ANC 3F

3F01 - Phil Kogan
3F02 - Karen L. Perry
3F03 - Robert V. Maudlin
3F04 - David J. Bardin
3F05 - Doug Mitchell
3F06 - Cathy Wiss
3F07 - Lyn Oglesby, PhD

Advisory Neighborhood Commission 3F
NORTH CLEVELAND PARK / FOREST HILLS

August 20, 2001

RECEIVED
D.C. OFFICE OF ZONING
2001 AUG 20 PM 4:19

Board of Zoning Adjustment
441 Fourth Street, N.W.
Washington, D.C. 20410

Re: BZA Application 16611, Edmond Burke School

ANC 3F is submitting the attached documentation relative to the Howard University School of Law Campus Plan and the Edmund Burke School use of the Law School's athletic fields for its outdoor athletic classes and sports teams. ANC 3F is seeking a separate Finding of Fact that Burke's current use of these athletic fields opposite the R-1-A Upton Street neighborhood violates the 1997 Howard University campus plan and further violates all previous Howard University BZA orders. ANC 3F is also seeking a Finding of Fact that the Burke School cannot use the Howard Campus athletic fields in connection with BZA Application 16611 currently before the BZA.

If appropriate, and the Board determines that ANC 3F is correct in its interpretation of the Howard Campus Plan, ANC 3F would request that the Board notify the Howard University School of Law that use of the athletic fields by the Edmund Burke School and the Levine School of Music for student camp is not consistent with its approved campus plan. ANC 3F has submitted documentation to the BZA in the recent past concerning more egregious, as yet unresolved, violations of the Howard campus plan.

During testimony on Application 16611, Applicant's counsel, Phil Feola stated that the Burke School had a letter from the Dean of the Law School granting permission for the Burke School to use the Howard Law School athletic fields and that the Edmond Burke School had a 1983 order. The order Mr. Feola was referring to was the Burke School 1983 BZA order. Contained in that order in the Findings of Fact, is Item Number 19 *(which was based on Burke's testimony with no one from the neighborhood or the ANC appearing in opposition to or in favor of the application)* which states, "The School's outdoor recreational activities are located off the subject site on the grounds of the Howard University Law School approximately 250 feet away. Students walking to the field are supervised by the physical education teacher. Fewer trips are planned to the field since the proposed gymnasium will accommodate additional activities than presently occur."

BZA
Case No. 16611
Exhibit No. 220

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Board of Zoning Adjustment
District of Columbia
CASE NO.16611
EXHIBIT NO.220A1

Mr. Feola did not submit the letter from the Dean of the Howard Law School into evidence, nor did he submit the Burke School 1983 BZA order into evidence.

ANC 3F, in recommending approval, with conditions, to the Howard University School of Law for its 1997 Campus relied on verbal assurances from University Officials during public hearings, the 1997 campus plan document, and letters from University Officials, all of which indicated Howard University School of Law's agreement that the school's campus was to be restricted for use by the Howard University Law School and Howard University law School events only and that any other uses would be prohibited with the exception being the use of the Chapel which is controlled by the Dean of the Chapel. ANC 3F does not believe the Dean of the Law School can unilaterally change the Campus plan, the BZA order, or the statements and facts put in that campus plan which led to the ANC and neighborhood approval of the plan. Nor does ANC 3F believe that Burke's assertions in 1983 can lead to a modification of the Howard University Law School Campus Plan and BZA agreement.

ANC 3F is presenting the following documents in chronological order:

1. May 8, 1974, Memorandum to the BZA from the Zoning Revision Office, in BZA Case No. 11669, Application of Howard University, which states on Page 4, Recommendations, that Howard retain the existing athletic field as a buffer strip along Upton Street.
2. May 15, 1974, testimony of Owen Nichols, Vice President for Administration and Secretary of Howard University, where on Page 3, he states, "No athletic programs or similar noise producing activities will be undertaken."
3. May 24, 1974, BZA order, Application No. 11669, granting Howard University a special exception to use the site of the previous campus of Dumbarton College, which states in Number 5 of the Findings of Fact, "Howard University will not maintain any athletic or comparable activities which will create unusual noise or traffic conditions which may adversely affect nearby residential uses."
4. April 13, 1994, BZA order, Application No. 15767, of Howard University, Summary of Evidence, Number 8, which states, "No athletic or comparable facilities were planned."
5. Letter from Robert A. Malson, dated December 17, 1996, to ANC 3F Chairman Scott Strauss, stating "One of the Commissioners asked me to look into the matter of the use of the West Campus for events unrelated to the Law School. I talked today with Denise Purdie, the Law School's Assistant Dean for Student Affairs. She indicated that the use of the buildings and grounds is restricted to Law School or Law School-related events, with one category of exceptions. The use of the Chapel is controlled by the Dean of the Chapel .....". (Since Mr. Feola raised doubts as to Mr. Malson's credibility to respond on behalf of Howard during the Burke School BZA hearing, attached also is a March 4, 1997, letter from the Office of the Vice President for University Administration, with

supporting documentation, which shows that Mr. Malson was working for the University through January 31, 1997 on the Howard Campus Plan)

6. Page 18 of the approximately 500 page Howard University West Campus Master Plan, 1997, submitted to the BZA on Februrary 12, 1997, which states, "The primary outdoor activities consist of the graduation ceremony (in appropriate weather) and students studying and meeting on the grounds of the School of Law. There is no athletic program requirement for the School of Law and no athletic activities take place on the West Campus. No part of the West Campus is used by the University for outdoor activities."
7. February 18, 1998, BZA Order #16110, for Howard University's 1997 West Campus Plan, which refers to the 1974 order and athletic fields in Number 8. Number 16 of the Findings states, "The campus is used as a law school and most of the school's activities occur indoors. The primary outdoor activity consists of people studying and meeting on the grounds of the law school." Operating Condition No. 12 states, "No outdoor events shall take place on the West Campus to cause excessive noise (e.g., music, loudspeakers, etc) with the exception of graduation.

ANC 3F believes these documents support its contention that the Burke's School's use of the Howard University fields is a violation of the Howard Campus Plans and that in order for Howard to continue providing athletic fields to neighboring institutions, Howard must first apply to the Zoning Commission for a change to its Campus Plan.

Sincerely,

Karen Perry

Karen Perry, SMD 3F 02
For Advisory Neighborhood Commission 3F

Attachments

D.C. 44
May 1967

Memorandum ● Government of the District of Columbia

RECEIVED
MAY 8 1974
Zoning Commission

TO: Board of Zoning Adjustment

Department, Agency, Office: OPM

FROM: Zoning Revision Office

Date: May 8, 1974

SUBJECT: Staff Report - BZA Case No. 11669

Application of Howard University for special exception to permit Howard University Graduate School/ Professional Center (e.g. Law School) to use premise 2935 Upton Street N. W., Lot 5, Square 2049 and 2243, in the R-1-A and R-2 District, as a part of its Campus Plan. Applicable sections of the Zoning Regulations (8207.2, 3101.46)

Zoning Actions related to Site:

On August 24, 1966, the Board of Zoning Adjustment approved the erection of the library building. BZA Case No. 8874, Lot 5, Square 2049.

