

**BEFORE THE DISTRICT OF COLUMBIA  
ZONING COMMISSION**

Application of The Catholic University of America

ANCs 5A, 5B and 5E

**APPLICATION FOR AMENDMENT TO AN APPROVED CAMPUS PLAN  
AND FURTHER PROCESSING OF A CAMPUS PLAN FOR THE  
CONSTRUCTION OF DINING FACILITY ON THE MAIN CAMPUS**

**I. STATEMENT OF EXISTING AND INTENDED USE AND RELIEF SOUGHT**

This is an application of The Catholic University of America (“University”) for an amendment to its 2012-2027 Campus Plan (“2012 Campus Plan” or “Campus Plan”), approved in Zoning Commission Order No. 12-01 (Exhibit A) to allow for a dining hall that is slightly larger than that contemplated in the Campus Plan. Most recently in Z.C. Order 12-01A (Exhibit B) dated July 12, 2018, the Commission approved a new parking lot and small building to serve an athletic field. That project has been completed

**II. THE 2012 CAMPUS PLAN AND PROPOSED AMENDMENT**

The University seeks a modification of the Campus Plan and further processing approval for the replacement of Magner House (student housing) with a dining hall that was approved as part of the Campus Plan. Magner House, which is located in Centennial Village, was slated for demolition in an effort to enhance the connection between student housing and the campus core. Centennial Village, constructed in 1988, consists of aging housing stock with an interior-focused orientation that is a barrier to campus porosity. The Campus Plan envisioned shifting student housing toward the new dormitories constructed at the perimeter of the campus, along John McCormack Drive. By replacing Magner House with a dining facility, the University modifies what is currently considered a “barrier” within the campus and creates a central gathering place

for students. Fast food dining options are currently provided in the Pryzbyla Center, which will remain; however the proposed dining facility will provide more extensive options as well as gathering spaces for the students. The current dining facilities in the Pryzbyla Center are not adequate to serve the existing student population; there is often extensive queuing at the food stations and a shortage of seating during peak periods. The addition of the dining facility will address these issues and provide gathering spaces for students to meet, eat and relax.

The dining facility will be approximately 55 feet in height and 40,430 square feet in size.<sup>1</sup> The replacement of Magner House with the dining facility will result in a net increase in density on-campus. Magner House is approximately 19,083 square feet in size, resulting in a net increase of approximately 21,230 square feet of density. The overall density of the campus will remain well within what is permitted under the Campus Plan and the 1.8 FAR permitted in the RA-1 zone district.

### **III. COMMUNITY DIALOGUE PROCESS**

On December 27, 2018, the Applicant mailed a Notice of Intent (attached as Exhibit C) to all owners of property within 200 feet of the campus boundaries and to the ANCs. Therefore, the filing of this application satisfies the requirement of Subtitle Title Z, § 302.6. In accordance with Subtitle Z, § 302.8, representatives of the University made a presentation to ANC 5A at their November 28, 2018, public meeting. Also, the University has reached out to both ANCs 5B and 5E to discuss the application.

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<sup>1</sup> The Campus Plan anticipated that the dining facility would be approximately 27,000 square feet in size.

In addition to formal presentations at the ANC, representatives of the University hold meetings with the community each semester. These improvements have been discussed at these meetings.

**IV. COMPLIANCE WITH THE REQUIREMENTS OF SUBTITLE Z § 302.10 AND SUBTITLE X § 101 OF THE ZONING REGULATIONS**

The Campus Plan, approved in ZC Order No. 12-01, included the information that is required by Subtitle Z § 302.10(c)-(l) for Campus Plan approval. This statement provides updated information regarding the approved Campus Plan. Section V of this Statement addresses the University's satisfaction of the Conditions of approval of ZC Order No. 12-01.

As described in detail below, the proposed Campus Plan Amendment and Further Processing application satisfies the special exception standards enumerated in Subtitle X § 101 of the Zoning Regulations.

**A. The use shall be so located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions (Section 101.2)**

*1. No Adverse Impacts Related to Noise Will Result from the Construction*

The dining facility will not have an adverse effect on neighboring properties. It is proposed for a central location on Main Campus and the closest residential properties are located to the east of the Metrorail tracks. Accordingly, its location is sufficiently buffered from surrounding uses by the Campus itself. The dining facility will not increase current noise levels on campus given that its purpose is simply to provide central dining options for students. The dining facility will not affect circulation patterns since no parking is associated with the facility; nor will it affect University enrollment. It is being proposed to serve the existing student population and is not being proposed in conjunction with an increase in enrollment. Accordingly, no objectionable impacts will result from the construction of a new dining hall.

