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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Regular Public Meeting
1427th Meeting Session [6th of 2016]

6:33 p.m. to 7:36 p.m.
Monday, March 14, 2016

Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220 South
Washington, D.C. 20001

1 Board Members:

2 MARCIE COHEN, VICE CHAIR

3 PETER MAY, Commissioner

4 ROBERT MILLER, Commissioner

5 MICHAEL TURNBULL, Commissioner

6

7 Office of Zoning:

8 SHARON SCHELLIN, Secretary

9

10 Office of Planning:

11 JENNIFER STEINGASSER

12 KAREN THOMAS

13 JOWEL LAWSON

14 MEGAN RAPPOLT

15 MAXINE BROWN-ROBERTS

16 ELISA VITALE

17

18 Office of Attorney General

19 ARIEL EBI, ESQ.

20 JACOB RITTING, ESQ.

21

22

23

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1 P R O C E E D I N G S

2 VICE CHAIR COHEN: Good evening, ladies and
3 gentlemen. This is the public meeting of the Zoning
4 Commission for the District of Columbia. My name is
5 Marcie Hood. Marcie Cohen.

6 [Laughter.]

7 VICE CHAIR COHEN: Anthony, I miss you.
8 Joining me this evening are Commissioners Robert
9 Miller, Peter May, and Michael Turnbull. We are also
10 joined by the Office of Zoning staff, Sharon
11 Schellin, the Office of the Attorney General staff,
12 Jacob Ritting and -- actually, everybody else is
13 going to introduce themselves since I screw up names,
14 including my own tonight. So.

15 MR. EBI: Ariel Ebi.

16 VICE CHAIR COHEN: Okay. Thank you, Mr. Ebi.
17 And then the Office of Planning staff?

18 MS. STEINGASSER: Jennifer Steingasser.

19 MR. LAWSON: Joel Lawson.

20 MS. THOMAS: Karen Thomas.

21 MS. RAPPOLT: Megan Rappolt.

22 MS. BROWN-ROBERTS: Maxine Brown-Roberts.

23 VICE CHAIR COHEN: Okay. That's great.
24 Thank you. Copies of today's meeting agenda are
25 available to you and are located in the bin near the

1 door. We do not take any public testimony at our
2 meetings unless the Commission requests someone to
3 come forward.

4 Please be advised that this proceeding is
5 being recorded by a court reporter and is also
6 webcast live. Accordingly, we must ask you refrain
7 from any disruptive noises or actions in the hearing
8 room, including the display of any signs or objects.
9 Please turn off all beepers and cell phones.

10 Does the staff have any preliminary matters?

11 MS. SCHELLIN: No, ma'am.

12 VICE CHAIR COHEN: If not let us proceed to
13 the agenda. The first item on the agenda is the
14 consent calendar, Zoning Case No. 14-13B, Office of
15 Planning Request for Technical Correction to Zoning
16 Case Order No. 14-13. Ms. Steingasser.

17 MS. SCHELLIN: No, this way.

18 VICE CHAIR COHEN: Okay. Ms. Schellin.

19 MS. SCHELLIN: Yes. So the Office of
20 Planning is requesting a technical correction that
21 would establish vesting provisions for the newly
22 adopted penthouse regulations and we'd ask the
23 Commission to consider action on this case, which
24 would, if the Commission takes action it would allow
25 us to publish a proposed rulemaking.

1 VICE CHAIR COHEN: Now Ms. Steingasser?

2 Okay. Any comments?

3 MR. MAY: So I do have a question of the
4 Office of Planning, which is if I could learn more
5 about the particular case in point. And then if
6 there were -- do we know that there are multiple
7 other cases that are out there?

8 MR. LAWSON: Good evening. Joel Lawson with
9 the Office of Planning.

10 I don't have a lot of detail about the case
11 that was brought to our attention, other than really
12 what's in the report. I don't really know whether it
13 is about that case that would be nonconforming to the
14 new regulations, since the only thing we got more
15 restrictive was setbacks. It could be a setback
16 provision. Honestly, I don't know.

17 I also don't know if there are other cases
18 out there. But again, anecdotally we've heard that
19 there may be a few. This is a pretty kind of unusual
20 circumstance because in this case the application was
21 held up for -- I shouldn't say held up, but it had a
22 particularly lengthy and extensive review period
23 through DCRA. It was actually filed some time before
24 the regulations came into effect.

25 And so I haven't heard a lot of comments that

1 there are projects being cut, but evidently there is
2 at least this one and I suspect probably a few
3 others.

4 MR. MAY: So I think there were certain
5 provisions that we approved in this case where I do
6 not see a reason to grandfather anything based on
7 some of the feedback that we had gotten, and in
8 particular I'm thinking about, you know, we voted to
9 eliminate penthouses on row house structures, for
10 example. Right?

11 MR. LAWSON: We did, yes.

12 MR. MAY: And so that's one that I'm not
13 inclined to grandfather anybody on. I would think
14 that that's something that could be adapted
15 relatively easily.

16 MR. LAWSON: Yes, and so far we've heard no
17 examples of cases because they happen to go -- they
18 tend to go through the process much more quickly.

19 MR. MAY: Right.

20 MR. LAWSON: That are being caught by that
21 provision.

22 MR. MAY: Right.

23 MR. LAWSON: Although, I would turn to OAG to
24 see whether it's possible to vest portions of the
25 amendments and not other portions of the amendments.

1 MR. RITTER: I mean, theoretically it's
2 possible. I don't have any language, you know, at
3 the ready to present to you.

4 MR. MAY: Sure.

5 MR. RITTER: And I'm reluctant to suggest
6 something on the fly because I --

7 MR. MAY: Yeah, and I wouldn't ask that
8 either. And I realize I'm throwing a wrench in the
9 works. It seemed like a relatively straightforward
10 matter. But when you stop to think about some of the
11 things that we made possible and some of the things
12 that we made no longer possible, or you know, added
13 restrictions on. There's certain ones that I'm not
14 greatly concerned about. Some of the setback
15 provisions I'm not too concerned about. But some of
16 them I kind of am.

17 So, you know, if we're talking about really
18 one case I'm not sure that it makes sense for us to
19 grandfather, you know, as a whole. If we're talking
20 about dozens of cases, then you know, it raises a
21 different set of concerns. So, I don't feel like I
22 know enough to be able to say this is something that
23 can -- you know, that I'd be willing to consider as a
24 consent item. I'm not ready to say, no, it's got to
25 be -- you know, we have to have a hearing about it.

1 But I would be inclined to ask the Office of Planning
2 and the Office of the Attorney General to consider
3 some of these questions about the different
4 restrictions that have been added or relaxed and give
5 us some more analysis of it and possibly some
6 different language if that's possible to grandfather
7 certain things and not others.

8 But those are my thoughts and, you know, and
9 I'm just one of the commissioners.

10 VICE CHAIR COHEN: Yeah. No, I think your
11 proposal is very responsible since we have thoroughly
12 reviewed the penthouse modifications. I don't enjoy
13 holding up a particular project. I don't know if
14 anybody has any suggestions as to how to move that
15 one project that we're familiar with, or that OP
16 knows about. Would that require like a minor
17 modification, Mr. Lawson?