On May 17, 1967, the Board of Zoning Adjustment approved the use of the old Devitt school as a science school for Dunbarton College with an enrollment of 162 students. BZA Case No. 9200, Lot 30, Square 2243.

On September 6, 1973, the Board of Zoning Adjustment approved the establishment of the Edmund Burke School on the old Devitt School site, grades 9-12 with an enrollment of 120 students, 8 teachers, 2 administrators, and one secretary.

On May 3, 1974, the Zoning Commission changed from R-2 to R-5-C, Lots 17-22, 63-64, and 806; and Parcels 57/68 and 57/71 Square 2243. A 288 unit apartment building is proposed for this site. Z.C. Case No. 71-29.

Description of Site:

The site is approximately 19.4 acres located to the east of Van Ness Center between Yuma and Upton Streets, N. W. The topography varies from an elevation of 280 feet along Upton Street to a high point of approximately 300 feet within the site. The grade than slopes rather dramatically toward Yuma Street to a low of approximately 175 feet. The site is heavily wooded with mature growth and other landscaping.

There exist pleasant views of the surrounding area from within the site and the open space and irregular topography reinforces in a positive way the ambiance of the neighborhood. The site is also split zoned of which approximately 2.5 acres to the west is zoned R-2, the remaining being R-1-A. The site is bounded by low density residential to the east and south, medium high density residential to the west and part of Rock Creek Park to the north.

Utilization of Existing Site

Howard University intends to utilize the existing site and improvements substantially in its present form except for minor site changes, interior renovations of buildings, and the razing of two small structures.

The existing dormitory which previously housed approximately 150 students will be discontinued and reused for offices and support facilities. Of the remaining three buildings, the two multi-stories will be used for academics and the one-story as a library. The present tennis courts will be replaced by a parking lot to accommodate 174 vehicles. Additional landscaping will be provided as required around the parking lot to enhance and continue the esthetic quality of the site.

Parking and Density Comparisons

Parking - Section 7202 - Schedule of requirements for parking spaces specifies two (2) spaces for each three (3) teachers, plus one (1) for each ten (10) classroom seats.

Proposed Student and Staff Population

		Spaces Required
Classroom seats	450	45
Teachers	41	28
	Total:	73

A total of seventy three (73) off street parking spaces are required to comply with the zoning regulations; however, two hundred and twenty four (224) spaces will be provided. The proposed 186 new parking spaces offset the off campus spaces previously utilized by Dunbarton.

Density: Section 3101.46(b) limits the bulk and density to that what is allowed in the R-5-B use District.

The gross floor area of 220,000 square feet as shown on Exhibit #2 "Land Use and Statistics is far below the 1.8 FAR or allowable 1,521,221 square feet.

The lot occupancy of the existing buildings is approximately 1% or 50,791 square feet. The allowable occupancy is 60% or 507,074 square feet.

Applicants Submission

1. Statement
2. Drawings

Mark	Exhibit	#1	Titled	"Existing Conditions"
"	"	2	"	"Land Use and Statistics"
"	"	3	"	"Circulation and Parking"
"	"	4	"	"Landscape Plan"

The preceding submissions were reviewed by staff. Exhibit #1 shows existing topography campus boundaries and existing improvements. Exhibit #2 shows proposed improvements, bulk and use of all buildings, projected student and staff population. Exhibit #3

shows circulation (traffic analysis) and parking spaces. Exhibit #4 shows the existing and proposed landscaping. The applicants Supplemental Statement provides a description of all activities to be conducted on the campus.

Planning Considerations for Area

1. The office of Planning and Management is preparing a preliminary Sectional Development Plan for the Van Ness Uptown Center and the subject site is within the boundary of the planned area. The location of the campus near a metro station enhances its access and would reduce the necessity for vehicular travel.

2. Institutional use of this site is consistent with the Comprehensive Plan for the National Capitol.

Recommendation:

The staff finds this proposal consistent with the intent, purpose and integrity of the comprehensive zone map as embodied in the Zoning Regulations and Map and recommend approval; however, if the Board approves this application, the following items are recommended to be incorporated in the plan.

1. A buffer strip of greenery should be maintained adjacent to the Soapstone Valley Park. This buffer could be approximately 3 acres.

2. A buffer strip along Upton Street by
   a. Limiting traffic from entrance on Upton Street
   b. Establish a building restriction approximately 100 feet north of Upton Street property line
   c. Retain the existing athletic field

3. Major services and vehicular access to parking and campus via Van Ness Street

4. Future development will be of moderate density and a height consistent with the surrounding neighborhood.

HOWARD UNIVERSITY GRADUATE/PROFESSIONAL CENTER,
2925 UPTON STREET, N.W.
APPLICATION FOR A COLLEGE OR UNIVERSITY USE IN
A RESIDENCE DISTRICT UNDER PARAGRAPH 3101.46
OF THE ZONING REGULATIONS
(BZA APPLICATION NO. 11669)

Mr. Chairman; Members of the Board of Zoning Adjustment:

My name is Owen Nichols and I am Vice President for Administration and Secretary of Howard University. Appearing with me are Mr. Clarence Wheat, Director of the University's Office of Building Program Development, and Mr. Charles Bryant of the firm of Bryant and Bryant, Architects and Planners. The University is requesting approval of the Board of Zoning Adjustment for it to move its Law School and certain other graduate-level activities to what had formally been Dunbarton College, consistent with paragraph 3101.46 of the Zoning Regulations. The site is located at Upton Street, just east of Connecticut Avenue, N. W., and is bounded by Yuma Street to the north, the Carnegie Institute and Netherlands Chancery to the east, and the Van Ness Center to the northwest. The site covers a land area of 19.4 acres, and has four existing main buildings, including a dormitory, two academic buildings and a library. The campus is beautifully landscaped and the buildings are well constructed and structurally sound.

As you may be aware, Dunbarton College has recently terminated operations. Howard University was fortunate enough to be able to acquire this property. By this acquisition, the University expects to obtain some relief from extreme overcrowding at the main campus, while preserving the Dunbarton site as a center of higher education, immune from the threat of commercial development.

EXHIBIT (3)

Howard University has no plans now, or in the foreseeable future, for construction of any additional buildings on the Dunbarton site, or conducting any other activities which could have an adverse effect on the surrounding residential community. In fact, in determining which activities would be removed from the main campus to the new Dunbarton site, we attempted to insure that the new level of activity projected on the site would not significantly exceed the level when Dunbarton College was in full operation. We are hopeful that our neighbors will not perceive any difference either.

The University administration determined that the Law School would be a perfect candidate for the move to Dunbarton because it is basically a self-contained educational activity, only minimally dependent upon other University services. In addition to the Law School, the new campus will house Howard's Institute of Urban Affairs and Research, its General Counsel's office, and the editorial offices of the new Howard University Press and several small research centers. The University Press will have no printing activities at this location. All of these activities will be housed in the existing Dunbarton buildings, after some interior renovation and remodeling.

