NCPC
NATIONAL CAPITAL PLANNING COMMISSION

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United States Senate
The Honorable Susan M. Collins

Chairman
Committee on Government Reform
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District of Columbia
The Honorable Anthony A. Williams

Chairman
Council of the District of Columbia
The Honorable Linda W. Cropp

**Executive Director**
Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 03-29

MAY 14 2004

Zoning Commission of
the District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission:

The National Capital Planning Commission, at its meeting on May 6, 2004, approved the enclosed action on the Consolidated Planned Unit Development for the George Washington University, residence hall, 2025 F Street, NW, in Square 103, Lot 817. Also enclosed, for your information, is a copy of the Staff Recommendation for the project.

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosures

ZONING COMMISSION
District of Columbia
CASE NO. 03-29
EXHIBIT NO. 65



ZONING COMMISSION
District of Columbia
CASE NO.03-29
EXHIBIT NO.65

# COMMISSION ACTION

**NCPC File No. Z.C. 03-29**

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

**GEORGE WASHINGTON UNIVERSITY RESIDENCE HALL**
CONSOLIDATED PLANNED UNIT DEVELOPMENT
in Square 103 and Lot 817, 2025 F Street, NW
Washington, D.C.

Submission by the Zoning Commission of the District of Columbia

May 6, 2004

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***Commission Action Requested by Applicant***

Approval of comments pursuant to Section 8 of the National Capital Planning Act (40 U.S.C. § 8724(a)) and D.C. Code § 2-1006(a).

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***Commission Action***

The Commission:

**Concludes** that the proposed Consolidated Planned Unit Development for the George Washington University-Square 103 Residence Hall at 2025 F Street, NW, **would not adversely affect** the identified federal interest and is consistent with the Federal Elements of the Comprehensive Plan for the National Capital.

Deborah B. Young
Secretary to the National Capital Planning Commission

# STAFF RECOMMENDATION

**NCPC File No. ZC03-29**

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

**GEORGE WASHINGTON UNIVERSITY RESIDENCE HALL**
CONSOLIDATED PLANNED UNIT DEVELOPMENT
in Square 103 and Lot 817, 2025 F Street, NW
Washington, D.C.

Submitted by the Zoning Commission of the District of Columbia

April 29, 2004

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**Abstract**

The Zoning Commission has taken a proposed action to approve a Consolidated Planned Unit Development (PUD) for the project known as the George Washington University-Square 103 Residence Hall in Northwest Washington, DC. This PUD would involve an existing building and a proposed new residence hall structure. Additionally, the residence hall would include approximately 1300 square feet of new retail space primarily for students, but available also to the neighborhood. The Planned Unit Development encompasses approximately 28,669 square feet of land in the zoned R-5-D District.


**Federal Interests**

The identified federal interest relevant to this project includes the Height of Buildings Act.

**Commission Action Requested by Applicant**

Approval of comments to the Zoning Commission of the District of Columbia pursuant to Section 8 of the National Capital Planning Act (40 U.S.C. § 8724(a)) and D.C. Code § 2-1006(a).

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**Executive Director's Recommendation**

The Commission:

**Concludes** that the proposed Consolidated Planned Unit Development for the George Washington University-Square 103 Residence Hall at 2025 F Street, NW, **would not adversely affect** the identified federal interest and is consistent with the Federal Elements of the Comprehensive Plan for the National Capital.

