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**Outline of Testimony of Steven E. Sher**
**Director of Zoning Services**
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Rec'd.
APR 26 2000

**BZA Application No. 16553**
**The George Washington University**
**Foggy Bottom Campus Plan**

I. Introduction

II. Location of campus

A. Generally bounded by Pennsylvania Avenue on the north, 19th Street on the east, F Street on the south and 24th Street on the west

1. Excludes Square 120, bounded by 19th, 20th G and H Streets, and Square 43, bounded by 23rd, 24th and G Streets and Virginia Avenue

2. Includes the eastern half of Square 122, bounded by 19th, 20th, E and F Streets

B. Foggy Bottom area, adjacent to the Central Employment Area

III. Description of surrounding neighborhood

A. Combination of residential, institutional and commercial

B. Residential

1. High-rise apartment buildings along the south side of F Street and east of 24th Street along New Hampshire Avenue and K Street

2. Lower density rowhouses west of New Hampshire Avenue in the Foggy Bottom Historic District

3. High-rise apartments as part of mixed use projects at Columbia Plaza and the Watergate

BZA
Case No. 16553
Exhibit No. 148

Board of Zoning Adjustment
District of Columbia
CASE NO.16553
EXHIBIT NO.148

C. Institutional

1. International organizations like the World Bank, the International Monetary Fund, the International Finance Corporation and the Pan American Health Organization

2. Federal government offices including the General Services Administration, the Department of the Interior, the Office of Personnel Management and the Department of State

3. Churches, including St. Mary's Episcopal Church and the Western Presbyterian Church

D. Commercial

1. High-rise office buildings north of Pennsylvania Avenue and east of 19th Street

2. Hotels

3. Retail and service uses, mostly in the ground and lower levels of other commercial buildings

IV. Existing zoning on the campus

A. R-5-D

1. Use

a. General residential district permitting all kinds of residential uses, as well as specified institutional uses (e.g., churches, hospitals and museums)

b. College or university use permitted as a special exception with BZA approval

2. Maximum permitted height: 90 feet

3. Maximum permitted FAR: 3.5

B. R-5-E

1. Use: same as R-5-D, above

2. Maximum permitted height: 90 feet

3. Maximum permitted FAR: 6.0

C. SP-2

1. Use

a. All residential uses permitted in R-5 Districts

b. Office, with approval from the BZA

c. College or university use permitted as a special exception with BZA approval

2. Maximum permitted height: 90 feet

3. Maximum permitted FAR: 6.0 for apartment house, 3.5 for offices

D. C-3-C

1. Use

a. General commercial district, permitting most kinds of retail, service and office uses

b. Hotel

c. All residential uses also permitted

d. Educational uses, including college or university use, permitted as a matter-of-right

2. Maximum permitted height: 90 feet

3. Maximum permitted FAR: 6.5

E. Special provisions

1. Density for colleges and universities in residential districts (§210.3)

a. Maximum bulk may be increased for specific buildings

b. Overall density limited to 3.5 FAR for either R-5-D or R-5-E Districts

2. Off-street parking (§2106.1): if a campus plan is approved by BZA, parking to be provided in accordance with the campus plan

V. Standards of the Zoning Regulations

A. Special exception for college or university use (not permitted matter-of-right uses) in Residential Districts (§210):

1. Use shall be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions (§210.2)

2. Maximum bulk requirements normally applicable may be increased for specific buildings or structures, provided that the total bulk of all buildings and structures on the campus shall not exceed the 3.5 FAR prescribed for the R-5-D district (§210.3)

3. Intent to prevent unreasonable campus expansion into improved low-density districts (§210.3)

4. Submission of campus plan showing 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 (§210.4)

5. Within a reasonable distance, Board may also permit the interim use of land or improved property with any use that the Board may determine is a proper college or university function (§210.5)

6. When a major new building that has been proposed in a campus plan is instead moved off-campus, the previously designated site shall not be designated for or devoted to a different major new building until and unless the BZA has approved an amendment to the campus plan applicable to the site (§210.6)

7. In reviewing and deciding a campus plan application, the Board shall consider, to the extent they are relevant, the policies of the District Elements of the Comprehensive Plan (§210.7)

8. University shall certify and document that the proposed building or amendment is within the floor area ratio limit for the campus as a whole, based upon the computation included in the most recently approved campus plan and the FARs of any other buildings constructed or demolished since the campus plan was adopted (§210.8)

