BZA
Case No. 16553
Exhibit No. 204

Dorothy Miller
Commissioner ANC 2A05

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September 19, 2000

Mrs. Sheila Cross-Reid, Chair
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: The George Washington University Draft Campus Plan for 2000-2010, BZA Application No. 16553

Dear Mrs. Reid:

At the close of the 2nd hearing on the above application, the Board asked that I submit documentation in connection with two statements that I made to in my testimony:

1.(a.) The results in regard to the limited use of the current hospital as referred to in Dr. Ivan C. A. Walks Memorandum to Lloyd Jordan, Director of Consumer and Regulatory Affairs, date stamped December 9, 1999 and faxed to ANC-2A on December 14, 1999. The University failed to state the intended use of the old hospital, so, the Department of Health made clear in its three conclusions that only limited use could be made of the old hospital site, and that DOH and DCRA would have to keep a close watch on future use of this site (note copy of Memorandum attached).

1.(b.) When I checked DOH's records, I was informed that the Office of Planning had not as yet complied with Chapter 72 of the ENVIRONMENTAL POLICY ACT REGULATIONS as approved on February 18, 1995 and printed in the DC Register May 9, 1997, page 2799 and 2800, Section 7201.2 Sec. 2(I) which states, "The action might disrupt or divide the physical arrangement of an existing community;" (note copy attached).

(2) The number of spaces in parking lots that had been closed and the number of spaces currently under construction that will replace some of those spaces when the current construction is completed.

BACKGROUND -- ON-CAMPUS OFF-STREET PARKING SPACES

11-14-97 BZA Application No. 16309, GWU's request to continue use of 13 parking lots. As indicated in Exhibit 4 (B), the intended use was, "same". BZA Case No. 14455 required the University to maintain 2700 to 3000, on-campus, off-street parking spaces.

Board of Zoning Adjustment
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#204

DPW filed its report on 2-24-98 with no supporting evidence. BZA heard this case on 3-4-98 and made a "Bench Decision" to approve the request.

ANC-2A failed to take a position on this application in 1998 for lack of a quorum, so, I, as a party to the case filed a letter of opposition along with a request to rescind and reopen the application. I questioned the vote of one member of the Board and on September 15, 1990, I filed as s*ui sponte* request with the Zoning Commission. GWU had filed a number of applications that removed some of the parking lots included in this application. The Board was concerned that parking lot approval should be included in the upcoming campus plan. (Note attached sheets from the transcript the of the hearings on this application.) The suggestion was made that parking lot expiration should coincide with the campus plan expiration, and that the whole parking issue should be reexamined when the campus plan was considered.

GWU failed to inform the Board that the Proposed Order, dated Oct 13, 1998 had included six parking lots I mentioned in my testimony on September 13 as being closed. The closed parking lots included in the Order are as follows:

1. Square 40, Lot 11 Attending Physicians - delete 70
2. Square 40, Lot 13. 906 23rd Street, NW Medical Resident - 195 spaces.
3. Square 55, lots 27, 851, & 853, Garage addition of 200 spaces, but GWU states in its letter of 11-6-98 that 20 spaces would be deleted for drive access; so that would leave an addition of only 180 spaces.
4. Square 55, Lot 17, 22nd & I Street, added to garage addition - 9 spaces
5. Square 42, Lot 847, H & W Center GWU letter 11-6-98 - deletes 109 spaces.
6. Square 101, Lot 62, 2023 H Street, NW, Media Center - delete 59

This makes a total of 482 spaces deleted by the above current projects. There are no additional spaces added for (1) the renovation of the Marvin Center, BZA Case No. 15837, add four floors and the combining two buildings into one; (2) no additional parking spaces added for the doubling of the Law School, BZA Case No.. 16408; (3) GWU's purchase and renovation of two town houses 1916 & 1918 F Street to be used as a university club, with an anticipated membership of 1500 and only 12 parking spaces.

Of the six current construction projects only three include parking spaces: H & W Center, (with possible use of 150 persons); and the Media Center (with an increase for special televise events); and the garage. which now will serve two buildings. The other two will have a substantial increase in use capacity with no on site parking.

