



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

November 25, 2019

Gregory McCarthy,
Senior Vice President, Community Engagement

Washington Nationals Baseball Club,
Nationals Park
1500 South Capitol Street, SE
Washington, DC 20003

Re: **Zoning Order 06-22 and Retail Space at Nationals Park**

Dear Mr. McCarthy:

We met on October 7, 2019 and discussed the fulfillment of the required condition to establish retail space at the Washington Nationals Ballpark, located at 1500 South Capitol Street SE. The Ballpark was authorized under Zoning Commission Order 06-22, which was issued on December 5, 2006. That Order includes Condition #1 that requires:

1. The Ballpark and the Adjacent Development shall be developed in accordance with the plans prepared by the architects for the Applicant and submitted to the Commission on May 3, 2006, June 23, 2006, and June 30, 2006, as modified and approved by the Commission as set forth herein, *including construction of the 46, 000 square feet of gross floor area space to be devoted to Preferred Uses around the Ballpark perimeter in accordance with Option Two as depicted on Sheet A4 in the Options Appendix of the Applicant's May 3, 2006 application.* [Emphasis added]

As we discussed the Ballpark was opened during a period of time in which the provision of the retail space was not possible given the market for such retail space. Since the opening of the Ballpark in 2008, my office has approved a series of Conditional Certificates of Occupancy, including the last COO issued on March 22, 2019, Certificate of Occupancy #CO1901838.

At our meeting you presented a proposal to establish 54,238 square feet of retail space in the form of an eating establishment with accessory uses in order to fulfill the requirements of Condition #1. I asked for clarification of the retail proposal and how it related to the approved Zoning Commission Order and associated plans.

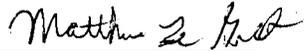
You noted several points from the Zoning Commission record of Order 06-22 as relevant to this matter [see attached *Excerpts of ZC # 06-22 Record Transcripts*]. Those comments include 'Maximization of the Retail', 'Desired Footprint of Ballpark', 'Desired Depth of the Retail along First Street, and 'Other Retail Space on the Ballpark Site'. These comments in the Record of ZC Order #06-22 support the current proposal.

In addition I asked how the square footage amount noted in Condition 1, 46,000 square feet of gross floor area, compared to the proposed 54,238 square feet of gross floor area that is presented in the current proposal. In response, in the attached letter from Jordan Goldstein, Architect of Gensler, notes that his analysis of the Option 2 plans [that is noted in the Condition 1 above] is that the total of the ground floor and second floor areas add up to the 54,238 square foot figure.

Given this information, I agree that the proposal conforms to fulfill Condition 1 of Order 06-22. Therefore, my office will approve building permit applications(s) for the proposed retail space and upon its completion my office will issue a final Certificate of Occupancy with no expiration date.

Please let me know if you have any questions.

Sincerely,



Matthew Le Grant
Zoning Administrator

Attachments: Letter from Jordan Goldstein, Gensler 10-14-19
Excerpts of ZC # 06-22 Record Transcripts

Disclaimer: This letter is issued in reliance upon, and therefore limited to, the questions asked, and documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter. Therefore, this letter does **NOT** vest an application for zoning or other DCRA approval process, which may only occur as part of the review of an application submitted to DCRA. This determination is limited to an interpretation of the Zoning Regulations, and I am not making any representations as to Building Code requirements or other D.C. laws.