



Foggy Bottom and West End Advisory Neighborhood Commission (ANC-2A)

c/o St. Mary's Court 725 24th Street, NW Washington, DC 20037 (202) 736-1775

October 20, 2006

Carol Mitten, Chairperson
Zoning Commission of the District of Columbia
441 4th Street NW, Suite 210 South
Washington, DC 20001
Deliver via Facsimile: (202) 727-6072

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D.C. OFFICE OF ZONING

RECEIVED

RE: Zoning Commission Case #06-17 for Consolidated Approval of a Planned Unit Development and a PUD-Related Amendment to the Zoning Map of the District of Columbia

Dear Chairperson Mitten:

At its regularly scheduled meeting on October 18, 2006, the Foggy Bottom and West End Advisory Neighborhood Commission (Commission or ANC 2A) considered Zoning Commission Case #06-17 for consolidated approval of a Planned Unit Development (PUD) and a PUD-related amendment to the zoning map of the District of Columbia by The George Washington University (GWU or University) and the District of Columbia Public Schools System (DCPS). With six of six commissioners in attendance, a quorum at a duly called public meeting, the following motion was approved:

The Foggy Bottom and West End Advisory Neighborhood Commission opposes Zoning Commission Case #06-17 for consolidated approval of a Planned Unit Development and a PUD-related amendment to the zoning map of the District of Columbia.

It must first be noted that the Commission voiced unanimous support for the School Without Walls (SWW), which is recognized to be a superb program that has achieved a great deal and has shown leadership within DCPS even as it has been staved of resources. The Commission would strongly support the improvements to facilities and programs of SWW proposed in this application if they were not conditioned upon approval, not only of the residence hall that GWU proposes to build, but the legal treatment of the resulting increased massing. GWU representatives made clear that, even if the building were allowed as requested, refusal to allow an otherwise unneeded up-zoning to SP-2 or holding GWU to the FAR limits of 11 DCMR 210.3 would essentially void the Memorandum of Understanding between GWU and DCPS.

The Commission's grounds for protest are noted below. We incorporate by reference our letter to you of August 24, 2006, relating to Cases 06-11 and 06-12.

1. This application is defective because it presents a partial plan for a university campus within a residentially-zoned area, in violation of 11 DCMR Sec 210.4, which requires that a university submit "a plan for developing the campus as a whole..." That

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District of Columbia
CASE NO. 06-17
EXHIBIT NO. 25
06-17

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requirement is essential in order to insure that aggregate and cumulative impacts are considered together and aggregate FAR as limited by Sec 210.3 is not exceeded.

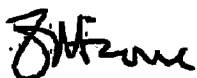
2. Re-zoning the property to R-5-E would permit an FAR of 6.0, even without a PUD. The FAR of the buildings resulting from the proposal would be 5.29. GWU has confirmed that the sole justification for the request for up-zoning to SP-2 is to allow them to assert that the resulting massing would not be counted against the FAR limit of Sec 210.3. That is a completely unjustified re-zoning, and a violation of Sec 2400.4, which prohibits use of the PUD process to circumvent the intent and purposes of the Zoning Regulations.
3. Whether the re-zoning to SP-2 is allowed or not, the added massing of any new residence hall must be counted against the FAR limit of Sec. 210.3, for the reasons set out in the above-referenced letter of August 24, 2006, and the testimony of the Commission, the Foggy Bottom Association, the Committee of 100, and the Federation of Citizens Associations in Cases 06-11 and 06-12.
4. The proposed residence hall overwhelms the site and the historic Grant School. It contravenes the claimed intention of GWU to place high-intensity uses in the core of the campus and instead continues their practice of placing high-intensity uses (the Elliott School, Ivory Tower and other activity centers) along the southern boundary of the campus, thereby maximizing impacts on the few remaining residential buildings on the south side of F Street.

The ANC reserves the right to revise and supplement the bases of its protest as the applicants and other parties make their submissions.

I will serve as the Commission's representative in this matter. Commissioners Anne Savage and Michael Thomas are also authorized to represent ANC 2A in my absence. Please feel free to contact me on (202) 607-8429 or by email at anc2a@earthlink.net for additional information. Commissioner Savage may be reached on (202) 342-0409 or by email on asavage@wcanmiller.com. Commissioner Thomas may be reached on (202) 776-0577 or by email on mthomas.anc2a02@earthlink.net. Cornish F. Hitchcock, Esq. will assist with legal matters.

ON BEHALF OF THE COMMISSION:

Sincerely,



Vince Micone
Chairperson

cc: Applicants