

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Maxine Brown-Roberts, Development Review Specialist
JL for Jennifer Steingasser, Deputy Director, Development, Design and Preservation

DATE: July 15, 2024

SUBJECT: ZC 20-08C: Howard University – Modification of Consequence for 2711 Georgia Avenue, NW

I. SUMMARY RECOMMENDATION

Howard University (“Howard” or “the University”) proposes a Modification of Consequence to expand the Howard University 2020-2030 Central Campus Plan (“campus plan”) boundary to include the property and building at 2711 Georgia Avenue, NW. The modification would allow the property which was previously extracted from the campus plan boundary to again be included, in order to utilize the Inclusionary Zoning (IZ) exemptions for a dormitory. The building would accommodate a dormitory for upper classmen, and in particular medical students, faculty and staff and Howard University administrative offices. The proposed modification would bring the property under the requirements of the campus plan and would not be inconsistent with the Comprehensive Plan.

If the Zoning Commission deems this application to be a Modification of Consequence, OP recommends the following condition:

- a. In the event of a change in use of all or a portion of the residential portion of the Project from a residence hall to another multifamily residential use that would be subject to the Inclusionary Zoning requirements of Subtitle C, Chapter 10, the provisions of that chapter shall apply to such use.

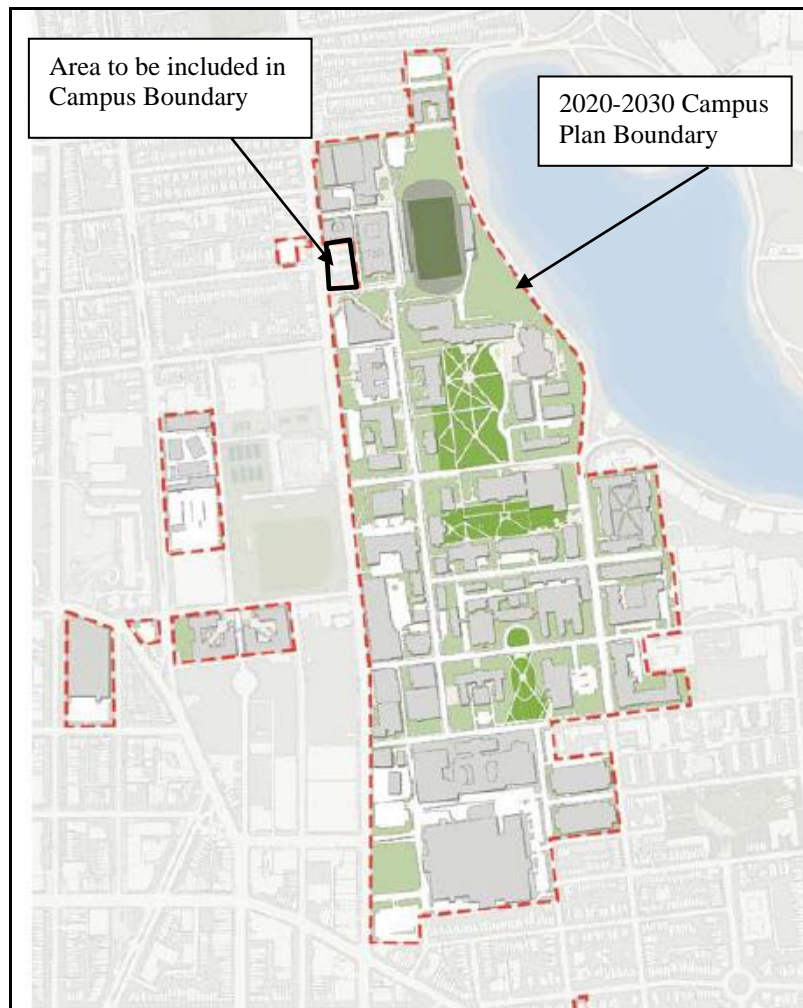
II. LOCATION AND SITE DESCRIPTION

Address	2711 Georgia Avenue, NW
Applicant:	Howard University
Legal Description:	Square 3090, Lot 53 ¹
Ward/ANC:	1/1E
Zone:	RA-2 and MU-4
Historic District:	The property is not within a historic district.

¹ Square 3058, Lot 53 was formerly Square 3058, Lots 827-829 and 833

Lot Characteristics:	The property has a land area of 7,843 square feet fronting of Georgia Ave., NW
Existing Development:	The property is improved with a newly constructed 4-story, mixed use buildings with 26,459 square feet of office space and 93 residential units.
Adjacent Properties	The property is surrounded to the east, north and south by buildings within the campus including the School of Business to the south, and dormitory and apartments to the east and north. To the west, across Georgia Avenue, are predominantly small retail uses in two and three story row buildings.
Surrounding Neighborhood Character	The area around the site to the south is developed with University uses, while along Georgia Avenues NW, there are retail and other commercial uses with residential, row dwellings further west.

Campus Pland Boundary and Site Location



III. BACKGROUND

Through ZC 11-15F and ZC 11-15H, Howard University made amendments to the 2011 Campus Plan (ZC 11-15) to extract several properties, including the subject site, from the Campus Plan boundary. Howard's rational was that these properties were no longer under the control of the

University or would be developed with non-university uses to monetize University owned properties in order to generate revenue which could then be reinvested in the University's educational mission.