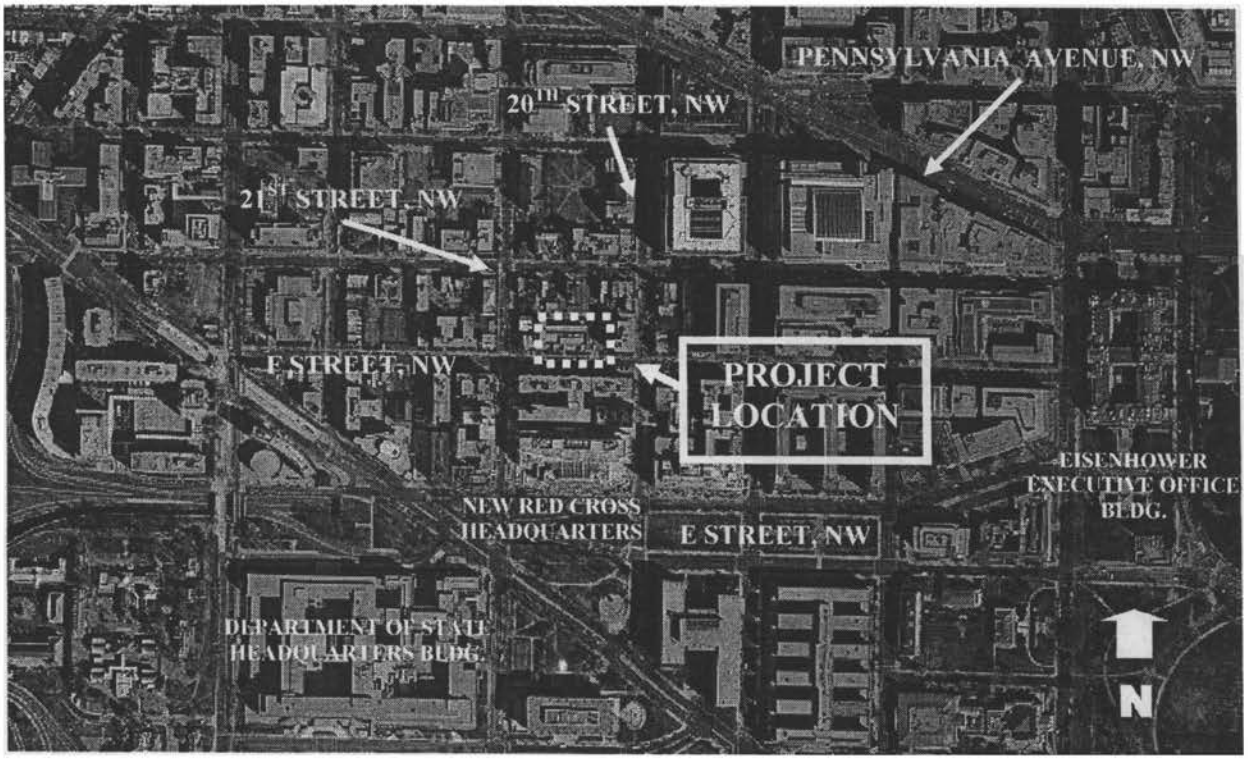
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PROJECT SUMMARY

Site Description

The site of the proposed PUD is located at 2025 F Street, NW in Square 103, Lot 817. The site covers approximately 28,669 square feet of land area and is bounded by 20th Street on the east and 21st Street to the west. The site is situated in the southeastern portion of the campus of the George Washington University in the Foggy Bottom neighborhood of Ward 2 in the District of Columbia, and is within the boundaries of Advisory Neighborhood Commission (ANC) 2A.

The site has frontage of 238.7 feet along F Street and a depth of approximately 120.8 feet to an existing alley. The alley immediately borders the north limits of the east side of the site. The eastern portion of the location is currently occupied by a 10,713 square feet surface parking lot and accommodates about 60 vehicle parking spaces that are accessible from the alley. It is situated directly adjacent to an existing residence hall called Francis Scott Key Hall (eight stories and approximately 90 feet in height). The west portion of the site holds an existing University owned building, which functions as a facilities support operation (Support Building), and is three levels high measuring 46 feet. The Support Building features a central receiving area for deliveries to George Washington University and occupies 17,956 square feet of land. The combined gross floor area of the Support Building and the new Residence Hall structure is approximately 114,281 square feet with a Floor Area Ratio (FAR) of 3.98.




