

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING  
CASE NO. 05-08  
TEXT AMENDMENT - CAPITOL GATEWAY OVERLAY DISTRICT

+ + + + +

THURSDAY

JUNE 2, 2005

+ + + + +

The Public Hearing of the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Anthony Hood, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL MITTEN	Chairperson
ANTHONY HOOD	Vice Chairperson
KEVIN HILDEBRAND	Commissioner
JOHN PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLLIN, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Office of Planning  
JOEL LAWSON, Office of Planning

This transcript constitutes the minutes from the Public Hearing held on June 2, 2005.

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AGENDA ITEM

PAGE

CALL TO ORDER:

Anthony Hood . . . . . 3

PRELIMINARY MATTERS . . . . . 6

PRESENTATION BY THE OFFICE OF PLANNING:

Joel Lawson . . . . . 7

REPORTS OF OTHER GOVERNMENT AGENCIES. . . . . 72

ANC REPORT

Andy Litsky . . . . . 73

ORGANIZATIONS AND PERSONS IN SUPPORT

Kathleen Beeton . . . . . 92

ORGANIZATIONS AND PERSONS IN OPPOSITION

Burnetta Coles. . . . . 96

Ahmed Assalaam. . . . . 97

Richard Westbrook . . . . . 101

Sarah Livingston. . . . . 108

Mary C. Williams. . . . . 109

ADJOURN:

Vice Chairperson Hood . . . . . 117

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

6:33 p.m.

VICE CHAIRPERSON HOOD: Good evening ladies and gentlemen. This is the public hearing of the Zoning Commission of the District of Columbia for Thursday, June 2, 2005. My name is Anthony J. Hood, Vice Chairman.

Joining me this evening are Commissioner Parsons and Commissioner Hildebrand. Who may also join us is Commissioner Jeffries.

The subject of this evening's hearing is Zoning Commission Case No. 05-08. This is a request by the Office of Planning on behalf of the District of Columbia for a text amendment to Title 11 of the District of Columbia Municipal Regulations Zoning to amend the Capitol Gateway Overlay, as it would apply to square 702, 703, 704, 705, 706, and reservation 247.

Notice of today's hearing was published in the D.C. Register on April 1, 2005. Copies of today's hearing announcement are available to you and are located to my left in the wall bin near the door.

This next statement is extremely important. The scope of this hearing is limited solely to the issues presented by the Text Amendment.

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1 Those issues are should a ballpark use be permitted  
2 within the area I have just described? And if so,  
3 what specific area, parking use, and design review  
4 requirements should be placed on the use?

5 Specifically, the Commission will not hear  
6 testimony concerning whether a contract entered in  
7 between the District and Major League Baseball  
8 adequately protected the District's interest,  
9 including the question of whether the ballpark  
10 intended to occupy the site should be financed in  
11 whole or in part by the District taxpayers.

12 In addition, the Commission will not hear  
13 testimony concerning the District's acquisition or  
14 condemnation of the land necessary to construct a  
15 ballpark on the site.

16 This hearing will be conducted in  
17 accordance with the provisions of 11 DCMR 3021. The  
18 order of procedure will be as follows: preliminary  
19 matters, presentation by the Office of Planning,  
20 reports of other Government agencies, report of the  
21 ANC, organizations and persons in support,  
22 organizations and persons in opposition.

23 The following time constraints will be  
24 maintained in this hearing: organizations, five  
25 minutes; individuals three minutes. The Commission

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1 intends to maintain these time limits as strictly as  
2 possible in order to hear the case in a reasonable  
3 period of time.

4 The Commission reserves the right to  
5 change the time limits for presentations, if  
6 necessary, and notes that no time shall be ceded.

7 All persons appearing before the  
8 Commission are to fill out two witness cards. These  
9 cards are located to my left, near the door. Upon  
10 coming forward to speak to the Commission, please give  
11 both cards to the reporter sitting to my right.

12 Please be advised that this proceeding is  
13 being recorded by a court reporter and is also webcast  
14 live. Accordingly, we must ask you to refrain from  
15 any disruptive noises or actions in the hearing room.  
16 When presenting information to the Commission, please  
17 turn on and speak into the microphone, first stating  
18 your name and home address.

19 When you are finished speaking, please  
20 turn your microphone off so that your microphone is no  
21 longer picking up sound or background noise.

22 The decision of the Commission in this  
23 case must be based on the public record. To avoid any  
24 appearance to the contrary, the Commission requests  
25 that persons present not engage the members of the

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1 Commission in conversation during a recess or at any  
2 other time. The staff will be available throughout  
3 the hearing to discuss procedural matters.

4 Please turn off all beepers and cell  
5 phones at this time, so as to not disrupt these  
6 proceedings.

7 At this time, the Commission will consider  
8 any preliminary matters. Does the staff have any  
9 preliminary matters?

10 MS. SCHELLIN: No, sir.

11 VICE CHAIRPERSON HOOD: Again, I would  
12 just like to read this. Indulge me. The scope of  
13 this hearing is limited solely to the issue presented  
14 by the text amendment. Those issues are should a  
15 ballpark use be permitted within the area I have just  
16 described previously. And, if so, what specific area,  
17 parking, use, and design review requirements should be  
18 placed on the use?

19 Specifically, the Commission will not hear  
20 testimony concerning whether the contract entered into  
21 between the District and Major League Baseball  
22 adequately protected the District's interest,  
23 including the question of whether the ballpark,  
24 intended to occupy the site, should be financed in  
25 whole or in part by the District taxpayers.

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1           In addition, the Commission will not hear  
2 testimony concerning the District's acquisition or  
3 condemnation of the land necessary to construct a  
4 ballpark on the site.

5           With that, I think we're all on the same  
6 page and, hopefully, I won't have to read that again.  
7 I've read it twice. So, with that, we will ask the  
8 Office of Planning if they would begin their  
9 presentation. Ms. Steingasser and Mr. Lawson.

10           MR. LAWSON: Thank you, Mr. Chair and  
11 members of the Commission. My name is Joel Lawson and  
12 I'm with the D.C. Office of Planning. With me tonight  
13 is Jennifer Steingasser, also with the D.C. Office of  
14 Planning.

15           At its March 14, 2005 public meeting, the  
16 Zoning Commission voted to set down a proposal to  
17 amend zoning regulations and establish a process by  
18 which the Zoning Commission and the public could  
19 review the ballpark site and building design against  
20 a proposed set of objectives and provisions intended  
21 to address site planning and building design issues  
22 such as streetscape character, neighborhood fit,  
23 pedestrian and vehicular movement, and architectural  
24 form and character.

25           This presentation is intended to describe

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1 the intent of the text amendment. We hope we will  
2 also update the Commission on discussions with  
3 community groups, District agencies, the architects  
4 chosen for the stadium site, and other interested  
5 parties. And how these discussions have led OP to  
6 recommend a series of changes to the proposed text.

7 The proposed text amendment would apply  
8 only to the approximately 21 acre site adjacent to  
9 South Capitol Street and the Near Southeast community.  
10 The site is within the rapidly changing Near Southeast  
11 area and directly across South Capitol Street from the  
12 Southwest neighborhood.

13 The site is within the Capitol Gateway  
14 Overlay area and within the DDOT and NCPC South  
15 Capitol Street Corridor Planning Study areas as well  
16 as the AWC Ballpark Area Master Plan.

17 The site is also close to the USDOT  
18 project; the Southeast Federal Center site, the  
19 Florida Rock site, and the Arthur Capper Carolsburg  
20 sites, all of which the Commission is familiar with.

21 These areas, collectively, represent  
22 proposals for the addition of literally thousands of  
23 new residential units along with new office, retail,  
24 and park space within the broader neighborhood.

25 Significant redevelopment potential also

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1 exists to the east on the WASA site, to the north on  
2 the Southeast TDR Receiving Zone area, and to the  
3 southeast in the Buzzard Point area.

4 Although not directly on the shores of the  
5 Anacostia River, the site is within the Anacostia  
6 Waterfront Initiative area and represents an area of  
7 significant linkage between existing neighborhoods and  
8 the waterfront.

9 The 21 acre ballpark site is currently  
10 within the existing Capitol Gateway Overlay District  
11 approved by the Zoning Commission in 2002. As part of  
12 the 2002 approval, the site was rezoned from M, which  
13 is an industrial zone, to Capitol Gateway CR, to allow  
14 a broader range of uses, including residential.

15 Many of the existing uses currently on the  
16 site are nonconforming to the current zoning, although  
17 the overlay allows them to remain but not to expand.  
18 Generally, the sites would permit significantly  
19 greater amounts of development than currently exists.

20 For example, the five squares in question  
21 would currently permit an estimated 3.7 million square  
22 feet of residential or mixed office residential  
23 development by right. A slightly greater amount would  
24 be permitted under a PUD.

25 The Capitol Gateway Overlay also permits

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1 a by right height of up to 120 feet, again for  
2 residential development. And this would be possible  
3 on most sites under the height axioms, since South  
4 Capitol Street, First Street Southeast, and Potomac  
5 Avenue are all at least 110 feet wide.

6 In other words, 3.7 million square feet of  
7 development to a height of 130 feet would be permitted  
8 with no neighborhood or Commission review. That  
9 amount of development would require at least 1,100  
10 parking spaces.

11 Although given current office and  
12 residential expectations, at least 2,800 parking  
13 spaces would be anticipated.

14 In summary, with regards to the specific  
15 OP proposed amendment as described in the set down  
16 report, it's intended to provide the necessary  
17 definitions and make explicit that a ballpark is a  
18 permitted use within the site, in accordance with  
19 Counsel Direction; to amend floor area ratio, height  
20 set back, and parking requirement, as well as sections  
21 of the Capitol Gateway Overlay; add new regulations  
22 for bus parking and loading facility locations and for  
23 provision of ground floor retail; require Zoning  
24 Commission review of any building or structure against  
25 specific provisions intended to primarily address

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1 potential neighborhood and streetscape impacts; and  
2 finally, to permit the Zoning Commission to consider  
3 requests for additional Zoning regulation relief as  
4 part of the otherwise required review.

5 I'm going to proceed now by talking about  
6 the text amendment in relation to some of the planning  
7 principles that were behind the development of the  
8 text amendment in the first place.

9 The first planning principle is to promote  
10 neighborhood integration. It's our goal or objective  
11 that the ballpark will be integrated into the  
12 neighborhood and will further neighborhood objectives  
13 as much as possible.

14 To this end, the text amendment provides  
15 guidelines or regulations related to noise abatement,  
16 light attenuation, retail space, minimizing parking  
17 and traffic impacts; requirement that the ballpark be  
18 in context with surrounding neighborhood and  
19 streetscape patterns; views around the ballpark, in  
20 other words, views from the existing neighborhood as  
21 well as from Anacostia, both towards the waterfront  
22 and towards the Capitol Building and other federal  
23 buildings in the Federal Core; and finally, to require  
24 review of external signage.

25 A second principle is to promote an active

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1 pedestrian oriented streetscape around the perimeter  
2 of the ballpark itself. To this end, the text  
3 amendment includes a requirement for street oriented  
4 retail. It puts a restriction on blank walls and  
5 requires articulation of the building, especially at  
6 the street front. It requires landscaping of the  
7 public space; a 15 foot setback on South Capitol  
8 Street.

9 It requires entrances on each facade of  
10 the ballpark. And it provides for guidelines intended  
11 to minimize vehicular pedestrian conflict again, as  
12 well as for safe pedestrian movement through the site  
13 to the Metro and to the waterfront.

14 A third planning principle is to minimize  
15 the impact of vehicles. The area in question already  
16 has some traffic issues which DDOT is addressing  
17 through a broad study, as well as proposed changes to  
18 the South Capitol Street corridor.

19 However, the intention of DDOT, my  
20 understanding is, is not necessarily to increase the  
21 capacity of the roads, but rather to make them more  
22 befitting, particularly South Capitol Street as a  
23 grand boulevard accessing the downtown core and the  
24 Capitol building.

25 So, to this end, the issue of traffic

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1 becomes a very important one. How we deal with  
2 traffic and how we deal with minimizing traffic  
3 impacts on the existing neighborhood and on the  
4 existing streetscape pattern becomes very critical.

5 To this end, the Office of Planning is  
6 proposing a restriction on the by right parking.  
7 Because, of course, every parking space results in  
8 additional car trips to and from this site. To  
9 require by right parking to be underground. That's  
10 more of a streetscape issue, so that the visual impact  
11 of the parking is minimized.

12 But it would allow for Zoning Commission  
13 review of either additional parking spaces or for the  
14 placement of above grade parking. Again, in relation  
15 to the guidelines which will be discussed in just a  
16 moment.

17 And finally, it requires that bus parking,  
18 because bus parking is required for a ballpark, that  
19 that bus parking, if it's to be located onsite, be  
20 underground or internal to the building, rather than  
21 occupying open space around the building.

22 And finally, of course, we're very much  
23 encouraging the use of alternative forms of  
24 transportation to the private vehicle. To that end,  
25 there is a specific guideline related to bicycle use,

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1 encouraging bicycle use to provide access to the site.  
2 And we're also looking at other alternative forms of  
3 transportation such as the ferry service that I  
4 believe was announced this morning by DDOT; very  
5 encouraging.

6 Additional planning principles, including  
7 recognizing the South Capitol Street planning  
8 initiatives that are underway or completed. Right now,  
9 I'm not going to go into detail on the South Capitol  
10 Street planning initiatives, but essentially the text  
11 amendment response is to allow a height of 130 feet on  
12 the ballpark site.

13 Again, the existing zoning allows 130 feet  
14 for certain forms of development under existing  
15 zoning. The text amendment would also require a 1:1  
16 setback above the height of 110 feet. That's in  
17 conformance with the plan guidelines for South Capitol  
18 Street.

19 It requires a 15 foot setback along South  
20 Capitol Street. That's a setback which we anticipate  
21 being applied along the entire South Capitol Street  
22 corridor to again provide additional kind of breathing  
23 space, and particularly additional space for  
24 pedestrian movement along the street.

25 Finally, there's a restriction of loading

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1 or driveway access from South Capitol Street. And  
2 again, we're going to require that the eventual  
3 ballpark designer address the issue of views along  
4 South Capitol Street and from the rest of the  
5 neighborhood; views towards the Capitol Dome being a  
6 primary one when you're talking about South Capitol  
7 Street.

8 We're also very much encouraging a Green  
9 building design; sustainable building practices. This  
10 a requirement of the agreement between Major League  
11 Baseball and the District. And we believe it's a good  
12 one.

13 And so we've placed, as well, a guideline  
14 related to a review of Green building or sustainable  
15 building practices. And this would include storm  
16 water management as well as recycling practices  
17 onsite.

18 Again, the bicycle provision adds to the  
19 Green building design initiative as well as minimizing  
20 parking to discourage the use of private automobiles.

21 The building shown on this slide, by the  
22 way, is Telstra Stadium in Sydney, which I believe is  
23 one of the first, probably not the first, but one of  
24 the first major stadiums designed with very much a  
25 Green building kind of background to it.

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1           It's designed as a Green building. It's  
2 much bigger than we would anticipate the baseball  
3 stadium to be. This one accommodates 110,000 people.  
4 But it's a very successful site and seems to be doing  
5 very well. So it certainly can be done.

6           Exactly what the nature of the Green  
7 building components of the baseball park in Washington  
8 would be, though, we would address that through the  
9 Zoning Commission review, once we have a ballpark  
10 design. But we wanted to put that issue forward as  
11 being an initiative that we want addressed.

12           And additional planning principle is to  
13 acknowledge the particular needs of a ballpark, as  
14 well as the agreement between the city and Major  
15 League Baseball. To this end the regulations we're  
16 putting forward, the changes we're putting forward  
17 would allow for a height and a density to accommodate  
18 a 41,000 square foot stadium, which is what the  
19 agreement calls for.

