

July 15, 2019

VIA IZIS AND HAND DELIVERY

Anthony Hood, Chairman  
District of Columbia Zoning Commission  
441 4<sup>th</sup> Street, NW  
Suite 200-S  
Washington, DC 20001

**Re: Z.C. Case No. 06-11Q/06-12Q – Application of the George Washington University (the “University” or “Applicant”) for a Modification to a Campus Plan and First-Stage Planned Unit Development for the Foggy Bottom Campus**

Dear Chairman Hood and Members of the Commission:

On behalf of the University, we hereby submit this application to request approval of a Modification of the 2007 Foggy Bottom Campus Plan and related First-Stage Planned Unit Development (“**Campus Plan/PUD**”) approved in the above-referenced case (the “**Order**”). The proposed modifications relate to the conditions of the approved Campus Plan/PUD as a whole, and accordingly the entire Campus is the subject of the modification application (the “**Campus Plan/PUD Modification Application**”). The University plans to renovate Thurston Hall located at 1900 F Street NW, an undergraduate residence hall located on campus that currently provides approximately 1,080 beds for first-year students. In order to effectuate the renovation, the University requests this Modification of Significance for temporary relief from certain Conditions of the Order to address student housing accommodations during the renovation period.

**I. Process**

Concurrently with this Campus Plan/PUD Modification Application, the University is filing a Modification of Significance application for the Planned Unit Development approved in Commission Order 746-C which relates to 1959 E Street NW (the “**1959 Modification Application**” and together with the Campus Plan/PUD Modification Application the “**Modification Applications**”). The University also intends to file a Further Processing Application for the renovation of Thurston Hall (the “**Further Processing Application**” and together with the Modification Applications, the “**Applications**”). The University requests that the Commission consider the Applications together at a single public hearing so that a complete

overview of the University's plans can be presented in one hearing, and the process for considering the Applications can be streamlined moving forward.

## **II. Thurston Hall Renovations**

The Campus Plan/PUD approved by the Commission in 2007 mandates the provision of a certain number of on-campus beds for the Foggy Bottom full-time undergraduate population. The University also committed to certain measures that would reduce the University's off-campus impacts as a part of the Campus Plan/PUD. To date, the University maintains an on-campus bed supply that exceeds the minimum requirement, and the University has fulfilled all of its commitments regarding off-campus properties.

To support these commitments as well as further the University's own institutional priorities, the Campus Plan/PUD emphasized the importance of creating a vibrant "living and learning community" through outstanding and state-of-the-art facilities. On-campus student housing is therefore a central component of the Campus Plan/PUD both because it allows the University to achieve its on-campus housing commitment and to offset the voluntary reduction in off-campus University-provided undergraduate beds. During the term of the Campus Plan / PUD, the University constructed and delivered both South Hall and District House, providing a net new 817 on-campus beds.<sup>1</sup> The University has also invested approximately \$100 million into existing residence halls to upgrade and renovate these important campus facilities through targeted improvements and enhancements. These new and renovated facilities provide upgraded living configurations, student gathering spaces, and other features that meet updated residential life, accessibility, and quality-of-life standards.

Thurston Hall, located at the intersection of 19<sup>th</sup> and F Streets NW, currently provides beds for approximately 1,080 first-year students. As the first residence hall for many University students, Thurston is an important component of their first-year student experience. However, Thurston has not been substantially renovated since the University acquired the property in the 1950s, and the building requires a comprehensive renovation to bring it into the 21<sup>st</sup> century. Therefore, the University is proposing a transformational renovation to enhance the residential experience at Thurston Hall through both a wholesale gut renovation that will reorganize the building's rooms, bathrooms, and common spaces as well as structural changes that will bring additional daylight and enhanced indoor and outdoor student gathering spaces. The Thurston Hall renovations are consistent with the Campus Plan's goals of "providing outstanding and state-of-the-art . . . student activity . . . facilities" and creating a "living and learning community" through housing. These renovations are essential to maintaining Thurston's foundational impact on so many first-year students.

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<sup>1</sup> Under the 2000 Campus Plan, the University delivered Potomac House, 1959 E Street, Shenkman Hall, Townhouse Row and 2121 F Street, yielding 1,484 beds.

Renovation and alteration work of the size and scope required for Thurston Hall cannot be accomplished while the residence hall is occupied, nor can it be accomplished during either summer or winter breaks, when less intensive renovation work is often done. Rather, the construction work is anticipated to require closure of the building for up to two academic years (with the closure commencing in summer 2020 and extending as long as summer 2022). The downtime for Thurston Hall will require adjustments to the current housing plan and as such, the University has developed a proposed temporary housing plan to address the temporary loss of Thurston's on-campus beds.

