

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 20-08
Z.C. Case No. 20-08
(Howard University-2020 Central Campus Plan
May __, 2021

Pursuant to notice, at its _____ public meeting, the Zoning Commission for the District of Columbia (the “Commission”) considered the application (the “Application”) of Howard University (the “Applicant” or “University”) for approval of its 2020-2030 Central Campus Plan (“2020 Campus Plan”) pursuant to Subtitle X 101.8 of the District of Columbia Zoning Regulations (“Zoning Regulations”), Title 11 of the District of Columbia Municipal Regulations. The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016,) (“Zoning Regulations”). As discussed below, no party appeared in opposition to the application at the public hearing. Accordingly, a decision by the Commission to grant this application would not be adverse to any party, and pursuant to Subtitle Z § 604.7 and the Commission waives the requirements for findings of facts and conclusions of law. As set forth below, the Commission hereby approves the application. For the reasons stated below, the Commission APPROVES the Application, subject to conditions.

HEARING DATE : April 5,2021

DECISION DATE: April 29, 2021

FINDINGS OF FACT

Application, Parties, and Hearing

1. The property that is the subject of the 2020 Campus Plan consists of property located in Square 0330, Lot 800; Sq. 2872, Lots 266, 267, 268, 269, 270, 271, 275, 803, 820, 823, & 824; Sq. 2873, Lots 1109 & 1110; Sq. 2882, Lots 950; 951, 952, 953, & 1037; Sq. 2885, Lot 889; Sq. 3055, Lots 15 & 821; Sq. 3057, Lot 92; Sq. 3058, Lots 834 & 835; Sq. 3060, Lots 41, 830 & 839; Sq. 3063, Lot 801; Sq. 3064, Lots 44, 45, 826 & 837; Sq. 3065, Lots 33, 829, 830, 831, 0833 &834; Sq. 3068, Lots 809 & 810; Sq. 3069, Lots 65 & 66; Sq. 3072, Lots 52 & 818; Sq. 3074, Lot 11; Sq. 3075, Lot 807; Sq. 3080, Lot 73; and Sq. 3094, Lot 800 (“Property”).
2. The Property is currently subject to the 2011 Campus Plan (“2011 Campus Plan”), which was approved by the Commission in Z.C. Order No. 11-15, as amended.
3. On April 4, 2020, the University filed an application for approval of the 2020 Campus Plan. (Ex. 1-4.)

4. Prior to filing the 2020 Campus Plan, on July 15, 2016, the University mailed a notice of intent to file the campus plan to all property owners within 200 feet of the campus as well as to ANC 1B. The University also presented the 2020 Plan to the ANC after mailing the notice and prior to filing of the plan. Accordingly, the University satisfied the notice requirements of Subtitle Z §§ 302.6 and 302.8. (Ex. 5.)
5. The 2020 Campus Plan satisfied the filing requirements of Subtitle X, Chapter 1 and Subtitle Z, Chapter 3. (Ex. 7.)
6. On December 10, 2019 the Applicant requested a waiver of full compliance with the posting requirements set forth in Subtitle Z § 402.4 with respect to the posting of all of the interior buildings on the campus due to the fact that the campus was closed as a result of the COVID pandemic. The Commission approved the waiver and the notice of public hearing was otherwise provided in accordance with the requirements of Subtitle Z, Chapter 4. (Ex. 11-13A13, 30-30A17, 43)
7. On December 28, 2020, as a part of its pre-hearing submission, the University filed a Comprehensive Transportation Review (“CTR”) for the 2020 Campus Plan in the record of the case. The CTR was previously submitted to the District Department of Transportation (“DDOT”) for review on December 11, 2020. (Ex. 17A1-17A18)
8. The Property is located within ANC 1B which was automatically a party to the case. The ANC submitted a report in support of the 2020 Campus Plan with the following conditions:
 - (a) The University shall maintain its commitment to continue the Community Advisory Council (“CAC”) and meetings at least once in each quarter of the year.
 - (b) The University shall maintain its goal of developing a total of 50-100 affordable housing units (above the IZ requirements) at 30%-60% AMI within the extracted properties, the 2020 Central Campus Plan Boundaries and/or other Howard University properties as conditioned in ZC Order 11-15F.
 - (c) The University shall form a subcommittee within the CAC to monitor and review the progress of the goal of meeting the affordable housing commitment and mitigating the negative effects of the changing demographics in the surrounding neighborhood related to the University's activities.
 - (d) Green space displaced by the new Hospital will be replaced with enhancements to green space east of the Stokes Library, during Phase 1 (first 5 years). Should the latter site be developed, the aforementioned green space shall be replaced elsewhere in proximity to LeDroit Park.
 - (e) The University will reconfigure the ambulance access to the proposed new hospital to ensure that such access is direct from Georgia Ave NW.
 - This presupposes the reconfiguration of Bryant Street NW and W Street NW from the current one-way to the proposed two-way orientations. (Ex. 31-31A.)

