ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

MAUREEN DWYER
(202) 663-8834
maureen.dwyer@shawpittman.com

February 11, 2005

RECEIVED
D.C. OFFICE OF ZONING
2005 FEB 11 PM 2:47

16566

By Hand Delivery

District of Columbia Board of Zoning Adjustment
441 4th Street, N.W.
Washington, DC 20001

Re: Georgetown University Special Exception Application for Further Processing

Dear Members of the Board:

Today Georgetown University ("Georgetown") and the Georgetown University Hospital (the "Hospital") filed the attached special application for further processing with the Zoning Commission. If approved, the application would permit Georgetown and the Hospital to construct a small addition to the Hospital's existing Bles Building (1200 square feet) to house new CyberKnife equipment, which provides painless, non-invasive treatment for tumors.

Given the importance of this new medical technology, the application has been filed so that it can be scheduled for hearing as quickly as possible. We anticipate an early May hearing date.

We fully understand that the further processing application cannot be decided until the Board has taken action on the remand case, but we hope that will occur prior to the May hearing date.

Very truly yours,

Maureen Dwyer

Maureen Dwyer

Enclosure

Document #: 1460880 v.1

BZA
Case No. 16566
Exhibit No. 287

Board of Zoning Adjustment
District of Columbia
CASE NO.16566
EXHIBIT NO.287

ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

MAUREEN DWYER
(202) 663-8834
maureen.dwyer@shawpittman.com

February 11, 2005

RECEIVED
DCOC CO/FINANCE OF ZONING
2005 FEB 11 PM 2:47

Mr. Richard Nero
Ms. Sharon Schellin
Office of Zoning Administrator
441 4th Street, Room 210
Washington, DC 20001

Re: *Georgetown University Special Exception Application*

Gentlemen:

Please accept for filing the enclosed Application for Special Exception Further Processing to permit the construction of the Accuray Cyberknife Vault Addition to the *first floor of the Bles Building at Georgetown University Hospital.* The filing includes the following materials:

1. Completed BZA Application Form;
2. Completed Zoning Self-Certification Form;
3. Surveyor's Plat;
4. Letter of Authorization;
5. Statement of Existing and Intended Use;
6. Statement of Burden of Proof;
7. Names and mailing addresses of persons within 200 feet of the subject property;
8. Plans and Photographs of the Site
9. Draft Statement of the Applicant.
10. Commission of Fine Arts Concept Approval Information
11. Check payable to the DC Treasurer in the amount of $2,500.00.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,

Maureen Dwyer

Maureen Dwyer

Document #: 1460073 v.1

Form 120 – Exhibit 1
(Revised 04/29/02)

Case No. _____

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

APPLICATION

Notice: See other side of application form for instructions

Pursuant to Sections §3103.2 - Use Variance, §3103.2 - Area Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zoning Districts	Relief Being Sought Area Variance · Use Variance Special Exception	Section No(s).
3800 Reservoir Road, NW	1321	817	R-3	3104.1	210

Present use(s) of Property:	**Hospital building / University**		
Proposed use(s) of Property:	**Hospital building / University**		
Owner of Property:	**Georgetown University**	**Telephone No:**	**(202)444-8305**
Address of Owner:	**3800 Reservoir Road, NW Washington, D.C.**		

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:

Applicant seeks special exception for further processing of an approved campus plan to allow for an addition to the Bles Building

Estimated construction cost	**$**	**Advisory Neighborhood Commission Single-Member District(s)**	**2E**

Date:	2/11/05	**Signature:**	Applicant* Maureen Dwyer

**** The Owner of the Property for which the application is made or his/her authorized agent. In the event an authorized agent files an application on the behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany the notice of application.***

To be notified of hearing and decision:
(Owner or Authorized Agent*)

Name:	**Maureen E. Dwyer, SHAW PITTMAN, LLP**				
Address:	**2300 N Street, NW Washington, D.C. 20037**				
Phone No.:	**(202)663-8834**	**Fax No.:**	**(202)663-8007**	**E-Mail:**	

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Form 135 - Side 1
(Revised 03/15/02)

Case No. _____

ZONING SELF-CERTIFICATION FORM

Project Address(es)	Square	Lot(s)	Zone District(s)	ANC(s)/Single Member District(s)
3800 Reservoir Road, N.W.	1321	817	R-3	2E

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	☐ §3103.2 - Use Variance	☐ §3103.2 - Area Variance	☐ §3104.1 - Special Exception
Pursuant to Subsections			210

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

(1) the agent is duly licensed to practice law or architecture in the District of Columbia;
(2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
(3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name (Please Print)
Paul S Warda	PAUL I. WARDA
Agent's Signature	**Agent's Name (Please Print)**
P. TORP	PAUL J. TORP

Date	02-07-05	D.C. Bar No.		or	Architect Registration No.	100181

OFFICE OF ZONING DETERMINATION

(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, this application is

☐ Accepted for filing.

☐ Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.

☐ Rejected for failure to comply with the provisions of
- ☐ DCMR Title 11 §3113.2; or
- ☐ DCMR Title 11 Zoning Regulations.

Explanation _____

Signature		Date	

Jerrily R. Kress, FAIA – Director
District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov

Side 2

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on Form 135. All certification forms must be completely filled out (front **and** back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.

2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	N/A	N/A	N/A	N/A	N/A
Lot Width (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A
Lot Occupancy (building area/lot area)	N/A	N/A	N/A	N/A	N/A
Floor Area Ratio (FAR) (floor area/lot area)	1.13 total campus	N/A	1.8 total campus	+1,200 square feet	
Parking Spaces (number)	N/A	N/A	N/A	N/A	N/A
Loading Berths (number and size in ft.)	N/A	N/A	N/A	N/A	N/A
Front Yard (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A
Rear Yard (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A
Side Yard (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A
Court, Open (width by depth in ft.)	N/A	N/A	N/A	N/A	N/A
Court, Closed (width by depth in ft.)	N/A	N/A	N/A	N/A	N/A
Height (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., February 8, 2005

Plat for Building Permit of: SQUARE 1321 LOT 817

Scale: 1 inch = 200 feet Recorded in A & T Book Page 3575-Z

Receipt No. 17222

Furnished to: SHAW PITTMAN

Surveyor, D.C.