20           It does allow for some onsite parking,  
21 again in agreement with the agreement between Major  
22 League Baseball and the District, the green belting  
23 design, and it also allows the Zoning Commission to  
24 review any required relief simultaneous with the  
25 ballpark design review. And again, this is to work in

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1 with the schedule that the ballpark design and  
2 construction will be working under.

3 And finally, the amounts that we've  
4 recommended of retail and other uses reflects normal  
5 limitations of a ballpark kind of use; what could  
6 normally be expected for a ballpark. We would, of  
7 course, in some respects, for example such as retail,  
8 encourage even more than what's being required as the  
9 minimum. But the minimums are in line with what we  
10 would expect.

11 In terms of additional objectives, we  
12 wanted to make sure that the neighborhood was afforded  
13 an opportunity to review the ballpark design. This  
14 would happen through the Zoning Commission's review.  
15 Through that review, there would also be review by ANC  
16 6D in the neighborhood, against the established  
17 objectives and guideline provisions.

18 We also wanted to make sure that there was  
19 neighborhood review and input into the development of  
20 the guidelines, themselves. To this end, the Office  
21 of Planning met with the Advisory Neighborhood  
22 Commission on two occasions as well as the Southwest  
23 Neighborhood Assembly. We attended three community  
24 workshop meetings and we discussed the proposal with  
25 individual area residents at their request.

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1           The proposed text amendment addresses many  
2 of the concerns that were raised in those meetings and  
3 I'll get to those in just a moment. And we've also  
4 amended the text to incorporate additional concerns  
5 that were brought up subsequent to the set down  
6 report.

7           I do have to stress though to everybody  
8 that a text amendment to the Zoning regulations cannot  
9 address all concerns raised by the neighborhood.  
10 There are other planning processes and other processes  
11 underway which can attempt to address some of the  
12 concerns.

13           For example, related to employment and  
14 concerns related to issues that are outside the  
15 mandate of a Zoning Regulation to address in the first  
16 place.

17           So, in terms of responses to concerns  
18 raised at the community workshops and by the Southwest  
19 Neighborhood Association, and I'll get to the Advisory  
20 Neighborhood Commission in just a moment because their  
21 concerns were just a little bit more specific and  
22 different.

23           OP has been able to discuss the proposal  
24 with all kinds of groups, but the major way that that  
25 happened was through the community workshops, as well

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1 as a very fruitful discussion with the Neighborhood  
2 Assembly.

3 While the master plan has a broader scope,  
4 the ballpark area master plan has a broader scope and  
5 objective and can deal with some of these issues that  
6 the Zoning Commission cannot.

7 There were a number of general comments  
8 and issues raised which OP feels that the text  
9 amendment, particularly as amended, would at least  
10 partially address within the confines of the ballpark  
11 site.

12 The first point relates to traffic.  
13 That's a concern that is consistently being brought up  
14 by the neighborhood. In particular, a need to  
15 discourage ballpark automobile use and traffic  
16 congestion within the existing neighborhoods; to  
17 encourage the use of Metro; and to regulate service  
18 vehicles; issues that we heard over and over again.

19 To respond to those issues, we have  
20 regulations to limit onsite parking to reduce the  
21 amount of traffic that could be expected to the  
22 ballpark site. There are guidelines required to  
23 require assessment of ways to minimize traffic impacts  
24 on nearby residential areas.

25 We're hoping that the retail -- or we're

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1 planning that the retail requirement would encourage  
2 ballpark patrons to either arrive early or stay late  
3 to essentially spread the traffic out a little bit, so  
4 we don't get all of the users arriving at one time and  
5 leaving at one time.

6 And finally, we're proposing that service  
7 vehicle unloading be required to be internal to the  
8 building, rather than on the street to minimize street  
9 blockage impacts as well as noise impacts related to  
10 that.

11 Very much related to that is parking. A  
12 major concern of people in the neighborhood that we  
13 heard over and over again. The parking impacts on the  
14 community. Parking needs and provisions related to  
15 the ballpark site as well as we did hear the request,  
16 or we heard goals that we prevent massive parking  
17 garages within the neighborhood.

18 To this end, once again, we've proposed  
19 the parking onsite be limited and that that parking be  
20 underground. And we've put forward guidelines  
21 requiring assessment of ways to minimize parking  
22 impacts on nearby residential areas.

23 I think it's clear that any additional  
24 parking would further increase traffic impacts, but  
25 it's important that the issue of parking is simply not

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1 ignored. And through the ballpark area master plan,  
2 if parking is not going to be provided onsite, we have  
3 to be very clear through that process of where the  
4 parking is going to be provided and how people are  
5 going to access the site. Whether it's by a remote  
6 parking with shuttle busses or by ferries or by Metro.  
7 Most likely, a combination of all of the above,  
8 because it's unlikely that kind of a one solution will  
9 solve the entire problem.

10 Other key concerns certainly related to  
11 noise and light and the potential impact of these on  
12 the existing residential area; particularly the  
13 residential area directly to the west. To this end,  
14 we've proposed a guideline that would require the  
15 ballpark design to address noise and light spill  
16 abatement.

17 Views were very much a concern. Views,  
18 mainly from the neighborhood, the issue we were  
19 hearing, was the impact of the ballpark on the  
20 existing views; especially those views enjoyed from  
21 Anacostia and from east of the river, over towards the  
22 downtown area.

23 As part of the design review, we've  
24 proposed a guideline that the ballpark designers would  
25 essentially be required to do a view analysis to

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1 indicate what the view impacts would be and where the  
2 impacts would be and ways to minimize those view  
3 impacts.

4 We heard concerns from the neighborhood  
5 related to South Capitol Street and the scale of the  
6 building and setbacks along South Capitol Street and  
7 what the future for South Capitol Street in general  
8 is.

9 As I mentioned before, we've put in either  
10 requirements or guidelines that would address the  
11 South Capitol Street corridor studies in terms of  
12 setbacks.

13 And ballpark design was very much a  
14 concern. We heard in relation again to South Capitol  
15 Street but also in terms of compatible massing with  
16 the existing residential neighborhood.

17 Directly to the west is an existing  
18 residential neighborhood that is quite low in scale;  
19 townhouse scale. And so the relationship of buildings  
20 of the ballpark or any building on the ballpark site  
21 to those buildings is a critical issue.

22 So we proposed guidelines, again, to  
23 address the noise, light spill, and traffic issues,  
24 but also to address building articulation; you know,  
25 setbacks, upper story setbacks, requiring entrances on

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1 each facade, and minimizing blank walls that could be  
2 seen to turn the back of the baseball stadium on the  
3 existing neighborhood.

4 The environment was very much a concern.  
5 There are a lot of calls for a state of the art  
6 approach to a sustainable and Green design for the  
7 ballpark; which, as I've noted, we already agree with.

8 And going hand in hand with that is  
9 encouraging bicycle use and alternative forms of  
10 transportation, which I've already addressed. The  
11 needs of pedestrians through the area was very much a  
12 concern.

13 Generally what we heard was the District  
14 needs to be more pedestrian friendly; addressing  
15 safety, accessability to the water, as well as  
16 encouraging year round activity around the ballpark.

17 And we feel the guidelines address those  
18 fairly well. One of the ways we were doing that would  
19 be retail, and certainly a concern we heard from the  
20 neighborhood was that more neighborhood serving retail  
21 was required.

22 Now whether that happens around the  
23 ballpark site or happens in the broader neighborhood,  
24 we feel that it's important the retail be provided on  
25 the ballpark site that would serve the neighborhood as

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1 well as the District at large and certainly ballpark  
2 users.

3           There's also very much concern about over  
4 development and concern with the amount of development  
5 that's happening in general in the area. This text  
6 amendment doesn't address the amount of development  
7 that would be permitted in the general area, but it  
8 also does not increase the amount of development that  
9 would be permitted on the ballpark site under existing  
10 zoning.

11           In other words, existing zoning allows a  
12 fair amount of development. The text amendment we are  
13 proposing does not increase that.

14           In terms of communications and outreach,  
15 we agree that it's important to keep the neighborhood  
16 and the residents not only informed but involved  
17 through the entire process for planning the ballpark  
18 and through the ballpark construction itself.

19           As I've said we've, through this text  
20 amendment, and in terms of this text amendment, we've  
21 met with a neighborhood groups on a number of  
22 occasions and we're proposing a public review process  
23 in front of the Zoning Commission that would provide  
24 for additional public input at the building design  
25 stage.

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1           In relation to ANC 6D, we had two very  
2 fruitful meetings with the ANC 6D and got some very  
3 good feedback from the ANC on some very specific  
4 issues. I haven't seen a submission from the ANC to  
5 the Commission, so I'm not sure what's being  
6 submitted.

7           But, in terms of what was discussed at our  
8 meetings, there was some discussion that the ANC would  
9 like to see the parking onsite increased. A number of  
10 3000 was suggested. Although there were certainly  
11 other residents who seemed to agree with the lower  
12 required number.

13           The Office of Planning feels that a lower  
14 number in accordance with the agreement between Major  
15 League Baseball and the District is appropriate.  
16 Additional parking is not prevented under the text  
17 amendment, It would simply require Zoning Commission  
18 review against the guidelines so that we could address  
19 how it's impacting the streetscape, traffic patterns,  
20 neighborhood impacts. However, it would set a 1,225  
21 as the maximum amount that would be permitted by  
22 right.

23           The ANC had a number of suggestions and  
24 questions regarding the proposed review guidelines.  
25 The first one was that the ANC suggested that there be

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1 priority established to the guidelines; that some, the  
2 ones that related to neighborhood impact, were from  
3 their standpoint more important than ones which  
4 related strictly to the building design or the  
5 function of the ballpark itself.

6 Top priorities would then be issues  
7 related to traffic, noise, and light impact on the  
8 neighborhood.

9 The Office of Planning agreed with the  
10 prioritization and the proposed revisions reflect  
11 that. The amended text includes reordering as well as  
12 a clarification of a number of guidelines to further  
13 emphasize the need for an assessment of the  
14 neighborhood impact.

15 As well, of course, the design will  
16 receive ANC review as part of the Zoning Commission  
17 review. The ANC questioned the guideline related to  
18 views and requested clarification. From their  
19 standpoint, the view of the Capitol Dome from the  
20 stadium was not a priority; however, the impact on  
21 views to the Dome from the neighborhood and from  
22 Anacostia is very much a priority.

23 We've addressed this by essentially  
24 splitting the view guidelines into two. One guideline  
25 specifically related to an assessment of view impacts

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1 from the neighborhood and from Anacostia, and the  
2 second one is an assessment of the views from the  
3 ballpark itself, whether that be towards the Dome or  
4 towards the waterfront. Which we thought would be  
5 important to the Zoning Commission's review of the  
6 ballpark stadium when you get into a review of the  
7 design of the stadium itself.

8 And finally, there were a lot of concerns  
9 related to transportation. In particular, it was from  
10 the ANC that we first heard a recommendation for a  
11 guideline related to bicycle use, which we agreed with  
12 and incorporated.

13 This slide here is basically a quick  
14 summary of all of the proposed amendments from the  
15 originally proposed text, the text that was included  
16 with our, I think it was March 4, 2005 report, that  
17 set down.

18 So, attached to our current report dated  
19 May 23rd is a revised version of the proposed text  
20 amendment. Subsequent to the set down meeting, as I  
21 said, we've had a number of opportunities to discuss  
22 it and we've recommended a number of changes  
23 accordingly.

24 In addition to discussing with the  
25 community, I should note that we have, of course, also

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1 continued discussions with representatives from the  
2 Anacostia Waterfront Corporation and other District  
3 agencies, consultants working for the District, the  
4 D.C. Sport and Entertainment Commission, and the  
5 architects chosen to lead the ballpark design process.

6 Generally, the changes proposed to the  
7 originally submitted text are refinements intended to  
8 provide clarity. Some, such as the reordering of the  
9 proposed guidelines, which I just described, also  
10 provide important direction with regards to their  
11 intent and priorities.

12 There are a few more substantive changes,  
13 just very quickly going down them. We proposed an  
14 increase to the required parking from 1,100 to 1,225.  
15 We feel that this more clearly reflects the intent of  
16 the agreement between Major League Baseball and the  
17 District. So that's where that came from.

18 We have proposed an amendment to clarify  
19 the intent of the preferred use retail requirement,  
20 mainly removing office use from that list, so that it  
21 remains mostly retail.

22 We have proposed an amendment to allow a  
23 parking access driveway from P Street Southeast. The  
24 original amendment would have restricted such access.  
25 And this is again done to provide additional

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1 flexibility. At this point, we don't know where  
2 access will be from because we don't have a ballpark  
3 design. But this would provide additional  
4 flexibility.

5 We've amended the review provisions, again  
6 to separate the guidelines into two separate clauses.  
7 The first one is mainly to address neighborhood impact  
8 and the second to address ones more related to  
9 building form.

10 And we've added provisions related to  
11 parking and traffic conflicts and encouraging the use  
12 of bicycles and other alternative modes of  
13 transportation.

14 As I said, we've separated the view  
15 provision into two and we've added a note to the South  
16 Capitol Street character guideline to also recognize  
17 the low density residential neighborhood in that  
18 review, expanding the octave streetscape provision to  
19 include articulation in building design in addition to  
20 the provision of active uses such as retail.

21 And we've added specific reference to  
22 storm water management and recycling as part of the  
23 best practice environmental design assessment.

24 Finally, we've made a small wording change  
25 to the signage regulation to more clearly state that

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1 it's intended to apply to external signage only, since  
2 it may be possible for some of the internal signage;  
3 some signage internal to the building, to be visible  
4 from the outside, when you're looking towards the  
5 ballpark.

6 So, this final slide shows the OP proposal  
7 in summary. With the amendments described earlier,  
8 OP feels that the Capitol Gateway Overlay will provide  
9 adequate assurance that potential impacts of the new  
10 ballpark on the surrounding neighborhoods and the  
11 streetscape can be adequately reviewed by the public  
12 and the Zoning Commission, and that it will further  
13 broad neighborhood and District wide goals and  
14 objectives.

15 The Office of Planning therefore  
16 recommends that this proposal to amend the Capitol  
17 Gateway Overlay text to provide for a ballpark within  
18 the specified ballpark area be approved as amended.  
19 This is in keeping with District policy and recent  
20 planning initiatives for the area and for the District  
21 and the region as a whole.

22 And that finally concludes my  
23 presentation. Thank you for listening. And we are  
24 available for questions.

25 VICE CHAIRPERSON HOOD: Thank you, Mr.

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1 Lawson and Ms. Steingasser, do you want to add  
2 anything or are we okay? Okay. Good.

3 I guess we'll open it up first for our  
4 questions. Who wants to lead off? Mr. Parsons?

5 COMMISSIONER PARSONS: I'm glad that slide  
6 is up because I wanted to talk about 1606.6, which is  
7 the measurement of the building.

8 What you say there is, although this  
9 building could go to 130 feet, anything above 110 has  
10 to step back on a 1:1 basis. So, not that this is the  
11 design before us, but it's handy. This then would  
12 reflect a 110 foot wall on the street, I would  
13 presume, with no notch back, because it wasn't  
14 necessary. Right?

15 MR. LAWSON: This could reflect that, or  
16 an even lower building, of course.

17 COMMISSIONER PARSONS: Oh certainly, yes.  
18 Not knowing much about ballparks, is there an average  
19 height to these structures throughout the country? I  
20 mean, our eyes go towards Baltimore and so forth, but  
21 is 110 feet real here?

22 MR. LAWSON: Yes, that's an excellent  
23 question and I spent a lot of time discussing this  
24 with the architects for the site who have been chosen  
25 because they've designed a number of other stadiums,

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1 as well as researching on the internet.