### **III. Temporary Housing Plan**

The University currently provides approximately 200 beds more than what is required under the Campus Plan/PUD conditions<sup>2</sup>, but that surplus is not enough to offset the temporary loss of beds at Thurston Hall. Accordingly, the University's Temporary Housing Plan consists of three primary elements:

- First-year students that would otherwise have been housed in Thurston will be accommodated in other on-campus residence halls, and second-year students will similarly be accommodated in on-campus facilities, which maintains the University's Campus Plan commitment that the university shall require all full-time Foggy Bottom freshmen and sophomore students to reside in housing located within the campus plan boundary. ***This requires flexibility for GW to house second-year students in the residence hall at 1959 E Street, which will require a temporary adjustment to a condition of approval to the 1959 E Street PUD.***
- The re-accommodation of Thurston students in other on-campus residence halls will reduce the number of on-campus beds available to third-year and fourth-year students. Accordingly, the University proposes to use The Aston and One Washington Circle to provide temporary beds for these upperclassmen students. ***The use of The Aston for undergraduate housing requires a temporary adjustment to a condition of approval of the Campus Plan/PUD. In addition, the University will clarify its ability to use One Washington Circle for undergraduate housing.***
- The University's campus plan commitment is to provide beds on-campus for 70% of the first 8,000 Foggy Bottom full-time undergraduates, plus 1 bed for each full-time undergraduate above that amount. With the off-campus beds, the University will continue to provide beds for at least 70% of the Foggy Bottom full-time undergraduate population, and the University will strive to provide 1 bed for each full-time undergraduate over 8,000. However, the University may fall short of its

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2 Based on fall 2018 Campus Plan compliance report. The university has additional excess beds available in the spring semester as spring generally has a lower enrollment of full-time undergraduates due to study abroad, early graduation and related items.

commitment to provide 1 bed for each full-time undergraduate over 8,000 (it will only provide beds for 70% rather than 100% of this population) and so it requests temporary relief from this requirement. ***The temporary reduction in the housing requirement as well as use of off-campus beds to satisfy the housing requirement also requires a temporary adjustment to a condition of approval of the Campus Plan/PUD.***

Once the Thurston Hall renovations are complete, the University will discontinue the Temporary Housing Plan and will revert back to the existing housing plan and the current Campus Plan/PUD and 1959 E Street PUD conditions. The renovated Thurston Hall is anticipated to provide approximately 250 net fewer beds, but this reduction is offset by the current bed surplus and the decreased Foggy Bottom full-time undergraduate population.

Additionally, the University is undergoing a separate strategic planning process that includes, among other components, a planned reduction to its undergraduate student population. As a result of these strategic conversations, the University will be voluntarily reducing the size of its incoming undergraduate class in fall 2019 by 100 students, which will reduce the required number of first-year beds. The University is also planning for an equal or greater reduction in fall 2020 and beyond. In addition to meeting the strategic goals of the institution, this reduction will assist the University in reducing the total number of required beds for undergraduate students by virtue of a reduced student population

The chart below summarizes the University’s current and proposed housing under the plan, assuming a two-year renovation period:

	<u>Current</u>	<u>During Renovations</u>		<u>After Renovations</u>
	Fall 2018	Fall 2020	Fall 2021	Fall 2022
Foggy Bottom FT UG Population	9,275	9,075	9,075	9,075
Less additional students studying abroad, additional enrollment reductions, or other		139	139	
Adjusted FB FT UG Population		8,936	8,936	
Required Beds				
Current Condition C6 (70% + 1:1 > 8000)	6,875	6,536	6,536	6,675
Adjusted Condition C6 (70%)		6,353	6,353	
Provided Beds	7,073	6,536	6,536	6,823
On-Campus	7,073	5,993	5,993	6,823
Off-Campus	0	543	543	0

#### A. First-Year and Second-Year Residence Halls

Thurston Hall, as discussed above, houses approximately 1,080 undergraduates during their first year at the University. Due to the renovations, the University will re-house these first-year students at other on-campus residence halls. Specifically, the University will accommodate first-year students at existing residence halls on campus, either by increasing the number of beds within these residence halls or by converting them to first-year student housing.

As discussed above, the University has separately decided to reduce its Foggy Bottom full-time undergraduate population by approximately 100 students in Fall 2019 and will reduce undergraduate enrollment again in Fall 2020 by at least 100 undergraduate students. This reduces the number of beds that are required both during and after the renovation period.

Some of the residence halls that will be converted to house first-year students currently accommodate second-year students. The University intends to maintain its commitment under the Campus Plan / PUD to house all first and second year students on campus. In order to do so, the University would like to use 1959 E Street for second-year students. 1959 E Street was approved as a PUD in 2002; the PUD includes a condition that does not allow general housing of second-year students. Therefore, the University has filed the 1959 E Modification Application to modify this condition and allow second-year students to be housed in 1959 E Street.

#### B. Off-Campus Residence Halls

The re-accommodation of first-year and second-year students to other on-campus housing will reduce the amount of on-campus housing for third- and fourth-year students at on-campus residence halls like 1959 E Street. Accordingly, the University proposes to provide beds in two off-campus locations under the University's control.

