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April 18, 2011

VIA HAND DELIVERY

Mr. Anthony Hood
Chairman
D.C. Zoning Commission
441 4th Street, NW, Suite 210
Washington, DC 20001

**Re: Z.C. Case No. 11-02/11-02A – Pre-Hearing Statement of the
University of the District of Columbia**

Dear Chairman Hood and Members of the Commission:

Enclosed please find the University's pre-hearing submission for its 2011-2020 Campus Plan. In particular, please note that revised plans for the planned Student Center are included as Exhibit A.

I. The Campus Plan and Student Center Public Process

The University of the District of Columbia developed its 2011-2020 Campus Plan through a comprehensive and extensive planning and outreach process that has incorporated input from numerous stakeholders, including District agencies, neighbors, and community representatives as well as University students, faculty, and staff. This dialogue has resulted in meaningful and significant changes to both the Campus Plan and Student Center, including:

- Selection of the Connecticut/Van Ness site as the location for the new Student Center; and
- Commitment by UDC to phase out its master lease of off-campus housing units upon the completion and occupancy of the on-campus residence housing project.

ZONING COMMISSION
District of Columbia

CASE NO. 11-02A

EXHIBIT NO. 12

Regarding community input, as the University developed the Campus Plan, it hosted four open houses in October, November and December, 2010 and January of this year. These meetings were publicly noticed in four separate editions of the Northwest Current and in flyers that were distributed in the neighborhood. In addition, the UDC website and its Facebook and Twitter accounts, along with community listservs contained meeting information. The meetings were well-attended by neighbors, ranging from 50 attendees at the first open house to 90 attendees combined at the final open house (which was duplicated on both an evening and weekend to maximize potential participation). Participants included representatives of the local ANC as well as other community leaders and interested neighbors. Feedback was also gathered through other informal communications and dialogue.

Following the filing of the zoning applications, the University returned to the community to present both the filed Campus Plan and the design for the Student Center at an ANC “town hall” in late March. A draft of this document and certain exhibits was provided to the community on April 13, 2011 to provide additional time for consideration and review prior to the hearing. The University will return to the ANC on April 25 for a final meeting and discussion regarding both applications.

Concurrent with community review, the University and its respective consultants also engaged District agencies—and in particular the Office of Planning and District Department of Transportation—in multiple meetings regarding the campus planning effort as well as the design and operation of the new Student Center. These meetings, which began last summer, have resulted in extensive refinements, changes, and new commitments that have been incorporated into the applications. The University expects to continue to work with OP and DDOT as well as other stakeholders, such as the U.S. Commission of Fine Arts and the National Capital Planning Commission.

II. Evaluation of Compliance with Section 210 of the Zoning Regulations

This document contains additional evidence that affirms that neither the Campus Plan nor the proposed Student Center is likely to be objectionable to neighboring properties due to noise, traffic, number of students, or any other objectionable conditions. It further demonstrates that both applications are in compliance with 11 DCMR Section 210. Evidence in support of these conclusions is provided below.

A. COMPLIANCE WITH SECTION 210 OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

As set forth below, the 2011 Van Ness Campus Plan and the further processing application of the Student Center specifically comply in the following respects with Section 210 of the District of Columbia Zoning Regulations:

- 1. The use is a college or university that is an academic institution of higher learning (Subsection 210.1)**

The University of the District of Columbia is operated as an academic institution of higher learning pursuant to D.C. Law 1-36, which consolidated the Federal City College, Washington Technical Institute, and District of Columbia Teachers College into the University of the District of Columbia.

The Van Ness campus was originally established as the home for the Washington Technical Institute in the mid-1970s, with a planned capacity of 8,000 full-time equivalent (FTE) students. See Exhibit B. In the University's early years, the Van Ness campus had a student population that exceeded 7,300 FTE students (with an additional 5,600 FTE students located at the then-Mount Vernon campus).

In the more recent past, the University's population levels have been more modest. In 2006, the University's total population was approximately 5,772 students on a headcount basis, or approximately 3,900 students on an FTE basis. As of Fall 2010, the population of the Van Ness campus is approximately 3,183 students on a headcount basis, and 2,293 students on an FTE basis.

When zoning was applied to District of Columbia government properties in 1990, the University became subject to zoning. Pursuant to Section 106.5(a) of the Regulations, the existing university use and related construction is not subject to zoning. Any new construction or expansion of use, however, triggers the application of the Zoning Regulations. 11 DCMR § 106.5(b).

