building. However, the Applicant notes that this preferred alternative is as of the date of this submission dependant on a

number of critical reviews, approvals and events that will not occur until after consideration of this Application by the Commission, including: (1) approval by the Chief Financial Officer of the District of Columbia in order to ensure that the District government and holders of the bonds issued to fund the Ballpark do not incur additional financial exposure by this preferred development; (2) approval by the Council of the District of Columbia of the disposition of the real property on which the additional development would be sited and an Exclusive Rights Agreement that has been executed by the developer, the District and the Anacostia Waterfront Corporation; (3) approval by Baseball Expos, L.P. or its successor of the development proposal under the terms of its Lease with the Applicant and the District; (4) negotiation and execution of a Land Disposition Agreement between the developer and the District; and (5) the obtaining of permanent financing and completion guarantees by the developer and the provision of indemnity agreements to the District by the developer. While it is clearly the Applicant's preference to proceed with the development on the northern portion of the Ballpark Site in lieu of the above-ground parking garages included as part of the originally filed Application, because of the uncertainty at this time as to whether such development will proceed on the northern portion of the Ballpark Site, and for the practical difficulties originally set forth in the Application and to be expanded upon at the Public Hearing, the Applicant respectfully requests that the Commission also approve the above-grade parking structures for the northern portion of the Ballpark Site as shown on the filed Application in the event that circumstances dictate that the proposed development will not be able to deliver the Ballpark related parking requirements within the timeframe required in the Lease with Baseball Expos, L.P. In any event, the Applicant respectfully requests that the Commission, should it determine after the public hearing that it needs additional information in order to approve the development on the northern portion of the

Ballpark Site and/or has additional concerns with regard to the above-grade parking garages presented in the original Application, bifurcate the requested approvals and separately approve the Ballpark building, with a continuation of the public hearing in early July of this year to gather sufficient information necessary to give final approval to the proposed construction on the northern portion of the Ballpark Site by the end of July of this year.

**1. MODIFICATIONS TO APPLICATION**

**A. AMOUNT AND LOCATION OF PREFERRED USES**

The Applicant requested, pursuant to 11 DCMR § 1606.15, maximum relief from the Base Plan from the Ballpark perimeter preferred uses requirement, due to economic constraints imposed on the Ballpark in Section 3 of the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Emergency Act of 2006 and insufficient funding to incorporate preferred uses along greater than ten percent (10%) of the Ballpark perimeter. After having identified funds that will allow the DCSEC to reconfigure the service level of the Ballpark and provide additional preferred uses along the Ballpark's perimeter along First Street, S.E., the Applicant is now able to request that the Commission approve the perimeter preferred uses along the First Street façade as envisioned in Option One set forth in the Application. Therefore, the Applicant is withdrawing its request for relief from the requirements of 11 DCMR § 1606.15 and, accordingly, for approval of the Base Plan. Moreover, because funds have not been identified to construct the preferred uses as envisioned in Option Two as set forth in the Application, the Applicant is now only requesting approval from the Commission of Option One, in addition to requesting approval, as provided for in this supplemental submission, for the development outlined herein as envisioned for the northern portion of the Ballpark Site in the Second Phase Plan. Option One incorporates an additional 17,000 square feet of preferred use

space around the First Street portion of the Ballpark perimeter, and allows the Applicant to meet the requirement in 11 DCMR § 1606.15 that at least twenty percent (20%) of the Ballpark's exterior perimeter be devoted to preferred uses. Additionally, Option One provides for internal loading and unloading facilities at the service level along First Street rather than the series of loading docks located behind the overhead doors in the Base Plan, thereby greatly reducing the vehicle/pedestrian conflicts present in the Base Plan and significantly reducing the number of curb cuts along First Street. By seeking approval for Option One rather than the Base Plan, the Applicant is able to greatly enhance the vitality of the streetscape along First Street and more closely provide the activity envisioned by the Commission in its adoption of the Zoning Regulations for the Ballpark Site.