- First, the University intends to use The Aston for junior and senior students. The Aston, located at 1129 New Hampshire Avenue NW (Square 72, Lot 7), is an existing University residence hall that provides housing for law and graduate students. When configured for juniors and seniors, the residence hall will accommodate approximately 238 beds.
- In addition, the University proposes providing housing for approximately 305 juniors and seniors at One Washington Circle (Square 52, Lot 805). One Washington Circle is a hotel building owned by the University as an investment property, and operated by Modus Hotels. During the two-year temporary housing period, the University will contract with the hotel operator to utilize the hotel rooms for student housing, providing accommodations for approximately 305 students. The property will otherwise continue to function as a hotel, which means the Circle Bistro restaurant will remain open and hotel conference facilities will continue to be available for use.

After the Thurston Hall renovations are complete, the University would discontinue utilizing the Aston and One Washington Circle Hotel to accommodate undergraduate students.

C. Reduction in Housing Requirement

While the University's existing housing surplus, planned enrollment reduction, and proposed 543 off-campus beds at the Aston and One Washington Circle will largely offset the number of beds temporarily removed during the Thurston Hall renovation, the University may not be able to reach the total number of beds required under the current housing condition. Currently under the Campus Plan/PUD, the University must provide housing for 70% of its full-time Foggy Bottom undergraduate population up to 8,000 students plus one bed per full-time Foggy Bottom undergraduate student over 8,000. As part of the Temporary Housing Plan, the University requests a reduction in the required beds to 70% of the total full-time Foggy Bottom undergraduate student population. This number would include the off-campus beds provided at The Aston and One Washington Circle.

This reduction is both temporary, lasting only during the Thurston Hall renovations, and minimal in the overall campus beds requirement. Under the existing Campus Plan/PUD requirements, the University was required in the Fall of 2018 to provide 6,875 beds on campus (70% of 8,000=5,600 beds + 1,275 additional beds).<sup>3</sup> Under the Temporary Housing Plan, the University would be required to provide 6,353 beds on campus (70% of 9,075), including the approximately 543 beds at The Aston and One Washington Circle. The University will provide approximately 6,536 beds, which is a difference of approximately 339 beds from the current requirement.

D. Relief from Campus Plan/PUD Conditions

In order to accommodate the Temporary Housing Plan, the University requires relief from the following two conditions and proposes the below temporary conditions:

- **Current Condition P-8(b)**: Effective August 31, 2007, the University shall not house undergraduate students in The Aston (1129 New Hampshire Avenue, N.W.).
- **Temporary Condition 1** (changes shown in bold text): **During the Temporary Housing Plan Effective August 31, 2007**, the University shall not house **undergraduate first- or second-year** students in The Aston (1129 New Hampshire Avenue, N.W.), **but the University may house undergraduate third-year and fourth-year students in the Aston.**

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<sup>3</sup> In the 2018 Compliance Report, the University noted it was providing 7,073 beds on campus, which is approximately 198 beds over the required number of beds.

- **Current Condition C-6**: For the duration of the Plan, the University shall make available on-campus beds for full-time Foggy Bottom undergraduate students equivalent to 70% of the full-time Foggy Bottom undergraduate student population up to an enrollment of 8,000, plus one bed per full-time Foggy Bottom undergraduate student over 8,000.
- **Temporary Condition 2** (changes shown in bold text): **During the Temporary Housing Plan** ~~For the duration of the Plan~~, the University shall make available **on-campus** beds **either on campus or in The Aston or One Washington Circle** for full-time Foggy Bottom undergraduate students equivalent to 70% of the full-time Foggy Bottom undergraduate student population ~~up to an enrollment of 8,000, plus one bed per full-time Foggy Bottom undergraduate student over 8,000.~~

In addition, for the avoidance of doubt, the University seeks to confirm that the proposed use of One Washington Circle is not inconsistent with Condition P-1 of the Order. Condition P-1 governs the University's ability to acquire and use future investment properties. In general, the University may continue to acquire new investment properties, but the University may not limit its use to the university population or include it as a part of the undergraduate housing program. Condition P-1 is not applicable here, because the hotel was already owned by the University prior to the approval of the 2007 Campus Plan / PUD. Therefore, although Condition P-1 does not apply to the University's proposed use of One Washington Circle, the University desires to amend Condition P-1 to clarify this through the following additional sentence:

- **Temporary Condition 3**: For the avoidance of doubt, the University's use of One Washington Circle for undergraduate housing as a part of the Temporary Housing Plan does not violate Condition P-1 of the Campus Plan / PUD Order.

As detailed above, the University will also request relief from the Condition in the 1959 E Modification Application that limits the 1959 E residence hall to upperclassmen. The relief described above is requested only during the two-year period during which Thurston Hall is anticipated to be renovated (academic year Fall 2020 – Spring 2021, and Fall 2021 – Spring 2022). Beginning in Fall 2022, the above relief will terminate, and the associated conditions will return to effect. If the renovation of Thurston Hall can be completed early, the temporary conditions would cease at the time Thurston Hall reopens.

