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February 25, 2004

2004 FEB 25 PM 2:15

By Hand Delivery

Ms. Carol Mitten
Chairperson, D.C. Zoning Commission
441 4th Street, N.W.
Room 210
Washington, D.C. 20001

Re: Z.C. Case No. 03-29: Application of The George Washington University for Consolidated PUD at 2025 F Street, N.W. (Square 103, Lot 817)

Dear Chairperson Mitten and Members of the Commission:

Attached please find the following information requested by the Commission at the close of the public hearing on February 19, 2004:

- An original and 20 copies of the Applicant's Proposed Finding of Fact and Conclusions of Law;
- Samples of exterior building materials;
- Revised exterior elevations with notations indicating the materials used;
- Revised North Elevation, showing more detail & articulation;
- Details, plans, and elevations of front yard planters and low walls indicating the materials and plan to be used; and
- Details, plans, and elevations of the rear court walls, fences, and gates, indicating the materials and plans to be used.

Copies of the above-listed items have been sent by hand delivery to ANC 2A and NCPC. If you have any questions regarding the attached material, please call the undersigned at (202) 663-8000.

Sincerely,

Allison C. Prince/ACP

Allison C. Prince

Attachments

ZONING COMMISSION
District of Columbia
Case No. 03-29
Exhibit No. 49

Document #: 1382216 v.1

ZONING COMMISSION
District of Columbia
CASE NO. 03-29
EXHIBIT NO. 49

APPLICANT'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION ORDER NO. 03-29
Case No. 02-29
(Consolidated Planned Unit Development for The George Washington University – Square 103 Residence Hall)

Pursuant to notice, the Zoning Commission for the District of Columbia held a public hearing on February 19, 2003, to consider an application from The George Washington University for consolidated review and approval of a planned unit development pursuant to Chapter 24 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning. The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022.

FINDINGS OF FACT

1. On July 30, 2003, The George Washington University (the "Applicant" or the "University") filed an application for consolidated review and one-step approval of a planned unit development ("PUD") and related Zoning Map amendment for the property consisting of Lot 817 in Square 103. The Applicant initially requested approval of a map amendment from R-5-D to C-3-C in order to construct a residence hall with 125,000 square feet of gross floor area and a height of 120 feet. The project, as proposed by the Applicant, included 530 beds.

2. During its meeting on November 12, 2003, the Zoning Commission expressed concern about the proposed height and decided to set down the application for a hearing within the framework of the existing R-5-D zoning. As a result, the maximum height of the building was reduced to 90 feet, and the number of proposed beds was reduced to 379. Notice of the public hearing, including a description of the subject property and the proposed development, was

published in the D.C. Register on December 26, 2003, 50 D.C. Reg. 11067, and was mailed to all property owners with in 200 feet of the subject property and to Advisory Neighborhood Commission ("ANC") 2A.

3. Parties in this proceeding were the Applicant and ANC 2A. The Foggy Bottom Association ("FBA") withdrew its request for party status at the hearing. The Zoning Commission opened and completed the public hearing on February 19, 2004. At the public hearing, the Commission heard testimony and received evidence from the Applicant, ANC 2A, and the Office of Planning.

4. During the public hearing, ANC 2A moved to dismiss the application, arguing that the PUD process is not available to properties that are subject to a Campus Plan. The ANC acknowledged that the regulations do not specifically prohibit the filing of a PUD for a property within a Campus Plan. The Applicant argued, and the Commission found, that the regulations allow the filing of a PUD for properties within a Campus Plan. The Commission also notes that two of the properties within The George Washington University Campus Plan were developed pursuant to the PUD process – 2000 Pennsylvania Ave., N.W. (Z.C. Order No. 339) and 1957 E St., N.W. (Z.C. Order No. 712).

5. GW's campus has been located in Foggy Bottom since 1912. The campus is bounded by 19th Street to the east, 24th Street to the west, Pennsylvania Avenue to the north, and E Street to the south. As of the Fall of 2002, GW enrolled approximately 8,066 undergraduate students, 4,526 of whom had on-campus housing. As stated during the 2000 Campus Plan process, the University's is committed to housing more of its students on campus. During that process, members of the ANC 2A and FBA, several tenants, associations, and the District of Columbia

Office of Planning ("OP") requested that the BZA require the University to provide more student housing within the Campus Plan boundaries. During the Campus Plan hearings, OP testified that it would support the concept of using flexible zoning guidelines with regard to building height and density in order to maximize housing on campus. This project directly responds to the University's commitment to increasing on-campus housing on an expedited basis, thereby addressing the issue that dominated the Campus Plan process. The use of the PUD process to maximize beds is entirely consistent with OP's suggested use of flexible zoning tools.

6. The site of the proposed PUD (the "PUD Site") is located at 2025 F Street, N.W. in Square 103, Lot 817, and is bounded by 20th Street to the east and 21st Street to the west. The proposed PUD is located in the southeastern portion of the campus of The George Washington University in the Foggy Bottom neighborhood of Ward 2, within the boundaries of ANC 2A.

7. The PUD Site has a frontage of approximately 238.7 feet along F Street and a depth of approximately 120.79 feet. The land area of the PUD Site is approximately 28,669 square feet. The PUD Site thus exceeds the 15,000 square foot minimum area requirement for a PUD in an R-5- D District.

8. The PUD Site is located in the Institutional land use category as depicted on the District of Columbia Generalized Land Use Map. The areas immediately to the north and to the east of the Campus Plan boundaries are designated for high-density commercial use, and the area immediately to the south is designated for high-density residential use.

9. The PUD Site is located in the R-5-D Zone District. The R-5-D District permits a maximum height of 90 feet, a maximum lot occupancy of 75%, and a maximum FAR of 3.5. The PUD guidelines for the R-5-D District allow a height of 90 feet and a maximum FAR of 4.5.

With regard to this application, the aggregation rule that applies to residentially-zoned property subject to a campus plan would permit greater density on the site as long as the overall campus cap of 3.5 is observed. The required rear yard for the R-5-D District is 30 feet for a 90 foot building. The minimum width of an open court in the R-5-D District is 3 inches per foot of height, but not less than 10 feet. There is no residential recreation space requirement in this zone. A penthouse structure on the roof of a building must be set back from all exterior walls a distance at least equal to its height above the roof and must not exceed 18 feet, 6 inches in height.

10. The proposed PUD includes an existing building and a new residence hall. The existing building (the Support Building) is located on the western portion of the PUD Site. It comprises approximately 17,956 square feet of the land area of the PUD Site. It is currently built to a height of 46 feet and has approximately 150 feet of frontage along F Street. The Support Building functions as the center for facilities operations for the University. It includes the Offices of Facilities Management, Facilities Development, Housekeeping, Residential Property Management, Mail Services, Risk Management, Institutional Auxiliary Services, Construction Programs, and Architecture, Engineering and Construction. The service area behind the Support Building serves as the central receiving area for deliveries to The George Washington University.

