

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

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IN THE MATTER OF: :
 :
THE GEORGE WASHINGTON :
UNIVERSITY - 2007 FOGGY :
BOTTOM CAMPUS PLAN - : Case No.
AMENDMENT TO DESIGNATE USES : 06-11D
FOR RECENTLY ACQUIRED :
PROPERTIES WITHIN THE CAMPUS :
PLAN BOUNDARIES :
 :
 :
----- :

Thursday,
May 19, 2011

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No.
06-11D by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the
Office of Zoning Hearing Room at 441 4th
Street, N.W., Washington, D.C., 20001,
Anthony J. Hood, Chairman, presiding.

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Board of Zoning Adjustment
District of Columbia
CASE NO. Transcript
EXHIBIT NO.null

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
GREG M. SELFRIDGE, Commissioner
MICHAEL G. TURNBULL, FAIA,
Commissioner (OAC)
PETER MAY, Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

DONNA HANOUSEK, Zoning Specialist
ESTHER BUSHMAN, General Counsel

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
Development Review & Historic
Preservation
ARLOVA JACKSON

The transcript constitutes the
minutes from the Public Hearing held on May
19, 2011.

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 President for Operations at GW 9

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P-R-O-C-E-E-D-I-N-G-S

6:32 p.m.

CHAIRMAN HOOD: Good evening,
ladies and gentlemen.

This is the Public Hearing of the
Zoning Commission for the District of Columbia
for Thursday, May 19, 2011.

My name is Anthony Hood. Joining
me are Commissioners Selfridge, May and
Turnbull. We're also joined by Donna Hanousek
and the Office of Planning Ms. Steingasser and
Ms. Jackson.

This proceeding is being recorded
by a court reporter and is also webcast live.

The subject of this evening's
hearing is Zoning Commission Case No. 06-11D.

This is a request by George Washington
University for special relief pursuant to 210
in 3104.1 of the Zoning Regulations to amend
their Campus Plan to designate uses for
recently acquired properties within the Campus
Plan boundaries at Squares 80 and 103.

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1 Notice of today's hearing was
2 published in the *D.C. Register* on March 18,
3 2011 and copies of that announcement are
4 available to my left on the wall near the
5 door.

6 This hearing will be conducted in
7 accordance with provisions of 11 DCMR 3117 as
8 follows:

9 Preliminary matters;

10 Applicant's case;

11 Report of the Office of Planning;

12 Report of other government
13 agencies;

14 Report of Advisory Neighborhood
15 Commission 2A;

16 Organizations and persons in
17 support;

18 Organizations and persons in
19 opposition;

20 Rebuttal and closing by the
21 Applicant.

22 The following time constraints

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1 will be maintained in this hearing:

2 The Applicant anywhere from five
3 to ten minutes, ten if necessary;

4 Organizations five minutes;

5 Individuals three minutes.

6 Okay. All persons appearing
7 before the Commission are to fill out two
8 witness cards.

9 The decision of the Commission in
10 this case must be based exclusively on the
11 public record.

12 Please turn off all beepers and
13 cell phones at this time so as not to disrupt
14 these proceedings.

15 Would all individuals wishing to
16 testify please rise to take the oath? Ms.
17 Hanousek, would you please administer the
18 oath?

19 (Witnesses sworn).

20 MS. HANOUSEK: Be seated.

21 CHAIRMAN HOOD: Okay. Does the
22 staff have any preliminary matters?

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1 MS. HANOUSEK: Just that we have
2 the Affidavit of Maintenance, and it's in
3 order.

4 CHAIRMAN HOOD: Thank you.

5 Mr. Avitabile, I think this is a
6 pretty straightforward case. We may have some
7 questions.

8 I know you've asked for five to
9 ten minutes, ten minutes if possible. I think
10 it's pretty straightforward, but we'll wait to
11 hear from you. But I don't think that we need
12 a long dissertation.

13 MR. AVITABILE: Okay.

14 CHAIRMAN HOOD: You got the hint?

15 MR. AVITABILE: I've got the hint.

16 CHAIRMAN HOOD: And Mr. Barber's
17 pulling you, too.

18 MR. AVITABILE: That's fine. Hey,
19 I think he'd be happy for me to get out of
20 here even more quickly.

21 I think you have the materials
22 before you. It's a very straightforward, a

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1 simple minor amendment to the Campus Plan. As
2 you know, the Campus Plan lays out the
3 specific use for every property. This is a
4 change from prior plans where the uses to be
5 designated just for an entire block. And so
6 we realized after the approval of the Campus
7 Plan as we had acquired these new properties,
8 there wasn't a use specifically designated for
9 them. And so the purpose of coming here
10 tonight is to get uses designated so that the
11 University may use these for University uses.

