



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

May 22, 2018

Cary Kadlecek, Esq.
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Re: Z.C. Order No. 16-02 – PUD for DC United Stadium at Square 665, Lot 27 –
Confirmation of Temporary Certificate of Occupancy

Dear Cary:

This letter serves as confirmation of our meeting on April 11, 2018 regarding the satisfaction of applicable conditions in Z.C. Order No. 16-02 (“Order”) to allow the issuance of a temporary certificate of occupancy (“C of O”) for the new stadium. As we discussed, the stadium is planned to open for a private event on June 26, 2018 and by July 14, 2018 to the public, as scheduled, in order fulfill the team’s obligation to accommodate scheduled home games during the 2018 regular season. As I describe below, I agree to issue a temporary C of O for the stadium that will remain valid until March 1, 2019 so that two conditions in the Order can be satisfied after the stadium opens.

The Order contains more than 40 conditions of approval. At least 30 of those conditions, which are public benefits of the PUD, must be satisfied before a C of O for the stadium may be issued. Four of those conditions – nos. B(3)(a)-(d) – concern the construction of public parks, open space, and a new 1st Street. Condition no. B(3)(c) requires the design and development of two pocket parks along the west side of the stadium. Condition no. B(3)(d) concerns the construction of a new private 1st Street along the east side of the stadium.

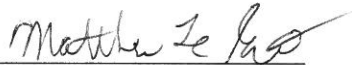
I understand that the team/developer will be unable to complete the required pocket parks and the sidewalk and tree boxes on the east side of 1st Street by the scheduled opening day of the stadium. In order to open the stadium in time for regular-season games during the 2018 season, construction has proceeded over a very compressed schedule of 20 months. This tight schedule required intense coordination with many priorities competing for limited time. Additional consultation with DDOT and the ANC is necessary to arrive at the best and final design for the pocket parks, but design has not yet finished due to severe time constraints. In addition, while 1st Street and the sidewalk and tree boxes along the street’s west side will be complete, construction of the sidewalk and tree boxes along the east side of the street will not be complete due to the compressed construction schedule. Accordingly, the design and construction of the pocket parks and eastern sidewalk and tree boxes along 1st Street cannot be completed in sufficient time for opening day and cannot be completed until after the 2018 season has ended.

With the exception of the pocket parks and the eastern sidewalk and tree boxes along 1st Street, I understand that all of the proffered public benefits of the PUD will be complete as of June 26, 2018. The pocket parks are only one of more than 20 public benefits that the

team/developer is required to provide as part of the PUD, and 1st Street will be complete except for the eastern sidewalk and tree boxes. All of the other public park and open space public benefits, including the large public plaza/park on the east side of the stadium, will be completed by June 26, 2018 in accordance with the Order. Thus, a postponed fulfillment of only two comparatively small public benefits so that the stadium can open on time will not conflict with the Zoning Commission's intent in the Order.

Because construction of the pocket parks and the eastern 1st Street sidewalk and tree boxes will interfere with stadium operations, it is justifiable that they should occur after the season ends. Thus, allowing the temporary C of O to remain valid until March 1, 2019 will accommodate construction of the pocket parks and sidewalk and tree boxes without interference and after the 2018 season has finished.

Accordingly, provided that all applicable conditions in the Order other than B(3)(c) and the eastern sidewalk and tree boxes in B(3)(d) are satisfied, a temporary C of O for the stadium may be issued. This temporary C of O will remain valid until March 1, 2019, by which date the team/developer must demonstrate that it has completed the pocket parks and sidewalk and tree boxes in accordance with condition nos. B(3)(c) and B(3)(d) in order to receive a final permanent C of O.

Sincerely, 
Matthew Le Grant
Zoning Administrator