Under Option One, a total of approximately 21% of the Ballpark's perimeter, exclusive of the proposed Ballpark related development on the northern portion of the Ballpark Site, consists of preferred use frontage. Under Option One, 13% of the preferred space has an average depth of 50 feet and 81% has a minimum floor to ceiling height of 14 feet. Average height varies from 13 feet to 17 feet and average depth varies from 24 feet to 52 feet, with an average depth of 37.3 feet. With the inclusion of the first floor preferred use space planned for the above-grade parking garages on the northern portion of the Ballpark Site, as provided in Option One, preferred use space is 31% of the Ballpark perimeter, with an average depth of 47.7 feet. The proposed residential, hotel, and retail development on the northern portion of the Ballpark Site, as discussed in this supplement to the Application, has ground floor preferred use space that covers 57% of its perimeter, with an average depth of 50.5 feet.

Through this modification to the Application, the Applicant is replacing Sheets 9, 13 and 29 of Exhibit 2 to the Application with Sheets A1 through A3 of Exhibit 2 to the Application.

Sheet A6, the last sheet in Exhibit 2, which illustrates the interim parking condition north of the Ballpark has also been deleted. Moreover, in Sheet 28, the portrayal of the Ballpark perimeter along First Street, SE is no longer applicable to the Application with the deletion of the Base Plan from the Application. Finally, the Applicant is submitting, as Exhibit A, additional floor plans and elevations (identified as Sheets A9-01 through A0-04, A9-11, A9-21 and A9-22 which show the additional development on the northern portion of the Ballpark Site and its relationship with the Ballpark building, as well as a color rendering showing the massing and design of the development on the northern portion of the Ballpark Site, and an illustrative site plan showing the location of the development on the Ballpark Site.

**B. PARKING AND DEVELOPMENT ON NORTHERN PORTION OF BALLPARK SITE**

The Base Plan, Option One and Option Two provide for 114 parking spaces to be constructed underneath the south plaza of the Ballpark and for 1111 parking spaces to be constructed north of the N Place plaza portion of the Ballpark in two above-grade parking structures. While the Applicant is still requesting relief from the below ground parking requirements provided for in 11 DCMR § 1606.7, the Applicant's Plans for Option One (the Base Plan and Option Two are no longer being requested by the Applicant) now call for approximately 300 spaces to be constructed partially underneath and partially open to the south plaza of the Ballpark at the service level of the Ballpark as an interim condition, which the District fully intends to develop as part of the Second Phase plan for development south of the Ballpark on the Ballpark Site (as shown on Exhibit E), and for approximately 925 parking spaces to be constructed north of the N Place plaza portion of the Ballpark in above-grade parking structures. With the inclusion of the preferred development for the northern portion of the



Ballpark Site, the above-grade parking will be reconfigured so that it is wrapped for the most part with a combination of residential, hotel and preferred uses, and where not wrapped, will be skinned with exterior curtain wall and finishes that relate to and are consistent with the exterior curtain wall and finishes of the residential, hotel and preferred use portions of the development, so that areas where parking is not wrapped by other development uses will appear as part of those development activities. Additionally, the development on the northern portion of the site will contain approximately 700 additional parking spaces in two levels of below-grade parking for the residential, hotel and retail uses, exceeding the parking requirements for such uses as set forth in 11 DCMR § 2101.1.

Finally, the Applicant no longer intends to have an interim surface parking condition on the northern portion of the Ballpark Site, but will be constructing the above-grade parking concurrently with the construction of the Ballpark.

The development on the northern portion of the Ballpark Site consists of a single structure. The portion of the Ballpark Site occupied by the mixed-use building is bounded by South Capitol Street to the west, N street to the north, 1<sup>st</sup> Street to the east and the ball park to the south. The development consists of approximately 672 units of housing totaling approximately 725,000 square feet, of which approximately 63 units would be reserved for low and moderate income renters or purchasers, 180 hotel rooms totaling approximately 92,000 square feet, and space allocated to Ballpark program and preferred uses, primarily on the street level, with certain of the space reserved for local, small and disadvantaged businesses.

The uses consist of two levels of below grade structured parking, one story of at grade retail, four stories of above grade parking faced with residential use, and eight stories of residential and hotel above the parking. Below grade, structured parking occupies the entire

width of the northern portion of the Ballpark Site. Above grade, the mass of the building is broken in two halves, or towers, by a plaza serving as the ballpark entrance, which aligns with Half Street and provides on grade pedestrian access to Ballpark turnstiles. The development is directly connected to the Ballpark via an above-grade conditioned pedestrian bridge from the east tower at the above-grade parking levels. The height of the development is established from the midpoint of the lot along South Capitol Street. The required building setback of 15 feet is provided on South Capitol Street and the entire length of the mixed use buildings will be constructed on the setback line. There are no curb-cuts along the South Capitol Street perimeter of the development, consistent with the requirements of the Zoning Regulations.