11. The eastern portion of the PUD Site is currently improved with a surface parking lot. It has a frontage of approximately 88 feet. The existing parking lot provides 60 parking spaces, some of which are stacked. The Applicant proposes to construct a new residence hall on this portion of the PUD Site. The area of the parking lot is approximately 10,713 square feet.

12. The parking spaces in the existing parking lot will be removed when construction on the proposed new residence hall begins. The Applicant, however, will maintain the minimum 2,800 total parking spaces required by the Campus Plan.

13. The proposed project has been designed to maximize on-campus housing under the existing zoning. It will allow approximately 100 more beds that would be allowed under matter-of-right zoning. The residence hall will consist primarily of two-bedroom dormitory units housing two students per bedroom. Generally, each of these units will house four students. A community director and approximately eight student facilitators are planned to be included in the residence hall. The residence hall will include approximately 1300 square feet of ground floor retail space, for which the Applicant intends to provide such uses as food service, provisions, or similar uses of convenience to the students and other community residents. The retail space will be predominantly for student use, but will be open to the public. The proposed new residence hall will include approximately 90,000 square feet of gross floor area.

14. The BZA Order approving the Campus Plan requires that the University provide a minimum of 5600 beds for undergraduate students by the Fall of 2006. Since that approval, the University has been engaged in the process of constructing more beds. The bed count has been increased by approximately 668 since 2001. With the addition of a new residence hall in Square 43, scheduled for completion in the Fall of 2004, the total number of beds added since 2001 will be 1396. The completion of this project will result in a total of 1775 new beds since 2001.

15. The combined gross floor area of the Support Building and the proposed new residence hall is 114,281 square feet. Thus, the PUD Site will have a total FAR of 3.98, which is less than

the 4.5 FAR allowed for a PUD in the R-5-D District. The additional FAR will be aggregated as part of the total FAR for the entire campus, as permitted under 11 DCMR § 210.3.

16. In order to provide the additional 100 beds, the proposed residence hall requires relief from the rear yard, penthouse setback, lot occupancy and court requirements of the R-5-D District. In order to maximize the capacity to house students, the proposed residence hall will abut the alley to the rear – it will not provide any rear yard. The lack of a rear yard will not be objectionable. The 16-foot wide alley will provide for adequate light and air, and the building has been designed so that none of the units opens toward the alley. Further, the University owns the abutting properties on F Street, and the University and University-related fraternities own the properties abutting the rear alley. The open courts do not conform with the Zoning Regulations. However, they are wide enough to provide ample light and air to the residence hall and the abutting buildings. In addition, the proposed residence hall is separated from the court of the adjacent building to the east by a distance of 25 feet, and the portion of the Support Building is constructed to only the second floor level. For the same reasons, the slightly increased lot occupancy will not be objectionable to neighboring properties. Similarly, the minor relief regarding the penthouse setbacks will have no impacts.

17. As addressed in the Applicant's pre-hearing statement, the proposed PUD will provide the following project amenities and public benefits:

a) Housing. The project will create approximately 379 new beds within the Campus Plan Boundaries

b) Uses of Special Value. The Comprehensive Plan indicates that the provision of additional on-campus housing for students of The George Washington University

will be particularly beneficial to the Foggy Bottom Neighborhood. In addition, the proposed project will provide approximately 1300 square feet of university and public retail space on the ground floor of the residence hall and a new food service facility at Quigley's, an existing building located on the northwest portion of Square 103.

c) Urban Design, Architecture and Landscaping. The project provides a superior design and an environmentally sensitive building with attractive landscaping, including a new, more attractive streetscape for the portion of F Street located in front of the new building. The residence hall has been designed carefully to ensure that the design complements the area. The façade along F Street is articulated with bays that will add visual interest and relate well to the Support Building and townhouses to the northwest. The building design involves high quality materials such as brick and superior detailing

d) Site Planning. The project provides efficient and economical land utilization through new development on a vacant site that will create desirable infill development with an attractive urban design and streetscape. The location of the residence hall on a site approved for residential development in the Campus Plan also furthers efficient and economical land utilization. The renovation of Quigley's and the Applicant's eventual development at the west end of Square 103 will further the overall development of the Square.

e) Effective and Safe Vehicular and Pedestrian Access. The project will provide a positive impact on the overall transportation infrastructure in the area near the site

because the students residing in the residence hall will be able to walk to classes and other activities on campus.

f) Furthering the Comprehensive Plan. As set forth in the Applicant's pre-hearing statement, the proposed project will further the Comprehensive Plan by guiding the development of institutional uses in the District and stabilizing the Foggy Bottom neighborhood by housing more students on campus.

g) Environmental Benefits. The building will be designed in an environmentally sensitive manner. The University will engage an independent commissioning authority to verify the installation, functional performance, training, and documentation of the building's systems. In addition, no CFC-based refrigerants or halon will be specified in this project, and major equipment, such as main chillers, will be specified not to contain HCFC. The indoor environmental quality will be superior because tobacco smoke will not be allowed in the building, and the interior surfaces will be finished with low-emitting materials to the extent possible. The materials and resources used in the project will, to the extent possible, be manufactured, extracted, harvested, or recovered locally or regionally. The site also features sustainable aspects such as an exterior lighting design that will limit light trespass from the building site and an interior lighting design that will limit direct-beam illumination from the building site. The elimination of the surface parking lot and the location of the site in proximity to public transportation provide additional environmental benefits.

18. By report dated February 9, 2004, and by testimony at the public hearing, the Office of Planning ("OP") recommended approval of the application. OP stated that the proposed PUD meets the standards of the PUD regulations in 11 DCMR 24, is consistent with the intent and purpose of the Zoning Regulations and Map, is not inconsistent with the Comprehensive Plan, is consistent with the Campus Plan, and provides significant public benefits.

19. According to OP, the requested flexibility would allow The George Washington University to provide approximately 100 additional beds on the site, which is a benefit and the main amenity of the PUD. OP further found that the retail space on the ground floor of the residence hall is an amenity that will serve the residents of the project as well as some members of the adjacent community. OP also concluded that replacing a parking lot with an attractive new building is an amenity. OP determined that the streetscape improvements proposed by the Applicant will contribute to the larger sense of place for the block and are a step in the continuing effort to improve the streetscape throughout the campus. In addition, OP observed that the renovation of Quigley's and the Applicant's eventual development of new housing at the west end of Square 103 will further the overall development of the Square. OP concluded that the proposed project's impact on the surrounding area and on public facilities and services are acceptable and commensurate with the public benefits of the PUD.

20. The District Department of Transportation ("DDOT"), by memorandum dated February 11, 2004, recommended that the proposed PUD be approved. DDOT determined the additional on-campus housing would have a positive impact on traffic and parking conditions on streets surrounding the campus. DDOT found that off-street loading facilities located in the support building adjacent to the proposed new residence hall will accommodate the service and delivery

needs of the new residence hall. DDOT determined the proposed PUD would increase on-campus housing in compliance with the DDOT recommendations in the Campus Plan.

