Foggy Bottom and West End
Advisory Neighborhood Commission (ANC-2A)

c/o St. Mary's Court 725 24th Street, NW Washington, DC 20037 (202) 736-1775

February 9, 2004

2004 FEB -9 PM 2:36

Ms. Jerrily Kress, Director
Zoning Commission
441 Fourth Street, NW, Suite 210
Washington, DC 20001

Re: A Proposed PUD by The George Washington University for a New Residence Hall at 2025 F Street, NW in Square 103, Lot 817 Zoning Commission Case No. 03-29

Dear Ms. Kress:

Advisory Neighborhood Commission 2A (ANC–2A) at a Special Public Meeting on January 27, 2004, duly noticed and with a quorum present, voted to endorse Resolution ANC-04-01D as the ANC's position regarding the above application by George Washington University.

It was decided the Chair would represent the ANC at the Zoning Commission hearing on February 19th because at present the Board of Elections & Ethics has certified the relevant ANC SMD to be vacant..

Respectfully submitted,

Dorothy Miller

Dorothy Miller, Chair
Advisory Neighborhood Commission 2A

Attachment (1) Resolution ANC-04-01D

ZONING COMMISSION
District of Columbia
Case 03-29
Exhibit 29

ZONING COMMISSION
District of Columbia
CASE NO.03-29
EXHIBIT NO.29

THE FOGGY BOTTOM AND WEST END ADVISORY NEIGHBORHOOD COMMISSION (ANC-2A) passed the following Resolution #04-01D

A Proposed PUD by The George Washington University for a New Residence Hall at 2025 F Street NW in Square 103, Lot 817 (Zoning Commission Case No. 03-29)

1. ANC-2A finds that a PUD is not, and should not be, permitted within the boundaries of an approved Campus Plan:

   First, neither the Zoning Regulations for a Campus Plan nor the Zoning Regulations for a PUD state that a PUD is permitted under a Campus Plan. Absence of a reference in either the Campus Plan regulations or PUD regulations does not imply permission to use the PUD tool.

   Second, under the Campus Plan regulations, an applicant university or college already is provided significant flexibility of development and bonuses in exchange for the submission and approval of a Campus Plan.

2. ANC-2A finds that, even if a PUD would be permitted within a Campus Plan's boundaries, the George Washington University does not need a PUD to construct a new dormitory on the subject site:

   The variances being requested by the University would be the same whether or not a PUD was proposed. The University would need no additional variances beyond those required in any event by the underlying zoning (R-5-D).

   Moreover, the University did not provide specific development advantages for using the PUD approach. Rather, the University states that one of its reasons for requesting a PUD is "flexibility of development." Since the University requires a number of variances to the underlying R-5-D zoning in any event, the "flexibility of development" would appear to apply more (if not only) to the remainder of Lot 817, the future development plans for which are not provided. Given the University's history, and the current level of trust between the University and the neighborhood, granting the University even more "flexibility" for some future development plans is not warranted.

3. ANC-2A finds that the variance for relief from the rear-yard setback requirement is not warranted:

   The zoning requirement is 30 feet and the University's proposal is 0 feet. The University asserts as a conclusion without supporting documentation that the alleyway width of 16 feet is sufficient, because this distance will provide "adequate light and air." ANC-2A has several serious concerns with this assertion.

   First, if the City—through its Zoning Commission and its Zoning Regulations—thought 16 feet was "adequate" for light and air, the Zoning Regulations would require only 16 feet. But, the Zoning Commission has determined that 30 feet is adequate and thus the Zoning regulations require 30 feet.

Second, using the width of an alleyway for rear-yard setbacks is not an approved method for calculating minimum requirements and use of alleyways for such a calculation would set a precedent that would have severe negative consequences for the future for all properties bounding a developable parcel.

Third, the University states that "University-related fraternities" own the properties abutting the alleyway. Since the University does not now own these properties, and since the properties in question could be more intensely developed in the future than they are today, it is quite possible for "canyon walls" to be the result of approved future development along the alleyway.

4. ANC-2A finds that the variance for relief from the court requirement is not warranted:

   The zoning requirement is 22 feet, 6 inches and the University's proposal is 13 feet, 10 inches. The University asserts as a conclusion without sufficient documentation that the court depth of 13 feet, 10 inches is sufficient, because this distance will provide "ample light and air." ANC-2A has two serious concerns with this assertion.

   First, if the City, through its Zoning Commission and its Zoning Regulations, thought a depth of 13 feet, 10 inches was "adequate" for light and air, the Zoning Regulations would require only 13 feet, 10 inches. But, the Zoning Commission has determined that 22 feet, 6 inches is adequate and thus the Zoning regulations require 22 feet, 6 inches.

   Second, the court for the adjacent residential building, Francis Scott Key Hall, is already only half of the required depth (11 feet, 3 inches). Thus, the residential rooms along most of the east face of the proposed residential hall will have almost "tenement-like" courts outside their windows, significantly eliminating light and sun from most of the rooms.