2 And it's very difficult actually to give  
3 a good answer. Height's measured very differently in  
4 places. Every source I could find was different in  
5 terms of how they measured it; whether they measured  
6 it from the field or from the street or from somewhere  
7 else. Whether they measured it to the top of, as  
8 would be the case here, to the top of a wall, or  
9 whether they measured to the top of the canopy, it was  
10 just completely across the board.

11 But my discussions with, not just the  
12 architects for this site, but people who have been  
13 involved in other stadiums, is that it certainly  
14 shouldn't be a problem constructing the stadium within  
15 these heights. And it may very well be possible,  
16 particularly along the streetscape, to provide a  
17 height which is less than what the zoning would  
18 require.

19 They don't feel that this is -- my  
20 impression was that they didn't feel that was a  
21 restriction that would limit their design flexibility.

22 COMMISSIONER PARSONS: So do we need an  
23 opinion from the Zoning Administrator or that office  
24 as to how they're going to interpret the height before  
25 we get into a mess here?

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1 MR. LAWSON: Well, we would measure height  
2 here in accordance with how we always have measured  
3 height with every other building; measure from the  
4 curb in front of the building to the top of the  
5 structure.

6 It's not that measuring the height is  
7 difficult. It's that every community measures height  
8 differently. So it becomes difficult, without kind of  
9 going out there with a tape measure and comparing it  
10 to how we measure height to assess whether or not it  
11 would -- what the height would be in terms of how we  
12 measure height here.

13 When I looked online, I found heights of  
14 baseball stadiums, you know, listed heights of  
15 baseball stadiums of everything from about 70 feet up  
16 to over 300 feet. The 300 feet being an enclosed dome  
17 stadium where they measured to the very top of the  
18 dome.

19 So that's what I mean by it's very  
20 difficult to give you an answer of what the height of  
21 other stadiums is. But, from our discussions with  
22 ballpark designers and ballpark users, this height is  
23 well within the range of what would be expected for a  
24 baseball stadium.

25 COMMISSIONER PARSONS: So, what I'm trying

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1 to get as is, if that wall had a major roof on it that  
2 went up another 40-50 feet to cover the upper decks,  
3 if that's the right term, are we going to get into a  
4 situation of well that's the roof? It may be  
5 obnoxious, but it meets the height restriction.

6 Is that where we're --

7 MR. LAWSON: Yes, well we would measure to  
8 the top of that. Which would be a problem in two  
9 ways. First of all, in terms of height; but it would  
10 also be a problem in terms of the Height Act, of  
11 course, which also limits height to 130 feet on this  
12 side.

13 COMMISSIONER PARSONS: Right.

14 MR. LAWSON: And for which we don't have  
15 a lot of flexibility, once we get up beyond 130 feet.  
16 So, once you start talking about those kind of  
17 possibilities, I guess what we're saying is the  
18 designers simply have to work within those.

19 COMMISSIONER PARSONS: Okay. Now, one of  
20 my biggest concerns is the other object which appears  
21 to be the scoreboard. And I wanted to talk about  
22 Section 1606.20. A new word is appeared called  
23 external. And this has to do with signage.

24 That to me is the most troublesome aspect  
25 of the stadium is the images. We come over the New

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1 South Capitol Street Bridge and find that the most  
2 dominant thing on the landscape is the scoreboard at  
3 night, as it is in Philadelphia, for instance.

4 It becomes then an advertisement of some  
5 sort that wasn't anticipated. So, one, why is the  
6 word external inserted in here? Because I assume  
7 that's an internal sign. And how do we deal with that  
8 object poking itself up in bright shining neon kind of  
9 lights with a mascot on it?

10 MR. LAWSON: Sure. First I'll address  
11 where the word external came from. It mainly related  
12 to things like, for example, there could be signage  
13 related to a restaurant, like signage above a  
14 restaurant that's internal to the building.

15 COMMISSIONER PARSONS: Sure.

16 MR. LAWSON: Or there could be signage --  
17 advertising signage, you know, around where the seats  
18 are. Like, I mean, there could be signage or  
19 advertising internal to the building that isn't  
20 necessarily going to have a huge neighborhood impact.  
21 And that's where the word external came from. So that  
22 we're focusing on signage on the outside of the  
23 building itself.

24 I think the scoreboard is an interesting  
25 issue. And it's actually one that I hadn't really

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1 thought of in this regard. And we may want to take a  
2 look at, you know, some language in here to allow for,  
3 as part of your design review process, to include the  
4 placement and potential impacts of a scoreboard.

5 It's entirely possible that the scoreboard  
6 will be internal to the building itself. In other  
7 words, it won't stick up. It will be internal. But  
8 I think it's a reasonable issue for you to be looking  
9 at as part of your design review, because it does have  
10 a potentially big impact.

11 COMMISSIONER PARSONS: Well yes, it  
12 wouldn't take much to block the Washington Monument.

13 MR. LAWSON: Exactly.

14 COMMISSIONER PARSONS: Which is one of my  
15 favorite sites, of course.

16 MR. LAWSON: Right. As well as having  
17 those neon lights kind of looking out over the  
18 neighborhood and that kind of stuff. It's a valid  
19 issue.

20 COMMISSIONER PARSONS: Okay. I don't know  
21 -- the tradition in this city and other of approving  
22 structures of this complexity is to do it in stages.  
23 In other words, a concept would come forward. Not a  
24 step one/step 2 PUD, but you know what I mean. I  
25 mean, these things go through iterations.

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1                   What I worry about is this Commission  
2 comes in at the end of the movie. That is, the  
3 building is completely designed and we're expected,  
4 because it has to be built by, you know, '08, to  
5 approve it; to rubber stamp it.

6                   And I wondered if there's a way we could  
7 build in a approval process here in stages. That a  
8 concept would come forward and we get rid of measuring  
9 and we can get rid of scoreboards and then we can  
10 focus on the detail of external signs and impacts on  
11 the neighborhoods and that kind of thing.

12                   I know that's not here, but could you  
13 comment on that?

14                   MR. LAWSON: Well, it's not there, but  
15 it's also not not there. There's nothing in here that  
16 would prohibit the applicant coming forward at a more  
17 conceptual stage and then returning to you with  
18 further detail.

19                   And we've certainly had discussions with  
20 the design team on just that process. And we would  
21 very much encourage the applicants to take that kind  
22 of a process. I think it's in their best interest to  
23 do so.

24                   I think we've also, just to address  
25 another one of your comments, tried to make it very

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1 clear to the design team that the Zoning Commission  
2 review is not rubber stamping by any stretch.

3 This is the opportunity for the city and  
4 for the neighborhood to review and comment on the  
5 design. And the Zoning Commission can reject it. And  
6 I hope that we've got that point across to the design  
7 team, that that is a possibility.

8 On the other hand, one of the other, I  
9 guess, kind of goals related to the guidelines is to  
10 get a clear sense of direction from the Zoning  
11 Commission of what you want to see and what you think  
12 are the issues that you want to make sure the design  
13 team addresses as they're doing the design, so they  
14 aren't starting the design kind of blind.

15 They have an idea of at least some of the  
16 issue that you're going to be looking at, so that they  
17 have that sense before they even start. It gives them  
18 a bit of a sense of direction even before they start.  
19 Which I think will be helpful to them.

20 COMMISSIONER PARSONS: So you don't think  
21 requiring that is a good idea?

22 MR. LAWSON: Requiring a two-step  
23 proposal? I wouldn't be adverse to it. I'm not sure  
24 how it would be done.

25 COMMISSIONER PARSONS: Well, why don't you

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1 think about that? I'm troubled by -- I'm sorry, I'm  
2 just on a roll here.

3 VICE CHAIRPERSON HOOD: Go right ahead,  
4 please.

5 COMMISSIONER PARSONS: I'm almost done.

6 VICE CHAIRPERSON HOOD: Take your time.

7 COMMISSIONER PARSONS: Our retail and  
8 internal bus parking. But here there's an ability of  
9 the Commission to waive both of those requirements if  
10 it's in the economic -- the economic viability of the  
11 stadium is the rationale that they would bring forward  
12 to say, I'm sorry, we can't afford it.

13 I find that very troubling, because if  
14 that's the only reason that they have to show us that  
15 the stadium won't work with retail and internal bus,  
16 where are we as a Commission to say I'm sorry, You're  
17 not correct. We think it will be economically viable.  
18 If you follow me.

19 And we'll get into this circular debate.  
20 And, although it does say it has to be consistent with  
21 the purposes of the stadium as outlined elsewhere,  
22 it's pretty weak, I think.

23 MR. LAWSON: Well, sorry. I'll just kind  
24 of very briefly comment on that. We felt that it was  
25 important to include the language that the applicant

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1 could bring forward relief from these requests. And  
2 that relief would probably be based on economic  
3 rationale.

4 There is an agreement between, as I've  
5 said many many times, agreement between the District  
6 and Major League Baseball. And that agreement  
7 includes specifics of things that need to be provided  
8 onsite.

9 COMMISSIONER PARSONS: Yes.

10 MR. LAWSON: So one of those examples  
11 would be that 30 bus parking spaces need to provided  
12 onsite. We would love to work with Major League  
13 Baseball to provide an alternative to that. But if  
14 they do need to be provided onsite, we feel that it's  
15 appropriate that they be internal to the building.

16 Having said that, doing that is a very  
17 costly endeavor and one that may or may not, I don't  
18 know, be included in the budget that they had prepared  
19 for the ballpark stadium.

20 However, so if they wish to come forward  
21 and propose an alternative solution, if that solution  
22 addressed the guidelines and objectives that we're  
23 putting forward, we feel -- I guess OP feels that it  
24 is appropriate for the Zoning Commission to consider  
25 that review.

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1                   COMMISSIONER PARSONS: Well, that's a much  
2 different way that you just expressed it than is in  
3 here. In other words, they not only have to come  
4 forward and tell us that it's necessary to the  
5 economic viability of the ballpark. They have to come  
6 and show that they've provided an alternative.

7                   They're going to put the busses on a barge  
8 in the river or something other than, we can't afford  
9 it. Right? I mean that's --

10                  MR. LAWSON: Yes. The parking  
11 requirement, you know, we'll deal with that one first,  
12 and then retail if you like. You know, it's a  
13 requirement. It has to be provided. And under the  
14 agreement, it has to be onsite. It has to be within  
15 the ballpark site.

16                  COMMISSIONER PARSONS: Right.

17                  MR. LAWSON: I think that there's a lot of  
18 feeling that we would like to see, you know, a more  
19 constructive resolution to this than simply providing  
20 a surface parking lot for 30 bus spaces, which is  
21 maybe what the agreement anticipated. I don't know.

22                  And that may be having an offsite bus  
23 parking area. In other words, a parking area that's  
24 not on the ballpark site at all.

25                  COMMISSIONER PARSONS: Yes.

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1 MR. LAWSON: And is located in some other  
2 place that is specifically set up for the parking of  
3 busses; not just for the ballpark stadium, but for all  
4 of the other uses in the District for which bus  
5 transportation is used.

6 But what we're saying is we have to  
7 acknowledge that that requirement is there. So if  
8 that requirement is there, what's the best solution?  
9 Well, we feel the best solution is then the busses  
10 have to be internal to the building. They can't  
11 dominate the streetscape. They can't dominate the  
12 facade of the building.

13 COMMISSIONER PARSONS: Yes.

14 MR. LAWSON: They can't be allowed to, you  
15 know, run idling in the neighborhood, kind of thing.  
16 However, if they can come up with a better solution  
17 than that, we're not adverse to it not being internal  
18 to the building, as long as they meet the guidelines  
19 and the objectives that we're bring forward; which is  
20 what the Zoning Commission would base their review and  
21 potential approval of an alternative solution on.

22 We can't just say we're not going to do  
23 it. We have to do it. We have to provide those  
24 spaces.

25 COMMISSIONER PARSONS: Well, give some

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1 thought to the tone of that. Because it just seems  
2 like, if it cost too much, I don't have to do it.  
3 Thank you.

4 VICE CHAIRPERSON HOOD: Thank you. All  
5 right, Commissioner Hildebrand.

6 COMMISSIONER HILDEBRAND: Thank you.

7 Actually, Mr. Parsons hit on all of the  
8 highlights that I really was concerned about. One,  
9 particularly, was how do you measure height in an open  
10 air stadium? Because the regulations specifically say  
11 you measure the height to the roof on structures that  
12 are taller than 90 feet. And if this turns out not to  
13 have a roof, what is the limitation on measurement?

14 MR. LAWSON: The height, again, is  
15 measured to the top of the structure. And the roof,  
16 if there is one, would be considered part of the  
17 structure; whether that's a, you know, a kind of a  
18 cantilevered canopy type roof or whether it's a  
19 covered stadium; whatever it might be.

20 COMMISSIONER HILDEBRAND: I guess my  
21 concern though is that the regulations don't say it's  
22 measured to the top of the structure. It says it's  
23 measured to the roof. So, I think we might want to  
24 look at that just a little bit more.

25 I too am concerned about the vistas from

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1 various parts of the city. And it seems like your  
2 presentation deals with specifically views from the  
3 Anacostia and from the immediate neighborhood, back to  
4 the Federal Core.

5 Have you looked at all at the potential  
6 impact of this from other vantage points around the  
7 city, like Columbia Heights or Mount St. Alban's, and  
8 those areas where you do get this vista back towards  
9 the Federal core. And this has a good potential of  
10 having an impact on that panorama.

11 MR. LAWSON: Oh, there's no question that  
12 this is going to be within the view shed of multiple  
13 sites throughout the District. This is going to be a  
14 fairly big building. Exactly what the ultimate impact  
15 of that's going to be will depend on, you know,  
16 development patterns around the site and a number of  
17 other factors that, you know, we can't really control  
18 on the ballpark stadium site.

19 In terms of assessing the view impacts and  
20 having the designers look at view sheds, we would  
21 certainly be open to suggestions on whatever view  
22 sheds you think are critical.

23 COMMISSIONER HILDEBRAND: Yes, I think we  
24 definitely want to include that as a requirement in  
25 their presentations of that potential impact. And I'm

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1 very pleased to see that the regulations are  
2 addressing the issues of noise and light spill.

3 As you know, the Capitol grounds are  
4 fairly close to the site and there are a series of  
5 summertime concerts that occur every night on the  
6 Capitol grounds during the summer season. And that  
7 would directly coincide, potentially, with the timing  
8 of games at the stadium.

9 And I'm sure if we can contain the volume  
10 and its impact on the immediate neighborhood, by the  
11 time it gets to the Capitol, we should be fairly safe.  
12 But I am concerned about noise levels and how those  
13 are being mitigated.

14 In that respect, do you have a feel for  
15 how the stadium most likely will be oriented on this  
16 site? Is it going to opening towards the Capitol or  
17 is it going to be opening towards the river? Is there  
18 a direction that baseball stadiums typically face for  
19 lighting angles?

20 MR. LAWSON: The answer would be no and  
21 yes. I don't have a sense of what the direction of  
22 the ballpark stadium will be on this site. That  
23 decision is yet to be made. However, there are some  
24 constraints on what that orientation normally is for  
25 a ballpark.

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1                   And certainly when I looked at other  
2 ballparks around the District, there were none that  
3 oriented west and I don't think there were any that  
4 oriented due south.

5                   So the typical orientation is somewhere  
6 between north and southeast. That's the typical  
7 orientation.

8                   COMMISSIONER HILDEBRAND: And when you say  
9 orientation, that's from home plate looking out?

10                  MR. LAWSON: Home plate out to outfield,  
11 yes.

12                  COMMISSIONER HILDEBRAND: Okay. Do you  
13 have an idea of how much of this site will be occupied  
14 by the actual stadium?