It is estimated that the new campus will have approximately 450 students, 41 faculty members, and a non-teaching staff of 173 when it is in full operation. This is not significantly greater than Dunbarton's former level of operations, which, we understand, encompassed 475 students, 45 faculty members, and 45 non-teaching staff at full strength.

There will be one difference in that none of the Howard students will live on campus. Although the former Dunbarton dormitory space will be converted to other uses, it will be within the population confines I have described.

We at the University have taken, and will continue to take, great pains to insure that our use of this new campus will not create problems for our residential neighbors. For example, we have recently held a series of meetings with representatives of all affected civic associations. President Cheek, only last week, addressed the annual joint meeting of the Forest Hills Citizens Association, the North Cleveland Park Citizens Association, the Cleveland Park Citizens Association, and the Chevy Chase Citizens Association, to make full disclosure of, and answer all questions concerning Howard's plans.

We will provide in the interior of this campus 224 parking spaces for faculty and students, even though the Zoning Regulations require only 159 spaces for the number of persons our program projects. No athletic programs or similar noise producing activities will be undertaken. I believe the best evidence of the sensitivity that Howard University has shown to its new neighbors' concerns is the fact that all interested neighborhood citizen associations are actively supporting Howard's application before the Board today. We are particularly pleased that a wholesome and cooperative spirit has developed between the University and the citizens associations.

While I appreciate the vast caseload that this Board handles, I would respectfully request on behalf of the University that early action be taken on this Application. Our Commencement exercises were held last weekend, and we must now prepare for the coming school year. It is our firm hope that Law School classes can begin in August at the new site. Thus, it becomes imperative that any remodeling work on Dunbarton's buildings be started immediately. This cannot be done until the Board grants the requested approval.

My colleagues and I will be happy to answer any questions that you may have concerning our application.

May 15, 1974

Before the Board of Zoning Adjustment, D. C.

Application No. 11669, of Howard University pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to permit Howard University Graduate School/Professional Center (e.g. Law School) as provided by Section 3101.46, to use premise 2935 Upton Street, N. W., Lot 5, Squares 2049 and 2243, in the R-1-A and R-2 District, as a part of its campus plan.

HEARING DATE: May 15, 1974
EXECUTIVE SESSION: May 21, 1974

FINDINGS OF FACT:

1. The subject property is located in the R-1-A and R-2 districts, and had been the campus of Dunbarton College until that institution recently terminated operations.

2. The property comprises approximately 20 acres and is improved by several buildings which had formerly served as the classrooms, dormitories and libraries of Dunbarton College.

3. Howard University acquired this property in March, 1974, with a view towards locating thereon its Law School and other graduate level activities having a projected daytime population of approximately 450 students, 41 faculty, and a non-teaching staff of 173. This is substantially the level of activity maintained by the former owner of the property, when Dunbarton College was in full operation.

4. Howard University, in conducting its operations, will utilize the existing buildings on the site, and has no present intention of constructing any new buildings. Applicant does, however, intend to remodel some of the existing buildings and to add a parking lot in the interior of the campus to provide a total of 224 on-campus parking spaces, although only 159 parking spaces are required by the Zoning Regulations.

5. Howard University will not maintain any athletic or comparable activities which will create unusual noise or traffic conditions which may adversely affect nearby residential uses.

6. On May 9, 1974, the National Capital Planning Commission, to whom this application had been referred, recommended that the Board approve this application. In addition, the D. C. Department of Highways and Traffic has determined that traffic to be generated by Howard University's use of the subject property will not have an adverse impact on existing traffic flows.

BZA
CASE No. 15767
EXHIBIT No. 18

7. The Howard University application has the full support of the Van Ness Area Development Committee (which comprises the Forest Hills Citizens Association, North Cleveland Park Citizens Association, Cleveland Park Citizens Association, and Chevy Chase Citizens Association), who have filed a letter with the Board stating that "the citizens feel comfortable with the presence of Howard University, and are most appreciative of the sympathetic approach that the officials of Howard have displayed in this matter."

8. No opposition was registered.

CONCLUSIONS OF LAW:

The Board is of the opinion that substantial reasons have been presented warranting the granting of this application.

It is our considered opinion that Howard University's proposed use of the subject property would be consistent with the interests and objectives of the Zoning Regulations of the District of Columbia. We are of the opinion that the proposed use will not become objectionable to adjoining and nearby property owners because of noise, traffic, or other objectionable conditions. The Board concludes that this use will be in harmony with the general use of neighboring property in accordance with the Zoning Regulations and maps.

ORDERED:

That the above application be GRANTED.

VOTE: 4-1 (Lilla Burt Cummings, Esq. abstaining.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: James E. Miller
JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER: MAY 24 1974

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 15767 of Howard University, as amended, pursuant to 11 DCMR 3108.1, for special exceptions under Section 210 of the Zoning Regulations for approval of amendments to an approved campus plan and for further processing under the amended plan to allow an addition to an existing law school; permanent use of an existing temporary structure; construction of a service/delivery pad, and; the realignment of the driveway at the entrance to the west campus that intersects the Van Ness Street cul-de-sac in an R-1-A/R-2 District at premises 2900 Van Ness Street, N.W. (Square 2049, Lot 810).

HEARING DATE: December 16, 1992 and February 17, 1993
DECISION DATE: April 7 and May 5, 1993

ORDER

PROCEDURAL MATTERS:

The application initially requested a special exception for an addition to the law school under an approved campus plan scheduled for a public hearing on December 16, 1992. Prior to the December 16, 1992 scheduled hearing, it was determined that the proposed law school addition was not contemplated under the approved plan. The public hearing scheduled for December 16, 1992 was postponed until February 17, 1993. The application was re-advertised to include an amendment to the approved campus plan providing for an addition to the law school.

SUMMARY OF EVIDENCE OF RECORD:

1. The property which is the subject of this application is the West Campus of Howard University ("University"). The west campus of the University is located at 2900 Van Ness Street, N.W. The property is used for the University's School of Law. It is split zoned R-1-A and R-2.

2. The R-1-A District permits matter of right development of all structures with a minimum lot area of 7,500 square feet, a minimum lot width of 75 feet, and a maximum height limit of three stories/40 feet. The R-2 District permits matter of right development of a private school with a minimum lot area of 4,000 square feet, a minimum lot width of 40 feet, and a height limit of three stories/40 feet. A college or university is permitted in the R-1 and R-2 Districts by special exception.

3. The subject property is octagonally-shaped, and has a total land area of 845,123 square feet or approximately 19.4 acres. The majority of the site is unimproved. The topography of the site

varies from an elevation of 280 feet along Upton Street to a high point of approximately 300 feet within the site -- creating a slope from the highest point in the center of the site down to Soapstone Valley Park on the north.

4. The subject property is improved with four interconnected, red-brick, masonry buildings: (a) Notre Dame Hall; (b) Houston Hall; (c) Holy Cross Hall; and (d) Law Library. These buildings were constructed over an approximate 60-year period and reflect Gothic Revival, Victorian and Modern architectural styles. The buildings range from one to four stories in height measured from Upton Street, have a combined area of approximately 220,000 gross square feet and contain classrooms, a moot court auditorium, a library, a chapel and laboratory, a dining hall and administrative offices.