18 MR. LAWSON: I'm not sure what the
19 modification for that particular one would be. We're
20 certainly not opposed to more narrowly defined
21 vesting. I think it could be something as -- it
22 could be, actually, pretty straight forward depending
23 on what the Zoning Commission most wanted to achieve.
24 It could be a vesting of that one provision, or it
25 could be a vesting of the provisions other than those

1 for the low-density residential, for the row house
2 penthouses. But, you know, we'd be happy to take
3 your direction.

4 VICE CHAIR COHEN: Colleagues, do you have
5 any -- go on. Mr. Turnbull, go on.

6 MR. TURNBULL: Well, do we need more
7 clarification on this particular case? I mean, is
8 it --

9 MR. MAY: Well, I don't think it -- I mean,
10 I'm not --

11 MR. TURNBULL: I don't --

12 MR. MAY: I know enough about this case --

13 MR. TURNBULL: I don't want to be case-
14 specific.

15 MR. MAY: Yeah, right.

16 MR. TURNBULL: I mean, we shouldn't be doing
17 that.

18 MR. MAY: Right. I mean, you know, if what
19 we find out is that really is only one case and the
20 type of relief is relatively minor, it would be a
21 simple way to address it. But if we -- you know, if
22 it's more than that or if it's something that we're
23 not inclined to allow the relief to occur, I mean --
24 I mean, I think we were very deliberate in making
25 decision not to allow the vesting period because, you

1 know, it had been talked about long enough and
2 because we thought we were, you know, taking some
3 fairly urgent action, right? We wanted to put the
4 regulations in effect because there are new things
5 that are permitted as well as things that are not
6 permitted. We wanted to get it rolling quickly, so.

7 MR. TURNBULL: Right.

8 MR. MAY: Ms. Steingasser, I think, had
9 something to add.

10 MS. STEINGASSER: In this particular case the
11 applicant was tracking with the penthouse
12 regulations, and they got a letter of concurrence
13 from the Zoning Administrator to proceed. And they
14 expected to be done prior to the effective date. And
15 they didn't get through the entire process. And so
16 they are really hung on this -- this is the only area
17 of relief and it was based on their 2013 letter of
18 concurrence from the Zoning Administrator that at the
19 time they were complaint -- or letter of compliance,
20 rather, with the regulations.

21 So I don't know if we could tie it to cases
22 where there is a letter of compliance from the Zoning
23 Administrator at the time.

24 MR. MAY: I mean, that certain, I mean, it
25 seems to me that would be another way to address the

1 -- you know, address this situation and also, I mean,
2 if the Zoning Administrator keeps good records of
3 those things we might also get a sense of how many of
4 those are still out there. You know. I mean, I
5 don't want to go through a really extensive sort of
6 search of the files in order to find out how many of
7 them are out there, but if there's an easy way to
8 figure that out, that would be a really good thing.

9 VICE CHAIR COHEN: Commissioner.

10 MR. MILLER: Thank you, Madam Chair. I
11 thought this was a very reasonable proposal for
12 vesting from the Office of Planning, which is similar
13 to what we allowed in the A-R-4 case, and allowing
14 people to proceed if they had their application
15 deemed complete by DCRA to either proceed under the
16 old or proceed under the new. But if OP is able to
17 tighten up the language in the next couple weeks
18 before our next meeting, I really don't want to hold
19 up anything that's proceeding that's already had
20 delays for whatever reason.

21 So I mean, I would be willing to go along
22 with the language as proposed. Or if OP thinks that
23 they can tighten up the language between now and our
24 next meeting so we could proceed quickly, then that
25 would be maybe fine with me.

1 VICE CHAIR COHEN: I think a little bit more
2 research would be helpful. And to find out how
3 extensive this issue might be. And in this case I
4 think relying on the Zoning Administrator's guidance
5 might be the appropriate thing but I would check that
6 out with the Office of the Attorney General.

7 So, Mr. Lawson and Ms. Steingasser, do you
8 have enough information to move ahead?

9 MR. LAWSON: I believe that we do. We could
10 certain just, you know, add language that the
11 application had to be legally filed and accepted as
12 complete by DCRA, which is what's in there right now.
13 We could just add and have a letter of compliance
14 from the Zoning Administrator. That would be a
15 relatively simple and straight forward addition.

16 It is a little bit different from what we did
17 with R-4, but that would certainly be the best way to
18 captures these ones that were -- that go through
19 these kind of extensive and lengthy -- because of the
20 complexity of the projects, lengthy and extensive
21 review through DCRA. So that's certain one option.

22 VICE CHAIR COHEN: All right. So
23 Commissioner May, Commissioner Turnbull, Commissioner
24 Miller, would you be willing to approve this added
25 language that was just stated by --

1 MR. MAY: No.

2 VICE CHAIR COHEN: No?

3 MR. MAY: No, and I mean until I understand
4 more about the extent of the issue, I would rather
5 just wait and see if we can get some sense of how --

6 VICE CHAIR COHEN: Extensive?

7 MR. MAY: -- any projects might be affected.

8 VICE CHAIR COHEN: Okay.

9 MR. MAY: Affected. And I'm, you know, I'm
10 all for trying to move it as quickly as possible.
11 But not knowing --

12 VICE CHAIR COHEN: Mr. Turnbull?

13 MR. TURNBULL: We can wait a couple of weeks,
14 I mean, do it at our next meeting if OP can be ready
15 then.

16 VICE CHAIR COHEN: Okay. I think you could
17 go either way, Commissioner Miller? Okay. Thank
18 you.

19 All right. So I would recommend that we get
20 a little bit more information in the next couple of
21 weeks on this proposal and tighten it, and just find
22 out how extensive the problem exists. And this may
23 be very, very unique, and we may be able to solve it
24 without changing the language.

25 MR. TURNBULL: I would just add a catch.

1 Well, it's actually it's not my catch, it's OAG's
2 catch on the numbering of it. I don't know if you
3 already know.

4 MR. RITTER: Yes, I've been informed of that.
5 Thank you.

6 MR. TURNBULL: You've been informed. Okay.
7 And the only other question I just had for Mr.
8 Lawson, did I hear you correctly when you say, no
9 penthouse on row houses?

10 MR. LAWSON: Not by right. That would
11 require special exception.

12 MR. TURNBULL: Special exception. That's
13 what I thought.

14 MR. LAWSON: Yes.

15 MR. TURNBULL: Because that's covered in
16 411.18. It talks about what you need for the
17 setbacks and everything else.

18 MR. LAWSON: Yes, your memory of the numbers
19 is better than mine. But it is in 411 somewhere.

20 MR. TURNBULL: Okay.

21 VICE CHAIR COHEN: All right. Thank you.

22 MS. SCHELLIN: So, before we go I just want
23 to confirm with OP, are you -- you want to put it on
24 the next meeting?

