

**BZA APPEAL NO. 20191**  
**BY DC FOR REASONABLE DEVELOPMENT**  
**& PRO SE APPELLANTS**

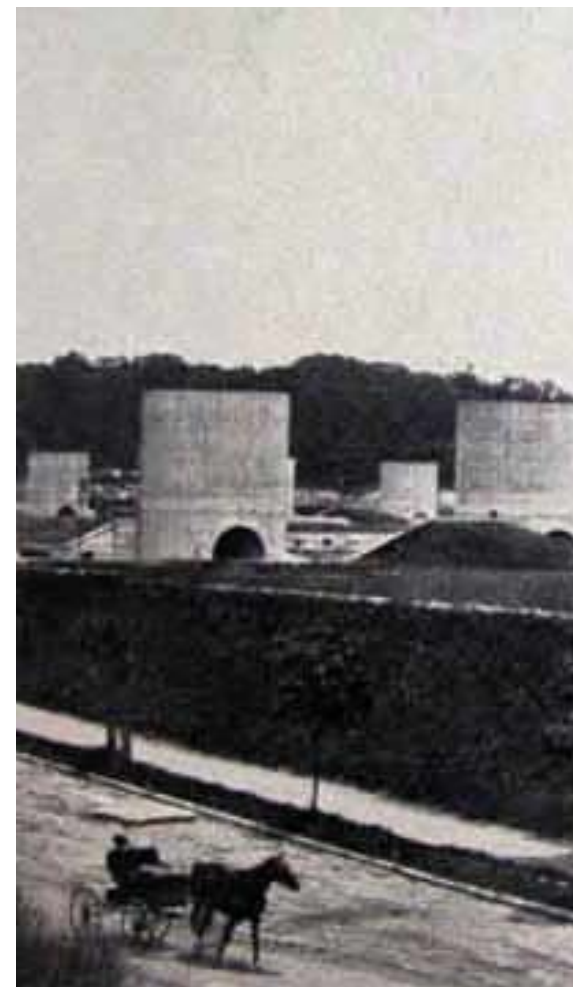
**Documents & Images for Presentation**  
**Before the Board of Zoning Adjustment**  
**Wednesday, August 5, 2020**

**1:30PM**

# The McMillan Master Plan

*First Stage PUD Approval Only*

The Master Plan governs all components of the redevelopment at the McMillan Park site.



# MASTER PLAN DESIGN GUIDELINES

NOVEMBER 29, 2012  
AUGUST 21, 2013 UPDATE  
OCTOBER 22, 2013 UPDATE

**OWNER**  
DISTRICT OF COLUMBIA

**DEVELOPMENT TEAM**  
EYA  
JAIR LYNCH DEVELOPMENT PARTNERS  
TRAMMELL CROW COMPANY

**PROJECT DIRECTOR**  
ANNE L. CORBETT

**MASTER PLAN ARCHITECT**  
EE&K A PERKINS EASTMAN COMPANY

**LANDSCAPE ARCHITECT**  
NELSON BYRD WOLTZ

**HISTORIC PRESERVATION CONSULTANT**  
EHT TRACERIES, INC.

**CIVIL ENGINEER**  
BOWMAN CONSULTING

**STRUCTURAL ENGINEER**  
ROBERT SILMAN ASSOCIATES

**TRAFFIC CONSULTANT**  
GOROVE / SLADE

**LAND USE COUNSEL**  
HOLLAND & KNIGHT

**BUILDING ARCHITECTS**  
EE&K A PERKINS EASTMAN COMPANY  
LESSARD DESIGN  
MV+A / DAVID JAMESON  
SHALOM BARANES ASSOCIATES

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Site aerial, circa 1930

## PROJECT BACKGROUND

### SITE SIGNIFICANCE

The site of the McMillan Slow Sand Filtration Plant is significant to Washington, DC, as a unique historic landmark and a major public asset. The site occupies a key location within the extended boundaries of the City of Washington as envisioned in the McMillan Commission's Plan of 1901, and it exemplifies the influence of the City Beautiful Movement on public works at the turn of the twentieth century.

### SITE HISTORY

The McMillan Site is a 24.69-acre parcel that was once part of the larger 92-acre McMillan Reservoir and Filtration Plant complex. The property is within the McMillan Park Reservoir Historic Landmark, which was listed in the District of Columbia Inventory of Historic Sites in 1991.

Constructed between 1902 and 1905, the McMillan Slow Sand Filtration Plant was the first large-scale water purification facility in Washington, DC. Although utilitarian in purpose, the complex was designed to be enjoyed by the public as a visual landmark, and its various buildings and structures are consistent with the ideals of the City Beautiful Movement.

Between 1907 and 1911, Frederick Law Olmsted, Jr. was retained to develop a landscape design to transform the larger reservoir and filtration plant site into a public park, beautifying the grounds with plantings and pedestrian paths. Open space for active recreation was located adjacent to the reservoir, and a perimeter pedestrian path was located on the site of the filtration plant.

The McMillan Site was enjoyed as a park until the 1940s, when it was permanently closed to the public during World War II. Operation of the filtration plant ended after the property was sold by the federal government to the city in 1986.

Since the sale of the property, the McMillan Site has been the subject of numerous studies and development proposals. Community members, historians, landscape architects, urban planners, engineers, and developers have spent years studying the site and determining its existing conditions and future potential.

## SITE CONTEXT

Since the opening of the filtration plant in 1905, the site's context has evolved to include various neighborhoods, institutions, landscapes, and infrastructure, but the site itself remains a distinct and unique "island" within the city. As the city has grown up around McMillan, the site has become increasingly visible as a key convergence (or separator) of varied and diverse communities.

The dual role of the site as an individual landmark and urban nexus has informed the master planning approach for redevelopment.