(a) Notre Dame Hall, which contains office space, is four stories in height with one basement and one sub-basement level and contains 40,000 square feet.

(b) Houston Hall, which contains eight of the 12 classrooms, dining facilities and kitchen, a 429-seat moot court/ auditorium, a student lounge area, a chapel and administrative offices, is the oldest of the buildings and the core educational structure. Houston Hall is four stories in height with two basement levels and contains 80,142 square feet.

(c) Holy Cross Hall, which contains administrative offices and four of the 12 classrooms on the Campus, is four stories in height with two basement levels and contains 66,650 square feet.

(d) The Law Library is one story in height with two basement levels and contains 27,075 square feet.

The subject property is improved with a "temporary" maintenance building. The maintenance building is one story in height with one story below grade. It is constructed of cinder block with metal siding and contains 2,865 square feet.

The subject property also is improved with a gazebo that is used by students, faculty and employees for passive recreational purposes.

The subject property also is improved with a surface parking lot with 248 parking spaces. Under the Zoning Regulations, the University is required to provide only 77 parking spaces.

The cluster of buildings that comprise the classroom and administrative offices are located on the southern portion of the

property. The maintenance building is located at the eastern boundary. The gazebo is located north of the library. All of these structures, together with the surface parking lot, occupy less than ten percent of the west campus.

By letter dated May 8, 1974, the University agreed to maintain three acres of the West Campus contiguous to Soapstone Valley Park as open space for a 20-year period. The University stated that it had no present intention to construct buildings in the three acre area and none are proposed in the amended plan.

Lastly, the natural configuration and contour of the site, as well as the abundant landscaping, effectively screen the site from the surrounding neighborhood.

5. The subject property is located in the northwest quadrant of the city. It also is located in the Ward 3 neighborhood of Forest Hills and an area of the city known as Van Ness.

The Street addresses of the property are 2900 Van Ness Street, N.W. and 2935 Upton Street, N.W. The street boundaries are Yuma Street to the north, Upton Street to the south, Connecticut Avenue to the west and Linnean Avenue to the east.

The site is not located in a historic district and there are no designated historic landmark buildings located on the property.

Land uses located in the area immediately surrounding the west campus are: residential (single-family dwellings and high-rise apartment houses); commercial (office buildings and retail goods and services); and open space (Soapstone Valley Park and Rock Creek Park). A number of institutional facilities are located nearby. The facilities include: the main campus of the University of the District of Columbia; the Van Ness/UDC Metrorail Station; the International Center; and the International Telecommunications Satellite Organization.

6. There are two pedestrian/vehicular entrances that provide access to the campus. The Van Ness Street cul-de-sac entrance is the primary means of access to the site. The Upton Street entrance is used infrequently, primarily for ceremonial events.

7. The University proposes to construct additional classroom space in the rear yard of Charles Houston Hall, a classroom and office building that serves as the central facility for the Howard University School of Law.

The proposed classroom addition has a floor area of approximately 6,000 square feet on two levels and consists of space sufficient to house two additional classrooms for the School of Law. The addition will accommodate approximately 100 seats. The

classroom space is less than one percent of the campus area, less than .001 FAR and less than three percent of the gross building area on the west campus. The building materials, configuration and footprint will mirror the existing red brick classroom projection on the west so that the building is symmetrical in appearance. The classroom seating will be terraced to ensure a clear line of site to the podium.

In addition to the two new classrooms, the proposed addition will contain a two-story, barrel-vaulted atrium foyer, encased in glass, which will serve as the official entrance to the School of Law. The ambient space will be used as an art gallery adorned with marble floors and natural woodgrain wall finishes. A pedestrian plaza will be located at the entrance to the atrium. The plaza will be landscaped with plum, holly, and Japanese cherry trees; barberry, holly and winterberry shrubbery; and english ivy and periwinkle groundcover to complement the new addition.

8. On May 24, 1974, the Board approved the West Campus Plan ("West Campus Plan") by granting Howard University's application for a special exception to use the site for its Graduate School/ Professional Center (See Application No. 11669).

In support of its 1974 application, the University projected a daytime population of approximately 450 students, 41 faculty and 173 staff. The University stated that it planned to use the existing buildings on the site and had "no present intention" of constructing any new buildings. No athletic or comparable facilities were planned.

The 1974 West Campus Plan does not include the proposed addition to Charles Houston Hall. According to the University, law school accreditation officials have encouraged the University to discontinue use of an existing classroom for teaching activities because structural columns obstruct some students' line of site to the podium. As a consequence, the University proposes to add 6,000 square feet of accreditable classroom space in the form of a building addition to Houston Hall.

The University submitted an Amended West Campus Plan ("Amended Plan") on February 3, 1993. The Amended Plan does not propose to change the size of the student body, the faculty or the support staff, although the current census in each of these categories is less than what was approved in the West Campus Plan. The Amended Plan proposes a classroom addition to Charles Houston Hall, a request to use an existing maintenance structure located near the eastern boundary of the west campus on a permanent basis and a reduction in the number of off-street parking spaces. The Amended Plan remains the same as the West Campus Plan in all other material respects.

9. The University also seeks authority for "permanent" use of a maintenance building located near the eastern boundary of the Campus. This structure is identified in the 1974 West Campus Master Plan as a "temporary" use.

The maintenance building which is structurally sound, was built like a permanent building and stores all of the supplies, maintenance equipment and the two service vehicles required to operate and maintain the School of Law. According to the University, the temporary maintenance structure is the primary storage facility for the west campus. Its continued use on a permanent basis is essential to the efficient operation of the physical plant.

On October 31, 1978, the Board approved a special exception to allow the University to replace the then deteriorated maintenance building with a new temporary structure "to be used until the existing master plan can be implemented or revised." (See Application No. 12743). Because the approved West Campus Plan projected the replacement of the structure with a plaza, the relief was granted for only five years, but the Board concluded that the special exception could be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Regulations.

The Amended Plan reflects use of the maintenance facility on a permanent basis.

10. The University also seeks authority to construct an elevated, concrete, 10-foot by 20-foot service/delivery pad on the west side of Houston Hall. Vehicles delivering office and classroom supplies and food items are presently unloading in the parking lot and supplies are taken to their designations by handtruck.

11. The University also proposes to realign the driveway that intersects the Van Ness Street cul-de-sac in response to the neighbors concerns about wrong way traffic flow from the west campus into the cul-de-sac. The proposed realignment would mitigate any preceived or real traffic flow problems.

12. The floor area ratio (FAR) for the Campus is approximately 0.257, which is well below the 1.8 FAR permitted for university uses in the R-1-A and R-2 zone districts. The proposed classroom addition will increase the overall FAR of the Campus to 0.264.

13. The University testified that the Comprehensive Plan Generalized Land Use Maps designate the west campus area for "Institutional" uses. The institutional land use category is defined in the plan as "land and facilities occupied by colleges,

universities, hospitals, religious institutions and similar facilities as the predominant uses." 10 DCMR Subsection 1113.3. The Comprehensive Plan requires the preparation and approval of master plans to reduce adverse neighborhood impacts and alleviate uncertainty over future institutional activities. 11 DCMR 1115.1(j) and (k). It seeks to assure neighborhood stability contributions made by universities toward the economic and cultural vitality of the City. 10 DCMR 1112.1(e) and (h).