12 We've laid out in the presentation
13 what those requested uses are.

14 I think with that, I am going to
15 skip through my piece of it and just let Ms.
16 O'Neil talk briefly about what the plans are.

17 But even that can, probably, be quick as
18 well.

19 MS. KNIGHT: Very good. Good
20 evening.

21 For the record I am Alicia Knight,
22 the Senior Associate Vice President for

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1 Operations at GW.

2 As a part of the 2000 Campus Plan
3 the University pledged to grow up, not out,
4 utilizing the land within our Campus Plan
5 boundaries as opposed to expanding beyond
6 those boundaries. The minor amendment tonight
7 is consistent with that as the properties that
8 we have acquired since the approval of the
9 Campus Plan are within the boundaries for the
10 2007 Campus Plan.

11 The properties that are the
12 subject of tonight's hearing: 2121 and 2123 F
13 Street, which are adjoining properties and
14 2004 G Street on Square 80. In addition to
15 being within the boundaries, they're also
16 within the Campus Historic District and the
17 renovations that have been conducted and/or
18 are planned for these properties are
19 consistent.

20 Current use of the buildings.
21 2004 G Street is vacant building that is
22 proposed to be renovated for use by the Jacob

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1 Burns Law Clinics which provides free legal
2 services to individuals who do not have means.

3 And 2121 and 2123 F Street are residential
4 properties.

5 As note, the University has
6 engaged members of the community with respect
7 to our request tonight. The ANC, we presented
8 this in December and January; end of January
9 they voted motion of no objection. We've also
10 notified that the Advisory Committee has
11 outlined in the Campus Plan.

12 Let's skip ahead a couple of
13 slides to our pictures. There we go.

14 2004 G Street is a vacant
15 property, as I mentioned. Three story brick
16 townhouse. It's located on Square 103 as
17 proposed to be converted to the Campus Plan
18 designation of academic, administrative and
19 medical.

20 For context, to the east of the
21 property are two townhouses that are currently
22 in use by the Law School. One is a registered

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1 landmark.

2 To the west is the recently
3 approved site Square 103, Law Learning Center
4 garage that the Commission has approved.

5 To the north is GW academic
6 properties on the quad. The Law School
7 utilizes those properties for the most part.

8 And to the south are a couple of
9 residence halls as well as the main
10 administrative building for our Operations
11 Division.

12 2121 and 2123 F Street are GW
13 residential properties currently. They're
14 being used as residential and we are proposing
15 that their use designation be residential
16 campus life and athletic under the Campus
17 Plan.

18 Similarly, that is contextual, to
19 the east are two GW residence halls, Guthridge
20 and 2119 F Street.

21 To the west is the new South Hall
22 and it is also adjacent to the Square 80 green

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1 space that was constructed as a part of the
2 South Hall project.

3 As I mentioned, the acquisition of
4 the properties is consistent with the Campus
5 Plan. As David mentioned, that the reason we
6 are here today is that, unlike our prior
7 Campus Plan, these properties were not given a
8 use designation even though they were included
9 within the Campus Plan as properties. As
10 such, we're requesting a minor amendment to
11 the PUD that we're requesting that the
12 Commission take up at its next public meeting
13 as well as the modification to the Campus
14 Plan.

15 So with that, I'd be happy to
16 answer any questions.

17 CHAIRMAN HOOD: Ms. Knight, I must
18 have been here for something I asked you once
19 before, but I remember you used to sit behind
20 another gentleman who used to do exactly what
21 you're doing. What was his name?

22 MS. KNIGHT: I think you're

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1 referring to Lou Katz. He is still my boss.

2 CHAIRMAN HOOD: Oh, he is?

3 MS. KNIGHT: Yes.

4 CHAIRMAN HOOD: Oh, he doesn't
5 come down no more?

6 MS. KNIGHT: You know, he's
7 actually--

8 CHAIRMAN HOOD: Tell him I asked
9 him.

10 MS. KNIGHT: He's on -- I'll let
11 him know you asked.

12 CHAIRMAN HOOD: Thought maybe you
13 moved into his spot. Okay. I thought he had
14 retired. Okay.

15 MS. KNIGHT: No. No. Don't say
16 that. We don't want him to retire.

17 CHAIRMAN HOOD: Okay.

18 MS. KNIGHT: We want to keep him
19 around.

20 CHAIRMAN HOOD: All right. Well,
21 think you all for your quick presentation.

22 Any questions? Commissioner May?

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1 COMMISSIONER MAY: Just a couple
2 of quick ones.

3 One is the ANC letter included an
4 indication that they wanted to have or
5 suggested at least one of the properties be
6 used for a fraternity. Do you a response for
7 that?