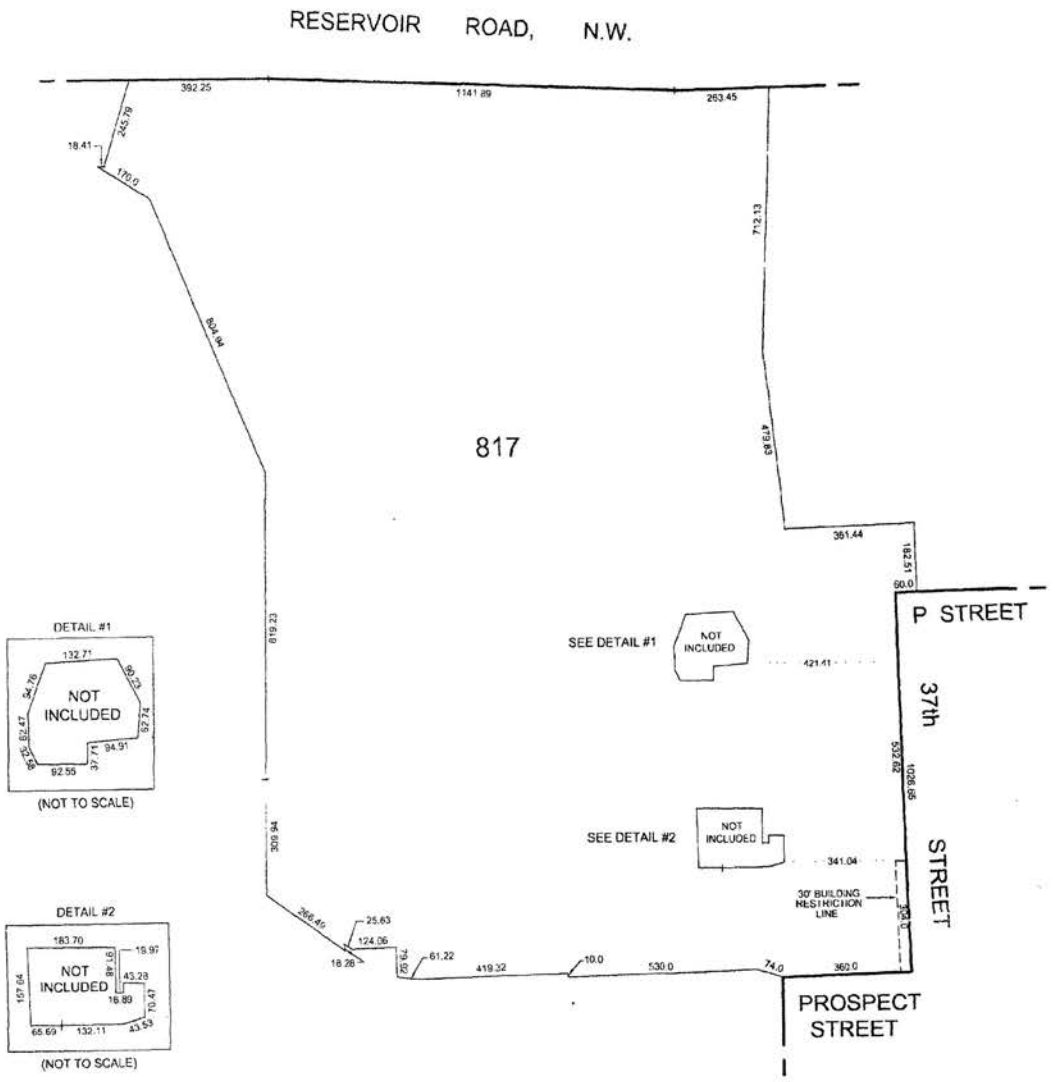
By: L.E.S.

I hereby certify that all existing improvements shown hereon, are completely dimensioned and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted; and I agree with plans accompanying the application; that the foundation plans as shown hereon is drawn and dimensioned accurately to the same scale as the property lines shown on this plat and that by reason of the proposed improvements to be erected as shown hereon the lots of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations; and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single family dwellings or flats or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date _____

_____
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



SO-17222(2005)

ACCURAY CYBERKNIFE VAULT ADDITION

FIRST FLOOR BLES BUILDING

GEORGETOWN UNIVERSITY HOSPITAL
MEDSTAR HEALTH

3800 RESERVOIR ROAD, NW
WASHINGTON, DC 20007

PROJECT TEAM

Design Builder:	PPB Company 802 Stonecreek Parkway Suite 6 Louisville, KY 502-583-4293 502-583-9738 Fax
Architects:	architection 122 North Clay Street Louisville, KY 40202 502-561-1024 502-561-1025 Fax
Structural Engineers:	Stanley D. Lindsey and Assoc. 1801 West End Avenue, Suite 400 Nashville, TN 37209 (615) 320-1735
Mechanical Plumbing Electrical Engineers:	CMTA, Inc. 10101 Linn Station Rd., Suite 530 Louisville, KY 40223 502-326-3085

PROJECT INFORMATION

BUILDING AND LAND REGULATIONS ADMINISTRATION
PERMIT SERVICE CENTER
941 NORTH CAPITAL STREET N.E.
ROOM 2300
WASHINGTON, D.C. 20002

BUILDING CODES:

BOCA NATIONAL BUILDING CODE 1996
DCRA SUPPLEMENT 1999
INTERNATIONAL PLUMBING CODE 1995
INTERNATIONAL MECHANICAL CODE 1996
BOCA NATIONAL FIRE PREVENTION CODE 1996
BOCA NATIONAL PROPERTY MAINTENANCE CODE 1996
CABO ONE AND TWO FAMILY DWELLING CODE 1995
NFPA NATIONAL ELECTRICAL CODE 1996

PROJECT INFORMATION:

ACCURAY CYBERKNIFE VAULT RENOVATION
FIRST FLOOR BLES BUILDING
GEORGETOWN UNIVERSITY HOSPITAL
3800 RESERVOIR ROAD, N.W.
WASHINGTON, DC 20007