On September 20, 1999, Mrs. Kress, Director of Zoning Secretariat wrote Mr. Armando Lourenco, of DCRA a letter requesting an updated parking count. On November 9, 1999,

ANC-2A wrote Lloyd Jordan, Director of DCRA requesting an on-site parking count with two members of ANC-2A present. A copy of this report was attached to my statement, but for your convenience, I am attaching a copy of the parking spaces for the current year with adjusted totals. (on the is a copy of off-parking inventory filed November 12, 1998 with the study filed with the new hospital) There were about 10 spaces that did not meet DC Regulations and some being used for construction. **Please note that two of the listed parking spaces are not within the campus borders as required by BZA Case No. 14455, Riverside Towers - 5 spaces and the Kennedy Center - 150 spaces.**

I agree with the Board that now is the time to review and reassess the parking requirements within the Campus Plan because so much has changed and GWU, like everybody else in this city should be required to provide adequate parking commensurate with its growth.

Attachments: (4)

1. Memo from Dr. Walks to Jordan, Director, DCRA
2. Chapter 72 Environmental Policy Act Regulations, pages 2799 & 2800
   Office of Planning requirements.
3. Transcript of BZA Case No. 16309, GWU Renewal & continued use of Parking Lots
4. GWU, Offstreet Parking Inventory and Current Year on-site parking count.