The University stated that both the classroom addition and the maintenance facility are university uses and, therefore, are consistent institutional uses designated for the site in the Comprehensive Plan. The proposed addition will be well insulated from nearby residential areas and will have no adverse neighborhood impact. The maintenance structure has posed no adverse neighborhood impact in the past and no change in its usage is proposed.

14. The West Campus is served by 261 on-site parking spaces. Two hundred fifteen parking spaces are allocated to student parking and 46 spaces are used by faculty and staff. Students, faculty and support staff also use public transportation to and from the site, which is served by the Van Ness/UDC Metrorail Station and several Metrobus routes.

15. Thirteen of the 261 parking spaces will be displaced by the proposed classroom addition. The School of Law will then be served by 248 spaces. The University stated that for university uses located in the R-1-A or R-2 zone districts, the Zoning Regulations require two off-street parking spaces for every three teachers plus one off-street parking space for every ten classroom or auditorium seats, whichever number of seats is greater. The number of parking spaces may vary from the standard if the University uses are included in a campus plan approved by the Board.

16. The School of Law employs 25 full-time faculty members and has 499 classroom seats and 420 auditorium seats. The seating capacity for the addition will be approximately 100 seats. Using the formula set forth in the Zoning Regulations, only 77 spaces are required for the West Campus, with the new classroom addition. With 248 spaces, the West Campus is served by three times the number of spaces required by the Zoning Regulations.

17. The interior roadway system consists of a single looped street from Van Ness Street around the building complex to Upton Street. Traffic accessing the site from Van Ness Street terminates in the parking lots north of the building complex and between Houston Hall and Holy Cross Hall. Traffic accessing the site consists of students, faculty, staff, visitors and service/ delivery vehicles bringing office, classroom and maintenance supplies and food items to the Campus. The University believes

that the interior road network is adequate for the existing traffic volume. Ingress and egress to the West Campus is accomplished by way of an asphalt driveway entrance at the end of a circular offset cul-de-sac from Van Ness Street.

18. By memorandum dated February 10, 1993, and by oral testimony at the public hearing, the Office of Planning opined that the application satisfied the zoning requirements and recommended approval of the proposed addition, use of the maintenance structure on a permanent basis and the approval of the Amended Plan "provided that the Applicant discusses the Amended Campus Plan with Advisory Neighborhood Commission 3F".

19. By memorandum dated February 4, 1993, the Department of Public Works ("DPW") opined that parking is not an issue in the case and commented on the entrance/exit traffic pattern. The DPW did not oppose the application.

20. By memorandum dated October 28, 1992, the Metropolitan Police Department ("MPD") related that the MPD does not oppose this application.

21. By memorandum dated October 27, 1992, the District of Columbia Fire Department related that the Fire Department has no objection to this application.

22. By letter dated December 7, 1992 and testimony at the hearing, Advisory Neighborhood Commission (ANC) 3F voted to support this application. The Chairperson of ANC 3F, testified that the University should address the traffic flow in the cul-de-sac adjacent to the entrance to the West Campus. He further testified that conditions relative to use of the West Campus have changed since the West Campus Plan was approved by the Board in 1974; that the ANC has not had sufficient time to review the Amended Campus Plan and requested that the Board delay making a decision in the case until the ANC has an opportunity to vote on the Amended Campus Plan at its regularly scheduled meeting on March 15, 1993.

23. At the conclusion of the February 17, 1993 public hearing, the Board left the record open for the University to submit an amended campus plan, including a driveway realignment scheme, to ANC-3F. The record also was left open until March 30, 1993 in order for ANC-3F to respond to the University's amended campus plan.

24. By letter dated March 30, 1993, ANC-3F notified the Board that it had voted unanimously to support the University's application subject to the following **CONDITIONS:**

(a) The University realign its west driveway and

the adjoining Van Ness Circle cul-de-sac in accordance with plans set forth as Attachment No. 1 to Exhibit No. 39 of the record, and

(b) The amended campus plan be construed in accordance with Attachment Nos. 2 and 3 to Exhibit No. 39 of the record.

25. Testimony was presented that one of the best vistas in the District of Columbia is located on the West Campus and that the natural vista should be preserved. A resident of Van Ness East testified that the traffic flow in the dul-de-sac adjacent to the entrance to the West Campus should be addressed by the University. A resident of Veazy Terrace questioned the time taken by the University to address the flow of traffic in the cul-de-sac adjacent to the entrance to the West Campus.

FINDINGS OF FACT:

1. The Board finds that the University has met the requisite burden of proof as set forth in Sections 210 and 3108.1 of the Zoning Regulations.

2. The construction of an addition to Charles Houston Hall of approximately 6,000 square feet of classroom space will not tend to affect adversely the use of neighboring property. Further, the classroom addition is not likely to become objectionable to neighboring properties because of noise, nor vehicular traffic.

3. To allow the University to use the maintenance building as a permanent structure will not tend to affect adversely the use of neighboring property. Further, the maintenance building is not likely to become objectionable to neighboring properties because of noise, nor vehicular traffic.

4. The realignment of the driveway that intersects the Van Ness Street cul-de-sac mitigates any negative traffic flow problems.

5. The proposed classroom addition to Charles Houston Hall; the proposed permanent use of the temporary maintenance building; the construction of a service/delivery pad; and the realignment of the driveway that intersects the Van Ness Street cul-de-sac are consistent with the development of the west campus as contemplated by the Campus Plan, as amended.

6. The loss of 13 off-street parking spaces will not adversely effect the parking supply of the University.

7. The Board agrees with the report of ANC-3F and the University's response to the ANC's issues. The Board finds that

a step can be saved in implementing the improvements to the Van Ness Street cul-de-sac and further amends the instant application to include the further processing of the cul-de-sac design and improvements as it affects the University's property.

8. The Board finds that there is a need to up-date the 1974 West Campus Plan.

9. The Board has no jurisdiction to interpret whether the application is consistent or inconsistent with the Comprehensive Plan.

10. The Board finds that the University is committed to maintaining a three acre area of land contiguous to Soapstone Valley Park as open space.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the University is seeking special exceptions under Sections 210 and 3108.1 of the Zoning Regulations for further processing of an amendment to an approved West Campus Plan, to allow the construction of an addition to an existing structure and to make permanent use of a temporary structure, the granting of which requires compliance with the requirements of Sections 210 and 3108.1 of the Zoning Regulations. The Board concludes that the University has met its burden of proof.

The University has submitted a plan for developing the west campus as a whole, which was approved by the Board in 1974. The Applicant has submitted an amendment to that plan that reflects the University's current plan with respect to the development of the west campus.

The Board further concludes that the proposed addition of approximately 6,000 square feet of classroom space to Charles Houston Hall and use of the maintenance building is located so as not to become objectionable to neighboring property. The proposed addition will not increase the total bulk of all buildings and structures on the west campus so that the bulk exceeds the prescribed gross floor area.