**VICNITY AERIAL PHOTO INDICATING LOCATION OF THE PUD PROJECT**

Background

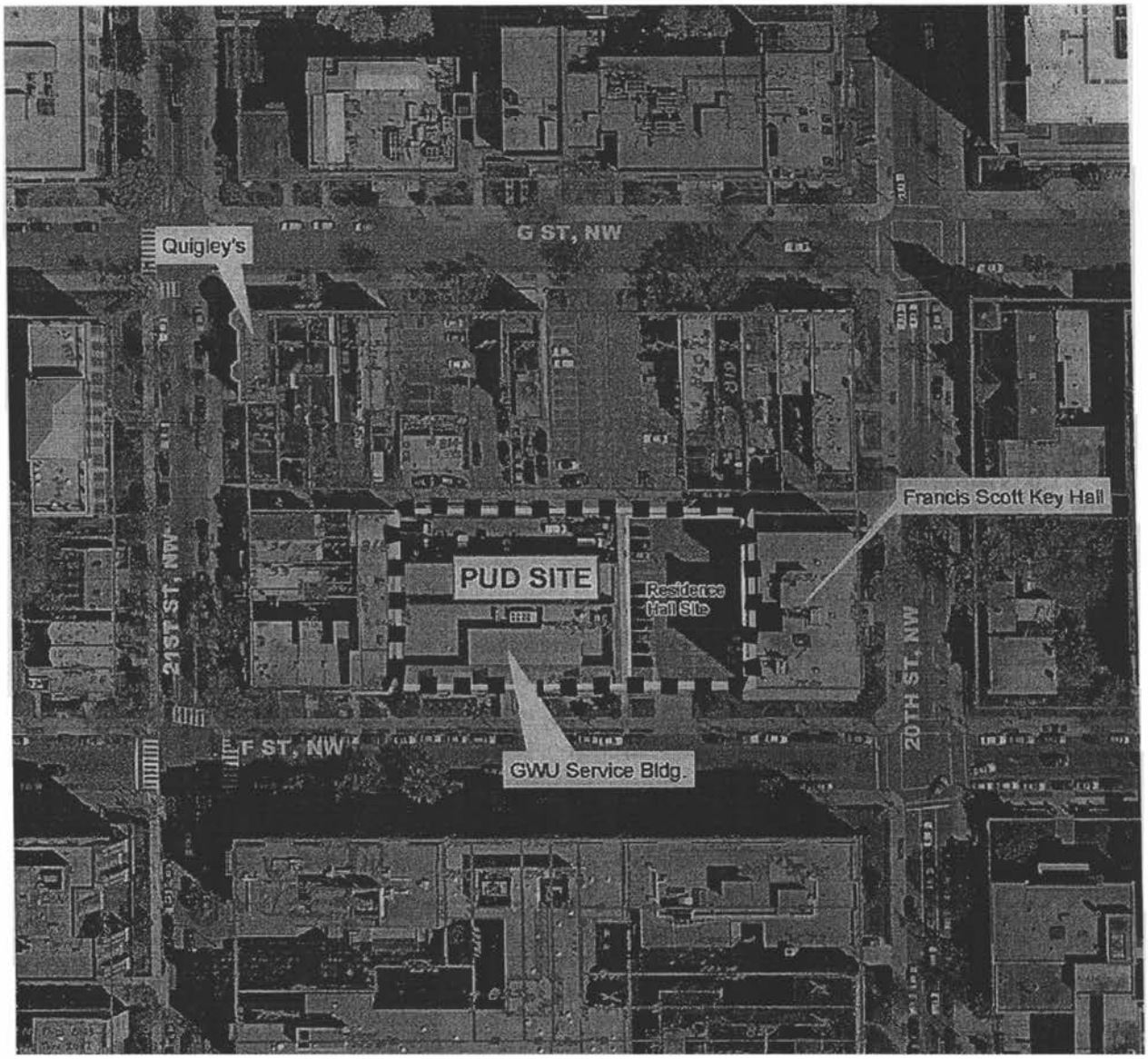
The George Washington University campus has been located in the Foggy Bottom area of the District of Columbia since 1912. As stated in the 2000 to 2009 Campus Plan developed by The University and approved by the Board of Zoning Adjustments (BZA), it is the intent of the University to house more of its students within its campus boundaries. The BZA Order that approved the Campus Plan requires the University to provide a minimum of 5,600 beds for undergraduate students by the Fall of 2006. With the scheduled completion of a residence hall at Square 43, the total number of beds will stand at approximately 1,396. The completion of the submitted PUD project would raise that total to 1,775 beds. The PUD plan directly responds to the need by the University to increase on-campus housing on an expedited basis. The use of the PUD process to maximize the number of beds for the specific new residence hall is consistent with the District of Columbia Office of Planning's suggested use of flexible zoning tools to achieve the overall University housing goal of more undergraduate housing. Additionally, during the review and development of the Campus Plan the ANC 2A; the Foggy Bottom Association; several adjacent neighboring tenants; and other associations requested that the BZA require the University provide more student housing on-campus.

The proposed project would maximize on-campus housing with the PUD implemented by allowing approximately 100 more beds than permissible under matter-of-right zoning. Other changes in the PUD proposal allow for relief from the rear yard requirement, relief from a penthouse setback requirement, and relief from the lot occupancy and court area requirements of the R-5-D District. An additional aspect of the PUD layout proposes the residence hall abut the immediate limits of the north alley and would not provide the rear yard.

Proposal

The submitted PUD plan indicates construction of a new residence hall and use of an existing University structure, the Support Building. A new brick and precast concrete residence hall, of approximately 90,000 gross square feet, would be constructed to a height of 90 feet and have 10 floor levels. The residence hall would provide two-bedroom dormitory units housing two students per bedroom, for a total of four students per unit. The new residence hall furnishes space for 379 undergraduate beds along with 12 community facilitators and a resident staff member. The Support Building remains unchanged from its current layout and design and provides the necessary service access and loading dock space for the new residence hall.

The proposed residence hall would feature red brick with light precast concrete façade banding and structural elements. These materials are consistent with other recent University residential buildings and its application to the project is successful and harmonious among the other adjacent buildings. The proposed structure's front façade is articulated with bays and metal awnings that embellish and add visual interest to the new building. The full front profile of the residence hall is almost square but does feature vertical emphasis in its articulation. Windows featured throughout the exterior provide the required rhythm for the design and are a basic anchoring element for the external appearance of the walls.




