

GOVERNMENT

THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: 5

5

Camden Development, Inc. - 5 Case No.

Consolidated Planned Unit 5 06-41

Development and Related 5

Zoning Map Amendment 5

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Friday,
May 31, 2007

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

The Public Hearing of Case No.
06-41 by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the
Office of Zoning Hearing Room at 441 4th
Street, N.W., Washington, D.C., 20001,
Anthony Hood, Vice Chair, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Vice Chair
MICHAEL G. TURNBULL FAIA	Commissioner (OAC)
JOHN PARSONS	Commissioner (NPS)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON

The transcript constitutes the minutes from the Public Hearing held on May 31, 2007.

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

6:33 p.m.

VICE CHAIR HOOD: Okay. What I will do for this next case, and I think I can go right into it, what I will do for Case Number 06-41 is read just a portion of this because I think it needs to be done with for the record.

The second case, the subject of this evening's hearing is Zoning Commission Number 06-41. This is a request by Camden Development for approval of Consolidated Planned Unit Development and Related Map Amendment for properties located at 1325 South Capitol Street, S.W. and known as Lot 111 in Square 653.

Notice of today's hearing was published in the D.C. Register on April 27th, 2007. Copies of today's hearing announcement are available to you and are located to my left in the wall bin near the door.

This hearing will be conducted in

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1 accordance with the provisions of 11 DCMR
2 3022. The order of procedure will be as
3 follows: preliminary matters, the applicant's
4 case, report of the Office of Planning, report
5 of other government agencies, report of the
6 Advisory Neighborhood Commission 6D,
7 organizations and persons in support,
8 organizations and persons in opposition.

9 The applicant will have 30 minutes
10 if needed. Organizations will have five
11 minutes. Individuals three minutes. The
12 Commission intends to adhere to the time
13 limits as strictly as possible in order to
14 hear the case in a reasonable period of time.

15 All persons appearing before the
16 Commission are to fill out two witness cards.
17 These cards are located to my left on the
18 table near the door. Upon coming forward to
19 speak to the Commission, please give both
20 cards to the reporter to my right before
21 taking your seat at the table.

22 Please be advised that these

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1 proceedings are being recorded by a court
2 reporter and it is also webcast live.

3 The decision of the Commission in
4 this case must be based exclusively on the
5 public record. To avoid any appearance to the
6 contrary, the Commission requests that persons
7 present not engage the members of the
8 Commission in conversation during any recess
9 or at any other time.

10 The staff will be available
11 throughout the hearing to discuss procedural
12 questions.

13 Please turn off all beepers and
14 cell phones at this time so as not to disrupt
15 these proceedings and I will also -- Ms.
16 Schellin will be providing this opening
17 statement because I didn't read it all for the
18 record.

19 Would all individuals wishing to
20 testify please rise to take the oath? And I
21 ask Ms. Schellin if she will administer the
22 oath.

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1 MS. SCHELLIN: Do you solemnly
2 swear or affirm that the testimony you'll give
3 in this evening's proceeding will be the
4 truth, the whole truth and nothing but the
5 truth? Thank you.

6 VICE CHAIR HOOD: Okay. Ms.
7 Schellin, do we have any preliminary matters?

8 MS. SCHELLIN: We do have one
9 request for party status in Exhibit 49 from
10 Karl Fraiser.

11 VICE CHAIR HOOD: First, let me
12 ask this because I know previously -- is Mr.
13 Fraiser in the audience?

14 I guess my question is are you
15 still requesting party status?

16 MS. FRAISER: (Off microphone) He
17 couldn't make it, but I'm his wife. Whatever
18 he requested. He's not here.

19 MS. SCHELLIN: He only had his
20 name on there. Unfortunately, he doesn't have
21 his wife's name on there. So, unless she
22 has --

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1 VICE CHAIR HOOD: Well, let me do
2 this. Ms. Fraiser, at the appropriate time,
3 you can come up and you'll have three minutes
4 to present your case. We have looked at his
5 application. Unfortunately, he's not here and
6 he didn't say -- you didn't ask for either --
7 I know you're the spouse, but you'll still be
8 able to present what I see here in the three-
9 minute time that you're allotted and if not,
10 I'll give you an extra minute if that's okay.