9. On April 5, 2021, the Commission held a public hearing in accordance with Subtitle Z § 408. Representatives of the University provided testimony and evidence in support the 2020 Campus Plan. (Ex. 47-54.) One individual appeared in opposition to the Application citing the lack of an academic plan as part of the Campus Plan.
10. The Office of Planning (“OP”) submitted a report and testified in support of the 2020 Campus Plan. OP recommended approval subject to the following conditions: (a) The maximum student enrollment shall be accepted at the proposed 15,000 students which includes any student taking at least one class or course; (b) The 2020 Campus Plan shall be valid for a period of 10 years; (c) A campus plan amendment and/or further processing application should be submitted if the current site of the Howard University Hospital is proposed for reuse; and (d) Retain the Community Advisory Committee(CAC). (Ex.35).
11. The District Department of Transportation (“DDOT”) submitted a report and testified in support of the 2020 Campus Plan. DDOT’s report also recommended a number of conditions regarding Transportation Demand Management (“TDM”) and infrastructure. based on the proposed conditions of approval included in the Campus Plan. (Ex.36.) DDOT’s report also recommended potential additional mitigation measures. The University agreed to a number of these additional measures which were included in its draft order . (Ex.37).
12. The Commission received three letters in support of the Application including from the LeDroit Park Civic Association (Ex.25); Pleasant Plains Civic Association (Ex.27); and Shaw Main Streets (Ex.39).
13. Pursuant to Subtitle Z § 506.5, at their April 29, 2021 public meeting, the Commission voted to approve the application with the conditions set forth below.

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As directed by Subtitle Z § 408.8, the Commission has required the University to satisfy the burden of proving the elements that are necessary to establish the case for approval of a campus plan pursuant to Subtitle X § 101. OP , DDOT and ANC1B have proposed a series of conditions of approval which have been accepted the Applicant that will address the potential impacts of the University. As discussed above, these proposed conditions were updated during the course of the proceedings. (Ex. 46, 55.)

Pursuant to § 13(d) 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 (2001)) and Subtitle Z § 405.8, the Commission must give “great weight” to the recommendations of OP. The Commission concurs with OP’s recommendation to approve the Application subject to the conditions recommended by OP to mitigate potential adverse impacts. 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)) and Subtitle Z §406.2, the Commission must give “great weight” to the issues and concerns raised in the written report of the affected ANC. The Commission finds the ANC Report’s support for the Application persuasive including the ANC’s recommendations regarding the CAC, University affordable housing goals , green space replacement and ambulance access from Georgia

Avenue for the proposed new hospital -- all of which are addressed in the conditions of approval set forth in this Order.

Based upon the record before the Commission, the Commission concludes that the University has met the burden of proof, pursuant to Subtitle X § 101.14, and that the 2020 Campus Plan may be approved. The 2020 Campus Plan is in harmony with the general purpose and intent of the Zoning Regulations and Map, and it will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. Pursuant to Subtitle X § 101.11, the Commission concludes that the 2020 Campus Plan will further applicable policies of the District Elements of the Comprehensive Plan, as detailed in the OP Report.

DECISION

It is, therefore, ORDERED that the application for approval of the 2020-2030 Howard University Campus Plan be GRANTED subject to the following conditions:

1. The 2020 Campus Plan is approved for the period of 10 years from the effective date of this Order.
2. The maximum student enrollment shall be accepted at the proposed 15,000 students which includes any student taking at least one class or course;
3. A campus plan amendment and/or further processing application should be submitted if the current site of the Howard University Hospital is proposed for reuse;
4. The University shall maintain its commitment to continue the Community Advisory Council (“CAC”) and meetings at least once in each quarter of the year.
5. The University shall maintain its goal of developing a total of 50-100 affordable housing units (above the IZ requirements) at 30%-60% AMI within the properties extracted from the 2011 Campus Plan pursuant to Z.C. Order No. 11-15F, the 2020 Central Campus Plan Boundaries and/or other Howard University properties as conditioned in ZC Order 11-15F.
 - (a) The University shall form a subcommittee within the CAC to monitor and review the progress of the goal of meeting the affordable housing commitment and mitigating the negative effects of the changing demographics in the surrounding neighborhood related to the University's activities.
 - (b) Green space displaced by the new Hospital will be replaced with enhancements to green space east of the Stokes Library, during Phase 1 (first 5 years). Should the latter site be developed, the aforementioned green space shall be replaced elsewhere in proximity to LeDroit Park.