21. DDOT filed a supplemental report on February 23, 2004, in which it reiterated and emphasized its support for the proposed PUD. DDOT stated that it had conducted a site visit with a representative of ANC 2A on February 17, 2004. That visit reinforced DDOT's earlier determination that providing additional on-campus housing will reduce overall traffic congestion in the Foggy Bottom community. DDOT encouraged the University to stagger move-in times and to make space available at the Support Building during student move-in and move-out times to reduce congestion of F Street and adjacent streets. DDOT further recommended that the University coordinate with the Metropolitan Police and D.C. Department of Public Works parking enforcement staff to prohibit double parking and other traffic violations and that the University consider imposing restrictions on automobile use by residents of the new residence hall.

22. ANC 2A, by resolution dated _____, recommended against approval of the proposed PUD based on the following concerns: the Zoning Regulations do not permit the PUD process to be used within an area regulated by a Campus Plan; the Campus Plan process already provides universities with significant flexibilities; the additional flexibility allowed under the PUD process would create negative consequences for neighborhoods bounding an approved Campus Plan area; the Applicant could construct the residence hall without a PUD by obtaining variances and the flexibility of development allowed under the PUD process could result in unforeseen future development on the site; the elimination of the rear yard would not provide adequate light and air to the building and the university-related fraternity buildings to the rear of the site; the reduced court width would not provide adequate light and air to the residence hall; the Applicant

miscalculated the lot occupancy and that the requested flexibility with regard to lot occupancy is greater than proposed by the Applicant; the Applicant may not continue to provide the loading facilities available in the adjacent service building; the proposed ground-floor retail space is objectionable because it is too vague, is unnecessary, and would be noisy; the requested flexibility would set negative precedents; and, finally, the additional beds, the renovation of Quigley's, the improved streetscape, and the provision of a superior, environmentally sensitive design are not adequate amenities.

23. Two longtime residents of Foggy Bottom, Dan Lincoln and Abraham Avidor, testified in strong support of the application. Both noted the benefits of the construction of additional on-campus beds as well as the advantages of the proposed retail use. Each testified that the University is an asset to the community and that the additional on-campus housing will benefit the students and the community. They complimented the design of the building and the enhanced streetscape. In addition the GW Student Association president Kris Hart testified in support of the on-campus beds as well as the on-site retail venue.

24. The FBA initially sought party status, but withdrew their request at the public hearing of February 19, 2004. The FBA submitted letters in opposition to the application and testified in opposition to the application at the hearing. In its letter dated November 11, 2003, the FBA argued the following: any development on the PUD Site should be reviewed as a special exception request for further processing under the Campus Plan; the location of the proposed residence hall is objectionable because it will concentrate a large number of students in a small area; the nearby PUD site at 1957 E Street has created objectionable impacts such as increased noise and objectionable pedestrian traffic in the area; and the proposed residence hall will adversely affect the residential community east of 23rd Street. In its letter dated February 9,

2004, the FBA raised the following concerns: the University has exceeded its enrollment cap and houses students at the Mount Vernon Campus; the University develops its undergraduate residential housing on an "ad hoc" basis without developing a cohesive plan; the University will not be required to count the proposed PUD as part of its aggregate FAR; and the project requires an Environmental Impact Statement.

25. The Commission of Fine Arts has indicated that any construction on the subject property requires CFA review. The Applicant presented the project to the CFA on July 17, 2003, October 16, 2003, and December 18, 2003. The CFA approved of the general concept of a 120 foot height. The University has since modified the design so that it meets the matter of right height requirements for the R-5-D zone, and CFA has reviewed the revised design favorably.

26. The Commission credits the testimony of the Applicant's architect and finds that the superior building design, streetscape, and environmental benefits constitute project amenities. The Commission also concurs with the architect's conclusions regarding the requested areas of relief. Specifically, the Commission finds that the lot occupancy, court width, penthouse setback, and rear yard relief will not diminish the quality of the project or result in adverse impacts to its residents or neighboring properties.

27. The Commission credits the testimony of OP that the project offers superior amenities and benefits to the community and the District. The Commission agrees with OP that expediting and increasing the housing of undergraduate students on campus is a benefit. The Commission also agrees with OP that the provision of public, ground-floor retail on the PUD Site is an amenity that will benefit both the residents of the new residence hall and members of the adjacent community.

28. The Commission agrees with DDOT that the approval of the proposed PUD will have a positive impact on traffic and parking conditions on streets surrounding the campus, which will be a benefit to the surrounding neighborhoods. The Commission also agrees with DDOT that a separate off-street loading area for the residence hall is not necessary because it is located adjacent to the central loading and receiving area for The George Washington University.

29. The Commission finds the arguments of the ANC are not persuasive. The Commission finds the PUD process is appropriate for a site regulated by a Campus Plan so long as the proposed project is consistent with the Campus Plan. The Commission disagrees with the ANC's contention that The George Washington University does not need a PUD to construct a new residential hall on the PUD Site. The need for additional on-campus housing is demonstrated and well-documented in both the Comprehensive Plan and the Campus Plan. The Proposed PUD will allow the Applicant to provide a greater number of beds sooner than it would have been able to provide without the requested flexibility.

30. The Commission also disagrees with the ANC's contention that the lack of a rear yard will affect adversely the residents of the proposed new residence hall and the adjacent buildings. The Commission credits the testimony of OP and the Applicant's architect that the building has been designed so as to provide adequate light and air to its residents. The Commission also finds that the Applicant owns the property on the north of the PUD Site and will be able to take the residence hall into consideration when planning any future development of that property.

31. The Commission finds the ANC's concern that the reduced court width will not provide adequate light and air to the new building and adjacent buildings is unsupported. As set forth above, the distance between the eastern court of the residence hall and the court of the building

to the east (Francis Scott Key) is 25 feet, which is more than adequate to provide light and air to the units. Moreover, the Support Building to the west is constructed to the second floor level, which allows light and air to reach the western court of the proposed residence hall.

32. The Commission does not find that the calculation of the lot occupancy for the PUD Site is incorrect, and finds that the ANC has calculated the lot occupancy incorrectly.

33. With regard to the off-street loading area, the Commission finds that DDOT, which studied traffic issues extensively in connection with the Campus Plan, has more expertise in assessing the impacts of such facilities, and, thus, credits the testimony of DDOT over the ANC.

34. The Commission finds the ANC's concerns about the necessity for the proposed ground-floor food-oriented retail space in the residence hall are unfounded. The Commission credits the finding of OP, and the testimony of community residents, that the retail space will be a benefit to residents of the building and members of the adjacent community. The Commission further finds that the addition of the retail space will alleviate noise by encouraging students to stay within the building.