9. Board shall submit the application to Office of Planning and Department of Public Works for review and written reports (§210.9)

B. Special exception for college or university use (not permitted matter-of-right uses) in Special Purpose Districts (§507)

1. Application shall be referred to Office of Planning (§507.2)

2. Submission of campus plan showing 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 (§§507.3 and 4)

3. Board may permit the interim use of land or improved property with any use that the Board may determine is a proper college or university function (§507.5)

4. Board may approve plan or amendment concurrently with application for specific building or use (§507.6)

5. Use shall be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions (§507.7)

C. Special exception provisions not applicable to uses otherwise permitted as a matter-of-right

1. Matter-of-right uses are deemed by the Zoning Commission to be compatible with other permitted uses and appropriate for development without further special review

2. Structure of regulations

3. Not eligible for flexibility and other special provisions applicable to campus plans

4. Court of Appeals case

5. Zoning controls use, not ownership

6. Consistent interpretation of the Regulations to allow residential university use as a matter-of-right

7. BZA decision in Howard Johnson hotel appeal (BZA Order No. 16507, February 11, 2000)

VI. Previously approved campus plans

A. 1970 plan

1. BZA Order No. 10403, dated December 22, 1970

2. Maximum enrollment of 17,000

3. Development over three phases

4. No end date contemplated in plan or BZA order

B. 1985 plan

1. BZA Order No. 14455, dated February 25, 1988

2. Revised per decision on Motion for Reconsideration, by order dated June 29, 1988

3. Revisions per remand from the D.C. Court of Appeals, by order dated April 13, 1993

4. Plan certified by the Board dated October 2, 1993

5. Major features of the approved plan

   a. Maximum of 20,000 students

   b. Range of parking spaces between 2,700 and 3,000

   c. Square 43 and lot 17 of Square 121 eliminated from the campus

   d. Certain non-university owned buildings designated for dormitory use if acquired during the plan

   e. Provided for construction of approximately 1,400,000 square feet of gross floor area in the educational, residential, support and medical categories

C. Comparison of proposed plan to previous approvals and standards of Zoning Regulations

1. Campus boundaries: no change from the 1985 approved plan

2. Number of students

   a. Previous plan allowed for maximum number of students of 20,000 (headcount)

   b. Proposed plan continues to provide for that number

   c. Existing number of students is approximately 16,700

3. Number of faculty

   a. Previous plan allowed for maximum number of faculty of 1,550

   b. Proposed plan provides for approximately 2,200 faculty (headcount) or 1,550 (FTE)

   c. Existing number of faculty is approximately 1,900 (headcount) or 1,300 (FTE)

4. Number of staff

   a. Previous plan allowed for maximum number of staff of 10,023

b. Proposed plan provides for approximately 10,300 staff (headcount) or 9,000 (FTE)

c. Existing number of staff is approximately 7,800 (headcount) or 6,800 (FTE)

5. Floor area ratio

a. Permitted

(1) Residential land area of 1,382,907 square feet

(2) At 3.5 FAR, allows 4,840,175 square feet of gross floor area

b. Existing and approved by the BZA: 3,295,942 square feet of gross floor area

c. Proposed

(1) New construction of approximately 874,000 Square feet

(2) Total of approximately 4,800,000 square feet of gross floor area or 3.47 FAR

d. For all property in all zones, total of approximately 6,000,000 square feet (overall FAR of 3.82)

6. Number of parking spaces

a. Current plan range: 2,700 to 3,000 spaces

b. Existing: 2,783 spaces

c. Proposed: 2,700 to 3,240 spaces

VII. Consistency with the Comprehensive Plan

A. Generalized Land Use Map: designated for institutional use

B. Land Use element: "institutional land use category includes land and facilities occupied by colleges, universities ..." (§1113.3)

C. Ward 2 Plan element

1. Economic Development:

"Utilize the potential of the District's universities, especially in Ward 2, ...to create an expanded center of knowledge and learning in the center of Washington" (§1301.1(g))

