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ZONING COMMISSION

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David Avitable
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202-721-1137 Tel

April 22, 2014

VIA HAND DELIVERY

Mr. Anthony Hood, Chairman
Zoning Commission
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: **Z.C. Case No. 06-11/06-12 – GW Foggy Bottom Campus Plan
Application for Campus Plan Amendment, Further Processing**

Dear Chairman Hood and Members of the Commission:

Enclosed please find an application from the George Washington University (“University”) for approval for an amendment to the 2007 Foggy Bottom Campus Plan and further processing approval to permit university use of leased space on two floors in a building proposed to be constructed by Hillel at the George Washington University (“Hillel”) at 2300 H Street NW (“Property”).

Background

The Property is located in Square 42 at the intersection of 23rd and H Street NW. The Property has been used by Hillel as a place of worship since the mid-1980s. Hillel proposes to demolish the existing improvements and construct a new four-story building (“Project”). The Project is the subject of BZA Application No. 18764, which is scheduled for public hearing on June 3, 2014. In order to help finance the cost of constructing the new facility, Hillel proposed to lease two floors of the new facility to the University, containing approximately 9,150 square feet of gross floor area. For the Commission’s convenience, the building plat and an excerpt of the plans are attached as Exhibit C and Exhibit D.

Summary of Campus Plan / Further Processing Application

As shown on Exhibit A, the Property is located within the boundary of the Campus Plan and is therefore included in the Campus Plan by virtue of its location within the campus boundaries. See Campus Plan / PUD Order at 12 n.5. Accordingly, the University’s requested amendment is limited to designating the permitted categories of university use for the Property.

**ZONING COMMISSION
District of Columbia**

CASE NO. 06-11L

The University intends to lease and use the upper two floors of the Project for campus-related student life space that may include student organizations, auxiliary services, and student activities, and academic uses for classroom space and faculty/staff offices (the "University Use"). The University Use will occupy approximately 9,150 square feet of gross floor area. Accordingly, the University requests an amendment to the Campus Plan to designate the Property for either campus life or academic/administrative uses. The University also requests further processing approval under the amended Campus Plan to permit such use upon the completion of the Project.

The proposed University Use meets the standards of Section 210 of the Zoning Regulations as set forth below.

Section 210.2: The Use is Located so that it is Not Likely to Become Objectionable to Neighboring Property

The proposed use is minor, and will not generate any objectionable impacts on the surrounding residential community. The proposed University Use will not result in an increase in student population or intensity of use on the campus—the small amount of space is merely decompression space that will accommodate programs and initiatives that are compressed for space. Similarly, the University Use will not generate any objectionable traffic or parking impacts, because the users of the space will already be located on the campus. Finally, the University Use is located within the building, which is itself within the Campus Plan boundaries, and will not generate noise or other objectionable impacts on the surrounding residential neighborhoods.

Section 210.3: Compliance with Maximum Bulk Requirement

The University will remain in compliance with the maximum bulk requirement. The University Use will increase the total FAR of the campus by 0.007 FAR, which is a de minimis increase. The total FAR for the residentially-zoned portions of the campus upon the addition of the University Use and completion of all other development approved by the Zoning Commission will remain at 3.16 FAR, which is well within the permitted FAR of 3.69 approved in the Campus Plan / PUD.

Section 210.4: Relationship to the Campus Plan as a Whole

The proposed mixed-use campus life and academic/administrative designation is consistent with the Campus Plan as a whole, including the use designation of adjacent and nearby properties. Again, the Property will be used for campus-related student life and academic uses that include student organizations, auxiliary services, student activities, classroom space, and faculty/staff offices. The proposed mix of campus life and academic/administrative uses reflects the location of the Property near both residential/student life and academic buildings. The Property is adjacent to Amsterdam Hall, a residence hall, and proximate to Fulbright Hall,

another residence hall, and the Lerner Health and Wellness Center. However, the Property is also close to a number of existing and proposed academic buildings, including Ross Hall, the under-construction Science and Engineering Hall, and a proposed academic/administrative site across 23rd Street in Square 56.

Section 210.7: Consistency with the Comprehensive Plan

The proposed University Use is consistent with the Comprehensive Plan. The use is consistent with the Property's designation in the Institutional land use category. Furthermore, the University Use arises out of a partnership with Hillel that will promote and sustain Hillel's service to the surrounding community. Such partnerships are encouraged pursuant to Section EDU-3.2 of the Comprehensive Plan. Moreover, the partnership with Hillel will specifically support community improvement and contribute to the District's culture in accordance with Policy EDU-3.3.2.

Section 3104: Special Exception Standards

For reasons similar to those set forth above, the proposed University Use also meets the general special exception standards of Section 3104. The proposal locates university use within the boundaries of the Campus Plan, which is consistent with the general purpose and intent of Section 210 as well as the specific goals of the 2007 Foggy Bottom Campus Plan / PUD. Furthermore, the use is relatively small and is located near the heart of the campus, away from surrounding residential properties. Accordingly, it is unlikely to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map.