*PROJECT DIAGRAM COURTESY OF THE DISTRICT OF COLUMBIA OFFICE OF PLANNING*

**PUD SITE BOUNDARY AT F STREET, NW**

## FEDERAL INTEREST EVALUATION

### Executive Summary

The identified federal interest that might potentially be affected by this project includes only the Height of Buildings Act. Staff review finds no incompatible issues with the submitted project's effect on that federal interest.

From an overall perspective, this project is laudable in the context of its development to meet important planning objectives of the District of Columbia planning agencies, the University, and local neighborhoods. In particular, in achieving an increase in undergraduate on-campus housing the project successfully addressed an important community goal. Most importantly, there are no federal interests residing in the undergraduate housing issue. The University Campus Plan's focus on housing involves no federal land areas or any land use issues within the context of its purpose and physical development beyond the L'Enfant Plan special street corridors. Specific to the submitted project, no special streets are impacted.

Consequently, **staff recommends** that the Commission conclude that the Consolidated Planned Unit Development for the George Washington University Residence Hall at 2025 F Street, NW in Square 103 and Lot 817, Washington, D.C. **would not adversely affect** the identified federal interest.

Streets and Alleys

The submitted project respects the street grid of the District of Columbia. Only one alley is affected by this project and will not be closed or adversely altered in its right-of-way or physical extent. There will be no net decrease in capacity of service access as a result of the project.

F Street, NW, is not a Special Street designated by the Commission's Comprehensive Plan nor is adversely affected by the PUD proposal. Its right-of-way and cartway are not altered and streetscape amenities are proposed on F Street in the submitted plans. The project location is not visible from Pennsylvania Avenue, NW.

Building Heights

*Proposed Building Heights*

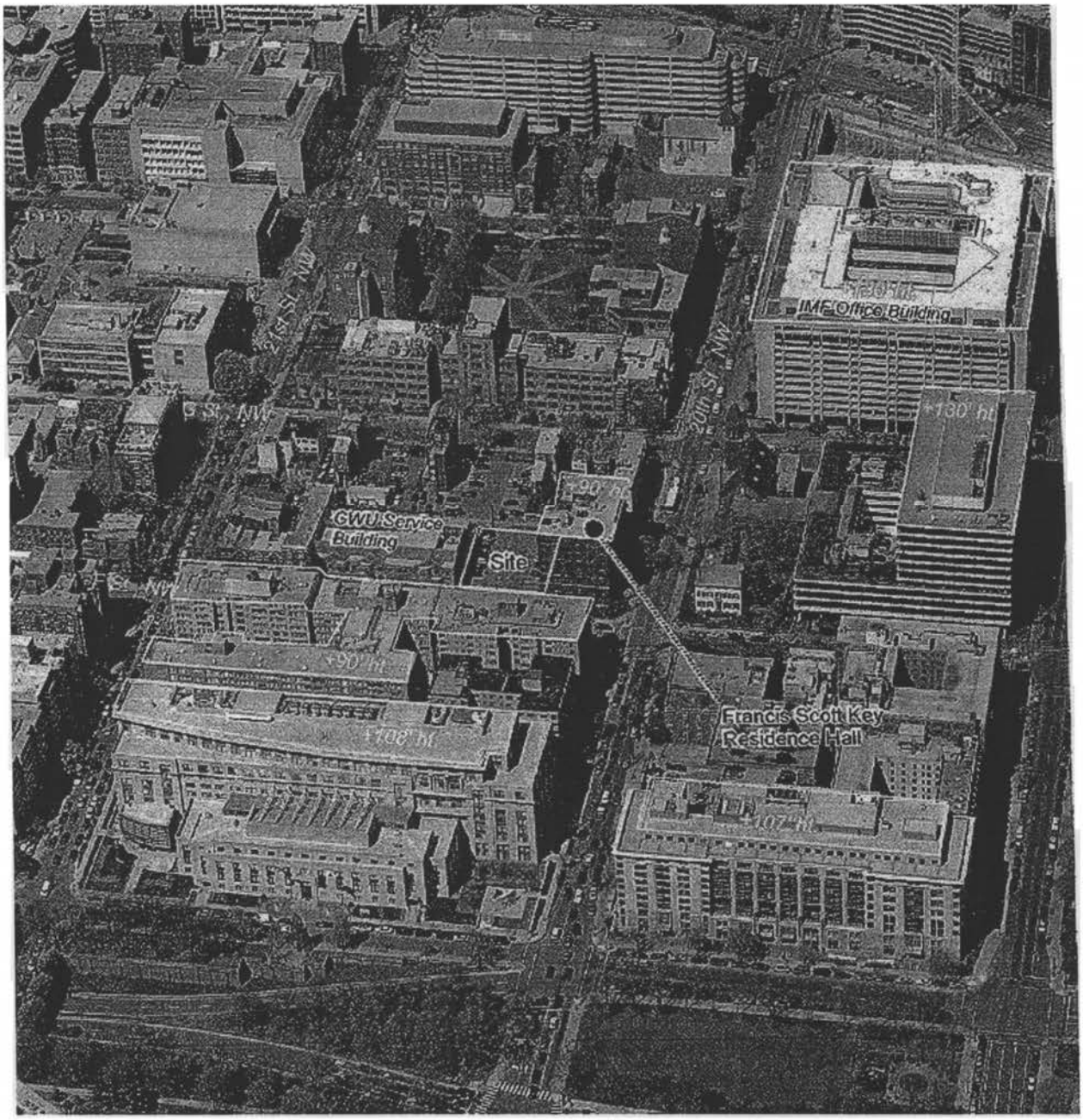
The new residence hall (the only new construction in the PUD) fronts F Street in Square 103 and is 90 feet in height.