Accordingly, the University's desire to construct the new Student Center has resulted in its need to secure approval for that project under Section 210 of the Zoning Regulations. As required by the provisions of Section 210, the University has submitted the plans for that Student Center as well as a related plan for developing the campus as a whole.

2. The use is located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions (Subsection 210.2)

The proposed Campus Plan and related Student Center will not impose objectionable or adverse conditions on surrounding property due to noise, traffic, number of students, or other objectionable impacts. Below is an overview of the four components of the campus plan (enrollment, on-campus housing, Student Center, and sustainability) and discussion of the ways in which each component is not likely to become objectionable, followed by a consideration of specific potential impacts due to noise, traffic, and other objectionable conditions.

Enrollment / Number of Students

Because the University's use of the Van Ness campus predated the 1990 application of the Zoning Regulations to District uses and buildings, the University use in existence prior to 1990, and related construction, is not subject to zoning. Accordingly,

the University's Van Ness campus is permitted to achieve a maximum enrollment of up to 8,000 students on a FTE basis, which represents the level of use for which the campus was initially constructed and used, and therefore, the level of use that is permitted under Section 106.5(a). (The 8,000 FTE number roughly corresponds to approximately 10,000 students on a headcount basis.)

In the long term, the University strives to return the Van Ness campus to its originally planned—and experienced—population levels. As the only public institution of higher education in the District, the University offers all District residents with an opportunity for an affordable local education at all stages of adult life, and the strength and vitality of the offerings at the Van Ness Campus will benefit to the entire District of Columbia educational system.

During the duration of this Plan, the University anticipates a growth rate of up to 7.5% per year.¹ This translates into projected growth of up to 6,500 students on a headcount basis, and 5,000 students on a full-time equivalent (“FTE”) basis. These levels are consistent with the University's population as recently as five years ago, as documented above, and are not likely to become objectionable given all of the other components of the Plan that are discussed below.

While growth beyond these projections is not anticipated, should the University's actual enrollment exceed these expectations and approach the originally planned level of 8,000 FTE students (10,000 students on a headcount basis), the University shall return to the Commission for further special exception approval under Section 210 of the Zoning Regulations in order to exceed its pre-1990 level of use, as is required by 11 DCMR Section 106.5(b).

The University's proposed condition of approval for enrollment encapsulates the above and is being finalized.

On and Off Campus Housing

One of the key components of the 2011 Plan is to create a campus-based residential experience in order to support the University's transition to a more selective institution of higher learning and attract talented students. To support this goal, the Campus Plan includes a proposed to construct on-campus housing containing approximately 600 beds.

As discussed in the Campus Plan, the University identified three potential sites for campus development, including on-campus housing. See Exhibit D. The location for on-campus housing was selected based on an evaluation of these sites and balancing of multiple considerations. The selected site for the new residential facility is in the southwest corner of the campus, adjacent to other institutional uses and away from the residential neighborhood. See Exhibit E. This location is also proximate to the core of the campus and most student activity, which will direct student activity into the heart of

¹ Actual growth may differ from year to year depending on programming and related changes.

the campus, rather out towards the perimeter of the campus. The University will further improve buffering from neighboring institutional uses through the re-establishment of a woodland edge condition. Prior to constructing the residence facility, the University will return to the Commission for further processing approval, which will give agencies and neighbors alike an opportunity to provide further feedback during the planning and design of the housing itself.

The planning, design and construction of a new residence facility will take years to bring to fruition. Therefore, in the near term, the University has received approval from the Board of Trustees to lease up to 100 units in nearby private apartment buildings in order to create proximate housing opportunities that meet the preferences and demands of the University's targeted student population. The University began this use last fall, and currently leases approximately 31 units with beds for approximately 86 students in the nearby Van Ness South apartment building.

The apartment complex contains approximately 625 units with a mix of residents that includes students from many other area institutions, such as American University and Howard School of Law. The University carefully monitors and manages student activity within these units to ensure they do not become objectionable to neighboring residents due to noise or other impacts. Most importantly, the University maintains an administrative presence in the building through Resident Assistants (RAs) who reside in the building as well to monitor behavior and respond to issues. Complaints are also referred to and followed up on by University staff, and the Code of Conduct applies to student behavior.