15                  MR. LAWSON: Not at this point.

16                  COMMISSIONER HILDEBRAND: Yes, I don't  
17 have a good feel for that either. I'm trying to  
18 envision, you know, Oriol and Camden Yards and how  
19 that would fit on this particular site which is just  
20 five city blocks.

21                  I'm wondering, is there a lot of surplus  
22 space that's not going to be used for the structure of  
23 the ballpark itself?

24                  MR. LAWSON: Yes. I would anticipate that  
25 there will be surplus space. That space will be used.

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1 There's all kinds of potential for that use for that  
2 space. And certainly one of them being to facilitate  
3 the construction of the ballpark, itself.

4 That's going to take a lot of space around  
5 the ballpark just to, you know, just kind of load up  
6 all of the construction materials and contain it onto  
7 the site.

8 This is one of the other things I tried to  
9 do. I tried to find a bit more information on what  
10 the area of a ballpark stadium is. And again, because  
11 it's measured so differently, I just wasn't able to  
12 come up with a number that was at all consistently  
13 measured to give you an idea.

14 I've heard numbers of everywhere from  
15 around 13 acres up to 18 acres; sometimes, you know,  
16 less than that. I think I may have seen one, it  
17 wasn't a ballpark, but it was a stadium that occupied  
18 about ten acres.

19 So there's a lot of variety there. And  
20 exactly how much will depend on the exact design, the  
21 orientation, the exact placement on the site. You  
22 know, all of those kind of questions.

23 COMMISSIONER HILDEBRAND: Yes. There is  
24 a lot of information. Yes. Okay. I was also curious  
25 about the idea of establishing a maximum cap on

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1 parking. And I think I do understand your rationale.

2 Is there a need to establish a minimum  
3 that goes with that so that there is a range that they  
4 must provide? According to this, they could almost go  
5 to zero.

6 MR. LAWSON: Yes. It's an interesting  
7 parking requirement. Because, as far as I know, and  
8 Jennifer can correct me, but I think this may be the  
9 first time that we've set a maximum parking  
10 requirement and no a minimum parking requirement.

11 And we did that on purpose. You know, it  
12 may be that the ultimate solution is that there would  
13 be no parking within the 21 acre site. Maybe the  
14 parking is provided directly offsite. Maybe it's  
15 provided some other way.

16 We didn't want to preclude those  
17 opportunities for what are potentially more creative  
18 solutions for parking. We had to recognize the  
19 parking requirement because it's there. But we didn't  
20 want to set a minimum number.

21 The agreement, again, between the District  
22 and Major League Baseball essentially does set 1,225  
23 as the target for parking.

24 COMMISSIONER HILDEBRAND: So, are we  
25 basically locking them in? Their agreement says at

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1 they'll provide at least 1,225, as we're saying that  
2 you can provide at most 1,225?

3 MR. LAWSON: We're providing for what the  
4 agreement requires, essentially.

5 COMMISSIONER HILDEBRAND: In the  
6 regulations in the parking section, there is a  
7 requirement for stadiums to have one parking space for  
8 every ten seats. How does that correspond to the  
9 capacity of this stadium?

10 MR. LAWSON: Yes. By my rough  
11 calculations, and I'm just going by memory here, I  
12 think it was around 2,500 spaces would otherwise be  
13 required for a stadium use at one per ten seats.

14 COMMISSIONER HILDEBRAND: For 41000 seats,  
15 would that be 4100 parking spaces?

16 MR. LAWSON: No. It's a bit more  
17 complicated than that and there are other provisions  
18 to it. So, you know, again I can't -- I honestly  
19 don't have it in front of me so I can't comment any  
20 further on it than that. But the number that we came  
21 up with was around 2,500.

22 COMMISSIONER HILDEBRAND: Okay.

23 MR. LAWSON: I should note, and of course  
24 this is kind of in passing, that MCI Center, from what  
25 I understand, has no parking onsite or a very limited

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1 number for staff or for something like that. I think  
2 it's just a very few hundred parking spaces. And it  
3 seems to manage.

4 And I think we're trying to encourage that  
5 kind of creativity in terms of how people get to the  
6 ballpark site and therefore, minimize the impacts on  
7 the neighborhood.

8 COMMISSIONER HILDEBRAND: I'm a great  
9 believer in public transportation and using it to the  
10 utmost. It's just, have you looked at the  
11 availability of public transportation? Is the only  
12 reasonable Metro stop that's accessible the one at the  
13 Navy Yard?

14 MR. LAWSON: Now, as part of the master  
15 planning study, they're certainly looking at all of  
16 the alternatives, not just Metro, but beyond that.  
17 But in terms of Metro, without question, there's more  
18 than one stop that would be accessible to people; the  
19 Capitol South and the Eastern Market are all within --  
20 there are a number of Metro stations on various lines,  
21 which is really important, that would be within normal  
22 walking distance for a ballpark.

23 Now, if we do that, we need to address  
24 what the streetscape along the routes from that stop  
25 to the ballpark would be and issues like that. We

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1 also, of course, have to look at the capacity of the  
2 Metro stations themselves.

3 COMMISSIONER HILDEBRAND: Yes.

4 MR. LAWSON: This is an area, particularly  
5 Navy Yard is obviously the closest one, so we would  
6 expect it to get the highest use. This is an area  
7 that's already anticipating significant growth. It's  
8 happening and there's a whole lot more going to  
9 happen.

10 So the capacity of Metro -- of that Navy  
11 Yard Metro station needs to be addressed kind of  
12 regardless of the ballpark, but certainly needs to be  
13 addressed in light of the peak demands that a ballpark  
14 would place on it. And that's one of the issues that  
15 is being looked at and addressed.

16 COMMISSIONER HILDEBRAND: And another  
17 thing that Mr. Parsons hit on as well is that 1606.15  
18 about relief from the requirements of 1606.14. Do you  
19 think it would be prudent to set a maximum relief that  
20 they could get under that, as opposed to going to 100  
21 percent? Did you consider at all saying that you can  
22 receive relief up to 50 percent so that you don't  
23 completely waive the entirety of that aspect of the  
24 design?

25 MR. LAWSON: We actually didn't consider

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1 that, but perhaps we should have. So it's not  
2 something that we would be opposed to.

3 COMMISSIONER HILDEBRAND: Okay. And also,  
4 looking at the diagram that you have on the screen  
5 right now, it becomes very clear that internal signage  
6 within the stadium, if it's open ended as you depict,  
7 could have an impact on the street and neighborhood.  
8 So I would certainly be a proponent of removing the  
9 term external only from the signage restrictions.

10 So much of it depends upon the final  
11 design of the stadium as to whether or not internal  
12 signage has an impact or not.

13 MR. LAWSON: Yes. It will be your  
14 decision. I feel that you may be opening up an  
15 enormous issue. Because, of course, there is a huge  
16 potential for signage that then would you be required  
17 to assess as part of your review which really doesn't  
18 have an impact on the outside at all. Whether it's  
19 visible or not, it has no detrimental impact from the  
20 outside.

21 There's a lot of signage in a baseball  
22 stadium in terms of, you know, directional signage and  
23 restaurant signage and advertising and all of these  
24 kinds of things which could be an enormous process to  
25 review.

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1                   It may also be entirely possible that when  
2                   the design comes to you, a lot of that signage won't  
3                   even be resolved. I would anticipate that, actually.  
4                   And so I'm not sure how you would deal with it then.

5                   COMMISSIONER HILDEBRAND: Okay. And, in  
6                   your testimony, you mentioned that you anticipate a 15  
7                   foot setback along the entirety of South Capitol  
8                   Street. How is that going to be brought about?

9                   MR. LAWSON: So far, it's being suggested  
10                  as part of the South Capitol Street studies to provide  
11                  South Capitol Street with an, in essence, a 160 foot  
12                  wide boulevard similar to Pennsylvania Avenue.

13                  As the current right of way is only 130  
14                  feet, to achieve that 160 feet, to give the extra kind  
15                  of monumental character and the breathing room as well  
16                  as pedestrian space to allow some uses to spill out  
17                  onto the sidewalk, we would need to kind of take back  
18                  that 15 feet for all buildings along the street.

19                  That could be done through additional  
20                  amendments to the Capitol Gateway Overlay or to other  
21                  regulations as the South Capitol Street plans are  
22                  finalized. That would probably be the appropriate way  
23                  to do it because you're correct that right now that  
24                  setback isn't required for other buildings.

25                  COMMISSIONER HILDEBRAND: And how about

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1 this setback at 110 feet?

2 MR. LAWSON: Exactly the same thing.

3 COMMISSIONER HILDEBRAND: So that's not  
4 required anywhere else at all either?

5 MR. LAWSON: That's correct. It's not  
6 required on South Capitol Street. There are some  
7 other areas where upper story setbacks are required.

8 COMMISSIONER HILDEBRAND: Right.

9 MR. LAWSON: But not specifically along  
10 South Capitol Street.

11 COMMISSIONER HILDEBRAND: I guess I'm also  
12 concerned a bit about the two story townhouse  
13 neighborhood that's immediately across South Capitol  
14 Street.

15 Do you think the language that you've  
16 included in the text is strong enough to encourage  
17 some physical response in the stadium wall to respond  
18 to the limited height in that particular square?

19 MR. LAWSON: Yes. Well, I guess I can say  
20 I hope so. I believe so. We're certainly open to  
21 additional suggestions to the language. We are, you  
22 know, to some extent, walking a bit of a tightrope  
23 here in that we want to provide the assurance that  
24 these issues will be addressed in the design, without  
25 telling the designers necessarily exactly what they

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1 have to do to address it.

2 We want to provide some level of  
3 flexibility because they are still in the pre-  
4 preliminary stages of doing design, that we didn't  
5 want to put unnecessary limits on them. But we wanted  
6 to certainly provide for that level of review.

7 And there are probably lots of ways to  
8 address how that relationship will happen. And that  
9 could happen, you know, partly through building  
10 height. It could happen through articulation; through  
11 choice of materials; through lighting; through  
12 landscaping.

13 There's lots of ways that kind of combined  
14 together can address it better than any one  
15 prescriptive solution could. And so that's why we've  
16 left it fairly open ended at this point.

17 COMMISSIONER HILDEBRAND: Okay. And I'm  
18 sure, at some point, we'll see volumetric studies of  
19 what the South Capitol Street will look like at the  
20 proposed maximum build out?

21 MR. LAWSON: I have seen some studies  
22 already as part of the South Capitol Street corridor  
23 study.

24 COMMISSIONER HILDEBRAND: Is that where  
25 they are? In that initiative?

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1 MR. LAWSON: So certainly when other  
2 initiatives, kind of broader initiatives come forward  
3 to the Zoning Commission, it would definitely include  
4 that.

5 COMMISSIONER HILDEBRAND: Okay. Thank  
6 you.

7 VICE CHAIRPERSON HOOD: Commissioner  
8 Jeffries?

9 COMMISSIONER JEFFRIES: Thank you. I  
10 appreciate your last comment there about being careful  
11 that the Commission does not become overly  
12 prescriptive or directive, and really sort of wait to  
13 see a baseball stadium design.

14 That has not occurred yet. And, you know,  
15 I for one would like to let the professionals do their  
16 thing and see what we have; clearly understand the  
17 context in which this stadium will exist.

18 And I have a confession. I mean I have a  
19 huge learning curve around what it takes to run a  
20 baseball stadium. I don't know. And this is going to  
21 be very good for me to understand.

22 But it's important that I think the  
23 Commission really understand sort of the operational  
24 needs of a baseball stadium and that a baseball  
25 stadium is a baseball stadium.

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1                   And I know that so many people are  
2 concerned that this baseball stadium is going to be in  
3 the District, in the nation's capitol, but a baseball  
4 stadium has to do certain things. It has to look a  
5 certain way.

6                   And some of this we will not be able to  
7 avoid. And so I'm just hopeful that we can sort of  
8 manage expectations of the community, of the  
9 Commission, and everybody to understand that we get a  
10 clear understanding about what is a baseball stadium  
11 and what does it need to be successful.

12                   The last thing we want to see here is a  
13 baseball stadium that is not economically viable.  
14 Because we have carved it up and chipped it up in so  
15 many different ways that it doesn't really work.

16                   So I would just -- it's more of a  
17 statement on my part. I just would hope that we can  
18 leave some room for flexibility and we can make  
19 certain that we allow the architects with the  
20 background and experience for doing these things,  
21 let's see what they put on the table. And I don't  
22 want to, at this point at least, I don't want to be  
23 overly prescriptive.

24                   I am curious about the design review and  
25 the timetables. Again, I don't think we need to get

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1 involved in excessive review. But it would be  
2 interesting to know when those bench marks are, when  
3 we can really -- when it would be an appropriate time  
4 to sit down and look at the design, signage, things of  
5 those sort.

6 I mean, we can't have a baseball stadium  
7 with no signs, right? I mean, there are certain  
8 things a baseball stadium's going to have to do. But  
9 I am interested in sort of when the appropriate times  
10 are set for us to have the review.

11 And has there been any additional comments  
12 with Metro as it relates to ways in which they could  
13 really start to assist with, you know, dealing with  
14 the capacity of the peak times use for this baseball  
15 stadium? Is it still pretty early for that?

16 I mean, I know that for JFK, there's been  
17 talks and so forth. But I'm wondering, just early on,  
18 has there been early talks about how we could, you  
19 know, help sort of mitigate what will obviously be a  
20 lot of traffic there; particularly given the fact that  
21 we're really trying to keep down the parking  
22 requirement?

23 MR. LAWSON: Yes. I don't think it's  
24 early in the process at all. And certainly those  
25 discussions have been under way for quite some time

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1 with DDOT, with WMATA, and with other relevant  
2 agencies.

3 Those processes are well underway to look  
4 at what's necessary and what can be done. It's a  
5 little bit outside the scope of the text amendment.  
6 But the text amendment tries to anticipate, I guess,  
7 what those -- not anticipate, but kind of to  
8 encourage, to nudge things in certain direction. To  
9 minimize the amount of traffic. To minimize the  
10 amount of parking. To minimize the pedestrian and  
11 traffic impacts on the ballpark site, itself.

12 But, as I said, all of those issues  
13 absolutely need to be addressed. You can't sweep them  
14 under the carpet. And those discussions are well  
15 under way.

16 COMMISSIONER JEFFRIES: Yes. Well, I  
17 mean, as it relates to looking at 1,225 parking  
18 spaces, I mean, obviously to get comfortable with that  
19 you really need to look at the other sources. So  
20 that's why I am bringing it up.

21 MR. LAWSON: Absolutely. And as part of  
22 the review of the ballpark itself, once that comes  
23 forward to you, the hope would be that we would be  
24 able to give you a much better sense of direction of  
25 where we're moving with those issues.

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1                   COMMISSIONER JEFFRIES: Right. Okay. I  
2 think that's it. That's all I have.

3                   VICE CHAIRPERSON HOOD: Thank you,  
4 Commissioner Jeffries. Let me just say, I would like  
5 to associate myself with Commissioner Jeffries and his  
6 beginning comments. I'm hoping that we don't carve  
7 everything out and put us into a position that we  
8 can't move forward.

9                   I think we should leave it to the subject  
10 matter experts. I'm not saying that you guys are not  
11 experts. But let's wait and see what comes before us.

12                   And I also had the question about the  
13 Metro and those discussions. I was glad to hear that  
14 may be taking place. I believe that's what I heard,  
15 because I was actually in a discussion with Ms.  
16 Schellin at the time. But I believe I heard that  
17 also.

18                   But let me ask you. What concerns me is  
19 this Metro issue. You mentioned Capitol South. Was  
20 it Capitol South, Navy Yard, and what's the other one?  
21 Eastern Market? Now, roughly how many blocks away is  
22 -- let's just use Capitol South?