35. The Commission finds the ANC's argument that the proposed PUD provides no amenities or benefits lacks foundation. Both OP and DDOT have determined that the proposed project includes significant public benefits and amenities.

36. The Commission finds the ANC's argument that the approval of the proposed PUD will result in negative precedents is baseless. Pursuant to the Zoning Regulations, the Commission reviews each PUD and further processing application on its individual merits. The Commission finds the ANC's argument that the proposed PUD will result in objectionable future development

on the remainder of Lot 817 also is baseless. As part of an approved PUD, any future development on the PUD Site will be reviewed by the Commission.

CONCLUSIONS OF LAW

The PUD process is an appropriate means of controlling development of the site in a manner consistent with the best interests of the District of Columbia. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality developments that provide public benefits. 11 DCMR § 2400.1. The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare and convenience." 11 DCMR § 2400.2.

The development of this PUD project carries out the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that will offer a variety of building types with more efficient and attractive overall planning and design not achievable under matter-of-right development. The proposed PUD meets the minimum area requirements of 11 DCMR § 2401.1.

The Zoning Commission has the authority under the Zoning Regulations to consider this application as a consolidated PUD. The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, penthouse setback, or yards or courts. The Zoning Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the BZA. The Commission finds that this PUD project provides a significant public benefits and community amenities package that provides superior features that benefit the

surrounding neighborhood to a significantly greater extent than a matter-of-right development on the PUD Site would provide. The approval of this PUD is not inconsistent with the Comprehensive Plan or with other adopted policies and programs related to the site.

The proposed PUD is consistent with the Major Themes of the Comprehensive Plan, especially those relating to stabilizing and improving the District's neighborhoods and respecting and improving the physical character of the District. As a surface parking lot, the PUD Site neither provides significant benefit to, nor helps stabilize, the Foggy Bottom neighborhood. The construction of a residential building on the site of an existing surface parking lot is a significant improvement to the physical character of the District. The proposed project, on the other hand, will provide housing for approximately 379 students in a dormitory setting. The creation of a residence hall within the boundaries of the Campus Plan supports the theme of stabilizing the District's neighborhoods. Moreover, this project is entirely consistent with the District's goals for reducing traffic. Because the residence hall is located on campus, the residents will be able to walk to school and to GW sponsored events. In addition, the residence hall is within walking distance of Foggy Bottom and Farragut West Metro stations. Although the residence hall provides no parking, ample parking is available elsewhere on campus in designated areas.

The proposed PUD also furthers the objectives and policies of several of the Major Elements. The proposed project is consistent with sections of the Housing Element that encourage the private sector to provide new housing to meet the needs of present and future residents, that encourage housing on suitably located public or private properties that are under-utilized, and that view housing as a key part of the total urban living system.

The proposed PUD is consistent with the District's goal under the Environmental Protection Element to protect the environment, to resist threats to its overall quality, to act to maintain and enhance its positive features in the interests of residents, workers, and visitors, and to protect residential communities from identified environmental hazards by implementing controls that prevent adverse impacts from incompatible uses. The Applicant's plans to design the building in an environmentally sensitive manner are highly consistent with this goal.

The project is consistent with the goal of the Urban Design Element because it has been designed to include the use of appropriate arrangements of building materials, height scale, mass, and buffering to complement the immediate region.

With regard to the Land Use Element, the project is consistent with one of the objectives for residential neighborhoods to achieve stability. The project also complies with the objectives for public and institutional land uses, such as assuring neighborhood stability as non-government institutions grow and promoting the continued contributions by private institutions toward the economic and cultural vitality of the District. The project is also consistent with the objective of recognizing the specialized land use needs and unique economic and human development opportunities presented by colleges, universities, and other institutional users of large tracts.

The project is highly consistent with the stated goal of the Ward 2 Element that the University must continue to construct student dormitories to alleviate the pressure on the housing stock outside the boundaries of the Campus Plan.

The impact of the proposed PUD on the surrounding area and upon the operation of city services and facilities is favorable and acceptable given the quality of public benefits in the project.

The proposed PUD can be approved with conditions that ensure that the development will enhance the neighborhood and ensure neighborhood stability.

The Commission is required under D.C. Code § 1-308.10(d) (2001) to give great weight to the issues and concerns raised in the recommendations of the affected ANC. The Commission has considered the resolution of ANC 2A. As set forth above in the Findings of Fact, the Commission finds the ANC's arguments are not persuasive. The ANC has, on numerous occasions, stated its desire to increase undergraduate housing on the campus The George Washington University. Although the University is required to provide a certain number of beds under the Campus Plan, the project will allow the University to provide more beds sooner. The ANC's position in this application is inconsistent with its position during the Campus Plan case. The ANC's main concern in connection with the Campus Plan was the provision of more on-campus housing.

In consideration of the Findings of Fact and Conclusions of Law contained in this order, the Zoning Commission for the District of Columbia orders **APPROVAL** of this application for Consolidated Review of a Planned Unit Development for the property located at 2025 F Street, N.W. (Lot 817 in Square 103). The approval of this PUD is subject to the following conditions:

1. The PUD shall be developed in accordance with the plans prepared by Ayers/Saint/Gross, dated February 19, 2004, and marked as Exhibit ____ in the record, as modified by the guidelines, conditions and standards herein.

2. The project shall include a residence hall consisting of approximately 90,000 square feet of gross floor area and

constructed to a maximum height of 90 feet. The entire PUD Site shall be constructed to a maximum density of 3.98 FAR. Since the PUD site is located on The George Washington University campus, the project shall be subject to the aggregation rule set forth in § 210.3.

3. The project shall provide approximately 379 beds.

4. The PUD shall not include any parking spaces or loading berths. Parking and loading shall be accommodated as prescribed in the approved Campus Plan.

5. The Applicant shall have flexibility with the design of the PUD in the following areas:

   a. To vary the exterior design, signage, and landscaping in accordance with the final plans reviewed by the Commission of Fine Arts.

   b. To vary the location and design of all interior components, including, but not limited to, partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms.

   c. To vary final selection of the exterior materials within the color ranges and materials types as proposed, based on the availability at the time of construction.

d. To make minor refinements to exterior details and dimensions, including belts, courses, sills, bases, cornices, railings, and trim or any other changes to comply with the D.C. Building Code or that are otherwise necessary to obtain a final building permit.

6. No certificate of occupancy shall be issued to the Planned Unit Development unless the Applicant has filed an application for a special exception necessary for the expansion and renovation of Quigley's located at 619 21st Street, N.W. Quigley's will be renovated and expanded to provide a food establishment.

7. If the Applicant has not been successful in locating a retail tenant for the ground level of the project within one year of the date of issuance of the certificate of occupancy for the project, the Applicant shall be required to return to the Zoning Commission to request permission for any alternative use for the space.