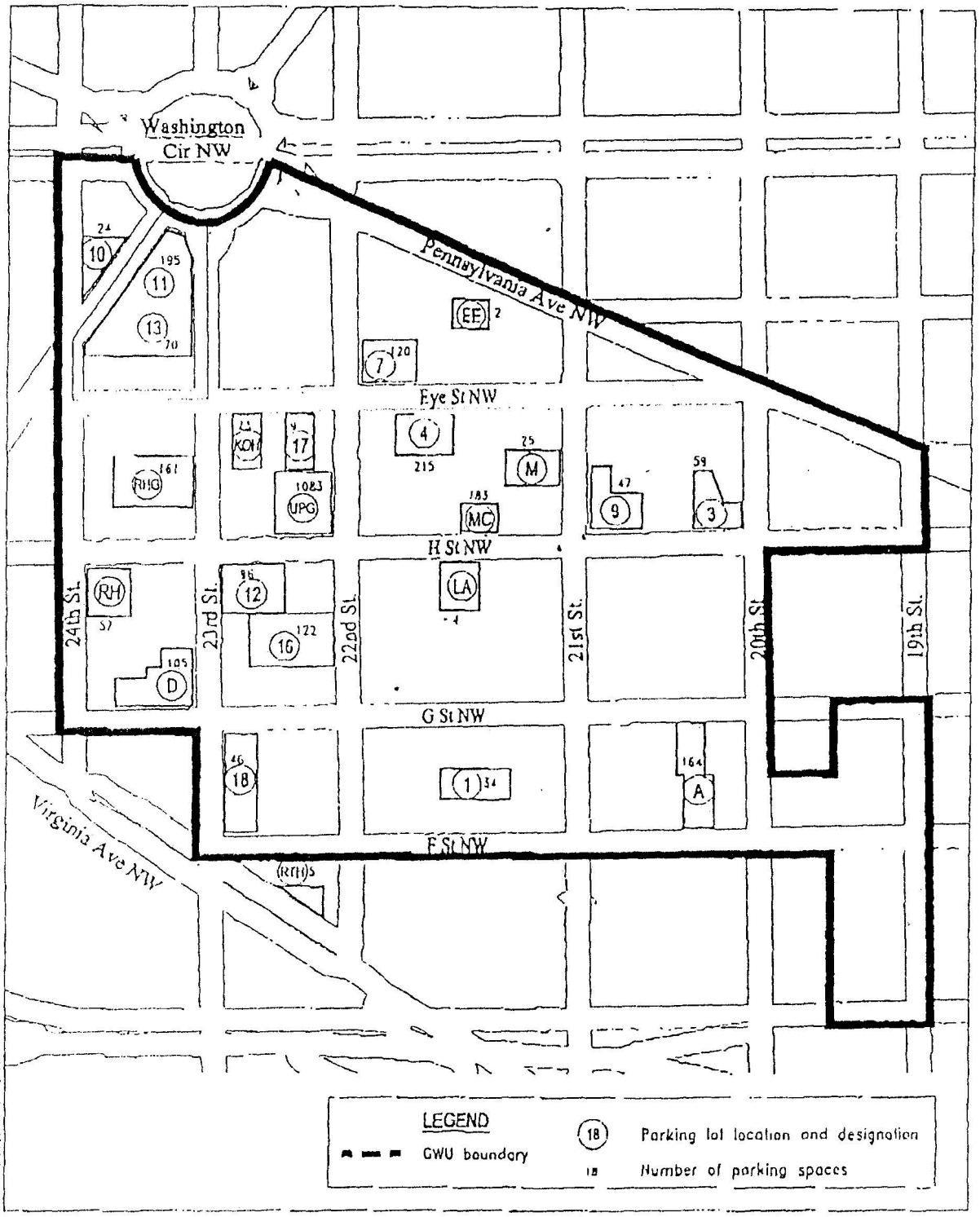


Figure 5
Offstreet Parking Inventory

NOT TO SCALE

The George Washington University
WASHINGTON DC

October 1999

CURRENT YEAR

		Space Inventory		
Lot Number	Lot Name	Self-Park	Valet Parking	Total Spaces
1	2116 G Street	34	0	34
2	Kennedy Onnasis	18	0	18
3	20th & H Lot	22	37	59
4	Academic Center	215	68	283
6	New Hall Garage	59	0	59
7	Acc Garage	109	0	109
10	Warwick Lot	24	0	24
12	730 22nd Street	74	30	104
14	Ross Hall	133	48	181
16	Funger Hall	125	13	138
18	Smith Center	45	0	45
UPG	University Garage	1060	0	1060
MC	Marvin Center	183	125	308
Lot A	Support Bldg.	82	77	159
Riverside	Riverside Towers	5	0	5
Lisner	Rear of Lisner Aud.	1	0	1
EE	Rear of Rice	2	0	2
KC	Kennedy Center	150	0	150
	TOTAL	2341	398	2739
	Difference	-129	+15	-113

Note: Riverside Towers and the Kennedy Center are not within the approved campus borders as required by BZA Case No. 14455

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH

OFFICE OF DIRECTOR
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WASHINGTON, D.C. 20002-4210

MEMORANDUM

TO: Lloyd Jordan, Director
Department of Consumer and Regulatory Affairs

FROM: Ivan C.A. Walks, M.D., Director

DATE: AUG 9 1999

SUBJECT: Review of Environmental Impact Screening Form for George Washington University Hospital Replacement Hospital Project

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The Department of Health has completed its review of the aforementioned Environmental Impact Screening Form (EISF). The Department does not recommend that an Environmental Impact Statement be prepared for this project. Attached is a copy of the EISF along with our comments.

Several issues, however, have arisen in the course of this Department's review of this Project. The Environmental Health Administration (EHA) studied the effects on air quality in the immediate vicinity of the new hospital, taking into account the existing high traffic volume baseline on 23rd Street, just south of Washington Circle and, as well, taking into account other projects that are being built in the adjacent area.

Our review helped us reach these two conclusions:

1. The project will most likely not exceed the health standard for any air in the vicinity of the replacement hospital. But there is essentially no remaining air resource margin in the 23rd Street corridor just south of Washington Circle. This area will experience peak CO concentrations that are just below the applicable health standard. The estimate of post-project carbon monoxide concentrations places such levels with 2% of the National Ambient Air Quality Standard for that pollutant.

2. As a result of the first conclusion, we have also concluded that it is important for both of our agencies to pay close attention to future permit applications for the use of either the existing building or land at the site of the current George Washington University Hospital.

   The University Hospital System did not ask its contractor to take into account traffic that might be generated in the future by, or at, the existing site. Insofar as the technical a

analysis that is being used to support the permit application for the replacement hospital project does not take into account air pollution that might be generated by such future use, please be advised that future uses at this site may be found to be highly constrained.

This Department will, of course, provide whatever reviews are appropriate for future uses of the existing site or structure (of which the University has retained ownership). EHA's technical summary on this topic is attached.

ICAW/bb

Attachments

cc: Theodore J. Gordon, Senior Deputy Director, DOH
Mr. Don Pyskacek, University Health Services
Phillip S. Schaengold, Chief Executive Office
and Managing Director, George Washington University
Doreen E. Thompson, Chief, Office of Enforcement
& Regulatory Compliance

CHAPTER 72 ENVIRONMENTAL POLICY ACT REGULATIONS

7200 GENERAL PROVISIONS

7200.1 Before an agency, board, commission, or authority of the District of Columbia government shall approve any major action, or issue any lease, permit, license, certificate, or other entitlement or permission to act for a proposed major action, the environmental impact of the action must be adequately considered and reviewed by the District government, as provided in these regulations.