Notwithstanding these extensive efforts, and recent confirmation by the D.C. Board of Zoning Adjustment that the University's lease and use of these units is legally permitted under the Zoning Regulations, the University recognizes that some existing residents of the Van Ness South apartment complex have expressed a desire to see the University end its leasing activity. Accordingly, the University has agreed to cease its master leasing activity once the new on-campus residence project is completed. The leases for the off-campus units will be phased out over the course of two semesters following the completion and occupancy of the residence project. After the leases are terminated, the University would agree not to pursue further master leasing activity for the duration of the Plan. (The University would, however, refer interested students to potential off-campus housing providers, as is the standard practice of most colleges and universities.)

Furthermore, prior to the completion of the on-campus housing project, the University will amend its off-campus housing policy as follows:

- While maintaining the overall limit of 100 total units, the University will request that the Board of Trustees expand the area for potential leasing to a half-mile radius around the campus. This stretch of the Connecticut Avenue corridor offers nearly 2,500 rental units and 4,000 total multifamily units, with ample alternatives to Van Ness South.

- The University will provide affected residential properties with notice before commencing any improvements related to the University's leasing of additional units.
- The University will require at least one Resident Assistant for every 8 units in order to effectively monitor the students.

These policy changes will ensure that students who live off-campus do not impose objectionable noise or other impacts to their neighbors in off-campus housing.

These agreements are a significant and measurable symbol of the University's commitment to develop a positive and mutually beneficial relationship with the surrounding community. They will be captured in proposed conditions of approval. Note, however, that the University's ability to commit to these changes are predicated on approval of the campus plan as a whole, including the related Student Center project, which must be completed by Fall 2012 as a condition of its funding by the D.C. Council. The campus plan commitments and Student Center are all tied together as integral parts of the University's plan for the near future. Delays impacting the University's ability to construct the Student Center on time will delay the University's ability to amend its off-campus housing policy and discontinue the off-campus master leasing program as detailed above.

Student Center

Like the housing site, the Student Center site was selected based on an evaluation of many criteria, including programming, size needs, site constraints, and relationship to overall University goals. Equally as important in selecting the corner of Van Ness and Connecticut Avenue was the near-universal recommendation from the community and city agencies to place the Student Center at that intersection because of its potential to improve the relationship of the campus to the commercial corridor.

As detailed in the further processing application and illustrated on the revised plans included as Exhibit A, the Student Center will have a transformative effect on the existing moribund open plaza that will create truly positive and lasting impacts. The new building has been designed to complete the "urban square" created at the Van Ness Metrorail entrances on both sides of Connecticut Avenue. The building and streetscape design will also animate the public realm at ground level through activity related to the Student Center and, in particular, the University-related retail and service uses. The building design and exact location have been influenced by the large WMATA easement affecting a portion of the site. The design successfully addresses the desired program and will enliven Connecticut Avenue while respecting the constraints to the easement.

The Student Center will also create a strong visual, functional, and symbolic connection between the campus core and Connecticut Avenue, through the second-story open air connection to the revitalized Dennard Plaza at the heart of the campus. The Student Center will also create positive environmental and aesthetic impacts through its high quality design and commitment to pursue LEED Platinum approval. Finally, the

proposed location will permit easy interconnection to existing campus parking and loading facilities, resulting in no change in vehicular and truck circulation patterns that utilize Van Ness Street and Connecticut Avenue.

Dennard Plaza and Other Sustainability Improvements

The Campus Plan's other key focus consists of measures that will improve on-campus sustainability, which will significantly improve the campus condition as well as provide a benefit to the surrounding communities. In addition to the green roof and other improvements associated with the Student Center, the University is proposing a total of 95,000 square feet in green roofs, pervious pavers, and incorporation of rain gardens and bioswales in its approach to storm water management. See Exhibit F. This exhibit also contains illustrative renderings that capture the impact of the changes and improvements to Dennard Plaza. All told, the University will add over two acres of pervious area to the campus, increasing its permeability by 27%.

As a part of the Student Center, the University will also construct a geothermal well field, which uses underground temperatures to reduce the amount of energy required to heat and cool—a significant benefit particularly given hot District summers. Other green efforts include efforts to landscape the campus described below.

Noise

Activities within the Campus Plan boundaries are located to minimize objectionable impacts due to noise. The bulk of the campus to the west, south, and east is surrounded by commercial and institutional uses that are generally not sensitive to noise. Further, these buildings are largely devoted to academic and administrative uses that, by and large, do not generate noise levels that have the potential to become objectionable. The northern part of the campus, however, is across Yuma Street from residential uses.