8. No building permit shall be issued for this Planned Unit Development until the Applicant has recorded a covenant among the land records of the District of Columbia between the owners and the District of Columbia that is satisfactory to the Office of the Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs. Such covenant shall bind the Applicant and all successors in title to construct on or use the

property in accordance with this order and any amendment thereof by the Zoning Commission.

9. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the Applicant has filed a copy of the covenant with the records of the Zoning Commission.

10. The PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of this order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three years of the effective date of this order.

11. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code section 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, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income or place of residence or business. Sexual harassment is a form of sex discrimination, which is also prohibited by the Act. In addition, harassment based on any of the

above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish grounds for the denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this order.

On February 19, 2004, the Zoning Commission approved the application by a vote of _____.

This order was adopted by the Zoning Commission at its public meeting held on March 8, 2004, by a vote of _____.

The order was adopted by the Zoning Commission at its public meeting on _____.

In accordance with the provisions of 11 DCMR § 2038, this order shall become final and effective upon publication in the D.C. Register; that is, on _____.

_____
Carol J. Mitten, Chairman
Zoning Commission

_____
Jerrily R. Kress, FAIA
Director, Office of Zoning

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of February, 2004, the foregoing "Applicant's Proposed Findings of Fact and Conclusions of Law" was served by hand delivery, on the following:

Dorothy Miller, Chair
ANC-2A
2440 Virginia Avenue, NW, No. D206
Washington, D.C. 20037

Ms. Ellen McCarthy
Mr. John Fondersmith
District of Columbia Office of Planning
801 North Capitol Street, N.E.
4th Floor
Washington, D.C. 20002

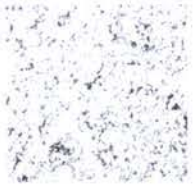
Ms. Patricia Gallagher
National Capital Planning Commission
401 9th Street, N.W.
North Lobby, Suite 500
Washington, DC 20576