Preferred uses with direct on grade access and exceeding 20% of the frontages street frontage face N Street and the plaza. Preferred use tenants will be required to construct their own facades over the building superstructure. The ball park designers will be responsible to design facades for the ticket office and team store fronting the plaza. This approach will encourage variety and lend a sense of vibrancy to the street front that might otherwise be lacking. Preferred use facades will be required to devote not less than fifty percent of area to display windows with clear or low emissivity glass. All preferred use space exceeds 50' in depth from the façade. The minimum floor to ceiling height for retail shall be not less than 12'-6" and therefore requires that the Zoning Commission grant relief from the strict applicability of the height requirement set forth at 11 DCMR § 1606.14(d) for a portion of the northern development ground floor preferred use space, as it lies within the Ballpark perimeter.

Loading dock and parking garage entrances are located along the west end of N Street and First Street. Curb cuts are a maximum of 24' in width and will be separated by at least 6' to enhance pedestrian comfort and safety. Loading dock facades are treated architecturally with

glass and aluminum doors. Parking structure entrances are fitted with coiling grilles to allow ventilation.

Residential lobbies are located on N Street for each tower. The hotel lobby will be located at the corner of 1<sup>st</sup> and N Street in the east tower. Residential parking in the development will be located in the below-grade levels, and will have direct elevator service to residential floors. Residential elevators will not serve Ballpark parking.

The above-grade parking structures are “open parking structures” (not mechanically ventilated). On portions of the South Capitol Street elevation, the First Street elevation and along the entire south elevation facing the Ballpark, the garages will be clad with a painted aluminum grille system that is visually compatible with the curtain wall system on the residential towers above while allowing the requisite air circulation. On the N Street elevation the parking is completely concealed behind preferred uses and residential uses.

The massing of each residential tower is expressed as three north-south oriented bars with an east-west bar connecting. The width of the bars is based on the requirements of residential unit planning. The eastern most bar of the east tower is more slender to accommodate hotel units. The bars are slightly skewed to maximize light and views to the units. The overall intent is to reduce the apparent mass of the towers and provide a more pleasing scale to the development. Additionally, the playfulness of the massing will more effectively conceal the parking structure beneath, which one intuitively expects to be an unarticulated rectilinear form.

The residential towers are clad in a high performance glazed aluminum curtain wall with glass and painted metal finishes. Operable window units are provided within the system for each individual residential unit. A central water source heat pump system eliminates the need for mechanical grilles and vents on the façade. Dryer vents and exhaust are taken to the roof.

Balconies are not provided, further reducing the visual clutter normally associated with residential development. Overall, the envelope presents a clean, elegant and modern appearance.

Green roofs are provided at the main roof level and at lower level terrace roofs. In addition to their environmental benefits, the green roofs will provide attractive views for the occupants and improve the exterior appearance of the buildings. An outdoor swimming pool is also provided at the main roof of each of tower for the use of the residents.

## **2. PRELIMINARY COMMENTS ON APPLICATION**

At a meeting of the Commission on May 25, 2006, held pursuant to 11 DCMR § 1606 24, the Zoning Commission offered preliminary comments on the Application. The DCSEC wishes to clarify certain issues raised by the Commissioners at the meeting, and intends to fully address the comments at the Public Hearing on the Application.