As a part of the Campus Plan, the University has developed a series of campus perimeter strategies that will improve landscaping, buffering, and wayfinding at the campus edges. These strategies each respond to the different contexts and conditions surrounding the campus. As shown on the plans attached as Exhibit G, the University has also detailed a phasing schedule for these improvements.

Yuma Street is currently lined with mature trees and dense landscaping on its south side that provides buffering between the residences and the campus. As a part of the Campus Plan, the University proposes to improve this condition through the extension of the sidewalks along Yuma Street and introduction of additional trees along the streetscape. Both of these measures will further buffer the northern side of the campus from the nearby residential properties. There is also a grade change from the closest University building to Yuma Street, which elevates the University building from the adjacent residential uses and further mitigates any noise that may be generated from the use of the building. Finally, the University selected sites for both the Student Center and on-campus housing away from this end of the campus

Service activity generally occurs in the interior of the campus, north of Building 38 where Veazey Terrace meets the campus. This area is directly accessible from Connecticut Avenue and is behind commercial development. Accordingly, loading and service activity is not likely to generate objectionable noise impacts on surrounding residential uses.

Traffic and Parking

A plan illustrating existing University parking and loading facilities on and near campus is included as Exhibit H. To assist in the preparation of the Campus Plan, the University engaged Gorove/Slade Associates, a respected firm associated with national as well as local university planning efforts, to provide a detailed traffic and parking study evaluating the impacts of the campus. This report is attached as Exhibit I. For the reasons discussed therein, the campus is not likely to become objectionable due to traffic, parking, or other related transportation impacts.

The campus is located immediately adjacent to the Van Ness Metrorail station, which provides a convenient and reliable alternative transportation mode for students, faculty, and staff alike. In addition, the location along Connecticut Avenue offers additional mode choice options, ranging from Metrobus service to walking and bicycling. Finally, the entrance to the parking facility is located on the institutional side of campus off of Van Ness Street, which is directly accessed from Connecticut Avenue and avoids the need for cars to enter the surrounding residential neighborhood.

No additional parking is proposed as a part of the Campus Plan, which will minimize the number of vehicle trips to and from the site. Further, the provision of student housing on campus will greatly decrease the number of students commuting to campus for class or other activities.

The traffic study recommends that the Applicant implement a robust Transportation Demand Management program, which is reprinted as Exhibit J. This TDM includes significant commitments and goals that will further improve mode choice, encourage alternatives to driving, and ensure that impacts of university operation will not become objectionable. Key features of the TDM include increasing on-campus parking rates for faculty, staff and students; providing preferred parking for carpools and alternative fuel vehicles; providing an electric vehicle charging station; maximizing the SmartBenefit commitment; and increasing the availability of bike parking throughout the campus.

As a part of the traffic study, Gorove/Slade has reviewed and supported virtually all of the recommendations of area planning efforts by both District agencies and a community planning effort led by the Connecticut Avenue Pedestrian Action (CAPA) group. Gorove/Slade recommended, however, an alternative design solution for the intersection of Veazey Terrace and Connecticut Avenue that would achieve the goals of the CAPA study yet also permit adequate turning radii for service, loading, and buses that

use Veazey Terrace to serve the University, the commercial buildings, and WMATA Metrobus operations. See Exhibit K. The University will work with District Department of Transportation (“DDOT”) to secure District funding to implement these improvements to Veazey Terrace following the completion of the Student Center, which are anticipated to cost between \$1.2 – 1.7 million.

Gorove/Slade has also conducted a more focused study of the traffic and parking impacts of the Student Center, which is included as Exhibit L. As is summarized in their findings, the Student Center will have limited, if any, adverse impact on traffic, parking, and service activity. Vehicles will still use the existing drop-off and parking facility off Van Ness Street, which will provide a simple and direct connection for visitors arriving by automobile. Similarly, service and loading activity will continue to use the existing loading area located behind Building 38 and accessed directly from Connecticut Avenue via Veazey Terrace. Again, the Student Center has been designed to permit simple and direct access to this loading area through the existing buildings. Because the majority of the uses in the Student Center already take place on campus, the Student Center will not generate a significant increase in service or loading activity.

3. Compliance with the Maximum Bulk Requirements (Subsection 210.3)

The campus is located in the R-1-B Zone District. As required under Section 210.3 of the Regulations, all development proposed under the 2011 Plan, when added to all existing buildings and structures to remain on campus, does not exceed the FAR prescribed for the R-5-B Zone District. The maximum proposed development described in this plan results in a FAR of 1.54, which is less than the 1.8 FAR permitted under the Zoning Regulations. See Exhibit M.