- (c) The University will reconfigure the ambulance access to the proposed new hospital to ensure that such access is direct from Georgia Ave NW. This includes the reconfiguration of both Bryant and W Streets NW to proposed two-way orientation.

6. The University shall comply with the following DDOT requirements:

(a) Transportation Management Plan (“TDM”) Requirements

- The University will continue to increase student and staff parking permit rates to help deter single-occupant driver parking and raise revenue for TDM programs.
- The University will unbundle non-University tenant parking by raising the monthly visitor parking permit rate to \$180.
- The University will continue to prohibit freshman residents from parking vehicles on campus, with exceptions for those students who need a car for medical purposes or are in the Reserve Officers’ Training Corps.
- The University will establish a maximum parking supply of 3,580 spaces (inclusive of the hospital).
- The University will establish a maximum non-hospital staff population of 4,506 staff members.
- The University will continue to invest in improving its shuttle services based on staff and student feedback, as well as in anticipation of new development projects that may alter traffic patterns and sources of demand for shuttle service. Further Processing for each building proposed in the Campus Plan will include a review of existing shuttle ridership patterns, whether the proposed building is expected to alter ridership patterns, and recommendations for improving shuttle service if applicable.
- The University will maintain existing bus routes and stops during any and all University construction events in order to avoid transit service disruptions for the University and surrounding communities. Further Processing for parcels abutting WMATA bus routes or stops (Parcels A, E, F, and J) will include plans for maintaining bus service.
- The University will coordinate with DDOT and WMATA to improve, pay for, and install bus shelter improvements across campus during Further Processing for any new building or if the TDM is found to be insufficient.
- The University will continue promoting transit commuting benefits for faculty and staff via WMATA’s SmartBenefits program. Currently the maximum pre-tax allowed amount is \$270/month for transit only, \$104/month for parking only, and \$374/month for transit and parking.
- The University will provide space for and fund an additional two (2) 19-dock Capital Bikeshare stations on the central campus. One station is proposed be located somewhere on the southern part of campus near the new Howard University Hospital as a potential location. If this location is chosen, the University will fund the station as part of Further Processing for whichever of the hospital-related parcels (Parcels D, E, G, or H) is developed first. The second location is proposed to be located on Parcel C, with a specific location to be finalized during Parcel C’s Further Processing. If either station is located on private property, the University will enter into a Memorandum of Agreement with DDOT to ensure public access to the station and bicycles.
- The University will post a downloadable copy of the final TDM Plan on its website and in other University media.
- The University will continue designating a TDM Coordinator, who will implement, monitor, and market the TDM programs, provide personalized commuter counseling to help members of the University population understand their options, and act as a point of contact with DDOT, goDCgo, and DCRA.