11 That sort of resolved it. So,
12 what I'll do in this case if my colleagues
13 agree, we will deny Mr. Karl Fraiser party
14 status. He's a party in opposition. First of
15 all, he's not present and second of all, I
16 don't think it reaches the level that he's any
17 affected than any of -- his other neighbors
18 who have the same issues, but we will hear
19 from his wife at the appropriate time.

20 And ask for a second?

21 COMMISSIONER PARSONS: Second.

22 VICE CHAIR HOOD: It's moved and

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1 properly second. All those in favor?

2 (Ayes.)

3 VICE CHAIR HOOD: Any opposition?

4 So ordered. Staff would you record the vote?

5 MS. SCHELLIN: Staff will record
6 the vote 3-0-2 to deny party status to Karl
7 Fraiser in Zoning Commission Case Number 06-
8 41. Commissioner Hood moving. Commissioner
9 Parsons seconding. Commissioner Turnbull in
10 favor. Commissioners Mitten and Jeffries not
11 present not voting.

12 VICE CHAIR HOOD: And again, Ms.
13 Fraiser, at the appropriate time, you'll be
14 able to come up and present that piece for
15 him. Okay.

16 Applicant's case. We've seen this
17 before. Haven't we?

18 MS. SCHELLIN: Yes.

19 VICE CHAIR HOOD: Something
20 similar. It looks very familiar.

21 MR. EPTING: I think you should be
22 familiar with it. John Epting with Pillsbury

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1 Winthrop Shaw Pittman representing Camden
2 Development.

3 The case was initially presented
4 to the Commission for design review pursuant
5 to the Capitol Overlay as well as for variance
6 and special exception review at the
7 Commission's public hearing on that case and
8 that was February 22nd, 2007 and we were
9 scheduled for final action on the design
10 review case April 9, 2007.

11 At that meeting, it was announced
12 to us that, and I think these -- these are my
13 words, basically, they liked the case. They
14 didn't like the process that it had gone
15 through.

16 Remember we started out originally
17 this was going to be a BZA case and then we
18 had the Capitol Overlay came into place. The
19 IZ came into play and Capitol Gateway became
20 final. IZ is still not final. So, we were
21 caught sort of in a limbo between two -- an
22 overlay and then a District-wide overlay.

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1 We were asked by the Commission to
2 refile the application as a PUD and related
3 map amendment to C-3-C Zone District without
4 changing the project and the set down was
5 waived at that April meeting.

6 We did decide to submit an
7 application for the PUD and rezoning and we're
8 here tonight to present the PUD if you want us
9 to.

10 We're ready to stand on the record
11 because we believe we've addressed all your
12 concerns, but we're also ready to either do a
13 major presentation or summarize what's
14 changed. So, it's really up to you.

15 VICE CHAIR HOOD: Thank you.

16 MR. EPTING: So, our presentations
17 going to be essentially the same.

18 VICE CHAIR HOOD: Thank you, Mr.
19 Epting and let me just take a quick poll.

20 Commissioner Turnbull and
21 Commissioner Parsons, are we ready to just ask
22 questions?

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1 COMMISSIONER PARSONS: Yes.

2 VICE CHAIR HOOD: Okay. That's
3 the way we'll proceed, Mr. Epting.

4 MR. EPTING: Okay. Thank you.

5 VICE CHAIR HOOD: Let's open up.
6 Any questions or comments? Commissioner
7 Turnbull.

8 COMMISSIONER TURNBULL: Thank you.
9 Thank you, Mr. Hood.

10 I just have a couple of questions.
11 I think when this thing came before us before
12 I was still concerned that -- I felt that this
13 was sort of a suburban urban design where I
14 had a -- where you had a Georgian or a Federal
15 style or colonial style brick front on the
16 prime street and then you had de minimis
17 architecture on the back side where the
18 townhouses are.

19 Now, in the Applicant's statement,
20 I have got a statement that says that they
21 have had articulation -- additional
22 articulation to the western facade to enhance

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1 the view of the building from adjacent row
2 houses. I have a postage-size view of that.
3 So, I'm not really sure what that means. I
4 see some more white bands of either white
5 aggregate CMU units, but I'm not sure what
6 else is happening.

7 You know, I'm not -- this project
8 just troubles me from a design standpoint on
9 an urban site where you've got a chance. This
10 is not just South Capitol Street. This is the
11 whole entire building and you're going to have
12 new developments to the west and I just feel
13 that I don't know.