~~The Student Center consists of renovations to approximately 19,000 square feet of existing floor area and new construction of approximately 65,000 square feet of gross floor area. With the Student Center, the campus will have a total FAR of approximately 1.24. The building will have a height of approximately 56 feet, as measured under the applicable Zoning Regulations and related definitions. The proposed new construction will occupy approximately 29,000 square feet of lot area at the A level, which is the main level of the main building on the campus, and increase the total lot occupancy of the campus to 29%. See Exhibit A.~~

4. Submission of a Plan for Developing the Campus as a Whole (Subsection 210.4)

As included with the original application and amended herein, the University has submitted a plan for developing the campus as a whole, as required under Section 210.4. Specifically, this plan provides the location, height, and bulk, where appropriate, of all present and proposed improvements, including but not limited to the following: (a) buildings and parking and loading facilities; (b) screening, signs, streets, and public utility facilities; (c) athletic and other recreational facilities; and (d) a description of all

activities conducted or to be conducted on the campus, and of the capacity of all present and proposed campus development.

5. No Interim Use of Land is Proposed (Subsection 210.5)

The University is not seeking any interim use of residentially-zoned land.

6. No New Use Sought for Approved Site of Buildings Moved Off-Campus (Subsection 210.6)

The University does not seek approval for any new use of a previously-approved building site to be moved off campus.

7. Compliance with the Policies of the District Elements of the Comprehensive Plan. (Subsection 210.7)

The existing and proposed uses detailed herein are not inconsistent with the Future Land Use Map and Generalized Policy Map designations of the Main Campus as a Local Public Facility and as an Institutional Use, respectively. The Comprehensive Plan calls for “change and infill” on university campuses consistent with their approved campus plans. See 10 DCMR § 223.22. The Plan furthers multiple relevant policies of the District Elements of the Comprehensive Plan, as was discussed in detail in the Campus Plan.

8. Proposed Buildings are Within the Floor Area Limit for the Campus as a Whole (Subsection 210.8).

~~The maximum Floor Area Ratio permitted for the Main Campus is 1.8. The Student Center will bring the total FAR of the campus to 1.24. The full buildout of the Campus Plan, as submitted, would not exceed a FAR of 1.54, which is within the above limitation.~~

9. Referral to the District of Columbia Office of Planning and the District of Columbia Department of Public Works. (Subsection 210.9)

The Campus Plan was discussed with OP and DDOT prior to filing and has been referred to OP and DDOT for their review and report. The University continues to meet and coordinate its proposal with both agencies.

B. HEARING PREPARATION

The University will need one hour to present these applications at the public hearing. It will present four witnesses, including three expert witnesses. Outlines of witness testimony and resumes for the expert witnesses are attached as Exhibits N and O, respectively.

C. EXHIBITS

1. Revised Student Center Plans	Exhibit A
2. Historical Information	Exhibit B
3. Proposed Conditions of Approval	Exhibit C*
4. Identified Development Sites	Exhibit D
5. Selected Development Sites	Exhibit E
6. Sustainability Initiatives	Exhibit F
7. Landscaping Initiatives	Exhibit G
8. Parking and Loading Plan	Exhibit H
9. Transportation Report	Exhibit I
10. TDM Initiatives	Exhibit J
11. Veazey Terrace Concept	Exhibit K
12. Student Center Supplemental Transportation Report	Exhibit L
13. Summary of Existing and Proposed Campus Development	Exhibit M
14. Outlines of Witness Testimony	Exhibit N
15. Resumes of Expert Witnesses	Exhibit O

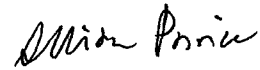
* The proposed conditions will be submitted at the hearing.

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D. CONCLUSION

The University looks forward to presenting these applications at the public hearing and would be happy to answer any questions the Commission may have at that time. Please feel free to contact Allison at 202-721-1106 or Dave at 202-721-1137 with questions regarding this submission.

Sincerely,



Allison Prince



David Avitabile

cc: Barbara Jumper
Douglas McCoach
Patricia Bou
ANC 3F

CERTIFICATE OF SERVICE

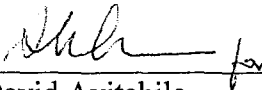
On April 18, 2011, I caused a copy of the foregoing letter and enclosure to be delivered by hand, U.S. Mail, or electronic mail to the following:

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David Avitabile