

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



November 12, 2009

Linda Yahr
717 Lawrence Street, N.E.
Washington, D.C. 20017

Re: Zoning Commission Case No. 08-24 – Camden Development (Consolidated PUD & Related Map Amendment)

Dear Ms. Yahr:

The Office of Zoning is in receipt of your letter and petition dated October 30, 2009 regarding the above-referenced case.

The Zoning Regulations are strict regarding the timeliness of submissions into case records. The record on this case was closed on October 5, 2009, with only specific additional submissions requested by the Commission due on October 26, 2009. Your letter was received after the record closed. On November 9th, the Commission decided not to reopen the file to receive your letter. Accordingly, we are returning your letter to you.

If you have any questions, please do not hesitate to call me at (202) 727-0340.

Sincerely,

A handwritten signature in cursive script that reads "S. S. Schellin".

Sharon S. Schellin
Secretary to the Zoning Commission

Enclosure

ZONING COMMISSION
District of Columbia
CASE NO. 08-24
EXHIBIT NO. 62

RECEIVED
D.C. OFFICE OF ZONING

2009 OCT 30 PM 3:44

return

October 30, 2009

Anthony Hood, Chairperson
DC Zoning Commission
441 4th Street NW
Washington, DC 20001

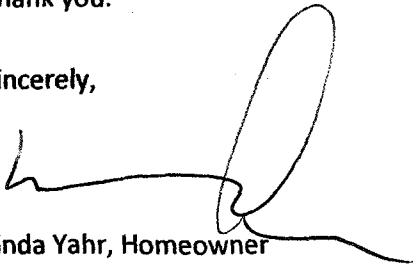
Re: Zoning Commission Case No. 08-24 and 08-24A/04-25

Dear Chairperson Hood and Members of the Commission:

Please consider the request and petition from the Edgewood/Brookland communities to reopen the record on the above-mentioned case, attached. You will note that the citizens and residents of the area believe that very important issues have not been addressed to date, and that it is in the interest of the welfare of the District of Columbia that these points be discussed further. We urge the Zoning Commission to postpone a ruling on the application until our concerns are adequately addressed.

Thank you.

Sincerely,



Linda Yahr, Homeowner
717 Lawrence Street NE
Washington, DC 20017

ZONING COMMISSION
District of Columbia

CASE NO. 08-24
EXHIBIT NO. 62

To: Anthony Hood, Chair Zoning Commission

From: Citizens of Ward 5

CC: ANC 5A, 5C

Date: October 20, 2009

RE: Case 08-24 Catholic University of America Former South Campus Development

**Resolution of Ward 5 Residents requesting that the
Zoning Commission of the District of Columbia
Re-open Hearings on Case 08-24 Catholic University of America Former South Campus
Development**

WHEREAS the Brookland and Edgewood communities have recognized and embraced the benefits of planning and rational development in building a stronger community and city, in achieving economic growth while maintaining the strong sense of community character and cohesiveness, and in promoting a strong quality of life for ourselves and future generations; and

WHEREAS the Brookland and Edgewood communities have been engaged in the neighborhood building efforts associated with the Catholic University Former South Campus Development (the Plan), nevertheless many important citizen concerns have not been addressed; and

WHEREAS the Plan presents inadequate, inaccurate, and misleading graphic material demonstrating, at best, an insensitivity to residential and institutional structures and community fabric, images having been presented that effectively misrepresent the cumulative impact of the plan on Edgewood, Brookland and surrounding communities,

To Wit:

- Street elevations showing the full extent of proposed development in relation to street sections and neighboring buildings.
- Michigan Avenue "prow", illustrating the approach from the west, the relationship of the flatiron building and plaza to the reconfigured Monroe Street, approaches to Drew Bridge and CUA buildings and property on the north side of Michigan Avenue.
- Seventh Street NE, looking east, illustrating the significant transition from a residential zone to the denser configuration of proposed mixed-use and multi-story residential.
- Views and viewsheds from north, northeast and northwest of the project; and

WHEREAS the Plan ignores provisions of the Brookland/CUA Small Area Plan that underground utilities are envisioned as a part of every new development and the vehicular extension of Eighth Street; and

WHEREAS the Office of Planning has not yet fulfilled obligations to meet with affected ANCs as directed by Council in approving the Brookland/CUA Small Area Plan; and

WHEREAS undue great weight is afforded one ANC while the countervailing positions of equally affected neighboring ANCs are discounted and dismissed; and

WHEREAS while the size and impact of this construction project alone is significant, there exists a pending onslaught of 10 more PUD's (including St. Pauls) valued at several Billions of Dollars that will directly effect our two communities. The Office of Planning and the Zoning Commission have

failed to accommodate for the cumulative impact of these projects. For years our streets and sidewalks will be covered in mud and dust and sundered by heavy construction; there is NO PLAN to support the community and to minimize this crushing weight on the people systems that will be forever transformed by them; each project is being treated separately; this failure represents a classic example of organizational myopia; for this reason alone the record should be reopened and should remain so until this key issue is resolved.