Ashleigh Horne

RECEIVED
D.C. OFFICE OF ZONING
2004 FEB 25 P 2:22



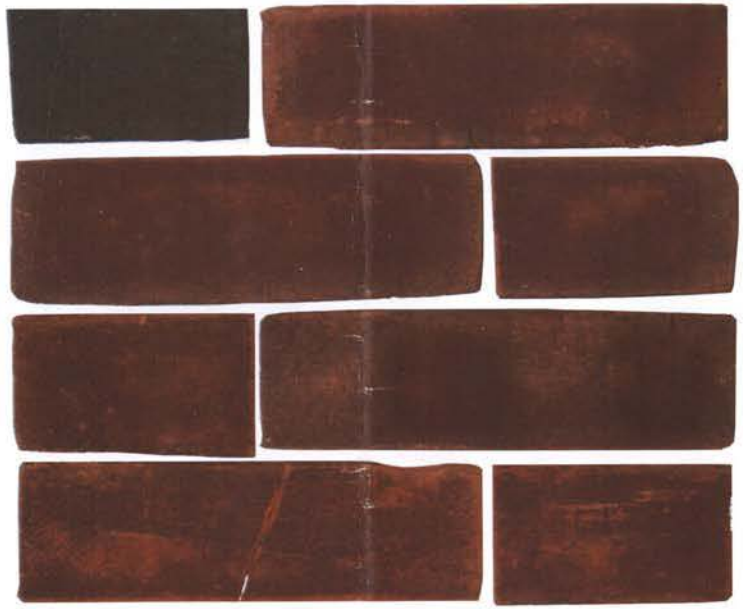
FENCE COLOR



GRANITE



BLUESTONE



FACE BRICK







BRICK PAVER



ARCHITECTURAL
PRE CAST
CONCRETE

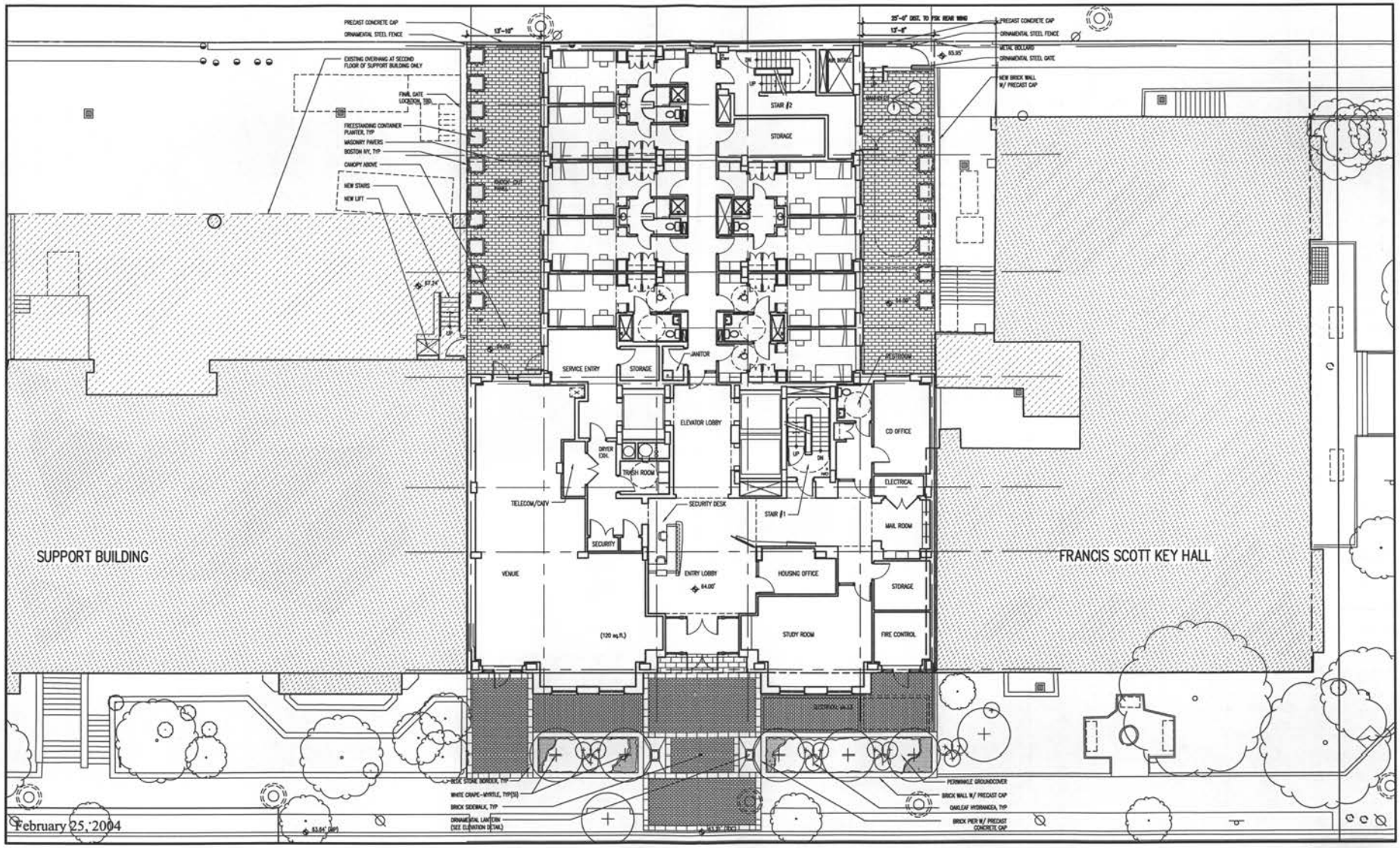
February 25, 2004

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WASHINGTON DC

• SAMPLE BOARD •

SQUARE 103 STUDENT RESIDENCE HALL

AYERS SAINT GROSS



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WASHINGTON DC

• GROUND FLOOR PLAN •

SQUARE 103 STUDENT RESIDENCE HALL

GW Project # CAMP-03-05

0 4 8 16 32 FEET

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

N

AYERS SAINT GROSS



February 25, 2004

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WASHINGTON DC

• F STREET ELEVATION (SOUTH) •

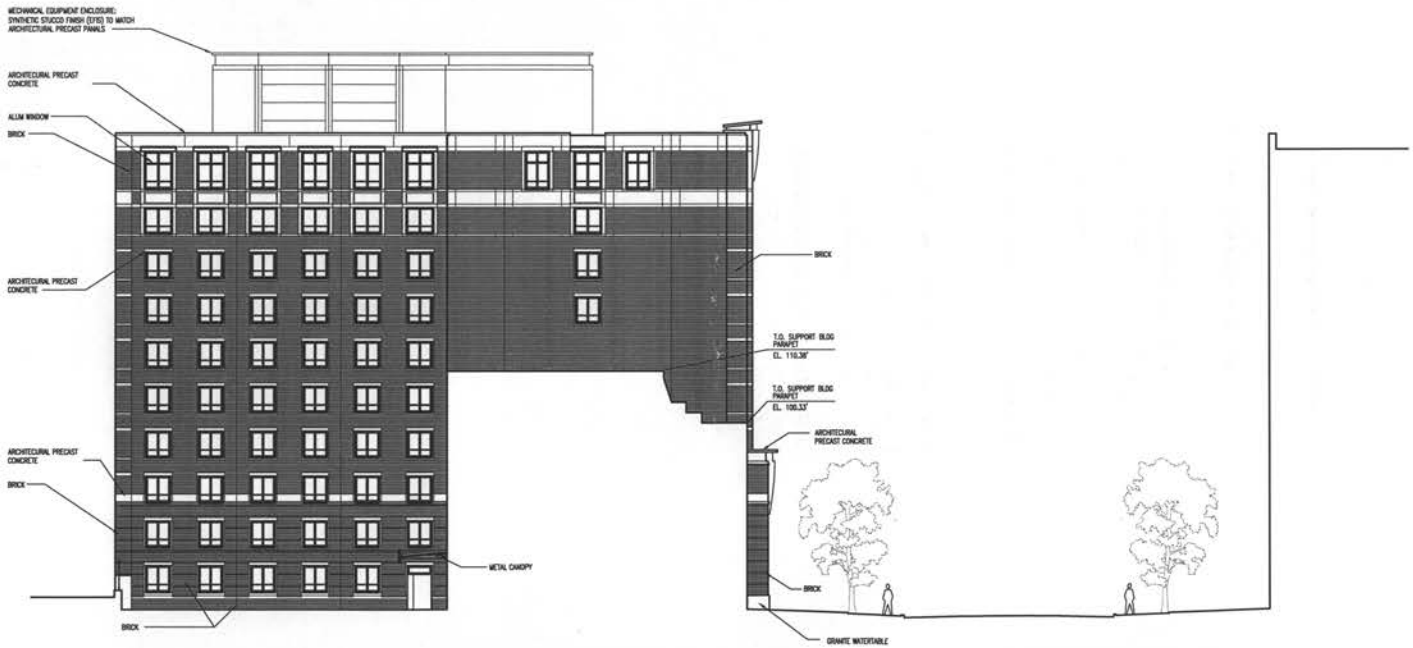
SQUARE 103 STUDENT RESIDENCE HALL

GW Project # CASIP-03-05

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SCALE : 3/32" = 1'-0"