25 MR. LAWSON: Yes.

1 MS. SCHELLIN: March 28th? Okay.

2 MR. LAWSON: Yes.

3 VICE CHAIR COHEN: Okay. Thank you, Ms.
4 Schellin. We'll move to final action and the first
5 on the agenda is Zoning Case No. 13-05A, Forest City
6 Washington, Two Year PUD Time Extension at Squares
7 744S and 744SS. Are there any comments from
8 commissioners?

9 MS. SCHELLIN: Well, let me give you the
10 information first.

11 VICE CHAIR COHEN: Yes, please.

12 MS. SCHELLIN: Okay. So the applicant is
13 requesting, as you said, a two-year PUD time
14 extension to the consolidated and first stage PUDs.
15 The applicant has stated that development of the
16 first phase of the PUD cannot proceed until some of
17 D.C. Water's operations have been relocated and the
18 remaining phases cannot proceed until all of D.C.
19 Water's operations have been relocated.

20 At Exhibit 5 there's a letter in support from
21 DMPED. Exhibit 6 is a response from D.C. Water, and
22 Exhibit 7 is the applicant's response to D.C. Water's
23 submission. Would ask the Commission to consider
24 final action.

25 VICE CHAIR COHEN: Thank you. I'll get it

1 right soon. I need practice.

2 Okay. Any comments from commissioners? The
3 one thing I want to mention is that there's two
4 extensions being requested. One is an extension of
5 the consolidated portion of the PUD that expired on
6 February 7th, 2016. And the second one is a two year
7 and a month or so extension of the first stage
8 portion of the PUD that does not expire until
9 February 7th, 2016. 2026. Thank you. It seems
10 somewhat premature to extend the first stage portion
11 of the PUD given that there's so much more time
12 before it expires.

13 But the Commission could grant the
14 consolidated portion of the request and deny the
15 request for the first stage approval as premature,
16 which I believe is the case.

17 So any further discussion on this?
18 Commissioner Turnbull?

19 MR. TURNBULL: I have no problem with the
20 consolidated for the two years. But I would agree
21 with you entirely that we're 10 years out on the
22 first phase and I would not go along with that. I
23 think when we get closer down the road, if they were
24 to come back with a year or two to go, or three years
25 to go, or whatever, and we have a better idea of

1 what's going on with phasing and the construction,
2 then that would be the time to think about it.

3 But I would go with the consolidated but hold
4 off on the first phase.

5 VICE CHAIR COHEN: Commissioner Miller?

6 MR. MILLER: I would concur with both of my
7 colleagues on that issue.

8 VICE CHAIR COHEN: Okay. So does somebody
9 want to move on this project?

10 MR. TURNBULL: Madam Chair, I would move that
11 we do a modified final action on Zoning Commission
12 No. 13-05A, Forest City Washington, two-year PUD time
13 extension at Square 744S and 744SS for just that, the
14 two-year PUD for the consolidated portion, but that
15 we not approve the 10 year for the first phase.

16 MR. MILLER: Second.

17 VICE CHAIR COHEN: Okay. Commissioner
18 Miller, thank you.

19 [Vote taken.]

20 VICE CHAIR COHEN: Ms. Schellin.

21 MS. SCHELLIN: Yes. And we have an absentee
22 ballot from Chairman Hood, so the vote is five to
23 zero to zero to approve the time extension for the
24 consolidated portion and deny the time extension for
25 the first stage, Commissioner Turnbull moving,

1 Commissioner Miller seconding, Commissioners Cohen,
2 Hood, and May in support.

3 VICE CHAIR COHEN: Thank you, Ms. Schellin.
4 On this particular project I know that it's really
5 difficult to move ahead on some of the issues, but
6 the D.C. Water letter, which is Exhibit 6, is
7 indicating that it's really -- DMPED needs to move
8 and it's been taking a very long time. And as I
9 said, I know it's a complicated project, but we hope
10 that they do locate sites so that this project can
11 move forward. Thank you.

12 Our next project, Ms. Schellin?

13 MS. SCHELLIN: Yes, the next case, J. River,
14 1401 Pennsylvania Avenue, LLC., the Consolidated PUD
15 and Related Map Amendment at Squares 1065. On this
16 one we have Exhibits 32 and 34 through 36, the
17 applicant's post-hearing submissions. At Exhibit 33
18 we have an OP supplemental report and would ask the
19 Commission to consider final action.

20 VICE CHAIR COHEN: Thank you. Commissioners,
21 any comments? Commissioner Miller?

22 MR. MILLER: Yes, I just wanted to express my
23 appreciation to the applicant's effort to provide a
24 deeper level of affordability for the affordable
25 housing component than that which was -- than I

1 believe that which was required. And also providing
2 some of those 50 percent AMI units. Well, three of
3 the four 50 percent AMI units -- well, two are two-
4 bedroom. Two are two-bedroom units and one is a
5 three-bedroom unit. So we appreciate both of those
6 aspects, the deeper affordability and providing the
7 greater sized units at that level.

8 There's a total IZ mix of 13 units. Nine of
9 which are at the 80 percent AMI and four of which are
10 at the 50 percent AMI. So just appreciative of that
11 effort by the applicant, which was at our request I
12 believe.

13 VICE CHAIR COHEN: Yes. Thank you.
14 Commissioner Turnbull or May, any comments?

15 MR. MAY: So as I recall in this case we had
16 a long list of outstanding items. You know, the IZ
17 question was one of the outstanding items that was
18 quite substantive. I'm glad that was addressed. But
19 there are a number of other things having to do with
20 material changes and additional drawings that were
21 needed and I think all of that was pretty much
22 provided. I did have a concern about the location of
23 the three-bedroom IZ unit. But I think that that was
24 changed and they reconfigured things a bit. So I
25 think that's all been addressed.

1 So I am comfortable with where we are right
2 now. You know, like I said, I don't think -- going
3 over my list I don't think I have anything that's
4 really an outstanding issue at this moment.

5 VICE CHAIR COHEN: Would you make a motion,
6 please? Okay. Then, I will move to approve
7 Consolidated Plan Unit Development and Related Zoning
8 Map Amendment J. River, 1401 Pennsylvania Avenue,
9 LLC., 1401 to 1433 Pennsylvania Avenue Southeast,
10 Squares 1065, Lots 30, 31, 32, 33, 142, and 820, and
11 ask for a second.

12 MR. MILLER: Second.

13 VICE CHAIR COHEN: It's been moved and
14 second.

15 [Vote taken.]

16 VICE CHAIR COHEN: Ms. Schellin?

17 MS. SCHELLIN: Yes. And again, we have an
18 absentee ballot from Chairman Hood. So staff records
19 the vote five to zero to zero to approve final action
20 in Zoning Commission Case 15-12, Commissioner Cohen
21 moving -- or Vice Chair Cohen moving, Commissioner
22 Miller seconding, Commissioners Hood, May, and
23 Turnbull in support.

24 VICE CHAIR COHEN: Thank you. Next item.

25 MS. SCHELLIN: Yes, ma'am. So next we have

1 Case No. 13-14A, Jair Lynch Development Partners on
2 behalf of Vision McMillan Partners and DPED, Second
3 Stage PUD at Square 3128, Lot 800. And on this one
4 as a preliminary matter we have a request from the
5 applicant to accept their late filing of their
6 initial list of proffers and conditions which they
7 state were late because they receive OAG's comments a
8 week late, and so we'd ask the Commission to consider
9 that request to accept their late filing.

