



Westover Place Homes Corporation

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Washington DC 20016

March 30, 2014

Mr. Anthony Hood, Chairman
DC Zoning Commission
441 4th Street NW
Suite 200-S
Washington, D.C. 20001

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Re: ZC Case No. 08-06A
Title 11, Zoning Regulations – Comprehensive Revisions
Subtitle X, Chapter 1: Campus Plans and School Plans

Dear Chairman Hood and Commissioners:

The Board of Directors of Westover Place Homes Corporation submits these comments for consideration and to be entered into record in the above mentioned matter. Westover Place Homes Corporation represents 149 individual homeowners located in northwest D.C.

Four university campuses (American, Georgetown, George Washington-Mt. Vernon, Wesley Theological Seminary) are located close by to our homes. Five private schools (Georgetown Day, Lab School, Field School, the River School, and St. Patrick's are also nearby. We feel very much compelled to offer comments on the proposed changes to the Campus Plan process which is before the zoning commission.

Many of the changes in the rules that are being proposed by OP are excellent and will go a long way to improving the execution of the 10 year campus plan cycle. But, we do not believe OP has gone far enough to fix what has often become a confrontational process when schools and universities present their 10-year plans to the zoning commission for approval.

The process takes too long – Universities have historically submitted overly ambitious plans, often overwhelming the process, the zoning commission and the neighbors. The current process requires huge commitments by ANC's, the neighbors and zoning

commission members, all trying to understand and comment on the impacts such plans have on the community. There should be a time limit imposed on the process which requires submission of planning documents that can be worked in a reasonable time frame, along with a list of the applicant's resources and a timeline for fulfillment. These additional pieces of information would add credibility to the plan, perhaps influencing the university to submit a more realistic plan in the first place.

The campus plan should be extended – Often the submitted plan is so ambitious, and the approval cycle so long, that discussions have eaten 1-2 years of plan life before the plan is approved. The Campus plan approval date should start a new 10 year clock which would effectively extend the time between new plan submissions, giving the university additional time to fulfill the plan before it reaches its conclusion.

We support the goal to simplify – By combining all of the zoning rules that apply to universities, colleges, and other schools located in residential and low density mixed zones into one section, OP helps area residents to gain a better understanding of the applicable zoning rules.

We are opposed to proposed Subsection 101.16 - This proposal would allow a public or charter school to operate in college or university campus facilities without counting toward an approved enrollment/faculty cap. If a university chooses to make its space available to a public or charter school, the additional number of students on campus have a potential impact on neighborhoods. The proposed new rules place no limits on the number of students or faculty that could be added to the mix as a result of dedicating space to a charter or public school. If a university seeks to expand its facilities to also provide services for students that are not affiliated with the university, those students should be counted toward the cap set for the university's use.

We are opposed to the proposed Subsection 101.18 – The proposed section would allow the Zoning Administrator to amend an approved campus plan. We believe that any amendment to the approved campus plan should have a required process to first notify affected neighborhoods and ensure that neighbors have an opportunity to provide input before the plan is amended.

We are opposed to proposed provision of Subsection 101.3B – This rule would allow a university or private school to commit up to 10% of its gross floor area to retail/commercial uses in residential zones. We are concerned that this rule creates a matter of right for the university to operate retail establishments without proper zoning consideration of the impact these establishments would have on surrounding neighborhoods and should be considered by the Zoning Commission on a case-by-case basis. And that these proposed uses would comply with other standards outlined by OP in Chapter 1, Subsection 101 of the proposed new rules that:

- Require retail uses to be located internally central to the campus
- Prohibit retail uses that are objectionable to non-university residential neighbors due to hours of operation, noise, parking, loading, lighting, trash, or other operational characteristics that are not common to residential use;

- Prohibit the creation of general commercial activities or developments unrelated to the mission of the applicant or inconsistent with the Comprehensive Plan.

We request additional work on proposed Subsections 102.5 and 102.6 – The proposals do not go far enough to address the impact of university ownership of commercial property in residential neighborhoods. Universities that purchase nearby commercial property, then house campus offices and services in them, and more importantly, use them to conduct student classes and run shuttle busses to them, have an impact on the neighborhoods. This impact must be considered by the zoning commission. When the university chooses to grow their university related activity in commercially zoned spaces the zoning commission has an obligation to consider the impact of such operations, just as if the operation were on residentially zoned property in the neighborhood. The entire impact of the university in neighborhoods should be the focus of the zoning commission when considering the new 10-year campus plan, or amendments to the campus plan.

The rules in Subsection 101.8 on Further Processing should be changed – Westover Homes Corporation encourages the Zoning Commission to enhance the rules for 2nd Stage Further Processing. The rules, as proposed (and as now allowed), allow a 2nd stage Further Processing request at the same time as the 1st stage Campus Plan process is submitted for review by the Zoning Commission. This proposal requires the Zoning Commission to hear two cases at the same time. We have seen where this can unnecessarily strain everyone's ability to review the details of the Further Processing application and potential impacts. This is an existing problem, and the proposed new rules do nothing to correct the problem. We suggest that Further Processing applications only be heard after the Zoning Commission has approved the Campus Plan case. They should be separated cases before the Zoning Commission. Such a separation of cases would create a more consistent and transparent process for impacted residential communities and a more orderly zoning regulatory process.

Adopted by resolution of the Westover Place Board of Directors at their regularly scheduled meeting on February 19, 2014. .

Respectfully,



Mary Ellen Fehrmann
Board of Directors
Westover Place Homes Corporation

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