EXISTING USE: B BUSINESS
PROPOSED USE: B BUSINESS
YEAR BUILDING WAS CONSTRUCTED:
NO. OF STORIES:
BUILDING HEIGHT:
TYPE OF CONSTRUCTION: 2A-CONCRETE
AREA PER FLOOR: S.F.
PROPOSED AREA OF RENOVATION: S.F.
PROPOSED AREA OF ADDITION: S.F.
TYPE OF CONSTRUCTION PROPOSED: 2A-CONCRETE
COMPLETELY SUPPRESSED: NO
CORRIDOR WALL RATING: 1 HOUR
COMPARTMENTATION: YES
REQUIRED DOOR CLOSERS: YES
FIRE RESISTANCE RATING OF VERT. OPNG. ENCLOSURES: 2 HR.
AUTOMATIC FIRE DETECTION: YES TYPE: IONIZATION
LOCATION OF FIRE DETECTION: CEILING AND DUCT
FIRE PROTECTIVE SIGNALING SYSTEM: YES
TYPE OF FIRE SIGNALING: PYROTRONICS, CENTRAL ANNUNCIATION
SMOKE CONTROL: NO
MEANS OF EGRESS EMERGENCY LIGHTING: YES
ELEVATOR CONTROLS: YES
MIXED USES: NO

U.S. COMMISSION OF FINE ARTS REVIEW DRAWINGS

CS-1 COVERSHEET

A-1 PROPOSED SITE / FLOOR PLAN
A-2 PARTIAL EAST ELEVATION
A-3 PARTIAL NORTH ELEVATION
A-4 PARTIAL SOUTH ELEVATION

CAMPUS MAP



VICINITY MAP

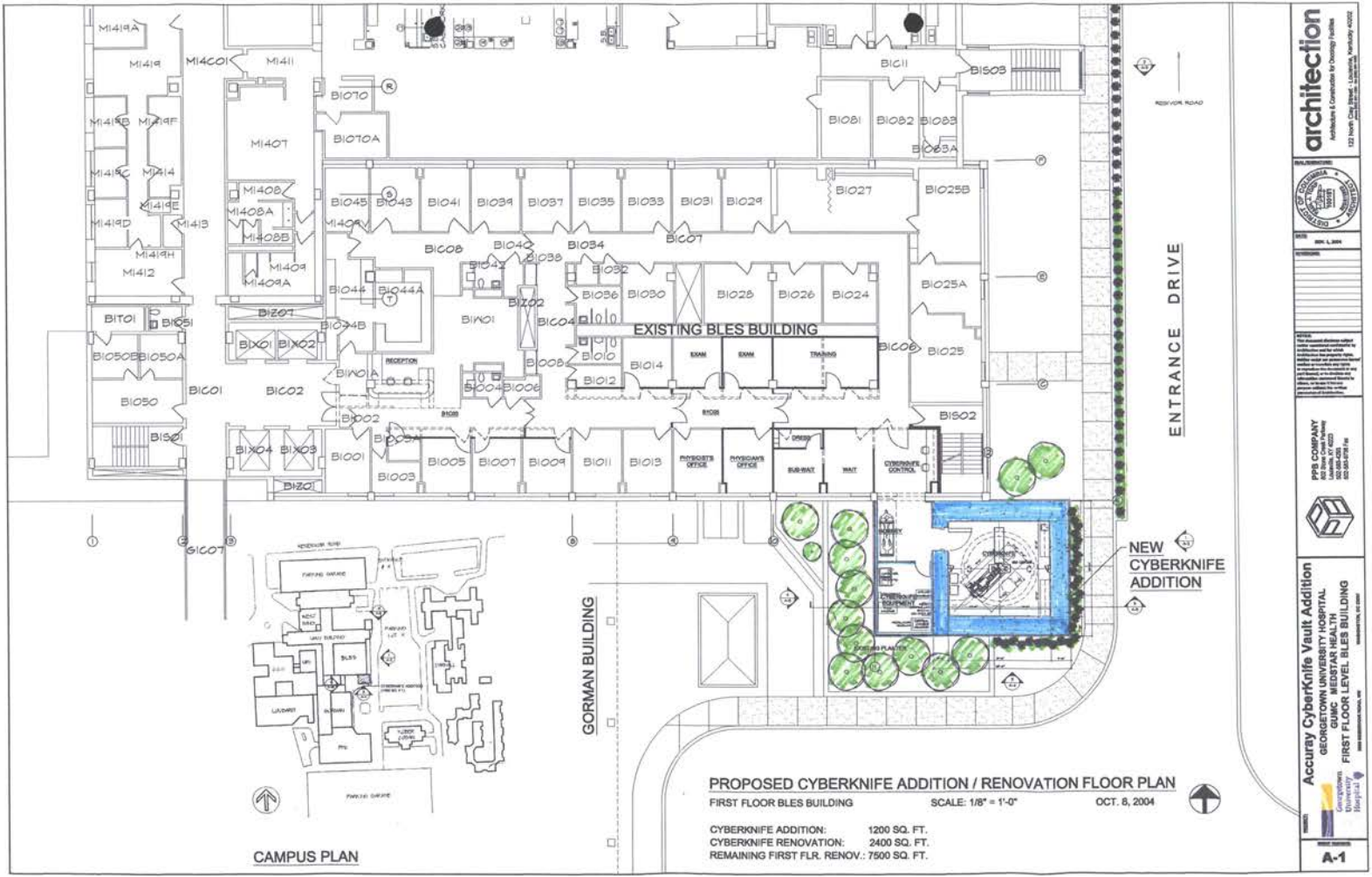


architection
Architecture & Construction for Oncology Facilities
122 North Clay Street - Louisville, Kentucky 40202

PPB COMPANY

Accuray CyberKnife Vault Addition
GEORGETOWN UNIVERSITY HOSPITAL
GUMC MEDSTAR HEALTH
FIRST FLOOR LEVEL BLES BUILDING

CS-1


EXISTING BLES BUILDING
ENTRANCE DRIVE
NEW CYBERKNIFE ADDITION
GORMAN BUILDING
RECEPTION
EXAM
EXAM
TRAINING
PHYSICISTS OFFICE
PHYSICIAN'S OFFICE
SUB-WAIT
WAIT
CYBERKNIFE CONTROL
CYBERKNIFE
CAMPUS PLAN
PROPOSED CYBERKNIFE ADDITION / RENOVATION FLOOR PLAN
FIRST FLOOR BLES BUILDING
SCALE: 1/8" = 1'-0"
OCT. 8, 2004
CYBERKNIFE ADDITION: 1200 SQ. FT.
CYBERKNIFE RENOVATION: 2400 SQ. FT.
REMAINING FIRST FLR. RENOV.: 7500 SQ. FT.
architection
PPS COMPANY
Accuray CyberKnife Vault Addition
GEORGETOWN UNIVERSITY HOSPITAL
GUMC - BLES BUILDING
FIRST FLOOR LEVEL BLES BUILDING
A-1

