

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :
   
:
   
THE CATHOLIC UNIVERSITY OF : Case No.
   
AMERICA : 12-01A
   
:
   
-----:

Thursday,
   
July 12, 2018

Hearing Room 220 South
   
441 4th Street, N.W.
   
Washington, D.C.

The Public Hearing of Case No. 12-01A by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice Chairperson
- MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

MATT JESICK  
JOEL LAWSON

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from the  
Public Hearing held on July 12, 2018.

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

6:35 p.m.

CHAIRMAN HOOD: Okay, we're ready to get started.

Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission for the District of Columbia. Today's date is July 12, 2018. My name is Anthony Hood. We're located in the Jerrily R. Kress Memorial Hearing Room.

Joining me this evening are Vice Chair Miller, Commissioner Turnbull, Commissioner Shapiro, and Commissioner May. We're also joined by the Office of Zoning staff, Ms. Donna Hanousek, as well as the Office of Planning staff Mr. Lawson and Mr. Jesick, and the District Department of Transportation, Mr. Zimmerman.

This proceeding is being recorded by a court reporter and is also webcast live. Accordingly, we must ask you to refrain from any disruptive noise or actions in the hearing room, including the display of any signs of objects. Excuse me.

Notice of today's hearing was published in the DC Register, and copies of that announcement are available to my left on the wall near the door.

The hearing will be conducted in the course of provisions of 11 BCMR, Chapter 4 as follows. Preliminary matters, the applicant's case, report of the Office of Planning, report of the other government agencies, report of

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1 the Advisory Neighborhood Commission, organizations and  
2 persons and in support, organizations and persons in  
3 opposition, rebuttal, and closing by the applicant.

4           The following time constraints will be maintained.  
5 This meeting, Applicant has up to 60 minutes, but we believe  
6 you can do this in 15 or 20 minutes. Organizations five  
7 minutes, individuals three minutes.

8           Again, all persons wishing to testify before the  
9 Commission in this evening's hearing are asked to register  
10 at the witness kiosk to my left and fill out two witness  
11 cards.

12           The decision of the Commission in this case must  
13 be based exclusively on the public record, and to avoid any  
14 appearance to the contrary, the Commission requests that  
15 persons present not engage the members of the Commission in  
16 conversation during any recess or at any time.

17           The staff will be available throughout the hearing  
18 to discuss procedural questions. Please turn off all  
19 electronic devices at this time so as not to disrupt these  
20 proceedings.

21           Would all individuals wishing to testify please  
22 rise to take your oath. Ms. Hanousek, would you please  
23 administer the oath.

24           MS. HANOUSEK: Do you hereby swear or affirm that  
25 the testimony you'll be giving in tonight's proceedings will

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1 be the truth, the whole truth, and nothing but the truth?

2 (Whereupon, the witnesses were sworn.)

3 MS. HANOUSEK: Thank you, be seated.

4 CHAIRMAN HOOD: Okay. At this time, the  
5 Commission will consider any preliminary matters. Does the  
6 staff have any preliminary matters?

7 MS. HANOUSEK: Yes, sir. First, to tee up the  
8 case, Catholic University is before you with a request to  
9 amend the 2012-2027 campus plan and for a further processing  
10 of the plan at Square 3671, Lot 3.

11 At the June 4 hearing, the Commission asked the  
12 applicant to provide a further explanation of why it did not  
13 comply with several TDM conditions to submit a view of the  
14 parking lot from the street, to confirm that there will be  
15 no negative impact on the neighborhood, and to modify the  
16 public hearing notice to spell out all the relief requested.

17 The applicant submitted its response at Exhibit  
18 32 to 32C. A new public hearing notice was distributed, and  
19 the property was re-posted on June 7.

20 We have as a preliminary matter two proffered  
21 experts, Paul Wiese from the Smith Group is a landscape  
22 architect, and the resume you'll find at Exhibit 18A. And  
23 Dan Lovas, a traffic engineer who was previously accepted in  
24 Case 1201.

25 But before the Commission continues to hear the

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1 case, we have a preliminary matter carried over from the June  
2 4 hearing. The applicant requested a waiver from the  
3 requirement to submit a supplemental TDM and parking study  
4 to DDOT 45 days prior to submitting any further processing.  
5 The Commission did not act on the waiver request, and staff  
6 asks how it wishes to proceed with that.

7 CHAIRMAN HOOD: Okay. Thank you, Ms. Hanousek.  
8 I believe, colleagues, as Ms. Hanousek just mentioned, I  
9 would deal with the expert witnesses second. Let's deal with  
10 this issue about the granting of the waiver. And I'm trying  
11 to capture it as I recall it.

12 As you know, we put some regulations in place  
13 before you go to further processing that there are some  
14 things that, you know, conditions, and not just this case but  
15 every case. And we did that for a reason, they need to be  
16 flavored and correctly done, and there are some measures that  
17 need to take place before you ask to come in front of the  
18 Commission for further processing.

19 As mentioned, Condition No. 13 in this particular  
20 case, that Catholic University was not following, we heard  
21 testimony that the applicant is, and I believe DDOT agrees,  
22 that they said they didn't have to do it. But regardless of  
23 all that, there should have been something that triggered  
24 that even before they came for this further processing.