### **A. ABOVE-GRADE PARKING STRUCTURES**

Pursuant to Exhibit B to the Construction Administration Agreement for the Ballpark, the Applicant is required to provide 1,225 vehicular parking spaces on the Ballpark Site, of which a minimum of 125 of such spaces is to be reserved for parking for the disabled. The Zoning Regulations for the Ballpark Site, 11 DCMR § 1606 07, allow for these parking spaces to be located on the Ballpark Site. As noted above, in order to address concerns raised by members of the Commission, other District agencies and the community, and after having had discussions with and selected a developer for the northern portion of the Ballpark Site, the Applicant wishes to modify the Application to request Commission approval of a preferred alternative development in lieu of the above-grade parking garages on the northern portion of the Ballpark Site that would provide for residential, hotel and retail development wrapped around reconfigured above-grade parking for Ballpark related use that would maximize development.

potential on that portion of the Ballpark Site consistent with the Zoning Commission's vision for the Capitol Gateway Overlay District, contribute to the redevelopment of this area of Washington as a lively and thriving location for residents and visitors alike and ameliorate concerns raised by members of the Commission and others with regard to the utilization of and the visual affect of utilizing the northern portion of the Ballpark Site solely for above-grade parking garages. Because the Ballpark related parking will still be located above-grade, the Applicant is still requesting approval, pursuant to 11 DCMR § 1606 07, for above-grade parking on the Ballpark Site. In the event that the preferred development on the northern portion of the Ballpark Site is later determined to be infeasible, due to (i) time constraints imposed by the Lease Agreement between the DCSEC and Baseball Expos, L.P., , (ii) the need to insure that the Ballpark is ready for use on the opening day of the 2008 Major League Baseball Season; (iii) financial constraints imposed on the development of the Ballpark by the Council in the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Emergency Act of 2006 (Act 16-277, 53 DCR 1341), and (iv) escalating construction costs resulting from rapid increases in the cost of construction materials needed to construct the Ballpark and transportation costs due to rapidly escalating oil prices the Applicant continues to request approval, pursuant to 11 DCMR § 1606 07, for approximately 925 of the parking spaces to be approved as structured, above-ground parking. In the event that the Applicant would still need to provide the Ballpark related on-site parking in above-grade parking garages, the parking is designed in such a way as to allow for retail/ballpark program office utilization at street level, so as to minimize the visual impact of such parking on the Ballpark and the surrounding area. Additionally, the garages will be designed to blend in with and compliment the Ballpark and screen the view of vehicles from Ballpark patrons both at concourse level and within the seating bowl. As noted in a survey of

recently constructed ballparks, attached hereto as Exhibit D, parking for most ballpark patrons is provided in a combination of surface/above grade parking lots. A discussion of parking at other Ballparks will be provided at the Public Hearing. Consistent with the Zoning Regulations, there is no ingress/egress for the parking garages from South Capitol Street.

## **B. ADMINISTRATION BUILDING**

The Administration Building, located along South Capitol Street near its intersection with Potomac Avenue, has carried over from the first design of the Ballpark and is designed to help the Ballpark achieve the South Capitol Street planning objectives to upgrade and reinforce the visual corridor between the Capitol building and the Anacostia River. It creates and helps define a strong visual edge at the prescribed building setback line on South Capitol Street that also responds, through the use of massing and transparency, to the ending of P Street at the Ballpark, and provides a gateway at the location of P Street on the Ballpark Site to the South Plaza and the Ballpark entrance to the south. The form of the Administrative Building respects the need to define South Capitol Street as an urban street which terminates at the Capitol. This triangular form also provides views to the circular Ballpark form from beyond the proposed oval configuration for South Capitol Street south of the Ballpark and creates a unique angular entry gesture from Potomac Avenue to South Capitol St and the new oval. From a functional and efficiency standpoint, the location of the Administrative Building offers an efficient relationship for the Ballpark's administrative staff as they circulate between the Ballpark and the Administrative Building. Horizontal circulation cores tie the two structures together. The roof of the Administrative Building functions as both a screen to the mechanical units and as roofs to the vertical circulation towers along South Capitol Street. The ground floor of the Administrative Building will not have preferred uses, but will contain Ballpark Program activities framed by

ground floor storefront-type windows to help provide a lively streetscape on South Capitol Street at the intersection of Potomac Avenue

The form and massing of the Administrative Building follows the architectural vocabulary of the Ballpark. Its massing contains the free-floating glass plane which fronts South Capitol Street and, as in the Ballpark, this glass plane allows views into and out of the building. At the terminus of P St., a precast-clad tower to the north and the free floating glass plane to the south flank the P Street axis. At the street level, the Administrative Building helps frame an opening along South Capitol Street that allows pedestrians from P St. to continue to the Ballpark Entry Plaza and from there to the Anacostia River on a clearly defined circulation route.