Conclusion

For all of the reasons set forth above, the University respectfully requests that the Commission approve an amendment to the Campus Plan as well as further processing of that Plan to permit the University Use on the Property.

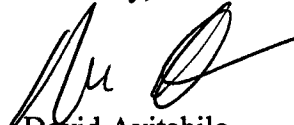
Conclusion

The University looks forward to presenting the special exception application at an upcoming public hearing. Regarding the minor modification of the Campus Plan / PUD Order that is related to this application, the University proposes that the Commission schedule the minor modification for an upcoming public meeting in the near future solely for the purpose of confirming that the requested modification is minor. The Commission's vote regarding the substance of the minor modification could then be held in abeyance until the vote on this campus plan amendment and further processing request.

Anthony Hood
April 22, 2014
Page 4

Please contact Dave at (202) 721-1137 with any questions.

Sincerely,



David Avitabile

Attachments

cc: Charles Barber / Alicia Knight

CERTIFICATE OF SERVICE

On April 22, 2014, I caused a copy of the foregoing letter and enclosure to be delivered by hand, electronic mail, or by U.S. Mail to the following:

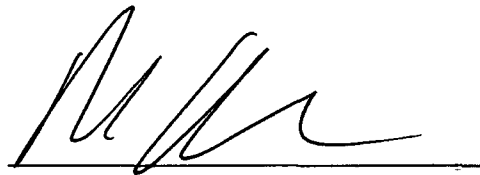
Paul Goldstein
D.C. Office of Planning
1100 4th Street, SW, Suite E650
Washington, DC 20024

Jonathan Rogers
District Department of Transportation
55 M Street SE, 5th Floor
Washington, DC 20003

Advisory Neighborhood Commission 2A
West End Branch Library
1101 24th Street, NW
Washington, DC 20037

President, Foggy Bottom Association
c/o Samira Kristina Azzam
1001 26th Street, NW #406
Washington, DC 20037

West End Citizens Association
c/o Barbara Kahlow
800 25th Street, NW #704
Washington, DC 20037

A handwritten signature in black ink, appearing to read 'David Avitabile', written over a horizontal line.

David Avitabile



BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA



FORM 109 - APPLICATION FOR CAMPUS PLAN / FURTHER PROCESSING OF CAMPUS PLAN

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

Pursuant to 11 DCMR § 3104.1 ☐ Campus Plan ☒ Amendment of Approved Campus Plan ☒ Further Processing of Campus Plan

an application is hereby made, the details of which are as follows:

Present use(s) of Property: Church / Place of Worship

Proposed use(s) of Property: Church / Place of Worship and University Use

Organization Name: The George Washington University (Potential Tenant)

Owner of Property: Hillel at the George Washington University

Address of Owner: 2300 H Street NW

Phone No.(s):

E-Mail:

Single-Member Advisory Neighborhood Commission District(s): ANC 2A05

Address(es)	Square	Lot No(s).	Zone District(s)
2300 H Street NW	42	840, 820	R-5-D
			R-5-D
2300 H Street NW			

Brief description of proposal: Application of the George Washington University for approval of an amendment to the 2007 Foggy Bottom Campus Plan and further processing approval to permit university use of leased space on two floors of a building proposed to be constructed by Hillel at the George Washington University at 2300 H Street NW.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22 2405)

Date:

4/22/2014

Signature*:

To be notified of hearing and decision (Owner or Authorized Agent*):

Name:

David Avitabile

E-Mail:

davitabile@goulstonstorrs.com

Address:

Goulston & Storrs, 1999 K Street NW, 5th Floor, Washington DC 20006

Phone No.(s):

202-721-1137

Fax No.:

* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.



BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA



FORM 116 – HEARING FEE CALCULATOR

Pursuant to §3041 of DCMR Title 11, the following hearing fees shall be paid when the Zoning Commission schedules a public hearing on a petition or application. In the case of a petition or application combining two (2) or more actions on this form, the fee charged shall be the greatest of all the fees computed separately. Please show ALL computations.

A department, office, or agency of the Government of the District of Columbia is not required to pay a hearing fee where the property is owned by the agency and the property is to be occupied for a government building or use.

PLEASE COMPLETE, SIGN, AND RETURN THIS FORM WITH PAYMENT TO THE OFFICE OF ZONING.