## MASTER PLAN

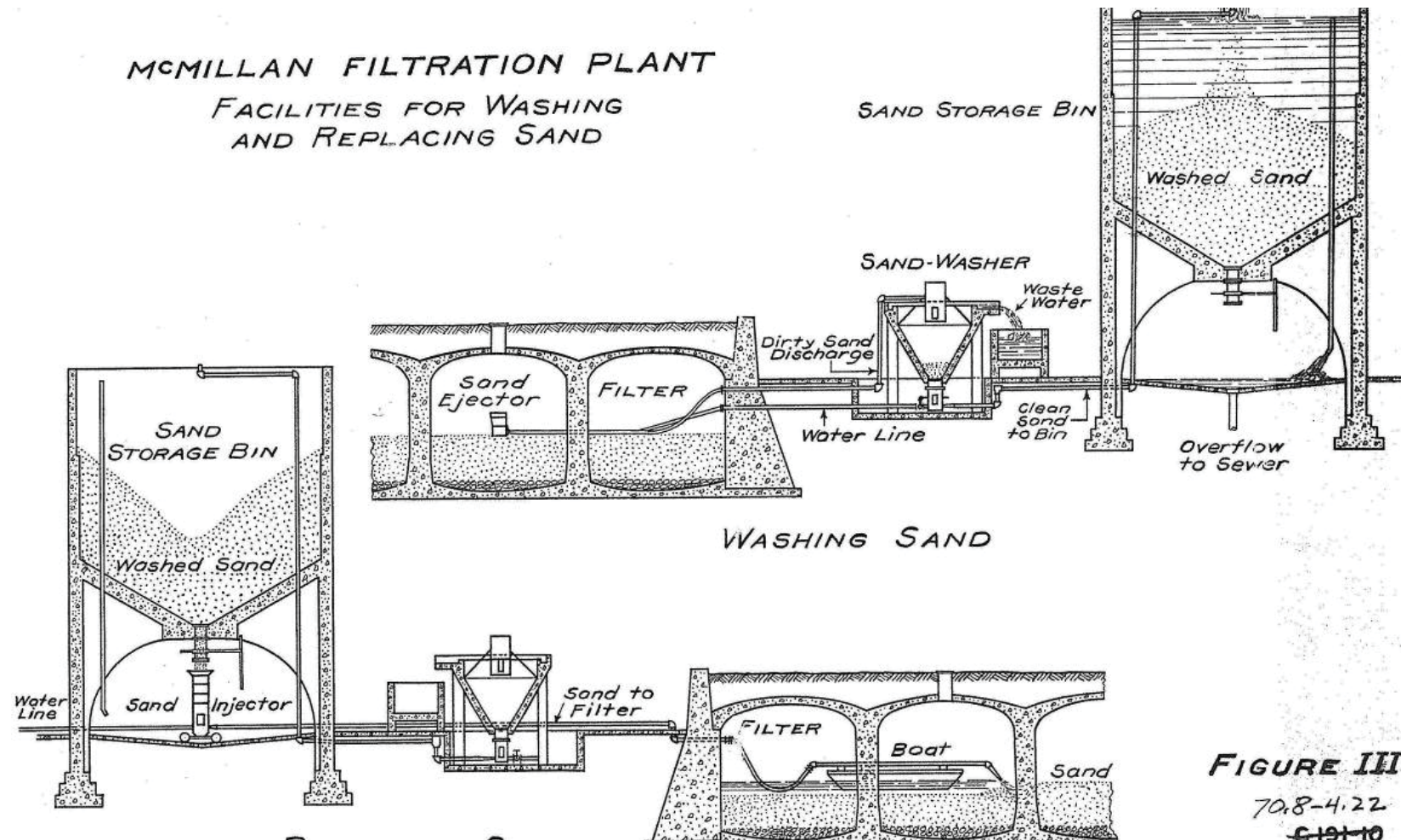
The Master Plan for the McMillan Site culminates years of study and community outreach. In 2006, the District of Columbia issued a request for proposals with the goal of attracting a developer to partner with the city government in the creation and implementation of a Master Plan. Vision McMillan Partners (VMP) was selected to lead the effort and has since engaged a team of design and planning professionals to work with the community throughout the process. VMP has coordinated with the McMillan Advisory Group\* and conducted a series of workshops and outreach activities to ensure that plans for future use and redevelopment embody the community's vision for the property.

The Master Plan seeks to balance economic development with public benefit, historic preservation, and community amenities. The redevelopment will incorporate residential, office, and retail uses and a series of passive and active open spaces to support diverse recreational programming. The redevelopment will not only enhance the life of existing and new neighborhood residents, but also serve the various medical and educational institutions that play important roles in this area of the city.

The Master Plan incorporates approximately two million square feet of development and a holistic preservation strategy that will protect and enhance McMillan as a historically and culturally significant landmark in the city.

\* McMillan Advisory Group (MAG) is a group comprised of citizen stakeholders, including members of civic associations, ANCs, and other community leaders from Wards 1 and 5.

**MCMILLAN FILTRATION PLANT**  
FACILITIES FOR WASHING  
AND REPLACING SAND



**FIGURE III**  
70.8-4.22  
C-191-10

Sand washing process, archival drawing, date unknown



McMillan Site, existing condition

**DESIGN GUIDELINES**

The opportunity is rare in our era to preserve and enhance a unique urban place in our nation's capital and to return a long-neglected landmark to the community. The Design Guidelines will direct the implementation of the Master Plan to ensure that this effort fulfills the potential promised by this site.

The Design Guidelines:

- Provide a framework for design that reflects community and stakeholder feedback, which was collected in a collaborative process throughout the initial phases of the project.
- Coordinate the design efforts of many architects, landscape architects, and engineers to produce a cohesive whole that is both unified and diverse.
- Ensure that all design efforts reflect and enhance the history of this important site.
- Provide clear strategies for creating a unique place that will be beautiful, memorable, urban, diverse, and inclusive.

Without being overly prescriptive about how the built environment should look in terms of style, the Design Guidelines provide strategies and direction for preservation, architecture, landscape, and urban design that will achieve a unified whole—a strong sense of place at McMillan.

These guidelines are intended to help create an urban place that will not only itself function as a new community, but will also integrate with its neighboring communities. Further, this new community will enhance the city as a whole, providing a highly visible example of creative reclamation of an abandoned site.

What is now an inaccessible void in the heart of the city will become a vital, interesting, and unique urban place. These Design Guidelines will ensure that the vision becomes reality.

**MISSION**

Vision McMillan Partners (VMP) is charged with the following mission:

*Preserve and enhance McMillan's unique sense of place.*

**VISION**

When complete, the 21st-century McMillan site will be a cohesive and distinctive mixed-use neighborhood that reflects the site's unique aesthetic, character, and history in its architecture and public space.

The redeveloped McMillan site will be clearly identifiable inside and out while at the same time connected to its surrounding neighborhoods.