25 So my recommendation is that any out of

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1 compliance, actually I think would fall in the jurisdiction  
2 of the Zoning Administrator. I'm going to ask that the  
3 Office of Zoning would strongly encourage the Zoning  
4 Administrator, which I think this is in his purview, strongly  
5 encourage him to serve some kind of infraction for not  
6 following the rules that we have.

7 Now, I'm not going to say what the amount is or  
8 what they should do or anything. But I'll leave that up to  
9 his discretion. But I would like for him to at least  
10 consider or serve some kind of infraction for not following  
11 our rule.

12 The other thing is I would recommend strongly to  
13 the Commission, as I've stated in my conversation, is that  
14 we do not consider this waiver at all. We just leave it and  
15 leave it up to the ZA.

16 So I'll open it up for any comments. Commissioner  
17 May.

18 COMMISSIONER MAY: I would agree with the Chairman.  
19 I don't need to say much more than that. Thank you.

20 CHAIRMAN HOOD: Any other comments?

21 COMMISSIONER TURNBULL: I will concur with, I  
22 concur as well, Mr. Chairman.

23 CHAIRMAN HOOD: All right. Anybody else? So I  
24 guess we would just leave it that we would not consider. I  
25 would move that we not consider this waiver request, and that

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1 we strongly encourage the Zoning Administrator, who has  
2 authority to carry out our rules, I strongly encourage him  
3 to look at some type of infraction. But we leave that  
4 discretion up to him. And I ask for a second.

5 COMMISSIONER MAY: Second.

6 CHAIRMAN HOOD: It's been moved and properly  
7 seconded. Any further discussion? All in favor, aye.

8 (Chorus of aye.)

9 CHAIRMAN HOOD: Any opposition? Staff, would you  
10 record the vote.

11 MS. HANOUSEK: Upon the motion of Chairman Hood,  
12 as seconded by Commissioner May, the Zoning Commission  
13 approved a motion not to consider the waiver request by a  
14 vote of 5-0-0, Hood, Miller, Shapiro, May, and Turnbull to  
15 approve not to consider the waiver request.

16 CHAIRMAN HOOD: Okay, and let me just make sure  
17 I make it explicit that we believe that the violation of the  
18 conditions are outside of our authority, and that's why we're  
19 shifting to the ZA. And we make sure that the Office, Ms.  
20 Hanousek, sends a letter that we strongly encourage him to  
21 find some type of infraction. Okay?

22 MS. HANOUSEK: Yes, sir.

23 CHAIRMAN HOOD: All right. All right, now let's  
24 move with the case. We have one person, I believe, that has  
25 not been an expert witness, and this is Mr. Paul Wiese. Am

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1 I pronouncing that right?

2 MR. WIESE: Wiese.

3 CHAIRMAN HOOD: Oh, Paul Wiese, okay. When I  
4 looked at it, I said Mr. Wiese is a landscape architect. His  
5 resume is in Exhibit 18A. Any objections? Okay, no  
6 objections. We will put Mr. Wiese in our book as an expert  
7 in landscape architecture.

8 And Mr. Lovas, is it Lovas? Lovas, Mr. Lovas,  
9 we've already accepted him previously, and I believe, Ms.  
10 Roddy, that's it, right? Okay, all right, anything else?

11 MS. HANOUSEK: No, sir.

12 CHAIRMAN HOOD: Okay, Ms. Roddy, you all may  
13 begin.

14 MS. RODDY: Thank you. Christine Roddy with  
15 Goulston Storrs and for Land Use Counsel for the University.

16 We're happy to be here this evening to present an  
17 application for further processing approval in amendment to  
18 the campus plan for improvements on Catholic University's  
19 north campus.

20 Catholic University is proposing a surface parking  
21 lot and service building, both of which will serve its newly  
22 renovated athletic field. The parking lot will include 144  
23 surface parking spaces, the majority of which will utilize  
24 pervious paving. And the proposed service building will  
25 consist primarily of restroom facilities.

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1           The application before you requires a modest  
2 modification to the campus plan in two regards. It requires  
3 a modification to allow the surface parking lot in that  
4 location, and during the campus planning process that was  
5 initially contemplated to be a practice field.

6           And it also requires, and actually, if you look  
7 at the on the slide we'll show where the initial service  
8 building was anticipated to be located. It was supposed to  
9 be in the middle of the north campus, and we are shifting  
10 that to the north end of the north campus. And so that's the  
11 second modification of the approved campus plan.

12           And we noted in our supplemental filing that there  
13 have been some changes since our initial filing. I'll run  
14 through them quickly here. They are noted in the record  
15 already. We have removed the dining facility from this  
16 application. The University intends to file a separate  
17 application for that later this year.

18           The second change is that we have, we are no  
19 longer proposing to relocate the gate on Bates Road. And  
20 that has come about upon discussions with DDOT. The  
21 University has also added a request for screening relief for  
22 the surface parking area. We have detailed the satisfaction  
23 of the standard in our submission.

24           And then finally, we have spent a considerable  
25 amount of time with DDOT and OAG and revising the

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1 conditions. And so we appreciate all the time that has been  
2 spent on that. We are happy to say that there is consensus  
3 on the language of the conditions while we're here this  
4 evening.