MAP AMENDMENT

Pursuant to §3041.1 of DCMR Title 11, if the Commission schedules a public hearing on a petition or application for an amendment to the Zoning Map, prior to advertisement of the hearing, the petitioner/applicant shall pay a hearing fee in accordance with the following schedule:

Petition or Application for Rezoning to any:	Fee	Unit	Total
R-1, R-2, or R-3 District, for each acre (43,560 ft. ²) or part of an acre	\$650.00		
R-4 or R-5-A District, for each acre (43,560 ft. ²) or part of an acre	\$1,625.00		
R-5-B District, for each acre (43,560 ft. ²) or part of an acre	\$3,250.00		
R-5-C, R-5-D, or R-5-E District, for each acre (43,560 ft. ²) or part of an acre	\$6,500.00		
SP, W, or CR District, for each 20,000 ft. ² or part of that area	\$2,600.00		
C-1 or C-2 District, for each 10,000 ft. ² or part of that area	\$1,625.00		
C-3, C-4, or C-5 District, for each 10,000 ft. ² or part of that area	\$3,250.00		
C-M or M District, for each 20,000 ft. ² or part of that area	\$2,600.00		
TOTAL			

- Notes:**
- For any overlay district, the fee shall be computed in accordance with the requirement for the underlying zone.
 - The maximum hearing fee for rezoning to any Residence District (R-1, R-2, R-3, R-4, or R-5) is \$65,000.
 - For an application that proposes rezoning to more than one (1) zone district or is in the alternative, the fee shall be the total of the amounts for the area devoted to each proposed district or alternative computed separately.
 - A "part of an acre" or "part of that area" should be rounded to the next whole number.

TEXT AMENDMENT

Pursuant to §3041.3 of DCMR Title 11, if the Commission schedules a public hearing on a petition for an amendment to the text of the Zoning Regulations, prior to the advertisement of the hearing, the petitioner shall pay a hearing fee in accordance with the following schedule:

Petition	Fee	Unit	Total
Each section proposed to be added, deleted, or amended	\$325.00		
TOTAL			

- Note:**
- The maximum hearing fee for a text amendment to the Zoning Regulations is \$1,300.

PLANNED UNIT DEVELOPMENT (PUD), AIR SPACE DEVELOPMENT, OR ANY OTHER REVIEW OF A SPECIFIC SITE PLAN OR BUILDING PLAN

Pursuant to §3041.4 of DCMR Title 11, if the Commission schedules a public hearing on an application for approval of a planned unit development, air space development, or any other action where review of a specific site plan or building plan is required, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Application	Fee	Unit	Total
For each 100 ft. ² of gross floor area (GFA), or part thereof, included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit (Maximum of \$65,000.)	\$7.00		
For each 100 ft. ² of GFA, or part thereof, included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit	\$13.00		
TOTAL			

- Note:**
- There is no charge for the hearing on the second stage of a two-stage PUD application
 - A "part thereof" should be rounded to the next whole number.

PLEASE CONTINUE TO SIDE TWO OF THIS FORM

FORM 116 – HEARING FEE CALCULATOR – Side 2

MODIFICATION TO AN APPROVED PUD, AIR SPACE DEVELOPMENT, OR ANY OTHER REVIEW OF A SPECIFIC SITE PLAN OR BUILDING PLAN

Pursuant to §3041.6 of DCMR Title 11, if the Commission schedules a public hearing on an application for a modification to an approved planned unit development, air space development, or any other review of a specific site or building plan, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Request for Modification	Fee	Total
Modification to a previously approved case	26% of original hearing fee or \$1,300, whichever is greater	
TOTAL		

APPLICATION/ FEE OF PETITION

Pursuant to §3041.4 of DCMR Title 11, in the case of a petition or application combining two (2) or more actions on this form, the fee charged shall be the greatest of all the fees computed separately. Below, please list the total fee for each action requested and enter the fee of the greatest fee calculated.

Type of Petition/Application	Total
Map Amendment	
Text Amendment	
PUD, air space development, or any other review of a specific site plan or building plan	
Modification to an approved PUD, air space development, or any other review of a specific site or building plan	
GREATEST OF CALCULATED FEES	

FEE OF CAMPUS PLAN/FURTHER PROCESSING OF CAMPUS PLAN

Pursuant to §3180 of DCMR Title 11, if the Commission schedules a public hearing on an application for a campus plan or further processing of a campus plan, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Application	Fee	Unit	Total
Processing of a new or revised campus plan for a college or university use	\$6,500	1	\$6,500
Review of a specific building or use within an approved campus plan	\$3,250	1	\$3,250
TOTAL			\$9,750

CERTIFICATION

I/We certify that the information on this form is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22-2405)

Name: **David Avitabile** Signature:  Date: **April 22, 2014**

OFFICIAL USE ONLY: Office of Zoning Determination

Based upon review of the petitioner's/applicant's supplemental filing and the information contained on this form:

- ☐ the calculated fee is accepted as submitted
- ☐ the calculated fee requires adjustment (requires new Form 116 – Hearing Fee Calculator Form)

Signature: _____ Date: _____



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.