10 Anybody have any opposition to that?

11 VICE CHAIR COHEN: No, that's fine.

12 MS. SCHELLIN: Okay. So at Exhibit 62, 64
13 through 64B and 65 we have the applicant's post-
14 hearing submissions, Exhibit 66 is NCPD's report
15 stating the project would not be inconsistent with
16 the federal elements of the Comp Plan for the
17 National Capital. Would ask the Commission to
18 consider final action this evening.

19 VICE CHAIR COHEN: Thank you. Colleagues,
20 any comments on this? Mr. Turnbull?

21 MR. TURNBULL: Yeah. Thank you, Madam Chair.
22 I just want to -- I mean, when we took proposed
23 action on this I think we were all fairly
24 comfortable. They went with Option B. I mean, well,
25 we said we preferred Option B and we had a caveat

1 that we said we'd like to see. They were proffering
2 certain affordable units at a different -- at 80
3 percent AMI and we said we think that we'd like to
4 see 50 percent AMI. And they did come back and they
5 have now proffered two units at 50 percent AMI. So
6 very grateful that they have done that. I think it's
7 very -- it's an ingredient in this project which I
8 think is going to prove itself over the years. So.

9 VICE CHAIR COHEN: Thank you.

10 MR. TURNBULL: Very happy to see it.

11 VICE CHAIR COHEN: Thanks. Me too.

12 MR. MILLER: And I would concur with that,
13 Commissioner Turnbull's comments as well.

14 VICE CHAIR COHEN: Thank you, Commissioner
15 Miller. Commissioner May, anything?

16 Okay. So I will move to approve Zoning Case
17 No. 13-14A, Jair Lynch Development Partners on behalf
18 of Vision McMillan Partners, and the Office of the
19 Deputy Mayor for Planning and Economic Development,
20 Second Stage PUD at Squares 3128, Lot 800, McMillan
21 Reservoir Slow Sand Filtration Site, Parcel 2, and
22 ask for a second.

23 MR. MILLER: Second.

24 VICE CHAIR COHEN: Okay. It's been moved and
25 seconded.

1 [Vote taken.]

2 VICE CHAIR COHEN: Ms. Schellin?

3 MS. SCHELLIN: Yes. Again we have an
4 absentee ballot from Chairman Hood so the vote is
5 five to zero to zero to approve final action in
6 Zoning Commission Case No. 13-14A, Vice Chair Cohen
7 making the motion, Commissioner Miller seconding,
8 Commissioners Hood, May, and Turnbull in support.

9 VICE CHAIR COHEN: Thank you. Next item.

10 MS. SCHELLIN: Yes, we have Case Number --
11 the last for final action this evening, Case No. 14-
12 24, 1900 11th Street Northwest, LLC., Map Amendment
13 at Square 2848. And for this one we just have one
14 item, Exhibit 53, which is the NCPC report stating
15 the project would not be inconsistent with the Comp
16 Plan for the National Capital. We'd ask the
17 Commission to consider final action this evening.

18 VICE CHAIR COHEN: Thank you. Are there any
19 comments? I just have one and the Office of the
20 Attorney General is going to add to the draft order.
21 DDOT had some comments and we'll include those in the
22 zoning order. And subject to that, any other
23 comments?

24 Okay. Somebody like to make a motion?

25 MR. MILLER: Yeah, I just wanted to remind

1 myself and maybe my fellow commissioners that this is
2 the case that had -- where we're imposing a condition
3 on the variance to generally require the site plans -
4 - to require the building to be built according
5 generally to the plans that were submitted because
6 they will help mitigate some potential adverse
7 impacts that might otherwise happen if this were to
8 proceed as a matter of right. So I just wanted to
9 note that for the record. We did note that at
10 proposed action, or maybe note that previously but --

11 VICE CHAIR COHEN: So are you moving ahead?

12 MR. MILLER: Yeah, I'd be happy to move
13 forward with the motion.

14 MR. MAY: Just to clarify, though. The
15 variance relief was already granted with the first
16 vote. So this is just the second vote on the map
17 amendment, right?

18 VICE CHAIR COHEN: Yes.

19 MR. MILLER: Right. But this is, I think, we
20 saw the draft order. So I could actually see the
21 condition there. And so that's why I entered it.

22 So I would move that the Zoning Commission
23 take final action on Zoning Commission Case No. 14-
24 24, 1900 11th Street Northwest, LLC., Map Amendment
25 at Square 2848 and ask for a second.

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1 MR. TURNBULL: Second.

2 VICE CHAIR COHEN: It's been moved and
3 second.

4 [Vote taken.]

5 CHAIRPERSON HOOD: Ms. Schellin.

6 MS. SCHELLIN: Yes, staff would record the
7 vote five to zero to zero to take final action on
8 Zoning Commission Case No. 14-24 on the map
9 amendment. And just confirming that the Commission
10 already took final action on the variance.
11 Commissioner Miller moving, Commissioner Turnbull
12 seconding, Commissioners Cohen, Hood, and May in
13 support.

14 VICE CHAIR COHEN: Thank you, Ms. Schellin.
15 Now we move on to hearing action.

16 MS. SCHELLIN: Yes. Case No. 16-02, D.C.
17 Stadium, LLC., Consolidated PUD at Squares 603S, 605,
18 607, 661, and 665.

19 VICE CHAIR COHEN: Who would like to begin?
20 Oh, Ms. Steingasser.

21 MS. VITALE: Ms. Vitale. Good evening, Madam
22 Chair and Members of the Commission. Elisa Vitale
23 with the Office of Planning.

24 OP is recommending setdown of the
25 consolidated PUD requested by D.C. Stadium, LLC. to

1 permit the development of a 19,000 seat professional
2 soccer stadium in the Buzzard Point neighborhood in
3 the area generally surrounded by Potomac Avenue, R,
4 2nd, T, and Half Streets Southwest.

5 In 2014 the D.C. Council formally approved
6 the District of Columbia Soccer Stadium Development
7 Act to allow for the construction of a new soccer
8 stadium on this particular site in Buzzard Point
9 through a public/private partnership. The
10 legislation calls for D.C. United, a major league
11 soccer franchise, to develop and operate a soccer
12 stadium and for the District to act as the horizontal
13 developer with responsibility for land acquisition
14 and infrastructure improvements.

15 The District has initiated the infrastructure
16 work in the area. In July of 2015 the D.C. Council
17 approved the closing of portions of Potomac Avenue,
18 1st Street, R Street, and S Street Southwest to
19 facilitate the stadium development. And finally on
20 September 30th, 2015, the District filed for imminent
21 domain to acquire site control in preparation for
22 construction of the stadium.

23 The soccer stadium structure, which is the
24 subject of the planned unit development application
25 before you this evening will be owned by the District

1 upon completion. And completion is currently
2 targeted for the start of the 2018 major league
3 soccer season.