5. ANC-2A finds that the requested variance for relief from the lot occupancy requirement is misleading:

   The calculation for the lot occupancy includes the unloading and parking area behind the Support Building, a portion of Lot 819 that is potentially developable at a significant increase in building footprint, height, and bulk. Thus, the lot occupancy for the proposed residential hall should also be viewed from the perspective of coverage of the rectangular portion of the lot occupied by the building itself (lot area is 88.69 feet by 120.79 feet or 10712.87 square feet). Each court (measured from the drawings, since dimensions are not provided) measures approximately 65.33 feet by 13.83 feet or 903.51 square feet. Thus, the lot coverage would be approximately 83.13 percent.

6. ANC-2A finds that the lack of a dedicated off-street loading area is inappropriate for a dormitory with its proposed 380 beds:

   The University apparently intends to use a new or expanded dumpster located in the already now-crowded service yard of the Support Building for trash storage and pickup and to use a loading dock accessible only from the same service yard for deliveries of equipment and supplies to the building. Since the University provides no guarantees that this space will be provided in perpetuity to service the proposed residence hall, the lack of a dedicated off-street loading area is a significant problem.

   In addition, the University apparently also intends that the loading and unloading of student clothes, books, electronic equipment, and related goods will occur at the F Street entrance. This will only reinforce the current problems with on street loading and unloading and its negative impacts on the immediately adjacent neighborhood residents.

7. ANC-2A finds that inclusion of a publicly-accessible, ground-floor, retail tenant in the building is in violation of the intent of the Campus Plan, the Zoning Regulations, and the Comprehensive Plan:

   First, the specific use of the "university and public retail space" is not defined.

   Second, the need to serve the "public" (i.e., the neighborhood) at this site has not been demonstrated and is highly questionable.

   Third, publicly accessible, food-oriented retail uses are not appropriate at the boundary edge of a Campus Plan particularly where they will negatively impact non-university residential. They should be located more centrally within the campus boundaries to serve more students.

   Fourth, the area in front of the proposed residential hall will be busy and noisy enough at all hours of the day and night with its significantly negative consequences on the residents in the apartment buildings across F Street. Adding the retail space of unknown use and unknown hours, as has been done in other areas of the neighborhood, will make the situation intolerable.

8. ANC-2A finds that the proposed amenities and benefits to the Foggy Bottom community and the District as a whole are essentially nil and merely assertions on the part of the University without any meaningful supporting documentation:

   The addition of "approximately 380 new beds within the Campus Plan boundaries" is not an amenity. New beds in excess of these 380 are a requirement of the approved Campus Plan.

   The addition of "approximately 1000 square feet of university and public retail space" is not an amenity, as explained in detail above.

   The "provision of a new food service facility at Quigley's" is not an amenity in support of this PUD or even the requested zoning variances. The renovations and the food service use are independent business decisions that have nothing to do with the presumed benefits of proposed development—even though they are in the same square.

   The provision of "a more attractive streetscape for the portion of F Street located in front of the new building" is not an amenity in support of this PUD. If the University wanted a more attractive streetscape along the approximately 89-foot frontage, it could do so with very limited costs. Any presumed benefit to the nearby residents is clearly overwhelmed by the negative consequences of the development.

   The provision of "a superior, environmentally sensitive design" is not an amenity in support of this PUD. First, this is an assertion without any supporting documentation. Second, this is a qualitative statement about which reasonable people (from neighborhood citizens to non-neighborhood architects) could easily disagree. Third, it is hard to imagine the University would put up any building on any part of the Campus that it did not consider "superior and environmentally sensitive," whether or not a PUD for the building's site was involved.

9. Use of a PUD would set a precedent that would have severe negative consequences for the future for all neighborhoods bounding an approved Campus Plan area and for the height and bulk of buildings within an approved Campus Plan.

In conclusion, ANC-2A:

Opposes the use of the PUD zoning tool within the Campus Plan boundaries for the proposed residence hall (or any other development) as an inappropriate and unneeded tool for Campus Plan development;

Opposes most of the variances for relief from the Zoning requirements as unwarranted;

Opposes the lack of a dedicated off-street loading area;

Opposes the inclusion of a publicly-accessible, ground-floor, retail tenant in the proposed residence hall; and

Finds that the proposed amenities and benefits to the Foggy Bottom community and the District as a whole are essentially nil.

Therefore, ANC-2A recommends that the Zoning Commission reject the proposed PUD dormitory development.

DATE: January 27, 2004

SMD	AYE	NAY	ABSTAIN	ABSENT	MOVED	SECONDED
01 Lehrman		X				
02 Price	X					X
03 Tyler			X			
04 Lewis						
05 Miller					X	
06 Vacant						

Dorothy Miller

CHAIRPERSON