

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 16-18H
Z.C. Case No. 16-18H
Georgetown University
(Amendment to and Further Processing of an Approved Campus Plan:
Shaw Field Lights)
January 16, 2025

Pursuant to notice, at its January 16, 2025 public hearing, the Zoning Commission for the District of Columbia (“Commission”) considered the application (“Application”) of Georgetown University (“Applicant” or “University”) for an amendment to and further processing of the University’s 2017 Hilltop Campus Plan (“Campus Plan”) approved by Z.C. Order No. 16-18, as amended by Z.C. Order Nos. 16-18A through 16-18G (collectively, “Order”), pursuant to Subtitle X §§ 101.1 and 101.8, to add field lights to Shaw Field (“Application”), under the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all subsequent citations refer unless otherwise specified). The property that is the subject of the Application is a portion of the University’s Hilltop Campus (“Campus”) located on a portion of Lot 833 in Square 1321 (“Property”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z. For the reasons stated below, the Commission **APPROVES** the Application.

**** SUMMARY ORDER ****

BACKGROUND AND PRIOR APPROVAL

1. Pursuant to the Order, the Commission approved the Campus Plan for the Hilltop Campus.
2. The Campus Plan identified an athletic field located in the northwest quadrant of the Campus known as “Shaw Field.”

PARTIES

3. In addition to the Applicant, the parties to the Campus Plan included both Advisory Neighborhood Commission (“ANC”) 2E and ANC 3D as well as the Citizens Association of Georgetown (“CAG”), the Burleith Citizens Association (“BCA”), the Foxhall Community Citizens Association (“FCCA”), and the Georgetown University Student Association (“GUSA”) (together, the “Campus Plan Parties”).
4. The Commission received no additional requests for party status.

NOTICE

5. On September 20, 2024, the Applicant mailed a Notice of Intent to file the Application to the Campus Plan Parties as well as the owners of all property within 200 feet of the Hilltop Campus. (Ex. 3D.)
6. On November 4, 2024, the Applicant served the Application on the Office of Planning (“OP”), the District Department of Transportation (“DDOT”), and the Campus Plan Parties, as attested to by the certificate of service included in the Application. (Ex. 2.)
7. On November 26, 2024, the Office of Zoning (“OZ”) sent the notice of the January 16, 2025 virtual public hearing to:
 - The Applicant;
 - ANC 2E;
 - ANC 3D;
 - ANC Single Member District (“SMD”) Commissioners 2E01, 2E02, 2E03, 2E04, 2E05, 2E08, and 3D07, whose districts include or are within 200 feet of the Property;
 - The Office of ANC;
 - Councilmember Brooke Pinto, the Ward 2 Councilmember, and Councilmember Matt Frumin the Ward 3 Councilmember, in whose Wards the Property is located;
 - The Chair and At-Large Members of the D.C. Council;
 - OP;
 - The Department of Buildings (“DOB”);
 - The Department of Energy and the Environment (“DOEE”);
 - DDOT; and
 - The owners of all lots within 200 feet of the Property and the lessees located on the Property. (Ex. 5.)
8. OZ also published notice of the January 16, 2025 virtual public hearing in the December 6, 2024 issue of the District of Columbia Register (71 D.C. Reg. 014966 *et seq*) as well as on the calendar on OZ’s website. (Ex. 4.)
9. The Applicant provided evidence that it had posted and maintained notice of the public hearing on the Property in compliance with Subtitle Z § 402. (Ex. 7, 13.)

THE APPLICATION

10. On November 4, 2024, the Applicant filed the Application requesting an amendment to the Campus Plan to allow field lighting on Shaw Field and further processing of the Campus Plan to install the field lights. (Ex. 3, 3G, 3H, 3I.)

APPLICANT'S JUSTIFICATION

11. The Applicant asserted that the Application met the requirements for amendment to and further processing of a campus plan pursuant to Subtitle X, Chapter 1 for the following reasons:
- The University is chartered as an educational institution of higher learning. (X § 101.1)
 - The use is not likely to become objectionable to surrounding residential property due to noise, traffic and parking, number of students, or other objectionable conditions because of mitigation measures outlined in the Application and incorporated into a proposed amended condition. (X § 101.2)
 - The Campus Plan remains in compliance with the maximum bulk requirement. (X § 101.5)
 - The Application was preceded by approval of the Campus Plan as a plan for developing the Campus as a whole, and the Application includes updated exhibits to the Campus Plan that reflect the addition of field lighting to Shaw Field. (X § 101.8)
 - The Application does not propose an interim use of land for university use and does not propose the relocation of a major development site to an off-campus location. (X § 101.10)
 - The Application is not inconsistent with the District of Columbia Comprehensive Plan when viewed through a racial equity lens. The use of the Property as an athletic field for university athletic programs is consistent with the Institutional land use designation, and the Application has a neutral impact on racial equity. (X § 101.11)
 - The Campus remains within the FAR limit for the campus as a whole. (X § 101.12)
 - The Application was referred to OP, DDOT, and DOEE for review and comment. (X § 101.13)
 - The Application is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to adversely affect the use of neighboring properties because of the mitigation measures proposed in the Application. (X § 101.14)
 - The Regulations permit the concurrent filing of the further processing application for field lighting at Shaw Field with the amendment to the Campus Plan. (X § 101.16)

APPLICANT'S SUBMISSIONS

12. In addition to the testimony at the public hearing, the Applicant made the following submissions to the record in support of the Application:
- The initial November 4, 2024 application and related materials in support of the Application (Ex. 3, 3A-3L);
 - A December 16, 2024 submission, which included outlines of witness testimony (Ex. 9, 9A-9B); and
 - Presentation materials for the January 16, 2025 virtual public hearing (Ex. 15).