23                   MS. PETKAC: It's about a ten minute walk.

24                   MR. LAWSON: Capitol South is about a ten  
25 minute walk.

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1                   VICE CHAIRPERSON HOOD: About a ten minute  
2 walk. Typically, and I know how they do it at FedEx,  
3 so I know that disaster, but typically do people that  
4 come to games -- and I know you all have done all the  
5 research. Do they walk for ten minutes or do they try  
6 to get to the point where they don't have to walk as  
7 far?

8                   Isn't that normally the human behavior?

9                   MR. LAWSON: Normal human behavior would  
10 be to get as close as conveniently possible.

11                  VICE CHAIRPERSON HOOD: As close as  
12 possible.

13                  MR. LAWSON: If you're on the Capitol  
14 South line, you might find it more convenient to get  
15 off there and to walk the ten minutes. If you're on  
16 the green line, you might find it more convenient to  
17 get off at Navy Yard.

18                  So it depends a little bit on where you're  
19 coming from and what you anticipate the crowds to be  
20 at the Metro stations as well. I think we would all  
21 anticipate fairly hefty crowds at Navy Yard and  
22 certainly we're finding this out at RFK. That there's  
23 the stadium there. There are some waits to get into  
24 the Metro stations. We find that people are walking  
25 as far as Union Station to get on to Metro if they're

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1 looking for the Red Line.

2 So, you know, to some extent it depends on  
3 who you are; what your expectations are. The one  
4 thing we know is, you know, to steal a phrase from the  
5 movies, if you build it, they will come.

6 You know, if we build 10,000 parking  
7 spaces on this site, we'll get 10,000 cars coming to  
8 this site, because that's the most convenient thing to  
9 do. We may not get it forever, because traffic will  
10 become so snarled that people may realize that they  
11 wouldn't be able to negotiate the streets, anyway. I  
12 don't know.

13 But we feel it's better to kind of nip  
14 that one in the bud and to start to look at the  
15 alternatives early in the process. You know, like  
16 now, as you were suggesting.

17 VICE CHAIRPERSON HOOD: I understand,  
18 though. I appreciate and I understand you're trying  
19 to encourage this, but I'm just curious in the human  
20 behavior, is this doable? For example, the bicycle,  
21 and I know that came from the ANC, so I'm not knocking  
22 it. That's an innovative way.

23 But if I'm going to a game and the game  
24 goes an extra inning so I'm leaving at 10 or 11  
25 o'clock, and I'm putting this out there because I know

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1 you're going to be going back out to the neighborhood.  
2 But realistically, I have never seen anybody -- I  
3 mean, I'm not saying it doesn't happen, but at least  
4 I'm talking about where I go to FedEx Field, I don't  
5 see anybody really riding a bicycle.

6           Maybe it's a different circumstance. I  
7 don't know. And I know that came from the  
8 neighborhood and they're doing everything they can to  
9 mitigate the traffic issue. But I want to make sure  
10 that some of these things that we're encouraging are  
11 actually doable. And if not, we need to keep  
12 searching until we find some doable.

13           I think the intent and the direction is  
14 well intended, and I would appreciate it. But I just  
15 don't for the sake of having something on there, I  
16 don't want to say oh we encourage the bicycles and two  
17 people ride the bicycle.

18           MR. LAWSON: Yes. I -- well, first of  
19 all, I would say that you're probably right that we  
20 wouldn't expect thousands and thousands of people to  
21 ride by bicycle. We think that it is an entirely  
22 appropriate way, particularly for afternoon games;  
23 maybe less so for evening games. But as again the  
24 Anacostia River Walk and Bike Trail gets put in place,  
25 it may be possible for people who are coming

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1 relatively short distances; not, you know, people  
2 coming from Virginia, but people who are coming  
3 relatively short distances, to use their bike.

4 It may be one of the reasons why we don't  
5 see people bringing their bikes is that there's no  
6 facilities for them. There's nothing for them to do  
7 with their bikes. They don't feel safe bringing their  
8 bikes.

9 So we don't want to preclude people from  
10 doing that. And, to that end, we feel that it's  
11 important that they provide for the safe and  
12 convenient storage of bicycles during the game, for  
13 example, so that people will know that their bike will  
14 be their when they get out of the game.

15 VICE CHAIRPERSON HOOD: Okay.

16 MR. LAWSON: But this is what I mean.  
17 When we're talking about, you know, transportation to  
18 the site, which is a huge issue and maybe the hugest  
19 issue to overcome, we feel that it's important to take  
20 a multi-multi-faceted approach to it. To look at  
21 bikes. To look at cars. To look at busses. To look  
22 at shuttling people from remote parking. To look at  
23 ferries across the river. To look at people walking.

24 You know, it's just the whole gamut of  
25 potential solutions and we need to look at them all,

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1 because no one solution is going to, given the  
2 location of this baseball stadium, we can't put 20,000  
3 parking spaces there and expect the roads to  
4 accommodate them.

5 So, the only single solution that might be  
6 possible if we were out in a suburban location isn't  
7 possible here. So we have to look at all of the  
8 alternatives; the Metro and everything else.

9 VICE CHAIRPERSON HOOD: And I see here we  
10 have the shuttle bus. Are we talking in terms of how  
11 they're doing that at FedEx, and I keep going there  
12 because I'm familiar with that one. Are we talking  
13 about shuttling from the Metros to the stadium? I  
14 mean, is that kind of what you had in mind here?

15 MR. LAWSON: It's possible. That could be  
16 one of the solutions, shuttling from more remote Metro  
17 stations. It could also be shuttling people from more  
18 remote parking sites. For example, if there was  
19 parking -- well, I don't even want to suggest a place  
20 because I don't know where it would go.

21 VICE CHAIRPERSON HOOD: I understand.

22 MR. LAWSON: But if it was remote parking  
23 that it was too far for your average person to walk,  
24 some people may and some people would not wish to,  
25 that it may be necessary to provide shuttle service

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1 from remote parking sites.

2 VICE CHAIRPERSON HOOD: Okay. Let me just  
3 say though, I appreciate all of the different avenues  
4 that you've -- being creative working along with the  
5 community. Because I think we have a wide spectrum.  
6 I just want to make sure that hopefully we can realize  
7 this, including the bicycle use. I think it's a good  
8 option. But I just wondered if it was really real.

9 The communications and outreach; how many  
10 meetings would you say you've had with the community.  
11 And it may have been here somewhere. But how many  
12 meetings would you say you've had with them over this  
13 long period of time and also, how many people would  
14 you say normally average the attendance; were in  
15 attendance?

16 MR. LAWSON: Sure. Since set down, so  
17 meetings where we were specifically talking about  
18 baseball and, you know, we were there to talk about  
19 the text amendment, I guess I would say that we had  
20 six in the neighborhood.

21 We had two meetings with the ANC. We had  
22 one meeting with the Southwest Neighborhood Assembly.  
23 That one was quite recent; just a few weeks ago. As  
24 well as the three community meetings that were part of  
25 the ballpark area master planning study.

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1                   VICE CHAIRPERSON HOOD: And that same  
2 process, I'm sure, will happen when we get to the  
3 design phase?

4                   MR. LAWSON: There would certainly be  
5 neighborhood meetings. I can't tell you how many  
6 there would be because I don't know. But we would  
7 definitely want to meet with the ANC and we would  
8 definitely want to meet with any other community group  
9 that wishes to meet with us.

10                   And we certainly made ourselves available  
11 to speak to other organizations, if they wished to  
12 speak to us. But the ANC and the Neighborhood  
13 Assembly seemed to be the two big ones.

14                   In terms of the number of people who were  
15 there, you know, it varied. I would guess maybe on  
16 average about 150 people at each meeting.

17                   VICE CHAIRPERSON HOOD: Okay. Thank you.  
18 I too have not seen the ANC report, so I'm interested  
19 in seeing their report. I can't ask you any questions  
20 because I haven't seen it. So hopefully, they will --  
21 when they come up, I'll find out what some of the  
22 concerns may still be.

23                   But it looks like you all have done a good  
24 job in mitigating some of that. So continue the good  
25 work.

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1 MR. LAWSON: Well, the ANC -- I just want  
2 to point out that the ANC brought up some very good  
3 points, you know. And we were pleased to incorporate  
4 them into the text. We think it's a stronger -- it's  
5 a stronger document because of some of the issues that  
6 were brought up by some of the Commission members. So  
7 we were pleased to do it.

8 VICE CHAIRPERSON HOOD: Okay. It sounds  
9 good. Thank you. Any follow-up questions?  
10 Commissioner Hildebrand?

11 COMMISSIONER HILDEBRAND: Yes. I was very  
12 interested in your comments on the bicycles. Because  
13 I thought, initially, that was a really great  
14 suggestion. Particularly for neighborhood kids on  
15 Capitol Hill or in Southwest that might come to an  
16 afternoon game, to be able to bicycle there if there  
17 was a safe way to get across South Capitol Street.

18 But I'm curious. Have you had any  
19 discussions with what would probably be a comparable  
20 stadium in Camden Yards, which also occurs on the edge  
21 of a very residential neighborhood. Do they have  
22 bicycle facilities there?

23 MR. LAWSON: To be honest, I haven't had  
24 discussions on that specific issue.

25 COMMISSIONER HILDEBRAND: It might be

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1 interesting to check.

2 MR. LAWSON: It might be.

3 COMMISSIONER HILDEBRAND: Thank you.

4 MR. LAWSON: To find out how they deal  
5 with the issue.

6 MS. STEINGASSER: If I could add to the  
7 bicycle discussion, it's comparable and not directly.  
8 The Fourth of July on the Mall, where there's hundreds  
9 of thousands of people, there's a surprising number of  
10 people that go down on their bicycles. And they lock  
11 them up at one end. And when you're walking back, you  
12 know, they're driving home at 10:00 at night on their  
13 bicycles.

14 So there is -- there is a population of  
15 people who prefer that as a -- to walking and to  
16 waiting for Metro. And part of the issue with the  
17 Metro study that's going on with the South Capitol  
18 Area Study is it's not so much coming as leaving; is  
19 having all 41,000 people leaving at the same time to  
20 one Metro station.

21 So part of that study is looking at, you  
22 know, more people would rather be in motion than  
23 waiting at the top of an escalator. So I don't know  
24 whether they would get off early to avoid a crowded  
25 train. But they would certainly rather walk the ten

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1 minutes to the next station than wait in line  
2 endlessly at this station.

3 So there's a coming pattern and there's a  
4 leaving pattern. And each one is distinctive. And  
5 DDOT is working very carefully with transportation and  
6 parking specialists and WMATA in understanding these  
7 patterns.

8 COMMISSIONER JEFFRIES: And some of us are  
9 sort of professionals at going to stadiums. I mean,  
10 having gone to Notre Dame, you always, you know, for  
11 the football games, you tend to be able to figure out  
12 that, you know how much time you need to get out of  
13 the stadium.

14 And what happens is it's become sort of a  
15 staggered approach. And so that really helps  
16 alleviate. And as well as Chicago, having gone to,  
17 you know, all of the stadiums that are there, you  
18 know, a 15 minute walk is actually pretty good, you  
19 know. To the point that you can park five or six  
20 blocks, seven blocks away and walk to the stadium, I  
21 mean, a lot of people, at least in Chicago, I mean,  
22 find that to be acceptable.

23 I mean, that's not something that I think  
24 they'd want to do all the time. But for a special  
25 event in terms of going to a stadium and recognizing

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1 that there's going to be a lot of people, to avoid the  
2 crowd, they're willing to make some of those  
3 adjustments.

4 No I don't know about Eastern Market,  
5 because I think that stadium is a little far. I mean,  
6 how many blocks in Eastern Market from the site?

7 MR. LAWSON: It's about 20? It's pushing  
8 the limit, for sure.

9 COMMISSIONER JEFFRIES: That seems to be  
10 pushing just a bit. But definitely six, seven, eight  
11 blocks, people will be willing to do that.

12 VICE CHAIRPERSON HOOD: Okay. Any other  
13 questions? Let me also, since we're on that topic  
14 about -- let's look at the Navy Yard Metro. And you  
15 know the United States Department of Transportation's  
16 headquarters is there. Was that factored in in those  
17 discussions as far as just narrow -- I guess it was,  
18 though, because you had to find other options. Was  
19 that taken into consideration also?

20 MR. LAWSON: Yes. It's not even just the  
21 U.S. DOT Building. It's also Southeast Federal Center  
22 and Arthur Capper and just the other development  
23 that's possible throughout, you know, the South  
24 Capitol Street, Buzzard Point area. And the fact that  
25 that station is going to have to accommodate an awful

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1 lot more people than it does right now, irrespective  
2 of the ballpark, and WMATA taking a look at how the  
3 station can do that.

4 VICE CHAIRPERSON HOOD: Okay. I thank you  
5 both for your testimony and answering our questions.  
6 Moving right along with our agenda, reports of other  
7 government agencies, Ms. Schellin, if you could help  
8 me along with that.

9 I know that we have something from the  
10 Department of Housing and Community Development which  
11 is in support and also from the Anacostia Waterfront  
12 Corporation, from the Chief Executive Office, Andrew  
13 Altman, which is also in support. Am I omitting  
14 anything else? Mr. Lawson, do you have anything?

15 MS. SCHELLIN: I think that's it.

16 VICE CHAIRPERSON HOOD: That's all we  
17 have? Okay. Next we have the report of the ANC. We  
18 have a letter from the Chairperson of ANC 6D, Mr. Andy  
19 Litsky. If you can come forward. If you could just  
20 give us your name and your address and what ANC you  
21 represented? Turn your mike on, Mr. Litsky.

22 MR. LITSKY: My name is Andy Litsky. I'm  
23 the Chair of ANC 6D. My address is 423 N Street  
24 Southwest.

25 VICE CHAIRPERSON HOOD: Let me ask you.

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1 Are you representing the whole ANC?

2 MR. LITSKY: I am.

3 VICE CHAIRPERSON HOOD: Okay. Good. You  
4 may begin.

5 MR. LITSKY: Thank you. Good evening, Mr.  
6 Chairman and members of the Commission. My name is  
7 Andy Litsky and I'm Chairman of ANC 6D; representing  
8 the neighborhood in which the baseball stadium has  
9 been proposed.

10 I'm testifying this evening on behalf of  
11 our Commission, which voted unanimously at our  
12 regularly scheduled monthly meeting on May 9th of this  
13 year to oppose the text amendment to the South Capitol  
14 Gateway Overlay and urge you to give great weight to  
15 our concerns.

16 ANC 6D has been on record as opposing this  
17 specific site for the baseball stadium since it had  
18 been proposed. We believe that a stadium in that area  
19 under consideration this evening does not fit with the  
20 character of the Anacostia Waterfront Plan as it had  
21 been originally envisioned.

22 We continue to strongly believe that a  
23 stadium will have a significantly deleterious effect  
24 on the quality of life in the Southwest and Near  
25 Southeast neighborhood that we represent for a host of

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1 reasons, included but not limited to concerns about  
2 environmental quality, public safety, traffic, and  
3 availability of adequate parking that will result from  
4 placing the stadium on this site.

5 We've had an opportunity to meet with the  
6 Office of Planning and discuss their proposal. And I  
7 want to thank Joel Lawson, in particular, for his help  
8 in working with us and for attempting to incorporate  
9 our concerns into their supplemental report to the  
10 Zoning Commission regarding this overlay.

11 However, it appears as though they did  
12 improve in their overall proposal, but only slightly.  
13 It still has several problems which we hope the  
14 Commission will address in its decision.

15 If the city insists that we accept a major  
16 construction project that we have said we do not want  
17 in the first place, at the very least, the city should  
18 make every attempt to minimize the harm that this  
19 project will cause our neighborhood.

20 But the proposal's design criteria, in  
21 Section 1606.19 and 1606.20 give us almost no  
22 protection. The sections separate neighborhood harm  
23 in 1606.19 from the less intrusive aspects of stadium  
24 design in 1606.20. But each section simply lists  
25 criteria.