B. Compliance with the Maximum Bulk Requirements (Section 101.5)

The 2012 Campus Plan approved a total FAR of 0.39, which is well within the 1.8 FAR permitted in the RA-1 Residential District<sup>2</sup>. The proposed work will result in a FAR of .30, which is consistent with the Campus Plan approval.

C. Submission of a Plan for Developing the Campus as a Whole (Section 101.8)

The Zoning Commission approved the Campus Plan on May 25, 2012. The proposed dining facility is generally consistent with the parameters approved in the Campus Plan except that it is somewhat larger than proposed in the Campus Plan. For that reason, a modification is being sought.

D. No Interim Use of Land is Proposed (Section 101.10)

No interim use of land is requested as part of this Campus Plan Amendment and Further Processing application.

E. No New Use Sought for Approved Site of Buildings Moved Off Campus (Section 101.10)

The proposed facilities will be provided on campus and will not displace any use to off campus.

F. Compliance with the Policies of the District Elements of the Comprehensive Plan (Section 101.11)

The proposed facilities are not inconsistent with the District Elements of the Comprehensive Plan which were detailed in the Campus Plan.

G. The Proposed Buildings are Within the Floor Area Limit for the Campus as a Whole (Section 101.12)

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<sup>2</sup> See Subtitle X, Section 101.5.

The proposed project will result in approximately 40,430 square feet of gross floor area. Given the demolition of Magner House, there will be a net gain of a total of 21,230 square feet of total gross floor area on the University's campus. This equates to a .30 FAR, which is consistent with the Campus Plan approval.

**V. SATISFACTION OF CONDITIONS OF CAMPUS PLAN**

This section of the Statement addresses the Applicant's satisfaction of the relevant conditions.

1. Condition No. 1: The maximum student enrollment shall be 8,035 students (headcount), which includes any person taking at least one class or course on campus.
  - University Response: The current student enrollment is 5649 students (headcount), which includes any person taking at least one class or course on campus.
  
2. Condition No. 2: The maximum number of part-time and full-time faculty and staff shall be 2,130 as determined by headcount.
  - University Response: The maximum number of part-time and full-time faculty and staff is 1831, as determined by headcount.
  
3. Condition No. 3: The maximum number of parking spaces shall be 1,920; the current total of 1,927 shall be reduced to 1,920 by the end of 2012. The University shall further eliminate at least 45 surface parking spaces on the Main Campus as part of the first development application submission. The University shall only propose new parking facilities that can be offset by elimination of an equal or greater number of parking spaces in other campus parking facilities.

The University complies.

- a. The University shall further reduce the maximum number of parking spaces to 1,892 by the end of 2022.

The University is scheduled to complete this by the required date.

4. The University shall continue to require freshmen and sophomores to live on campus, unless a student lives with a parent or guardian in the DC area.

- The University continues to require freshmen and sophomores to live on campus unless a student lives with a parent or guardian in the DC area.

5. The University shall establish and maintain a community liaison committee to address community concerns related to the University:

- a. The committee shall meet at least once per semester, beginning with the first meeting held in the first full semester after approval of the campus plan;
  - i. The committee shall include either the President, Vice President, or the General Counsel of the University. Representatives of ANC 5A and ANC 5C and owners of property directly abutting the University may also become members of the committee.
- b. The committee meetings shall be open to the public; however, only those members listed in subsection (a) shall have voting power;
- c. Notice of the meetings shall be given to committee members, to ANCs 5A and 5C and to a community newspaper or similar publication, and shall be posted on the CUA Community Website; and

- d. Minutes of all meetings shall be taken, maintained and circulated among the members.
  - The University has established a community liaison committee that operates under the auspices of the office of the University's General Counsel. The committee meets at least once per semester. Attendance varies but typically includes the Single Member District Representative on the ANC, other ANC representatives, representatives of area civic associations, including the Brookland Civic Association and the Greater Brookland Business Association, interested neighbors and local alumni. Meeting agendas are prepared by the General Counsel and circulated to the community for their input to ensure discussion of issues material to the community.
  - Next meeting to be held later this semester.
6. The University shall implement the special events parking plan submitted into the record as Tab B of Exhibit 23.
- The University has implemented the special events parking plan submitted into the record as Tab B of Exhibit 23.
7. Campus shuttles shall only run on public streets or on-campus streets labeled as "Public Access Roads" in the Campus Plan, unless specifically requested to serve a person with disabilities.
- The current circulation plan has not been modified since the Campus Plan. Because the circulation plan approved in the Campus Plan has not been fully implemented, this condition is not yet fully applicable. Nevertheless, campus

shuttles only run on public streets or on-campus streets labeled as “Public Access Roads” in the Campus Plan, unless specifically requested to serve a person with disabilities.