14 I mean we've had developments
15 where you -- next to alleys where the
16 architect and the applicant have worked
17 together and they've designed an intricate
18 facade that works and articulated it and I
19 just hear -- just from what I see here and
20 maybe they feel it's no big deal, but to me,
21 it just falls a little short from what I see.
22 I mean it's a very bland picture.

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1 And, you know, I'm not going to
2 stop this thing, but I just feel that this is
3 a weak effort and it does not reach the
4 architectural criteria that we really go for
5 on a PUD to develop something very unique and
6 special. We have that architecture step up a
7 little bit further. That's the first thing.

8 I mean I'm just -- it just
9 troubles me. I just can't see the
10 articulation that should be there as a PUD for
11 the rest of the neighborhood. It's not just
12 South Capitol Street. It's the entire area to
13 the west there. To me, it just falls short.

14 But, I mean that's the view. You
15 know 2 inches by 4 inches of an elevation.
16 So, they expect us to say isn't this sweet and
17 beautiful. That's what troubles me.

18 The other thing is still up on the
19 rough we've got 400 or 100 and some odd heat
20 pumps and again, we don't have any green. The
21 green design is minimal. Is minimal.

22 And what I want to know is when we

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1 talk about the inclusionary housing I want to
2 know where it's going and if it's all going to
3 be on the west side, there's a problem. I
4 want to see where the inclusionary housing
5 goes on the different floors and on the --
6 what facade it's going on to know that we're
7 not developing something again as this sort of
8 a bifurcated building where you've got the
9 good side on South Capitol Street and the less
10 desirable side to the west. So, I want to
11 know where the inclusionary housing is going
12 to go and it better be divided fairly equally.

13 It just troubles me that we've got
14 this bifurcated view of how this building is
15 operating and I just want to see that when we
16 get the final agreements on this that those
17 parking amenities are in writing for the
18 neighbors and everything else. So, I'm just
19 troubled by it. That's -- those are my
20 concerns.

21 Again, when I see a 2 inch by 4
22 inch elevation that says yes, we've increased

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1 the articulation, it just troubles me. I
2 guess I'm just -- I don't have trouble with
3 the development and the way it's going. I
4 just have -- the way it's presented to us
5 falls short from what we've seen other people
6 do in a similar situation.

7 Thank you.

8 VICE CHAIR HOOD: Thank you,
9 Commissioner Turnbull. Commissioner Parsons,
10 did you want to --

11 COMMISSIONER PARSONS: I think it
12 would be more productive if they responded to
13 his three points.

14 VICE CHAIR HOOD: Okay. Okay. I
15 didn't know whether the -- do you want them to
16 respond now? Because I thought from what --

17 MR. EPTING: I would. Yes.

18 VICE CHAIR HOOD: Okay.

19 MR. EPTING: Yes, I would.

20 VICE CHAIR HOOD: If you can
21 respond to each one of those points, but you
22 know what I think even more than that? I

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1 think we're going to need some stuff to come
2 into record from your comments and that's why
3 I didn't know if you all were prepared to
4 respond to what he talked about tonight. He's
5 talking about stepping up the architecture and
6 I don't want to -- I can't articulate any
7 better than what he did. I think you've heard
8 it, but I think we also need to see some
9 design. So, I didn't know if you -- I'm sure
10 you don't have the design of what he's talking
11 about here tonight. It's only three of us.

12 MR. EPTING: We do.

13 MS. ACKISS: I think we do.

14 MR. EPTING: We do. Yes.

15 VICE CHAIR HOOD: Oh, okay. Okay.
16 Okay. Well, let me let you respond. I don't
17 need to defend the case.

18 MS. ACKISS: Well, this is --

19 VICE CHAIR HOOD: Can you turn
20 your microphone on? Thank you.

21 MS. ACKISS: Ginger Ackiss with
22 Camden.

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1 To start, in our submission from
2 March 12th, 2007, we actually an 11 by 17
3 color. So, beyond just the 2 inch by 4 inch
4 that was referred to.

5 I can let Eric speak to really the
6 detailing that they've added, but, you know,
7 what we brought last time were samples sort of
8 -- of the masonry and I think one of the
9 thinks that he will talk about is that --

10 VICE CHAIR HOOD: Let me ask you,
11 excuse me, do we have that? Is that in our
12 submittal?

13 MR. EPTING: Yes. Yes, it is.

14 MS. ACKISS: March 12th.

15 VICE CHAIR HOOD: That's in the
16 old --

17 MS. ACKISS: The old.

18 VICE CHAIR HOOD: That's the old.

19 COMMISSIONER TURNBULL: That's the
20 old stuff. That doesn't show the so-called
21 articulation. The new articulation that
22 you're suppose to do.