8 MS. KNIGHT: The F Street
9 properties we are proposing to use for Greek
10 life, a sorority specifically.

11 The ANC's letter requested
12 fraternities. But it is currently being
13 utilized for sorority housing.

14 COMMISSIONER MAY: So it's
15 currently and it would be in the future?

16 MS. KNIGHT: Correct.

17 COMMISSIONER MAY: Okay. All
18 right. And the second question I have is
19 where all those zoning groupies? I mean, you
20 don't bring them out for the little --

21 MS. KNIGHT: They had classes end
22 and finals last week.

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1 COMMISSIONER MAY: Oh.

2 MS. KNIGHT: So they've dissipated
3 somewhat.

4 COMMISSIONER MAY: Okay. You've
5 let them off? Yes. I expect to see them next
6 time.

7 MS. KNIGHT: We'll let them know
8 that you asked about that, and they'll be very
9 happy to hear that.

10 COMMISSIONER MAY: Thanks.

11 CHAIRMAN HOOD: Any other
12 questions? Mr. Turnbull?

13 COMMISSIONER TURNBULL: Yes. I
14 just have a couple.

15 They're Historic properties?

16 MR. AVITABILE: Yes. I believe
17 they're --

18 COMMISSIONER TURNBULL: They're in
19 the Historic District?

20 MR. AVITABILE: Yes. They're in a
21 very Historic District.

22 COMMISSIONER TURNBULL: So you're

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1 not changing anything on the exterior on
2 these?

3 MR. AVITABILE: No. Oh, you
4 should --

5 MS. KNIGHT: Well, for 2121 and
6 2123 F Street they have been renovated and
7 they were renovated to have residential use.
8 No modifications to the exterior with the
9 exception of restoration type of work.

10 COMMISSIONER TURNBULL: Okay.

11 MS. KNIGHT: 2004 G Street is the
12 subject is a project that we are currently
13 pursuing. We are not anticipating major
14 exterior renovations, however we are adding
15 exit stair, accessibility elements and we are
16 doing that in conjunction with consultation
17 with the Office of Historic Preservation.

18 COMMISSIONER TURNBULL: So you
19 might be getting rid of the exterior fire
20 escape and putting interior stairs?

21 MS. KNIGHT: I, unfortunately, do
22 not know the answer to that question.

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1 COMMISSIONER TURNBULL: Okay.

2 MS. KNIGHT: I'm sorry.

3 COMMISSIONER TURNBULL: Someone's
4 nodding.

5 MS. KNIGHT: I believe so. In the
6 rear.

7 MR. AVITABILE: I also know that
8 the first building in the block, 2000 G
9 Street, kind of you see at the end there, when
10 you turn the corner there was a more modern
11 addition and I think one of the parts of the
12 renovation is to actually kind of restore some
13 of the original design as well.

14 COMMISSIONER TURNBULL: Okay.

15 MR. AVITABILE: I know that we in
16 January GWU representatives met with HPB and
17 got a sign-off on the concept.

18 COMMISSIONER TURNBULL: Okay.
19 Good.

20 Are there any other -- you've
21 practically within your campus area acquire
22 anything? Are there any other -- I mean,

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1 maybe you don't want to discuss this because
2 you've got deals cooking.

3 MS. KNIGHT: There are, I would
4 estimate, about a dozen properties within the
5 Campus Plan boundaries that the University
6 does not own. A few of those are townhouses,
7 some of were included in second stage PUD
8 sites for potential future acquisition, some
9 are properties such as condominium buildings
10 and other properties within the campus
11 boundaries.

12 COMMISSIONER MAY: And the School
13 Without Walls?

14 MS. KNIGHT: And the School
15 Without Walls, yes.

16 MR. AVITABILE: There's a fire
17 station, St. Mary's Episcopal Church is in the
18 boundaries.

19 COMMISSIONER TURNBULL: You won't
20 be acquiring the church?

21 MR. AVITABILE: Yes.

22 COMMISSIONER TURNBULL: Okay.

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1 Thank you.

2 CHAIRMAN HOOD: Mr. May, you're
3 familiar with the School Without Walls?

4 COMMISSIONER MAY: Indeed.

5 CHAIRMAN HOOD: Yes. Yes, I
6 remember he was on the other side. He's with
7 a number of different spots around.

8 COMMISSIONER MAY: I move around a
9 little.

10 CHAIRMAN HOOD: Any other
11 questions? Okay.

12 Let's go to the Office of
13 Planning, Ms. Jackson.

14 MS. JACKSON: Good evening, Chair,
15 Members of the Commission.

16 For the record, my name Arlova
17 Jackson with the Office of Planning.

18 The Office of Planning recommends
19 approval of the minor amendment. And we're
20 happy to stand on the record and take any
21 questions you have.