#### **IV. Consistency with Campus Plan/PUD**

##### ***A. Standard of Review***

The Campus Plan/PUD was approved under the 1958 Zoning Regulations, as amended. The Campus Plan/PUD Modification Application, as set forth in 11-A DCMR §102.4, will be processed under the 2016 Zoning Regulations and evaluated under the 2016 Zoning Regulations

for the requested changes. Generally, modifications of significance to a PUD or Campus Plan shall meet the requirements for approval of a PUD or Campus Plan. 11-Z DCMR § 302.1 (regarding modifications to Campus Plans), §704.3 (regarding modifications to PUDs); *See also*, 11-X DCMR §101 (outlining the evaluation standards for a Campus Plan); §304 (outlining the evaluation standards for a PUD). The review of the modification is “limited to impact of the modification on the subject of the original application.” 11-Z DCMR §704.4. Section 704.4 also notes an intent by the Commission to not “revisit its original decision” in a modification of significance. As set forth below, the Campus Plan/PUD Modification Application satisfies the requirements of the Zoning Regulations for review and approval of a modification of significance to the Campus Plan/PUD.

The evaluation of a modification of significance is generally limited to the impact of the modification on the original Campus Plan/PUD. Here, the modifications are temporary, limited in their extent, and do not materially impact the planning, uses, amenities, benefits, and impacts that formed the basis of the Commission’s prior determination that the Campus Plan/PUD complied with the overall Campus Plan and PUD evaluation standards. In other words, the Campus Plan/PUD Modification Application continues to comply with the evaluation standards as outlined in the Order, including:

- The determination that the Campus Plan avoids the creation of adverse impacts or objectionable conditions;
- The conclusion that the PUD offers commendable number or quality of public benefits whose relative value is acceptable in light of the degree of development incentives requested; and
- The consistency of the Campus Plan/PUD with the Comprehensive Plan and other adopted policies.

### ***B. Evaluation and Mitigation***

As detailed above, the Temporary Housing Plan, including the modifications needed to the existing conditions, do not undermine the overall Campus Plan/PUD and its housing plan.

First, the University will continue to house all first-year and second-year students on campus. This continues to ensure that the younger population of students will be on campus and under greater day-to-day supervision as they transition into independent living. Second, the proposed modifications are temporary and the conditions will be reinstated upon the completion of the Thurston Hall renovations, which is estimated to take up to two years. Third and finally, the mitigations discussed below will limit the potential impacts of the temporary modified conditions on the surrounding community.

GW proposes to implement additional controls to ensure behavior of the third and fourth year students temporarily housed at the Aston and One Washington Circle does not impact the



quality of life of the adjoining communities. The University will intensify its educational efforts on off-campus student life for upperclassmen in the Aston and One Washington Circle and provide Resident Advisors to assist with programming, supervision, and management of the residence hall environments. In addition, the GW police department will be authorized to proactively monitor as well as respond to complaints and incidents at these residence halls. Finally, with respect to One Washington Circle, the University anticipates maintaining on-site hotel management staff 24/7 and restricting access to features such as the balconies and pool. There will be no changes to GW’s parking policies as they relate to undergraduate students.

The following table summarizes the controls will be in place at The Aston and One Washington Circle Hotel for the duration of the Temporary Housing Plan:

	<b>One Washington Circle</b>	<b>The Aston</b>
<b>Students</b>	Approx. 300 Residents (3 <sup>rd</sup> and 4 <sup>th</sup> year students)	Approx. 240 Residents (3 <sup>rd</sup> and 4 <sup>th</sup> year students)
<b>Staffing &amp; Support in Building</b>	<ul style="list-style-type: none"> <li>Professional Staff (live-in)</li> <li>5 Resident Advisors</li> </ul>	<ul style="list-style-type: none"> <li>Professional Staff (live-in)</li> <li>5 Resident Advisors</li> </ul>
<b>Safety, Security, and Conduct Oversight</b>	<ul style="list-style-type: none"> <li>24/7 Front Desk operations with dedicated university administrator contacts for any student issues that arise.</li> <li>Resident Advisors on-Call perform 2 rounds of building nightly and intervene to address any disruptive behaviors.</li> </ul>	<ul style="list-style-type: none"> <li>GWPD Staffed Front Desk</li> <li>Resident Advisors on-Call perform 2 rounds of building nightly and intervene to address any disruptive behaviors.</li> </ul>
<b>Communication &amp; Student/Community Meetings</b>	<ul style="list-style-type: none"> <li>Pre-arrival communication with students, parents, and families</li> <li>Required “Being a Good Neighbor” training.</li> <li>Building meetings on move-in day</li> <li>RA meetings with each room to clarify expectations and facilitate roommate agreements</li> <li>Monthly student all- resident meetings to share important updates, and address needs</li> </ul>	<ul style="list-style-type: none"> <li>Pre-arrival communication with students, parents, and families</li> <li>Required “Being a Good Neighbor” training.</li> <li>Building meetings on move-in day</li> <li>RA meetings with each room to clarify expectations and facilitate roommate agreements</li> <li>Monthly student all-resident meetings to share important updates, address needs</li> </ul>