5           And I'd like to note that by and large, the  
6 modified conditions are much more stringent than they were  
7 during the approved campus plan process.

8           So per the Commission's direction after the last  
9 meeting, we did circle back with the community. We worked  
10 with the Office of Zoning as well as OAG to revise the notice  
11 that was sent out to the community. It went out to all  
12 neighbors within 200 feet of the entire campus, not just the  
13 north campus.

14           And we also reached out directly to the ANCs. The  
15 University is located within the ANC 5A. We not only reached  
16 out to them, we presented at their June meeting. They voted  
17 again in unanimous support of the application.

18           We also sent notices to ANCs 5B and 5E, which  
19 border on the University, and we received positive feedback  
20 from 5E. We did not receive feedback from 5B.

21           And with that, we have three witnesses this  
22 evening. We have Rob Specter, who is a Vice President for  
23 Finance and Treasurer at the University. We have Paul Wiese,  
24 as you know, as a landscape architect. And we have Dan Lovas  
25 as the Traffic Engineer.

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1 So with that, I will turn to Mr. Specter first.

2 MR. SPECTER: Good evening, Chairman Hood and  
3 Commissioners. My name is Rob Specter, I serve as Vice  
4 President for Finance and Treasurer of the Catholic  
5 University of America. Thank you for the opportunity to  
6 present to you on behalf of the University this evening.

7 We are presenting our Carlini Field improvements  
8 project, which consists of three elements. First, a new turf  
9 athletic field that is part of the 2012 master plan. Second,  
10 a service building to provide code-required restrooms and  
11 concessions, also part of the 2012 plan, but moved slightly  
12 to the north to better support the field.

13 And third, a parking facility on the portion of  
14 the site that was originally approved as a second turf field  
15 in the 2012 plan.

16 I'd like to address with you very  
17 straightforwardly an issue that came up repeatedly during  
18 your June 4 meeting, the commitment of the University to  
19 resolve its outstanding obligations from the 2012 master plan  
20 process.

21 The 2012 master plan requires the University to  
22 achieve a litany of transportation demand management and  
23 other measures on a schedule that the University has failed  
24 to meet.

25 Among my reasons for being here this evening is,

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1 are to acknowledge that, first, we did not live up to your  
2 expectations for these obligations. And second, we didn't  
3 meet our own goals for implementing the plan and the  
4 requirements that come with that plan.

5           Why did this happen? Shortly after completion of  
6 the plan, the University focused its attention on areas other  
7 than capital improvement. And simultaneously, we experienced  
8 significant turnover in the planning, architectural and  
9 engineering, and facilities development areas of our staff,  
10 the very persons who are charged with the day-to-day  
11 responsibilities associated with implementing the master  
12 plan.

13           Beginning at about the same time and continuing  
14 even through last year, the President of the University  
15 brought about significant turnover in our senior leadership,  
16 with changes in five vice-presidential-level leaders our of  
17 six.

18           Further, we reorganized our entire corporate Board  
19 of Trustees, strengthening our governance structure and  
20 preparing ourselves for a capital fundraising campaign, a  
21 portion of the proceeds of which will be to transform the  
22 physical campus through capital projects such as the Carlini  
23 Field improvements project before you this evening.

24           Now our Leadership Team is moving our university  
25 forward together. We have stabilized our facilities staff

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1 and added to it. I am relatively new to the campus now at  
2 two and a half years in my role, and our new University  
3 Architect and Chief Facilities Officer will join the  
4 University at the end of this month.

5 We understand our obligations associated with the  
6 plan. We will remain focused on their resolution, and we  
7 will meet them in the revised timeline that we agreed to with  
8 DDOT. That is my principal message to you this evening.

9 With that, I'd like to turn it over to Paul Wiese,  
10 Architect from the Smith Group, who will review the details  
11 of the parking area and the building. Thank you.

12 MR. WIESE: Good evening, Commissioners. I just  
13 want to start out the conversation to let you know that this  
14 site is particularly unique in terms of grading. The fields  
15 are actually about 30 feet in elevation higher than the  
16 fields to the south. And the parking area is about 12 feet  
17 higher in elevation than the adjacent field.

18 So why we opted to provide for parking in this  
19 location is because there's not an accessible rout currently  
20 to get to those fields. So by providing parking and the  
21 associated handicap parking, we can now provide an accessible  
22 way for our visitors to get to the complex. So we've got a  
23 unique grading condition that we're dealing with.

24 So the parking area also accommodates a drop-off  
25 area adjacent to the building, because we expect to be

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1 bringing a lot of our visitors to the site via shuttle bus,  
2 because parking is, the other closest parking is over at  
3 DuFour.

4           And we also want to make sure that we're  
5 accommodating emergency vehicle access and maintenance  
6 vehicle access in this parking area.

7           As Christine mentioned, all of the parking bays  
8 are planned to be permeable paving. We added some permeable  
9 paving based upon some comments that we heard. The one  
10 parking area that is not shown as permeable paving is along  
11 the west side.

12           And based upon the soils information that we  
13 gathered during the testing phase, the soil conditions there  
14 didn't provide any benefit to going to permeable paving along  
15 the west side. But all the other parking areas are  
16 permeable.