- The University’s Transportation Coordinator will develop, distribute, and market various transportation alternatives and options to employees and students, including promoting transportation events (i.e., Bike to Work Day, National Walking Day, Car Free Day) on relevant websites and in any relevant internal newsletters, communications, or displays. These materials will contain sections oriented to different users, including faculty/staff, students, and visitors. Any students living on-campus will be provided with a packet of information upon or prior to moving-in. New faculty/staff hires will be provided with a similar packet of information. Further Processing for each building proposed in the Campus Plan will include a discussion of building-specific TDM marketing materials, if applicable.
- The University will prominently display links to commuter support websites on appropriate University webpages, including links to CommuterConnections.com, DDOT’s Washington, DC Bicycle Map, Washington Walks, nearby bicycle vendors and service providers, goDCgo.com, and WMATA.
- The University will perform annual monitoring to understand student, faculty and staff mode choice in relation to TDM practices, parking pricing, and University transportation policies, and release annual monitoring reports containing this information. The purpose of this monitoring is to make data-driven decisions about which TDM measures, if any, need to be adjusted to meet the primary TDM goal of ensuring that academic parking demand per student does not rise above its current level. The monitoring reports will include the recommended survey question modifications outlined in the DDOT Report (Ex. 30). The monitoring will be used to inform future TDM and parking-related decisions to further incentivize non-auto modes and minimize impacts by the University on the surrounding community. The University will update the TDM plan as necessary if performance targets are not met. The monitoring reports will include the following:
 - Mode split surveys of the campus population, broken down by students and employees;
 - Current parking inventory and occupancy on a typical weekday;
 - Number of permits sold per year;
 - Parking availability on surrounding neighborhood streets;
 - Number of registered carpools;
 - Number of people enrolled in WMATA SmartBenefits; and
 - Inventory and occupancy of bicycle racks.
- The University will prepare an annual TDM and Parking report to be submitted to DDOT. These reports will focus first and foremost on documenting progress toward the TDM Plan performance targets that the University has agreed to. Further Processing for each building proposed in the Campus Plan will reference these reports, identifying trends and progress towards TDM goals and allowing these to inform parking and other transportation-related elements of the proposed buildings. The performance targets that the University has agreed to are as follows:
 - By the end of the 2020 Campus Plan (2030), the University sets a goal of ensuring that academic parking demand per student does not rise above its current level of 0.126 peak hour-occupied parking spaces per student. This will be the primary measure of success for the Campus Plan’s five (5) transportation strategies, as this metric is the result of a direct measurement, not of surveys which may be susceptible to error. If parking demand per student increases, it will be seen as an indicator that more discretionary TDM measures are needed. A decrease in parking demand per student is an aspirational goal of the Campus Plan.

- The University sets the following mode split goals for trips to campus by the end of the 2020 Campus Plan (2030), which are informed by A) *MoveDC*'s non-auto mode share goal for commute trips of 75%, B) the latest mode splits for both residents and employees in the campus's census Transportation Analysis Zone (TAZ), and C) the 2019 cumulative student/faculty/staff mode splits of 53% auto, 30% transit, 1% bike, and 16% walk for trips to campus. While the mode splits below are identified as aspirational goals, the primary measure of success for the TDM Plan is peak parking demand per student, as noted above. The drive alone mode split goals are percentages the University aspires to reduce down to, and all other mode split goals are percentages the University aspires to increase to or exceed. The mode split goals are as follows:

- For students:

- Drive alone: $\leq 40\%$
- Carpool: $\geq 2\%$
- Transit: $\geq 50\%$
- Bike: $\geq 15\%$
- Walk: $\geq 30\%$

- For faculty/staff:

- Drive alone: $\leq 20\%$
- Carpool: $\geq 2\%$
- Transit: $\geq 40\%$
- Bike: $\geq 5\%$
- Walk: $\geq 20\%$

- The University will develop formal "Alternative Work Schedule" guidelines, which will define opportunities for telecommuting as well as maintaining non-traditional weekly work schedules. The University's Transportation Coordinator will ensure that the TDM benefits of various policy options – reducing peak-hour travel and parking demand – are considered when developing and implementing these guidelines.
- The University will significantly expand the quantity and quality of bicycle parking facilities on campus, both at existing building sites and at the new University development sites identified in the Campus Plan. A more detailed discussion of proposed bicycle parking quantities and locations will be included in Further Processing for proposed buildings.
- The University will install an additional 20 bicycle parking spaces every year over the course of the Campus Plan and include a bicycle parking inventory with every annual TDM report. These spaces are intended to serve existing buildings that do not have sufficient bicycle parking and does not include parking spaces added as part of new buildings.
- As part of Further Processing for Parcel B or C, whichever enters further processing first, the University will coordinate with DDOT to explore removing on-street parking spaces along 6th

Street between Fairmont Street and Bryant Street to make room for multimodal improvements such as bike lanes, curb extensions, or bike/scooter parking corrals.

- The University will consider and implement the following additional measures as deemed necessary based on data about progress towards TDM goals:
 - Offer new carpool incentives and rideshare matching services to campus commuters through Commuter Connections, and/or other service providers;
 - Increase Campus Shuttle frequency during peak periods to every 10 minutes, if demand is present;
 - Expand Campus Shuttle to provide rides seven days a week and operate at least 30 minutes before/after Metro opens/closes, if demand is present;
 - Offer discounted Capital Bikeshare memberships to students;
 - Increase employee participation in pre-tax transit benefits;
 - Fund and install Transit Screens in additional student common areas;
 - Provide additional carshare spaces in easily accessible locations on campus;
 - Increase parking permit fees over the increases required pursuant to paragraph (b) of this condition, which requires raising the monthly visitor parking permit rate to \$180;
 - Impose limitations on the number of parking permits issued;
 - Target access restrictions to commuter parking; and
 - Introduce new or increase existing financial incentives for alternative mode options.

