

October 5, 2023

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VIA IZIS

Anthony Hood, Chairperson
D.C. Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

**RE: ZC Case No. 20-33B
Applicant's Post-Hearing Submission**

Chairperson Hood and Honorable Members of the Commission:

On behalf of the Applicant D.C. Department of General Services (the "Applicant"), please consider this post-hearing submission addressing the Commission's comments from the public hearing on September 21, 2023. As set forth in the record and discussed during the hearing, this Application seeks a further processing and campus plan amendment of the approved 2020 Campus Plan (the "Campus Plan") for the University of the District of Columbia ("UDC") in support of the construction of a new D.C. archives building (the "Project").

I. Community Engagement

a. UDC Student Engagement

In response to comments during the hearing, the Commission requested an understanding of the outreach and engagement to UDC's student body in connection with the Project. The Project was contemplated as part of the 2021-2031 Campus Plan, for which UDC conducted extensive student body outreach. As reflected in ZC Case No. 20-33, UDC hosted a number of public meetings for its students, including several meetings leading up to the filing of the Campus Plan application. UDC also convened a University Advisory Group for the Campus Plan, which included students, faculty and staff.

Students also had an opportunity to learn about the Project through the UDC Operations Committee and Board of Trustees. The Board of Trustees oversees a variety of UDC decision-making, including matters concerning real property. There is a student representative on the Board of Trustees. Further, UDC posts agendas, meeting minutes, audio recordings and resolutions of the Operations Committee and Board of Trustees on the UDC website. Prior to the Campus Plan, in 2018, the Operations Committee and Board of Trustees approved a Memorandum of Agreement regarding the construction of an archives facility for the District of Columbia. More recently, the Operations Committee and UDC Board of Trustees reviewed and approved both the concept

design of the Project as well as the proposed Campus Plan amendment language. A copy of the 2018 Memorandum of Agreement and 2023 Board of Trustee’s resolution are attached at **Tab A**.

b. UDC-Community Task Force

As part of the Campus Plan approval, UDC is required to continue a Task Force that includes UDC officials, ANC 3F and community residents. *See* ZC Order 20-33, pg. 29. The Task Force is required to meet quarterly. Notifications of each Task Force meeting are sent to ANC 3F Commissioners, the Forrest Hill Connection, and Van Ness Main Street. The notifications are posted on the Forest Hill Connection website and Van Ness Main Street website. Additionally, all participants who have signed up to receive updates and information from UDC receive an email notification of Task Force meetings. The meetings are listed on the UDC calendar of events as well.

Each meeting agenda is based on pre-received questions from the community as well as relevant information taking place on Campus. In the notifications that are sent out, a link is provided for community members to ask questions or provide topics that they would like to have discussed during the meeting. Copies of agendas for each meeting are attached at **Tab B**. Since 2020, UDC has held the following Task Force meetings:

<u>Meeting Date</u>	<u>Location</u>	<u>Attendance</u>
July 23, 2023	Virtual	36
October 13, 2022	Virtual	1
April 27, 2022	Virtual	2
October 28, 2021	Virtual	4
March 18, 2021	Virtual	5
November 5, 2020	Virtual	20

In addition to the Task Force meetings, UDC has a permanent spot on the ANC 3F monthly meeting agenda. UDC’s Director of Community Engagement attends the monthly meetings and provides updates to the community on things taking place on Campus, including enrollment, upcoming (if any) construction, facility updates, event updates, academic updates, and all other relevant activities taking place on campus, including dates/times of upcoming task force meetings. The Director also takes questions from Commissioners and community members.

As attendance at the task force meetings has been incredibly low, except for the most recent meeting on July 23, 2023, the Director of Community Engagement will issue a survey to ascertain the best way to distribute meeting notice and if Task Force members would like to return to in-person meetings instead of virtual. Nonetheless, the following is a list of dates for future Task Force meetings: November 16, 2023; February 1, 2024; April 18, 2024; July 18, 2024; December 5, 2024.

