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May 21, 2004

Carol J. Mitten, Chair
Zoning Commission for the
District of Columbia
441 – Fourth Street, N.W.
Suite 220 South
Washington, D.C. 20004

Re: Zoning Commission Case No. 02-26: The George Washington University Lerner Health and Wellness Center

Dear Ms. Mitten and Members of the Commission:

At the May 13, 2004 public hearing the Commission asked our client to project how the opening of the new university residence facility on Square 43 - directly across G Street from the Lerner Health and Wellness Center (the "Center") - will impact the number of users at the Center. We are pleased to respond.

The University projects that the residence facility will be available for occupancy in August 2004. 728 beds will be available and the University expects all, or nearly all of them to be occupied. Over the course of the academic year, a small percentage of vacancies will likely occur due to the withdrawal of students. The occupants will be upper class students, nearly all of whom will be coming from existing university housing. Consistent with its other on-campus residential facilities, the University anticipates that the Square 43 facility will be 80% occupied during the summer months for University summer programs, commencing in 2005.

Since the vast majority of the Square 43 occupants will be existing (upper class) students who are already in University housing and now eligible to use the Center, a reliable projection of the percentage of these occupants who will begin to use the Center as a direct result of it being in closer proximity cannot be made. However, it is reasonable to assume that some small percentage will be attracted by the closer proximity, but in no meaningful number. In any event, it is clear that these new occupants will not create any impact upon traffic, parking or noise in the neighborhood: no traffic or parking impact because they will live across the

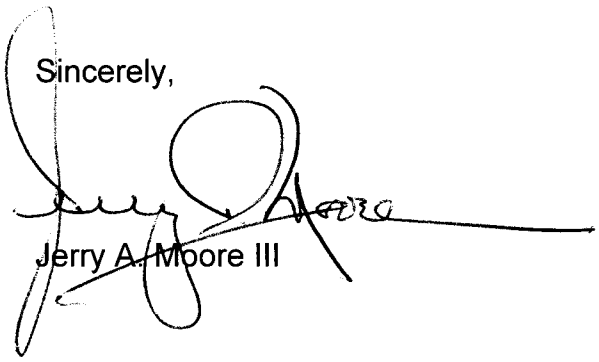
ZONING COMMISSION
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Exhibit 86

ZONING COMMISSION
District of Columbia
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EXHIBIT NO.86

street from the Center, and no noise or other objectionable condition because the Commission has already found that the number of students who come to occupy the residence facility, Z.C. Order dated January 12, 2002 (Z.C. Case No. 01-021CP), and now, logically, the Center will not adversely impact the use of neighboring property.

We trust that you will find this opinion and conclusion responsive to your request.

Sincerely,



Jerry A. Moore III

JAM/ydl

cc: ANC 2A