Following the extaction from the campus plan boundary, the subject property was ground leased to a private developer who has constructed a matter-of-right, mixed use building with office and residential uses. Subsequently, the university made an agreeenemt to lease the office space for university administrative offices and the residential space for 5-years with an option to extend an additional 5 years. The residential space would be a dormitory, exclusively for Howard uppeclassmen, faculty and staff who are finding it difficult to find housing in the community adjaent to the university.

The property is split zoned, RA-1 and MU-4. The development was designed and permitted prior to the agreement with Howard, and was subject to IZ requirements. The development utilized 0.35 FAR of bonus density and is required to provide 12 IZ units.

Having to provide IZ units in the building would result in non-university or non-students in the building as IZ units are assigned by the District through a lottery system. These IZ residents would be intermingled with students and the combination of students and non-students could adversely affect the university's programming and services that are characteristic of student housing that is operated by a college or university. Howard explored retaining the IZ units unoccupied for the length of the lease but that proved to be unecominal, and a waste of space that is needed by university students.

IV. PROPOSAL

The requested Modification of Consequence is to amend the boundary established by the Howard University 2020-2030 Central Campus Plan (ZC Order 20-08). A Modification of Consequence at Subtitle Z § 703 states:

703.3 *For the purposes of this section, the term “modification of consequence” shall mean a modification to a contested case order or the approved plans that is neither a minor modification nor a modification of significance*

703.4 *Examples of modification of consequence include, but are not limited to, a proposed change to a condition in the final order, a change in position on an issue discussed by the Commission that affected its decision, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Commission.*

The proposed modification is for a change to the boundary of the Campus Plan condition in the final order. The campus boundary of Howard University surrounds the property on three sides, two of which are residential use. Therefore, incorporating the property and proposed uses should not negatively affect the adjacent uses.

The proposal to move the property back into the campus plan boundary makes the dormitory subject to the exemption in the IZ Regulations as stated in Subtitle C § 1001.6(c).

1001.6 The requirements of this chapter shall not apply to:

(a) . . .

(c) Housing developed by or on behalf of a local college or university exclusively for its students, faculty, or staff; and

However, the student housing use is not entitled to the bonus density which the building received. Reincorporating the property into the campus plan would result in the FAR of the residential portion of the building being added to the overall FAR of the residentially zoned properties within the campus plan.

The campus plan was approved for 1.579 FAR where 1.8 FAR is allowed. With the proposed land area and building, the FAR would be increased to 1.584 FAR, which is slightly above the approved FAR but still below the overall 1.8 FAR allowed. This small increase in overall FAR for the campus should not negatively affect the basis on which the campus plan was approved.

The current campus plan expires in 2030. If Howard utilizes the option to extend the lease for an additional five years (expires in 2034) then Howard at that time would decide if they want to retain the building within the campus boundary or remove it again. In order to make sure that the IZ units are accounted for if the property is taken out of the campus boundary, and returned to non-university use, Howard has proffered the following conditions:

- a. For so long as the residential portion of the Project is used by the University as a residence hall exclusively for its students, faculty, and staff, the Project shall be exempt from the Inclusionary Zoning requirements pursuant to Subtitle C, Section 1001.6(c).*
- b. In the event of a change in use of all or a portion of the residential portion of the Project from a residence hall to another multifamily residential use that would be subject to the Inclusionary Zoning requirements of Subtitle C, Chapter 10, the provisions of that chapter shall apply to such use.*

OP does not believe that the first condition is necessary as it is covered by the modification request. However, the second conditions would state explicitly and guarantee that in the future, if the lease expires and the property reverts to non-university use, the IZ units would have to be provided. The proposal is not likely to become objectionable to neighboring property because of noise, traffic, parking, number of students, or other objectionable conditions.

Noise

The dormitory would be adjacent to other university and retail uses but not in the immediate proximity to neighborhood residences. The dormitory is not expected to generate excessive noise and its location along busy Georgia Avenue would be compatible with all the adjacent uses.

Traffic and Parking and Loading

The dormitory is not expected to generate any increase in traffic volume as there are students who have already been included in the traffic counts. The medical students are not expected to drive to the medical school which is within walking distance to the south of the site and therefore are

unlikely to drive. Loading for the university students should not have an impact on circulation as major move in and move-out days are scheduled and organized by the University. A bike rack is located to the south of the building in front of the School of Business. .

This location would be included in the University's Physical Facilities Management contracts for waste management and would therefore have no to minimal impact on traffic movements along Georgia Avenue. Therefore, it is not expected that traffic, parking and loading would have a negative impact on the surrounding neighborhood.

Number of Students

The proposed modification would not affect the student cap as they are already accounted for in the students counts.

Other Objectionable Conditions

It is not anticipated that including the building into campus plan boundary would produce any objectionable conditions to negatively affect the surrounding neighborhood and residents.

V. COMPREHENSIVE PLAN

Since the approval of the campus plan, the Comprehensive Plan Future Land Use Map designation of the site was modified in the 2021 amendment to designate the area along this portion of Georgia Avenue from Institutional to mixed use; institutional, moderate density commercial and medium density residential. These designations are similar to the properties to the north and south which are within the campus Plan.

Similarly, the Generalized Land Use Map was changed from institutional to Main Street Mixed Use Corridor. Again, the portion of the campus plan to the south has a similar designation. The proposed use of the site and its incorporation into the campus plan boundary is not inconsistent with the designations on the Comprehensive Plan maps.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

At the time of this report, there were no agency reports in the file.

VII. ANC COMMENTS

Howard University Campus is within ANC-1E. At the time of this report, there was not an ANC recommendation in the file.

VIII. COMMUNITY COMMENTS

At the time of this report, there were no community comments in the file.