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1 MS. ACKISS: Actually, this was
2 the additional. Once you asked us to go back
3 and articulate, this is a submittal after that
4 date. This is different from the original
5 submittal.

6 COMMISSIONER TURNBULL: Well, I
7 don't think we have it for some reason.

8 MS. ACKISS: Okay. So --

9 COMMISSIONER TURNBULL: So, maybe
10 you could do it on PowerPoint.

11 MS. ACKISS: -- we can --

12 MS. SCHELLIN: Yes, what they have
13 in front of them is the May 11th which is the
14 application for the PUD and the related map
15 amendment. So, anything before that was with
16 the prior the case. So, that's what they're
17 looking at.

18 MS. ACKISS: Okay. Why don't you
19 speak to sort of the variation in material and
20 how you cannot necessarily see the color.

21 MR. LIEBMANN: Can we adjust the
22 lighting? I'm Eric Liebmann, WDG

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1 Architecture.

2 Now, we believe the rear facade is
3 fairly typical of a rear facade on a lot of
4 residential development in the city in terms
5 of the palate and quality of materials. It
6 is, I think, a typical response for some
7 reasonably high end products. So, we don't --
8 we haven't approached it as absolutely second
9 rate product at all.

10 What we've added is a series of
11 coursing. We have -- the primary material is
12 a split-faced block in the same coloration as
13 the brick that's in the South Capitol Street
14 facade. Intermittent on there where you see
15 striping is sort of an eccentrically placed
16 pattern of horizontal courses of white ground-
17 face block will contrast the split-face in
18 texture and color. Then there's a smaller
19 course of a very dark block which again we've
20 used to articulate the retail base. So,
21 simply we're using that to, you know, break
22 down broad planes of -- of masonry.

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1 Now, we could do more decorative
2 coursing, but we felt this was an appropriate
3 balance.

4 We're using the same -- the same
5 windows as in the front of the building.

6 There's a substantial amount of
7 landscaping.

8 This facade is not on a street or
9 on an alley. It's on a internal property
10 line, but we feel in conjunction with some
11 substantial massing to step the thing down to
12 be sympathetic with the adjacent lower
13 residential buildings, you know, we have for
14 this go around added a fair amount of material
15 articulation in terms of the horizontal string
16 course.

17 MS. ACKISS: The second point that
18 you had brought up regarding the green design,
19 I think we discussed earlier, but in an effort
20 to keep the air conditioning units off of the
21 ground level which would be more of a
22 disturbance to the neighbor, we've put them

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1 all up on the roof and as a result, what is
2 not public space and somewhat green already is
3 used for these air conditioning units and what
4 we've said is that we will provide a high
5 reflective surface. It's a special surface
6 that will reduce the heat element.

7 In addition, what it does provide
8 is allow us to do a lot of green on top of
9 what is the roof of the garage. That we have
10 to step up a little bit more and really do
11 what is also a green roof on top of a garage.

12 And in terms of the third item
13 that you asked about the affordable -- so, you
14 can see quite a bit of green throughout the
15 project even though it's not directly on the
16 top, but you can see all of the air
17 conditioning units that are on the roof which
18 was solely to get them out of, you know, sort
19 of the neighbors way and the noise and that
20 sort of thing.

21 In terms of the third point that
22 you asked, the affordable dwelling units are

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1 spread between floors one through six and they
2 are on the east side, south side and west side
3 of the property and the north.

4 COMMISSIONER TURNBULL: How are
5 they -- equally spread between east and west
6 or --

7 MS. ACKISS: They are scattered.
8 So, there's some on the east, some on the
9 west, some -- you know, because we also were
10 -- are having to proportion them in terms of
11 studio one bedrooms and two bedrooms as the
12 project is and so, depending on where the
13 units are. There's some on the east side.
14 Some on the south side. Some facing west.
15 Some facing north.

16 COMMISSIONER TURNBULL: Okay. I
17 think we've --

18 MS. ACKISS: But, they are spread
19 throughout the property.

20 COMMISSIONER TURNBULL: I think we
21 should get a plan showing that.

22 MS. ACKISS: Okay.

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1 COMMISSIONER TURNBULL: Thank you.