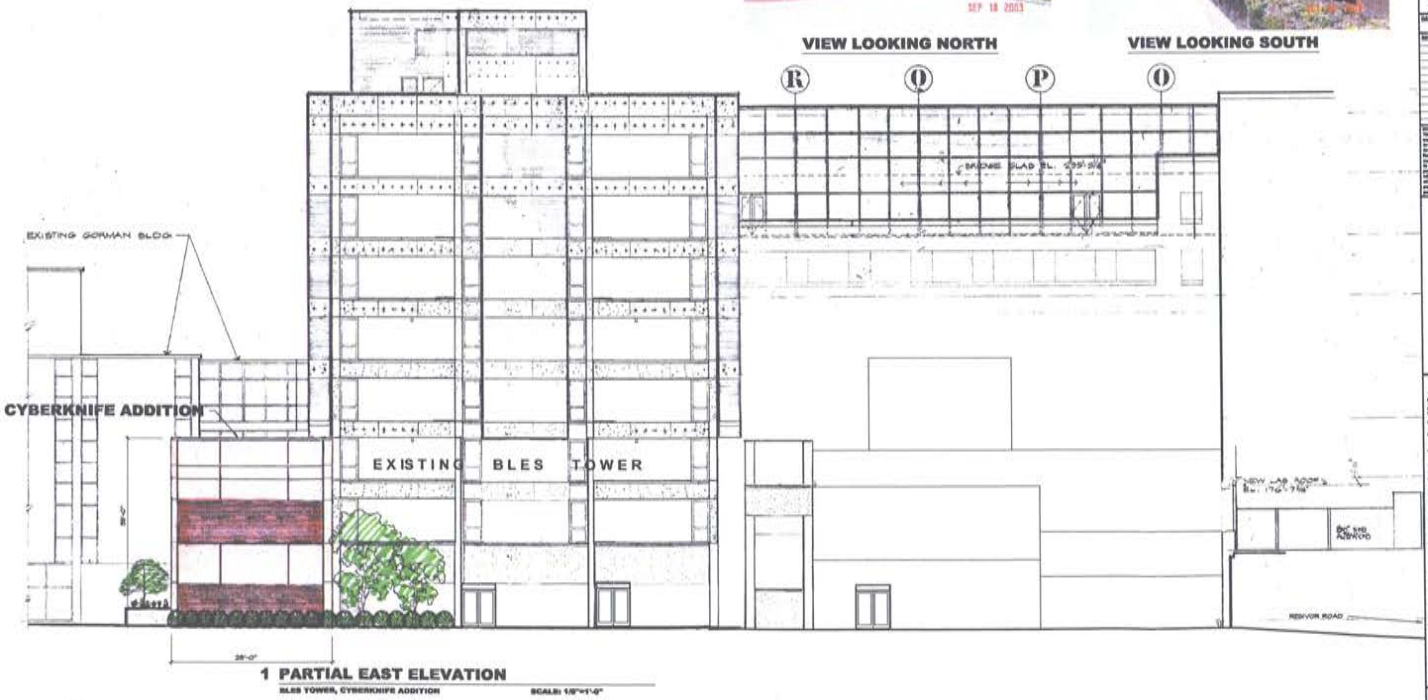


SEP 18 2003

VIEW LOOKING NORTH



VIEW LOOKING SOUTH



1 PARTIAL EAST ELEVATION

BLES TOWER, CYBERKNIFE ADDITION SCALE: 1/8"=1'-0"

architection

Accuray CyberKnife Vault Addition

GEORGETOWN UNIVERSITY HOSPITAL

GUMC MEDSTAR HEALTH

FIRST FLOOR LEVEL BLES BUILDING

A-2

2 NORTH ELEVATION

BLES TOWER, CYBERKNIFE ADDITION

SCALE: 1/8" =1'-0"

architection

Architecture & Construction for Oncology Facilities

122 North Clay Street · Louisville, Kentucky 40202

PPS COMPANY

Accuray CyberKnife Vault Addition

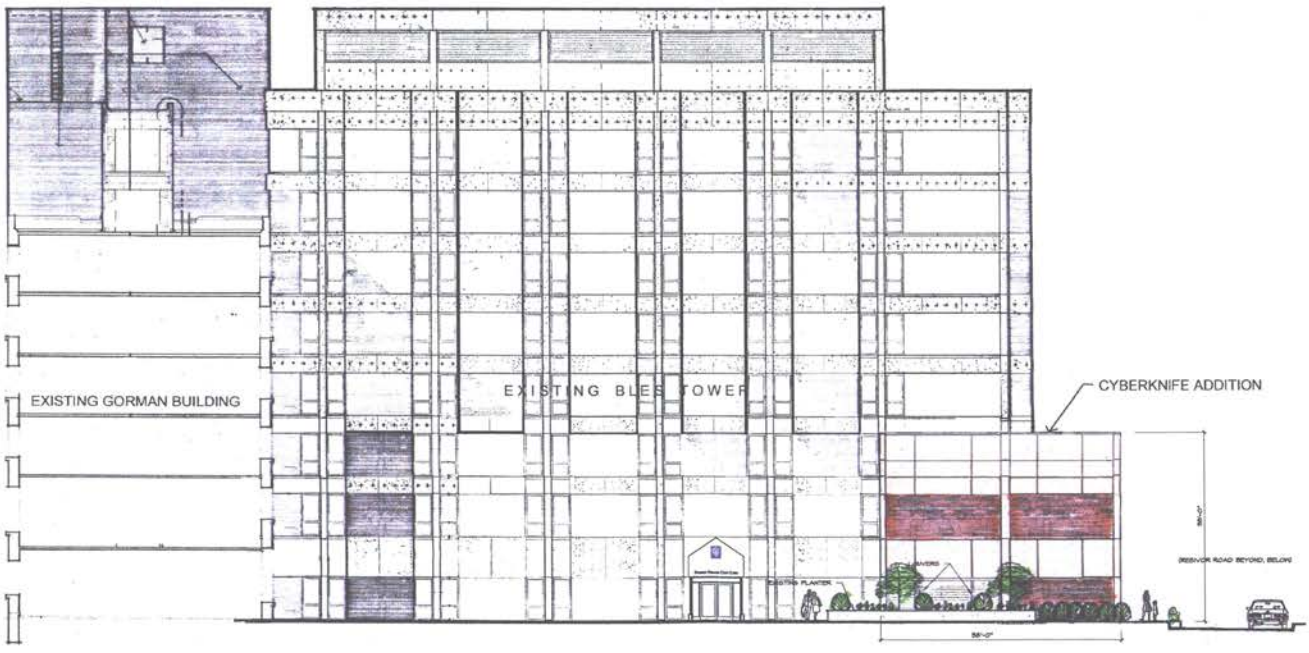
GEORGETOWN UNIVERSITY HOSPITAL

GUMC MEDSTAR HEALTH

FIRST FLOOR LEVEL BLES BUILDING

Georgetown University Hospital

A-3



3 SOUTH ELEVATION

BLES TOWER, CYBERKNIFE ADDITION SCALE: 1/8"=1'-0"