17           The drive aisles are asphalt. And we are  
18 providing the necessary lighting throughout the parking area.  
19 I'll talk a little bit more about lighting in a second.

20           From a landscape perspective, we are meeting the  
21 landscape ordinance in terms of the amount of landscape, ten  
22 percent of the lot will be landscaped between the islands and  
23 the areas adjacent to the lot. We're meeting the tree count  
24 requirement.

25           And regarding screening, we're meeting the

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1 screening on the west from a retaining wall. Again, dealing  
2 with that grade condition that we have.

3           On the south, we have added evergreen shrubs, and  
4 there's two openings on the south, and that's for, to access  
5 a walk and to access a level area where pregame and postgame  
6 activities will take place. Otherwise it will be screened  
7 from the south.

8           On the north and on the east is where we're asking  
9 for a special exception. And we have the next slide  
10 indicates some images that were taken from Bates. Actually  
11 the top image on the screen is looking from the practice  
12 field to the north.

13           The site, what isn't practice field or game field  
14 right now is all heavily wooded. And so we're going to  
15 maintain as many of those trees as we possibly can. And  
16 along Bates you can see how heavily wooded it is from the  
17 practice field looking north.

18           And then the image below that is an image from  
19 Bates looking towards the property, looking to the south.  
20 So that vegetation will remain.

21           We also have a condition where there will be,  
22 because we're trying to save all that vegetation, we would  
23 not be altering any grades in that area. So there's already  
24 a berm between Bates and the parking area that also provides  
25 some additional screening.

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1           And then lastly, the parking is over 80 feet set  
2 back from Bates. So that's, we're just asking for, because  
3 of the topography, the existing vegetation, and the setback,  
4 we're asking for a special exception from the -- we feel it's  
5 still going to be screened, but it's not the exact screening  
6 that's asked for in the ordinance.

7           On the east side, we have our drop-off, and then  
8 we have our service building that I'll talk about in a  
9 second, and that's where, I mean that's the purpose of the  
10 parking, is to, for people to then enter the site to the  
11 east. So we were asking for an exception to not have  
12 screening, because that's where we want people to go once  
13 they park to access the facility.

14           The service building itself, and there on the  
15 image you can see again some of the topography that we are  
16 dealing with, but the service building will be at the same  
17 elevation as parking. And the service building primarily  
18 contains restrooms for the visitors and spectators and  
19 players.

20           There will also be a concession area that will  
21 serve prepackaged food, and it will also double as a  
22 ticketing area. And then we have a small multipurpose room  
23 for staff when there's activities taking place. And then  
24 there's a mechanical room. But it's primarily a restroom  
25 building for the visitors and the teams.

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1           The materials for the architecture, it's a,  
2 generally it's a modern aesthetic, as you can see in that  
3 image. And we tried to make the structure as durable as  
4 possible, so it's an all-masonry building. I have samples  
5 here in front of me of the masonry units. We have some  
6 smooth face, some split face.

7           The school colors are red, so there's an accent  
8 wall that will have a glazed brick on it, I have a sample of  
9 that. And then the trim's painted in grey and red. All the  
10 glass will be clear on the building.

11           The building will sit in a entirely, an area  
12 that's entirely encompassing permeable pavers as well. We  
13 were asked to consider solar panels or a green roof. And  
14 Catholic has the largest solar array of any institution in  
15 the District.

16           And so the school is committed to alternative  
17 energy. We looked at that for this building. And given the  
18 setbacks required to maintain either a green roof or the  
19 solar panels, and just the limited square footage, we also  
20 have some roof drains and some roof penetrations.

21           It just did not, it just wasn't practical, given  
22 the size of the structure, for us to introduce solar or a  
23 green roof. But we did go with a reflective surface on the  
24 roof to just address the heat island effect.

25           And then lastly the lighting. All of the lighting

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1 in the facility is LED. They are all cutoff fixtures. And  
2 so with the LED fixtures, we get a very direct angle,  
3 vertically down. So the fixtures are not shielded, but  
4 they're, operate much the same way because of the LED lamps  
5 that we're using throughout the complex.

6 MR. LOVAS: My name's Dan Lovas with VHB, I'm a  
7 transportation engineer, and I'll go over some of the  
8 findings of the transportation evaluation.

9 The site has been described, includes parking lot  
10 accessible from Bates Road, NE, accessible via John McCormick  
11 Drive. Because of the gate located on Bates Road, the only  
12 path of access to the site is via John McCormack Drive, the  
13 same route that drivers use to get to the DuFour Center  
14 currently.

15 Our evaluation of the site entrance, which will  
16 replace two existing field access points, is that it's  
17 adequate from a site distance perspective, and that site  
18 lines are appropriate for drivers to view turning vehicles  
19 or pedestrians or bicyclists in the area.

20 The campus master plan approved in 2012 had a  
21 requirement to maintain a maximum of 1920 parking spaces on  
22 the campus, campus-wide. This project includes 144 new  
23 parking spaces in the north campus area.

24 Simultaneous with this process, the University has  
25 closed access to the Pangborn Lot, which is located on the

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1 southern portion of the campus, which contains 172 parking  
2 spaces in excess of the amount included in this application.