4 D.C. United has the right to development
5 property adjacent to the stadium. This area is
6 referred to the ancillary development site and it's
7 shown in gray up on the screen for you. That's not
8 part of this subject PUD application. The PUD that's
9 before you this evening is shown in red here on this
10 slide.

11 Buzzard Point is that neighborhood in that
12 area, is the subject of an ongoing district led
13 planning effort. The Buzzard Point vision framework
14 process, while not a small area plan, aims to
15 establish a vision for how new development in the
16 area will unfold, with an eye towards improved
17 circulation, continuous public access to the water,
18 and physical connections to and from the surrounding
19 community.

20 The applicant has been actively involved in
21 this planning effort, along with the Office of
22 Planning, DMPED, DDOT, DOEE, the Capitol River Front
23 Bid, as well as other property owners in the area.

24 The site is designated as a land use change
25 area and for high density residential and commercial

1 on the future land use map. The proposal is
2 generally not inconsistent with the Comprehensive
3 Plan's policy objectives for the lower Anacostia
4 waterfront and near Southwest area. These include
5 the creation of new mixed use neighborhoods through
6 the development of Buzzard Point, as well as the
7 development of new destinations for sports,
8 recreation, and celebration on or near the Anacostia
9 waterfront.

10 The proposed .8 FAR is permitted by the CGCR
11 PUD. The applicant is requesting flexibility for the
12 stadium use to provide all required parking off-site,
13 to not provide all required loading and from the
14 requirements for the provision of public space at the
15 ground level.

16 The applicant is proposing a modern stadium
17 design that employs metal panel, metal mesh, glass,
18 concrete, steel, and GFRC. Looking at the proposal
19 in more detail there is a PEPCO easement that runs
20 north/south through the site along the 1st Street
21 right of way. This area must remain accessible at
22 all times, and access to the easement is provided via
23 gates at the north and south ends of the stadium.

24 The main stadium entry and ticket gates are
25 located off a public plaza at the northeast corner of

1 the site. A key feature of the main -- a key feature
2 at the main entry is the large open volume that
3 houses circulation to provide access to the seating
4 bowl. As you move around the stadium to the east you
5 would encounter ticket windows, entry doors for
6 staff, and other back of house functions, as well as
7 access for the loading area, which would be from S
8 Street Southwest.

9 A pedestrian connection runs north/south
10 between the stadium and the ancillary development
11 site, as well as between the stadium and PEPCO
12 property as you move south through the site.

13 The applicant is proposing a plaza at the
14 Southwest corner of the site that would serve as a
15 focal point for the pedestrian connection and would
16 guide users to the 1st Street right of way, south of
17 T Street.

18 The applicant is proposing a two-story
19 building at the southern end of the stadium that
20 would provide team and general leasable office space,
21 as well as a retail component at the Southwest
22 corner. A secondary fan entrance would also be
23 located at the Southwest corner.

24 The 2nd Street façade, which is directly
25 opposite Fort McNair, would feature a wall, and above

1 that wall a decorative metal screen separating the
2 concourse from the sidewalk below. The northwest
3 corner provides another fan entry gate, and then the
4 D.C. United Team store is proposed to be located in a
5 separate one-story building fronting on R Street.

6 The applicant has an established community
7 benefits agreement that was negotiated with the near
8 Southeast/Southwest Community Benefits Coordinating
9 Council. That was negotiated as part of the land
10 disposition agreement. The applicant also has a
11 First Source agreement as well as a project labor
12 agreement.

13 OP encourages the applicant to continue to
14 work with ANC 6D to refine the amenities package for
15 this PUD. OP has identified areas where additional
16 information is required in its report, and has
17 requested that the applicant provide revised plans,
18 including detailed information on parking,
19 circulation, signage, and the color and materials
20 board, a description of how the PUD addresses the
21 Buzzard Point Vision Framework goals for activation
22 at the pedestrian level along 2nd Street as well as
23 along the 1st Street pedestrian connection, as well
24 as connections to the waterfront. Again, focusing on
25 the S Street and east elevation. As well as

1 information about the fan experience, including game
2 and nongame day programming of the plaza and
3 ancillary development space.

4 The applicant should also continue to
5 coordinate with DDOT and DOEE as the application is
6 refined.

7 The proposed PUD is not inconsistent with the
8 Comprehensive Plan, and OP recommends that this time
9 sensitive application be set down for a public
10 hearing to facilitate further discussion. OP will
11 continue to work with the applicant to develop a
12 stadium project that provides a dynamic fan
13 experience, to ensure an active and engaging design,
14 to provide a plan that maintains neighborhood
15 connectivity, and to respond to any requests for
16 additional information that might be identified this
17 evening.

18 This concludes the Office of Planning report.
19 Thank you and I can answer any questions that you
20 might have at this time.

21 VICE CHAIR COHEN: Thank you. It was a very
22 thorough report but I'm sure we have comments and
23 questions. So I will start with Commissioner May.

24 MR. MAY: Okay. So first of all I need to
25 make a disclosure, and that is that I am a season

1 ticket holder for D.C. United, and however, that will
2 not spare them from any of the necessary scrutiny.
3 So, and I don't expect that that will affect my
4 position on anything.

5 So, on to the scrutiny.

6 VICE CHAIR COHEN: It may affect your seats.

7 MR. MAY: You know, those are the chances
8 that we take.

9 MR. TURNBULL: Or future seats.

10 MR. MAY: Yeah, right. So, it may affect
11 whether I want to be a season ticket holder. No.
12 Anyway, so the first question I have is, is this
13 going to be subject to any other design review?

14 MS. VITALE: This would not be -- the stadium
15 portion, this would be it. The PUD application.

16 MR. MAY: This is it. But no CFA review?
17 They don't consider this to be a District facility
18 that's subject to CFA review?

19 MS. VITALE: I don't believe so.

20 MR. MAY: Okay. That's fine. I'm just
21 curious because you know, if CFA was going to review
22 it I might take it easier on them, but if it's us
23 then it's fair game.

24 And another comment, I just -- this is --
25 they're aiming for a 2018 opening which is basically

1 two years from right now. So that's really got to be
2 something to pull off. So hopefully our process will
3 be smooth.

4 Is the facility being designed for other uses
5 such as concerts?

6 MS. VITALE: Yes, they do anticipate
7 programming the space with, I believe, high school
8 and college athletic events as well as concerts.

9 MR. MAY: Okay. So there are very different
10 considerations that come into play with a concert
11 facility, and I think we need to know a little bit
12 about how that's going to happen. How it will be
13 laid out and you know, I mean, which, you know, which
14 end is the stage going to be on and who is going to
15 be affected by it, because this is a very porous
16 stadium and having lived just a couple of blocks away
17 from -- well, a half a block away from the RFK
18 Stadium complex, I know how loud those events can be
19 and that's at RFK, which is very tightly closed
20 compared to this. So I think we need to know a
21 little bit about that. I think that will play into
22 the public's interest in it.

23 I think I am interested in -- well, and just
24 to say, we may actually need some kind of acoustic
25 analysis of that associated with it. I'm not saying

1 that's an absolute necessity, but if they're looking
2 into the question I think that they probably should
3 share some of that. Again, not so much for games as
4 much as any kind of public address, concerts,
5 anything that's going to be loud, amplified sound.