Visitors and residents will be able to experience and learn about the site's critical role in public health and water filtration in the early 20th century. They will also be able to engage in healthy activities via expansive recreation opportunities, including a pool, splash fountain, play fields, and places for exercise.

These Design Guidelines will guide the development process toward fulfilling the vision—creating an urban place that gives new life to this landmark and extends the legacy of the McMillan Sand Filtration Site.

**OBJECTIVES**

Five objectives form the foundation of the Design Guidelines. Each objective is expanded with principles, strategies, and precedents in the sections that follow.

# Master Plan



# Aerial View from N Capital & Channing ST NE



Department of Consumer and Regulatory Affairs

Permit Operations Division

1101 4th Street NW

Washington DC 20004

Tel: (202) 442-4636 Fax: (202) 442-4662



**D**

**DEMOLITION PERMIT**

THIS PERMIT IS NOT VALID UNLESS IT IS PROPERLY DISPLAYED AT THE ADDRESS OF WORK.  
 (THIS PERMIT IS VOID IF IT IS NOT APPROVED)



PERMIT NO. D1600814

U-16-0216/2015

Address of Project 2940 NORTH CAPITOL ST NW	Zone	Ward	Street	Section	Lot
			0005		0000

Number of the Permit Granted to: District of Columbia	Owner Address: 380 PENNSYLVANIA AVENUE NW, SUITE 317, WASHINGTON DC 20004	PERMIT FEE:  \$329,768.00
--	--	---------------------------------

**Justification of Work:**  
 This permit is for the demolition of exterior walls of the building located at 2940 North Capitol Street, Lot 0000. The building is located on a lot with an undeveloped rear yard and no rear ground coverage.

Type of Demolition Exterior	Type of Material Non-Hazardous Debris	Asbestos Wall Material No	Lead Paint in Structure No	Area of Disturbed Earth or Gravel Yes - Answer Questions (B) on
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Roof Removal No	Existing Use Utility	Proposed Use Utility	Building Construction Type	Mark Yes
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Apert. Number Middewark & Middewark	Square Footage	Existing Level Inch 0	Proposed Level Inch 0	No. of Stories 0	Foundation Type
--	----------------	-----------------------------	-----------------------------	---------------------	-----------------

**Special Instructions:**

Special instructions for this permit:

THE EXISTING HISTORIC STRUCTURE LOCATED AT 2940 NORTH CAPITOL STREET IS NOT PERMITTED TO BE DEMOLISHED UNDER THIS PERMIT. DEMOLITION SHALL BE LIMITED TO THE REMOVAL OF THE EXTERIOR WALLS ONLY.

This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year.

All Construction Must According To The Current Building Codes And Zoning Regulations:

As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work, either directly or indirectly in accordance with the approved application and plans or file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within 120 days of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within 90 days of the date appearing on this permit.

Director James Christoph	Permit Clerk SCA188	Expiration Date: 12/02/2017
-----------------------------	------------------------	--------------------------------

TO APPLY FOR A PERMIT, PLEASE CONTACT ANY DISTRICT OFFICE OR CALL THE DC PERMITTING CENTER AT 1-800-521-1535.  
 WORKING HOURS: MON. - FRI. 9:00 AM - 5:00 PM. WEEKENDS 10:00 AM - 4:00 PM.  
 DC Permitting Center: 2000 4th Street NW, Washington, DC 20004





**BEFORE THE ZONING COMMISSION  
OF THE DISTRICT OF COLUMBIA**



**FORM 103A – APPLICATION FOR FIRST-STAGE APPROVAL OF A TWO-STAGE  
PLANNED UNIT DEVELOPMENT (PUD)**

Before completing this form, please review the instructions on the reverse side.  
Print or type all information unless otherwise indicated.

In accordance with the provisions of Chapter 24 of Title 11 DCMR – Zoning Regulations, request is hereby made for a  
First-Stage Approval of a PUD, details of which are as follows:

Square No.	Lot No.	Square Feet	Existing Zoning	Requested Zoning
3128	800	1,075,355	unzoning	R-5-B, C-2-C, C-3-C

**Address or boundary description of the premises:** The city property bounded by Michigan Ave., N.W., on the north, North Capitol St., N.W., on the east, First Street, N.W., on the west, and Channing St., N.W., on the south

**Total Area of the Site in Square Feet:** 1,075,355 s.f.      **Total Area of the Site in Acres:** 24.69 acres

**Certification of Minimum Area:** I hereby certify that the land area involved in this application is a minimum of one acres or 15,000 square feet, pursuant to Title 11 DCMR – Zoning §2401.

**Brief description of proposal:** Major new mixed-use development incorporating features of the historic McMillan Reservoir slow sand filtration plant and containing housing, retail, medical and commercial office space, and parks and open space.

**Concurrent change of zoning (choose one):** Yes (if yes, please complete a Form 101 Application/Petition to Amend the Zoning Map)

**Single-Member Advisory Neighborhood Commission District(s):** 5E-09

**If applicable, Historic District(s) in which site is located:** McMillan Park Reservoir Historic District

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.  
(D.C. Official Code § 22 2405)

**Owner's Signature:**  **Date:** 11-22-13

**Owner's Name:** Victor Hoskins, Deputy Mayor, Planning & Economic Development Please Print

**Person(s) to be notified of all actions:**

**Name:** Wayne Quin and Carolyn Brown, Holland & Knight LLP

**Address:** 800 17th Street, N.W., Suite 1100, Washington, D.C.

**Zip Code:** 20006      **Phone No(s):** 202-862-5990      **E-Mail:** carolyn.brown@hklaw.com

**ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.**

**US Commission on Fine Arts**  
**NOTED IN THE DC ZONING REGULATIONS**  
**AS A KEY REVIEW AGENCY**

***11-A DCMR 407.1***

**US Commission on Fine Arts currently reviewing and changing of  
the Community Center Plans, changes to be adopted by the  
DC Zoning Commission in the Second Stage PUD  
approval of the McMillan Master Plan**

Fd

Department of Consumer and Regulatory Affairs  
Permit Operations Division  
1140 4th Street SW  
Washington DC 20004  
Tel: (202) 442-4550 Fax: (202) 442-4402

Foundation Permit

This Permit is valid for 180 days from the date of the permit. All work must be completed within this time frame.

