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March 28, 2000

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Ms. Sheila Cross Reid, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: George Washington University Campus
BZA Application No. 16553

Dear Chairperson Reid and Members of the Board:

The purpose of this letter is to respond to ANC 2A's letter to Jerrily Kress dated February 16, 2000. In that letter, ANC 2A asked that the Board review The George Washington University – Foggy Bottom Campus Plan Years 2000 – 2010 prior to the commencement of the originally scheduled hearings (March 29 and April 26) and return the Plan to the University with a request for revisions to include more specificity regarding the University's development plans both within and outside of the Campus Plan boundaries. The University already has agreed to forego the March hearing date to provide an additional month for continued discussions with the community. The hearing is now scheduled for April 26. While the University is willing to continue the community dialogue, it strongly objects to the ANC's assertion that the Plan lacks adequate detail and is required to include off-campus properties.

The Campus Plan is the product of months of time and effort on the part of the University and its team of architects, traffic engineers, land planners and architectural historians. The Plan is based on a detailed assessment of the University's needs and addresses many concerns of the community. The community input was secured in a community outreach process that has included over 25 meetings and organized dialogues and is scheduled to continue until April 10.

BZA
Case No. 16553
Exhibit No. 43

Board of Zoning Adjustment
District of Columbia
CASE NO.16553
EXHIBIT NO.43

The result is a modest Plan that involves significantly less square footage than was approved 15 years ago in the 1985 Plan, no change in the campus boundaries and no increase in the enrollment, faculty and staff limits that were approved in 1985. The Plan is complete, sufficiently detailed and ready for the Board's consideration.

The ANC's concerns, as expressed in the letter, involve the following areas:

- The flexible nature of the Plan.
- The accuracy of the student, faculty and staff totals.
- GW's acquisition and use of off-campus property for purposes permitted as a matter-of-right under the Zoning Regulations including the development of Square 43 for student housing.
- The need to provide additional student housing on campus.
- Traffic impacts associated with the University's off-campus properties.

The University responds to the issues as follows:

1. The Need for a Flexible Plan

The ANC's assertion that the Plan lacks sufficient detail to allow for the Board's evaluation is without merit. Both this Board and the D.C. Court of Appeals have recognized the need for flexibility in campus plans and have determined the level of specificity that is required. In its consideration of a challenge to the University's 1985 Plan, the D.C. Court of Appeals held that campus plans need not set forth specific locations, heights and bulks for each building. (Levy v. D.C. Board of Zoning Adjustment, 570 A.2d, 739, 748) Rather, the Board must be provided with sufficient information to evaluate the aggregate impact of the proposed development. The well-established, two-step process for campus plan development allows for the detailed consideration of specific building plans at the further processing stage.

2. Students, Faculty and Staff

The University has expended considerable time and resources to ensure that all of its computations regarding enrollment, faculty, staff and employees are accurate. The University has worked directly with the appropriate personnel to verify all computations and to apply correctly the recognized definitions such as full-time-enrollment ("FTE"). Nonetheless, ANC 2A has challenged each of these calculations.

The Campus Plan references a student headcount of 16,657 and an FTE total of 13,786. The ANC questioned these numbers since the 1985 Plan contains a student headcount of 17,445, thereby suggesting that there has been a slight decrease in enrollment since the approval of that Plan.

The discrepancy can be attributed to the fact that the enrollment numbers are based on the Foggy Bottom student population only and do not include the students associated with the Mount Vernon campus on Foxhall Road, nor the students at several Virginia and Maryland sites. As this Board is aware, the Mount Vernon campus is subject to a separate plan that was approved by the Board of Zoning Adjustment in Order No. 16505.

The ANC also has questioned the faculty total of 1,340 FTE contained in the Plan, 139 less than the total of 1,479 FTE referenced in the 1985 Plan. The slight reduction in the total number of faculty has resulted from two factors: (1) the size of the medical faculty has decreased; and (2) the University now uses a 4:1 ratio to compute the FTE equivalent for part-time faculty members which is the ratio used by other institutions. Previously, the University had used a 3:1 ratio.

Finally, the ANC has challenged the current staff total of 6,815 FTE. The 1985 Plan references a staff total of 9,900 FTE. GW is confident that the current staff computation is accurate. Due to factors such as technology advances and outsourcing, there has been a gradual reduction in the size of the staff on the Foggy Bottom Campus since 1985. In particular, the number of employees in the Medical Center (the Medical School and the Hospital) were decreased significantly as a result of reductions in force in the mid 1990's.

3. Off-Campus Acquisitions

The ANC has stated that this Board has jurisdiction over properties owned and used by the University outside the current campus boundaries and that the Plan is deficient for its failure to include such properties. The ANC's position is simply inaccurate. The community's strong interest in controlling the matter-of-right use of the University's off-campus properties does not result in the Board's jurisdiction over such properties. The properties are subject to all the requirements of the Zoning Regulations. Since they are not within the purview of §210, they must satisfy the regulations on a building by building basis. Unlike buildings within the plan boundaries, the parking and loading requirements must be met for each building and FAR may not be aggregated.

Recently, this Board confirmed that it has no jurisdiction over properties located outside the current campus boundaries and used for purposes that are permitted as a matter of right under the Zoning Regulations. In the appeal that was filed in connection with the University's use of a former commercial hotel as a student dormitory, the Board concluded that "the regulations specifically require BZA approval for a dormitory on a campus but the reach of §210 does not extend beyond a campus to a use otherwise permitted." (BZA Order No. 16507, page 7) The Board need not revisit this issue.

4. Student Housing On-Campus

The ANC has asserted that the Campus Plan "ignores the whole question of student housing." To the contrary, the Plan contains extensive discussion of the student housing issue. First, the Plan sets forth the University's long-term goal to house 80% of its full-time undergraduate students in University owned or controlled housing. Second, the Plan calls for the continued transition of units in two on-campus buildings, the West End Apartments and 2109 F Street, to student housing, as the units become available. Third, the Plan describes the construction of student housing immediately adjacent to the campus in Square 43 and Square 122, the former Association of General Contractors site. The history of the Square 43 property is significant. The property was carved out of the campus in connection with the 1985 case at the request of the ANC and the Office of Planning.

5. Traffic

The traffic analysis prepared by Gorove/Slade in connection with the Campus Plan contains a detailed evaluation of current conditions on the campus as well as an analysis of the potential impacts of the new construction proposed under the Plan. It is consistent with the current count of all on-campus spaces that recently was verified by the Zoning Administrator. The traffic analysis does not and is not required to evaluate the impacts associated with the matter-of-right use of any off-campus property. Such properties must meet all applicable zoning requirements including parking. The ANC cannot extend the Board's jurisdiction beyond the Campus Plan boundaries. In the past months, the ANC has referred to comments of an independent traffic engineer concerning the Foggy Bottom Campus Plan. Despite several requests, the ANC has not provided the University with any comments.

The University urges that the BZA reject ANC 2A's request for increased specificity in the Plan and recognize that the University has made every effort to continue a community dialogue including agreeing to forego its March hearing date. We look forward to the BZA's consideration of this application at the upcoming April 26 hearing.

Respectfully submitted,

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