

April 28, 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 –
Supplemental Pre-Hearing Statement of the University of the District
of Columbia**

Dear Chairman Hood and Members of the Commission:

The University has agreed to make significant additional changes to its Campus Plan in direct response to the concerns raised at Monday's ANC 3F meeting, including:

- Reduce the maximum campus enrollment to 6,500 students on a headcount basis and 5,000 students on a full-time equivalent basis.
- Agree to cap the total number of units in the Van Ness South apartment complex at 31 units, as well as continue to agree to end these leases after the completion of the on-campus housing.
- Include a comprehensive parking policy to address off-campus parking impacts. Among other things, this policy would prohibit students living on campus from bringing a car to campus or securing an RPP sticker and prohibit all students from parking on surrounding residential streets.

These and other proposed conditions of approval are attached to this letter.

As detailed in the prior University's filings, the University developed its 2011-2020 Campus Plan through a comprehensive and extensive planning and outreach process that has incorporated input from numerous stakeholders, including District

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District of Columbia

agencies, neighbors, and community representatives as well as University students, faculty, and staff. This dialogue started with notifications to OP, DDOT, and ANC 3F during the summer months of 2010 and continued through publicly-noticed open houses in Fall 2010 and early 2011 that were attended by representatives of the ANC and other interested neighbors. Following the filing of the campus plan in early February, the University again requested an opportunity to present the application to ANC 3F, and was assigned a date at the end of March. Both the filed Campus Plan and the design for the Student Center were therefore presented again at an ANC "town hall" in late March.

The University undertook these efforts in order to meet the ambitious but achievable schedule required for construction of the proposed new Student Center. As was expressed by many residents during the planning process, the proposed Student Center will not only be a public asset for the District as a whole, but will also make a significant positive contribution to the urban character and design of the community. The timing of the Student Center is critical, however, and any delay in its review and approval will jeopardize the University's ability to utilize the allocated funding from the D.C. Council, which requires that the Student Center be fully completed by August 2012. Furthermore, even a short delay will result in escalated costs for the materials and labor required to construct the new center.

The University only recently became aware of the concerns and issues raised by the Van Ness Street Residents Association regarding the proposed on-campus housing as well as traffic and parking impacts associated with the proposed increase in the number of students.¹ Because it is critical that the Zoning Commission public hearing move forward on Monday evening, the University has acted swiftly and made substantial changes to address the concerns raised by the Van Ness Street Residents Association regarding traffic and parking impacts associated with the proposed increase in the number of students as well as impacts associated with the on-campus housing. These changes, summarized above and detailed in the attached conditions, address these concerns as follows:

- Regarding traffic and parking, the reduced number of students (6,500 students) would be consistent with the total number of students present on campus as recently as 2006 (5,800 students). With this change, the impacts of the University over the next decade will not significantly vary from the impacts over the previous decade. Indeed, with the numerous additional commitments regarding transportation and parking impacts, the University's impact will be further reduced.
- Regarding the on-campus housing, as shown on the attached diagrams, the on-campus site is located nearly 600 feet away from the nearest residence with numerous diplomatic/institutional uses serving as a buffer in between. The

¹ Indeed, these concerns were only presented to the University through the filing of their party status application on April 18.

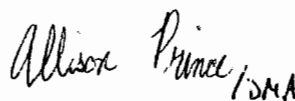
on-campus site is also located significantly lower than the nearest house to the west. Therefore, the location will not have adverse impacts on nearby residential neighborhoods. The parking policy will also address concerns regarding potential parking impacts from these students. The further processing case will give all stakeholders an additional opportunity to address potential impacts related to the design of the housing.

The enclosed conditions also include commitments that address the concerns of the Van Ness South Tenants Association (the other applicant for party status)—including a new commitment to cap the number of leased residential units at existing levels. For these reasons as well as all of the reasons set forth in prior submissions, the University asserts that the proposed plan will not have any adverse or objectionable impacts on the surrounding residential neighborhoods.

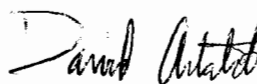
Finally, attached to this letter is the resume for Dan Van Pelt, the University's proffered traffic expert. Mr. Van Pelt's resume was inadvertently omitted from the pre-hearing submission.

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,

A handwritten signature in cursive script that reads "Allison Prince". To the right of the signature, the letters "DMA" are handwritten.

Allison Prince

A handwritten signature in cursive script that reads "David Avitabile".

David Avitabile

cc: Barbara Jumper
Douglas McCoach
Patricia Bou

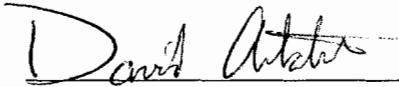
CERTIFICATE OF SERVICE

On April 28, 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:

Paul Goldstein
D.C. Office of Planning
1100 4th Street, SW, Suite E650
Washington, DC 20024

Jeff Jennings
District Department of Transportation
2000 14th Street, NW, 7th Floor
Washington, DC 20009

Advisory Neighborhood Commission 3F
4401-A Connecticut Avenue, NW
Box 244
Washington, DC 20008-2322



David Avitabile

Zoning Commission Case No. 11-02 / 11-02A

Proposed Conditions of Approval – April 27, 2011

Enrollment

1. The maximum enrollment on the Van Ness Campus shall be no more than 6,500 students on a headcount basis, and 5,000 students on a FTE basis, over the life of the 2011-2020 Plan.
 - a. For purposes of the above, headcount shall include all students enrolled in a creditable course that is offered at the Van Ness campus.
 - b. For purposes of the above, FTE shall be determined by assigning a fraction to part-time students based on the number of credits they are taking compared to a full-time course load and adding the number of full-time students.