2 MR. EPTING: We have already also
3 reached an agreement. The ANC has done a
4 report dated May 28th and in it is our
5 commitment to provide the parking to the
6 neighbors which we talked about before. We
7 provide the four neighbors of number 2, 4, 6,
8 8 in O Street, S.W. the opportunity to lease
9 a parking space in the parking garage of the
10 building at 50 percent of market for a period
11 of 20 years.

12 What Mr. Fraiser had wanted was
13 for us to basically give him a parking space
14 and we just cannot do that.

15 The ANC has gone along with our
16 proposed condition.

17 So, we believe that's a good faith
18 effort to address the parking concerns.

19 VICE CHAIR HOOD: Commissioner
20 Turnbull, do you have any other comments or
21 questions?

22 COMMISSIONER TURNBULL: No, I've

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1 made my comments.

2 VICE CHAIR HOOD: Okay. Let me
3 ask this. Commissioner Parsons has already
4 mentioned he didn't have any questions.

5 Commissioner Turnbull, would you
6 like for them to revisit? You know, she's
7 explained to us the three points you made.
8 Would you like for them to revisit the air --
9 the units up on the roof? I'm just trying to
10 see so that we can give her some clear
11 direction. Would you like them to revisit or
12 do you accept what they mentioned to you this
13 evening?

14 COMMISSIONER TURNBULL: No,
15 because we're not going to get anything else.
16 That's what we're going to get.

17 VICE CHAIR HOOD: Okay. What
18 about the distribution of the floor of the
19 building?

20 COMMISSIONER TURNBULL: I want to
21 see. I think we ought to get a floor plan.
22 I think we ought to see a floor plan and we'll

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1 see where they are.

2 VICE CHAIR HOOD: Right.

3 COMMISSIONER TURNBULL: So, that
4 we're all convinced that it is equally
5 distributed.

6 VICE CHAIR HOOD: I agree with you
7 on that.

8 COMMISSIONER TURNBULL: Okay.

9 VICE CHAIR HOOD: The other thing
10 is the step up the architecture.

11 COMMISSIONER TURNBULL: Well, I
12 don't know. I mean again, I can't tell. I
13 mean it's hard to see from what we have.

14 I just think that again this as a
15 holistic design. This is a point building in
16 a neighborhood where you've got low-rise
17 housings to the west where you're definitely
18 going to see this building. You're going to
19 have views from this building.

20 I just think we've seen other
21 applicants come forward with a stronger
22 architectural feature.

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1 That this building is not in an
2 alley. It's not going to be hidden. It's
3 going to be definitely on the view. You have
4 this wonderful view. You have this wonderful
5 little elevation on South Capitol Street and
6 I think it -- I think the design as it turns
7 the corner and goes around drops 100 percent
8 to a very minimal kind of design which is
9 trying to be articulated with stone work which
10 is fine, but I just don't see that being
11 developed or enhanced to a point that is, you
12 know, but I don't know if we're beating the
13 bushes here for nothing.

14 But, I just feel that the
15 neighbors are being insulted with that. I
16 just feel that it ought to be taken up a step.
17 This is not just the back of the building. It
18 is a view that a lot of these people see from
19 -- that you're going to see looking forward.

20 I mean this is not a Hollywood
21 stage set where you're simply putting the
22 movie on and just having the front facade. I

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1 think this is thing that you see in its
2 entirety and we've seen other developers
3 develop. We've had developers almost change
4 each elevation as they go around going to the
5 extreme.

6 But, you know, I'm not going to
7 stand behind it. I'm not going to -- but, I
8 just -- final standpoint, I just think it
9 falls a little short. I don't know what the
10 other -- what you feel about how far we go on
11 this, but I don't want to -- I --

12 VICE CHAIR HOOD: Well, I think we
13 can push the envelope a little more. Your
14 concerns. Because I would remind the
15 Applicant as you can see there's three of us
16 up here and three of us need to agree. So, I
17 would encourage the Applicant and that's why
18 I went over the three points. The revisiting
19 of the roof. It's -- let that slide. That's
20 -- you're going deal. You don't think we're
21 going to get anything else with, then deal
22 with it.

