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Winthrop  
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April 13, 2007

**By Hand Delivery**

John Epting  
202.663.8879  
John.epting@pillsburylaw.com

Carol Mitten, Chairperson  
District of Columbia Zoning Commission  
Office of Zoning  
441 4<sup>th</sup> Street, NW, Room 210  
Washington, DC 20001

Re: **Zoning Commission Case No. 06-41 (Square 653, Lot 111); Camden Development's Application for Review and Approval of a Consolidated Application for a Planned Unit Development and Related Map Amendment**

2007 APR 13 PM 2:55

D.C. OFFICE OF ZONING

RECEIVED

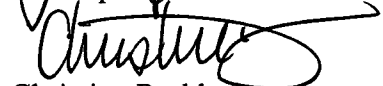
Dear Chairperson Mitten and Members of the Commission:

Enclosed please find an original and twenty copies of Camden Development Inc.'s application for review and approval of a consolidated planned unit development and related map amendment. The Applicant also includes a check for \$8,199 as payment of its filing fee and hearing fee. The filing fee for both applications is \$500. The hearing fee for the applications is \$13,299 since 265,998 square feet of area will be reserved for residential use. The Applicant paid \$5,600 on September 8, 2006; thus, the enclosed check for \$8,199 covers the balance. Finally, the Applicant also encloses a draft hearing notice for the PUD.

Given the procedural history of this case, we appreciate your efforts to schedule a hearing as soon as possible. Please feel free to contact me should you have any questions.

Best regards,

  
John Epting

  
Christine Roddy

Enclosure

cc: Matt Jesick, Office of Planning  
Sharlene Reed, District Department of Transportation  
Natasha Goguts, District Department of Transportation  
ANC 6D  
Rhonda Hamilton, ANC 6D

ZONING COMMISSION  
District of Columbia

CASE NO.

06-41

EXHIBIT NO.

42

CASE NO. 06-41  
EXHIBIT NO. 42

THE FACE OF THIS DOCUMENT CONTAINS SECURITY PRINTING.

**CAMDEN PROPERTY TRUST**

Three Greenway Plaza, Suite 1300  
Houston, Texas 77046  
(713) 354-2500

**BANK OF AMERICA N.A.**  
Atlanta, Georgia

**64-1278**  
**611**

**CHECK NO.:**  
**CHECK DATE.:**

**100650334**  
**04/12/2007**

PAY: EIGHT THOUSAND ONE HUNDRED NINETY NINE AND 00/100 DOLLARS

**\$8,199.00**

To The  
Order Of

**DC TREASURER**

941 N CAPITOL ST 6TH FL  
DC OFFICE OF TAX & REVENUE  
WASHINGTON, DC 20002-4265



*[Signature]*  
Authorized Signature

MP

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**                      **May 31, 2007, 6:30 PM**  
   **Office of Zoning Hearing Room**  
   **441 4<sup>th</sup> Street, N.W., Suite 220-South**  
   **Washington , D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Case No. 06-41 (Camden Development, Inc. – Consolidated Planned Unit Development and Zoning Map Amendment)**

**THIS CASE IS OF INTEREST TO ANC 6D**

On September 8, 2006, the Office of Zoning received an application from Camden Development, Inc. (the “**Applicant**”) for design review pursuant to the Capitol Gateway Overlay. The Office of Planning provided its reports in support of the application on February 12, 2007, and supplemental reports dated March 12, 2007 and March 30, 2007. A public hearing was held on February 22, 2007, and the Zoning Commission was scheduled to take final action on the case at its meeting on April 9, 2007. At its public meeting, the Zoning Commission proposed that in place of its application for design review, the Applicant submit an identical application but for a consolidated planned unit development and zoning map amendment to the C-3-C Zone District. The Zoning Commission waived the requirement that the application be set down at a public meeting for a hearing and authorized the Office of Zoning to immediately provide thirty days notice of a hearing once a PUD and map amendment application were received. On April 13, 2007, the Office of Zoning received an application requesting consolidated review and approval of a planned unit development and related zoning map amendment.

The property that is the subject of this application has frontage on O Street, SW and South Capitol, Street, SW and is known as Square 653, Lot 111 (the “**Subject Property**”). The Subject Property is located in the Southwest neighborhood of Ward 6 and consists of approximately 41,019 square feet of land area.

The Subject Property is currently located in the C-2-C Zone District and within the Capitol Gateway Overlay. The Zoning Map Amendment application requests a rezoning of the Subject Property to the C-3-C District to accommodate the height and density of the proposed development plan.

The proposed PUD seeks consolidated approval to develop one new residential building with a height of 110 feet along South Capitol Street and a height of 70 feet, 8 inches along

its western facade. In total, the project will include approximately 276 residential units, including 11,250 square feet of workforce affordable housing, and approximately 260 parking spaces.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony is described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;

- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
  - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
  - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
  - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
  - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
  - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

**Time limits.**

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Applicant and parties in support | 60 minutes collectively                   |
| 2. | Parties in opposition            | 15 minutes each (60 minutes collectively) |
| 3. | Organizations                    | 5 minutes each                            |
| 4. | Individuals                      | 3 minutes each                            |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, MICHAEL G. TURNBULL, AND GREGORY N. JEFFRIES ——— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

**ZONING COMMISSION OF THE DISTRICT OF COLUMBIA****APPLICATION TO AMEND THE ZONING MAP**

Before filling out this form, please see the instructions on the reverse side. Print or type all information unless otherwise indicated.