PERMIT NO. FD180000

1/21/2019

Address of Project 2940 NORTH CAPITOL ST NW	Sheet 6	Square 3100	Grade 000
--	------------	----------------	--------------

Description of Work  
000 WALK LAY FOR CONCRETE FOUNDATION SYSTEM

Contractor Name Address City State Zip	Contractor Type FEDERAL GOVERNMENT	Permit Fee \$715.00
---	--	---------------------------

Existing Foundation	Existing Foundation Type TYPE 2 - Self-anchored Composite	Proposed Foundation
------------------------	---	------------------------

Contractor's Responsibility  
The contractor is responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations.

Permit Fee  
The permit fee is \$715.00. This fee is non-refundable and is used to cover the cost of the permit and the cost of the inspection.

Permit Validity  
This permit is valid for 180 days from the date of the permit. All work must be completed within this time frame.

Permit Conditions  
The permit holder must comply with all applicable laws, codes, and regulations. The permit holder must also comply with the terms and conditions of the permit.

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Board of Zoning Adjustment  
District of Columbia  
CASE NO.20191  
EXHIBIT NO.4

APPROVALS (DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY)

A. PERMIT CONTROL

- 1. Fine Arts bv: \_\_\_\_\_ Date: \_\_\_\_\_
2. Historic Bv: \_\_\_\_\_ Date: \_\_\_\_\_
3. Cap. Gateway bv: \_\_\_\_\_ Date: \_\_\_\_\_
4. NCPC: \_\_\_\_\_ Date: \_\_\_\_\_
5. W.H./Obs. Precinct bv: \_\_\_\_\_ Date: \_\_\_\_\_
6. Flood Control bv: \_\_\_\_\_ Date: \_\_\_\_\_
7. WMATA bv: \_\_\_\_\_ Date: \_\_\_\_\_
8. Condem. bv: \_\_\_\_\_ Date: \_\_\_\_\_
9. Rental Accom bv: \_\_\_\_\_ Date: \_\_\_\_\_
10. Chinatown Dist. bv: \_\_\_\_\_ Date: \_\_\_\_\_
11. Utility Clearance bv: \_\_\_\_\_ Date: \_\_\_\_\_
12. General Liability Ins. Policy Clearance by: \_\_\_\_\_ Date: \_\_\_\_\_

B. CLEARANCE TO FILE PLANS

- 1. Zonina bv: \_\_\_\_\_ Date: \_\_\_\_\_
2. DDOT - Permit and Records Division
Access to Parkina Street [ ] Street [ ] Allev
Cleared bv: \_\_\_\_\_ Date: \_\_\_\_\_
3. DDOT - Consumer Engineer
Cleared bv: \_\_\_\_\_ Date: \_\_\_\_\_
4. ERA - Erosion Control
Cleared bv: \_\_\_\_\_ Date: \_\_\_\_\_

Restriction of the Permits

TO REPORT WASTE, FRAUD, OR ABUSE BY ANY D.C. GOVERNMENT OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639

C. PLANS AND APPLICATION APPROVAL

- 1. Information Counter bv: \_\_\_\_\_ Date: \_\_\_\_\_
2. Information Center bv: \_\_\_\_\_ Date: \_\_\_\_\_
(a) ABRA bv: \_\_\_\_\_ Date: \_\_\_\_\_
(b) Noise Control bv: \_\_\_\_\_ Date: \_\_\_\_\_
(c) Industrial Safetv bv: \_\_\_\_\_ Date: \_\_\_\_\_
(d) Vector Control bv: \_\_\_\_\_ Date: \_\_\_\_\_
(e) D.C. Animal bv: \_\_\_\_\_ Date: \_\_\_\_\_
(f) Police Dept. bv: \_\_\_\_\_ Date: \_\_\_\_\_
3. Zonina bv: \_\_\_\_\_ Date: \_\_\_\_\_
Zonina Update bv: \_\_\_\_\_ Date: \_\_\_\_\_
Zonina Overlav approval bv: \_\_\_\_\_ Date: \_\_\_\_\_
4. DDOT - Permit and Records Division/Deposit #
Sidewalk Deposit \$ \_\_\_\_\_ Driveway Deposit \$ \_\_\_\_\_
by: \_\_\_\_\_ Date: \_\_\_\_\_
5. Water/Sewer Design Branch
Consumer Eng. by: \_\_\_\_\_ Date: \_\_\_\_\_
6. Environmental Regulation Administration
Environmental Policv Review
Control No. \_\_\_\_\_
bv: \_\_\_\_\_ Date: \_\_\_\_\_
Erosion Control bv: \_\_\_\_\_ Date: \_\_\_\_\_
Storm Water Mamt. bv: \_\_\_\_\_ Date: \_\_\_\_\_
Plan No. \_\_\_\_\_
Air Quality bv: \_\_\_\_\_ Date: \_\_\_\_\_
Underground Storage bv: \_\_\_\_\_ Date: \_\_\_\_\_
7. Mechanical Eng. Review bv: \_\_\_\_\_ Date: \_\_\_\_\_
8. Plumbing Eng. Review bv: \_\_\_\_\_ Date: \_\_\_\_\_
9. Electrical Eng. Review bv: \_\_\_\_\_ Date: \_\_\_\_\_
10. Health Plan Review
(a) Food Plan Review bv: \_\_\_\_\_ Date: \_\_\_\_\_
(b) Medical X-Ray Plan Rev.
by: \_\_\_\_\_ Date: \_\_\_\_\_
11. Fire Protection Plan Review
by: \_\_\_\_\_ Date: \_\_\_\_\_
12. D.C. Fire Dept. (Fire Prevention Plan Review Section)
bv: \_\_\_\_\_ Date: \_\_\_\_\_
13. Elevator Plan Rev. Sec. bv: \_\_\_\_\_ Date: \_\_\_\_\_
14. Plumbing Insp Rev. bv: \_\_\_\_\_ Date: \_\_\_\_\_
15. Construction Insp. Branch (field Check)
bv: \_\_\_\_\_ Date: \_\_\_\_\_
16. Historic Pres. Div bv: \_\_\_\_\_ Date: \_\_\_\_\_
17. EISF bv: \_\_\_\_\_ Date: \_\_\_\_\_
18. Structural Eng. bv: \_\_\_\_\_ Date: \_\_\_\_\_
19. Permit and Certificate Issuance Counter
bv: \_\_\_\_\_ Date: \_\_\_\_\_
20. QC bv: \_\_\_\_\_ Date: \_\_\_\_\_