Housing

2. The proposed on-campus housing shall require further processing review and approval pursuant to Section 210 of the Zoning Regulations. The university shall provide ANC 3F with notice and an opportunity to review the proposed design at least 30 days prior to filing of the application for further processing.
3. The proposed on-campus housing shall be limited to approximately 600 beds. Within two semesters of the completion and occupancy of the on-campus housing, the University shall end its off-campus leasing program. The University shall be permitted to continue to provide referrals for off-campus living options to students who are interested in living off-campus near the University.
4. Prior to the completion and occupancy of the on-campus housing, the University agrees to take the following measures regarding its off-campus leasing program:
 - a. The University shall lease no more than 31 units in the Van Ness South apartment complex. The University shall continue to monitor and address complaints regarding student behavior and maintain resident advisors as an administrative presence in the apartment complex.
 - b. The University shall be permitted to lease a total of up to 100 residential units for student housing, and agrees to expand its leasing authority to include properties within one-half mile of the Van Ness campus. Such housing shall be located in high-density residential and commercial zone districts. All students residing in such housing leased by the University shall continue to be subject to the Code of Student Conduct.

- c. The University shall provide to ANC 3F, on an annual basis, an accounting of the number of leased residential units and number of students housed in those units. The University shall also identify the building or buildings in which these units are located.

Transportation and Parking

5. The University shall manage its on-campus parking supply and encourage all students, faculty, staff, and visitors to use transit and other alternatives to single-occupancy vehicles through the implementation of the TDM measures detailed on Exhibit L of the University's April 18, 2011 pre-hearing statement.
6. The University shall require all students, faculty and staff to park in University or other commercial parking facilities on or near the Van Ness campus.
 - a. The University shall prohibit, to the extent permitted by law, students from parking on the residential streets adjacent to and surrounding the Van Ness campus. To accomplish these purposes, the University shall employ a system of administrative actions, penalties, and fines for violations of this policy.
 - b. All students residing on campus shall not be permitted to garage their vehicles to the Van Ness campus. The University shall work with the Department of Motor Vehicles to prohibit students residing on campus from applying for residential permit parking stickers for the residential neighborhoods surrounding the Van Ness campus.
7. The University shall encourage all visitors attending special events on campus to use transit or park in University or other area parking facilities. The University shall work with area institutions and commercial parking operators as well as use attendant parking to provide additional parking as needed during these events.
8. The University shall direct all construction traffic to avoid routes through the adjacent residential neighborhoods through contract provisions or similar mechanisms.

Perimeter Improvements

9. Subject to availability of funding and other required approval from or coordination with District agencies, the University shall undertake the improvements detailed on Exhibit G of the University's April 18, 2011 pre-hearing submission in accordance with the implementation schedule detailed on said exhibit. The University shall have the flexibility to modify the final design and layout of these improvements based on approval from or coordination with District agencies.

10. Following the issuance of the Certificate of Occupancy for the Student Center, the University shall use good faith efforts to work with District agencies and other stakeholders to promote the construction of improvements to the intersection of Veazey Terrace with Connecticut Avenue as shown in concept on Exhibit K of the University's April 18, 2011 pre-hearing submission.

Community Outreach

11. The University shall establish a University-Community Task Force to promote dialogue regarding campus planning, student conduct, traffic and parking, and similar issues. The Task Force shall meet quarterly.
12. The University shall provide advance notice to ANC 3F at least 30 days prior to the filing of any future zoning applications.

Student Center Design

13. The Student Center shall be constructed in accordance with the plans included as Exhibit A of the University's April 18, 2011 pre-hearing submission, provided that the University shall have flexibility to modify the design as follows:
 - a. Modify the design of all interior components of the building;
 - b. Vary the final selection of exterior materials within the color ranges and materials types proposed based on availability at the time of construction;
 - c. Vary the size, location, and design features of building entrances, including the size, location, and design of windows, doors, awnings, canopies and similar features, to accommodate the needs of specific tenants and uses;
 - d. Vary the size, location, and other features of proposed building signage;
 - e. Make minor refinements to exterior details and dimensions to comply with Construction Codes or that are otherwise necessary to obtain a final building permit;
 - f. Modify the exterior design of the building as required to address field conditions such as the presence of WMATA-related facilities below grade; and
 - g. Modify the exterior design as required to address comments from the National Capital Planning Commission (NCPC), the Commission of Fine Arts (CFA), and the State Historic Preservation Officers (SHPO).

Such flexibility may include changes to the building footprint, height, and density, provided that the building design shall continue to comply with all other relevant provisions of the Zoning Regulations.

14. The Student Center shall be designed to a minimum of LEED Platinum under the applicable standard.