*Building Heights Act*

The building proposed for this project complies with the requirements of the Building Heights Act.

*F Street Corridor Building Heights*

The height of the new residence hall is consistent with the heights of other existing and adjacent buildings on the F Street corridor adjacent to the University. Immediate off-campus structures on the south-side of F Street maintain a height of 90 feet or more.



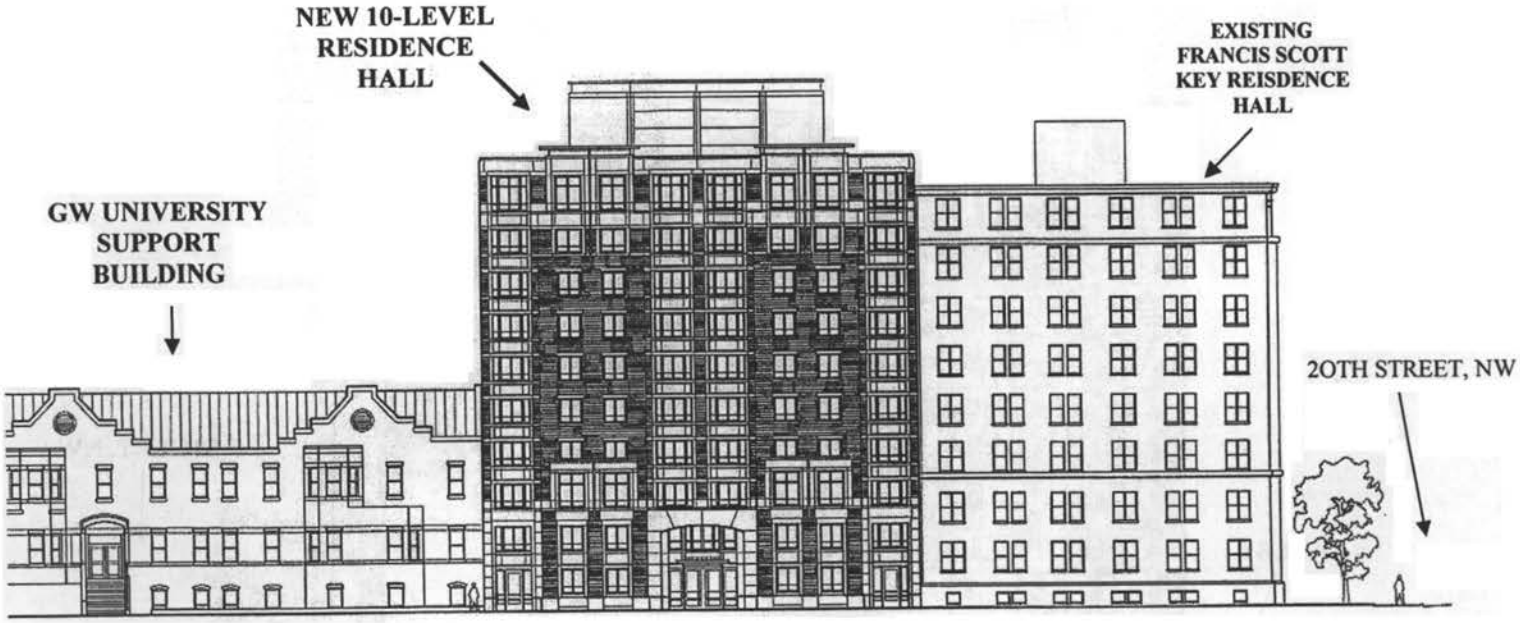

*PICTURE COURTESY OF THE DISTRICT OF COLUMBIA OFFICE OF PLANNING*

**AERIAL VIEW OF THE PUD SITE LOOKING NORTH WITH THE RED CROSS BUILDING AT LOWER LEFT OF PICTURE**

Urban Design/Streetscape Issues

Streetscape improvements established in the project design include:

- A low brick wall at the residence hall that would match an existing low wall at the front of the Support Building on the west sidewalk area of the PUD. The low wall would relate to the sidewalk and pedestrian area at the front of the Francis Scott Key Hall.
- A brick sidewalk surface at F Street.
- Compatible exterior light fixtures similar to those of the Law School located at 20th Street between G and H Streets, NW.




