



MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: April 8, 2010
SUBJECT: Zoning Commission Case No. 09-19: Comparison of Conditions

As requested by the Commission at the public hearing on March 25, 2010, the Office of Planning (OP) is submitting a comparison of certain conditions proposed by OP (as provided in a revised list of conditions dated March 24, 2010 and expanded upon during the public hearing) and by the University (in a submission dated March 25, 2010). This memorandum *only* references conditions where OP believes consequential differences, although generally minor in scope, remain. Organizationally, OP's proposed condition is provided below, followed by the University's proposed condition, and concludes with an explanation of the difference. **Bold** typeface may be used to emphasize language where there is notable divergence.

1. *University's Special Events Condition (# 11) in Exhibit U "Proposed Conditions"*

| <u>OP Proposed Condition:</u> | <u>University's Proposed Condition:</u> |
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| <p>The University shall avoid scheduling performances, athletic events, and other special events ("Events") likely to attract large numbers of non-University visitors ("Visitors") to the campus on weekdays during the peak commuter traffic times of 7 a.m. to 9 a.m. and 5 p.m. to 7 p.m.</p> <ul style="list-style-type: none"> a) Weekday evening performance events expected to draw more than 100 Visitors shall begin no earlier than 7:00 p.m. b) The University shall avoid scheduling weekday athletic events that are expected to draw over 100 Visitors to begin during the peak commuter traffic times. c) The University shall publicize the availability of its shuttle service between the Mount Vernon Campus and the Foggy Bottom Metrorail Station to Visitors attending these Events. d) The University shall employ campus personnel as necessary to facilitate smooth flow of traffic into and out of the campus during these Events. e) The University shall work with area institutions in order to provide additional parking for unusual situations where modal choices of event attendees are likely to result in excessive parking demand. f) The University shall use good faith efforts to provide advance written, fax, or e-mail notice of these Events to its neighbors and ANC. Extracurricular events such as performances or | <p>The University shall use best efforts to avoid scheduling performances, athletic events, and other special events ("Events") likely to attract large numbers of non-University visitors ("Visitors") to the campus on weekdays during the peak commuter traffic times of 7 a.m. to 9 a.m. and 5 p.m. to 7 p.m.</p> <ul style="list-style-type: none"> a. Weekday evening performance events expected to draw more than 100 Visitors shall begin no earlier than 7:00 p.m. b. The University shall use best efforts to avoid scheduling weekday athletic events that are expected to draw over 100 Visitors to begin during the peak commuter traffic times. c. The Applicant shall publicize the availability of its shuttle service between the Mount Vernon Campus and the Foggy Bottom Metrorail Station to Visitors attending these Events. d. The Applicant shall employ campus personnel as necessary to facilitate smooth flow of traffic into and out of the campus during these Events. e. The Applicant shall work with area institutions in order to provide additional parking for unusual situations where modal choices of event attendees are likely to result in excessive parking demand. f. The University shall use good faith efforts to provide advance written, fax, or e-mail notice of these Events to its neighbors. Extracurricular events such as performances or athletic events |

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| <p>athletic events shall not require such notice so long as such activities involve and are for the benefit of student teams or other groups of the University.</p> <p>g) This condition shall not apply to the use of the pool or tennis courts.</p> | <p>shall not require such notice so long as such activities involve and are for the benefit of student teams or other groups of the University.</p> <p>g. This condition shall not apply to the use of the pool or tennis courts.</p> |
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- **OP Explanation:** OP eliminated the phrase “use best efforts to” in two places in order to strengthen University commitments and to make the conditions more capable of enforcement. Additionally, OP inserted the word “ANC” into subsection (f), which now could be further defined as “ANC 3D” if such clarity is needed. OP’s proposal also changed references from “Applicant” to “University” for consistency.

2. *University’s Roofline Condition in Exhibit O “Design Guidelines”*

- **OP’s Proposed Condition:**

The design of mechanical penthouses will be integrated into the building’s design with a hip and gable roof in an architectural style consistent with existing Mount Vernon Campus buildings. Where development site constraints do not permit such integration, GW will meet with the Office of Planning and Historic Preservation Office to discuss penthouse design solutions.

- **University’s Proposed Condition:**

Where possible, the design of mechanical penthouses will be integrated into the building’s design with a hip and gable roof in an architectural style consistent with existing Mount Vernon Campus buildings. Where development site constraints do not permit such integration, GW will meet with the Office of Planning and Historic Preservation Office to discuss penthouse design solutions.

- **OP Explanation:** OP eliminated the qualifying language “where possible” in order to strengthen the University’s commitment and to make the condition more capable of enforcement.

3. *University’s Footnote 2 in Exhibit V “Implementation Schedule for Campus Improvements”*

- **OP Proposed Condition:**

In the event that another Development Site identified under the 2010 Plan is completed prior to Ames Hall Renovation Project, the University will file for the necessary permits to implement the proposed W Street entrance modifications and related improvements (shown on Exhibit L of the 2010 Plan) **prior to** the issuance of a certificate of occupancy for that project instead.

- **University Proposed Condition:**

In the event that another Development Site is completed prior to Ames, the University will file for the necessary permits to implement the proposed W Street entrance modifications and related improvements **upon** the issuance of a certificate of occupancy for that project instead.

- **OP Explanation:** The OP condition chiefly provides that the modification and related improvements occur “prior to”, rather than “upon,” the issuance of a certificate of occupancy. OP believes that “prior to” is more consistent with similar commitments made in the Implementation Schedule and

also provides more temporal clarity. Additionally, the OP condition provides a somewhat fuller rendition of the commitment.

4. *University's Sustainability Condition (#9a) in Exhibit U "Proposed Conditions"*

- OP Proposed Condition:

The University shall design and construct each new building to achieve the equivalent of a minimum of certification under the LEED-NC 3.0 rating system or, if available, the most current version of the LEED-NC rating system at the time of filing an application for further zoning approval.

- University Proposed Condition:

The University shall design and construct each new building to achieve the GW equivalent of a minimum of certification under the LEED-NC 3.0 rating system.

- OP Explanation: At the public hearing, OP raised the concern that the LEED-NC 3.0 rating system could grow stale during the course of the 10 year campus plan. As a result, OP proposes that the most current version of the LEED-NC rating system be acknowledged. The Commission also noted how the inclusion of "GW" in the condition was a source of confusion, so OP's proposed condition eliminates the reference.

JS/pg
Paul Goldstein, Case Manager