8. The University shall implement the following TDM and Sustainability measures, as follows:
  - a. Measures to be required permanently:
    - i. Continue employee pre-tax payroll deduction for public transit costs;
      - The University complies.
    - ii. Continue to prohibit freshmen residents from parking vehicles on campus, with exceptions for those students who need a car for medical purposes or are in the Reserve Officers’ Training Corps;
      - The University complies.
    - iii. Continue to operate a free Catholic University shuttle service to the Brookland-CUA Metro station and off-campus housing;
      - The University complies.
    - iv. Maintain solar panels above 72 parking spaces in O’Boyle lot (in a manner that will not affect the O’Boyle lot parking supply);
      - The University complies.
    - v. Reduce parking fees for carpool drivers. Carpool drivers shall be given priority in issuance of permits;



- The University is studying the most efficient method of reducing fees for carpool drivers. There currently is not enough demand for permits to warrant a priority system.
  - vi. Assign a staff member the role of implementing the TDM Plan and provide their contact information to DDOT and goDCgo;
    - The University complies.
  - vii. Email students, faculty and staff before the start of each semester to share transportation information and incentives;
    - The University will send the required email during the Spring 2019 semester.
  - viii. Provide information on the Catholic University website in a prominent and visible location regarding non-automotive travel options; and
    - The University complies
  - ix. Provide information for non-automotive travel options in student common areas and provide at student orientation.
    - The University provides the required information in a student common area and will provide the information at the Fall 2019 orientation.
- b. Measures to be completed prior to Fall 2018 semester:
  - i. Install 338 new bike spaces on campus (understanding that as of 2018, a total of 274 spaces have already been installed, leaving 64 additional

- spaces to be installed). At least eight inverted U-racks (16 spaces) shall be located near the Bates lot);
- Forty-eight of the 64 required spaces have already been installed, including 16 near the Bates lot. The last 16 spaces will be installed at Maloney Hall before the end of April 2019.
- ii. Increase average parking permit fees;
- The University complies.
- iii. Eliminate provision of free faculty and staff parking permits, currently provided by various University departments, for all new faculty and staff hired after May 25, 2012;
- The University complies.
- iv. Work with a carshare company to provide two carshare vehicle spaces in easily accessible locations on campus; and
- The University complies.
- v. Fund and install a Transit Screen in a student common area, such as the Pryzbyla Center;
- The University complies.
- c. Measures to be completed prior to Fall 2019 semester:
- i. Fund and install a 19-dock Capital Bikeshare station on the University's campus and provide one year's maintenance and operation; and

- The University is scheduled to complete this by the required date.
- d. Measures to be implemented, as necessary:
- i. Offer new carpool incentives and rideshare matching services to campus commuters through Commuter Connections, and/or other service providers;
    - The University is evaluating the feasibility of this.
  - ii. Increase Campus Shuttle frequency during peak periods to every 10 minutes, if demand is present;
    - The University has implemented this measure.
  - iii. Expand Campus Shuttle to provide rides seven days a week and operate at least 30 minutes before/after Metro opens/closes, if demand is present;
    - The University is evaluating the feasibility of this.
  - iv. Offer discounted Capital Bikeshare memberships to students;
    - The University is evaluating the feasibility of this.
  - v. Increase employee participation in pre-tax transit benefits;
    - The University is evaluating the feasibility of this.
  - vi. Fund and install Transit Screens in additional student common areas;
    - The University is evaluating the feasibility of this.