The Board further concludes that the realignment of the driveway that intersects the Van Ness Street cul-de-sac property addresses and resolves the traffic problems cited by the neighbors.

The Board further concludes that the University's application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.

The Board concludes that it has accorded to ANC-3F the "great weight" to which it is entitled. Accordingly, it is **ORDERED** that the application is **GRANTED, SUBJECT** to the following **CONDITIONS:**

1. The on-site road improvements shall be as shown on the site plan marked as Exhibit No. 37A of the record, subject to the approval the Department of Public Works (DPW) of that portion of the proposed road improvements located on public space. The applicant shall have the flexibility to modify the approved on-site road improvements, if necessary, to conform to the improvements on public space approved by the DPW.

2. The applicant shall file an application for approval of an updated campus plan for the west campus within twelve months of the date of the order in this case.

VOTE: 3-0 (Carrie L. Thornhill and Sheri M. Pruitt to grant; John G. Parsons to grant by proxy; Paula L. Jewell and Angel F. Clarens not voting, having recused themselves).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Madeliene H. Robinson
MADELIENE H. ROBINSON
Director

FINAL DATE OF ORDER: APR 13 1994

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord15767/tm/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 15767

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on APR 13 1994 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Charles K. Barber, Esquire
Howard University
2400 6th Street, N.W. Room 309
Washington, D.C. 20059

Jerry A. Moore, III, Esquire
Linowes and Blocher
800 K Street, N.W., Suite 840
Washington, D.C. 20001

Marjorie Rachlin, Chairperson
Advisory Neighborhood Commission 3-F
4401 Connecticut Avenue, N.W., #401
Washington, D.C. 20008

Joel A. Rabinovitz
2939 Van Ness Street, N.W. #708
Washington, D.C. 20008

Carl H. Patton
2939 Van Ness Street, N.W.
Washington, D.C. 20008

Howard Fox
3001 Veazey Terrace, N.W.
Washington, D.C. 20008

Paul Kay
3001 Veazey Terrace, N.W.
Washington, D.C. 20008

MADELIENE H. ROBINSON
Director

DATE: APR 13 1994

HOWARD UNIVERSITY

OFFICE OF THE
VICE PRESIDENT FOR ACADEMIC AFFAIRS

December 17, 1996

Mr. Scott Strauss
Chairman
Advisory Neighborhood Commission 3F
3400 International Drive, NW, Suite 2J21
Washington, DC 20008

Dear Mr. Strauss:

I would like to thank the Commission for allowing Vice President Harry G. Robinson III, Dr. Hazel Edwards and I to present the Howard University West Campus Plan at the Commission's meeting last night.

One of the Commissioners asked me to look into the matter of the use of the West Campus for events unrelated to the Law School. I talked today with Denise Purdie, the Law School's Assistant Dean for Student Affairs. She indicated that the use of the buildings and grounds is restricted to Law School or Law School-related events, with one category of exceptions. The use of the Chapel is controlled by the Dean of the Chapel (and not the Law School) but Dean Purdie estimates that the Chapel is used for weddings about twice each month and occasionally for funerals.

Howard University looks forward to continuing the dialogue with the Commission and with interested community groups and individuals throughout December, January and beyond. While the hearing before the Board of Zoning Adjustment may be completed tomorrow, the BZA frequently keeps the record open for thirty or more days to receive additional comments and views. I look forward to working with the Commission and community representatives.

Please feel free to contact me at 806-2559 if you have any questions.

Sincerely,

Robert A. Malson,
Consultant

2400 6th Street, N.W.
Washington, DC 20059

(202) 806-2550
Fax (202) 806-4971

JAN 07 '97 11:46 AM Page 1

HOWARD UNIVERSITY

OFFICE OF THE VICE PRESIDENT
FOR UNIVERSITY ADMINISTRATION

March 4, 1997

Honorable Laura Richards
Chairperson
Board of Zoning Adjustment
441 Fourth Street, NW
Washington, DC 20001

Re: Howard University West Campus Plan
BZA Application No. 16110

Dear Madam Chairperson:

I am writing in response to the February 25, 1997 letter to you from Advisory Neighborhood Commission (ANC) 3F, regarding the referenced Howard University West Campus Plan.

Howard University believes its record of community involvement in this matter was portrayed inaccurately in the ANC's letter to you. To put the matter in perspective, representatives of the University have asserted from our initial discussions with ANC 3F Commissioner Karen Perry on June 13,1996 that we were serious in our commitment to hearing and considering the views of the community. We have not wavered nor deviated from that commitment and the record reflects adjustments to our plan based upon community input from ANC 3F. The following represents a partial summary of some of the correspondence, meetings and discussions between Howard University and ANC 3F in 1996 and 1997 on the subject of the West Campus Plan.

1. ANC 3F Meeting of October 21, 1996.

Mr. Robert Malson and Dr. Hazel Edwards, representatives of Howard University, reviewed the University's plan for the West Campus at the ANC Meeting of October 21. They described the proposed changes to the Campus which had been approved by the President and Board of Trustees and showed detailed colored drawings illustrating the University's desires. The two representatives sought input and reactions from the ANC and other members of the community. *The Northwest Current*, a community newspaper serving the area, stated in its published report of that meeting that ANC Commissioner Chuck Lapine "...stressed the need for cooperation between Howard and the surrounding neighborhoods. He raised the issue of increased traffic and parking problems and Malson responded that the university would conduct a traffic study." *The Northwest Current*, Volume XXIX, Number 23, November 13, 1996 (Attachment "A").

2400 6th Street, N.W.
Washington, DC 20059

(202) 806-2272
Fax (202) 806-9533

2. ANC 3F November 18, 1996 Meeting

Howard University was called by the Secretary of ANC 3F during the day of November 18, 1996 and was told that the University's presentation was being deleted from the agenda for that evening's meeting. I believed that our commitment for community involvement was of such importance that I asked Mr. Malson to go to the meeting anyway and to esure that the ANC knew that we had every intention of completing the final plan on time and that it would be submitted to the BZA in a timely fashion, as dictated by the BZA rules of procedure, with copies distributed to the ANC. Mr. Malson met with the Chairman before the meeting and assured him that the University would meet with the Commission, or interested members of the Community, at, or in advance of the December meeting, to receive their views. The Chairman indicated that he would schedule a meeting in December to share with us the community's views.

3. *The Northwest Current* Report on the West Campus Plan, November 27, 1996,

Jennifer Coderre, a correspondent for the *Current*, wrote in the November 27 edition (Attachment "B") that the University was completing its work on the Plan for submission in time for the scheduled December 18, 1996 meeting of the Board of Zoning Adjustment. Further, the Chairman of the ANC was quoted as saying that the ANC was scheduled to meet only two days before the BZA hearing on Howard's plan. "Unfortunately," he stated, "It's a matter of timing."

4. Campus Plan Submitted to the ANC

The West Campus Plan was submitted to the BZA on December 4, as required by the Board's rules for submission two weeks prior to the scheduled hearing, and a copy was delivered, by messenger, to the ANC 3F on December 6, 1996. The Plan, with an accompanying letter (Attachment "C") invites the Commission, once again, to call the University ***"...to arrange a time to discuss the Plan with the Commission or interested members of the community."*** (Emphasis added.) Again, we did not receive a response to our request to meet with the Commission, its staff, or any members of the community. With two weeks remaining before our scheduled testimony before the BZA, we believed we had ample time to consider any additional views or comments.

