

Landowners must yield to ballpark

By - *The Washington Times* - Thursday, October 6, 2005

The District will begin using eminent domain to acquire parcels of land at the site of the Washington Nationals' ballpark by the end of this month, after unsuccessful negotiations with nearly half of the landowners.

City officials said they expect to file court documents to take over at least some of the 21-acre site in the coming weeks and have \$97 million set aside to buy the properties and help landowners relocate.

The city made offers to all 23 landowners on the site last month but received no response from 10.

"We think there are some that we'll have good-faith negotiations with," said Steve Green, director of development in the office of the Deputy Mayor for Planning and Economic Development. "There are some we haven't heard from at all."

Many property owners on the site said the city's offers are inadequate. Others are suing the city on the grounds that it has no right to use eminent domain to acquire land at the site, despite a Supreme Court ruling affirming the right of municipal governments to take private property for the purpose of economic development.

In April, the city notified property owners on the site that they would be required to move out by Dec. 31.

City officials said the District is on target to have title on all of the land by that date, but they don't expect to have full possession of the site until early next year, with construction on the \$535 million stadium to begin in March. That would give the construction team, led by Clark Construction Group of Bethesda, about two years to build the ballpark in time for Opening Day of 2008.

Officials said that timetable remains realistic. Clark built the 80,000-seat FedEx Field, home

of the Washington Redskins, in less time.

"Twenty-four months is not bad," Mr. Green said. "There's always the possibility of doing it in 22 or 23 months."

Meanwhile, the D.C. Sports and Entertainment Commission has been sparring with the new Anacostia Waterfront Corp. (AWC) on the location of ballpark parking.

The AWC, which the city created to promote development along the Anacostia River waterfront, said it prefers an underground parking garage beneath 600,000 to 800,000 square feet of office and retail development.

The commission said that would run up too many costs and take too long to build.

"We're not going to do it," said Mark Tuohey, chairman of the sports commission. "We don't care what they say. There's no money."

In order for parking to be built above ground, the commission must change a zoning requirement. A hearing before the zoning board on the issue is scheduled for Oct. 17, but could delay the process further. If the commission is denied a zoning change, it would have to turn to the D.C. Council for legislative permission or take the case to an appeals court.

"If we lose and it goes to the court of appeals, that takes years," said commission board member Linda Greenan. "That's not a good strategy."

Any discrepancy over development of the stadium site could affect ballpark financing negotiations, which have reached a sensitive stage.

"It could cause confusion on Wall Street, which is exactly where we don't want it right now," said John Ross, a special adviser for the city's chief financial officer and a commission board member.

City officials insist on below-ground parking because it would fit with plans for a retail and entertainment district near the ballpark. They are considering removing parking entirely from the cost of the stadium and paying for it separately, using tax-increment financing or other revenue streams.

Mr. Green said the debate over parking is not delaying completion of a lease agreement for

the stadium, which Major League Baseball says must be finalized before it announces the Nationals' new owner.

"There's no real holdup," Mr. Green said. "It's just a very complicated document."

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