**PROPOSED RESIDENCE HALL BUILDING F STREET ELEVATION**

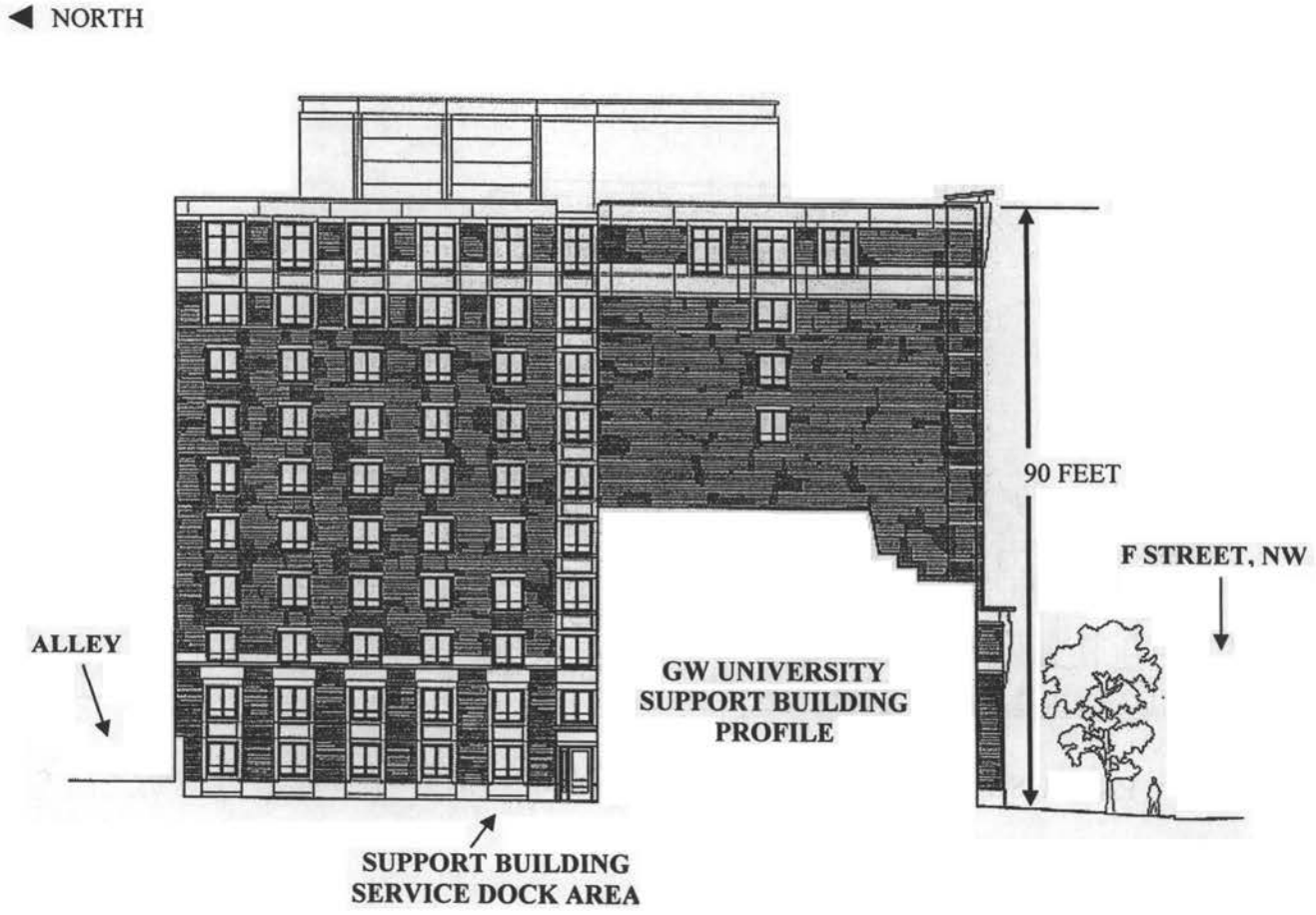
Parking and Traffic

No on-site parking is required for or provided by the University residence hall propsal. An overall campus parking requirement is specified by the approved Campus Plan and would be adhered to by the University based on the total number of bed units supplied by the University campus-wide. Service traffic to the building would be accommodated from the shared rear service dock area of the University Support Building at the west side of the PUD.

The District of Columbia Department of Transportation (DDOT) in a memorandum dated February 11, 2004, recommended to the Zoning Commission that the proposed PUD be

approved. DDOT found that the off-street loading facilities located in the Support Building adjacent to the residence hall would accommodate the service and delivery needs of the new residence building.