5. Second Submission of the December 4, 1996 West Campus Plan to ANC 3F

A telephone conversation between the Commission's Secretary and the University's representative on December 8 or 9, 1996, resulted in our outside counsel, Jerry A. Moore III, sending seven additional copies of the plan, ***by courier***, to the office of the ANC on December 9. The copies were delivered on December 9 (Attachment "D").

6. Howard University's December 12, 1996 Letter to the ANC Reflecting A Change to the Plan Based Upon Input from the ANC's October 21, 1996 Meeting

Our December 12, 1996 letter to ANC Chairman Scott Strauss (Attachment "E") addressed three points:

- o A statement of appreciation for the Commission's comments and views presented at its October 21, 1996 meeting;
- o Additional appreciation for hearing us prior to the November 18, 1996 meeting, the meeting we had been prepared to discuss the plan with the ANC;
- o A statement of recognition, on our part, that we had changed our draft plan (prepared prior to the October 21 meeting) to reflect the concerns of the Van Ness apartment community about the location of the proposed Law Library. (The change resulted in our decision to build the library as an addition to an existing building rather than a free standing one with the resulting lessened view lines from the Van Ness apartments.)

The letter closed with a request to call us with any questions. There were none.

7. The December 16, 1996 ANC 3F Meeting, Howard University's Presentation, and Invitation for Comments or Views

Howard University's presentation at the December 16, 1996 ANC 3F meeting was direct. Our agenda (Attachment "F"), which we adhered to, shows that Dr. Hazel Edwards described the existing site, I discussed the proposed Site Modifications, and Mr. Robert Malson and Dr. Edwards reviewed the critical data:

- o Personnel: A reduction in faculty and staff between 1974 and the present;
- o Parking: No change in the parking spaces which exceed the requirements;
- o Buildings: A slight increase in the overall building square footage.

With the BZA hearing on our Plan set for December 18, the Commission stated publicly that it did not have time to prepare a formal response. (Commissioner Lapine stated, with the approval of the other Commissioners, that he would try to return from his out of town trip early enough to attend the BZA hearing on behalf of the Commission to indicate that the ANC was working with the University in discussing community concerns. He was unable to attend.) Our letter to the ANC the following day (Attachment "G") contained a response to a question regarding events held on campus (primarily weddings and funerals).

8. January 23, 1997 Letter to ANC Commissioner Perry

On January 23 we hand delivered a letter to Commissioner Perry (Attachment "H") enclosing six copies of the revised draft. ***Specifically, we asked for community input prior to the submission of our final revision. We received no response.***

9. Conversation with Commissioner Karen Perry, January 31, 1997

At my instructions, Mr. Malson called Ms. Perry on January 31 to ascertain if she or other members of the community had any questions on concerns they wished to raise regarding any aspect of the West Campus Plan prior to the scheduled February 12, 1997 submission of the revised Plan requested by the BZA. Mr. Malson reported that Ms. Perry told him that she "...did not know of any community groups Howard University should meet with." Further, she continued, she would look into the matter and, if there was a desire for a community meeting, "...she would let him know on Monday." We received no comments.

10. ANC 3F Meeting of February 18, 1997

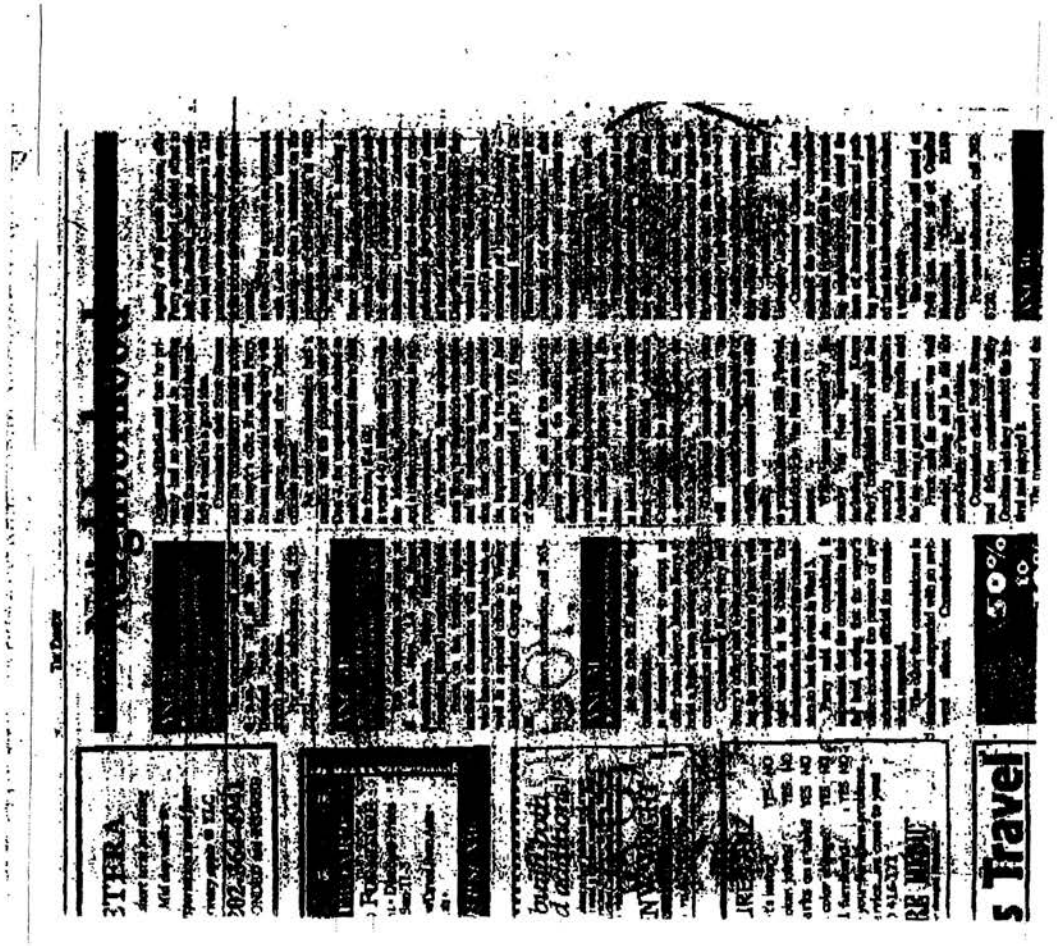
On February 18, 1997, I attended the ANC 3F meeting accompanied by Dr. Edwards and our counsel, Jerry A. Moore, III. We reviewed the Plan and responded to the concerns raised at the meeting. Further, we were asked to look into three questions involving (1) the Howard University School of Law Criminal Justice Clinic; (2) the history of the University's input to the ANC on the West Campus Plan; (3) the ANC's questions about the provision of public notice to the community; (4) security at the West Campus; and (5) the use of the University's parking lot by persons who are not associated with the School of Law. I answered each of the questions in a four page letter to ANC 3F Chairman Scott Strauss on February 26, 1997 (Attachment "I").