ZONING

CofO Number \_\_\_\_\_ Date: \_\_\_\_\_
Existing Use(s) \_\_\_\_\_
Proposed Use(s) \_\_\_\_\_

Job No. \_\_\_\_\_ BZA Case No. \_\_\_\_\_

DDOT - PUBLIC SPACE

[ ] New Bldd. \_\_\_\_\_
[ ] P.O.D. \_\_\_\_\_
[ ] File in Room 2124 \_\_\_\_\_
Street Name \_\_\_\_\_
Street Width \_\_\_\_\_
Road Width \_\_\_\_\_
Sidewalk Width \_\_\_\_\_
Parking \_\_\_\_\_

PUD Order No. \_\_\_\_\_

## OPERATING STATUS AND PROJECT REVIEW

Due to the Covid-19 public health emergency, the U.S. Commission of Fine Arts has made several changes to its meeting schedule and project submission procedures. [Click here](#) for the latest information, including temporary submission procedures. For general inquiries, please email [cfastaff@cfa.gov](mailto:cfastaff@cfa.gov) or call (202) 504-2200.

# CFA 18/JUN/20-6

**LOCATION:**

North Capitol Street and Channing Street, NW  
Washington, DC

**OWNER:**

D.C. Office of the Deputy Mayor for Planning and Economic Development

**PROPERTY:**

McMillan Community Center

**DESCRIPTION:**

New community and recreation center

**REVIEW TYPE:**

Final

**PREVIOUS REVIEW:**

[CFA 15/SEP/16-6](#)

**SUBMITTED DOCUMENTS:**

[McMillan Community Center presentation](#)

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## Letter

25 June 2020

Dear Mr. Falcicchio:

In its public meeting of 18 June conducted by videoconference, the Commission of Fine Arts reviewed a final design submission for a new park and community center building on the southern portion of the historic McMillan Sand Filtration Site at North Capitol and Channing Streets, NW. The Commission approved the proposed landscape design, contingent on the resolution of the issues raised in its review; however, it did not take an action on the proposal for the community center building, requesting additional study and documentation of the design for this component of the project.

The Commission members expressed their continued enthusiasm for the adaptive reuse of this outstanding urban site and historic industrial relic, commenting that its redevelopment and interpretation has the potential to be significant, both locally and nationally. They expressed appreciation for the responsiveness of the new project team and endorsed the progress made on the landscape design since the project was last reviewed. However, while accepting the general concept and massing of the proposed building, they observed that it was not adequately documented in the presentation, and they requested the submission of additional drawings and renderings for review; specific items that should be documented include the proposed material palette, the projecting shade structures, and how the new interventions meet the existing historic elements of the site, such as at the earthen berm and at filter cell 28. In addition, they raised concern with the proposed arrangement of the building program and the resulting decision to locate the only building entrance on the upper level of the site at the South Court, which would isolate the building from its outdoor program spaces and the surrounding park. They advised that the project would benefit from the inclusion of entrances at the upper-level playground on the west and at the lower-level plaza on the east; this lower-level entrance would also facilitate more pedestrian movement between the street, the public plaza and water garden, and the building, making the relatively secluded plaza feel safer.

For the design of the site, the Commission members expressed strong support for the proposed revisions to the landscape, and they provided several suggestions for its refinement. Regarding the plaza, they recommended repositioning the bioretention areas outward, possibly integrating them with the tree planting beds and reducing the width of the outer walkway, in order to avoid subdividing the central space and to improve the relationship to the plaza's perimeter of stepped berms. Although they expressed some support for open, half-circular benches surrounding the trees, they also suggested substituting moveable seating for the circular benches to improve the function and clarity of the central space. They questioned the extensive use of concrete retaining walls and terracing that would support the earthen berm, particularly at the southern gateway along North Capitol Street, recommending instead the use of structural soil and geotextiles to bring the steep, simply planted slopes of the berm underneath the pedestrian bridge and into the site. For the planting palette, they suggested the reconsideration of the proposed lindens in the playground, as these trees tend to attract bees; while this is a desirable characteristic for promoting biodiversity, it may be inappropriate where children are playing. They also advised further study of the blooming patterns of the various small trees proposed along the Olmsted Walk to ensure that the resulting rhythm of color appears intentional; they recommended further study of the placement of the proposed exercise stations along the walk, commenting that using them may be challenging due to their close proximity to the narrow path.

The Commission commends this redevelopment project to create a public facility that supports its surrounding community and is an exemplary treatment of historic resources. To complete the final review of the community center building, the Commission looks forward to the review of an additional submission that provides comprehensive documentation and addresses its recommendations; please coordinate with the staff for the resolution of the comments regarding the landscape design. As always, the staff is available to assist you with the next submission.

Sincerely,

/s/Thomas E. Luebke, FAIA

Secretary

John Falcicchio, Acting Deputy Mayor  
D.C. Office of the Deputy Mayor for Planning and Economic Development  
1350 Pennsylvania Avenue, NW, Suite 317  
Washington, DC 20004

cc: Tom Jester, Quinn Evans Architects  
Elliot Rhodeside, Rhodeside & Harwell



**OPERATING STATUS AND PROJECT REVIEW**

Due to the Covid-19 public health emergency, the U.S. Commission of Fine Arts has made several changes to its meeting schedule and project submission procedures. [Click here](#) for the latest information, including temporary submission procedures. For general inquiries, please email [glassaff@cfarts.gov](mailto:glassaff@cfarts.gov) or call (202) 904-2200.

RECORDS & RESEARCH

- RECORDS OF CFA ACTIONS
- PROJECT SEARCH
- RESEARCH COLLECTIONS
- ACCESSING CFA RECORDS
- RESEARCH POLICY & COSTS

**CFA 18/JUN/20-6**

**LOCATION:**  
North Capitol Street and Channing Street, NW  
Washington, DC

**OWNER:**  
D.C. Office of the Deputy Mayor for Planning and Economic Development

**PROPERTY:**  
McMillan Community Center

**DESCRIPTION:**  
New community and recreation center

**REVIEW TYPE:**  
Final

**PREVIOUS REVIEW:**  
CFA 13/JUN/19-6

**SUBMITTED DOCUMENTS:**  
[McMillan Community Center presentation](#)

**Letter**

28 June 2020

Dear Mr. Glassaff:

In its public meeting of 18 June conducted by videoconference, the Commission of Fine Arts reviewed a final design submission for a new park and community center building on the southern portion of the historic McMillan Canal-Fillmore site at North Capitol and Channing Streets, NW. The Commission approved the proposed landscape design, commented on the resolution of the issues raised in its review, however, it did not take an action on the proposal for the community center building, requesting additional study and documentation of the design for the component of the project.