- vii. Provide additional carshare spaces in easily accessible locations on campus;
    - The University is evaluating the feasibility of this.
  - viii. Increase parking permit fees over the increases required pursuant to paragraph (b) of this condition;
    - The University is evaluating the feasibility of this.
  - ix. Impose limitations on the number of parking permits issued;
    - The University is evaluating the feasibility of this.
  - x. Target access restrictions to commuter parking; and
    - The University is evaluating the feasibility of this.
  - xi. Introduce new or increase existing financial incentives for alternative mode options.
    - The University is evaluating the feasibility of this.
9. The University shall establish parking permit policies and operational controls to restrict use of the DuFour Center parking lot by general commuters.
- The University restricts use of the DuFour Center parking lot to permit parking only. Violators of the policy receive parking tickets.
10. The University shall monitor its parking supply on an annual basis and report to DDOT on Single Occupancy Vehicle (“SOV”) mode share reductions and implementation of TDM measures, with a goal of meeting a 55% non-automotive mode split or 41% SOV mode share (per goal cited in the 2012 Catholic University

Master Plan) for employees and students who commute to campus. The University commits to a performance monitoring plan that requires it to:

- a. Submit annual TDM monitoring reports to DDOT for a minimum of two consecutive years, beginning with the Fall 2018 semester;
- b. TDM monitoring reports shall include the following at a minimum:
  - i. Student enrollment and number of faculty/staff;
  - ii. Mode splits from Catholic University Commuter Survey for the most recent semester, broken down separately for students and faculty/staff;
  - iii. At a minimum, mode share data shall be collected for the following modes: single occupancy vehicles, carpool/vanpool, walk, bicycle, bus, Metrorail, commuter rail, and other/telework;
  - iv. Vehicle parking space occupancy counts;
  - v. Bicycle parking occupancy counts;
  - vi. Documentation of any changes to TDM program from previous year, including new or innovative policies being implemented not explicitly required in the TDM Plan; and
  - vii. A TDM work plan/timeline for the upcoming school year;
- c. The TDM monitoring report shall include entering and exiting vehicle traffic counts for the morning commuter and school afternoon peak hours every two years, or as specified by DDOT through future coordination or monitoring;

- d. TDM monitoring reports will no longer be required to be submitted to DDOT when two consecutive annual reports demonstrate that the Applicant is in compliance with the 55% non-automotive travel requirement or Catholic University single-occupant vehicle mode share reaches 41% or lower; and
  - e. If the results of the Catholic University mode share data do not demonstrate at least one percentage point improvement toward either the nonautomotive or SOV mode share goals since the previous TDM monitoring report, then the Applicant will be required to adjust and improve the TDM program gaining DDOT approval on these adjustments.
- The University is commencing the required analysis during its Spring 2019 semester.
11. The University shall assess the impact of typical University-related commuter parking on neighborhood streets in proximity to the Campus as part of the annual monitoring program and work with DDOT to mitigate impacts.
- The University will undertake a formal analysis of these impacts as a part of its monitoring program.
12. The University shall summarize its event management plan and provide modifications to the plan necessary to balance community concerns with the University's special events operations as part of the annual monitoring program.
- The University drafted and implemented an event management plan as part of the Campus Plan to address parking and transportation concerns for small, medium and large events.

13. In order to afford DDOT adequate time to assess the impacts of a project that includes parking, the University shall meet with DDOT to scope any further processing application that includes parking facilities prior to submitting the application. The University shall submit a Comprehensive Transportation Review (“CTR”) study to DDOT at least 45 days prior to the hearing. The supplemental information will be provided to justify the proposed parking facilities and demonstrate progress in decreasing SOV mode share.

- The dining hall does not include parking.

14. The University shall provide a status update on the Campus Plan open space improvements with each further processing application it submits to the Zoning Commission for consideration.

- The University plans to remove the McMahon surface parking lot on the Main Campus by 2020. It will replace the parking lot with green, landscaped open space. It anticipates that this conversion will be complete by 2022 and will provide approximately 80,000 more square feet of green space to the campus.

15. The Campus Plan shall be valid for a period of 15 years beginning on the date that this order became final as indicated below.

- The University does not propose modifying this condition.

16. In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code Sections 2-1401.01 et seq. (Act), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression,

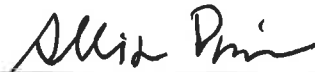
familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

- The University does not propose modifying this condition.

## **VI. CONCLUSION**

The proposed amendment to the Campus Plan and further processing application satisfy all relevant special exception criteria. The University looks forward to continuing to work with community stakeholders to address any additional issues related to this application and to present this case to the Zoning Commission at the earliest possible date.

GOULSTON AND STORRS, P.C.



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Allison Prince