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1 But, I would just ask --

2 COMMISSIONER TURNBULL: Don't
3 think we're getting any further with that.

4 VICE CHAIR HOOD: Okay. But, I
5 would just ask the Applicant to make sure you
6 look at the distribution and affordability.
7 Supply that to us in another submission.

8 MR. EPTING: Yes, sir.

9 VICE CHAIR HOOD: And also I wrote
10 down step up the architecture. I don't know
11 if those were your words. I can't articulate
12 any better than what you did, but I think
13 you're heard my colleague, Commissioner
14 Turnbull, and I would strongly advise you to
15 take heed to that and move in that fashion.

16 MR. EPTING: Yes, sir.

17 COMMISSIONER PARSONS: Just to
18 weight in --

19 VICE CHAIR HOOD: Commissioner
20 Parsons.

21 COMMISSIONER PARSONS: -- I would
22 completely agree with Commissioner Turnbull's

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1 assessment that the richness that's shown on
2 the other facades just isn't here. So, maybe
3 you could work that over and take another
4 look.

5 MR. EPTING: Thank you.

6 VICE CHAIR HOOD: Any other
7 questions? The only question I had, Mr.
8 Epting, I think you alluded to it. Speaking
9 -- not speaking for, but mention -- looking
10 at the submittal, Mr. Fraiser who had a prior
11 full party status, he is at 4 0 Street. Is he
12 included in the agreement that we received
13 this evening? Would he be one of the --

14 MR. EPTING: Yes, it's 2, 4, 6 and
15 8 0 Street. So, he is included.

16 VICE CHAIR HOOD: He's 4. So,
17 okay. He's included and that's a 50 percent
18 reduction --

19 MR. EPTING: Yes.

20 VICE CHAIR HOOD: -- in the market
21 rate fee?

22 MR. EPTING: Right.

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1 VICE CHAIR HOOD: Okay. Now, how
2 is that -- let me ask you. How was that
3 negotiated? Was that negotiated with the ANC
4 or with the neighbors?

5 MR. EPTING: Well, there were
6 joint meetings. First started we had a
7 meeting, a community meeting, at the St.
8 Augustine Church and that meeting conflicted
9 with another ANC meeting. So, we had another
10 meeting at the site -- at one of the community
11 rooms immediately adjacent to the site. So,
12 that was a meeting attended by the community
13 and all the ANC Commissioners.

14 VICE CHAIR HOOD: Okay.

15 MR. EPTING: So, they were all
16 there and we worked out most of these
17 conditions at that meeting which was a
18 Saturday afternoon.

19 Then we had our first of two or
20 three ANC meetings. We were presenting these
21 conditions and then we refined them over the
22 other Commission meetings.

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1 VICE CHAIR HOOD: Okay. All
2 right.

3 MR. EPTING: So, the community was
4 involved in that whole process.

5 VICE CHAIR HOOD: Okay. Thank
6 you. Any other questions, colleagues? Okay.
7 Thank you all for your comments, presentation.

8 Now, we'll go to the Office of
9 Planning.

10 MR. EPTING: Thank you.

11 VICE CHAIR HOOD: Mr. Lawson.

12 MR. LAWSON: Thank you, Mr. Chair.
13 My name is Joel Lawson with the D.C. Office of
14 Planning. I'm here representing Matt Jesick
15 who was the planner for this case. Wasn't
16 able to attend tonight.

17 Because it's his case and not
18 mine, I'll essentially stand on the record.
19 The Office of Planning is very supportive of
20 this development. We think that the overall
21 massing and the overall -- the overall form of
22 the building is appropriate to the site.

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1 I think that the landscaped
2 courtyard in the back will actually help to be
3 a nice feature to the residents to the west.

4 If there is opportunity for
5 additional design articulation and detailing
6 on the rear elevation, we would definitely
7 support that, but we do support the overall
8 massing of the design and the way that it
9 steps down towards the residential areas.

10 We had many discussions with the
11 Applicant who's willing to do that stepping
12 down and we think that will be a -- will make
13 for a better overall form than possibly a
14 conforming building, for example, might have.

15 So, I'm probably going to leave it
16 at that and just remain open to questions if
17 you have any. Essentially as we all know, the
18 application is the same as -- basically the
19 same as what you saw a few months. So, our
20 report hasn't -- or our recommendation hasn't
21 changed significantly.

22 Thank you.

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1 VICE CHAIR HOOD: Okay. Thank
2 you. Any comments or questions of Mr. Lawson?

