

SUPPLEMENTAL REPORT

TO: Zoning Commission
FROM: ^{JLS} Jennifer Steingasser, Deputy Director, Historic Preservation and Development Review
DATE: September 18, 2018
SUBJECT: ZC Case No. 18-04 Proposed Text Amendment for RFK Playing Fields

BACKGROUND

On April 2, 2018, the Office of Zoning received a report that served as a petition from the Office of Planning (OP) proposing a text amendment to Subtitle A, Section 209 of the Zoning Regulations, specifically the Restrictions on Unzoned Land and Section 301, Building Permit Requirements.

The proposed amendments would permit the construction of three athletic playing fields and associated accessory structures on unzoned land. The amendments would also provide for Zoning Commission design review of an unenclosed pavilion structure adjacent to the fields.

The Zoning Commission held a public meeting on April 9, 2018 and set down the case for a public hearing on June 28, 2018. The Commission was scheduled to take final action on September 17, 2018; however, the need for an additional shade structure was identified in the intervening time. A fourth structure was shown on plans provided to the National Capital Planning Commission (NCPC) for its review. To ensure consistency between the proposed improvements and permission contemplated by the pending text amendment, the Commission requested OP to provide revised language and rescheduled final action for October 1, 2018.

RECOMMENDATION

OP recommends the Commission approve the following proposed amendments to Title 11 DCMR (Zoning Regulations of 2016) (additions are shown in **bold underlined** text, new language is shown in **blue** text, and deletions are shown in ~~striketrough~~ text):

Subsection 209.2, of § 209, RESTRICTIONS ON UNZONED LAND, of Chapter 2, ADMINISTRATIVE AND ZONING REGULATIONS, of Subtitle A, AUTHORITY AND APPLICABILITY, is amended as follows:

- 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) Three (3) accessory structures shall be permitted: a visitor building, a storage building, and restroom facilities. Each permitted accessory structures 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.); and**
- (ii) No more than 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 accessory structures listed in § 209.2(c)(i) and the shade structures listed in § 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.**

Subsection 301.3, of § 301, BUILDING PERMITS, of Chapter 3, ADMINISTRATION AND ENFORCEMENT, of Subtitle A, AUTHORITY AND APPLICABILITY, is amended as follows:

- 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; **and**
- (g) **Playing fields and associated accessory structures to support such fields and, if permitted by the Zoning Commission, an unenclosed pavilion, on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, subject to Subtitle A, § 209.2(c).**