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1                   Nowhere does it, in either section,  
2                   require that the Zoning Commission give priority to  
3                   minimizing the harm to our neighborhood residents.  
4                   For example, the provisions appear to give equal or  
5                   greater whether to ticket buyers have use of the  
6                   Capitol Dome instead of addressing as a priority  
7                   whether stadium noise will keep us up at night.

8                   We contend that the health, safety, and  
9                   quality of life of our current 12,000 residents with  
10                  nearly half again that number expected to be in the  
11                  neighborhood within the next decade, will matter more  
12                  than people holding luxury boxes have a clear view of  
13                  anything other than the action on the playing field.

14                  If a stadium on the Anacostia will provide  
15                  the economic benefits that it's proponents claim, then  
16                  the Zoning Commission hardly needs to require a design  
17                  that enhances the ticket buyer's experience and causes  
18                  our community to make sacrifices to health, safety,  
19                  and quality of life.

20                  On the issue of parking, OP's response to  
21                  our objections to their plan merely summarizes it's  
22                  initial draft. As such, OP continues to defend their  
23                  insistence that parking for a stadium accommodating  
24                  more than 40,000 people should allow for a  
25                  significantly inadequate number of parking spaces.

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1           Although they did increase the number of  
2 spaces in this revised submission, even 1,200 -- and  
3 actually it's 1,225 spaces, are probably inadequate  
4 for a building of this magnitude. And currently, as  
5 I understand, violates Zoning regulations pertaining  
6 to the minimum number of parking spaces for a  
7 construction at this site.

8           Further, the Neighborhood Impact Zone, as  
9 developed by the D.C. Sports and Entertainment  
10 Commission, delineates that an area is fairly  
11 circumscribed to represent the area that would appear  
12 to be minimally harmful to the neighborhoods. I'm not  
13 quite sure I'm expressing that right.

14           The consultants to both OP and to the  
15 Sports Commission have talked about a kind of stadium  
16 overlay; a neighborhood impact overlay. And they have  
17 concentric circles that show, within a five minute,  
18 not a ten minute walking from a Metro station at the  
19 waterfront, what would be considered the neighborhood  
20 that would be most acutely impacted by the stadium  
21 placed on that site. And that would be within a five  
22 minute walk of the Metro station and Waterfront Metro  
23 -- not Waterfront, Navy Yard Metro Station.

24           Mr. Lawson is stating and I know D.C.  
25 Sports and Entertainment has stated absolutely

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1 differently that they anticipate people will be  
2 walking even so far as Eastern Market, which I don't  
3 anticipate will happen very often.

4 But people will be coming from a greater  
5 area, aside from that. And they will also be walking  
6 from the Waterfront Metro Station which is closest to  
7 where most of the residents in Southwest actually  
8 live.

9 That area of folks is going to be also  
10 acutely impacted by this. And I just want to make it  
11 clear that if you see diagrams that kind of  
12 circumscribe the area that's going to be the affected  
13 neighborhood, it's much much larger than has been  
14 presented on paper.

15 I think we also need to understand that  
16 it's harmful -- that these diagrams appear to make it  
17 be minimally harmful to the neighborhoods directly to  
18 the west and to the Capitol Hill neighborhoods just  
19 directly north of the expressway. So Capitol Hill is  
20 not immune from this at all.

21 OP's revision contains no response to our  
22 concern that inadequate parking will lead to fierce  
23 competition with residents for scarce on street  
24 parking spaces. This is an obfuscation of major  
25 proportion.

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1           Further, the number of spaces set aside  
2           for onsite tour bus parking is also of a significant  
3           concern. There are only 30 spaces set aside for  
4           onsite tour bus parking. If we have 60 people or even  
5           75 people coming on each bus and the buses are packed,  
6           that's about 2,000 folks. That's not a lot of people  
7           if we're encouraging alternative transportation.

8           So, if we're looking to boost the number  
9           of folks who can come in through alternative means, I  
10          would suggest boosting the required number of bus  
11          parking spots that we have on that facility.

12          Tour busses are already a major problem in  
13          our neighborhood right now. The thought of an  
14          additional 50 or 100 busses traversing our streets,  
15          dropping people off, going to an offsite spot, coming  
16          back to pick them up, going home; that means it's four  
17          trips rather than just a trip there and a trip out.

18          So I would strongly encourage some kind of  
19          a revision to this plan to include greater onsite bus  
20          parking.

21          Environmental concerns. We continue to  
22          oppose the idea that the zoning commission be required  
23          to consider views from the seats in approving stadium  
24          design. Government need not regulate in order to  
25          improve a product for patrons.

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1           There are already plenty of economic  
2 incentives to build a stadium that enhance the  
3 experience for attending a ball game. There's no need  
4 for such a requirement in a zoning overlay. Such a  
5 requirement suggests that the Zoning Commission should  
6 equally weigh the fan experience with the effect on  
7 the neighborhood. And frankly, I don't think that  
8 should be so.

9           But the designer and the owners have no  
10 economic incentives to protect the neighborhood. What  
11 economists call externality is precisely the kind of  
12 interest for which our communities need government  
13 protection and protection from the Zoning Commission.

14           The government ought not to weigh equally  
15 competing interests when there is only one economic  
16 incentive on one side.

17           It has been reported in this morning's  
18 Washington Times and as we have seen in rendering  
19 after rendering, that the two architectural firms  
20 hired to design the stadium are more leaning toward  
21 orienting the stadium with the direct view northward  
22 toward the U.S. Capitol Dome.

23           Although we've been told that all designs  
24 are under consideration, that isn't what the reports  
25 seem to tell us. And our community hasn't really been

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1 engaged in a discussion prior to, as several of the  
2 Commissioners here have stated, getting involved in  
3 this process and getting really involved in this  
4 process before we're presented with a design that's a  
5 fait accompli and that has to come rushed to a  
6 conclusion in order to meet a 1998 ribbon cutting for  
7 the stadium.

8 So I think it really would help to engage  
9 the community much more effectively, not just finally  
10 with the design, but also to engage us in a process  
11 prior too.

12 Environmental studies have not been  
13 undertaken that will address this issue of noise and  
14 light that will emanate from the ballpark and will  
15 severely impact the surrounding residential  
16 neighborhoods if this is not sited properly.

17 Most importantly, because frankly I don't  
18 think we're going to have an opportunity to discuss  
19 the siting of the stadium, we believe that the  
20 administration caved to the insistence Major League  
21 Baseball that the new stadium be placed on this site  
22 and at it's location on the Anacostia River Front.  
23 That was the major selling point.

24 Now, in addition to the negative impact  
25 that we believe such a northward orientation will have

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1 on our surrounding neighborhoods and the effect that  
2 such an orientation will have in competing with the  
3 views of the Capitol Dome for all concerned, not just  
4 from our neighborhood, but as been pointed out, from  
5 Columbia Heights, from areas elsewhere in the city,  
6 when they look down and have a broad vista of the  
7 Capitol.

8 They're not going to have a vista of the  
9 Capitol that will be undiminished. It will be  
10 competing if it faces northward with all of the lights  
11 from the stadium. And that's a significant difference  
12 to them.

13 What such an orientation does is to quite  
14 literally turn its back on the Anacostia River, and  
15 all that its rebirth now represents. Quite frankly,  
16 a northward orientation will be the final slap in the  
17 face to thousands of District residents who have  
18 embraced the Anacostia Waterfront Initiative which  
19 rightly ought to be considered the true legacy of the  
20 Williams Administration, and not a stadium.

21 So please, I would hope that in further  
22 review of the stadium once it's presented to you that  
23 this will be taken into account.

24 Traffic. Over the past four years, the  
25 development projects, particularly Waterside Mall and

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1 the Southwest Waterfront Renewal have required that  
2 traffic studies be undertaken to demonstrate the  
3 impact of those projects upon the surrounding  
4 neighborhoods.

5 What was determined in each study was the  
6 traffic in the traffic along M Street Southwest has  
7 been and is currently rated an F; the worst traffic  
8 rating that can be given. No surprise to residents of  
9 Southwest, what has been show definitively and what  
10 the Department of Transportation has already publicly  
11 admitted is that M Street right now is the most  
12 heavily trafficked street in the District of Columbia.

13 And that's currently. This does not take  
14 into consideration the additional traffic that will be  
15 the result of the elimination of Water Street and the  
16 attendant two decade construction of the Southwest  
17 Waterfront.

18 Nor does it take into consideration the  
19 opening of the Fourth Street and Southwest and the  
20 eventual construction of the Waterside Complex.

21 Nor does it take into consideration the  
22 build out of the massive Southeast Federal Project.  
23 Nor does it take into consideration the proposed  
24 reorientation of P Street Southwest and the new Fort  
25 McNair Gate.

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1 Nor does it take into consideration the  
2 placement of the new headquarters of the Department of  
3 Motor Vehicles on M Street, which is slated to occur  
4 on November 1st, and it's attendant one-stop shopping  
5 enhanced vehicle inspection facility located just  
6 three blocks from the stadium site.

7 And it certainly does not take into  
8 consideration the massive traffic snarls that will  
9 ensue during the anticipated 15 years it will take to  
10 reconstruct South Capitol Street and 11th Street  
11 Bridges, let alone this massive baseball stadium and  
12 the attendant entertainment zone that will develop  
13 around it.

14 City fathers do us no favors by continuing  
15 to refuse to look at traffic patterns from a holistic  
16 bird's eye view, rather than a project by project  
17 basis when it comes to developing in Southwest and  
18 Near Southeast.

19 Further, traffic plans that have already  
20 been completed have not been released. The ANC has  
21 been promised those reports since March of 2003 by  
22 consultants to DOT and we have not seen a shred of  
23 paper.

24 It won't take one more dollar of District  
25 money to Grove and Slade or any other parking

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1 consultant to demonstrate that we have a current  
2 traffic crisis along M Street. And that they'll only  
3 be exacerbated by the placement of the baseball  
4 stadium in this area.

5 The ANC urges in strongest possible terms  
6 that the Zoning Commission not act on this request  
7 until there's full and complete disclosure from DDOT  
8 and their consultants about every single one of these  
9 projects and their projections of resulting traffic  
10 patterns and how that's going to be influenced and  
11 impact the neighborhoods.

12 For each massive project contributes  
13 cumulatively to a problem that has already created the  
14 worst traffic in the city.

15 I'd just like to say that when I left to  
16 come down here to the hearing about five after six, I  
17 used public transportation. I walked across to Metro  
18 across the street from my house and there's not a drop  
19 of rain, there's no traffic accidents.

20 I live on 4th Street, directly across from  
21 what is not Waterside Mall. I looked east towards  
22 South Capitol Street. There was a line of traffic  
23 that didn't move. This is on a regular day. This  
24 happens regularly.

25 Come down. Check it out yourselves. This

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1 is no joke. Traffic in unbelievable. So, and I just  
2 left being over there. I wish I had a video camera.  
3 I would have brought it in and shown it on the wall.  
4 You could see what we're experiencing down there right  
5 now.

6 On public safety. We've heard little  
7 about the public safety aspects of what bringing an  
8 additional 40,000 people to this site on 81 days a  
9 years is going to require.

10 However, on thing that has not been  
11 discussed at all, and I don't really want to be an  
12 alarmist, but it hasn't been put on the table and it  
13 needs to, is how the year-old District Emergency  
14 Evacuation Plan envisions evacuating an additional un-  
15 indoctrinated 40,000 baseball patrons should a  
16 terrible situation ever need to be undertaken  
17 evacuating the city.

18 South Capitol Street and 11th Street  
19 Bridges are being rebuilt. But these two massive  
20 projects may take up to 20 years to complete. Far  
21 beyond the envisioned 1998 ribbon cutting and half  
22 again as much time as the entire productive life of a  
23 new stadium.

24 Further, if these bridges are even  
25 partially out of commission, water routes are sealed

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1 off so the ferry is not going to be used. Because  
2 water routes are always sealed off in an evacuation.

3 And with Pennsylvania Avenue being the  
4 Maginot Line for any evacuation route, an additional  
5 40,000 people using this facility could hold chilling  
6 consequences for the residents of Southwest, Near  
7 Southeast, Capitol Hill, and the employees of the  
8 Southeast Federal Center and the Capitol Complex,  
9 should such an emergency evacuation be required.

10 No one's brought this issue up and it  
11 needs to be addressed forthrightly. I ask you to  
12 please strongly consider the objections that the ANC  
13 has to this plan and urge the Commission to give great  
14 weight to our concerns.

15 Thank you so much for your time.

16 VICE CHAIRPERSON HOOD: Thank you, Mr.  
17 Litsky. Let me just ask you first, though. Can you  
18 give us as proscribed in our Zoning Report on this,  
19 that you give us the date of the meeting where you  
20 took a vote.

21 MR. LITSKY: Oh, we -- we --

22 VICE CHAIRPERSON HOOD: Where you took a  
23 vote. The day of the meeting.

24 MR. LITSKY: May 9th. It's in the  
25 testimony.

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1 VICE CHAIRPERSON HOOD: Yes. But I mean  
2 I need it saying the date you took it, what the vote  
3 was.

4 MR. LITSKY: Oh, certainly.

5 MS. SCHELLIN: Whether there was a quorum.  
6 It has to be signed and original signatures by the  
7 Chair.

8 MR. LITSKY: Absolutely. I see. You bet.

9 MS. SCHELLIN: So we just need you to just  
10 provide it.

11 MR. BERGSTEIN: What I was going to  
12 suggest is to permit the ANC to supplement the report  
13 to put in what's missing, which I have is that there's  
14 no indication of proper notice.

15 This comes from 3011.7 of the Zoning  
16 Regulations, which pretty much reflects what's in the  
17 ANC Act. But what's missing is from this document and  
18 you'll need to provide in order -- because only the  
19 written statement of the ANC is entitled to great  
20 weight.

21 So this document has to contain that.

22 MR. LITSKY: I understand. Okay, fine.  
23 If we can supplement that, that would be great.

24 MR. BERGSTEIN: Right. So what it seems  
25 to me you need is an indication that there was proper

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1 notice of the meeting, the number of members that  
2 count towards a quorum, And I'll be glad to give you  
3 this if you'd like to come up later.

4 MR. LITSKY: That would be great. I know  
5 we've done this before and I neglected to put it in  
6 here. But I'll be glad to supplement that if it will  
7 be acceptable.

8 MR. BERGSTEIN: Okay. What I would  
9 suggest you let the Chairman do that and set a time or  
10 whatever for doing that. And if you can get up to me  
11 so I'll give you a list.

12 MR. LITSKY: Yes.

13 VICE CHAIRPERSON HOOD: I sure hope he  
14 picked it up because I didn't hear it. But anyway,  
15 we're going to leave it open so we can obtain the  
16 supplement from you.

17 MR. LITSKY: All right. Thank you.

18 VICE CHAIRPERSON HOOD: Hold your seat a  
19 second. Colleagues, any questions of the Chairman,  
20 Mr. Litsky?

21 I will say that I will ask -- I don't know  
22 -- let me just ask you, Mr. Litsky. I know you've had  
23 dialogue with the Office of Planning on a number of  
24 occasions. Some of the concerns, for example South  
25 Capitol Street, and as you've said, they've tried to

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1 mitigate them to a point.

2 And as someone who has worked at Waterside  
3 Mall, I understand about South Capitol Street. I also  
4 made sure that I used the Metro when I came over  
5 there. Because I know what happens at about 5:00 or  
6 about 4:30, or I think it's about 3:30.

7 MR. LITSKY: It's 3:30 now.

8 VICE CHAIRPERSON HOOD: 3:30 on South  
9 Capitol Street. That's a good point. And I'm not  
10 sure, was that made aware to OP when you all were  
11 having your discussions?