The Commission members expressed their continued enthusiasm for the adaptive reuse of this outstanding urban site and historic industrial relic, recognizing that its redevelopment and interpretation has the potential to be significant, both locally and nationally. They expressed appreciation for the responsiveness of the new project team and endorsed the progress made on the landscape design since the project was last reviewed. However, while accepting the general concept and meaning of the proposed building, they observed that it was not adequately documented in the presentation, and they requested the submission of additional drawings and renderings for review. Specific items that should be documented include the proposed structural palette, the proposed street structure, and how the new interventions meet the existing historic elements of the site, such as at the southern lawn area at Block 28. In addition, they raised concern with the proposed arrangement of the building program and the resulting decision to locate the entry building entrance on the upper level of the site at the South Court, which would isolate the building from its outdoor program spaces and the surrounding park. They advised that the project would benefit from the inclusion of entrance at the upper-level playground on the west end of the lower level plaza on the east; this lower level entrance would also facilitate more pedestrian movement between the street, the public plaza and water garden, and the building, making the relatively secluded plaza feel safer.

For the design of the site, the Commission members expressed strong support for the proposed revisions to the landscape, and they provided several suggestions for its refinement. Regarding the plaza, they recommended repositioning the landscape areas outward, possibly integrating them with the tree planting beds and reducing the width of the outer walkway, in order to avoid subdividing the central space and to improve the relationship to the plaza's perimeter of stepped terraces. Although they expressed some support for open, half-circular benches surrounding the base, they also suggested substituting movable seating for the circular benches to improve the function and clarity of the central space. They questioned the extensive use of concrete retaining walls and terracing that would support the northern lawn, particularly at the southern gateway along North Capitol Street, recommending instead the use of structural steel and gravel beds to bring the steep, heavily planted slope of the lawn underneath the pedestrian bridge and into the site. For the parking garage, they suggested the incorporation of the program leaders in the playground, so that trees and to attract bees, while this is a desirable characteristic for existing biodiversity, it may be inappropriate where children are playing. They also advised further study of the blooming patterns of the various small trees proposed along the Canal Walk to ensure that the resulting rhythm of color appears seasonal; they recommended further study of the placement of the proposed exercise stations along the walk, recognizing that using them may be challenging due to their close proximity to the narrow path.

The Commission commends this redevelopment project to create a public facility that supports its surrounding community and is an necessary treatment of historic resources. To complete the final review of the community center building, the Commission looks forward to the review of an additional submission that provides comprehensive documentation and addresses its recommendations; please coordinate with the staff for the resolution of the comments regarding the landscape design. As always, the staff is available to assist you with the next video-meeting.

Sincerely,  
Dr. Terran E. Lumber, FAIA  
Secretary

John Proskocny, Acting Deputy Mayor  
D.C. Office of the Deputy Mayor for Planning and Economic Development  
1250 Pennsylvania Avenue, NW, Suite 217  
Washington, DC 20004

cc: Tom Jander, Quark Evans Architects  
Oliver Rhodeson, Rhodeson & Harwell

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U.S. Commission of Fine Arts  
401 F Street NW, Suite 912  
Washington, DC 20001-2728  
(202) 904-2200





ZONING COMMISSION

ORDER NO. 13-14(6)

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
ZONING COMMISSION ORDER NO. 13-14(6)  
Z.C. Case No. 13-14  
Vision McMillan Partners, LLC and  
Office of the Deputy Mayor for Planning and Economic Development  
(First-Stage PUD, Consolidated PUD, and Related Map Amendment  
@ Square 3128, Lot 800 - McMillan Reservoir Slow Sand Filtration Site)  
Order on Remand - September 14, 2017

This Zoning Commission for the District of Columbia (“Commission”), through the issuance of this Order, responds to the remand instructions of the District of Columbia Court of Appeals (“Court,” “Court of Appeals,” or “DCCA”) as set forth in *Friends of McMillan Park v. D.C. Zoning Comm’n*, 149 A.3d 1027 D.C. 2016) (the “Opinion”). The Opinion vacated<sup>1</sup> Z.C. Order No. 13-14 (“Order 13-14”), as corrected (“Remanded Order”).<sup>2</sup>

The Remanded Order granted the application of Vision McMillan Partners, LLC and the Office of the Deputy Mayor for Planning and Economic Development (“Applicant”) for first-stage and consolidated review of a planned unit development for Lot 800 in Square 3128 (“Application,” “PUD,” or “Project”), which is the site of the McMillan Reservoir Slow Sand Filtration Site (“PUD Site”). The Application was heard and decided pursuant to Zoning Regulations that were repealed as of September 6, 2016 and replaced with new text divided by subtitles. Existing Zoning Map designations were also renamed as of that date. Nevertheless, because this Application was filed prior to the repeal date, it remains subject to the substantive requirements applicable to it as of September 5, 2016. The remand proceeding was conducted pursuant to the Commission’s current rules of procedure set forth in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (“DCMR”). Except for citations to Subtitle Z, all references to DCMR Title 11 refer to the text of that title in effect as of September 5, 2016.

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<sup>1</sup> The Opinion also vacated two orders of the Mayor’s Agent for Historic Preservation that cleared applications for subdivision and demolition for historic preservation purposes.

<sup>2</sup> Z.C. Order No. 13-14 was published in the April 17, 2015 edition of the *D.C. Register*. On April 24, 2015, a corrected version of that Order was published in the *D.C. Register* to (1) revise Finding of Fact (“FF”) ¶ 94(a) to reflect changes to the proffers made by the Applicant through its filing dated August 25, 2014 (Exhibit 849-849-849G); (2) revise references in FF ¶ 94(c) and (d) from the “project association” to the “Partnership, as defined by Finding of Fact 75”; (3) indicate that the Partnership, as defined by FF ¶ 75, is the recipient of the Funds in FF ¶ 94(e); and (3) amend FF ¶ 94(f) to reflect changes to the proffers made by the Applicant in response to a comment from the Office of the Attorney General.