<b>Student Activities</b>	<ul style="list-style-type: none"> <li>• After-hours programs and activities to connect students with GW &amp; DC</li> </ul>	<ul style="list-style-type: none"> <li>• After-hours programs and activities to connect students with GW &amp; DC</li> </ul>
<b>Policies/ Procedures</b>	<ul style="list-style-type: none"> <li>• Adhere to all hotel policies in addition to university policies &amp; DC/Federal Laws. Includes policies prohibiting alcohol and substances.</li> <li>• GW quiet hours: Sunday – Thursday 10 PM – 7 AM, Friday – Saturday 2 AM – 10 AM.</li> </ul>	<ul style="list-style-type: none"> <li>• Adhere to all university policies &amp; DC/Federal Laws. Includes policies prohibiting alcohol and substances.</li> <li>• GW quiet hours: Sunday – Thursday 10 PM – 7 AM, Friday – Saturday 2 AM – 10 AM.</li> </ul>

Therefore, because the Campus Plan/PUD Modification Application is consistent with the originally-approved Campus Plan/PUD, this application meets the evaluation requirements for Commission approval.

**V. Exhibits**

Included with this application are the following materials:

- Exhibit A      Application Form and List of properties in Campus Plan/PUD
- Exhibit B      Authorization Letter
- Exhibit C      Surveyor’s Plats
- Exhibit D      Order
- Exhibit E      Zone Map Showing Location of Proposed Housing Sites
- Exhibit F      Certification of Notice of Intent
- Exhibit G      Property Owner List

Also included are the address labels and a check for \$520, the filing fee for this application.

**VI. Conclusion**

The University requests that the Commission consider the Campus Plan/PUD Modification Application and the 1959 E Modification Application together and set the modifications down for a public hearing at the earliest possible date. Please feel free to contact Dave at (202) 721-1137 or Meghan at (202) 721-1138 if you have any questions regarding this application.

Sincerely,

David M. Avitabile/is

David M. Avitabile



Meghan Hottel-Cox

Enclosure  
DA:mhc

**Certificate of Service**

The undersigned hereby certifies that copies of the foregoing document will be delivered by first-class mail or hand delivery to the following addresses on July 15, 2019.

**Office of Planning**

Jennifer Steingasser  
1100 4<sup>th</sup> Street SW, Suite E650  
Washington, DC 20024  
[jennifer.steingasser@dc.gov](mailto:jennifer.steingasser@dc.gov)

With a copy to:  
Matthew Jesick, OP  
[matthew.jesick@dc.gov](mailto:matthew.jesick@dc.gov)

**District Department of Transportation**

Anna Chamberlin  
55 M Street SE, 4<sup>th</sup> Floor  
Washington, DC 20003  
[anna.chamberlin@dc.gov](mailto:anna.chamberlin@dc.gov)

With a copy to:  
Aaron Zimmerman, DDOT  
[aaron.zimmerman@dc.gov](mailto:aaron.zimmerman@dc.gov)

**ANC 2A**

c/o West End Library  
2301 L Street NW  
Washington, DC 20037  
[2A@anc.dc.gov](mailto:2A@anc.dc.gov)

**ANC 2A01**

Patrick Kennedy  
532 20th Street NW #312  
Washington, DC 20006  
[2A01@anc.dc.gov](mailto:2A01@anc.dc.gov)

**ANC 2A06**

Jeri Epstein  
1111 23rd Street NW Apt. PH1F  
Washington, DC 20037  
[2A06@anc.dc.gov](mailto:2A06@anc.dc.gov)

**West End Citizens Association**

c/o Barbara Kahlow  
800 25<sup>th</sup> Street, NW #704  
Washington, DC 20037

**President, Foggy Bottom Association**

c/o Marina Streznewski  
904 New Hampshire Avenue NW  
Washington, DC 20037



Meghan Hottel-Cox

# EXHIBIT A



BEFORE THE ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA



FORM 103 – PLANNED UNIT DEVELOPMENT (PUD)

In accordance with the provisions of Subtitle X, Chapter 3 or Subtitle Z, §704 – Zoning Regulations, request is hereby made for a PUD, details of which are as follows: as follows:

Please Select:  1st-Stage  2nd-Stage  Consolidated  Modification of Significance

Square No.	Lot No.	Square Feet	Existing Zoning	Requested Zoning
See attached list	See attached list	See attached list	Various	Various

Address or boundary description of the premises: See attached list

Total area of the site in square feet: See attached list      Total area of the site in acres: See attached list

Brief description of proposal: See attached statement.

Date NOI sent: 4/19/19      How NOI Sent:  U.S Mail  E-mail  Other

Advisory Neighborhood(s): ANC 2A 01      Date presented at ANC(s):

If applicable, Historic District(s) in which site is located: N/A

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.  
(D.C. Official Code § 22-2405)

Owner's Signature: *Dave Avitabile/vo*      Date: 7/11/19

Owner's Name: David M. Avitabile on behalf of The George Washington University

Person(s) to be notified of all actions:

Name: David Avitabile, Esq., Goulston & Storrs

Address: 1999 K Street NW, Suite 500, Washington, DC      Phone No(s): 202-721-1137

Zip Code: 20006      E-Mail: davitabile@goulstonstorrs.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.