3 MR. EPTING: No, sir. Oh, I'm
4 sorry. You hadn't gotten to me.

5 VICE CHAIR HOOD: Okay.

6 MR. EPTING: I don't need to cross
7 examine either.

8 VICE CHAIR HOOD: I don't think
9 you would have any questions. He's
10 supporting, strongly supporting.

11 COMMISSIONER TURNBULL: No, I
12 would agree with Mr. Lawson's assessment that
13 the massing, the stepping down is a positive
14 thing.

15 My whole comments were just
16 primarily on the design aspect sort of falling
17 short from what we've seen as it begins to
18 wrap around.

19 VICE CHAIR HOOD: All right. Any
20 other questions? Okay. Mr. Epting, no
21 questions?

22 MR. EPTING: Not now.

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1 VICE CHAIR HOOD: Let's see here.
2 Okay. Report of any other government
3 agencies.

4 The way I read DDOT's report and
5 Ms. Schellin, you can correct me. They have
6 no objections. Providing -- I think they want
7 you to coordinate with the roadway improvement
8 and streetscape plans. That's the only issue
9 they have and that's being done. Make sure
10 that's in order.

11 I think the Department of Parks
12 and Recreation has asked that you included
13 outdoor recreational activities as the area
14 parks are already at capacity. Is that being
15 -- that's been taken care of?

16 MR. EPTING: We have on-site
17 recreational opportunities.

18 VICE CHAIR HOOD: Okay. I'm
19 asking so you can just provide it to us --

20 MR. EPTING: Right. Right.
21 Right. Exactly.

22 VICE CHAIR HOOD: I notice in your

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1 submittals.

2 WASA notes that the water main
3 would need to be replaced, 12 inch sanitary
4 sewer may need to be replaced and those issues
5 -- conversations have been going on with WASA
6 I assume.

7 MS. ACKISS: Yes.

8 VICE CHAIR HOOD: Okay. Ms.
9 Schellin, have I overlooked anything?

10 MS. SCHELLIN: I don't think so.

11 VICE CHAIR HOOD: Okay. All
12 right. Moving right along. Do we have anyone
13 representing Advisory Neighborhood 6D? Let me
14 see if I can get your letter in front of me
15 here and we actually got this today and I'm
16 not sure. Were they in support? I'm sure
17 they were.

18 MS. SCHELLIN: They actually did
19 support their letter in support. They advised
20 that they would not be here, but that they did
21 support the project and they provided what
22 their agreement was with Camden.

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1 VICE CHAIR HOOD: Okay. All
2 right. And again, that's Exhibit Number 51.
3 Thank you, Ms. Schellin and Commissioner
4 Parsons.

5 Do we have any organizations or
6 persons here who want to testify in support?

7 MS. FRAISER: (Off microphone) In
8 support, yes.

9 VICE CHAIR HOOD: In support, Ms.
10 Fraiser? Now, don't get in trouble now. Your
11 husband was opposition and you -- okay. Well,
12 I just -- he filed -- let me just explain.

13 MS. FRAISER: Oh, no, it says he
14 -- he wanted --

15 VICE CHAIR HOOD: I'll tell you
16 what. Come to the table and identify
17 yourself.

18 MS. FRAISER: My name is Andrea
19 Fraiser and Karl Fraiser, my husband, had
20 given in the paperwork -- they're working out
21 with the developers to try to get us parking
22 and we worked out with the ANC that we would

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1 get 50 percent off parking and we're happy
2 with that and we support -- we support it.

3 VICE CHAIR HOOD: Okay.

4 MS. FRAISER: Yes, we -- our --
5 our needs were met and we're supporting it.

6 VICE CHAIR HOOD: Okay. Well,
7 good.

8 MS. FRAISER: Um-hum.

9 VICE CHAIR HOOD: Hold your seat
10 while you're up here. You're in support.
11 Anybody else in support that would like to
12 testify? Okay. Thank you.

13 Colleagues, any questions of Ms.
14 Fraiser? Okay.

15 COMMISSIONER PARSONS: Thank you
16 for making the effort to come down and tell us
17 that, ma'am.

18 MS. FRAISER: Thank you.

19 COMMISSIONER PARSONS: Appreciate
20 it. Wouldn't want to leave the record
21 hanging. Very good.

22 VICE CHAIR HOOD: Thank you very

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1 much. Okay. Okay. Any organizations or
2 persons in opposition? Okay.

