

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 2017-2036 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.
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 Commissions (“ANC”) 2E and 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 Campus (Exhibit [“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:
 - 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;
 - Office of ANCs;
 - Councilmember Brooke Pinto, the Ward 2 Councilmember, and Councilmember Matt Frumin the Ward 3 Councilmember, in whose Wards the Property is located;
 - Chairman and At-Large Members of the D.C. Council;
 - OP;
 - Department of Buildings (“DOB”);
 - Department of Energy and the Environment (“DOEE”);
 - DDOT;
 - Office of Zoning Legal Division (“OZLD”); and
 - Owners of all lots within 200 feet of the Property and the lessees located on the Property.(Ex. 5, 5A).
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 DCR 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-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 the light and noise studies conducted by the Applicant demonstrate that the addition of field lighting to Shaw Field would have minimal impacts and the proposed game start times for the field are consistent with those currently in place at Cooper Field (*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 relevant policies of the Citywide Elements of the Comprehensive Plan, including when viewed through a racial equity lens¹. The use of the Property as an athletic field for university athletic programs is consistent with the Property's Institutional Use designation on the Comprehensive Plan maps, 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 the Applicant has demonstrated its minimal impacts (*X § 101.14*); and
- 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. 1-3L);
 - A December 16, 2024, submission, which included outlines of witness testimony (Ex. 9, 9A-9B); and
 - Presentation materials for January 16, 2025, virtual public hearing (Ex. 15).

¹ The Applicant provided a Racial Equity Analysis, consistent with the requirements of the Commission's Racial Equity Tool and inclusive of a discussion of its Community Outreach and Engagement efforts regarding the Application (*See* Ex. 3K).

13. On January 22, 2025, the Applicant filed a draft order (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 and is not likely to become objectionable because of noise, traffic, parking number of students, or other objectionable conditions. OP also observed that the field does not directly abut any of the surrounding residential neighborhoods nor are there any adjacent dormitories, as such, the new lighting should not result in an impact on housing. OP noted that the downward, inward-facing to the field lighting would avoid light intrusion that extends beyond the intended area of use and would not have material impacts on the adjacent Glover-Archbold Park. Moreover, the Applicant proposes game start times for the field consistent with the current policy in place for Cooper Field, thus there should be no significant impacts on traffic or parking. 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 equity² (Ex. 11).

DDOT

15. DDOT filed a January 3, 2025, report citing no objection to the Application and concluding that installing field lighting would not have an impact on the transportation network (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 the stringent light and noise studies conducted by the University, resulting in minimal impact (Ex. 6).
17. ANC 3D submitted a January 10, 2025 report stating that at a regularly scheduled and duly noticed January 8, 2025, public meeting, with a quorum present, ANC 3D voted 5-0-1 to support the Application (Ex. 12). 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 to community needs and concerns regarding rat population, Foundry Branch Trestle Bridge preservation, and pedestrian safety (*Id.*).

² The OP Report provided a Racial Equity Analysis, as required by the Commission's Racial Equity Tool; however, OP's analysis did not include Disaggregated Race and Ethnicity data for Near Northwest Planning Area, in which the Property is located, given the Application's limited scope and corresponding limited racial equity impact. The Commission agreed with OP and concluded that Disaggregated Race and Ethnicity Data was not necessary in its evaluation of this Application.

CONCLUSIONS

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 Application satisfies the special exception standards for the requested amendments to the Campus Plan and the further processing thereof for the reasons stated herein.

“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 (See *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, parties, or Campus Plan Parties appeared in opposition to the Application and the affected ANCs, 2E and 3D, 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 reasons stated herein, the Commission concludes that the Applicant has satisfied its burden of proof and therefore APPROVES the Application to add field lights to Shaw Field as depicted in the Architectural Plans dated November 2024 at Exhibit 3G in the record of Z.C. Case No. 16-18H, subject to the following conditions:

A. Campus Plan Amendment – Exhibits

The Campus Plan exhibit in the record of Z.C. Case No. 16-18 at Exhibit 9P (Athletic and Other Recreational Facilities) is replaced with the exhibit in the record of Z.C. Case No. 16-18H at Exhibit 3I (Amended Athletic and Recreational Facilities Plan).

B. Campus Plan Amendment – Conditions of Approval

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

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

(Gwen Wright, Robert E. Miller, Anthony J. Hood, Joseph S. Imamura and 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 *District of Columbia Register*; that is, on April 25, 2025.



ANTHONY 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.