II. Garden Replacement

The majority of individuals who testified in opposition raised issues related solely to the Project’s impact on the community garden. These community members testified and opposed the removal of the community garden that is in proximity to the Project with no proposed replacement. The Applicant previously addressed the community gardens in the Applicant’s supplemental

statement, stating they would be replaced. *See* Ex. 23. The Applicant noted that approximately 6,160 sq. ft. of garden space is being removed due to the Project, and the Applicant is able to replace approximately 1,785 sq. ft. of new garden space in the Project area. As to the remaining 4,375 sq. ft., the Applicant stated it was working with UDC to identify other locations on Campus to re-open the community gardens.

During the hearing, the Commission requested a commitment from the Applicant as to the location where the community gardens will re-open. Following the hearing, the Applicant and UDC worked to identify 9,300 sq. ft. that will be designated for new community garden space. This area is located just to the north of the Project as reflected in the diagram attached at **Tab C**. The designation of this new community garden area is subject to UDC's confirmation that it will not impact stormwater requirements, but UDC is confident that given its size the impacted community garden will be replaced 1:1 in this new location.

In addition to the Van Ness Campus, UDC provides garden space on several of its other campuses, including Lamond-Riggs Community College Campus (currently being rebuilt), P.R. Harris, and UDC's East Capitol site. The University's effort to provide fresh and healthy produce for students and DC residents will be uninterrupted at these other sites.

III. 2018 Co-Location Study

The Commission requested a copy of the "Co-Location Study" conducted by the Applicant and the Project architects and issued in December 2018. A copy of the Co-Location Study is attached at **Tab D**. The Co-Location Study was conducted during the Applicant and UDC's initial exploration to test the feasibility of siting the Project on the Campus. To assist the Commission in reviewing the Co-Location Study, which is lengthy and technical, the following is a summary of key findings:

- The Architect-Engineer (AE) assessed the existing conditions of Building 41 and reaffirmed the findings of an earlier 2008 conditions assessment that the exterior enclosure and HVAC systems were in poor condition. The facility has suffered from decades of deferred maintenance resulting in an early end to its useful service life.
- The structure of Building 41 is inadequate for supporting archival storage loads, and it is not feasible or realistic to reinforce an entire floor or floors for heavier live loads. Other characteristics of Building 41 make it impractical to use as an archival storage facility including inefficient floor-to-floor heights, triangular structural bays that prevent utilization of compact mobile storage systems, and a decentralized core with scattered vertical circulation.
- Five schemes were studied for the archives project. Two of the schemes studied renovation of Building 41 with large additions to house the Office of Public Records ("OPR") storage functions, and one scheme proposed replacing Building 41 with a new purpose-built facility. The estimated cost of all three schemes significantly exceeded the available funding and the AE was asked to study two additional schemes with modified programs to accommodate OPR's minimum space program and no UDC program functions. The 4th scheme proposed not renovating Building 41 and building

a new OPR facility on the open field next to it, and the 5th scheme proposed replacing Building 41 with a smaller OPR facility.

- The principal disadvantage of the schemes that studied renovating Building 41 is that the OPR program has a relatively small amount of non-storage program area, only about 30,000 square feet, which is comparable to approximately 20% of the area of Building 41. These schemes all depend on UDC covering the remaining 80% of the renovation cost and identifying program functions that can fill the renovated space. Without UDC's program demand and complement of the necessary funding, these schemes are not viable.
- The study concludes with the AE's recommendation for further consideration and development of Scheme 5 for a variety of reasons, including:
 - Enables establishment of strong and independent identity for the Office of Public Records.
 - Achieves urban design objectives by strengthening the streetscape of Van Ness Street.
 - Contributes to the architectural transformation and modernization of UDC's campus fabric, similar to the precedent established by the new Student Center.
 - Preserves existing open space for improving UDC's athletic fields.
 - Accomplishes all of the above within the limits of available funding for the OPR project.

IV. Locations for Student Housing

Several individuals testified they would prefer student housing at the location of Building 41 on Campus. While UDC is pursuing the Project in the location of Building 41, there are other opportunities for creating more student housing both on- and off-Campus. The Campus Plan specifically contemplates new student housing opportunities in the location of Building 44 and over the tennis courts on Site A. *See* ZC Order 20-33, pg. 6. Additionally, during the past year, UDC has explored student housing in the location of Building 46W on Campus, as well as at the Days Inn Hotel (4400 Connecticut Avenue NW) and the Intelsat HQ Building (3400 International Drive NW). UDC will continue to pursue student housing opportunities to ensure the needs of its student body are met.