3           So the application includes a reduction in overall  
4 parking for the campus. Ultimately, when the north campus  
5 parking is constructed, the campus will maintain a parking  
6 capacity of 1892 spaces, so a reduction from the 1920  
7 originally required, or the maximum cited in the master plan.

8           Ultimately, the campus master plan and the  
9 University is moving forward toward further parking  
10 reductions on campus, as central parking in the University  
11 is removed to be used and put to better purposes. So the  
12 overall trajectory for the University is parking reduction  
13 in general.

14           We collected commuter or reviewed commuter parking  
15 or commuter travel pattern and mode data as part of the  
16 transportation evaluation. That data suggests that there are  
17 some, has been some improvement in certain alternative modes,  
18 including use of bus and bike and walking.

19           However, the single occupant vehicle mode has  
20 remained essentially unchanged since the 2012 master plan was  
21 approved. And there has been some reduction in use of subway  
22 ridership to the campus in terms of that mode.

23           However, that may be influenced based on the data  
24 collection period, by the SafeTrack Program. And there are  
25 some data elements, including use of the transit subsidy

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1 program through smart benefits at the University that suggest  
2 transit use has actually increased modestly relative to the  
3 commuter population or the campus population.

4           The University has also enacted parking fee  
5 increases annually in excess of the requirement in the 2012  
6 master plan.

7           The University is proposing, or has accomplished  
8 a number of the TDM measures included in the original master  
9 plan requirements. You can see those listed here.

10           They include continuation of transit subsidies for  
11 employees and tax deduction benefits. The prohibition of  
12 freshmen and as well as sophomore parking on campus.  
13 Installation of 137 bicycle racks. Sustainability measures  
14 including a large solar panel array above one of the parking  
15 lots and phasing our faculty and staff parking over time  
16 since the master plan period.

17           Additionally, this application includes, through  
18 coordination with DDOT, a proposal for a number of additional  
19 or continued TDM measures, which include things like  
20 providing a dedicated TDM plan coordinator in the Office of  
21 Parking and Transportation for the University who will  
22 oversee the implementation of the TDM program. Issuing  
23 carpool permits through a priority system. Installing  
24 additional bicycle racks and spaces on campus, and then  
25 installation of the Captial BikeShare station on campus as

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1 well.

2           This is a broad overview of a number of the  
3 measures. There were some additional ones as well in the  
4 conditions, but this is in general an indication of the types  
5 of measures that the University is committed to providing  
6 through this application. And that concludes my portion.

7           MS. RODDY: That concludes the presentation, and  
8 we're happy to answer any questions that you have.

9           CHAIRMAN HOOD: Okay, thank you for your  
10 presentation. Let's see if we have any questions or follow-  
11 up comments. Mr. May.

12           COMMISSIONER MAY: So this is actually under  
13 construction now, right, the parking lot? No? Something's  
14 going on in that spot. There's earth being moved? You need  
15 to be on a microphone if you're going to answer a question,  
16 or somebody on the microphone should answer the question.

17           MR. SPECTER: We are moving earth. We're grading,  
18 but we have not begun any construction of the paving or the  
19 building.

20           COMMISSIONER MAY: Okay, well that's under  
21 construction, but how'd you get a permit to start moving  
22 earth if you don't have approval from us for further  
23 processing? Is that possible? I don't even know, I'm just  
24 curious.

25           MS. RODDY: I think for the grading work that

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1 they're able to move forward with that. They aren't able to  
2 start the surface parking lot, and obviously any vertical  
3 construction would not be permitted.

4 COMMISSIONER MAY: Okay. I just, I mean, happened  
5 to be out there because, you know, the transfer station's  
6 there. The District citizens use the transfer station all  
7 the time, like me, so. I was just curious about that.

8 MS. RODDY: I would just clarify also that the  
9 field construction is also what's going on. That's primarily  
10 what you may have seen.

11 COMMISSIONER MAY: No, no.

12 MS. RODDY: Okay.

13 COMMISSIONER MAY: The access point is up at that  
14 driveway entrance there, way up Bates Road, so. I don't  
15 think I have any other questions, thank you.

16 CHAIRMAN HOOD: Okay. Mr. Shapiro.

17 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Just  
18 a question about the, a comment that you made related to the  
19 existing tree coverage. And I think, Mr. Wiese, you said  
20 that your expectation is that you wouldn't be removing any  
21 more trees than are necessary.

22 I just wanted some clarification around that. If  
23 I understanding of it is, you said a 60-foot setback off of  
24 Bates, 60, 80 foot setback?

25 MR. WIESE: It's about 80 feet from Bates to the

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1 proposed parking.

2           COMMISSIONER SHAPIRO: And then the road, that  
3 service entrance is existing, so you're not, there's no trees  
4 that are coming down because of that, right. So is there any  
5 reason to take down any trees? I'm just trying to get an  
6 understanding of why the tree covers would have to be reduced  
7 at all.

8           MR. WIESE: Well, per the planning to, there is  
9 some, and I can't, I think it might be even in the teens or  
10 so that trees that might be impacted by the parking. We're  
11 trying to fit the field that is there now is not of the size  
12 recommended by the NCAA.

13           So there are some trees planned to come down, but  
14 we're absolutely trying to keep it to, you know, a minimum.  
15 But because of trying to meet the rules of NCAA, there are  
16 some planned over by the field area. And the drive that's  
17 currently off of Bates is just a single width drive.