architection

Architecture & Construction for Oncology Facilities

133 North Clay Street Louisville, Kentucky 40202

PPS COMPANY

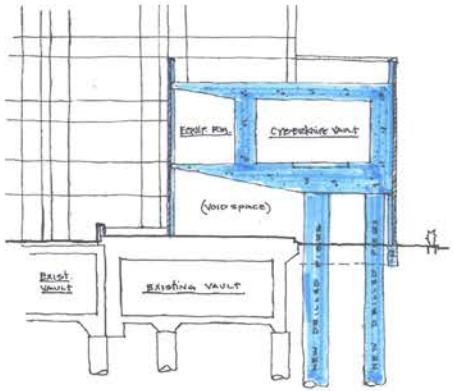
Accuray CyberKnife Vault Addition

GEORGETOWN UNIVERSITY HOSPITAL

GUMC MEDSTAR HEALTH

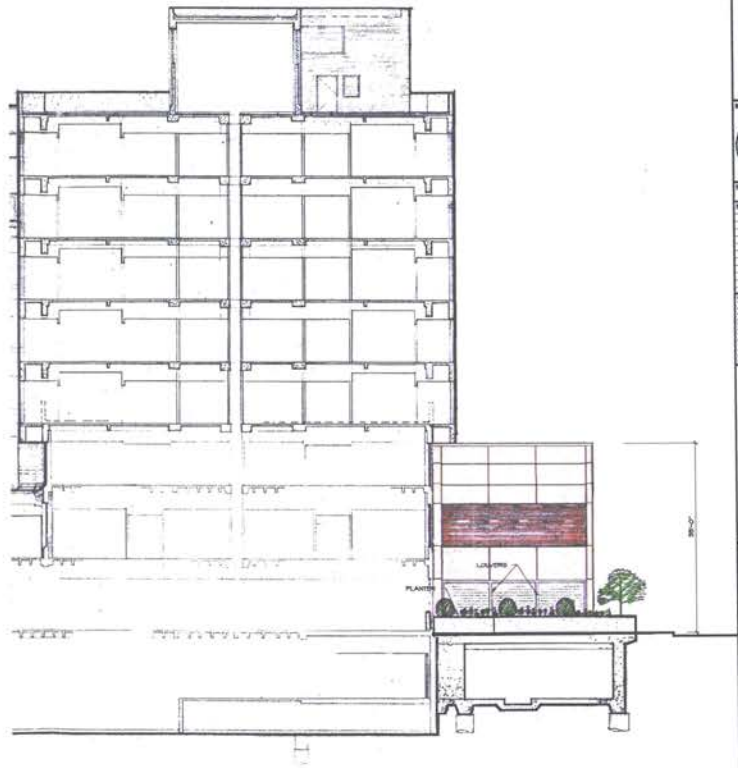
FIRST FLOOR LEVEL BLES BUILDING

A-4



5 PROPOSED ADDITION BUILDING SECTION

BLES TOWER, CYBERKNIFE ADDITION SCALE: 1/8"=1'-0"



4 PARTIAL WEST ELEVATION

BLES TOWER, CYBERKNIFE ADDITION SCALE: 1/8"=1'-0"

architection
Architecture & Construction for Oncology Facilities
132 North Clay Street, Lakeville, Kentucky 40502

PPS COMPANY
PPS COMPANY
Lakeville, KY 40502
502-000-0000 Tel
502-000-0000 Fax

Accuray CyberKnife Vault Addition
GEORGETOWN UNIVERSITY HOSPITAL
GUMC MEDSTAR HEALTH
FIRST FLOOR LEVEL BLES BUILDING

A-5

EXISTING PHOTOS

architection
Architecture & Construction Management Facilities
122 North Clay Street Louisville, Kentucky 40202

DISTRICT OF COLUMBIA REGISTERED ARCHITECT 10971

DATE:

REVISIONS:

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PPB COMPANY
Engineering
Louisville, KY 40223
502.893.4200
502.893.4201 Fax

PROJECT:
Accuray CyberKnife Vault Addition
GEORGETOWN UNIVERSITY HOSPITAL
GUMC MEDSTAR HEALTH
FIRST FLOOR LEVEL BLEB BUILDING

Georgetown University Hospital

SHEET NUMBER:
A-6

February 1, 2005

Zoning Commission
441 4th Street, NW
Room 210
Washington, DC 20001

Re: Further Processing Application for CyberKnife Center
3800 Reservoir Road, NW

Honorable Members of the Commission:

This is to authorize the law firm of Shaw Pittman, LLP to represent us in all proceedings before the Zoning Commission concerning the above-referenced application.

Sincerely,

GEORGETOWN UNIVERSITY HOSPITAL

By _____

Document #: 1458678 v.1

STATEMENT OF EXISTING AND INTENDED USE

The Georgetown University campus will continue to be used as an educational institution with undergraduate and graduate programs and accessory uses thereto. The Campus Plan for the University is currently on remand to the Board of Zoning Adjustment. The proposed addition will be consistent with the Campus Plan as a whole and the designation of the Bles Building for academic and medical use. The existing and proposed use falls within the higher education use category of Section 210 of the Zoning Regulations.

Document #: 1460087 v.1

BURDEN OF PROOF FOR SPECIAL EXCEPTION

At the hearing we intend to demonstrate to the Zoning Commission that the requested special exception will have no adverse impacts on the abutting and nearby property owners due to noise, traffic, number of students or other objectionable conditions. The University will present evidence to demonstrate that the construction of the Accuray Cyberknife Vault Addition to the Georgetown University Hospital is consistent with the Campus Plan.