The Applicant identified seven development parcels within the PUD Site. The Commission granted first-stage PUD approval for the Master Plan and Parcels 2 and 3, consolidated PUD approval for the remaining five parcels, and a related map amendment to zone the PUD Site to the CR Zone District, except for Parcel 1, which was mapped in the C-3-C Zone District. Parcel 1 is located in the northern portion of the PUD Site and the C-3-C Zone District was requested to accommodate the 130-foot height requested for the proposed building at that location. That building was eventually approved for a maximum height of 115-feet, and will hereinafter be referred to as the “Parcel 1 Building.”

The parties to the original proceeding, and therefore to this remand, were the Applicant, Advisory Neighborhood Commission (“ANC”) 5E, the ANC in which the PUD Site is located, and Friends of McMillan Park (“FOMP”). FOMP is a nonprofit organization dedicated to preserving, restoring, and adaptively reusing the PUD Site. In addition, as a result in a change to the Commission’s rules of procedure, ANCs 1B and 5A were also entitled to automatic party status. (11-Z DCMR § 403.5 (B).)

Throughout this remand proceeding, the Commission remained cognizant of the DCCA’s admonition that its remand was “not solely for the purpose of redrafting findings and conclusions to facilitate our review and reinforce the [Commission’s] decision. The [Commission] may conduct further hearings or even reach a different result.” (149 A.3d 1027, 1035, quoting, *Ait-Ghezala v. D.C. Bd. of Zoning Adjustment*, 148 A.3d 1211, 1218 (D.C. 2016) (internal quotation marks omitted).)

Therefore, the Commission held four nights of public hearings, first hearing from members of the public, and then from the parties. In addition, the Commission received over 50 submissions from the public, the parties, and District agencies, many of which were voluminous. Finally, the Commission engaged in extensive deliberations on June 29, 2017 and on September 14, 2017. Between those two dates, the Applicant provided a submission in response to the Commission’s request that it revisit the Parcel 1 Building’s height. The Applicant stated that the height could be lowered an additional two feet and also suggested that the Commission consider rezoning Parcel 1 to CR. FOMP’s response to the Applicant’s submission will be discussed in the Conclusions of Law.

On September 14, 2017, the Commission concluded its deliberations of the remanded issues by voting to once again grant the Application with the maximum height of the Parcel 1 Building being 113-feet and the entire site zoned CR.

## **I. Preliminary Matters.**

### **A. The Commission’s Initial Actions following its Receipt of the Opinion.**

The Commission heard and decided this remand in accordance with Chapter 9, Remand Procedures, of its Rules of Practice and Procedure, set forth in Title 11-Z DCMR. In accordance with Subtitle Z § 901.1, the Office of the Attorney General (“OAG”) provided the Commission with a memorandum, after which the Commission met “to determine whether it should request the parties to submit briefs, provide additional oral

**EMAILS WITH MATTHEW LEGRANT**

**DC ZONING ADMINISTRATOR**



d.c. forrd <dc4reality@gmail.com>

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**RE: 2501 1st Street Designation: Help Needed**

1 message

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**LeGrant, Matt (DCRA)** <matthew.legrant@dc.gov>

Thu, Oct 10, 2019 at 4:18 PM

To: "d.c. forrd" <dc4reality@gmail.com>

Cc: "Silverman, Elissa (Council)" <esilverman@dccouncil.us>, "kmcduffie@dccouncil.us" <kmcduffie@dccouncil.us>, ATD DCRA <dcra@dc.gov>, friends-of-mcmillan-park <friends-of-mcmillan-park@googlegroups.com>, Vining Kirby <>nulliparaacnestis@gmail.com>, "afenster@railstotrails.org" <afenster@railstotrails.org>, Heather Benno <heather.benno@gmail.com>, Cynthia Carson <cyncarson@gmail.com>, James Fournier <james.fournier@gmail.com>, Daniel Wolkoff <amglassart@yahoo.com>, Jerome Peloquin <aquaponikus@gmail.com>, Mel Peffer <mpeffs@gmail.com>, Linwood Norman <linwood.norman@gmail.com>, Christof Rotten <crotten2@gmail.com>, "akoma@bizjournals.com" <akoma@bizjournals.com>, "cuneyt.dil@gmail.com" <cuneyt.dil@gmail.com>, "paul.schwartzman@washpost.com" <paul.schwartzman@washpost.com>, fredrick kunkle <fredrick.kunkle@washpost.com>, byjeffreyanderson <byjeffreyanderson@gmail.com>

Chris Otten-

My apologies for the delay in responding. I am consulting with my counsel on this matter and my goal is to have a response to you by cob 10/15/19.

**Matthew Le Grant**

Zoning Administrator

Department of Consumer and Regulatory Affairs

Government of the District of Columbia

1100 4<sup>th</sup> St SW, Washington DC 20024

[Matthew.legrant@dc.gov](mailto:matthew.legrant@dc.gov)