18           The plan is for a two-way drive, so I believe  
19 there's a couple trees in that area. But we've got an  
20 arborist on the team, and we're evaluating all those. But  
21 there are a few trees planned to come down.

22           COMMISSIONER SHAPIRO: So what's before us is the  
23 landscape plan that's before us reflects what you just said.  
24 It reflects the widening of the road, it reflects the trees  
25 that may need to come away, that come away because of the

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1 extension of the field. Or is that in addition to what we  
2 see before us?

3 MR. WIESE: No, that's what's reflected before  
4 you.

5 COMMISSIONER SHAPIRO: Okay. And just related to  
6 solar, I appreciate what you said about the building, that  
7 makes sense. Did you consider, what's the lot, the O'Boyle  
8 Lot, that has solar carports, I assume? Did you consider  
9 that for this parking lot? Have you, will you?

10 MR. WIESE: No, we did not consider covered  
11 parking in this location because it's primarily going to be  
12 used for activities. Whereas I'm assuming the lot on campus  
13 is more cars that are parked there all the time. So we  
14 weren't planning on any kind of covered parking for this  
15 particular lot.

16 COMMISSIONER SHAPIRO: Just, it's another way to  
17 maximize generation of energy. So I would encourage you to  
18 at least consider it. It doesn't even cost you anything to  
19 pull it off, and there are environmental benefits and all the  
20 rest, so. No other questions, Mr. Chair.

21 CHAIRMAN HOOD: Any other questions? Mr.  
22 Turnbull.

23 COMMISSIONER TURNBULL: Thank you, Mr. Chair. On  
24 your TDM measures, you talk about real time transit  
25 information. Are you going to be putting additional transit

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1 screens in buildings, or what?

2 MR. LOVAS: Yes, there is a proposed transit  
3 screen in the primary student center building, the Pryzbyla  
4 Center.

5 COMMISSIONER TURNBULL: Okay. There would be no  
6 --

7 MR. LOVAS: That's to be installed.

8 COMMISSIONER TURNBULL: I'm assuming there would  
9 be not transit screen at this facility, or would there be?

10 MR. LOVAS: There's not a proposed transit screen  
11 at this facility.

12 COMMISSIONER TURNBULL: Okay, you're looking for  
13 relief on the landscaping. If, when you're all finished, the  
14 ANC or the neighborhood do see some issues that the screening  
15 may not, that you, what you think you're going to be okay  
16 with is not sufficient, is it your intent then was go back  
17 and supplement that?

18 MR. SPECTER: It is in our interest to maintain  
19 good relationship with the neighbors and the neighborhood  
20 representatives. And through the course of construction, but  
21 more importantly once this is done and we see the actual  
22 impact, we will be soliciting comments and listening for  
23 concerns, and we will respond appropriately to them.

24 COMMISSIONER TURNBULL: Okay, all right. Thank  
25 you.

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1 CHAIRMAN HOOD: Okay, any other comments? Vice  
2 Chair Miller.

3 VICE CHAIR MILLER: Thank you, Mr. Chairman, and  
4 thank you for your presentation. And thank you, Mr. Specter,  
5 for your acknowledgment of the failure to implement previous  
6 TDM measures and commitment going forward to comply with  
7 previous and new ones, new measures.

8 I guess I just was thinking, I saw the list of  
9 Applicant's proposed conditions, and I just was seeking  
10 clarification because I was little bit confused by the  
11 numbers.

12 I guess it's an existing condition that's going  
13 to be maintained that requires any new parking facilities to  
14 be offset by a reduction in existing parking facilities,  
15 according to that Condition No. 3, University shall only  
16 propose new parking facilities that can be offset by  
17 elimination of an equal or greater number of parking spaces  
18 in other campus parking facilities. So this is a new parking  
19 facility of what, 147?

20 MS. RODDY: One hundred and forty-four spaces,  
21 correct.

22 VICE CHAIR MILLER: One hundred and forty-four.  
23 So you're going to reduce somewhere else 144? Although the  
24 numbers that I'm reading in the next paragraph don't seem to  
25 be down by 144. But maybe my math is wrong, I never was very

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1 good.

2 MS. RODDY: No, you're correct. So they are  
3 reducing on the main campus. They're taking the Pangborn Lot  
4 offline, and that's 172 spaces.

5 VICE CHAIR MILLER: Okay.

6 MS. RODDY: And so Pangborn will ultimately come  
7 back online. But before that does, they'll be taking  
8 additional spaces with the McMahon Lot offline, and that's  
9 284 spaces.

10 VICE CHAIR MILLER: Right. And I can understand  
11 the need for it to have a parking and pedestrian  
12 accessibility close to an athletic field.

13 So you don't need, Catholic doesn't need the  
14 second athletic field that was originally contemplated for  
15 where the parking facility is going? And did you ever  
16 contemplate putting the parking one level underground, and  
17 just putting it the second level above, which many  
18 institutions in the city have recently done? Or is that too  
19 expensive?

20 It is raised high, 12 feet you said already. So  
21 you don't have to excavate that lower.

22 MR. SPECTER: The challenge of the second field  
23 is that the topography and the physical constraints of the  
24 site, we tried every which way to design the two fields to  
25 be adjacent to each other, but we can't fit them both. And

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1 the NCAA's expectations of field size and capacity for fans  
2 to engage with the contest, it just became clear we couldn't  
3 fit two.

