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**BEFORE THE DISTRICT OF COLUMBIA
ZONING COMMISSION**

**Application of Gallaudet University
Further Processing Under an Approved Campus Plan
800 Florida Avenue, NE**

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Background:

The Subject Property (Parcel 141/69) is used as the campus for Gallaudet University and is also home to the Laurent Clerc National Deaf Education Center. The original Campus Plan for Gallaudet University was approved by the Board of Zoning Adjustment in 1972 (BZA Order No. 11093). The 2002-2012 Campus Plan was approved by the Zoning Commission in 2003 (Zoning Commission Order No. 03-02). The BZA has approved a number of applications involving further processing under the previously approved Campus Plans, most recently in 2000 (BZA Order No. 16582). In the present application, Gallaudet University requests further processing under the approved 2002-2012 Campus Plan for the Sorenson Language and Communication Center to be constructed on the Subject Property.

II. Proposed Development:

The Sorenson Language and Communication Center (the "Center") will be located on Lincoln Circle, adjacent to the Student Academic Center. The site is now partially occupied by a surface parking lot. The Center will be approximately fifty-nine feet in height and consist of approximately 85,400 square feet of building area. The site will include a new surface parking lot. The Center's design has been specifically developed to ensure an accessible facility that conforms to the communication needs and desires of the campus' deaf community.

The Center will serve as an academic teaching and research facility devoted to the language, culture, and history of the deaf community. The Center will foster collaborative research across multiple disciplines. Gallaudet University intends to house the following departments and programs in the new facility:

- American Sign Language (ASL) and Deaf Studies
- Communication Studies
- Hearing, Speech, and Language Sciences
- History and Government
- Linguistics
- Sociology

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Students in the Center's departments will be able to pursue bachelors, masters, and doctoral degrees. In addition, the University plans to disseminate its knowledge to the larger community by publishing the results of its research and through national outreach programs.

III. Burden of Proof:

Pursuant to §210.1 of the Zoning Regulations, use as a college or university that is an academic institution of higher learning shall be permitted in all residential zones if approved by the Zoning Commission under §3104 of the Regulations, subject to the provisions of §210. The portion of the campus on which the proposed building will be located is in the R-4 District.

A. Section 3104.1. *The Commission is authorized to grant the campus plan special exception, where, in the judgment of the Commission, it will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Regulations and Maps.*

Gallaudet University has been located at this site since its founding more than 145 years ago, and has played an integral role in the development of its immediate neighborhood, and the District as a whole. Gallaudet University has proceeded with development of its capital projects over the last 35 years in strict accordance with the campus planning process set forth in the Zoning Regulations. Subsequent to the initial approval of its campus plan in 1972, Gallaudet has returned to the Board of Zoning Adjustment on numerous and regular occasions for approval of revised plan documents and further processing under said documents. Throughout the campus plan review and further processings, Gallaudet has consistently engaged its neighbors in the process, through meetings with affected Advisory Neighborhood Commission(s) and with the Gallaudet Community Relations Council.

B. Section 210.2. *The university use shall be located so as not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions.*

The proposed building is consistent with the 2002-2012 Campus Plan approved by the Zoning Commission and is located so that it will not be objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions. Gallaudet intends to continue to uphold its obligations as a good neighbor within its community. To that end, it commits to remaining an active participant in the community, maintaining

its open relations with nearby residents and businesses, especially through the Gallaudet Community Relations Council.

C. Section 210.3. *The maximum bulk requirements of individual buildings may be increased beyond what would otherwise be permissible, provided that the total bulk of all buildings and structures shall not exceed the gross floor area prescribed for the R-5-B District, namely 1.8 FAR.*

The bulk proposed by Gallaudet for the university portion of its 2002-2012 Master Plan is approximately 0.46 FAR, well under the allotted 1.8 FAR. The gross floor area of the proposed building is consistent with that shown on the 2002-2012 Master Plan.

D. Section 210.4. *The applicant must submit to the Commission a campus planning document, showing the location, height, and bulk, where appropriate, of all existing and proposed improvements, including: (a) buildings and parking and loading facilities; (b) screening, signs, streets and public utility facilities; (c) athletic and recreational facilities; and (d) a description of activities conducted on the campus and capacity of all present and proposed campus development.*

This provision is not applicable as the subject application is for further processing of a single building in accordance with the most recently approved Campus Plan.

E. Section 210.5. *Within a reasonable distance of the college or university campus, and subject to compliance with the provisions of §210.2, the Commission may also permit the interim use of land or improved property with any use that the Commission may determine is a proper college or university function.*

Gallaudet is not proposing any interim use of land or improved property outside the university campus area.

F. Section 210.6. *When a major new building that has been proposed in a campus plan is instead moved off-campus, the previously designated site shall not be designated for or devoted to a different major new building until and unless the Zoning Commission has approved an amendment to the campus plan applicable to the site; provided, that for this purpose a major new building is defined as one specifically identified in the campus plan.*

Gallaudet is not proposing to move any major new or previously-approved building off-campus.

G. Section 210.7. *In reviewing and deciding a campus plan application or new building construction pursuant to a campus plan, the Commission shall consider, to the extent they are relevant, the policies of the District Elements of the Comprehensive Plan.*

The Subject Property is designated as an institutional use on the Generalized Land Use Map of the Comprehensive Plan. The objectives for public and institutional land uses set forth in the Comprehensive Plan include promoting the continued contributions made by private institutions toward the economic and cultural vitality of the District. The proposed Sorenson Language and Communication Center, as described above, furthers this objective.

The Comprehensive Plan's Ward 5 Element emphasizes the importance of preserving the Ward's important historic features while permitting sensitive and compatible new development. The Gallaudet College Historic District, listed on the National Register of Historic Places and D.C. Inventory of Historic Sites, is included on the list of important historic sites within Ward 5. The proposed building is outside the boundaries of the historic district, but is otherwise in harmony with the existing development and is consistent with the approved 2002-2012 Campus Plan.

The Ward 5 Element also notes that parking around the Ward's colleges and universities is one of many locations that continue to be of concern. The 2002-2012 Campus Plan demonstrated that the proposed development would neither increase congestion in the surrounding neighborhood nor have any adverse impact upon parking in the surrounding area.

H. Section 210.8. *As an integral part of the application requesting approval of new building construction pursuant to a campus plan, the university shall certify and document that the proposed building or amendment is within the floor area ratio limit for the campus as a whole, based upon the computation included in the most recently approved campus plan and the FARs of any other buildings constructed or demolished since the campus plan was adopted.*

The proposed building is within the floor area ratio limit for the campus as a whole, based upon the computation included in the 2002-2012 approved Campus Plan. As noted above, the FAR proposed by Gallaudet for the university portion of its 2002-2012 Master Plan was approximately 0.46 FAR, well under the allotted 1.8 FAR. The gross floor area of the proposed building is consistent with that shown on the 2002-2012 Master Plan.

I. Section 210.9. *Before taking final action on applications for use as a college or university, the Commission shall submit the application to the D.C. Office of Planning and the D.C. Department of Transportation for review and written reports.*

It is our understanding that the Office of Zoning will refer this application to the Office of Planning and the D.C. Department of Transportation.

For all these reasons, Gallaudet University satisfies the requirements for special exception approval of further processing for a single building under an approved Campus Plan.