7200.2 Agencies, boards, and commissions under the Mayor's authority shall integrate, and agencies, boards and commissions not under the Mayor's authority shall be requested to integrate the Environmental Impact Statement (EIS) process with other planning processes at the earliest stages of their planning for major actions they intend to propose, when the widest range of feasible alternatives is open for consideration, and before there has been any irretrievable commitment of resources, in order to ensure that planning and decisions reflect environmental values, in order to avoid delays later in the process, and to head off potential conflicts.

7201 MAJOR ACTIONS FOR WHICH ENVIRONMENTAL IMPACT SCREENING FORMS ARE REQUIRED

7201.1 An Environmental Impact Screening Form (EISF) shall be prepared for any action that would cost over one million dollars ($1,000,000) based on 1989 dollars adjusted annually according to the Consumer Price Index and that may have a significant impact on the environment.

7201.2 An action costing $1 million or more may have significant impact on the environment and, thus, may be a major action subject to the EISF requirement of § 7201.1 if any of the following conditions are met:

(a) The action might have a significant adverse effect on a rare or endangered species of animal or plant, or the habitat of the species;

(b) The action might violate published national or local standards relating to hazardous waste, solid waste or litter control;

(c) The action might significantly deplete or degrade ground water resources;

(d) The action might significantly interfere with ground water recharge;

(e) The action might induce significant growth or concentration of population;

(f) The action might cause significant flooding, erosion or sedimentation;

(g) The action might extend a sewer trunk line with capacity to serve new development;

(h) The action might significantly diminish habitat for fish, wildlife or plants;

(i) The action might disrupt or divide the physical arrangement of an existing community;

(j) The action might create a potential public health hazard or would involve the use, production or disposal of materials that pose a hazard to people, animal or plant populations in the area;

(k) The action might violate any ambient air quality standard, contribute significantly to an existing or projected air quality violation, or expose sensitive receptors to significant pollutant concentration;

(l) The action might cause significant adverse change in existing surface water quality or quantity;

(m) The action might cause a significant adverse change in the use and conservation of energy resources, including an adverse impact on quantity or type of energy used;

(n) The action might cause significant adverse change in the existing level of noise in the vicinity of the action;

(o) The action might result in the exceedance of any Federal or District standards regarding electric and magnetic fields (EMF), if and when such standards are promulgated.

(p) The action, together with other actions proposed concurrently by the applicant, might have a cumulative impact that would be significant under the criteria described in § 7201.2(a)-(o).

MS. HINTON: -- what you really want. So, that's why I think that I agree with what the ANC is saying that all of these parking facilities and the whole traffic and parking situation needs to be looked at at one time. It was looked at in the campus plan. It will be looked at again. The campus plan expires on December 31st of the year 2000. I think that continuation of these lots should expire at the same time.

I would just caution the University that these lots expired in November which means any parking that you've done on them since November was a violation of zoning. A zoning inspector could have written violations. You can be fined $100.00 a day for every day that it persists. If I were the University, I wouldn't want to be in that position.

So, I'm suggesting, you've been here enough to know that it takes a number of months to run through our procedure. I hope that you're going to submit the new campus plan well in advance of its expiration date because there are going to be a lot of issues to work out. I wouldn't want to be a University without an approved campus plan, certainly not with the opposition that you've had from your neighbors.

VICE CHAIR KING: Not only that, but as you say, I hope we will be going through all of these conditions. I would hope that in the future, you won't treat the conditions imposed by any BZA, whether this group of members of any other, with the same contempt that you've shown for this order which restricted the number of parking spaces and some of those things which you told us had been altered six years ago without referring back to the BZA. I mean, we don't look upon it as an exercise in futility to impose conditions. With your vigilant neighbors knowing what those conditions are, I would suggest you should comply with them in the future.

CHAIRPERSON REID: Okay, the conditions -- should we just read them into the record, Mrs. King?

VICE CHAIR KING: Yes.

Susan, the approval until December 31st of the year 2000?

MS. HINTON: Yes.

CHAIRPERSON REID: So, we're going to change number one.

MS. HINTON: Right. "Approval shall terminate on" -- let's just be very clear. "Approval shall terminate on."

VICE CHAIR KING: Which is the last date in which you can park cars there unless you've --

CHAIRPERSON REID: The date that --

MS. HINTON: December 31st, 2000.

CHAIRPERSON REID: 2000, okay.