Document #: 1460085 v.1

NAME AND MAILING ADDRESS OF THE OWNERS OF ALL PROPERTY WITHIN 200 FEET IN ALL DIRECTIONS FROM ALL BOUNDARIES OF THE PROPERTY INVOLVED IN THE APPLICATION

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
Par 300	1	NW	National Park Service
Par 304	10	NW	Mr. John Parsons, Director
	11	NW	Cooperative Activities
1201	19-21	Prospect Street, NW	1100 Ohio Drive, SW
	802-809	Prospect Street, NW	Washington, DC 20024
	814	Canal Road, NW	
	817	Canal Road, NW	
1321	812	Highwood Ct, NW	
	814	Wisconsin Ave, NW	
1322	821	4101 Canal Road, NW	
1327	805	NW	
1202	60	3632 Prospect Street, NW	Monica G. Bunster 6 Doubling Road Greenwich, CT 06830-4846
1223	807-808	1251-1255 37th Street, NW	Georgetown University
	810	3630 N Street, NW	PO Box 571117
	838	1227 37th Street, NW	Washington, DC 20057-1117
	839	1229 37th Street, NW	
	840	3631 Prospect Street, NW	
	841	3629 Prospect Street, NW	
	843	1237 37th Street, NW	
	852	3628 N Street, NW	
	855	N Street, NW	
	858	1233 37th Street, NW	
1248	150-154	1401-09 37th Street, NW	
1223	809	3632 N Street, NW	Foundation for the Preservation of Histo PO Box 3603 Washington, DC 20007-0103
1223	824	1225 37th Street, NW	Ramon E. Gonzalez, III, Trustees 3210 N Street, NW Washington, DC 20007-2829

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
1226	105	37th Street, NW	Georgetown University
1321	811	Wisconsin Ave, NW	37th & O Street, NW
	815	3700 O Street, NW	Washington, DC 20057-0001
	816	3700 O Street, NW	
	821	Canal Road, NW	
1292	202	1500 – 1554 35th Street, NW	Sisters of the Visitatn 1500 35th Street, NW Washington, DC 20007-2700
1292	1042	3668 Winfield Lane, NW	Richard Fuisz 3668 Winfield Lane, NW Washington, DC 20007-2370
1292	1043	3664 Winfield Lane, NW	M. Trevor 3664 Winfield Lane, NW Washington, DC 20007-2370
1292	1044	3660 Winfield Lane, NW	Sarah M. Gorman 3660 Winfield Lane, NW #200 Washington, DC 20007-2370
1292	1045	3656 Winfield Lane, NW	Johny K. Johansson 3656 Winfield Lane, NW Washington, DC 20007-2370
1292	1046	3652 Winfield Lane, NW	Robert J. Asselin 3652 Winfield Lane, NW Washington, DC 20007-2348
1292	1069	3719 Winfield Lane, NW	Leslie Zimberg 3719 Winfield Lane, NW Washington, DC 20007-2349
1292	1070	3717 Winfield Lane, NW	Chester E. Burrell 3717 Winfield Lane, NW Washington, DC 20007-2349
1292	1071	3715 Winfield Lane, NW	Adam J. Eisner 3715 Winfield Lane, NW Washington, DC 20007-2349

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
1292	1072	3713 Winfield Lane, NW	Donald Poarch 3713 Winfield Lane, NW Washington, DC 20007-2349
1292	1073	3721 Winfield Lane, NW	Frances Spencer 3721 Winfield Lane, NW Washington, DC 20007-2398
1292	1074	3723 Winfield Lane, NW	KMW Investments LLC 131 Bald Friar Road Conowingo, MD 21918-1047
1292	1075	3725 Winfield Lane, NW	Robert M. Anderson 1201 Trowbridge Road Bloomfield, MI 48304-2943
1292	1076	3727 Winfield Lane, NW	Valdivieso Rosa A 1001 26th Street, NW Apartment 502 Washington, DC 20037-1603
1292	1077	3729 Winfield Lane, NW	Dorairaju Thavaseelan 3729 Winfield Lane, NW Washington, DC 20007-2398
1292	1078	3731 Winfield Lane, NW	Diana D. Pabilonia 3731 Winfield Lane, NW Washington, DC 20007-2398
1292	1079	3733 Winfield Lane, NW	Sharon Asbill 3733 Winfield Lane, NW Washington, DC 20007-2398
1292	1080	3735 Winfield Lane, NW	Catherine Curtiss 3735 Winfield Lane, NW Washington, DC 20007-2398
1292	1081	3737 Winfield Lane, NW	Susan A. Former 3737 Winfield Lane, NW Washington, DC 20007-2398
1292	1082	3739 Winfield Lane, NW	Norman D. Fekrat, Trustee 3739 Winfield Lane, NW Washington, DC 20007-2398

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
1292	1083	3741 Winfield Lane, NW	Rosaria Liuzzo 1 Yukon Drive Woodbury, NY 11797-3101
1292	1084	3743 Winfield Lane, NW	Levantine Holdings SA 2544 28th Street, NW Washington, DC 20008-2744
1292	1085	3745 Winfield Lane, NW	Annette Arellano 3745 Winfield Lane, NW Washington, DC 20007-2349
1292	1086	3747 Winfield Lane, NW	Joan Larson 3747 Winfield Lane, NW Washington, DC 20007-2349
1292	1087	3749 Winfield Lane, NW	Stephen G. Stein 3749 Winfield Lane, NW Washington, DC 20007-2349
1292	1088	3672 Winfield Lane, NW	E. Baker 3672 Winfield Lane, NW Washington, DC 20007-2370
1292	1118	3711 Winfield Lane, NW	E. Malpartida 7019 Brookville Road Chevy Chase, MD 20815-3263
1292	1119	3709 Winfield Lane, NW	Kerrie-Anne Muir 3709 Winfield Lane, NW Washington, DC 20007-2349
1292	1120	3705 Winfield Lane, NW	Daniel A. Toomey 3705 Winfield Lane, NW Washington, DC 20007-2349
1292	1121	3705 Winfield Lane, NW	Madeleine M. Szara 3705 Winfield Lane, NW Washington, DC 20007-2349
1292	1122	3703 Winfield Lane, NW	Melinda V. Golub 3703 Winfield Lane, NW Washington, DC 20007-2369