In accordance with the provisions of Section 102 of the Zoning Regulations, request is hereby made for an amendment to the Zoning Map as follows:

|                   |                |                        |                         |
|-------------------|----------------|------------------------|-------------------------|
| <u>Square No.</u> | <u>Lot No.</u> | <u>Existing Zoning</u> | <u>Requested Zoning</u> |
| <u>653</u>        | <u>111</u>     | <u>CG/C-2-C</u>        | <u>CG/C-3-C</u>         |

Address or description of the premises:

The Subject Property is located on the west side of South Capitol Street, SW in Ward 6. It consists of approximately 41,019 square feet of land that has frontage on South Capitol Street and O Street, SW. The Subject Property is immediately across South Capitol Street from the site of the Washington Nationals' new baseball stadium.

The proposed zoning map amendment application is being filed concurrently with a consolidated planned unit development (PUD) application. The proposed zoning map amendment application will rezone the property to the C-3-C Zone District.

The proposed PUD project seeks to develop a residential project on the Subject Property that will enhance and enliven the immediate area. The project will include approximately 276 residential units. An underground parking garage of approximately 260 parking spaces will be provided for residents and guests. The total gross floor area included in the proposed PUD project is approximately 268,628 square feet for a total Floor Area Ratio ("FAR") of approximately 6.6. The proposed building will have a maximum building height of 110 feet along South Capitol Street and will step down to 70 feet, 8 inches along its western facade. The proposed project will have a lot occupancy of approximately 66%.

Area of the Site: 41,019 square feet

Baist Atlas No. \_\_\_, Page \_\_\_.

The above information and attached documents are true to the best of my knowledge.

Ginger Ackiss  
Owner's Signature

4/12/07  
Date

Ginger Ackiss  
Owner's Printed Name

Person to be notified of all actions:

|                       |                       |
|-----------------------|-----------------------|
| <u>John T. Epting</u> | <u>(202) 663-8000</u> |
| Name                  | Telephone Number      |

|   |              |
|---|--------------|
| <u>2300 N Street, N.W. Washington, D.C.</u> | <u>20037</u> |
| Address                                     | Zip Code     |

**DO NOT WRITE BELOW THIS LINE**

Date Received:

Date Accepted: \_\_\_\_\_

Z.C. Case No.

## INSTRUCTIONS

Any request for an amendment to the Zoning Map that is not completed in accordance with the following instructions cannot be accepted. Applications shall be filed in the Office of Zoning, Suite 210, 441 Fourth Street, N.W., Washington, D.C. 20001. Applications will be received between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday. Applications will not be accepted until they have been reviewed by the Secretary to the Zoning Commission, to insure that they are complete. Applicants will be notified by mail when their applications are accepted.

A completed application shall consist of the following:

1. The original of Zoning Commission Form No. 1, properly completed and signed by the owners of all property involved in the application. (Where more than one ownership is involved, use a separate copy of Form #1 for each ownership). In addition to the original form, submit twenty (20) copies.
2. Twenty (20) copies of a statement clearly setting forth the reasons for the requested map amendment. Additional information, exhibits, or photographs may be attached, if desired, provided they are no larger than this form.
3. Copies of a key map (photocopy of the Zoning Map on 8 1/2" x 11" paper), showing the subject property outlined in red and the zoning of the surrounding area. Appropriate maps are available in the Office of Zoning.
4. A certified plat of survey of the subject property prepared by the D.C. Office of the Surveyor.
5. Twenty copies of a plat plan drawn at a scale of 80 feet to the inch. It shall be drawn to show all current lot lines for the square within which the subject property lies and drawn to show all boundary lines of each square for a one-square radius around the subject square. All street names and square and lot numbers shall be indicated. The source of reference shall be indicated and a bar scale must be drawn.
6. Non-refundable filing fee of \$125.00 (make check or money order payable to the D.C. Treasurer; no cash).

All applications that are accepted for filing will be processed in accordance with Chapter 30 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning (Rules of Practice and Procedure before the Zoning Commission for the District of Columbia).

Z.C. Case No.

## INSTRUCTIONS

Any request for one-step (consolidated) approval of a planned unit development (PUD) that is not completed in accordance with the following instructions cannot be accepted. Applications shall be filed in the Office of Zoning, Suite 210, 441 Fourth Street, N.W., Washington, D.C. 20001. Applications will be received between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday. Applications will not be accepted until they have been reviewed by the Secretary to the Zoning Commission, to insure that they are complete. Applicants will be notified by mail when their applications are accepted.

A completed application shall consist of the following:

1. The original of Zoning Commission Form No. 5, properly completed and signed by the owners of all property involved in the application. (Where more than one ownership is involved, use a separate copy of Form #5 for each ownership). In addition to the original form, submit twenty (20) copies.
2. Twenty (20) copies of a statement clearly setting forth the reasons for the requested consolidated PUD. Additional information, exhibits, or photographs may be attached, if desired, provided they are no larger than this form.
3. Copies of a key map (photocopy of the Zoning Map on 8 1/2" x 11" paper), showing the subject property outlined in red and the zoning of the surrounding area. Appropriate maps are available in the Office of Zoning.
4. A certified plat of survey of the subject property prepared by the D.C. Office of the Surveyor.
5. Twenty copies of a plat plan drawn at a scale of 80 feet to the inch. It shall be drawn to show all current lot lines for the square within which the subject property lies and drawn to show all boundary lines of each square for a one-square radius around the subject square. All street names and square and lot numbers shall be indicated. The source of reference shall be indicated and a bar scale must be drawn.
6. Non-refundable filing fee of \$250.00 (make check or money order payable to the D.C. Treasurer; no cash).
7. Compliance with the requirements of Chapter 24 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning. Architectural drawings should include one full-size set and twenty (20) reduced sets.

All applications that are accepted for filing will be processed in accordance with Chapter 30 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning (Rules of Practice and Procedure before the Zoning Commission for the District of Columbia).