### **C. INTERIOR AND EXTERIOR SIGNAGE; EXTERIOR LIGHTING**

The selling of naming rights to a ballpark is one of the ways most Major League Baseball teams raise additional revenue to support their operations, and the Washington Nationals will most likely carry this out. Under its agreement with the DCSEC, Baseball Expos, L.P. has the right to sell the naming rights for the new Ballpark. The location of such naming rights signs on the exterior of the Ballpark are shown in the Application on the elevations at Potomac Avenue, SE and at the Ballpark entrance on N Street, SE. The naming rights sign on the southern façade of the Ballpark is mounted approximately 62 feet above the exterior plaza on Potomac Avenue, with lettering limited to 17 feet in height. The naming rights sign at the N Street entrance will be located just above the turnstile canopies, roughly 20 feet above the concourse level plaza. Additionally, there will be a naming rights sign atop the main scoreboard underneath the light standard. The naming rights signage, as well as other exterior signage and interior signage visible from the exterior of the Ballpark has been, and will continue to be, designed in

conjunction with the DDOT so that it will not cause glare or otherwise impair the vision of or distract drivers passing by the Ballpark

As discussed in the Application, the main scoreboard is located in the right center field outfield area between the right center field seating structures and the center field entry plaza at the club or mid-level concourse. The height of the main scoreboard will generally be a 40 feet tall component. The top of the scoreboard is 85.0 feet above the South Capitol Street measuring point for the Ballpark. The main scoreboard shall be composed of a video display board, game in progress display, line-up displays, advertising, video based signage, and an open captioning matrix element for the hearing impaired. A naming rights sign will top the composition and is expected to be internally lighted. The back side of the scoreboards offer the opportunity to display sponsor signage as well as video display, by which those spectators in the outfield plazas and arriving from the streets can be offered continually information about the event, provided that such displays are determined to be in character with and not detract from the surrounding neighborhood and the character of the city. Scoreboard materials will compliment the materials being used throughout the Ballpark, such as high-grade painted steel and high-end graphics. The top of the outfield light standards is 128.0 feet above the South Capitol Street measuring point. Renderings of the scoreboard are attached hereto as Exhibit C

The concept for the exterior lighting of the Ballpark suggests lighting which responds to the strongly horizontal design aesthetic of the Ballpark, strategically interrupted by vertically expressed light at the main Ballpark entry/tower elements, particularly along South Capitol Street at the termination of O and P streets. On non-event days, the lighting will illuminate the "base" or pedestrian level of the Ballpark with low level light, accented by vertically expressed illumination at entries. It is anticipated the upper deck sunscreen canopy edge will be illuminated



as well, with white light to emphasize the vertical terminus of the Ballpark. On game days, the Ballpark lighting within will become the dominant feature of the facade lighting. It is expected that the illumination within the Ballpark interior will be the dominant source of facade lighting, particularly on South Capitol Street and Potomac Ave. Special consideration is being given to lighting the exterior in ways which will enhance the South Capitol Street experience.

#### **D. ENVIRONMENTAL ASPECTS OF BALLPARK DESIGN AND FUNCTION**

The Ballpark will promote the use of best practice environmental design, including minimizing potential impacts on the Anacostia River through storm water management and the minimization of the environmental impact of the facility including energy efficiency and water conservation. Storm water management is regulated by the Environmental Health Administration of the Department of Health. D.C. Law 5-188 requires all new development to control non-point source pollution transported by urban runoff, using Best Management Practices (“BMP”). The Ballpark will implement the Best Management Practices approved by the Department of Health.

It is the goal of the DCSEC that, to the extent financially practicable, the Ballpark construction follow the Leadership in Energy and Environmental Design (“LEED”) standards for new construction, as developed by the U.S. Green Building Council. LEED emphasizes state of the art strategies for sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. The design team for the Ballpark includes LEED certified architects, who are well versed in the LEED standards for new construction.

The Ballpark is being designed to address groundwater, building and site storm water, and field drainage in ways that minimize or eliminate negative impacts to the Anacostia Watershed. While these systems are still under design, it is anticipated that they will incorporate

filtering systems to eliminate the potential for excess nutrient run-off from field fertilizing and run-off of refuse or chemicals from building wash-down activities. It is the DCSEC's desire to design and incorporate an innovative system that captures, retains, and re-uses storm water for on-site irrigation. Water efficient landscape materials that are drought resistant and that will not require irrigation will be used for site plantings and low flow or timed lavatory faucets will be used to reduce water consumption.

