

To: Zoning Commission
From: Barbara Zartman
Re: GWU Campus Plan and PUD

October 11, 2006

Please add the attached statement to the submission from the Committee of 100 on the Federal City.



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ZONING COMMISSION
District of Columbia

CASE NO. 06-12

EXHIBIT NO. 190

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The Committee of 100 on the Federal City
Statement in Opposition
George Washington University Campus Plan and PDD

Wednesday, October 11, 2006

These are comments in response to arguments made during recent hearings on this application.

11 DCMR 2405.7 provides that the Zoning Commission may exercise a power normally reserved to the Board of Zoning Adjustment, to approve within a PUD uses that are permitted as a special exception. As was mentioned in our earlier testimony, this would appear to be a reasonable administrative alternative to forcing a decision to be approved by two separate bodies in two separate but related actions.

This also is clearly intended to apply to new applications; there is no indication that the Zoning Commission is being given power to strike down existing special exceptions. This becomes particularly important when considering 2405.8, where the Commission is permitted (but not required) to deviate from the special exception "standards" - or protections? - normally applied by the BZA.

It would be a stunning overreach of authority to interpret these provisions to permit the vacating of existing special exceptions or the attached provisions established to protect the underlying residential zones. It would hollow out the special exception process to a near nullity and remove the stabilizing balances that make nonresidential uses in residential zones tolerable.

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