22 CHAIRMAN HOOD: Thank you very

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1 much, Ms. Jackson.

2 Any questions of the Office of
3 Planning? Not seeing any.

4 Let's go through this. Do we have
5 any representatives from ANC 2A in the
6 audience? I'm not seeing anyone.

7 Report of other government
8 agencies? I didn't see anything.

9 Commissioners? Okay.

10 Again, not seeing anyone from ANC
11 2A, but we do have a letter that's actually in
12 support. And I think Commissioner May
13 addressed the issue of the sorority -- well of
14 the fraternities. And they mentioned, and we
15 got an explanation on what they had mentioned.

16 And it's also in support. And it's dated
17 March 7, 2011 and it's in the record.

18 Do we have any organizations or
19 persons who would like testify in support?

20 Any organizations or persons who
21 would like to testify in opposition?

22 We'll now do closing by the

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1 Applicant.

2 MR. AVITABILE: Nothing else,
3 other than we would ask the Commission if it's
4 inclined to consider a bench decision given
5 the short record, the ANC support, the Office
6 of Planning support?

7 And I'd also just mention, just to
8 make sure it's clear, tonight we're requesting
9 approval of the Campus Plan amendment. As you
10 know, there's a separate PUD and so we have
11 that minor modification which would be handled
12 at the Zoning Commission next scheduled
13 meeting, or whenever you so choose. But
14 they're technically separate actions.

15 CHAIRMAN HOOD: So tonight all
16 we're doing is a minor Campus Plan amendment
17 that's in front of us tonight?

18 MR. AVITABILE: I think so. And
19 the reason why, I don't think the rules would
20 allow you to approve a minor modification on
21 the consent calendar when it's not a regular
22 meeting. So I thought procedurally what made

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1 sense; we'd have the hearing on the amendment
2 and then just have that be put on your next
3 agenda meeting.

4 CHAIRMAN HOOD: Has it already
5 been put on the consented calendar?

6 MR. AVITABILE: Not yet I don't
7 think. I think we're going to wait to see what
8 happened tonight.

9 CHAIRMAN HOOD: All right.

10 COMMISSIONER MAY: I'm rather
11 confused now.

12 MR. AVITABILE: Okay.

13 COMMISSIONER MAY: So we have a
14 Campus Plan that needs to be amended.

15 MR. AVITABILE: That's correct.

16 COMMISSIONER MAY: And we have a
17 PUD that needs a minor modification?

18 MR. AVITABILE: Correct.

19 COMMISSIONER MAY: That's a single
20 action on a consent calendar in a future
21 meeting?

22 MR. AVITABILE: Right.

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1 COMMISSIONER MAY: But the Campus
2 Plan amendment is what we would be voting on
3 tonight?

4 MR. AVITABILE: Correct.

5 COMMISSIONER MAY: Okay. Now
6 here's where my lack of familiarity with
7 modifying Campus Plan. I don't remember ever
8 doing that, but maybe I have. Is that a
9 single vote or two votes?

10 MR. AVITABILE: It's just a single
11 vote. It is BZA rules.

12 COMMISSIONER MAY: Got it. Okay.

13 CHAIRMAN HOOD: Okay. So,
14 Commissioners, I think this is pretty
15 straightforward. I would offer a motion that
16 we approve the request in Zoning Commission
17 Case No. 06-11D. It definitely has a lot of
18 support, I don't see any opposition nor does
19 the record reflect any opposition of the minor
20 Campus Plan amendment that is proposed in
21 this case, 06-11D. And I ask for a second.

22 COMMISSIONER MAY: Second.

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1 CHAIRMAN HOOD: So moved and
2 properly second.

3 Any further discussion? Are you
4 ready for the question? All those in favor?

5 ALL: Aye.

6 CHAIRMAN HOOD: Not hearing any
7 opposition, so ordered.

8 Staff, would you record the vote?

9 MS. HANOUSEK: Yes. The
10 Commission approved the Campus Plan amendment
11 in Case No. 06-11D by a vote of four to zero
12 to one. Chairman Hood making the motion,
13 Commissioner May providing the second, and
14 Selfridge and Turnbull in support and Schlater
15 not present, not voting.

16 CHAIRMAN HOOD: Okay. I would
17 just ask Mr. Barber, do they serve down here
18 at the beginning or the end? It's at the end.
19 Okay.

20 Well, you all -- we have to send
21 our regrets, we've already done that. And we
22 thank you very much.

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Okay. So with that, this hearing
is adjourned. Thank you.

(Whereupon, at 6:47 p.m. the
hearing was adjourned.)

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