6 It would be useful to seek precedent images
7 from other U.S. soccer stadiums or foreign stadiums
8 of similar size. Particularly ones that are set into
9 a neighborhood and not surrounded by parking. I
10 mean, I don't really care what a stadium looks like
11 when it's surrounded by parking, but when it's in a
12 neighborhood. And I know that this is not a, you
13 know, a fully developed neighborhood around it but I
14 think that in the future it will be much more like
15 that. And this is not to be considered a concern
16 about, putting a stadium like this into a
17 neighborhood. There's ample precedent for doing
18 something like this. So I'm not concerned about it
19 but I think we need to understand what it would look
20 like.

21 I think parking will need, obviously need
22 more information about that. I think that you raised
23 those questions and we just need to understand how
24 it's all going to work with other games and other
25 stadiums and where people will be parking. And I'm

1 very interested to know how, you know, what public
2 input there is. I'm sure the ANC will do a good job
3 of representing those interests. But I'm concerned
4 about neighbors to the north.

5 I'm also concerned about Fort McNair. I
6 wouldn't want to find out at the last minute that
7 there hasn't been outreach to Fort McNair.

8 MS. VITALE: There has been coordination with
9 Fort McNair.

10 MR. MAY: Oh, good. Okay. So it would be
11 good to know more about that, I think.

12 The drawings themselves are, I think, rather
13 confusing. I mean, you know, it's all done with a
14 lot of, you know, dark colors and it looks very cool
15 and all that kind of stuff. But it doesn't read as
16 well as some drawings that we've seen before. And so
17 -- and I think some of the drawings are quite
18 redundant. I mean, we don't need to have the blow
19 ups of a lot of, all of the particular interior
20 spaces as much as we need to understand what this
21 thing is going to look like in the context of the
22 neighborhood.

23 So I would suggest, you know, having some
24 street sections that deal with, you know, the four
25 sides of the building and how it relates to the

1 surrounding context, either as it is right now, but
2 also how it might eventually be when the neighborhood
3 is built out in accordance to what we expect as a
4 result of the planning effort that's going on there.

5 I think also some of the views are not --
6 they're not showing the building in a very flattering
7 way and that may just be the rendering and the way
8 these things are done. It seems like everything is
9 gray; very gray. And there are just a few little
10 spotlights of color, and you know, I mean, I
11 understand it's the black and red and all that. But
12 it's, you know, this is a living, breathing
13 neighborhood and it just shouldn't be a -- I think it
14 really has something to do with how the renderings
15 are done.

16 I also think that some of the design itself
17 needs a little more maturity. I mean, I appreciate
18 the industrial aesthetic but I think that in some
19 areas we have some -- there are views, particularly
20 along the street facades where it just, you're
21 looking at the sort of the underbelly of the stadium
22 and not necessarily -- it's not really necessarily a
23 celebration of structure. It is just sort of, well,
24 this is the underside of the stadium. And I think
25 that -- I'm not sure what the right thing is to do

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1 there, but I think that it just has to be considered
2 very carefully and you know, to some extent maybe it
3 is a drawing issue.

4 I mean, I also think that some of the
5 elevations, particularly when we're talking about the
6 lower level enclosed spaces, the buildings, are
7 really kind of undeveloped to put it politely. And I
8 don't want to -- I would say boring, but then that
9 means, you know, you need to make it really exciting.
10 You don't need to make those buildings really
11 exciting but they just need to be refined and
12 consistent and to some extent, I don't know, a little
13 bit less needs to be going on in certain areas.

14 Is there any notion that this stadium, for
15 19,000, might eventually have to grow? Or is it
16 pretty much, this is as much as they could possibly
17 cram into that site?

18 MS. VITALE: I think this is pretty maxed out
19 at this point. I don't think that there are
20 opportunities, given the current configuration, to
21 add more --

22 MR. MAY: Okay.

23 MS. VITALE: -- you know, extensive amounts
24 of more seating.

25 MR. MAY: Okay. And maybe I missed it, but

1 where is the bike parking?

2 MS. VITALE: They have indicated that bike
3 parking will be provided. The exact location has not
4 been identified on the plans at this time.

5 MR. MAY: Okay. So one of the things that's
6 a real problem with the current operation is that the
7 bike parking at RFK is horrible. Absolutely
8 horrible. So you go there, you know, you lock up to
9 a chain link fence or a pipe rail that is you know,
10 on a stair or something like that. So and I know
11 that there are a lot of people who would ride their
12 bicycles there, including me. So I think that
13 absolutely has to be addressed. I know that we have
14 requirements for it so they will have to include it.
15 But let's make sure it's in a good place. They have
16 good bike parking at National Stadium, so hopefully
17 we can get good bike parking here.

18 VICE CHAIR COHEN: That's it?

19 MR. MAY: That's it.

20 VICE CHAIR COHEN: Thank you, Commissioner
21 May. Commissioner Miller?

22 MR. MILLER: Thank you, Madam Chair. This is
23 a very exciting project, the soccer stadium for D.C.
24 United and it's been a long time in the making, and
25 we're still in the making.

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1 So I agree with all the requests for
2 additional information by both the Office of Planning
3 and by Commissioner May, and for additional
4 renderings that have been requested. And just to
5 emphasize a couple of points that have already been
6 emphasized by OP and Commissioner May, on the parking
7 I think we do -- since zero parking is being
8 provided, and they say they have 34 -- they say they
9 have access to 3400 off-street spaces, we just need
10 to see a lot more information on those commitments
11 and whether there's overlap with National's stadium
12 parking. I think we need to see in general more
13 information on the overlap between those two
14 facilities and how that affects parking and
15 transportation and pedestrian access in that whole
16 area. And I think you've requested some of that
17 information.

18 MS. VITALE: We have requested that
19 additional information and DDOT also completed a
20 special events study that looked at those issues in
21 this area, given the baseball stadium, the soccer
22 stadium, arena stage, other things, so that is
23 certainly an issue that is being looked into further.

24 MR. MILLER: So I'll look forward to seeing
25 that information and the comprehensive transportation

1 review that's prepared.

2 And another component of that would be what
3 you've -- which you've touched on in your report, is
4 the pedestrian connections to the Metro, to the two
5 Metro stations, because they're a half mile away. I
6 guess that's what, a 20 minute -- what is that? How
7 many minutes --

8 VICE CHAIR COHEN: The way you do it, or the
9 way I do it?

10 MR. MILLER: The average person. What is
11 that a --

12 VICE CHAIR COHEN: Fifteen minute.

13 MR. MAY: Twenty minutes for a mile.

14 MR. MILLER: Twenty-minute walk? I mean,
15 it's -- huh?

16 MR. MAY: A mile in about 20 minutes.

17 VICE CHAIR COHEN: Yeah, 10 to 15 minutes.

18 MR. MILLER: A mile is 20 minutes? So it's
19 10 to 15. But it's a lot further away than, for
20 example, the Navy Yard is to National's Stadium. So
21 just to know that there are -- what are the routes
22 that people would be coming? I think somewhere it
23 said that the Navy Yard probably would be the
24 preferred Metro station rather than the waterfront
25 because of where the Northeast main gate is. So just

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1 to see that the information, which I'm sure will be
2 there, on how the sidewalks all lay out and what the
3 route would be for that half mile or six tenths of a
4 mile walk.