12 MR. LITSKY: We've made that aware to  
13 anybody who will listen, absolutely. We may have made  
14 it aware to them on a number of occasions, not just  
15 with the development of Waterside Mall and the opening  
16 of 4th Street, which is where it was an issue, but  
17 also with the entire issue of the Southwest Waterfront  
18 that came up before the Counsel.

19 So it's been brought up every single time.  
20 And that's why the traffic studies were done. But  
21 we've not had any release of information.

22 VICE CHAIRPERSON HOOD: You have not had  
23 a chance to see the traffic studies. Okay. Thank you  
24 for your testimony. That's all that I have, unless  
25 someone else has something.

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1 Commissioner Hildebrand? Hold your seat.

2 COMMISSIONER HILDEBRAND: I really  
3 appreciate your comment too about the emergency  
4 preparedness aspect of this proposal. Are you  
5 familiar at all with what requirements might be in  
6 place with RFK being a similar type stadium?

7 MR. LITSKY: Well RFK is north of  
8 Pennsylvania Avenue. They would have the same  
9 requirements for evacuation as anybody would have in  
10 the city, except their evacuation routes are  
11 significantly less -- would be significantly less --  
12 they would be more enabled.

13 They've got more exit routes. They can go  
14 north. They can go over the bridge. I mean, as I've  
15 described it, I mean, all of Southwest is rather  
16 geographically cut off anyway because of the Southeast  
17 Expressway.

18 And we have, you know, only really three  
19 ways out. And so it's different at RFK. It would be  
20 different for RFK, indeed it would. Many more  
21 opportunities to exit and go north. We can't go  
22 north.

23 COMMISSIONER HILDEBRAND: Okay. Thank  
24 you.

25 VICE CHAIRPERSON HOOD: Mr. Litsky, let me

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1 just say this and just still sit here. In reviewing  
2 your testimony, you mentioned here that nowhere does  
3 the Zoning Commission section require the Zoning  
4 Commission give priority to minimizing the harm on our  
5 neighborhood.

6 If this gives you any comfort, our job is  
7 to protect the residents of the District of Columbia  
8 and that's the oath that we take. While it may not  
9 show it -- avail itself, that's the oath that all of  
10 us take.

11 So I just wanted to make that point. And  
12 thank you for your testimony.

13 MR. LITSKY: I appreciate it. Thank you.

14 (Whereupon, off the record for a recess  
15 from 8:13 p.m. until 8:13 p.m.)

16 VICE CHAIRPERSON HOOD: Okay. Let's move  
17 right along with our agenda. Okay. This will be  
18 quick. I have on the list here one person in support.  
19 Kathleen Beeton. I hope I'm pronouncing your name  
20 correctly.

21 Do I have any one else in support? You  
22 can come on to the table, Ms. Beeton. And hopefully,  
23 I pronounced your last name correctly.

24 MS. BEETON: Thank you, Mr. Chairman.

25 MR. LITSKY: Let me ask, do we have anyone

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1 else here in support? Anyone else in support? Okay,  
2 we'll go with you, Ms. Beeton.

3 MS. BEETON: Okay. Thank you. I  
4 apologize that I only have one copy of my remarks. So  
5 I will leave it leave it with the clerk. And again  
6 I'm sorry. But I'll go slowly through my statement.

7 Before I start, I just want to make two  
8 comments before I forget, and it's a little out of  
9 order, but they're at the top of my mind.

10 One is that we live in a very urban  
11 environment and so usage of Metro and shuttles and  
12 bicycling and ferries and all manner of modes of  
13 transportation is important. Not just for this  
14 ballpark area but for the MCI Center, for any large  
15 entertainment complex in the city.

16 You know, if you go up to Gallery Place,  
17 you notice the people are coming by foot. Some are  
18 coming by car. Many are coming by Metro.

19 So I would encourage you to keep that in  
20 mind. That this isn't a suburban area. It's not, you  
21 know, Loudoun County. It's not parts of Northern  
22 Maryland. So I think we need to be aware that we're  
23 in an urban area.

24 Secondly, I just want to point out that  
25 the majority of these games are going occur on

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1 weekends and evenings. And there may be some overlap  
2 in terms of Metro usage during weekday evenings. But  
3 it would be probably minimal compared to these games  
4 happening at, you know, 8:00 in the morning on a  
5 Monday, for example.

6 My only point here is that I think that we  
7 need to be aware of different peaks in demand for  
8 Metro usage. And certainly that's true for the  
9 roadways as well.

10 I mean, if we have a game happening at  
11 5:00, it might create a gridlock on Friday. But I'd  
12 just point out that there are different peaks and  
13 demand for different modes of transportation. So keep  
14 that in mind.

15 Okay. As a resident who lives in  
16 Southwest, within a mile of the proposed ballpark, I  
17 am keenly interested in the proposed redevelopment of  
18 this area to insure that the new ballpark and  
19 associated development are integrated into and  
20 compatible with the surrounding community.

21 I am also interested in insuring that any  
22 negative impacts associated with the ballpark are  
23 sufficiently mitigated.

24 I have read the staff report of the  
25 proposed ballpark text amendment prepared by the

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1 Office of Planning and had several conversations with  
2 Joel Lawson, Development Review Planner, who has been  
3 very responsive to my requests for information and  
4 discussion of the proposed zoning changes.

5 In general, I am very supportive of the  
6 proposed text amendment. I am pleased that the  
7 amendment calls for the redevelopment of the area with  
8 a mix of uses to create a vibrant pedestrian oriented  
9 place; limits the amount of onsite parking spaces, and  
10 encourages the use of public and other forms of  
11 transportation to access the area, and requires a  
12 review process by the Zoning Commission for the future  
13 ballpark and other new developments.

14 Redevelopment of this magnitude warrants  
15 substantial public consideration and comments and  
16 extreme vigilance on the part of public officials to  
17 insure that the benefits of the redevelopment accrue  
18 to the community.

19 With regard to the proposed text  
20 amendment, I offer the following comments for your  
21 consideration.

22 As stated in the staff report, one of the  
23 planning principles to be considered during the future  
24 review of the development plan for the ballpark is  
25 that it "be in context with the surrounding

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1 neighborhood and street patterns."

2 This is a critical principle that should  
3 be considered for any redevelopment, ballpark or  
4 otherwise, that may occur in this area.

5 In addition, I believe that specific  
6 emphasis should be added to strengthen this language,  
7 both to insure and promote this level of integration  
8 and connectivity with the existing community.

9 It is extremely important also --

10 VICE CHAIRPERSON HOOD: Ms. Beeton, can  
11 you wrap it up? That is your last statement.

12 MS. BEETON: Quickly? Okay. All right.

13 VICE CHAIRPERSON HOOD: Just your last  
14 sentence for us. And we'll make copies and we'll be  
15 able to review your testimony.

16 MS. BEETON: Last sentence? Okay. I  
17 guess encouraging, if any additional onsite parking is  
18 provided beyond the 1,225 spaces, that a parking study  
19 be done to determine whether that number of additional  
20 parking spaces is warranted and also that screening be  
21 provided if additional parking is provided.

22 VICE CHAIRPERSON HOOD: Okay.

23 MS. BEETON: Thank you.

24 VICE CHAIRPERSON HOOD: And we'll get  
25 copies and we'll review all of your testimony.

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1 MS. BEETON: Thank you.

2 VICE CHAIRPERSON HOOD: Thank you. Any  
3 questions? No questions. Thank you.

4 MS. BEETON: Thank you.

5 VICE CHAIRPERSON HOOD: Anyone else in  
6 support? Okay. Let me go by the witness list. In  
7 opposition, we have -- and you just come to the front  
8 to the table -- Burnetta Coles, Ahmed Assalaam,  
9 Richard Westbrook.

10 And we'll proceed in that order. Mr.  
11 Westbrook will have -- he's representing the Southwest  
12 Neighborhood Assembly. He will have five minutes.

13 We'll start off with Ms. Coles.

14 MS. COLES: Good afternoon. My name is  
15 Burnetta Coles, Rightful Subject Legislation here in  
16 the District of Columbia. I reside at 67 O Street in  
17 Southwest Washington D.C.

18 I oppose this stadium, bottom line. I'd  
19 like to also state that Mr. Lawson lied. He did not  
20 engage the residents of our community in a meeting. He  
21 held a meeting in our community, which is true, on May  
22 24th. I forgot what I was going to say here.

23 I'd also like to state that the elements  
24 of the stadium will affect the Federal presence. We  
25 have two military installations there. In fact, you

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1 can count three.

2 I don't know how this plan has come about  
3 and gone forward without looking at the Homeland  
4 Security Act and its provisions. It's just mind  
5 boggling as to how this is going on.

6 And I'd just like for you all to take that  
7 understanding. I just oppose that on all levels.  
8 Because these people are just moving forward to  
9 appease somebody.

10 VICE CHAIRPERSON HOOD: Okay. Thank you,  
11 Ms. Coles. You can hold your seat. Commissioner  
12 Assalaam.

13 MR. ASSALAAM: Yes. Commissioner Ahmed  
14 Assalaam, Senior Member District 6D06, which is  
15 adjacent to the baseball stadium. I live exactly one  
16 block on P Street away from where the stadium will be.

17 There's a real human tragedy that has been  
18 lurking within the District of Columbia over the past  
19 decade. And that tragedy is us, the Rightful Subject  
20 Legislation who are the true governing body of this  
21 corporate municipality.

22 In establish ourselves as a government, we  
23 made sure that it was embodied in the home rule  
24 charter that the people are the government. The  
25 purpose of the government is to provide for the

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1 health, safety and welfare of the people. And that no  
2 one but the people themselves can take these rights,  
3 privileges and immunities away.

4 Nearly every attempt the people have made  
5 to raise their voice in objection seem only to fall on  
6 deaf ears and my heart is saddened to think that such  
7 a spirit of tyranny and oppression over the common  
8 citizen would rise to such drastic levels for the  
9 greater benefit and pleasure of a few wealthy  
10 elitists.

11 I ask you tonight what is the real cost?  
12 Not just financially, which is absolutely extreme, or  
13 artistically for it's aesthetics, but in human lives.  
14 How much are we willing to continue to pay while there  
15 is such suffering and so much that we really need to  
16 be doing for our youth today and future generations?

17 The old ball game really means that except  
18 for the chosen few, we are not intended to be here to  
19 receive Socio-economic gain from the stadium anyway.

20 Please let me remind you that the single  
21 member district where I live and represent as well as  
22 the one adjacent to me, again situated directly across  
23 the street from the stadium are the only areas left in  
24 ANC 6D which includes Southeast and Southwest where  
25 there is a large population of children and families.

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1           If all of you keep going forward as others  
2 have done, you will have contributed to wiping us out  
3 and we will be no more. That is why I'm here tonight  
4 to say there is no true benefit for the people in this  
5 stadium proposal. There is only woe and doom.

6           This is not right, nor is it legal. If it  
7 were, then there would be no need to create  
8 legislation and amend zoning to make it lawful.  
9 Still, at every turn, there is an attempt to factor  
10 out the impact on the human population such as noise,  
11 traffic, bright lights, displacement, rising costs,  
12 etc., by exclusively factoring in environmental  
13 impact.

14           This fiasco doesn't even factor in  
15 national security, let alone securing the citizens  
16 residing within and along its perimeters. When did  
17 bricks, mortar, or idle sport and play become more  
18 significant than the health and safety and welfare of  
19 the people?

20           Who cares? A man or woman with their  
21 heart in true sense that their purpose as public  
22 officials is to serve for the public benefit. I'm  
23 sure that most of you have seen or attended numerous  
24 hearings on this issue and so you have personally  
25 witnessed the public outcry of concerns through the

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1 overwhelming objections of the people against this  
2 stadium proposal's cost and location.

3 Therefore, I am asking tonight that each  
4 of you vote to deny Zoning Commission Case Number 0508  
5 and hopefully Almighty God will bless this city and  
6 nation for finally doing what is right by its people.  
7 If not, then what guarantee can you give us, the  
8 people, that when this development is complete, we  
9 will still be here for years to come?

10 I would also like to add that I don't know  
11 what meeting of ANC 6D Mr. Lawson attended, but the  
12 Office of Planning is misrepresenting the ANC  
13 community and community by picking and choosing parts  
14 of the community and ANC statements and not the fact  
15 that we unanimously opposed the stadium.

16 I thank you. I would also just briefly  
17 like to say that Monument Reality who just called me  
18 is proposing to build a building over top of the Navy  
19 Yard Metro making it more congestive and restrictive  
20 for baseball commuters. Thank you.

21 VICE CHAIRPERSON HOOD: Thank you, Mr.  
22 Assalaam. If you could hold your seat. Mr.  
23 Westbrook.

24 MR. WESTBROOK: I'm Richard Westbrook.  
25 I'm the current Vice Chairman of the Southwest

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1 Neighborhood Assembly and a five-term former  
2 Commissioner of the ANC, which when I was on it, it  
3 was 2D. Now it's 6D and adding one more single member  
4 district on the east side of South Capitol Street.

5 My first two terms on the ANC were the  
6 first two terms of the ANC. And we included South  
7 Eastside, all the way to 11th Street, and south of the  
8 freeway to the Anacostia River.

9 On May 23rd of this year, we were given a  
10 presentation on this overlay zone district or whatever  
11 they're calling it. And, as you can see, this is the  
12 agenda that we were hearing.

13 The presentation from Mr. Lawson and the  
14 Office of Planning is in the second page. This is  
15 what was distributed to the audience at that time. We  
16 had about 50-60 people in the audience, I think. I  
17 didn't count them.

18 But I want you to notice the very  
19 difficult cases and things that this Neighborhood  
20 Assembly is facing. This is just one meeting.

21 Fort McNair's main gate and entrance.  
22 Well, it was more than just the gate and the entrance.  
23 It's the whole redevelopment of eight acres that they  
24 have recently condemned and added to the Fort.

25 At one time, this was the Riverside

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1 Associates' PUD, which had something like 800 dwelling  
2 units. So I asked the officer that was doing the  
3 presentation do you have any residential commitment on  
4 those eight acres. And he said no.

5 And I said I am very disappointed in that  
6 because this was an opportunity to provide housing for  
7 people that worked at the Fort or were in school from  
8 various parts of the country and South America that  
9 are in college there. So it would be an ideal place  
10 to cut down on automobile traffic or any other kind of  
11 traffic to get to the site.

12 St. Matthew's Church, that's another  
13 development that we're actually very now enthused  
14 about. It will still have places for us to meet.

15 The second, third, and fourth pages are  
16 the recommendations and approval that the Assembly  
17 gave to the baseball park. On the first page, you can  
18 see the first motion that was made.

19 Studies indicate that public funding  
20 stadiums do not generate tax revenues to offset their  
21 costs. We have not seen persuasive evidence to the  
22 contrary. We have no confidence the current proposal  
23 will produce tax revenues to match the city's  
24 expenditures. Well, and then too, the city has rushed  
25 through and they want answers to the following.

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1                   Now that, the wording of that motion  
2 failed on a vote of six to seven. So on the second  
3 page we have -- this is the motion that was approved.  
4 We had -- let's see. I'm sorry. The Southwest  
5 Neighborhood Assembly would support the construction  
6 of a public funded baseball stadium in or near our  
7 neighborhood if.

8                   Well, the conditions go on and on and on.  
9 One, if we had confidence the current proposal would  
10 produce tax revenues to match the city's expenditures  
11 and we receive convincing answers to serious questions  
12 about parking, street traffic, public transportation,  
13 noise and displacement of current residences and  
14 businesses.

15                   This is a big loss of industrial type uses  
16 from this area that is going to be very difficult to  
17 replace someplace. Asphalt Badging, trash compacting,  
18 and recycling. This is the only place, I think, in  
19 the city of Washington where recycling and trash  
20 compacting isn't adversely affecting residential  
21 neighborhoods.