Existing on-street parking in the project vicinity on F Street is maintained and no additional curb-cuts for driveways or garage entrances are provided or planned. All of the new development will occur within walking distance of the Foggy Bottom Metro Station on Metro's Blue/Orange Line.




**WEST RESIDENCE HALL ELEVATION INDICATING PROFILE OF BUILDING ALONG ALLEY AND ADJACENT SUPPORT BUILDING SERVICE DOCK AREA**

Zoning

The proposed project maintains the zoning of the R-5-D District, with only a PUD overlay to the project area, and no federal interests are impacted by the overlay. The PUD designation permits

a mix of limited retail activity into the residential zone, and would potentially help to create vibrant activity for the immediate vicinity with retail. The change with the zoning relief of the PUD conditions and for the mixed-use, which comprises only 1,300 square feet, will not have an adverse impact on federal interests. On March 8, 2004, the Zoning Commission at its regular meeting proposed to approve the proposal (see attached memo and report dated April 5, 2004).

Federal Elements of Comprehensive Plan

The project is consistent with the Preservation and Historic Features Element of the Comprehensive Plan regarding the existing appearance and condition of the street. The project is also consistent with the Element of the Comprehensive Plan because its new building façade does not negatively impact F Street, NW. The use of high quality materials in the exterior of the new structure is adhered to from all viewpoints at street level. Further, the placement of windows to create a pattern to visually enhance the building walls is achieved in a successful fashion.



**SUMULATED PERSPECTIVE VIEW OF NEW RESIDENCE HALL AS SEEN LOOKING EAST ALONG F STREET, NW**

# Government of the District of Columbia

ZONING COMMISSION

NCPC

File No. WD.Z.C. 03-29
Primary Stat. UDPR
Due Date

April 5, 2004

Copies:

CHAIRMAN
EXEC DIR. ✓
OPA
GEN COUNSEL ✓
SECRETARIAT ✓
ADMIN.

DEPUTY DIR. ✓
COO
PRPD
PPID
UDPR ✓
TDAD

Patricia E. Gallagher, AICP
Executive Director
National Capital Planning Commission
401 9th Street, N.W., Suite 500
Washington, D.C. 20576

**Re: Z.C. Case No. 03-29**

Dear Ms. Gallagher:

At its regular public meeting held on March 8, 2004 the Zoning Commission for the District of Columbia took proposed action to approve the following case:

Case No. Z.C. Case No 03-29 (George Washington University – PUD))

The proposed decision of the Commission to approve the above-mentioned case is referred to the National Capital Planning Commission (NCPC) for review and comments pursuant to the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Code Section 1-201 et seq.

The Zoning Commission plans to take final action on this application at its May 10, 2004, public meeting. Please provide your comments before May 10, 2004. If you have any questions, contact Alberto P. Bastida at the Office of Zoning on (202) 727-0330.

Sincerely,

Alberto P. Bastida, AICP
Secretary to the Zoning Commission

Attachment

cc: David W. Levy

*Government of the District of Columbia*

**OFFICE OF ZONING**

**ZONING COMMISSION ORDER NO. 03-29**
**Z.C. Case No. 03-29**
**(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 [redacted] 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 [redacted] 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. The University shall file an application for any required zoning approval for the renovation of Quigley's to provide the food service called for in this Order on or before the date of the issuance of the certificate of occupancy for the PUD. If the application for zoning approval for the renovation of Quigley's is granted, the University will use its best efforts to construct the renovation of the Quigley's building and to contract with a vendor to operate the food service. If for any reason the University is unable to secure the required zoning approval within one (1) year of the issuance of the certificate of occupancy for the PUD, or is unable to contract with a vendor for the operation of the food service within eighteen (18) months of the zoning approval for the renovated Quigley's, then the University shall file an application with the Zoning Commission to modify this Order to substitute an amenity of comparable value.

7. The University shall use its best efforts to fill the retail space called for in this Order. In the event that the University, despite its best efforts, is unable to rent the space within one (1) year of the issuance of the certificate of occupancy for the PUD, the University shall commence operation of the retail establishment in the space under its own authority within that time frame, conditioned upon any required District approvals.

8. The University will coordinate the move in and move out procedures for students residing in the PUD with the University Police Department, the Metropolitan Police Department, the Department of Transportation and neighboring property owners. These procedures will be designed to provide for an efficient means for moving the students in and out of the residence hall at the beginning and end of the academic year so as to minimize the adverse impact on surrounding property owners. These procedures shall require use of the existing loading dock of the adjacent Support Building, as well as the use of a separate back entrance on the northeast side of the subject property, to the maximum extent feasible in order to minimize the disruption of traffic along F Street.