5 And I guess I realize it's not part of this
6 PUD because it's that Parcel B, but it appears that
7 the large plaza that is adjacent to the Northeast
8 main entrance is part of -- is that part of Parcel B?
9 Or some of it is in the PUD site and some of it's in
10 -- most of it is in the ancillary development?

11 MS. VITALE: That's correct. And actually on
12 the site plan that's up on the screen now you can see
13 this dash line represents the division Parcel A and
14 the stadium parcel is to the left, the ancillary
15 development is to the right. So a good chunk of that
16 open plaza area would be on Parcel B, on the
17 ancillary development site. And it would remain
18 undeveloped.

19 MR. MILLER: So I guess I just want more
20 information on the timing of the -- I mean, that
21 plaza is a very important component of the main
22 entrance. Is it going to be fully built out at the
23 time of -- and landscaped in one complete --

24 MS. VITALE: Yes.

25 MR. MILLER: -- plaza? Or is it just going

1 to be the little plaza that's in Parcel A and then
2 this vacant undeveloped part?

3 MS. VITALE: No, the complete plaza would be
4 constructed for opening of the stadium. And that
5 would remain as plaza area even with the ultimate,
6 you know, ancillary development.

7 MR. MILLER: Well, that's good to hear. So I
8 think just some more information on what the timing
9 and proposed use of Parcel B is. And on the plaza I
10 think it would be useful, unless I may have missed
11 it, an illustrative rendering of what that plaza is
12 going to look like because I think that's a very
13 important component. And maybe in addition to the
14 renderings that you already requested and
15 Commissioner May requested, I don't think I saw
16 illustrative rendering of the light structures just
17 to see how they play with the neighborhood. I
18 realize they're no taller than the tallest part of
19 the stadium. I think I read that somewhere.

20 MS. VITALE: That's correct.

21 MR. MILLER: But I think it would be useful
22 to see an illustrative rendering of that. So that's
23 all I have. I'm looking forward to setting this down
24 for public hearing, Madam Chair.

25 VICE CHAIR COHEN: Thank you, Commissioner.

1 Commissioner Turnbull.

2 MR. TURNBULL: Thank you, Madam Chair. I
3 would agree with both of my colleagues and
4 Commissioner Miller's comment on we're looking
5 forward to this project being developed. I just want
6 to confirm, Ms. Vitale, you said that the plaza in
7 Section B would be developed for the opening?

8 MS. VITALE: Yes, that's correct.

9 MR. TURNBULL: Okay. Otherwise I was going
10 to say it would unfortunately be a mess if it wasn't.
11 I would agree with -- yeah, go ahead.

12 MR. MILLER: Can I just follow up? Is there
13 a reason why that part of the Parcel B can't be part
14 of this approval?

15 MS. VITALE: I think given timing concerns
16 the applicant wanted to move forward with the stadium
17 design. I think Parcel B might follow quick --

18 MR. MILLER: No, I just meant the plaza
19 portion of Parcel B.

20 MS. VITALE: I would let the applicant speak
21 to that if there is a reason that the line couldn't
22 be drawn so as to include the entire plaza.

23 MR. MILLER: Okay. I'm sorry. Sorry to
24 interrupt.

25 MR. TURNBULL: No, that's quite all right.

1 Well, I think I would agree with Commissioner Miller.
2 I think we ought to be able to review that piece of
3 the parcel over there. I think it's a very integral
4 element part of the whole complex and I think it's
5 very -- I mean, I wouldn't mind seeing what -- if
6 it's the context of how it's being developed.

7 And I would agree with all of the comments
8 that have been made. I want to say something about
9 the drawings. Do not do this. The next set of
10 drawings, do not do this. Do not fold 11 by 17
11 drawings. What a pain in the neck. We normally get
12 11 by 17 drawings ledger size that are solid that --
13 having to open up drawings that have been folded
14 three times is a pain in the --

15 MR. MAY: I'm glad you said that. We
16 actually get that a fair amount of times, but --

17 MR. TURNBULL: But I hate it.

18 MR. MAY: -- I've gotten to the point where I
19 have to have somebody just open them all up for me
20 and --

21 MR. TURNBULL: I know, and then you've got to
22 flatten them out to be able to look at them.

23 MR. MAY: It takes a long time.

24 MR. TURNBULL: And it's just, if the
25 applicant could just submit the 11 by 17 --

1 MR. MAY: Yeah.

2 MR. TURNBULL: -- to not fold them.

3 MR. MAY: Just lay them flat.

4 MR. TURNBULL: Just lay them flat.

5 MR. MAY: And no thick hard covers either.

6 Okay, because they travel with me on my bicycle, so I
7 need to have them --

8 MR. TURNBULL: That's right.

9 MR. MAY: I need to be able to bend them.

10 VICE CHAIR COHEN: And make sure that the
11 paper is recyclable.

12 MR. TURNBULL: Well, I guess one of the
13 things I'm glad to see, and I think it's part of the
14 requirements, is that it's going to be a LEED Gold
15 building. So that's one -- very excited about that.

16 I agree with all your comments, Ms. Vitale.
17 I think they were very insightful. I think you've
18 picked up on a lot of things and Commissioner May has
19 picked up on a lot of things.

20 I was just curious on a couple of drawings,
21 and I'm not sure exactly -- there is a couple of
22 places where it says, open to easement below.

23 MS. VITALE: Correct. That would be
24 referring to that PEPCO easement area.

25 MR. TURNBULL: But these are within the

1 stadium itself.

2 MS. VITALE: That's correct. The easement
3 runs through the stadium. You can see actually here
4 on the site plan, this you know, gray area that runs
5 north/south through the site.

6 MR. TURNBULL: Yeah.

7 MS. VITALE: That is the easement area. So
8 seats will, you know, be coming up over that easement
9 area.

10 MR. TURNBULL: So are those going to be
11 grates or removable vault squares? Or concrete
12 vaults that can be lifted up? Or --

13 MS. VITALE: No, this is open to a height of
14 18 feet. So it wouldn't be grated or screened over.
15 It's almost like a --

16 MR. TURNBULL: So there's nothing underground
17 that has to be accessed, then?

18 MS. VITALE: I think PEPCO could potentially
19 need to access, you know, below the paved surface
20 there.

21 MR. TURNBULL: It might be good to get a
22 little bit more clarification on whether -- I'm just
23 curious. I mean, it may not be any -- obviously
24 they've developed the plans knowing that, but it
25 might be good to clarify exactly what the impact of

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1 the easement is having on the overall impact of the
2 stadium and its layout.

3 MS. VITALE: Sure.

4 MR. TURNBULL: But I guess I would agree with
5 Commissioner May, some of Commissioner May's comments
6 that a lot of the drawings -- unfortunately when I
7 first looked at them they didn't strike me as a
8 professional stadium of sorts. In a way it looked
9 not quite as sophisticated as what I might think it
10 could be. I mean, stadiums are often by their
11 nature, industrial in a way. You're going to have
12 certain aspects to them like that.