In conclusion, Howard University has made numerous offers to meet with the community and the ANC. Our plan has been modified based upon their specific suggestions. Further, we continue our outreach efforts. Howard University is pleased to host a community meeting at the School of Law within the next three weeks to receive any comments or suggestions to the plan. If the Board of Zoning Adjustment is willing to hold the record open for an additional thirty or sixty days, Howard University is willing to submit any suggested revisions to the West Campus Plan, submitted on February 12, 1997, which might evolve from the community meeting. We trust that our offer will assist in resolving the concerns expressed to the Board of Zoning Adjustment.

Sincerely,

Harry G. Robinson III
Interim Vice President for University Administration

ATTACHMENT "A"



HOWARD UNIVERSITY

ATTACHMENT "C"

OFFICE OF THE
VICE PRESIDENT FOR ACADEMIC AFFAIRS

Mr. Scott Strauss
Chairman
Advisory Neighborhood Commission 3F
Suite 2J21
3400 International Drive, NW
Washington, DC 20008

December 6, 1996

Dear Mr. Strauss:

I am pleased to submit a copy of Howard University's 1997 West Campus Plan to the Commission for review and comment. Please feel free to contact me at 806-2559 to arrange a time to discuss the Plan with the Commission or interested members of the community.

Thank you.

Sincerely,

Robert A. Malson
Consultant

2400 6th Street, N.W.
Washington, DC 20059

(202) 806-2550
Fax (202) 806-4971

ATTACHMENT "D"

ARTER & HADDEN
ATTORNEYS AT LAW
founded 1843

Cleveland
Columbus
Dallas

1801 K Street, N.W. / Suite 400K
Washington, D.C. 20006-1301
202/775-7100 *telephone*
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Irvine
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Writer's Direct Dial Number:
(202) 775-7986
Writer's Internet Address:
twinston@arterhadden.com

December 9, 1996

Ms. Nadia Benab
Advisory Neighborhood Commission 3F
IntelSat Building
3400 International Drive, N.W.
Room 2J21
Washington, D.C. 20008

Re: Howard University 1997 West Campus Master Plan

Dear Ms. Benab:

Pursuant to Bob Malson's request and our telephone discussion, enclosed please find seven copies of the 1997 West Campus Master Plan for Howard University. If you have any questions or need additional information, please do not hesitate to call.

Very truly yours,

Tasman E. Winston

Tasman E. Winston
Legal Secretary to Jerry A. Moore III

/tew

Enclosures

cc: [redacted]
Jerry A. Moore III, Esq. (w/o encl.)

ATTACHMENT "E"

HOWARD UNIVERSITY

OFFICE OF THE
VICE PRESIDENT FOR ACADEMIC AFFAIRS

Mr. Scott Strauss
Chairman
Advisory Neighborhood Commission 3F
3400 International Drive, NW, Suite 2J21
Washington, DC 20008

December 12, 1996

Dear Mr. Strauss:

I would like to thank the Commission for allowing Dr. Hazel Edwards and I to present the draft Howard University West Campus Plan at the Commission's meeting on October 21. The comments and views expressed by the Commission were informative and helpful.

It is my understanding that the Commission declined to place us on the agenda for the November 18, 1996 meeting because it wished to review the final plan prior to our next presentation. Nonetheless, I appreciate the time you took before the November meeting to talk with me. I promised that you would receive our final plan upon its completion and that we would be prepared to discuss it with you at your December meeting.

The plan was submitted to the Board of Zoning Adjustment on Wednesday, December 4 and a copy was transmitted to the Commission's office the next day. The plan contains a change from the draft which was discussed with you at the October meeting. The change reflects, in part, our attempt to address a concern raised by one of the Commissioners at the October meeting. The University has decided to recast the plan for the site of the proposed law library and to build it as an addition to the Holy Cross Building. The change will have the effect of eliminating the view of the proposed library from the Van Ness apartments. It will also eliminate an additional building footprint from the site plan.

Please feel free to contact me at 806-2559 if you have any questions.

Sincerely,

Robert A. Malson
Consultant

cc: Harry G. Robinson III, Interim Vice President for Academic Affairs

2400 6th Street, N.W.
Washington, DC 20059

(202) 806 2550
Fax (202) 806-4971

ATTACHMENT "F"

Howard University
West Campus Plan

Advisory Neighborhood Commission 3F
December 16, 1996

Presenters:

Howard G. Robinson III, Interim Vice President for Academic Affairs
Hazel Edwards, Ph.D., University Planner
Robert A. Malson, Consultant

Introduction: Mr. Malson

A. The Existing Site: Dr. Edwards

B. Proposed Site Modifications: Mr. Robinson

C. Campus Plan Data: Mr. Malson
Dr. Edwards

1. Personnel

	Faculty	Students	Staff
1974:	41	450	172
1996	32	450	50

2. Parking

Mandated: 77 spaces for 32 faculty and 699 class seats
255 spaces presently and in a redesigned arrangement

3. Buildings/Landscaping

Landscaping:	Screening in an urban design context
Library:	65,941 square foot addition to Holy Cross Hall
President's House:	10,000 square foot building, north of the Library

Agenda
Regular Meeting
DECEMBER 16, 1996

1. Call To Order

2. Adopt Agenda

3 Open Forum

4. Regular Business
   a) 1997-1998 ANC 3F Commissioners(Strauss)
   b) Absence Of Government Report(Strauss)
   c) Acadiana Restaurant Liquor License(Strauss)
   d) Vending Licenses(Perry)
   e) Don Reeves/Newly Elected Ward 3 School Board Member(Gresham)
   f) Ladda Thai Restaurant Liquor License Renewal(Perry)
   g) Howard University Campus Plan(Perry)
   h) Mayor's Visit to Ward 3(Perry)

5. Minutes-October/November(Perry)

6. Expenditures-November(Lapine)

Adjournment

HOWARD UNIVERSITY

ATTACHMENT "H"

OFFICE OF THE
VICE PRESIDENT FOR ACADEMIC AFFAIRS

January 23, 1997

Ms. Karen Perry
Commissioner
Advisory Neighborhood Commission 3F
3400 International Drive, NW, Suite 2J21
Washington, DC 20008

Dear Ms. Perry:

As we discussed in our telephone conversation today, I am enclosing six copies of the revised draft Howard University West Campus Plan for the Commission's comments and review. I appreciate your willingness to put us on the agenda for your February 18 meeting. As you know, our revised submission is due to the Board of Zoning Adjustment on February 12 and Howard University would like to include any acceptable modifications which the Commission desires in the February 12 submission. Please feel free to call me at 202/806-2272 or you may fax any proposed revision to 202/806-9533.

I would also ask that you inform me of any community groups which would like to discuss the plan. I appreciate your assistance.

Sincerely,

Robert A. Malson

cc (w/o enclosures):

Vice President Harry G. Robinson III
Dr. Hazel Edwards
ANC3F Chairman Scott Strauss

2400 6th Street, N.W.
Washington, DC 20059

(202) 806-2550
Fax (202) 806-4971