**BEFORE THE ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA**



**Form 108 - Application for Campus Plans and Medical Plans**

**Pursuant to Subtitle X, Chapter 1**

<input type="checkbox"/> New Campus Plan	Amendment of: <input checked="" type="checkbox"/> Approved Campus Plan <input checked="" type="checkbox"/> Campus Plan Order	<input type="checkbox"/> Further Processing of Campus Plan	<input type="checkbox"/> Medical Plan
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The details of which are as follows:

<b>Present use(s) of Property:</b>	University use.		
<b>Proposed use(s) of Property:</b>	University use.		
<b>Organization Name:</b>	George Washington University		
<b>Owner of Property</b>	George Washington University		
<b>Address of Owner:</b>	1918 F Street, NW, Washington, DC 20052		
<b>Phone No.(s):</b>	202-994-1000	<b>E-Mail:</b>	davitabile@goulstonstorrs.com
<b>Single-Member Advisory Neighborhood Commission District(s):</b>	ANC 2A 01		

Address(es)	Square	Lot No(s).	Zone District(s)
See attached list	See attached list	See attached list	Various

<b>Brief description of proposal:</b>	See attached statement.

<b>Advisory Neighborhood(s):</b>	ANC 2A	<b>Date Presented at ANC(s):</b>	
<b>Date NOI Sent:</b>	04/19/19	<b>* How NOI Sent:</b>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> E-mail <input type="checkbox"/> Other

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

<b>Date:</b>	7/11/19	<b>Signature*:</b>	<i>Dave Avitabile /is</i>
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To be notified of hearing and decision (Owner or Authorized Agent\*):

<b>Name:</b>	David Avitabile, Esq., Goulston & Storrs		
<b>Address:</b>	1999 K Street NW, Suite 500, Washington, DC	<b>Zip:</b>	2006
<b>Phone No.(s):</b>	202-721-1137	<b>E-Mail:</b>	davitabile@goulstonstorrs.com

\* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

**ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.**

**THE GEORGE WASHINGTON UNIVERSITY  
FOGGY BOTTOM CAMPUS PLAN PROPERTIES**

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>ADDRESS</u></b>	<b><u>LAND AREA</u></b>	<b><u>ZONE</u></b>
39	4	950 New Hampshire Avenue NW	21,457 sf	RA-5
40	36	900 23 <sup>rd</sup> Street NW	95,717 sf	RA-4 / RA-5
41	40	830 23 <sup>rd</sup> Street NW	87,150 sf	RA-4
42	54 55 56	2350 H Street NW 2301 G Street NW 2300 H Street NW	21,974 sf 29,070 sf 4,575 sf	RA-4 RA-4 RA-4
43	26	616 23 <sup>rd</sup> Street NW	32,753 sf	RA-4
54	841 2002 2003	2200 Pennsylvania Avenue NW 2221 I Street NW #2 2221 I Street NW #2	64,700 sf 51 sf 51,015 sf	RA-4 RA-4 RA-4
55	29 855 856	817 23 <sup>rd</sup> Street NW 2212 I Street NW 2223 H Street NW	56,415 sf 23,081 sf 7,629 sf	RA-4 RA-4 RA-4
56	30 31	2201 G Street NW 736 22 <sup>nd</sup> Street NW	92,578 sf 7,860 sf	RA-4 RA-4
57	55 56	607 23 <sup>rd</sup> Street NW 600 22 <sup>nd</sup> Street NW	17,806 sf 52,835 sf	RA-4 RA-4
58	1 5 6 802 803	2201 Virginia Avenue NW 2206 I Street NW 2208 I Street NW 522 22 <sup>nd</sup> Street NW 520 22 <sup>nd</sup> Street NW	6,500 sf 1,600 sf 1,600 sf 960 sf 960 sf	RA-4 RA-4 RA-4 RA-4 RA-4
75	48 49 52 869 2097	2150 Pennsylvania Avenue NW 2112 Pennsylvania Avenue NW 2100 Pennsylvania Avenue NW 2129 Pennsylvania Avenue NW 2141 I Street NW, Unit 513	30,653 sf 25,031 sf 50,780 sf 6,311 sf 80 sf	RA-4 / MU-9 MU-9 RA-4 / MU-9 RA-4 RA-4
77	51 59 61 62	837 22 <sup>nd</sup> Street NW 801 22 <sup>nd</sup> Street NW 2119 H Street NW 2121 H Street NW	918 sf 61,091 sf 67,272 sf 33,452 sf	RA-4 RA-4 RA-4 RA-4





103	1	600 20 <sup>th</sup> Street NW	8,631 sf	RA-4
	33	605 21 <sup>st</sup> Street NW	1,042 sf	RA-4
	34	607 21 <sup>st</sup> Street NW	1,197 sf	RA-4
	35	609 21 <sup>st</sup> Street NW	1,178 sf	RA-4
	40	2033 F Street NW	3,438 sf	RA-4
	41	2031 F Street NW	3,198 sf	RA-4
	42	2021 F Street NW	28,730 sf	RA-4
	43	2036 G Street NW	2,414 sf	RA-4
	44	2008 G Street NW	38,144 sf	RA-4
	45	2000 G Street NW	8,630 sf	RA-4
121	819	1925 F Street NW	11,618 sf	RA-4
122	29	1957 E Street NW	30,244 sf	MU-2
	824	514 19 <sup>th</sup> Street NW	18,495 sf	MU-2
	825	1900 F Street NW	27,600 sf	MU-2