9. 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.

10. 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.

11. 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.

12. 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 [redacted].

This order was **ADOPTED** by the Zoning Commission at its public meeting held on March 8, 2004, by a vote of [redacted].

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**

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General Services Administration
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Committee on Governmental Affairs
United States Senate
The Honorable Susan M. Collins

Chairman
Committee on Government Reform
U.S. House of Representatives
The Honorable Tom Davis

Mayor
District of Columbia
The Honorable Anthony A. Williams

Chairman
Council of the District of Columbia
The Honorable Linda W. Cropp

**Executive Director**
Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 03-03/02-05

MAY 14 2004

Zoning Commission of
the District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission:

In response to your request, pursuant to delegations of authority adopted by the Commission on August 6, 1999, I have reviewed the proposed Second Stage Planned Unit Development for the Capital Gateway Estates, East Capitol and 58th Streets, and found that the proposal would not adversely affect the identified federal interest or be inconsistent with the Federal Elements of the Comprehensive Plan.

A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosure

**NCPC File Nos. ZC 03-03/02-05 and 6461**

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

**SECOND STAGE PLANNED UNIT DEVELOPMENT FOR A RESIDENTIAL PROJECT, CAPITOL GATEWAY ESTATES**
East Capitol Street and 58th Street
Washington, D.C.

***Delegated Action of the Executive Director***
April 29, 2004

Pursuant to the Commission's delegation of authority adopted on August 6, 1999, I find that the proposed Second Stage Planned Unit Development for a residential project bounded by 61st Street and Southern Avenue, SE on the east; Central Avenue, SE on the south; 56th Place, SE and 57th Place NE on the west; and Clay Street, NE and the Watts Branch stream valley on the north, on Lots 41-78 in Square 5246; Lot 51 in Square 5272; Lot 53 in Square 5279; Lots 99-114 and 118-204 in Square 5280; and Lots 36-92, 96-98 and 101-139 in Square 5281 would not adversely affect the identified federal interest or be inconsistent with the Federal Elements of the Comprehensive Plan, and pursuant to delegations of authority adopted by the Commission on October 3, 1996, I approve the preliminary and final site and building plans for the project as shown on NCPC Map File No. 81.10(38.00)-41361.

* * *

The District of Columbia Zoning Commission has referred a proposed second stage Consolidated Planned Unit Development (PUD) to the National Capital Planning Commission for federal interest review and comment. In addition, the District of Columbia Housing Authority has requested that the Commission review and approve preliminary and final site and building plans for the proposed housing project which the PUD designation would encompass. The first stage consolidated PUD for this project was approved by the Commission on August 29, 2002.

The site is bounded by 61st Street and Southern Avenue, SE on the east; Central Avenue, SE on the south; 56th place, SE and 57th Place NE on the west; and Clay Street, NE and the Watts

Branch Stream Valley on the north, on Lots 41-78 in Square 5246; Lot 51 in Square 5272; Lot 53 in Square 5279; Lots 99-114 and 118-204 in Square 5280; and Lots 36-92, 96-98 and 101-139 in Square 5281. The site is approximately 23.14 acres and will be zoned R-5-A. Land uses surrounding the area are characterized by a mix of detached and semi-detached houses, triplexes, row houses, garden apartments, and neighborhood convenience commercial buildings. Several public facilities are in the immediate vicinity of the proposed PUD including the Capitol Heights Metrorail Station, the Watts Branch Park, the Watts Branch Playground, and two public schools.

This development is a HOPE VI mixed income residential community. At completion it will contain 226 units at varying prices for sale and rent. The project will consist of 14 single family homes, 68 semi-detached units, 166 town homes, and 7 buildings which contain 4 units each. Although the residential buildings will not be replicas of any historical style from the surrounding neighborhood, they are designed to be contextual and compatible with the surrounding neighborhoods. The project will also include a community center.

Approval of this proposal would grant relief from driveway and parking requirements of the proposed R-5-A zoning. However, the PUD designation will create significant public benefits, including the replacement of public housing that has endemic social, physical, and environmental problems with a new community designed to incorporate numerous quality of life initiatives, including social and economic assistance services.

The identified federal interest in this project is the designation of East Capitol Street as a Special Street in the Federal Elements of the Comprehensive Plan. However, as addressed in the Commission's approval of the first stage consolidated PUD for this project, the proposed PUD designation would not be inconsistent with the Comprehensive Plan and would not have an adverse impact on a federal interest. In its capacity as advisor to the project's design under Section 5 of the National Capital Planning Act, the Commission has determined that the proposed action will have no adverse impact on a federal interest.

The Coordinating Committee reviewed the proposal on April 14, 2004 and forwarded it to the Commission with the statement that the project has been coordinated by all agencies present.

Patricia E. Gallagher, AICP
Executive Director