4 We did look at burying parking, and it simply is  
5 beyond our financial capability to do so, so we decided not  
6 to proceed in that way.

7 VICE CHAIR MILLER: Thank you.

8 CHAIRMAN HOOD: Okay, I don't necessarily have any  
9 questions -- well, let me take that back. I'm looking here  
10 at your TDM, existing TDM sustainability measures. Where are  
11 your freshman and sophomore residents, where are they  
12 parking? It says there's parking, their parking's  
13 prohibited. Where are they parking, in the neighborhood?  
14 Or what they doing?

15 No, they ain't riding bikes.

16 MR. SPECTER: We strongly discourage their  
17 bringing cars to the University.

18 CHAIRMAN HOOD: Okay. So when you say you  
19 discourage, is there anything where it's like in the  
20 application you can't bring a car? I mean, you strongly  
21 discourage them to bring it. It doesn't mean they can't, but  
22 you don't want them -- how do you enforce that?

23 MR. SPECTER: So students who do drive strongly  
24 prefer to park on campus. And by policy we do not permit  
25 freshmen or sophomores to do so. For them to be able to, for

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1 most it is financially difficult to afford to pay for parking  
2 for elsewhere, off of the campus. So we don't allow them to.

3           If they bring a car to the city, we do not control  
4 what they do, and they have to figure -- I honestly have no  
5 idea what they do with their cars. But there is a cost to  
6 them to bring a car into the city, and they bear that cost  
7 if they choose to. The vast majority of our students do not  
8 and do just fine with the public transportation options that  
9 we suggest to them.

10           CHAIRMAN HOOD: So they, so basically they just  
11 can't park on campus. Okay. All right, I could go down that  
12 line a little more but I'm not going to do that because I  
13 think, as you stated, I'm just curious how many are in the  
14 neighborhood.

15           And I'm sure the ANC 5, if they were in the  
16 neighborhood, it would be taken care of, like some other  
17 universities that are in the neighborhood parking. Okay,  
18 Commissioner Shapiro.

19           COMMISSIONER SHAPIRO: Thank you, Mr. Chair. You  
20 mentioned that when you re-advertised, that ANC 5A actually  
21 voted at their June meeting. I may have missed it but I  
22 don't see it.

23           MS. RODDY: It does not appear that their letter  
24 made it in time, but they did take a vote at that meeting,  
25 I think it was June 27, and they voted unanimously at the

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1 time in support of the application.

2 COMMISSIONER SHAPIRO: Okay.

3 CHAIRMAN HOOD: Is the 27th a Wednesday? Okay,  
4 because that's when they meet. Okay, all right, anything  
5 else up here? All right, first let me ask do we have anyone  
6 who's here to testify in opposition to this case? Okay.

7 All right, let's go to the Office of Planning and  
8 District Department of Transportation. Mr. Jesick and then  
9 we'll hear from Mr. Zimmerman.

10 MR. JESICK: Thank you, Mr. Chairman and members  
11 of the Commission. The Office of Planning supports the  
12 application, both the campus plan amendment, the further  
13 processing, and the special exception request. The applicant  
14 has addressed all of our concerns, and we can recommend  
15 approval. Thank you.

16 CHAIRMAN HOOD: Thank you. Let's go right to you,  
17 Mr. Zimmerman.

18 MR. ZIMMERMAN: Good evening. Thank you, Chairman  
19 Hood and Commissioners. For the record, my name is Aaron  
20 Zimmerman with the District Department of Transportation.

21 As you heard in Ms. Roddy's and Mr. Lovas's  
22 presentation, DDOT and the applicant have reached an  
23 agreement on all of the conditions, including revisions to  
24 both the TDM plan, which is Condition No. 8, and the  
25 performance monitoring plan, which is Condition No. 10.

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1 To make them more robust and to ensure they are  
2 brought into compliance in the near future, the revised TDM  
3 plan includes installing a Capital BikeShare station prior  
4 to the fall 2019 semester, installing additional bike racks  
5 and a transit screen, and implementing the remainder of the  
6 TDM strategies by the fall 2018 semester.

7 Revisions to the performance monitoring plan  
8 include the establishment of non-automotive and single  
9 occupancy vehicle mode-share goals and defining the metrics  
10 to be analyzed in the annual monitoring reports, all of which  
11 were not clearly defined in the previous zoning order.

12 So with the revised conditions in the document  
13 dated May 30, 2018 uploaded to the record by the applicant,  
14 DDOT has no objection to the approval of this campus plan  
15 amendment.

16 CHAIRMAN HOOD: I want to thank you both. Let's  
17 see if we have any questions for either DDOT or the Office  
18 of Planning. I'm not seeing anything. Thank you. Does the  
19 applicant have any questions, cross?

20 MS. RODDY: No.

21 CHAIRMAN HOOD: Okay. Again, I don't see any  
22 representative from ANC 5A. Do we have any other government  
23 reports that I may have missed? Okay. The report of the  
24 ANC, they did support previously, but as stated by Ms. Roddy  
25 on June 27, they took another vote. I guess Chairman Ronnie

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1 Edwards, I'm not sure who all did it.