- The University will ensure that there is no net increase in parking supply resulting from the capital projects proposed in the Campus Plan. That is, any increased supply from new parking facilities will be offset by closures and removals of existing parking facilities. Further processing for each proposed building in the Campus Plan will include an updated inventory of existing campus-wide parking supply and proposed parking facilities for the building.
- The University will explore installing on-street bike paths and bike/scooter parking facilities as made possible by reduced vehicular activity and removed parking supply in the campus core. The University will coordinate with DDOT on any such public space changes.
- The University will develop a bike parking map to direct bicyclists to existing and future bike parking facilities. Further processing for each proposed building in the Campus Plan will include a commitment to display an up-to-date bike parking map in a prominent location within or outside the building.
- The University will create a dedicated webpage to identify and promote its transportation benefits and resources. For the purposes of this plan, this will be referred to as the future Transportation Services webpage when describing related TDM actions. This page will be the home for all information on:
 - Parking; Transit; Carpool and Vanpool; TDM and Commuter Benefits; TDM Survey results and reporting; Transportation and parking maps; Links to supportive programs; Links to alternative mode services and vendors; and Marketing materials.

- The University will explore the potential to utilize existing “Live Where You Work” programs to boost the proportion of faculty/staff and students living near campus. These programs provide low-interest mortgage loans or a cash payment to be applied at closing to those purchasing a home within a designated distance of where they work.
- As the Campus Plan is implemented, and most parking is provided within structured, access-controlled facilities, the University will explore gradually phasing out annual parking permits in favor of monthly permits and daily parking (including pay-per-use permits).
- The University will explore enrolling students in the WMATA U-Pass program.
- The University will explore strategies for reserving preferentially-located parking spaces for registered rideshare vehicles. This will require developing distinct parking permits for carpool and vanpool parking, including defining qualification criteria, and designating spaces at specific parking facilities.
- The University will explore implementing a bike repair and maintenance education program.
- As capital projects identified in the Campus Plan are developed, the University will seek to include changing and showering facilities where feasible and where concentrations of faculty and staff are expected.
- The University will implement physical improvements to the central campus’s pedestrian network to improve the appeal, safety, and effectiveness of pedestrian circulation.
- The University will explore ways to promote and enhance micro-mobility services on campus, such as providing on-street bike and scooter parking corrals.
- During further processing for each of the proposed buildings in the Campus Plan, the University will consider additional building-specific TDM measures including specific TDM strategies for patients/visitors at the new hospital.

(b) Performance Monitoring Plan

- The University will implement a Performance Monitoring Plan (PMP) comprised of transportation surveys and other data to understand student, faculty and staff mode choice in relation to TDM practices, parking pricing, and University transportation policies. The University will release annual monitoring reports to DDOT containing this information. The purpose of this monitoring is to make data-driven decisions about which TDM measures, if any, need to be adjusted to meet the primary TDM goal of ensuring that academic parking demand per student does not rise above its current level. If it is found that TDM goals are not being met, it is recommended the University consider items in the Discretionary Actions section of the TDM plan above, or propose new actions for review by DDOT. The annual monitoring reports will include the information set forth in the DDOT Report (Ex. 36).
- The University will conduct surveys of University students and employees on typical weekdays when large, representative population samples can be found. The surveys shall include student and employee mode splits with the phrasing recommended in the DDOT Report. The University will use the data collected and conduct annual, manual auto and bicycle parking counts as recommended in the DDOT Report.

(c) Infrastructure Improvements

- As part of further processing case for each of the proposed buildings in the Campus Plan, the University will consider the infrastructure improvements recommended in the DDOT Report.

7. The University is required to comply fully with the provisions of the Human Rights Act of 1977, as amended, and this Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code section 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 also prohibited by the Act. In addition, harassment based on any of the above-protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action

VOTE (_____, 2021):

([ZCM making motion], [ZCM seconding motion], Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to **APPROVE**).

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 20-08 shall become final and effective upon publication in the *DC Register*; that is, on _____, 2021.

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.