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13. On January 22, 2025, the Applicant filed draft findings of fact and conclusions of law. (Ex. 17.) No other post-hearing submissions were submitted into the record of this case.

RESPONSES TO THE APPLICATION

OP

14. OP filed a January 8, 2025 report that recommended approval of the Application. OP found that the proposed lighting would not change the use or capacity of the field. OP also observed that the field was not likely to impact housing because there were no adjacent dormitories, and the downward-facing lighting would not have material impacts on the adjacent Glover-Archbold Park. OP also concluded that the Application would not be inconsistent with the maps and elements of the Comprehensive Plan or have a negative impact on policies related to racial equity. (Ex. 11.)

DDOT

15. DDOT filed a January 3, 2025 report concluding it had no objection to the Application because the addition of field lighting would not generate additional trips, affect site access, affect vehicle parking, or otherwise affect the transportation system. (Ex. 10.)

ANCs

16. ANC 2E submitted a December 5, 2024 report stating that at a regularly-scheduled and duly-noticed December 2, 2024 public meeting, with a quorum present, ANC 2E voted unanimously to support the Application, noting stringent light and noise studies conducted by the University. (Ex. 6.)
17. ANC 3D submitted a January 8, 2025 report stating that at a regularly-scheduled and duly-noticed January 8, 2025 public meeting, with a quorum present, ANC 3D voted to support the Application. (Ex.19.) ANC 3D also noted that the University had demonstrated the lights would not have a negative impact on neighboring properties and expressed appreciation for the University's communication and responsiveness on other issues.

CONCLUSIONS OF LAW

1. Pursuant to the authority granted by the Zoning Act, approved June 20, 1938 (D.C. Official Code § 6-641.01), the Commission may approve an application for education use by a college or university as a special exception, including amendment to an existing campus plan and further processing of an approved campus plan, consistent with the requirements set forth in Subtitle X § 101, Subtitle X Chapter 9, and Subtitle Z § 302. The Commission concludes that the Applicant has met the burden of proof and the requested approvals and relief can be granted. The Application satisfies the special exception standards for the requested amendments to the Campus Plan and the further processing thereof.

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“GREAT WEIGHT” TO THE RECOMMENDATIONS OF OP

2. The Commission must give “great weight” to the recommendations of OP stated in the OP Report pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.) and Subtitle Z § 405.9). *Metropole Condo. Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).
3. The Commission finds persuasive OP’s recommendation that the Commission approve the Application and therefore concurs in that judgment.

“GREAT WEIGHT” TO THE WRITTEN REPORT OF THE ANC

4. The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to §13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. *Spring Valley-Wesley Heights Citizens Ass’n v. District of Columbia Zoning Comm’n*, 856 A.2d 1174, 1180 (D.C. 2004). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” *Wheeler v. District of Columbia Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (D.C. 1978) (citation omitted).
5. The Commission finds ANC 2E and ANC 3D’s recommendations to approve the Application each persuasive and concurs in those judgments.

SUMMARY ORDER

6. Since no persons or parties appeared in opposition to the Application and the affected ANCs supported the Application, a decision by the Commission to grant this Application would not be adverse to any party. Therefore, pursuant to Subtitle Z § 604.7, the Commission authorized a summary order in this case and determined it may waive the requirement that findings of fact and conclusions of law accompany the Order because such waiver will not prejudice the rights of any party.

DECISION

In consideration of the record and the Findings of Fact and Conclusions of Law herein, the Commission concludes that the Applicant has satisfied its burden of proof and therefore APPROVES the Application subject to the following conditions:

Condition 23(b) of the Campus Plan is revised as follows (additions in **bold underline**; deletions in **~~bold strikethrough~~**):

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23. Events:

- a. All weekday evening performances at the Davis Performing Arts Center expected to draw more than 100 visitors shall begin no earlier than 7:00 p.m., unless agreed to by the GCP; and
- b. Weekday athletic events at Cooper Field **or Shaw Field** expected to draw over 100 visitors shall begin before 4:00 p.m. or after 7:00 p.m., unless agreed to by the GCP.
- c. Outdoor events held at the Car Barn fourth floor patio and covered pavilion shall end by 8:00 p.m. and shall not be permitted on weekends and holidays, unless agreed to by the GCP.

VOTE (January 16, 2025): **5-0-0**_____ (Anthony J. Hood, Robert E. Miller, Gwen Wright, Joseph S. Imamura, Tammy Stidham to **APPROVE**)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 16-18H shall become final and effective upon publication in the *DC Register*; that is, on _____, 2025.

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 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, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.