Roofing materials with a high reflectance to minimize heat generation will be incorporated into the Ballpark design.

All adhesives, sealants, paintings and coatings selected will be low-emitting materials and will not exceed VOC limits established in the Green Seal Standard or South Coast Air Quality Management District rules.

Up to 10 percent of the building materials in the construction of the ballpark will consist of recycled materials, including recycled steel content in the structure. In addition, a variety of sustainable finish materials will be utilized for the interiors, including flooring and millwork systems manufactured from rapidly renewable resources. Dedicated space within the Ballpark has been set aside to accommodate a recycling program for building waste products.

Finally, the Ballpark Site is enrolled in the Voluntary Cleanup Program and remediation of existing conditions is on-going. Through its active management of remediation efforts, the DCSEC is improving the overall quality of the site.

#### **E. TRAFFIC AND PEDESTRIAN NEIGHBORHOOD IMPACTS**

Protection of the adjacent neighborhoods has been identified as a major concern in the Transportation Management Plan ("TMP") that is attached to the Application. This issue is further addressed in the preliminary Traffic Operations Plan ("TOP") that is attached hereto as

Exhibit B The preliminary TOP recommends that on-street parking restrictions, similar to those around RFK Stadium, be implemented in neighborhoods around the Ballpark to minimize Ballpark related parking in the adjacent neighborhoods and pedestrian traffic through those neighborhoods. Also, temporary barriers could be set up to control access into the neighborhoods, but this would only be implemented if a problem arises. The TMP identifies vehicular and pedestrian mitigation measures that have been implemented at other Major League Baseball ballparks, but until certain decisions are made as to infrastructure improvements and other development around the Ballpark, particularly with regard to reconstruction of South Capitol Street and Potomac Avenue, a final TOP cannot be completed at this time. The DCSEC has had continuing discussions with the DDOT about traffic and transportation issues on days when the Ballpark is in operation and has committed to continuing to work with DDOT and others to address best practices with regard to such issues so that a final TOP will be completed for implementation well before the first pitch is thrown at the new Ballpark. Additionally, the developer for the northern parcel of the Ballpark Site has engaged a traffic consultant to study the on-site parking as envisioned by the proposed development. The consultant has concluded that the on-site parking within the development will allow for timely movement of vehicles to and from the parking areas with minimal impact on surrounding neighborhoods, and has suggested ways for the developer to further mitigate neighborhood traffic concerns. A copy of the traffic consultant's memorandum is attached hereto as Exhibit F.

With regard to Ballpark patrons getting to and from the Ballpark, the DCSEC anticipates, based upon current and proposed private development adjacent to the Ballpark Site, that the bulk of the off-site parking for Ballpark patrons will be located south, north, and east of the Ballpark, which will minimize vehicular and pedestrian disruption in adjacent neighborhoods to the west.

In addition, due to the close proximity of the Navy Yard Metro Station to the Ballpark, with entrances on Half Street and New Jersey Avenue, the TMP envisions that between 50 and 60 percent of Ballpark Patrons will be utilizing transit to get to and from the Ballpark, significantly reducing vehicular flow usually found at Major League Baseball ballparks and substantially orienting pedestrian flow to the north and east of the Ballpark. The DCSEC understands that the use of the area under the oval to be constructed on South Capitol Street south of the Ballpark for off-site parking is still being considered by the National Capitol Planning Commission and the DDOT, but it is not a viable option for off-site parking until decisions are made as to the use of the property, decisions that will not be made prior to the Commission's consideration of this Application.

**3. REVISED LIST OF WITNESSES**

Since the filing of the witness list on June 12th, the Applicant has substantially revised the Application and therefore proposes that the following witnesses will appear at the Public Hearing.