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
1292	1123	3701 Winfield Lane, NW	Robert Blackwill 3701 Winfield Lane, NW Washington, DC 20007-2369
1292	1134	3640 Reservoir Road, NW	Ann Murray 3640 Reservoir Road, NW Washington, DC 20007-2338
1292	1135	3644 Reservoir Road, NW	Sharon U. Shumaker 3644 Reservoir Road, NW Washington, DC 20007-2338
1292	1136	Reservoir Road, NW	Cloister West Home Associates 1827 14th Street, NW Washington, DC 20009-4425
1304	14	3601 Reservoir Road, NW	Washington International School 3100 Macomb Street, NW Washington, DC 20008-3324
1307	31	3734 R Street, NW	John M. McGovern 1700 Lamont Street, NW Washington, DC 20010-2602
1307	32	3732 R Street, NW	Loretta Garbrick 10641 Rock Run Drive Potomac, MD 20854-1701
1307	33	3730 R Street, NW	Andrew P. Loewinger 471 H Street, NW Washington, DC 20001-2617
1307	34	3728 R Street, NW	Claudia Mihok 267 Kentlands Boulevard Suite 1030 Gaithersburg, MD 20878-5446
1307	35	3726 R Street, NW	Brij Malhotra 7012 Kenhill Road Bethesda, MD 20817-6111
1307	36	3724 R Street, NW	Jack Mula PO Box 25711 Washington, DC 20007-8711

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1307	37	3722 R Street, NW	Nasser Zakikhani 3722 R Street, NW Washington, DC 20007-2124
1307	38	3720 R Street, NW	Lawrence B. Hanlon 3720 R Street, NW Washington, DC 20007-2124
1307	39	3718 R Street, NW	John J. McGovern 2517 Ocean Drive, S. Jacksonville, FL 32250-5942
1307	40	3716 R Street, NW	Christopher Degarmo 3716 R Street, NW Washington, DC 20007-2124
1307	41	3714 R Street, NW	John Tsimberlidis Kolon Aki 10675 Athens Greece
1307	61 62	3706 R Street, NW 3704 R Street, NW	John J. McGovern 2517 Ocean Drive, S. Jacksonville, FL 32250-5942
1307	63	3702 R Street, NW	Inge E. Jonckheer 3700 R Street, NW Washington, DC 20007-2124
1307	64	3700 R Street, NW	Lawrence S. Schaffner 3700 R Street, NW Washington, DC 20007-2124
1307	827 829	1600 37th Street, NW 3703 Reservoir Road, NW	Chetaum K. O'Connor, Trustees 7929 Georgetown Pike McLean, VA 22102-1425
1307	831	3705 Reservoir Road, NW	Edgar F. Russell, III, Trustee 3705 Reservoir Road, NW Washington, DC 20007-2112
1307	833	3707 Reservoir Road, NW	David J. Hensler 4447 Hawthorne Street, NW Washington, DC 20016-3541

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
1307	835	3709 Reservoir Road, NW	Laura Baron 3709 Reservoir Road, NW Washington, DC 20007-2112
1307	837	3711 Reservoir Road, NW	Renan Ayrault 3711 Reservoir Road, NW Washington, DC 20007-2112
1307	839	3713 Reservoir Road, NW	Csaba F. Sedivi 5820 Wessex Lane Alexandria, VA 22310-1400
1307	841	3715 Reservoir Road, NW	Mohamed Fathelbab 3715 Reservoir Road, NW Washington, DC 20007-2112
1307	843	3717 Reservoir Road, NW	Brij M. Malhotra 7012 Kenhill Road Bethesda, MD 20817-6111
1307	845	3719 Reservoir Road, NW	H. Krents 3719 Reservoir Road, NW Washington, DC 20007-2112
1307	847	3721 Reservoir Road, NW	Edgar F. Russell, III, Trustee 3721 Reservoir Road, NW Washington, DC 20007-2112
1307	849	3723 Reservoir Road, NW	Wesley J. Dorman 3723 Reservoir Road, NW Washington, DC 20007-2112
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1307	853	3727 Reservoir Road, NW	Beatriz Vargas 3101 S Manchester Street Falls Church, VA 22044-2720
1307	855	3729 Reservoir Road, NW	Richard W. Roth 3729 Reservoir Road, NW Washington, DC 20007-2112

SQUARE	LOT	PREMISES ADDRESS	OWNER AND MAILING ADDRESS
1307	857	1601 38th Street, NW	Miroya Monsour 903 Amberson Avenue Pittsburgh, PA 15232-2103
1307	859	1600 38th Street, NW	District of Columbia Dept. Of Admin Services 441 4th Street, N.W., Room 700S Washington, D.C. 20001
1321	810	Benton Street, NW	
	813	Wisconsin Avenue, NW	
1307	860	3708 R Street, NW	Linda D. Major 3307 Highland Place, NW Washington, DC 20008-3234
1307	861	3712 R Street, NW	Richard G. Price 10169 Treble Court Rockville, MD 20850-3560
1320	802	4101 Reservoir Rd, NW	Gov't of the Republic of France 4101 Reservoir Road, N.W. Washington, D.C. 20007-2186
1320	1192	Hillandale Road, NW	Hillandale Homeowners Association, Inc. 700 E Street, S.E. Washington, D.C. 20003-2840
1321	822	Canal Road, NW	WMATA 600 5th Street, N.W., 3rd Floor Washington, D.C. 20001-2610

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BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA

Application of the Georgetown University Hospital and the President and Directors of Georgetown College
Campus Plan Further Processing

Z.C. Case No. _____
ANC 2E

PRELIMINARY STATEMENT OF THE APPLICANT

I.

NATURE OF RELIEF SOUGHT

Pursuant to 11 DCMR § 3104 and in accordance with § 210 of the Zoning Regulations, the Georgetown University Hospital (hereinafter "**Hospital**") and the President and Directors of Georgetown College (hereinafter "**GU**" or "**Georgetown**") request special exception approval for the further processing of an approved campus development plan to permit the construction of an addition to the first floor of the Bles Building of the Hospital. Georgetown plans to use the proposed addition for CyberKnife radiation treatment.

No variances are requested in this application, and the requested special exception relief fully meets the requirements of the Zoning Regulations. Georgetown has discussed the proposed addition with representatives of the community, and their responses have been favorable.

II.

INTRODUCTORY STATEMENT

History of the Campus Plan

Georgetown submitted its proposed campus plan for the period 2000 through 2010 (the "**Campus Plan**") to the Board of Zoning Adjustment ("**BZA**") on January 31, 2000. The

Campus Plan was approved subject to conditions and subsequently appealed to the D.C. Court of Appeals. The Court of Appeals vacated the order and remanded it to the BZA for further proceedings. The parties submitted materials on August 2, 2004 and submitted proposed findings of fact and conclusions of law in December of 2004. Georgetown expects that the Order on Remand will be issued shortly. The Project will comply with the conditions of the Campus Plan as approved by the BZA in the Order on Remand.

