

September 10, 2018

Via IZIS

Anthony Hood, Chairman  
District of Columbia Zoning Commission  
441 4th Street, NW, Suite 200S  
Washington, DC 20001

Re: **Zoning Commission Case No. 16-02: Modification of Consequence for the Approved Planned Unit Development (“PUD”) for Audi Field Located at 1711 1<sup>st</sup> Street SW (Square 665, Lot 27) (“Property”)**

Dear Chairman Hood and Members of the Commission:

DC Stadium LLC (the “Applicant”), hereby requests a small modification to the plans approved in Order No. 16-02 (the “Order”). The Order approved the construction of the new stadium for the DC United soccer team, which is now known as Audi Field. This Modification of Consequence will allow the Applicant to use a different material for the screening of the rooftop mechanical equipment on one limited part of the stadium. The new material is more effective in screening the mechanical equipment than the material approved in the Order, so it improves the aesthetics of the stadium.

A. Background

On January 19, 2016, DC Stadium LLC, filed an application requesting consolidated approval of a PUD for the Property. Pursuant to the Order, effective April 21, 2017, the Zoning Commission granted approval of the PUD to allow the construction of a new approximately 19,000-seat stadium plus associated offices, retail spaces, and plazas (the “Project”). A copy of the Order is attached hereto as Exhibit A.

Construction of the stadium was substantially completed in June 2018, and the stadium began hosting DC United games in July 2018 pursuant to a temporary certificate of occupancy (“CofO”). The temporary CofO was issued so that the stadium could begin hosting games in accordance with the Major League Soccer schedule while a few remaining cosmetic aspects of the stadium, including mechanical screening, were being completed.

The Applicant now requests to modify one minor aspect of the stadium's exterior materials in order to improve its appearance. The approved plans for the stadium identified anodized aluminum perforated metal as screening material for the mechanical equipment on top of the club and retail building along the east side (1<sup>st</sup> Street) exterior of the stadium. Instead, the Applicant requests that the Commission approve the use of black heavy duty knitted high density polyethylene ("HDPE") as the mechanical screening material in this location.

B. Modification Request and Applicant's Satisfaction of the Standards for Approving a Modification of Consequence

Condition No. A(1) of the Order requires that the Project be developed in accordance with the plans marked as Exhibits 37B and 97F in the record, which includes sheets 3.06 and 3.15 (attached hereto as Exhibit B) that identify the material for mechanical screening. Subtitle Z § 703 of the 2016 Zoning Regulations establishes the standards and requirements for approval of a Modification of Consequence, without a public hearing. Section 703.4 notes that examples of Modifications of Consequence:

[i]nclude, but are not limited to, a proposed change to a condition in the final order, a change in position on an issue discussed by the Commission that affected its decision, or a **redesign or relocation of architectural elements** and open spaces from the final design approved by the Commission. (emphasis added in bold).

The modification proposed in this application pertains to only one of the mechanical screening architectural elements on one part of the stadium. The Applicant seeks to change the mechanical screening material to black HDPE for the roof of the club and retail building on the east (1<sup>st</sup> Street) side of the stadium. A specification sheet for the proposed HDPE is attached as Exhibit C. The originally-approved plans for the stadium called for anodized aluminum perforated metal for the screening of the mechanical equipment in this location. After installing the approved aluminum screening material in other locations on the stadium, as shown on the photographs in Exhibit D, the Applicant realized that the aluminum screening is not successful in obscuring the view of the mechanical equipment behind. Thus, it is largely not useful for its intended functional purpose. Accordingly, in order to provide better screening of the mechanical equipment on the east side of the stadium while under severe time constraints to open the stadium on time, the Applicant installed the HDPE, which is shown as installed on the stadium in the attached Exhibit E. For functional and appearance reasons, the Applicant believed that the HDPE was permitted under the design flexibility provided in Condition No. A(6)(e) in the Order, but the Zoning Administrator

disagreed and informed the Applicant that Zoning Commission approval is required for the HDPE.<sup>1</sup>

Accordingly, the Applicant requests that the HDPE be permitted as the mechanical screening material in the indicated location on the east side of the exterior of the stadium. The HDPE is much more effective at obscuring the mechanical equipment behind. The requested change has a truly minor effect on the stadium's appearance since it is in one limited location, is small relative to the stadium's size, and does not change the stadium's overall design intent. The size and location of the HDPE is the same as the previously-approved aluminum screening, the HDPE is harmonious with the color palate of the stadium, and it is compatible with the stadium's other materials. The proposed change benefits the stadium and the surrounding area by improving the screening of the mechanical equipment that would otherwise be visible from the east.

C. Service on Party

The only party in Case No. 16-02 was ANC 6D. Therefore, ANC 6D is being served with this application pursuant to Subtitle Z § 703.13.

D. Conclusion

The proposed modification is consistent with the Zoning Commission's previous PUD approval and is truly *de minimis* in scale. The revised screening material is better suited for the stadium in this location and is consistent with the stadium's overall design. Given the small scale and nature of the modification proposed, use of the Modification of Consequence process outlined in Subtitle Z § 703 is appropriate for this application. All other conditions of the Order will remain as approved.

Please feel free to contact the undersigned if you have any questions or comments regarding this modification application.

Respectfully Submitted,

/s/  
Cary R. Kadlecek

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<sup>1</sup> The stadium otherwise has been constructed in accordance with the approved plans and the Order.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 10, 2018, copies of the attached request for a Modification of Consequence and attachments were delivered via email to the following:

Elisa Vitale  
D.C. Office of Planning  
elisa.vitale@dc.gov

Advisory Neighborhood Commission 6D  
office@anc6D.org

\_\_\_\_\_/s/\_\_\_\_\_  
Cary Kadlecek