**TOTAL LAND AREA = 1,649,200 SF [37.86 ACRES]**

# EXHIBIT B

July 10, 2019

D.C. Zoning Commission  
441 4th Street, N.W.  
Suite 200S  
Washington, DC 20001

**Re: George Washington University – Thurston Hall Renovations and Related Modifications to the Campus Plan / PUD and 1959 E Street PUD Applications to the Zoning Commission for Approval – Letter of Authorization**

Honorable Members of the Commission:

As a duly authorized representative of George Washington University (“GWU”), the owner of property located in the GWU campus (the “Property”), I hereby authorize the law firm of Goulston & Storrs to file zoning applications for the Property and appear at all proceedings before the Zoning Commission on behalf of the undersigned owner concerning the above-referenced applications.

Respectfully Submitted,



Alicia Knight  
Senior Associate Vice President for Operations  
The George Washington University

# EXHIBIT C

**DISTRICT OF COLUMBIA GOVERNMENT  
OFFICE OF THE SURVEYOR**

Washington, D.C., April 26, 2019

Plat for Building Permit of: SQUARE 122 LOT 825

Scale: 1 inch = 40 feet

Recorded in Book A & T Page 1742

Receipt No. 19-04544 Drawn by: L.E.S.

Furnished to: DIANA HERNDON

"I hereby certify that the dimensions and configuration of the lot(s) hereon depicted are consistent with the records of the Office of the Surveyor unless otherwise noted, but may not reflect actual field measurements. The dimensions and configuration of A&T lots are provided by the Office of Tax and Revenue and may not necessarily agree with the deed description(s)."

I hereby certify that on this plat on which the Office of the Surveyor has drawn the dimensions of this lot, I have accurately and completely depicted and labeled the following:

- 1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, and any existing face-on-line or party wall labeled as such, well as projections and improvements in public space - with complete and accurate dimensions;
- 2) all proposed demolition or raze of existing buildings duly labeled as such; all proposed buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, any existing face-on-line or party wall labeled as such, as well as projections and improvements in public space and the improvements used to satisfy pervious surface or green area ratio requirements - with complete and accurate dimensions, in conformity with the plans submitted with building permit application \_\_\_\_\_; and
- 3) any existing chimney or vent on an adjacent property that is located within 10 feet of this lot.

I also hereby certify that:

- 1) my depiction on this plat, as detailed above, is accurate and complete as of the date of my signature hereon;
- 2) there is no elevation change exceeding ten feet measured between lot lines; or if so, this elevation change is depicted on a site plan submitted with the plans for this permit application;
- 3) I have/have not (*circle one*) filed a subdivision application with the Office of the Surveyor;
- 4) I have/have not (*circle one*) filed a division of lots application with the Office of Tax & Revenue; and
- 5) if there are changes to the lot and its boundaries as shown on this plat, or to the proposed construction and plans as shown on this plat, that I shall obtain an updated plat from the Office of the Surveyor on which I will depict all existing and proposed construction and which I will then submit to the Office of the Zoning Administrator for review and approval prior to permit issuance.

Plats issued by the Office of the Surveyor will be valid for a period of two years from the date of issuance.

I acknowledge that any inaccuracy or errors in my depiction on this plat will subject any permit or certificate of occupancy issued in reliance on this plat to enforcement, including revocation under Sections 105.6(1) and 110.5.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of D.C. Law 4-164 (D.C. Official Code §22-2405).