V. Net Zero Project Design

During the hearing, there were questions raised regarding the applicability of the Greener Government Buildings Amendment Act of 2022 (the "Act") to the Project. The Applicant testified that it is working with its Office of General Counsel to assess whether the legislation applies; however, the Project presents unique challenges to meet the requirements of the Act as it pertains to "net zero" energy standard. The Commission requested follow up information on these factors.

To be considered a net zero building, the total amount of energy consumed annually by the building must be equal to the total amount of energy created on site. This would be achieved by

(1) Installing Geothermal Wells, (2) Installing Solar Photovoltaic (PV) panels and, (3) Eliminating the use of fossil fuels.

However, there is insufficient space to install geothermal wells within the Project area that is controlled by the Applicant. There are two adjacent fields to the west that are within the Campus but not part of the Project site. One of these fields is already being used to capacity by UDC for geothermal energy for UDC's Student Center building. The second field is currently under construction by UDC as a regulation sized athletic turf field to meet the growing demands of their athletic program, further eliminating these fields as viable options.

As to solar PV panels, the Applicant estimates that 2,220 PV panels are required to meet the planned energy needs of the Project. To that end, the energy needs of an archives building are much larger than other use types due to the temperature control for document preservation (among other factors). Based on the available roof area on the Project, after accommodating mechanical equipment, shading and other constraints, only 9,750 sf is available, which would leave an area for only 296 PV panels. While the Project will be incorporating PV panels, the number of PV panels needed would require seven times more square foot area than is available within the footprint of the building.

Finally, eliminating the use of fossil fuels would not result in energy savings. The Act references Appendix Z to the D.C. Energy Conservation Code. The intent of Appendix Z is to reduce energy consumption as much as possible by utilizing geothermal and water-source heat pumps. Since geothermal cannot be used, the building requires large boilers for heating. Gas-powered boilers are more energy efficient and are a more sustainable solution than electric boilers. DGS's Sustainability and Energy Management Division (DGS-SE) concurs with this assessment that using electric boilers would increase energy consumption, greenhouse gas emissions, and long-term electricity costs. In this situation, the use of fossil fuels is actually more energy efficient for the Project.

The Applicant will work with DOEE to review the above factors and the Act and request the Commission defer any issues regarding the Act to DOEE and permit any flexibility required by DOEE.

VI. Student Professional and Educational Opportunities

During the hearing, the Commission discussed opportunities to provide additional benefits for UDC students. In response, the Applicant offered to explore employment opportunities at the Project and educational opportunities during construction of the Project. To that end, the D.C. Office of Public Records ("OPR"), which will operate the Project, agrees to (a) share OPR announcements of employment opportunities within OPR with the UDC Office of Career Services; and (b) provide opportunities to UDC students to apply for work study and to allow for UDC students with an interest in archives or cultural heritage to apply for a practicum or field study with the DC Archives within OPR. During the practicum/field study, students would conduct processing activities and/or digitization activities on one or more accessioned collections. In addition, at the Applicant's reasonable discretion, UDC students may attend selected UDC portions of design and construction meeting(s) and a designated Project walkthrough with the UDC representative(s) with an advance notice to the DGS Project Manager, so long as such student participation in walkthroughs does not pose a risk to life or property.

VII. Conclusion

In conclusion, the Applicant believes this submission addresses the questions and comments raised by the Commission at the hearing and, therefore, completes the record with evidence in support of the subject Application. We thank the Commission for its consideration of this filing and look forward to the Commission's public meeting on October 26, 2023.

Sincerely,
COZEN O'CONNOR



Meridith Moldenhauer



Eric J. DeBear

Certificate of Service

I HEREBY CERTIFY that on this 5th day of October, 2023, a copy of the Applicant's Post-Hearing Submission with attachments was served, via email, on the following:

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