AYERS SAINT GROSS



February 25, 2004

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WASHINGTON DC

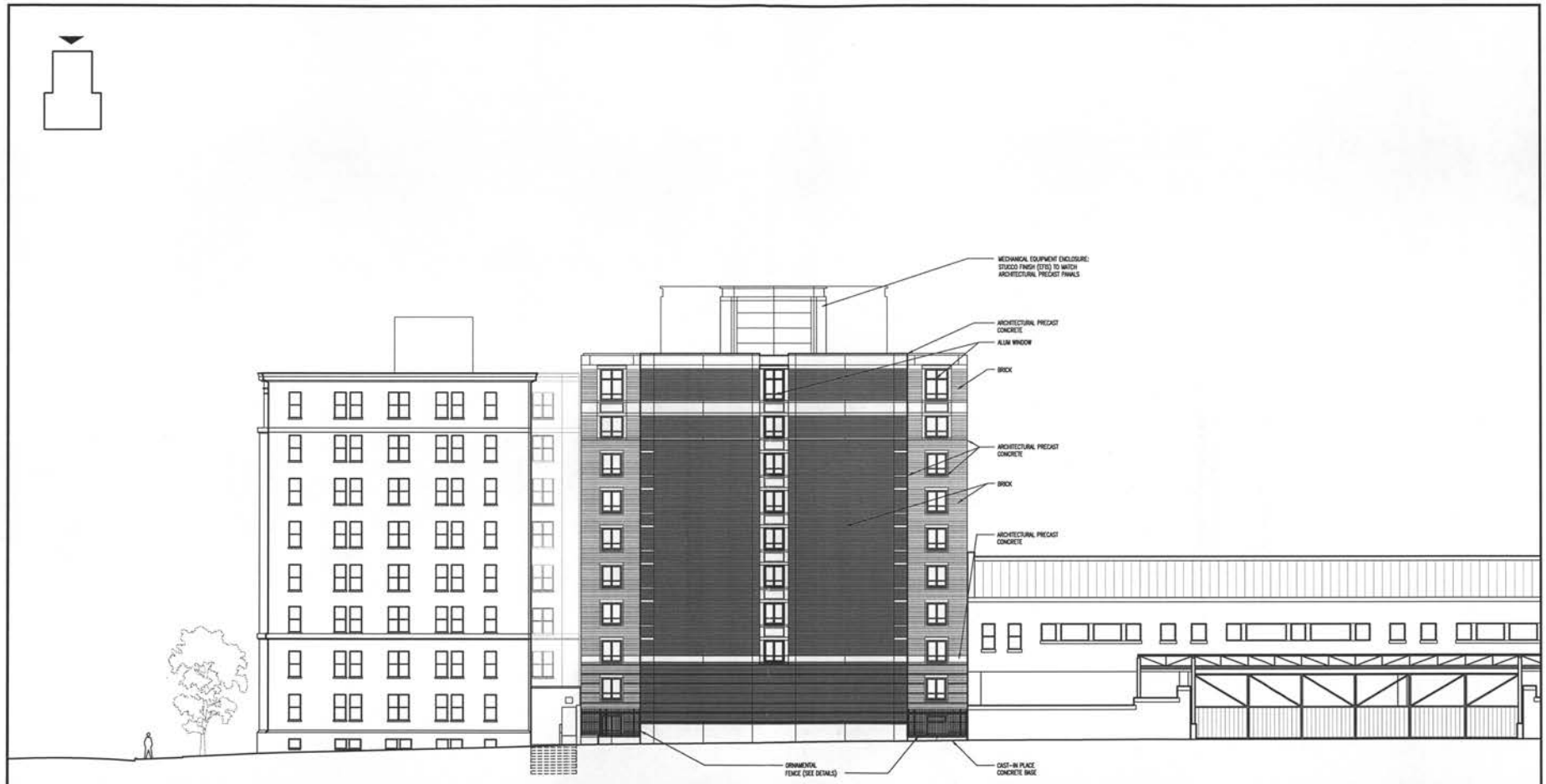
• WEST ELEVATION •

SQUARE 103 STUDENT RESIDENCE HALL

GW Project # CAMP-03-05

0 5 10 20 40 FEET
SCALE : 3/32" = 1'-0"

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February 25, 2004

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• NORTH ELEVATION •

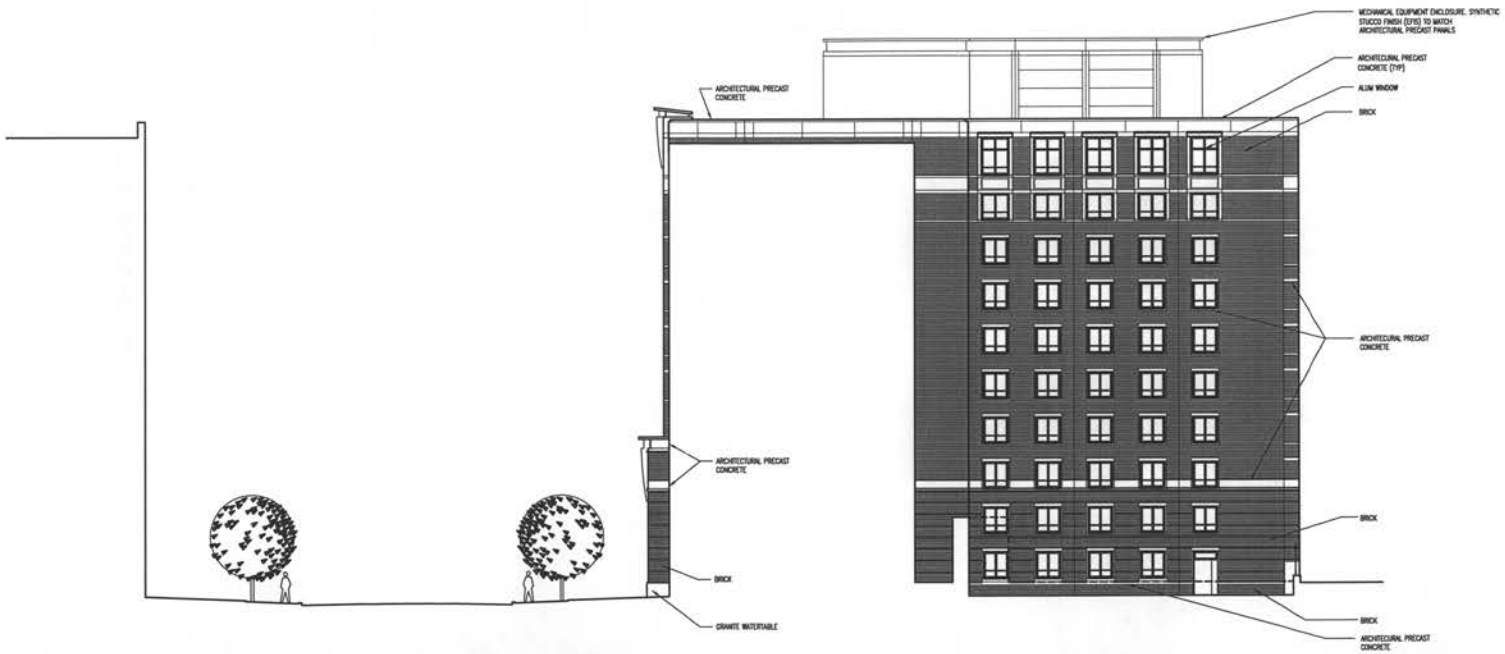
SQUARE 103 STUDENT RESIDENCE HALL

GW Project # CAMP-03-05

0 5 10 20 40 FEET

SCALE : 3/32" = 1'-0"