WHEREAS no competent environmental impact study has been performed, major potential issues have been ignored by both the office of planning and the zoning commission, specifically: hydrology, underlying water seepage and storm- water runoff will be exacerbated as a direct result of mature tree and root systems scheduled for destruction; in addition, wholesale paving over of existing green space will reduce natural drainage fields and further undermine existing foundations and create significant unanticipated structural damage; and

WHEREAS constructional and operational issues before, during and after construction have not been addressed, including:

- Work hours, placement of equipment, noise and dust abatement;
- Use of un-built parcels in the interim of build-out;
- Loading and unloading times and procedures; and
- Policing of agreements; and

WHEREAS the needs of the seniors who have maintained the greater Brookland neighborhood through good times and bad, and the needs of our children are barely taken into account in the Plan, and whereas many fear that the plan will adversely affect both seniors and youth; and

WHEREAS the Plan places undue burden on existing single family residential by excessive height and inadequate transitions, especially on Lawrence Street;

THEREFORE BE IT RESOLVED that the residents of Edgewood, Brookland and adjacent neighborhoods, whose quality of environment and quality of life will be impacted by the Plan, request that the Zoning Commission of the District of Columbia re-open hearing on **Case 08-24**.

Name	Address	Phone
Raenelle J. Zapata	1253 Girard St NE 20017	529-3837
Howard James Jr	2700 Brentwood Rd NE DC 20018	635-0239
James Jucap	3906-12th St NE 20017	686-2048
Clyde Blumergall, Sr	1612 0th St NE, 20018	2-957-3971
Robert J. Arnold	2636-12th St N.E. (202) 832-0218	
William J. Kelly	3724-12th St, N.E. 202	526-4289
Willie J. Cherry	3309 12th St N.E. 202	526-8860
Rob Ransom	4401 6th St NE DC 202	438-5958

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[Handwritten signatures and addresses follow]
Edgewood M. Jordan 3612 12th St NE DC 20017
Francine Wallpach Wallpach Wallpach
Jaime Lugo San Antonio Bor E, Still
717 Lawrence St NE WASH DC 20017
Thomas Murrell 913 Hamilton St NE WASH DC 20017
3504 12th St NE WASH, DC 20017
William H. Appleby 3924 415 - Michigan Ave NE 20017
William Appleby 3924 12th St N.E. 20017 -
Commissioner SACB, 1009 Sigbee Pl, NE 20017
717 Lawrence St NE, WDC 20017

WHEREAS no competent environmental impact study has been performed, major potential issues have been ignored by both the office of planning and the zoning commission, specifically: hydrology, underlying water seepage and storm- water runoff will be exacerbated as a direct result of mature tree and root systems scheduled for destruction; in addition, wholesale paving over of existing green space will reduce natural drainage fields and further undermine existing foundations and create significant unanticipated structural damage; and

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[illegible]

Response to: The Zoning Commission of The District of Columbia

In Re: Catholic University South Campus and ABDO Planned Unit Development

Order No. 08-24/08-24A-04/25

Case No. 03-24/08-24A-04/25

This document has been endorsed by concerned citizens of The Edgewood & Brookland Communities and The Greater Brookland Business Association (see endorsements attached).

Response: Objections to the Proposed Changes Submitted by Pillsbury on behalf of ABDO/CUA PUD

Purpose: AMENDMENT TO PETITION: This document is intended to support and reinforce our memo and petition dated October 20, 2009 and addressed to Mr. Hood, the Zoning Commission (ZC) Chair (attached). It further extends our original petition by adding our reaction to Pillsbury's recent submission as noted above.

Qualifications of Opinions:

A panel of experts from the community who are also professionals currently practicing in the field herein informs these comments: two licensed, professional, Architects and an Urban Planner. Their authorization and signatures are appended to this response.