22                   So, and the original overlay that was  
23 passed here by this Commission had a provision to have  
24 those people just to stay there and continue.

25                   VICE CHAIRPERSON HOOD: Mr. Westbrook, can

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1 you wind it up for us? Briefly.

2 MR. WESTBROOK: Yes. These other pages are  
3 just things that have been happening and this thing  
4 about the bus garage is a big surprise. That means  
5 they must have place they're talking about to move the  
6 bus garage. I've been trying to do this for 20 years  
7 down there.

8 VICE CHAIRPERSON HOOD: Okay.

9 MR. WESTBROOK: And all of a sudden you  
10 hear it in the paper. I don't know if you've had the  
11 chance to read this.

12 VICE CHAIRPERSON HOOD: We haven't. We  
13 just got that from you. We have it.

14 MR. WESTBROOK: Yes. Well this is in the  
15 business section of the Post on Monday, about two  
16 weeks ago.

17 VICE CHAIRPERSON HOOD: Okay. We have  
18 your --

19 MR. WESTBROOK: Now, what are we -- what  
20 are we --

21 VICE CHAIRPERSON HOOD: Mr. Westbrook, I'm  
22 going to have to be fair, like I've been to everybody  
23 else. I've asked them to wind it up. To finish.  
24 I've done that to the people that were before you.

25 MR. WESTBROOK: The Assembly is asking you

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1 all to put off any decision or hearing --

2 VICE CHAIRPERSON HOOD: Is it in your  
3 testimony? What the Assembly is asking, is it in your  
4 testimony? Because we're going to read that.

5 MR. WESTBROOK: No, it is not.

6 VICE CHAIRPERSON HOOD: Okay.

7 MR. WESTBROOK: Because we're having a  
8 meeting Monday night.

9 VICE CHAIRPERSON HOOD: I'm going to let  
10 you finish that statement, and then I'm going to have  
11 to cut you off. Okay? So go ahead and finish what  
12 you're asking for.

13 MR. WESTBROOK: Well, we want to have an  
14 opportunity to take a vote on this thing. We didn't  
15 vote on it when that stuff was presented to the  
16 general assembly. It's the board that makes these  
17 decisions. We have a twelve-member board. We have  
18 our board meeting Monday night and this is going to be  
19 a topic. I want you all to give the Assembly a chance  
20 to make their views known on this thing.

21 VICE CHAIRPERSON HOOD: So you all want us  
22 to leave the record open so you can supply something  
23 for a chance to vote?

24 MR. WESTBROOK: No. We want to have a  
25 presentation. I got a 110 slide show to show you

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1 about this area.

2 VICE CHAIRPERSON HOOD: Oh, you want to  
3 have a presentation to give to us?

4 MR. WESTBROOK: Yes. From the -- what the  
5 board would like you all to approve or not approve.

6 VICE CHAIRPERSON HOOD: Well, I would  
7 encourage you. I'm in the mind set of maybe leaving  
8 it open for you to submit something. I would  
9 encourage you to send a one -- give us a sound bite of  
10 something so we can read.

11 I don't know about the presentation. I  
12 think you are well behind the cart on showing us a  
13 presentation. I don't think that's doable.

14 COMMISSIONER PARSONS: The time to do that  
15 was tonight.

16 MR. WESTBROOK: Pardon?

17 COMMISSIONER PARSONS: The time to have  
18 done that would be tonight.

19 MR. WESTBROOK: Five minutes?

20 VICE CHAIRPERSON HOOD: No. You would  
21 have asked for party status or something of that  
22 nature. And I'm not saying that would have been  
23 granted. But it was another way to have done that.  
24 And unfortunately you did not.

25 MR. WESTBROOK: Well, the board did not

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1 know that.

2 VICE CHAIRPERSON HOOD: Okay.

3 Unfortunately, the best thing I can do for you now,  
4 Mr. Westbrook is, whatever you can do, you can give it  
5 to us in writing and in a sound bite so we can look at  
6 and try to review.

7 I'm in a mind set of hopefully leaving the  
8 record open so we can accept your submittal. And I'm  
9 going to ask Ms. Schellin to remind me of that when we  
10 get to the end.

11 Okay. Colleagues, any questions of this  
12 panel? Okay. Thank you. Thank you all. And Mr.  
13 Westbrook, we will, at the end, leave the record open  
14 so you can give that to us.

15 Okay. Moving right along with the agenda,  
16 Mary C. Williams. Individual ANC 6D03. I'm sorry.  
17 Did I skip? No. Oh, I'm sorry. I did skip someone.  
18 Sara Livingston. Thank you.

19 Ms. Schellin always keeps me on the --  
20 always looks out for me. She even had a pen up here  
21 for me. But I want you to know, Ms. Schellin, for the  
22 record, I brought my own pen for tonight. I normally  
23 don't do that.

24 Let me ask, is there anyone else in the  
25 audience that would like to testify in opposition?

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1 Anyone else in the audience that would like to testify  
2 in opposition?

3 Okay. Thank you again. Ms. Livingston.  
4 We'll start with Ms. Livingston. Her name was on the  
5 sign in sheet first.

6 MS. LIVINGSTON: Okay.

7 VICE CHAIRPERSON HOOD: Can you turn your  
8 microphone on please?

9 MS. LIVINGSTON: Okay. Is it on?

10 VICE CHAIRPERSON HOOD: And Ms. Williams,  
11 you may want to turn yours off so we don't get any  
12 feedback. Thank you. You may begin. And you have  
13 three minutes.

14 MS. LIVINGSTON: Okay. First I want to  
15 thank you for being the Zoning Commission and all that  
16 you do to maintain the integrity of the national  
17 character of our city.

18 Secondly, I turned in a statement that I  
19 hope you all will read. I'm not going to go through  
20 it. I just want to speak specifically to the  
21 amendment as you asked us to do in the beginning.

22 VICE CHAIRPERSON HOOD: Thank you.

23 MS. LIVINGSTON: The -- I know the Zoning  
24 -- the Office of Planning is doing an awful lot of  
25 work on this and one thing that they're missing though

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1 in this amendment -- one thing in addition to what  
2 Andy Litsky brought up and Mr. Assalaam is that the  
3 amendment does nothing to address the cleaning up of  
4 the Anacostia River.

5 There's, you know, I just cannot imagine  
6 building a ballpark and inviting 40,000 people to come  
7 to it when we have a river that is still being  
8 polluted. And we have industrial uses in the area  
9 that cause a great deal of air pollution and are also  
10 very unsightly.

11 And the trash transfer stations, if  
12 they're going to continue to be allowed there as  
13 industrial uses, I just cannot imagine having a really  
14 swank ballpark.

15 So, that's all I want to say right now.  
16 But I do hope you'll read my statement.

17 VICE CHAIRPERSON HOOD: Okay. Thank you,  
18 Ms. Livingston. Ms. Williams.

19 MS. WILLIAMS: Thank you, Mr. Chair, and  
20 thank the Commission for hearing us. My name is Mary  
21 Williams. I am the ANC Commissioner for the area that  
22 is directly adjacent to the ballpark site on West of  
23 South Capitol.

24 I live in the 1200 block of Carrollsburg  
25 Place, which is one block over. And my neighbors

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1 asked that I communicate to the Commission tonight  
2 that the text amendment, as present, is wholly  
3 inadequate in addressing our concerns.

4 I think Commissioner Hildebrand noted it.  
5 I've missed the Chair's comments, but we live in two  
6 story row houses built in 1909. My house faces east  
7 so I can see the ballpark from my window.

8 The structure, a 130 foot structure, would  
9 totally obliterate my view of anything but the stadium  
10 at this point in time. My neighbors to the north  
11 would venture that they are not going to have the  
12 views of the waterways as promised under the South  
13 Capitol Plan, which is something we had worked on for  
14 many years with the National Capitol Regional Planning  
15 in hopes that we would have a better vista to the  
16 south of our neighborhood.

17 As to the traffic and transportation  
18 issues, this is beyond inadequate in addressing our  
19 problems. Because, for example, the parking  
20 situation. Our street is a single -- well, it's a one  
21 way, southbound lane. Residential, wholly  
22 residential, and the parking -- the on street parking  
23 is totally inadequate.

24 But it is so located adjacent to the  
25 stadium site. If you do not provide adequate parking

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1 for those who insist on traveling by car to the  
2 stadium for 81 days out of the year, they will be  
3 parking in our neighborhoods.

4 Now, granted that at this point in time,  
5 we are already captive in our neighborhoods from 3:00  
6 p.m. until 7:00 p.m., each evening, based on the  
7 traffic problems there.

8 Given another 81 days out of the year, we  
9 might as well just move out of our homes and relocate  
10 to Maryland or Virginia, because our area; our whole  
11 neighborhood will not be able to function.

12 Our quality of life will be, to the extent  
13 that, from all these days when there is something at  
14 that stadium, we won't be able to access our  
15 neighborhoods.

16 I mean, if I don't get to my house right  
17 now, by 3:00 p.m., I have to sit out and wait until  
18 the 7:00 p.m. traffic is okay. Otherwise, I'm stuck  
19 in traffic for 45 minutes just going down M Street.

20 Given this, the parking situation, we're  
21 going to be worse than Capitol Hill as it is with RFK,  
22 because there are 10,000 parking spaces there. But,  
23 if we only have 1,200 parking spaces in a stadium  
24 designed to attract 41,000 people, they're going to  
25 be, if not anywhere, in our neighborhoods.

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1                   We ask that you provide us some relief.  
2 Thank you.

3                   VICE CHAIRPERSON HOOD: Thank you both,  
4 Ms. Livingston and Ms. Williams. Do we have any  
5 questions? Any questions? Okay. Thank you. Anyone  
6 else wishing to testify in opposition? Okay.

7                   Let me ask. Do we have anyone who has any  
8 follow-up questions? Normally, we don't do this. But  
9 any follow-up questions to Mr. Lawson.

10                  And Mr. Lawson, I know you heard some of  
11 the concerns and I think before we -- before we move  
12 forward, I'm hoping that maybe some -- I'm not saying  
13 they can be solved, but we may be able to have some  
14 things to look at while we're up here deliberating, if  
15 that's, you know, in response to some of the things  
16 that we've heard.

17                  You probably have already heard them and  
18 you may have already responded to them. But if you  
19 haven't, the new things, I'm asking. If you can  
20 respond to them and give us something that we can  
21 deliberate with when we do deliberate.

22                  Ms. Schellin, can you read us a list of  
23 the things that we're asking for? And if we have any  
24 dates?

25                  MS. SCHELLIN: I don't think I have a

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1 complete list, but I have several things down here.  
2 First, the ANC 6D's report and in proper form per the  
3 regulations.

4 Southwest Neighborhood Assembly has an  
5 opportunity to present their presentation in written  
6 form.

7 Then there was, you guys asked for  
8 language regarding the scoreboard design. And then,  
9 I think, in the end it came down to removing the  
10 restriction of external only with regard to signs.

11 Consider a two-step process for approval.  
12 And measurement of the height of the open stadium  
13 where there will be no roof. What will the visual  
14 impact be? And address noise levels in a little more  
15 detail.

16 VICE CHAIRPERSON HOOD: The only other  
17 thing that I would add is what I just asked for and  
18 that was any new things that they heard tonight, if  
19 they haven't already addressed them, if they could.

20 And let me say, Mr. Westbrook, I just  
21 thought of this. Mr. Westbrook said he had a 21 page  
22 PowerPoint presentation. Oh, I thought you said --

23 MR. WESTBROOK: 110 slides.

24 VICE CHAIRPERSON HOOD: 110. Oh, where  
25 did I get 21 from? Well, maybe if you can give us one

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1 copy and we can reproduce it like this. And that way  
2 we can see it and we will be able to review it.  
3 That's just another option I thought of.

4 So I think we -- any other? Ms. Schellin?

5 MS. SCHELLIN: I was just going to give  
6 you a date, if you're ready for it.

7 VICE CHAIRPERSON HOOD: Let me see.  
8 Commissioner Jeffries, you have something?

9 COMMISSIONER JEFFRIES: Yes. Mr. Lawson,  
10 I did have one other question. I'm wondering as we go  
11 further if we could somehow try to identify a stadium  
12 somewhere in the country that's in a fairly dense sort  
13 of urban neighborhood.

14 It would be very interesting, I think.  
15 You know, as sort of a model or case study of sorts,  
16 to, you know, and particularly to see how long this  
17 stadium has been in existence and the impact it had  
18 over time to the particular neighborhood.

19 I don't know where that exists. In fact,  
20 you might even try Chicago. There's a few stadiums  
21 there. But, I mean, some of the testimony here has  
22 been compelling and I'd just like to, you know, get  
23 comfortable as it relates to, you know, going further.  
24 You know, the kind of impact that the stadium will  
25 have on the existing residents.

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1           And again, I think the caveat is really  
2 trying to identify a stadium that is in a fairly dense  
3 urban environment that might not have the kind of  
4 parking that we're looking at and so forth.

5           I'm just trying to get a sense of sort of  
6 a comparison analysis. Boston?

7           VICE CHAIRPERSON HOOD: Okay. We can't  
8 have an exchange from the audience because, first of  
9 all, we're not at that point. We appreciate you  
10 saying that and it was so noted. Boston was  
11 mentioned.

12           COMMISSIONER JEFFRIES: Well, I would  
13 just, you know. And I don't think this needs to be  
14 exhaustive or anything. But, you know, I'd really  
15 just like to get a sense of what we're talking about.  
16 Because I'd like to be comfortable to sort of, you  
17 know, to respond to some of the concerns that the  
18 residents have as it relates to their neighborhood,  
19 and so forth.

20           I mean, you know, this is -- I think we  
21 need to be very mindful of that. And I just need to  
22 get a sense of something that we can compare this to  
23 in terms of what's coming down the road. Okay?

24           VICE CHAIRPERSON HOOD: And I would agree  
25 with Commissioner Jeffries. We also -- the level of

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1 service the last time we had a case in front of us on  
2 M Street was D. I'm hearing tonight it's F.

3 But I will tell you that that gives me  
4 some concern. So I'm hoping that we can look at that  
5 and South Capitol Street and those things. They  
6 probably already have been looked at. Or maybe I'm  
7 missing the boat and hopefully maybe you all can  
8 elaborate, Mr. Lawson.

9 Commissioner Hildebrand?

10 COMMISSIONER HILDEBRAND: Yes, and to  
11 follow up on that. If you can provide additional  
12 information on the traffic impact and mitigation, I  
13 think that would be helpful to me. I certainly have  
14 heard a very different view from the community than I  
15 initially received from reading the report.

16 So I'd like to have a better understanding  
17 of the existing traffic conditions and the potential  
18 impact of this.

19 VICE CHAIRPERSON HOOD: Ms. Schellin, did  
20 we get those last few things?

21 MS. SCHELLIN: Yes, sir.

22 VICE CHAIRPERSON HOOD: Okay. All right.  
23 If everything is in order.

24 MS. SCHELLIN: We'll give a date?

25 VICE CHAIRPERSON HOOD: Oh, the dates.

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1 MS. SCHELLIN: June 30th, so we can have  
2 it on our July agenda for proposed action, if that  
3 works. I'm seeing a nod from OP. Okay.

4 VICE CHAIRPERSON HOOD: If we can get  
5 everything from everyone else by then.

6 MS. SCHELLIN: So everything will be due  
7 by June 30th, 3:00 p.m. And that's it.

8 VICE CHAIRPERSON HOOD: Okay. Ladies and  
9 gentlemen, the other members of the Commission and I  
10 would like to thank you for your testimony and  
11 assistance in this hearing. I now declare today's  
12 public hearing adjourned.

13 (Whereupon, the hearing was adjourned at  
14 8:44 p.m.)

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