3 Well, in that case, we would need
4 to get some dates. There are two pressing
5 issues and I think as my colleagues -- you
6 heard strongly from the dais here that we need
7 to look at and I'm not sure if Chair Mitten or
8 Commissioner Jeffries are going to be
9 participating. Probably not, but I'm sure
10 that we are going to make sure that all three
11 of us are in agreement.

12 MS. SCHELLIN: I just want to
13 check with Mr. Epting how long he thinks they
14 need to respond to those two items.

15 If it helps any, I don't think
16 you'll make the June meeting because our
17 package goes out -- yes.

18 VICE CHAIR HOOD: We can always,
19 Ms. Schellin, if you can let us know the
20 schedule, maybe squeeze -- if there's a time
21 frame --

22 MS. SCHELLIN: To squeeze it in.

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1 VICE CHAIR HOOD: -- we can always
2 squeeze it in for a special public meeting or
3 something.

4 MS. SCHELLIN: We could always do
5 that.

6 MR. EPTING: We can submit within
7 two weeks.

8 MS. SCHELLIN: Okay. So, that
9 would put you -- your deadline at 3:00 p.m.
10 June 14th and we will allow the ANC to respond
11 and draft orders by June 21st, 3:00.

12 VICE CHAIR HOOD: Okay. With
13 that, I'd like to thank everybody for their
14 participation tonight and we've heard the
15 dates, June 14th and the responses and
16 everything else in by June 21st.

17 If anyone's further interested in
18 following this case, you can contact the
19 Office of Zoning. Particularly Mrs. Sharon
20 Schellin in the Office of Zoning.

21 I'd like to thank everybody for
22 their participation tonight.

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1 MR. EPTING: Mr. Hood, can I make
2 one comment in response to Mr. Turnbull's
3 comment about the PUD?

4 VICE CHAIR HOOD: I was almost
5 getting ready to grab the gavel, but you know
6 what? Let's do that.

7 MR. EPTING: No, I'm seldom
8 defensive, but I do want to point out if IZ
9 was in effect which I think when we started
10 this project, met with OP, I think everybody
11 anticipated that IZ would have been in effect,
12 then with the Office of Planning's proposed
13 changes to IZ to the 110 foot height and
14 abundance density, we wouldn't need a PUD.

15 So, I just want to put that out
16 there. So, that we have sort of been caught
17 between this thing back and forth and the PUD
18 became a mechanism for us to get this project
19 approved and we will work on the architecture
20 some more, but that's -- we didn't start out
21 as a PUD. We were trying to get the normal
22 things that PUD -- that you go for in trying

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1 to maximize the height. The height could go
2 to 130. We're not trying -- the FAR could go
3 to eight. We're not trying to do that. We're
4 just trying to fit within an IZ parameter
5 that's still not in effect and so, therefore,
6 we can't use it to help us.

7 So, that was my only comment. I
8 mean it's just that I feel a bit defensive
9 about it. Because, you know, we started out
10 as -- originally, we were going to BZA because
11 we do have -- need some relief and then we got
12 caught up in Capitol Gateway and then IZ. So,
13 it sort of moves that way. It wasn't like we
14 started as a PUD. So, I don't disagree with
15 you, but --

16 COMMISSIONER TURNBULL: No, I
17 understand that and I appreciate that. I
18 think this body's looking at urban planning
19 and space and land use and I think by looking
20 at the whole context of how it fits in the
21 city and a site fits with the rest of the
22 neighborhood and I think that's my concern.

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1 MR. EPTING: Right and I
2 understand that.

3 COMMISSIONER TURNBULL: And I
4 don't mean to be extra burdensome. I'm just
5 trying to look at how this -- what we see in
6 the District and the quality of life that
7 we're trying to envision and I just like to
8 raise the bar a little bit --

9 MR. EPTING: Right.

10 COMMISSIONER TURNBULL: -- to make
11 sure that --

12 MR. EPTING: And we're going to
13 try to get something to you in two weeks.

14 COMMISSIONER TURNBULL: Okay.

15 MR. EPTING: Thank you. Thank
16 you, Mr. Hood.

17 VICE CHAIR HOOD: Okay. Thank you
18 and I think I was just about to say this
19 hearing is now adjourned.

20 (Whereupon, at 7:06 p.m., the
21 hearing was concluded.)

22

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