AYERS SAINT GROSS



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• EAST ELEVATION •

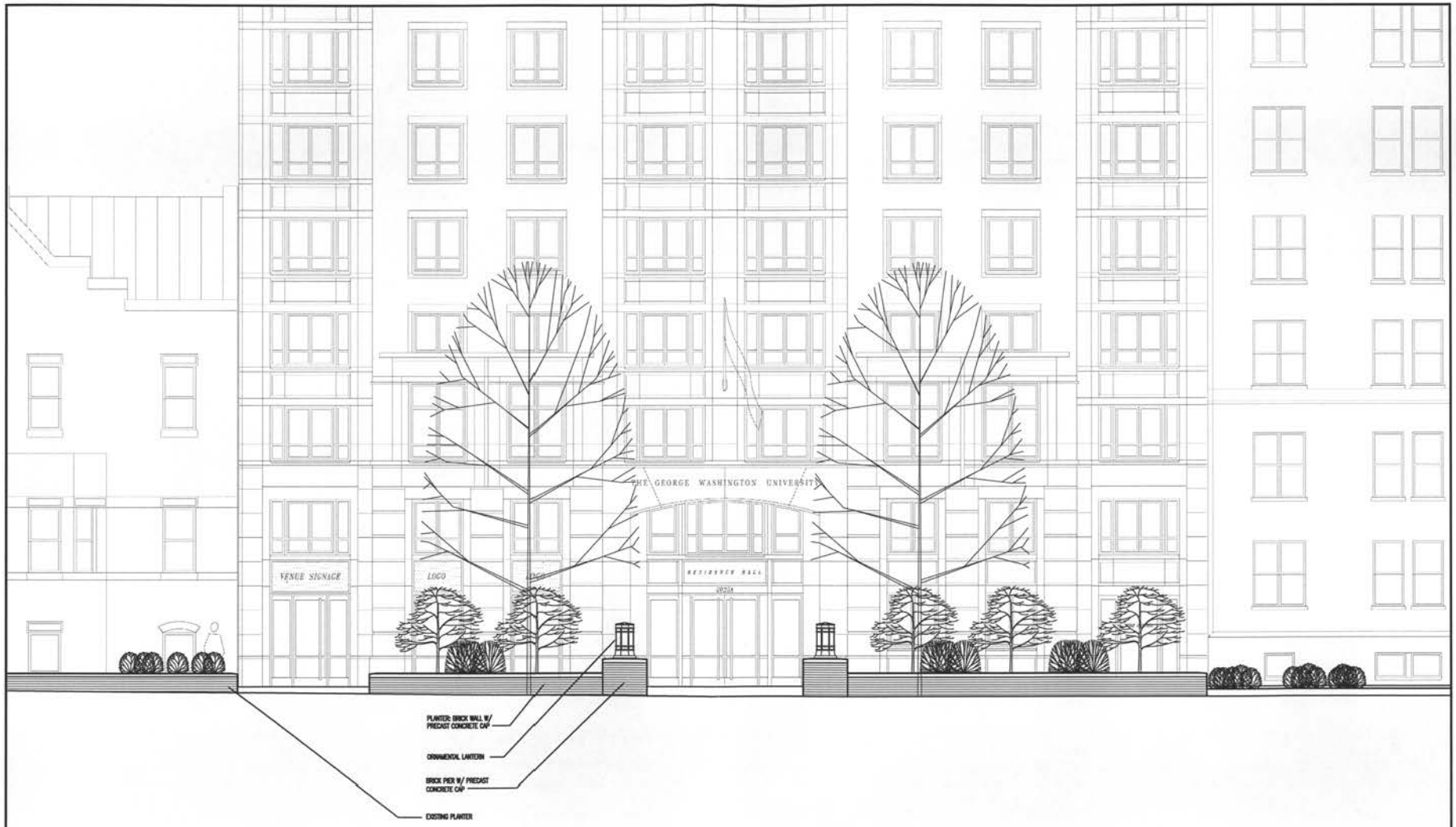
SQUARE 103 STUDENT RESIDENCE HALL

GW Project # CAMP-03-05

0 5 10 20 40 FEET

SCALE : 3/32" = 1'-0"

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February 25, 2004

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• F STREET ELEVATION (SOUTH) DETAIL •

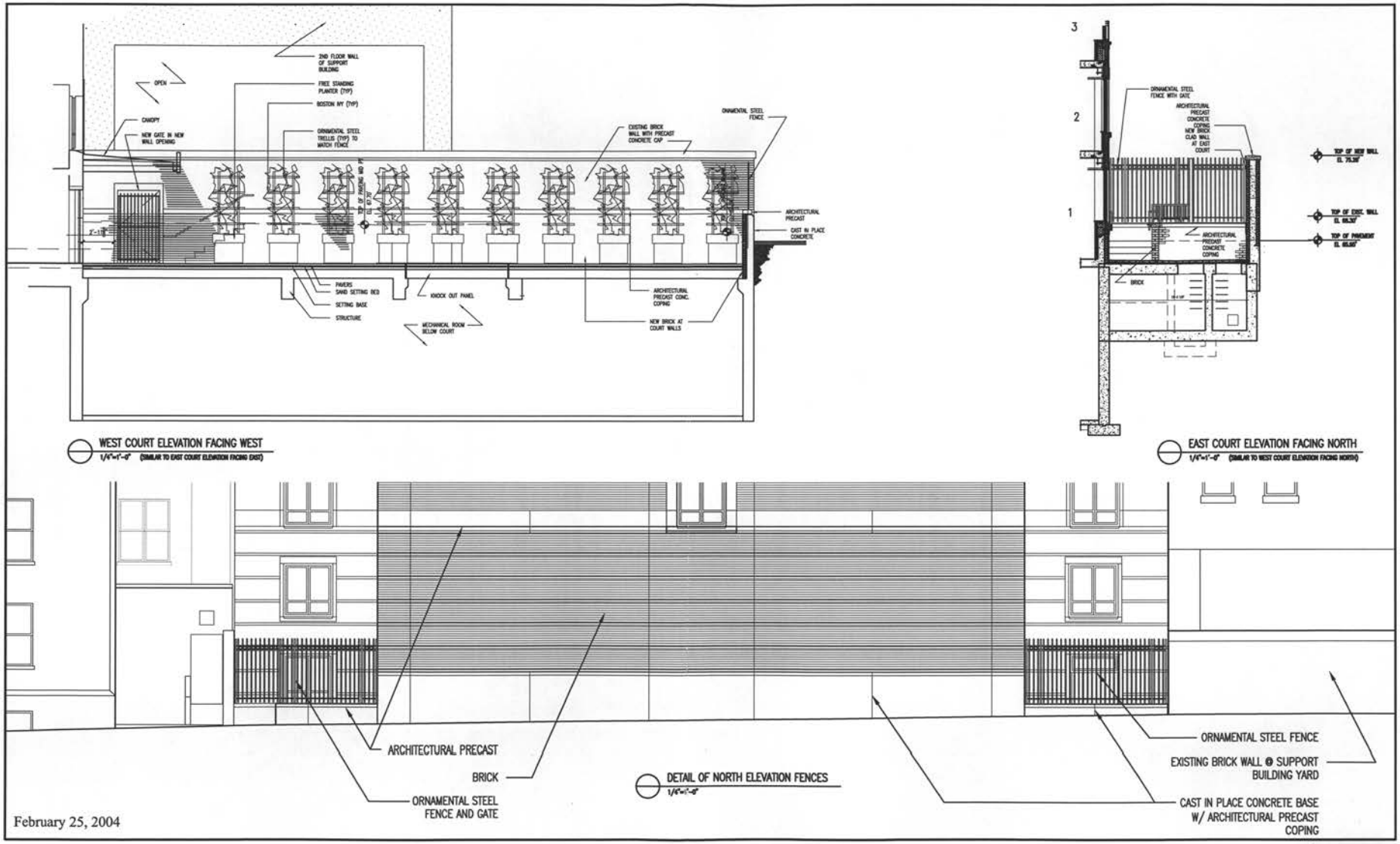
SQUARE 103 STUDENT RESIDENCE HALL

GW Project = CAMP-03-05

0 2 4 8 16 FEET

SCALE : 1/4" = 1'-0"

AYERS SAINT GROSS



February 25, 2004

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WASHINGTON DC

• REAR COURT ELEVATION DETAILS •

SQUARE 103 STUDENT RESIDENCE HALL

GW Project # CAMP-03-05

0 2 4 8 16 FEET
SCALE : 1/4" = 1'-0"

AYERS SAINT GROSS