13 And again, as Commissioner May has said, it
14 could be just the nature of the drawings to date.
15 The technique of the way they were drawn and how they
16 were laid out. But I think it would be worthwhile to
17 improve the aspect of the drawings so that it would
18 be a little bit more clear to understand some of them
19 and be a little bit more precise on how you're
20 looking at some of these views that -- I think
21 they're a little confusing. It's in certain areas.
22 So I think clarity, I think the choice of materials I
23 like -- we'd need obviously a material board that's
24 going to clearly show what they're looking at doing.

25 And as Commissioner Miller pointed out, the

1 lighting. We need to know a little bit -- just make
2 sure that we get better idea of how the lighting is
3 going to happen.

4 Signage, what they're proposing. We see some
5 signage on the deck overhead. But other than that I
6 think your questions and Commissioner May's have
7 touched on most of the items that I had.

8 VICE CHAIR COHEN: Thank you, Commissioner
9 Turnbull.

10 MR. TURNBULL: Oh, Chair, I just had one --
11 there was one item in the OP report. And Pardon me
12 while I sort through all my appears here.

13 The item that I saw, which it has to go I
14 guess with uses. I mean, we've already talked about
15 that, there could be other uses, concerts, or -- but
16 on your page 7, under flexibility, you're saying that
17 the applicant is asking for all uses not specifically
18 permitted or prohibited shall be permitted by special
19 exception.

20 MS. VITALE: And that has specifically to do
21 with a stadium use. In the CGCR a stadium use
22 isn't --

23 MR. TURNBULL: That's it.

24 MS. VITALE: -- called out specifically as a
25 permitted use.

1 MR. TURNBULL: Oh, okay.

2 MS. VITALE: So that's what that flexibility
3 is.

4 MR. TURNBULL: I was wondering if you were
5 going for other uses that could show up there.

6 MS. VITALE: No. No, that relates
7 specifically to the stadium use.

8 MR. TURNBULL: Got you. Okay. Thank you.

9 VICE CHAIR COHEN: Again, thank you,
10 Commissioner Turnbull.

11 Again, I think my colleagues have been, and
12 the Office of Planning have been very thorough but I
13 do have a couple of comments.

14 Again, I'm very concerned about the parking
15 and we need extensive information on that because my
16 recollection when the National Stadium opened there
17 was a real hustle at the last minute for parking
18 spaces. And they had to go to even the Housing
19 Authority to try to get approval to park on the empty
20 lots that was part of Capper Carrollsburg.

21 So not only do I want to know where the
22 parking is but how long there will be any kind of
23 arrangements or leases. I would like the
24 Metropolitan Police to take a look at these plans.
25 And the reason why, even though it's near Fort McNair

1 and they've been included, there's issues probably
2 with crowd control. And I just think that their
3 input would be very helpful to have it. The earlier
4 the better.

5 One of the things when I was reading the
6 proposal is there is so much water and usage in
7 stadiums. And I just want to make sure that again,
8 that's not going to be a problem with D.C. Water. It
9 won't affect everybody's rates. I don't know if the
10 -- be forthright about that, but it just is
11 worthwhile, I think, checking into that.

12 I believe that -- I don't know about
13 stadiums. I just want to make sure though, that the
14 number of seats is comparable to the most recent
15 stadiums because I think soccer is really becoming
16 more and more popular. That's why they want to do a
17 new stadium. And I just don't know enough about
18 soccer stadiums to say that this is state of the art
19 in numbers. And I know that there will be other uses
20 which they will be elaborating on. Especially in
21 light of the fact that it's again, in a neighborhood,
22 how many days will they be renting it for what. And
23 the usage.

24 Again, I think that -- and I'm looking at the
25 east elevation. And it is very austere. Now, I know

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1 it's in, you know, an industrial look but I actually
2 looked at it and I thought, this reminds me of a
3 prison, the façade. And so I think we need to get a
4 little bit more -- make it a little bit more friendly
5 to the neighborhood because if I'm looking at that
6 façade I wouldn't be too happy if, you know, it was
7 in my view. As I said, it may be the drawings as my
8 colleagues have mentioned, but it is really austere.
9 And there is that big, what appears to be a blank
10 wall between sets of windows. So I'd like to see
11 more detailed drawings with regard to that.

12 Other than that, I have -- I may have had
13 further comments but I'll be honest, I left them at
14 home. So, anyway, anybody want to move ahead and set
15 this down?

16 MR. MILLER: Yeah. Madam Chair, I would move
17 that the Zoning Commission set down for a public
18 hearing, Zoning Commission Case 16-02, Consolidated
19 Planned Unit Development for D.C. Stadium, LLC.,
20 Square 603S, Lot 800, Square 605, Lot 7 and 802,
21 Square 607, Lot 13, Square 661, part of Lots 804 and
22 805, and Square 665, Lot 25, and ask for a second.

23 VICE CHAIR COHEN: Second. So it's been
24 moved and second.

25 [Vote taken.]

1 VICE CHAIR COHEN: Ms. Schellin.

2 MS. SCHELLIN: Yes. Staff records the vote
3 five to zero to zero to set down Zoning Commission
4 Case No. 16-02 as a contested case, Commissioner
5 Miller moving, Commissioner Cohen seconding,
6 Commissioners Hood, May, and Turnbull in support.

7 VICE CHAIR COHEN: Thank you. I think we
8 have one remaining thing.

9 MS. SCHELLIN: Yes. I'm sorry,
10 correspondence item, Case No. 13-14B, Jair Lynch
11 Development Partners. We had a request from Bertha
12 Holiday to reopen the record to accept her testimony.
13 Ms. Holiday arrived at the hearing last Thursday
14 after it had concluded and wanted to hand in her
15 testimony, and I advised her that the records was
16 closed and I could not accept it and she'd have to
17 make a request to reopen the record, and if approved
18 then we could take her testimony. So before you this
19 evening you have her request to reopen the record.

20 VICE CHAIR COHEN: Any problems? Any
21 comments up here? It's fine.

22 MR. MILLER: Yeah, I have no problem. The
23 applicant would be able to respond as part of
24 whatever they have to submit to us?

25 MS. SCHELLIN: They would.

1 MR. MILLER: Okay.

2 MS. SCHELLIN: They have seven days after she
3 submits it.

4 MR. MILLER: Right. That's, I just wanted to
5 make sure as long as the applicant and parties had an
6 opportunity to react to it. So, thank you. I have
7 no objection.

8 VICE CHAIR COHEN: It's fine to accept this
9 correspondence. Okay. Thank you.

10 Any further items?

11 MS. SCHELLIN: I have nothing unless OP has
12 anything that they want to talk about.

13 VICE CHAIR COHEN: I don't believe they do.
14 So --

15 MS. SCHELLIN: Then --

16 VICE CHAIR COHEN: -- I will adjourn this
17 meeting.

18 [Hearing adjourned at 7:36 p.m.]

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