III.

REQUESTED SPECIAL EXCEPTION

Construction of Accuray Cyberknife Vault Addition

Georgetown plans to construct a modest, two-story addition to the existing Bles Building (the "**Project**"). The Bles Building currently contains the Department of Radiation medicine and other uses related to the Hospital. The Project involves the renovation of approximately 2,400 square feet and the addition of approximately 1,200 square feet. It will house radiosurgery equipment known as CyberKnife, manufactured by Accuray. The CyberKnife provides painless, non-invasive treatment for tumors anywhere in the body and can be used to treat lesions and tumors that otherwise would be untreatable. CyberKnife recently has been used to treat lung tumors by targeting the tumor with pinpoint accuracy while allowing the patient to maintain normal breathing during the surgery. The addition will house the CyberKnife equipment and a CyberKnife vault, in which the treatment will take place. The plans for the Project are attached as Exhibit C.

IV.

JURISDICTION OF THE COMMISSION

Effective December 8, 2000, the authority to hear and decide new campus plan and

further processing applications became exclusively vested in the Zoning Commission pursuant to 11 DCMR § 3035. Each case is processed and heard under the special exception provisions of § 210 of 11 DCMR.

Uses that are permitted by special exception are presumed to be appropriate for the applicable zoning district as long as certain conditions are satisfied. In considering special exception applications, the Commission must consider only whether the relevant conditions and special exception criteria have been met. If the applicant meets its burden, the Commission ordinarily must grant the application . *See First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment,* 432 A.2d 965 (1981); *Stewart v. District of Columbia Board of Zoning Adjustment,* 305 A.2d 516, 518 (1978).

In recent decisions, the D. C. Court of Appeals has reaffirmed the Commission's jurisdiction and scope of review in campus plan cases and has made clear that in reaching its decision the Commission may take into consideration such factors as institutional necessity. *See, e.g., Draude v. District of Columbia Board of Zoning Adjustment,* 582 A.2d 949, 955 (1990). Further, the Court has distinguished the broader public good referenced in the Zoning Regulations from the more narrow interests of neighboring property owners.

Through the exhibits, testimony and other evidence, Georgetown will establish that it complies with all applicable provisions of the Zoning Regulations so as to be entitled to the requested special exception relief. GU will establish that the requested further processing approval will allow the Hospital to provide the highest level of medical care to its patients with little impact on the community. The approval of this application will allow GU to continue as a vital educational institution and community resource serving both the mission of Georgetown and the larger public good.

V.

WITNESSES

1. Representative of the Applicant

2. Representative of Architection, the Architect for the Project

VI.

EXHIBITS IN SUPPORT OF APPLICATION

Exhibit A: BZA Order on Remand

Exhibit B: Georgetown's Statement of Compliance with Campus Plan Conditions

Exhibit C: Plans for the Project and Photographs of the Property

Exhibit D: Outlines of Witness Testimony

VII.

COMPLIANCE WITH THE REQUIREMENTS OF §210

In all respects, the requested special exception fully complies with § 210 of 11 DCMR. The specific zoning requirements are addressed in detail below.

A. College or University Which is an Academic Institution of Higher Learning (Subsection 210.1)

Georgetown University was founded as an educational institution of higher learning in 1789 and received its federal charter in 1815.

B. The Use is Located so that it is Not Likely to Become Objectionable to Neighboring Property (Subsection 210.2)

The Project is a minor addition that will have little affect on neighboring properties and will not cause objectionable noise, traffic, number of students, or other objectionable conditions. No other changes to existing campus uses or facilities or to the campus boundaries are proposed, nor is Georgetown proposing any changes to its enrollment or staff members.

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

Georgetown's overall FAR is 1.13, which is well below the 1.8 FAR permitted under the zoning regulations. The Project will add approximately 1200 square feet to the Georgetown campus. The additional 1200 square feet will have a negligible effect on the overall FAR for the campus.

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

Georgetown filed its 2000 Campus Plan in 1999. The Campus Plan was approved by the BZA, subject conditions, and was appealed to the D. C. Court of Appeals. The Court vacated the order and remanded it for further proceedings. The parties submitted their Proposed Findings of Fact and Conclusions of Law on December 17, 2004. Georgetown expects the Order on Remand to be issued shortly. No changes to the Campus Plan are proposed as part of this amendment application.

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

No interim use of land is requested as part of this campus plan.

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

Georgetown does not seek approval for any use of a previously approved building site and thus complies with this section.

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

The Project is not inconsistent with the policies of the District Elements of the Comprehensive Plan. The Project will further the goals and objectives of the Ward 2 element of the Comprehensive Plan by enhancing educational facilities in the ward without adversely impacting adjacent residential areas.

H. The Proposed Buildings Are within the Floor Area Limit for the Campus as a Whole (Subsection 210.8)

The existing Campus Plan FAR of 1.13 is within the permitted 1.8 FAR prescribed for the residentially zoned portions of the campus. The Project will add approximately 1200 square feet to the campus, which will not affect the existing FAR.

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

This application was referred to the Office of Planning and DDOT for their review and report.

VIII.

CONCLUSION

For the reasons stated above, the requested amendment to the campus plan conditions meets the special exception requirements and carries out the city's and the community's objectives for Georgetown's campus. Accordingly, it is respectfully requested that the Commission approve the application.

Respectfully submitted,

SHAW PITTMAN, LLP

By 

Maureen E. Dwyer
Land Use Counsel for
Georgetown University Hospital and
The President and Directors of Georgetown College

Document #: 1460092 v.1

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OLD GEORGETOWN APPENDIX — APPROVED 18 NOVEMBER 2004

Number	Address and Owner	Project
O.G. 05-020 HPA 05-025	3800 Reservoir Road, NW MedStar-Georgetown Medical Center Inc. Georgetown University Hospital	Addition for new Cyberknife vault - Concept

RECOMMENDATION: No objection to concept design for proposed addition to Bless Building within the MedStar - Georgetown University Hospital for new cyberknife vault as shown in supplemental drawings received and dated 4 November 2004. File new submission of working drawings, including dimensions and details, with permit application for review by the Commission when ready.