

**BEFORE THE DISTRICT OF COLUMBIA ZONING COMMISSION**

Application of The Howard University

ANC 1B and 1E

**APPLICATION FOR AMENDMENT TO AN APPROVED CAMPUS PLAN**

**I. STATEMENT OF EXISTING AND INTENDED USE AND RELIEF SOUGHT**

This is an application of The Howard University of (“University”) for an amendment to the University’s 2020-2030 Central Campus Plan (ZC Order No. 20-08, **Exhibit A**) to extract 2401 Georgia Ave. N.W. (Square 3075, Lot 807 and Square 3074. Lot 11) (“Property”) from the Campus Plan boundaries.

The Property is currently located within the boundaries of the Campus Plan in the southernmost section of the Central Campus. It is improved with the University’s hospital (“HUH”), a Level 1 Trauma Center, that has become one of the most comprehensive health care facilities in the Washington, DC metropolitan area. Consistent with the a key objective of the Campus Plan to strengthen the University's time-honored legacy of promoting diversity in the sciences, the Campus Plan contemplated the redevelopment of the Property with a world-class, urban teaching hospital and an associated medical office building (see attached Campus Plan excerpt, **Exhibit B**).

This objective remains the same. But the University has determined that the most expeditious way to achieve it is to extract the Property from the Campus Plan boundaries and redevelop the HUH site as a matter of right but subject to commitments to the community regarding development standards that are embodied in the attached Restrictive Covenant. (See HUH Restrictive Covenant, **Exhibit C**).

## II. PROPERTY DESCRIPTION AND ZONING

The Property occupies the entirety of Square 3075 and a smaller adjacent lot – lot 11 in Square 3074. The Property is bounded by W Street NW on the north, Georgia Avenue NW on the west, the U Street NW east-west alley on the south, and 5th Street, NW on the east (See attached HUH Map, **Exhibit D**). It includes approximately 657,716 square feet or approximately 15 acres of land.

The Property was recently included in a zoning consistency map amendment filed by the University and approved by the Zoning Commission in ZC No. 24-01. The rezoning was from the PDR-3 and RA-2 zones to the MU-9B zone for the western portion of the Property and MU-10 for the eastern portion.

The MU zones are designed to provide facilities for housing, shopping, and business needs, including residential, office, service, and employment centers. 11-G DCMR § 101.2. The purposes of the MU zones are to, among other things: (i) provide for a varied mix of residential, employment, retail, service, and other related uses at appropriate densities and scale throughout the city; (ii) reflect a variety of building types, including shop-front buildings that may include a vertical mixture of residential and non-residential uses, or buildings containing all residential or non-residential uses; and (iii) ensure that infill development is compatible with the development pattern within the zone and surrounding areas. 11-G DCMR § 101.3. The apportioned between two or more lots in the same square. 11-G DCMR §§ 101.15(a)–(d).

MU-10 zone permits a maximum density of 6.5 FAR (7.8 FAR for IZ), and a maximum FAR of 1.0 for non-residential uses; permits a maximum building height of ninety feet (90 ft.) and one hundred feet (100 ft.) for IZ with no limit on the number of stories; permits a maximum penthouse height of twenty feet (20 ft.); and a maximum lot occupancy of seventy-five percent

(75%) for residential use eighty percent [80%] for IZ.

The MU-9B zone permits a maximum density of 6.5 FAR (7.8 FAR for IZ), and a maximum FAR of 6.5 for non-residential uses. It permits a maximum building height of ninety feet (90 ft.) and one hundred feet (100 ft.) for IZ with no limit on the number of stories; permits a maximum penthouse height of twenty feet (20 ft.).

The Property is currently located within the boundaries of the Campus Plan in the southernmost section of the Central Campus. It is improved with the University's hospital ("HUH"), Student Health Center, Sickle Cell Center, and the University's Dental and Medical Schools.

Consistent with a key objective of the Campus Plan to strengthen the University's time-honored legacy of promoting diversity in the sciences, the Campus Plan contemplated the redevelopment of the Property with a world-class, urban teaching hospital, associated medical office building and the University Medical College. (see attached Campus Plan excerpt, **Exhibit B**).

### **III. PROPOSED EXTRACTION**

Consistent with the aforementioned key objective of the Campus Plan for an updated and enhanced health sciences center, the University is proposing to achieve this objective through the extraction of the Property and matter of right development under the new MU-10 and MU-9B zoning. The proposed extraction is necessary for the University to maintain the flexibility it needs to program and design the myriad components that will make up the new hospital complex. These components include the complete renovation of the hospital itself, with a new tunneled emergency entrance, a new medical office building to be located along the Georgia Avenue frontage of the Property as well as the University's medical school and new

neighborhood serving retail and services uses on Georgia Avenue.

Without extraction, further processing under the Campus Plan would be required. Further processing requires the submission and Zoning Commission approval of detailed architectural plans and strict adherence to them. Any significant modifications would have to go back thru the same process. Further processing is unduly unwieldy in this instance because of the large size and many component parts of the Project. The Project will require construction phasing and a complex array of financing and tax abatement details that will have their own requirements. Matter of right development is preferable because allows for more design and implementation flexibility as well as expedited entitlement approvals. Further processing is generally intended for the review of a single building, and it is not easily applied to a phased project of proposed large size and complexity.

In addition, the campus plan provisions of the Zoning Regulations restrict non-university uses on university campuses potentially limiting the size and scope of neighborhood serving retail and service uses to be developed along the Georgia Avenue frontage of the Property. Similarly, the planned Medical Office Building will include professional offices which may not be sufficiently related to the University's mission under these rules.