2 But we don't have a letter. Are they going to be  
3 providing us a letter, or is that first vote? They've  
4 reaffirmed their vote obviously on the 27th from their  
5 previous vote.

6 MS. RODDY: Correct.

7 CHAIRMAN HOOD: Okay. So we will accept Ms.  
8 Roddy's recall of that. Were you in attendance?

9 MS. RODDY: I was not but, I was not, and  
10 unfortunately no one here was.

11 CHAIRMAN HOOD: So somebody told you that, that  
12 was hearsay.

13 MS. RODDY: My colleague at my firm did, and I  
14 have every reason to believe her.

15 CHAIRMAN HOOD: Okay, could you give us her name  
16 for the record.

17 MS. RODDY: Ms. Allison Prince.

18 CHAIRMAN HOOD: Ms. Allison Prince, okay. Well,  
19 we know Ms. Prince. So, yes.

20 MS. HANOUSEK: I just wanted to tell you that I  
21 had confirmed with the Chair of the ANC on June 1 that they  
22 still supported the project.

23 CHAIRMAN HOOD: July 1?

24 MS. HANOUSEK: June 1.

25 CHAIRMAN HOOD: But you said that another vote was

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1 June 27, right?

2 MS. RODDY: That's correct.

3 CHAIRMAN HOOD: Okay, so yeah. So we have the  
4 first letter. So we will go with that, and I believe, you  
5 rest assured, if what we are doing is not correct, we will  
6 hear from this ANC.

7 Okay, again, they do have a letter in support of  
8 this. Ms. Roddy testified from one of her colleagues who  
9 attended the meeting that ANC was in support. It's not that  
10 we don't believe it, I actually believe it. I just want to  
11 make sure we have something for the record. So we'll take  
12 a verbal on that one.

13 Anything else? Do we have any organizations and  
14 persons who are here in support? Any organizations or  
15 persons who are here in opposition? Okay, Ms. Roddy, I don't  
16 think you have anything to rebut. You have a closing?

17 MS. RODDY: I just want to reiterate we do  
18 appreciate your time tonight. We hope that you consider our  
19 comments tonight. We took everything that you said to us  
20 June 4 to heart, and going forward make every effort to  
21 comply with the conditions.

22 We think that this application is straightforward.  
23 DDOT and OP and OAG have spent a lot of time with us in  
24 coming up with the conditions. So we would ask the  
25 Commission to incorporate the conditions into any approval.

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1           And given that we do have work ongoing on the  
2 site, time is important. So if the Commission is inclined  
3 to vote this evening, we would appreciate it. Thank you.

4           CHAIRMAN HOOD: Okay, Commissioners, if we don't  
5 have any follow-up, I think this is pretty straightforward.  
6 I think this was re-advertised and well done as far as coming  
7 back.

8           So I make a motion to approve Case No. 12-01A,  
9 amendment to the 2012-17 campus plan and further processing  
10 of Square 3671, Lot 3, to construct a new service building  
11 and service parking lot and to grant special exception relief  
12 from the parking screen requirements of Subtitle C Section  
13 of 7-14, and to modify conditions No. 38-10 and 13 of Zoning  
14 Commission Order No. 1201, and to add a new Condition 17, as  
15 provided in Exhibit 32B of this case record, and ask for a  
16 second.

17           COMMISSIONER MAY: Second.

18           CHAIRMAN HOOD: It's been moved and properly  
19 seconded. Did I get everything, Ms. Roddy? Okay, make sure  
20 I got everything. Moved and properly seconded. Miller and  
21 May, we can put both of them down. Miller and May both said  
22 --

23           COMMISSIONER MAY: I'll withdraw my second.

24           CHAIRMAN HOOD: Okay. I've seen these where two  
25 people get recorded second. Okay. So it shows that they've

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1 done a good job, we've got two seconds. Okay, it's been  
2 moved and properly seconded. Any further discussion?

3 COMMISSIONER MAY: Mr. Chairman, I just wanted to  
4 say I appreciate the fact that, all additional work that you  
5 did and the explanations that you provided and so on. Very  
6 comfortable at this point with the case.

7 CHAIRMAN HOOD: Any further discussion? All in  
8 favor?

9 (Chorus of aye.)

10 CHAIRMAN HOOD: Any opposition? Not hearing any,  
11 Ms. Hanousek, would you please record the vote.

12 MS. HANOUSEK: Upon the motion of Chairman Hood,  
13 as seconded by Vice Chairman Miller, the Zoning Commission  
14 took final action to approve Case 12-01A by a vote of 5-0-0,  
15 Hood, Miller, Shapiro, May, and Turnbull to approve.

16 CHAIRMAN HOOD: Okay, Ms. Hanousek, do we have  
17 anything else before us?

18 MS. HANOUSEK: No, sir.

19 CHAIRMAN HOOD: Okay, so with that, I want to  
20 thank everyone for their participation in this hearing. This  
21 hearing is adjourned.

22 (Whereupon, the above-entitled matter went off the  
23 record at 7:23 p.m.)

24

25

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: The Catholic University of America

Before: DCZC

Date: 07-12-18

Place: Washington, DC

was duly recorded and accurately transcribed under  
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