I. Comments

First, in our professional opinion the conditions placed by the ZC on the applicant are wholly insufficient to the size and complexity of the proposed project. They are in fact deficient in the main and not in keeping with standard practice in such cases, and they are not proportional to requirements imposed upon other projects by this same Commission.

A. General Comments:

1. There is no construction management plan to guide the enormous burden of equipment, workforce deployment, soil erosion and displacement, or noise abatement as is common practice in such projects.
2. There are no penalties to the applicant for failure to perform any of the proposed community centered actions called for in the PUD.
3. There is a lack of community control over the actual fulfillment of the applicants mandate.
4. Finally, this PUD is so general and so deficient in specific constraints and conditions when compared to previous ZC actions in similar projects elsewhere in the city as to constitute an apparent discrimination against Ward 5 in the North East and other sections of Washington, DC.
5. In fact, we find the provisions and conditions imposed by the ZC to be so limited, vague, and unsubstantial as to deprive the citizens of Ward 5 of

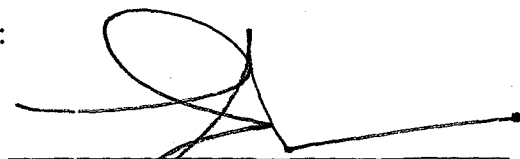
their rights to equal protection under the Constitution of the United States of America.

B. Specific Comments:

1. Community Amenities Package – The Art Flex space concept constitutes the largest single part of the Amenities package. We see no advantage to the community from the so-called Arts Flex Building. The NE is full of failed art studio buildings. It seems folly to build yet another when one stands empty not two miles away on Rhode Island Avenue. Furthermore, the Dance Place facility and Artist Studio/Residences being built on 8th Street already serve that purpose. The proposed Flex Arts building is superfluous under any set of conditions. Accordingly, please remove The Arts Walk and Flex Building from the Amenities list.
2. Amenities Package (cont.) -- The financial value of the proposed amenities package is by any comparative measure (absent the boondoggle of the Arts-Flex Building) trivial in the extreme when compared to other similar and comparable projects. We believe this is another example of discrimination and when combined with the previous issue of insubstantial protection constitutes a pattern of such behavior.
3. Modifications to Block E on Lawrence Street are insufficient to minimize the negative impact of excessive height and lack of a “gradual reduction in height” as called for in the both the Comprehensive and Small Area Plans. In his response, of October, 26, 2009, the Applicant states that, “ ... the building on Block E is fully compatible with the other structures on this block ...” This claim is untrue. A cursory review of the Attachment marked “Exhibit A,” will clearly demonstrate that there is no compatibility with the existing three story detached homes on Lawrence street. We adamantly maintain that the proposed changes do not go far enough to mitigate the damage to property value and the full enjoyment of the homes on the street. The height of the building facing Monroe, with floors of open windows with unobstructed views of our bedrooms is still so invasive as to rob the single-family homeowners of any shred of privacy. Six stories of windows, plus obtrusive mechanicals on the roof, facing the three story detached homes is simply unacceptable.
4. 12th Street Retail Façade Improvement Grant – The proposed PUD essentially isolates, minimizes, and obviates the 12th Street business district. A paltry grant of \$25,000 dollars to make façade improvements is not sufficient by any measure one may apply. \$100,000 would be more appropriate. In addition, an accepted retail market firm expert in such matters should be engaged to make specific recommendations regarding administration of a \$1 Million 12th Street renovation project including a fund to permit current renters to purchase their buildings from present owners.

5. Ward 5 Scholarships - An award of single scholarships for one student for Trinity and CU is simply not enough. At the minimum there should be a similar scholarship for each secondary school in Ward 5. Furthermore, this benefit is to be awarded only at the completion of this long process. By the time these scholarships are awarded, the value may well be insignificant compared to the tuition level.

Endorsements:



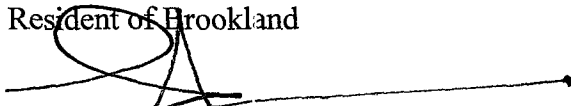
Edward M. Johnson, AIA
President Greater Brookland Business Assoc.

In Addition to the concerned citizens of this affected communities who have signed the attached petitions: See Attachments

Professional Advisors who have informed this document:



Richard Houghton, Architect
Resident of Brookland



Edward M. Johnson, AIA, ASLA, M Urban Planning
Resident of Brookland