2. Housing:

a. "Institutional growth, commercial expansion, and rising housing costs have lessened the amount of housing available in the Foggy Bottom and West End neighborhoods. The Comprehensive Plan and campus master plans provide the means for institutions and residents to address these issues." (§1303.7)

b. "An important element causing housing problems has been the demolition and conversion of housing to provide commercial and institutional buildings, university dormitories, offices, classroom space, hotels and medical clinics. ...To improve the housing stock and to prevent further loss of housing, adjustments shall be made to existing zoning regulations and to campus plans to address these problems." (§1305.1(j))

3. Environment:

a. "Improve the quality of the air of the District and its region so as to meet public health standards." (§1307.1(b))

b. "Continue to support DPW's upgrade of its street tree maintenance program." (§1307.1(f))

4. Transportation:

"Foggy Bottom and Georgetown are adversely affected by student parking from George Washington and Georgetown Universities; as such, efforts should be made by the universities to provide parking for these vehicles. These universities should discourage students from driving cars to the campuses by encouraging students to ride public transportation." (§1309.11)

5. Historic Preservation

"Preserve and reuse historic landmarks and buildings in historic areas in Ward 2" (§1319.1(b))

6. Land Use

a. Residential Land Use:

"Loss of the housing stock is also a critical problem in Foggy Bottom/West End, aggravated by the lack of dormitory construction on the George Washington University (GWU) campus, a lack of construction of new housing, and the attractiveness of the area to non-residential users. Conversions of housing units, particularly apartments, to transient use (hotel, *de facto* hotels and corporate apartments), to university dormitories and offices, and to medical offices/clinics is a major cause of the depletion of the housing stock." (§1325.3)

b. Actions in Support of Residential Land Use:

"George Washington University continues to expand its operations in the Foggy Bottom area. Therefore, the University must work closely with the Foggy Bottom community on developing a campus plan. The campus plan should include sufficient dormitory space for the student body on campus to alleviate some of the pressure on housing by students." (§1327.1(b))

c. Major Institutional Complexes:

"Two (2) university campuses, George Washington University and Georgetown University, are located in Ward 2. The development plans of these universities should not adversely impact surrounding, adjacent residential areas, but rather should improve such neighborhoods by improved landscaping, better lighting, and enhanced community policing." (§1340.3)

d. Objectives for Major Institutional Complexes:

"Undertake coordinated planning for the continued, reasonable development of the major institutional complexes in Ward 2." (§1341.1)

e. Actions in Support of the Major Institutional Complexes Objective:

"Update campus plans for George Washington University and Georgetown University; as part of the campus plan the Foggy Bottom community needs to address: 1) the student housing issues by planning for future dormitories, and 2) the on-campus parking issue. GWU must take account of the residential and historic district status of Foggy Bottom in any future development ..." (§1342.1(b))

f. The Neighborhood Ring: George Washington University:

"The George Washington University constitutes a major institutional presence in a zone between the Central Employment Area and residential Foggy Bottom. The expansion of the University has resulted in the diminishment of housing and the construction of buildings for the University purposes. This and other commercial usage is of grave concern to the Foggy Bottom residential community. Intense student pressure on Foggy Bottom's housing stock outside the campus, combined with the impact of university generated traffic has had a negative effect on residential Foggy Bottom. The University must continue to construct student dormitories to alleviate the pressure on the housing stock outside the boundaries of the campus plan. The University must be sensitive to the surrounding residential neighborhood." (§1358.1)

D. University housing initiatives

1. Construction of new hall on campus at 2350 H Street (approximately 450 beds)

2. Acquisition of existing buildings adjacent to the campus for matter-of-right residential use with approximately 950 beds (2100 F Street, 2201 Virginia Avenue, 1129 New Hampshire Avenue and 2601 Virginia Avenue)

3. Proposed construction of 550 additional beds as a matter-of-right adjacent to the campus in Squares 43 and 122

4. Designation of two existing residential buildings on campus for 302 beds of student housing use when available (2124 I Street and 2109 F Street)

5. Proposed construction of two new dormitories on campus with 426 beds on sites in Squares 80 and 103

6. Have already added 1,400 beds and will add 1,278 in the future

7. Number of beds will increase by almost 30%, amount of other than residential square footage increases by less than 20%

VIII. Conclusion

A. Proposed campus plan meets the requirements of the underlying zones and the Zoning Regulations

B. Proposed campus plan is not a substantial deviation from the context of the currently approved plan

C. Proposed campus plan is not inconsistent with the Comprehensive Plan