202 442-4576

---

**From:** d.c. forrd [mailto:[dc4reality@gmail.com](mailto:dc4reality@gmail.com)]

**Sent:** Thursday, October 10, 2019 12:40 PM

**To:** LeGrant, Matt (DCRA) <[matthew.legrant@dc.gov](mailto:matthew.legrant@dc.gov)>

**Cc:** Silverman, Elissa (Council) <[esilverman@dccouncil.us](mailto:esilverman@dccouncil.us)>; [kmcduffie@dccouncil.us](mailto:kmcduffie@dccouncil.us); ATD DCRA <[dcra@dc.gov](mailto:dcra@dc.gov)>; [friends-of-mcmillan-park@googlegroups.com](mailto:friends-of-mcmillan-park@googlegroups.com); Vining Kirby <[nulliparaacnestis@gmail.com](mailto:nulliparaacnestis@gmail.com)>; [afenster@railstotrails.org](mailto:afenster@railstotrails.org); Heather Benno <[heather.benno@gmail.com](mailto:heather.benno@gmail.com)>; Cynthia Carson <[cyncarson@gmail.com](mailto:cyncarson@gmail.com)>; James Fournier <[james.fournier@gmail.com](mailto:james.fournier@gmail.com)>; Daniel Wolkoff <[amglassart@yahoo.com](mailto:amglassart@yahoo.com)>; Jerome Peloquin <[aquaponikus@gmail.com](mailto:aquaponikus@gmail.com)>; Mel Peffer <[mpeffs@gmail.com](mailto:mpeffs@gmail.com)>; Linwood Norman <[linwood.norman@gmail.com](mailto:linwood.norman@gmail.com)>; Christof Rotten <[crotten2@gmail.com](mailto:crotten2@gmail.com)>; [akoma@bizjournals.com](mailto:akoma@bizjournals.com); [cuneyt.dil@gmail.com](mailto:cuneyt.dil@gmail.com); [paul.schwartzman@washpost.com](mailto:paul.schwartzman@washpost.com); fredrick kunkle <[fredrick.kunkle@washpost.com](mailto:fredrick.kunkle@washpost.com)>; byjeffreyanderson <[byjeffreyanderson@gmail.com](mailto:byjeffreyanderson@gmail.com)>

**Subject:** Re: 2501 1st Street Designation: Help Needed

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Mr. Legrant,

This will be our last and final request. We are asking for your determination letters as to the zoning requirements that went into mistaken approval of the building and foundation permits at McMillan Park.

Please advise as soon as possible.

Regards,

Chris Otten

On Wed, Oct 2, 2019 at 11:20 AM d.c. forrd <[dc4reality@gmail.com](mailto:dc4reality@gmail.com)> wrote:

Mr. Legrant,

Please advise. Have you recieved this request for determination?

It regards McMillan Park permit issuance: Raze permit and Foundation permit.

Chris Otten

DC4RD

----- Forwarded message -----

From: **d.c. forrd** <[dc4reality@gmail.com](mailto:dc4reality@gmail.com)>  
Date: Friday, September 27, 2019  
Subject: 2501 1st Street Designation: Help Needed  
To: [matthew.legrant@dc.gov](mailto:matthew.legrant@dc.gov)

Still awaiting an answer on this inquiry Mr. Legrant.

----- Forwarded message -----

From: **d.c. forrd** <[dc4reality@gmail.com](mailto:dc4reality@gmail.com)>  
Date: Mon, Aug 26, 2019 at 1:24 AM  
Subject: 2501 1st Street Designation: Help Needed  
To: <[matthew.legrant@dc.gov](mailto:matthew.legrant@dc.gov)>  
Cc: friends-of-mcmillan-park <[friends-of-mcmillan-park@googlegroups.com](mailto:friends-of-mcmillan-park@googlegroups.com)>, Cynthia Carson <[cyncarson@gmail.com](mailto:cyncarson@gmail.com)>, Linwood Norman <[linwood.norman@gmail.com](mailto:linwood.norman@gmail.com)>, James Fournier <[james.fournier@gmail.com](mailto:james.fournier@gmail.com)>, Yolanda Hawthorne <[bella2chef@yahoo.com](mailto:bella2chef@yahoo.com)>, Daniel Wolkoff <[amglassart@yahoo.com](mailto:amglassart@yahoo.com)>, Jerome Peloquin <[aquaponikus@gmail.com](mailto:aquaponikus@gmail.com)>, Christof Rotten <[crotten2@gmail.com](mailto:crotten2@gmail.com)>, Mel Peffer <[mpeffs@gmail.com](mailto:mpeffs@gmail.com)>

Dear Mr. Legrant,

Seeking your analysis and determination as to the construction/rehabilitation/redevelopment activity at the McMillan Park site.

We need your determination as to if you have/will you/did sign off on the consistency of issuing permits at McMillan Park with the requirements of DC's Zoning Regulations.

The Zoning Order in ZC Case 13-14(6) says:

The Applicant identified seven development parcels within the PUD Site. The Commission granted first-stage PUD approval for the **Master Plan and Parcels 2 and 3, consolidated PUD approval for the remaining five parcels**, and a related map amendment to zone the PUD Site to the CR Zone District, except for Parcel 1, which was mapped in the C-3-C Zone District. Parcel 1 is located in the northern portion of the PUD Site and the C-3-C Zone District was requested to accommodate the 130-foot height requested for the proposed building at that location. That building was eventually approved for a maximum height of 115-feet, and will hereinafter be referred to as the "Parcel 1 Building."

How can demolition/rehabilitation/redevelopment activities start at McMillan Park given the following Zoning Regulations:

- 11 DCMR X § 309.2 If the Zoning Commission finds the application to be in accordance with the intent and purpose of the Zoning Regulations, the PUD process, and the first-stage approval, the Zoning Commission shall grant approval to the second-stage application, including any guidelines, conditions, and standards that are necessary to carry out the Zoning Commission's decision.
- 11 DCMR § 311.1 X § Following approval of an application by the Zoning Commission, the applicant may file an application for a building permit with the proper authorities of the District of Columbia.
- 11 DCMR § 311.3 The Zoning Administrator shall not approve a permit application unless the applicant has recorded a covenant in the land records of the District of Columbia between the owner or owners and the District of Columbia satisfactory to the Office of the Attorney General and the Zoning Administrator, which covenant will bind the owner and all successors in title to construct on and use the property only in accordance with the adopted orders, or amendments thereof, of the Zoning Commission.
- 11 DCMR Z § 702.7 Following approval of an application by the Commission, the applicant may file an application for a building permit with the proper authorities of the District of Columbia.
- 11 DCMR Z § 702.8 The Zoning Administrator shall not approve a permit application unless the plans conform in all respects to the plans approved by the Commission, as those plans may have been modified by any guidelines, conditions, or standards that the Commission may have applied. Nor shall the Zoning Administrator accept the establishment of an escrow account in satisfaction of any condition in the Commission's order approving the PUD.

And as to the *Historic Preservation law* in context of the above Zoning Regs:

**DC CODE § 6-1104 (h) --** In those cases in which the Mayor finds that the demolition is necessary to allow the construction of a project of special merit, no demolition permit shall be issued unless a permit for new construction is issued simultaneously under § 6-1107 and the owner demonstrates the ability to complete the project.

Please clarify/send your positions.

I would ask you send us any determinations you made in so far as any of the permits (not clear the totality) issued at McMillan Park.

Thank you,

Chris Otten, co-facilitator

DC for Reasonable Development