- A.** Mayor Anthony A. Williams, Mayor, District of Columbia
- B.** Natwar M. Gandhi, Chief Financial Officer, District of Columbia
- C.** Mark H. Tuohey, III, Chairperson, District of Columbia Sports and Entertainment Commission
- D.** Allen Y. Lew, Chief Executive Officer, District of Columbia Sports and Entertainment Commission
- E.** Claude E. Bailey, General Counsel, District of Columbia Sports and Entertainment Commission
- F.** Joe Spear, Senior Principal, HOK Sports

- G.** Marshall E Purnell, FAIA, Design Principal, Devroux & Purnell  
Architects/ Planners, P C
- H** Susan Klumpp, AIA, LEED A P , Senior Principal, HOK
- I.** William K Hellmuth, AIA, President/Director of Design, HOK
- J** Duncan Kirk, RA, Principal, HOK
- K** Suzette Goldstein, AICP, Principal, HOK
- L** Selin Ozertugrul, Senior Associate, HOK
- M** Alan Harwood, Principal and Vice President, EDAW, Inc.
- N** Louis J Slade, Vice President and Principal, Gorove/Slade Associates

**4. REVISED PROPOSED TESTIMONY**

- A.** General Overview of Baseball in DC Mayor Anthony Williams
- B** Best Practices For Ballpark Design And Operation, How Ballparks Function; Parking Operations at Major League Ballparks--Joe Spear/Marshall Purnell
- C** Ballpark Design, Including Administration Building And South Capitol Street Pedestrian Ramp, Conformity with Zoning Regulations (Capitol Gateway Overlay), Requested Relief From Preferred Use Height And Depth, Requested Relief from South Capitol Street Setback for Pedestrian Ramp; Relationship Of Ballpark To South Capitol Street And Anacostia Waterfront--Joe Spear/Marshall Purnell
- D.** Ballpark Agreements/ Program Requirements/Funding Restrictions  
Natwar Gandhi/Mark Tuohey/Claude Bailey/Allen Lew
- E** Proposed Development on Northern Portion of the Ballpark Site. Bill Hellmuth/Suzette Goldstein/Duncan Kirk/ Selin Ozertugrul
- F** Requested Relief From Parking Requirements for Above-Grade Parking- Northern Development and Stand Alone Garages; Discussion of Practical Difficulties, Design Of Parking Structures – Northern Development and Stand Alone Garages; Contribution Of Parking Structures To Urban Fabric: Joe Spear/Bill Hellmuth/Claude Bailey/Allen Lew

- G** Neighborhood and Environmental Impacts Noise, Light Alan Harwood
- H.** Neighborhood Pedestrian and Vehicular Impacts Traffic Operations Plan, Transportation Management Plan, Pedestrian Experience Lou Slade/Joe Spear
- I.** Impact on Capitol: Joe Spear
- J.** Environmental Measures in Ballpark, LEEDS Certification Joe Spear/Susan Klumpp

**5. ADDITIONAL EXHIBITS IN SUPPORT OF THE APPLICATION**

- A.** Site Plans, Elevations, and Rendering of Proposed Development on Northern Portion of the Ballpark Site; Revised Project Profile
- B** Preliminary Transportation Operations Plan
- C** Renderings of Scoreboard
- D** Survey of Parking at Major League Baseball Ballparks
- E.** Revised Level 100 Site Plan Showing Interim South Plaza Parking
- F** Transportation Memorandum for North Parcel
- G** Resumes of William Hellmuth, Duncan Kirk, Suzette Goldstein, Selin Ozertugrul, and Susan Klumpp

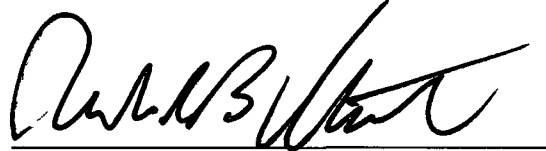
**6. CONCLUSION**

For the foregoing reasons, and for the reasons set forth in the Application, the Applicant submits that, with the exception of the items for which relief is sought, the proposed Ballpark is consistent with 11 DCMR §1606 Accordingly, DCSEC respectfully requests the Zoning

Commission approve the Ballpark, the related development on the northern portion of the Ballpark Site, the above-grade parking garages, and the additional relief sought in the Application.

Respectfully submitted,

ROBINS, KAPLAN, MILLER & CIRESI, L.L.P

A handwritten signature in black ink, appearing to read "Richard B. Nettler", written over a horizontal line.

Richard B. Nettler  
Edward J. Rich

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