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19 March 2007

Hon. Carol Mitten, Chair
District of Columbia Zoning Commission
441 Fourth Street, NW, Suite 210 South
Washington, DC 20001

Re: Z.C. Case No. 06-27, Square 54 PUD Application
Z.C. Cases Nos. 06-11 & 06-12, GWU Campus Plan PUD

Dear Chair Mitten and Members of the Commission:

Square 54. I write on behalf of Foggy Bottom Association ("FBA") and Advisory Neighborhood Commission 2A ("ANC 2A") in response to the submission dated 12 March 2007 in which the applicants propose reducing the height of the office and residential components of the building.

The FBA and ANC are pleased that the Commission was persuaded by arguments advanced by the FBA and ANC regarding, among other things, the excessive height of the project. However, even at the proposed levels, the height remains excessive and the proposed reduction does not reduce the project's massive appearance.

For this reason, as well as the reasons stated in their testimony and proposed findings of fact and conclusions of law, the FBA and ANC remain opposed to the application, although they would note that a limitation of 90 feet would be more consistent with the surrounding heights and character of the neighborhood, most particularly because of Square 54's prominent position on Washington Circle.

The frontage of Square 54 along Washington Circle between Pennsylvania Avenue and 23rd Street is wider and more prominent than the frontage of other nearby lots that face the Circle, yet the applicants have done nothing to address concerns about the proposed usage here.

The FBA presented expert testimony from planning expert George H.F. Oberlander, AICP, who stated (at p. 3) that the building "will be viewed as a very

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bulky and unbalanced mass" east of 23rd Street. Reducing the height even to 90 feet does not change the fact that the project will still be a massive structure as seen from the Circle.

Moreover, section 807.10 of the Historic Element of the Comprehensive Plan states: "Architecturally prominent buildings should be located in special streets and places to accentuate vistas, provide focal points and mark entrances. *The general height, roof lines, and massing of buildings should serve as a unified background for the public space in these special streets and places*" (emphasis added).

In addition, there is nothing in the applicants' submission to respond to the FBA's point that commercial zoning facing Washington Circle is out of character with the national significance of this parkland. As Mr. Oberlander testified (at p. 3), "any commercial zone ends one block east or west of the unzoned, government-owned, original L'Enfant Circle (Reservation 40N). Placing Square 54 into C-3-C would violate the protection the Circle has had from commercial uses, since 1958. Several other L'Enfant Circles have similar protections from commercial uses."

GWU Campus Plan. We are in receipt of a letter dated 12 March 2007 from counsel for the owner of property at 2152-54 F Street and other property owners whose land is proposed for inclusion in the historic district that GWU is proffering as an amenity in the Campus Plan case. We understand that the Commission did not choose to address the issue on the basis of this letter. However, we note that the FBA has previously raised in this GWU Campus Plan and PUD cases this question of non-GWU property. Thus, the matter is appropriate for the Commission to address. To the extent that the Commission may deem it necessary to reopen the record to accept this letter, we respectfully ask that the Commission accept this letter, which bears directly on an important issue in the case.

Mr. Oberlander's written testimony in the Campus Plan and PUD cases notes (at p. 9) that GWU's PUD application would create the largest PUD in the District (at 43 acres) and would "include more than a dozen private properties and DC properties not owned by the University." Further, he notes that while the application states that it would "only cover the properties owned by the University," a serious question remains as to whether "all the other private property owners agreed to have their property included into the campus-wide PUD."

The propriety of GWU trying to regulate non-GWU properties is thus a matter raised in the testimony during the Campus Plan/PUD cases. FBA finds it significant that private property owners claim that they are being affected by GWU's application without proper notice. FBA repeats its request that this notice question be expressly considered and addressed.