In conclusion, because matter of right development offers a more flexible and expeditious development process, it benefits the neighborhood and City as a whole in the timely delivery an revamped, state-of -art hospital on the Property and increased economic vitality. However, it will not preclude robust community consultation and input. The University already initiated that process with the ANCs and the LeDroit Park Civic Association during the recent map amendment case. As noted above, an agreement with LPCA has been reached and further details are being negotiated.

Finally, the prospect of extracting the Property from the Campus Plan was discussed during the 24-01 map amendment case and it was not dismissed by the community or OP. In fact, OP acknowledged the possibility and advised that if any of the rezoned properties were to be removed from the Campus Plan following the rezoning, they should be subject to IZ Plus.

#### **IV. COMPREHENSIVE PLAN/RACIAL EQUITY ANALYSIS COMPLIANCE**

##### **Background and Comprehensive Plan**

The Property is owned by Howard University, a private, historically Black research institution that has had roots in the community since its founding in 1867. The University has a strong sense of corporate citizenship, collaborating with corporations on research projects, internship programs, and other activities that benefit both the University and the corporate partner . Additionally, the University engages in community outreach and service projects, using its resources and expertise to address community based social and environmental issues.

HUH is the nation's only teaching hospital located on the campus of a historically Black university. It offers medical students a superior learning environment and opportunities to observe or participate in ground-breaking clinical and research work with professionals who are changing the face of health care.

An analysis of the Comprehensive Plan through a racial equity lens was thoroughly detailed by the University and OP in the map amendment case and is equally applicable to the proposed extraction. Repeating it here seems unnecessary beyond certain specific policies which relate to the renovation of the existing hospital as follows.

Policy LU-2.1.4 aims to ensure that buildings are adaptively reused rather than demolished, particularly those buildings that are architecturally or historically significant. Adaptive reuse of buildings is a sustainable and sometimes economically viable approach that

can preserve architectural heritage and cultural significance, save materials, reduce waste, minimize the carbon footprint associated with demolition and new construction, can be more cost-effective than constructing a new building, and may result in a repurposed building with charm and character than new construction may lack.

Howard University is generally part of the Shaw neighborhood and residents of Shaw will have access to the HUH and professional services in the new Medical Office Building. Extraction will serve to more expeditiously deliver these services but also ensure that impacts of the same will not adversely impact the community. The Restrictive Covenant referenced previously will serve that purpose.

### **Community Outreach**

The Property lies within the boundaries of both Advisory Neighborhood Commission (“ANC”) 1B and 1E. On February 14, 2025, the Applicant mailed a notice of its intent to file an application to modify the approved Campus Plan to extract the Property from the boundaries of the Campus Plan. The notice was mailed to all property owners within 200 feet of the Property and to ANC 1B and ANC-1E. Accordingly, the requirements of Subtitle Z, Section 302.6 have been met.

Prior to the issuance of the notice, as indicated above, the University engaged the community in the process of rezoning the eastern frontage of Georgia Avenue from Euclid Street on the north and Florida Avenue on the south including the Property. The rezoning of the Property and future redevelopment of the same were key discussion points in the community engagement process. Also as indicated previously, the University engaged with the LeDroit Park Civic Association (“LPCA”). The LeDroit Park neighborhood borders the Property. LeDroit Park is predominantly zoned RF-1 with few structures, if any, exceeding the 35-foot by-right height

allowance for the zone and the new MU-10 and MU-9B zoning with by-right heights of 90 feet raised significant concerns in the community. The University worked collaboratively with the community, through the LPCA, to enter into a Memorandum of Agreement (“MOA”) that provides for development restrictions designed to transition from the proposed higher density MU-9B and MU-10 zones to the existing RF-1 zones . The MOA covers transition setbacks, transition heights, and an ambulance tunnel to mitigate noise, light, and pollution. It also limits uses such as restaurant, bars, tavern or club, loading docks, mechanical equipment and service entrances within 100 feet of several residential blocks. The University subsequently recorded the Declaration of Restrictive Covenants attached hereto which tied these commitments to the Property.

**V. COMPLIANCE WITH THE REQUIREMENTS OF SUBTITLE Z SECTION 302.10 AND SUBTITLE X SECTION 101 OF THE ZONING REGULATIONS**

Subtitle X § 101.1 allows college or university uses as a special exception. Subtitle X § 101.2 to § 101.16 outlines the standards by which the application should be assessed if applicable. In this case, only § 101.14 is relevant. 101.14 Approval of a campus plan shall be based on the determination by the Zoning Commission that the application will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, in accordance with the Zoning Regulations and Zoning Maps.

Removal of the Property from the Campus Plan boundaries will permit the timely redevelopment of the Property with a new, updated hospital and associated medical support facilities. The proposed uses have been previously approved in the University’s Campus Plan and a recent zoning map amendment was approved to facilitate the redevelopment of the

Property in accordance with new matter of right zoning standards. As such, the proposed extraction is clearly consistent with the general purpose and intent of the Zoning Regulations. Community support for the Campus Plan and map amendment as well as the recent agreements with the LPCA indicate no substantial adverse impact on neighboring properties.

## **VI. CONCLUSION**

The proposed amendment to the Campus Plan is necessary to facilitate the delivery of the Project in the interests of the City and the community. The University looks forward to presenting this case to the Zoning Commission at the earliest possible date.

SAUL EWING LLP



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Cynthia Giordano