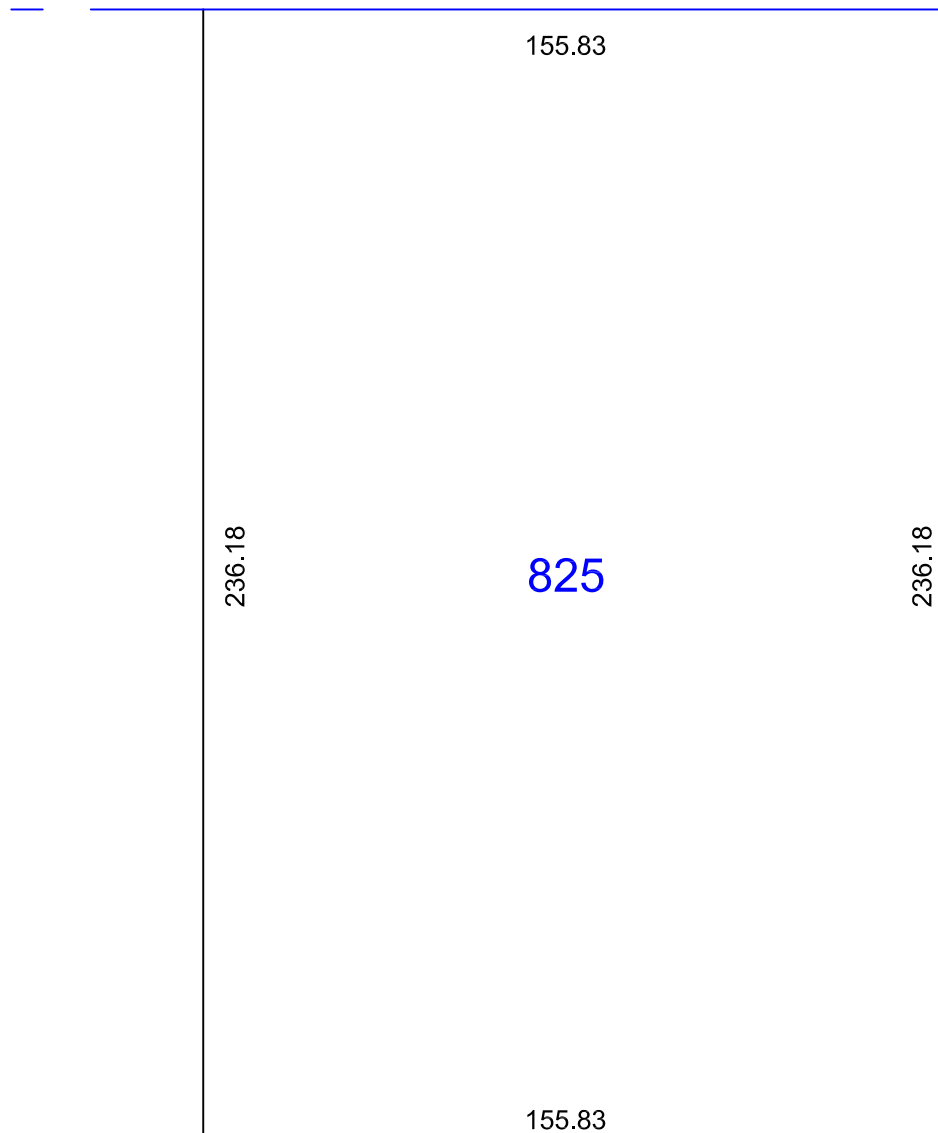
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Relationship to Lot Owner: \_\_\_\_\_

If a registered design professional, provide license number \_\_\_\_\_ and include stamp below.

\_\_\_\_\_  
Surveyor, D.C.

**F STREET, N.W.**



SCALE: 1:40

DISTRICT OF COLUMBIA GOVERNMENT  
OFFICE OF THE SURVEYOR

Washington, D.C., April 26, 2019

Plat for Building Permit of: SQUARE 72 LOT 7

Scale: 1 inch = 30 feet

Recorded in Book Rec Bk 1 Page 72

Receipt No. 19-04543 Drawn by: L.E.S.

Furnished to: DIANA HERNDON

"I hereby certify that the dimensions and configuration of the lot(s) hereon depicted are consistent with the records of the Office of the Surveyor unless otherwise noted, but may not reflect actual field measurements. The dimensions and configuration of A&T lots are provided by the Office of Tax and Revenue and may not necessarily agree with the deed description(s)."

I hereby certify that on this plat on which the Office of the Surveyor has drawn the dimensions of this lot, I have accurately and completely depicted and labeled the following:

1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, and any existing face-on-line or party wall labeled as such, well as projections and improvements in public space - with complete and accurate dimensions;  
2) all proposed demolition or raze of existing buildings duly labeled as such; all proposed buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, any existing face-on-line or party wall labeled as such, as well as projections and improvements in public space and the improvements used to satisfy pervious surface or green area ratio requirements - with complete and accurate dimensions, in conformity with the plans submitted with building permit application \_\_\_\_\_; and

3) any existing chimney or vent on an adjacent property that is located within 10 feet of this lot.

I also hereby certify that:

1) my depiction on this plat, as detailed above, is accurate and complete as of the date of my signature hereon;

2) there is no elevation change exceeding ten feet measured between lot lines; or if so, this elevation change is depicted on a site plan submitted with the plans for this permit application;

3) I have/have not (*circle one*) filed a subdivision application with the Office of the Surveyor;

4) I have/have not (*circle one*) filed a division of lots application with the Office of Tax & Revenue; and

5) if there are changes to the lot and its boundaries as shown on this plat, or to the proposed construction and plans as shown on this plat, that I shall obtain an updated plat from the Office of the Surveyor on which I will depict all existing and proposed construction and which I will then submit to the Office of the Zoning Administrator for review and approval prior to permit issuance.

Plats issued by the Office of the Surveyor will be valid for a period of two years from the date of issuance.

I acknowledge that any inaccuracy or errors in my depiction on this plat will subject any permit or certificate of occupancy issued in reliance on this plat to enforcement, including revocation under Sections 105.6(1) and 110.5.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of D.C. Law 4-164 (D.C. Official Code §22-2405).

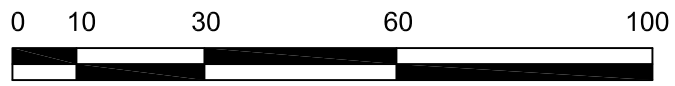
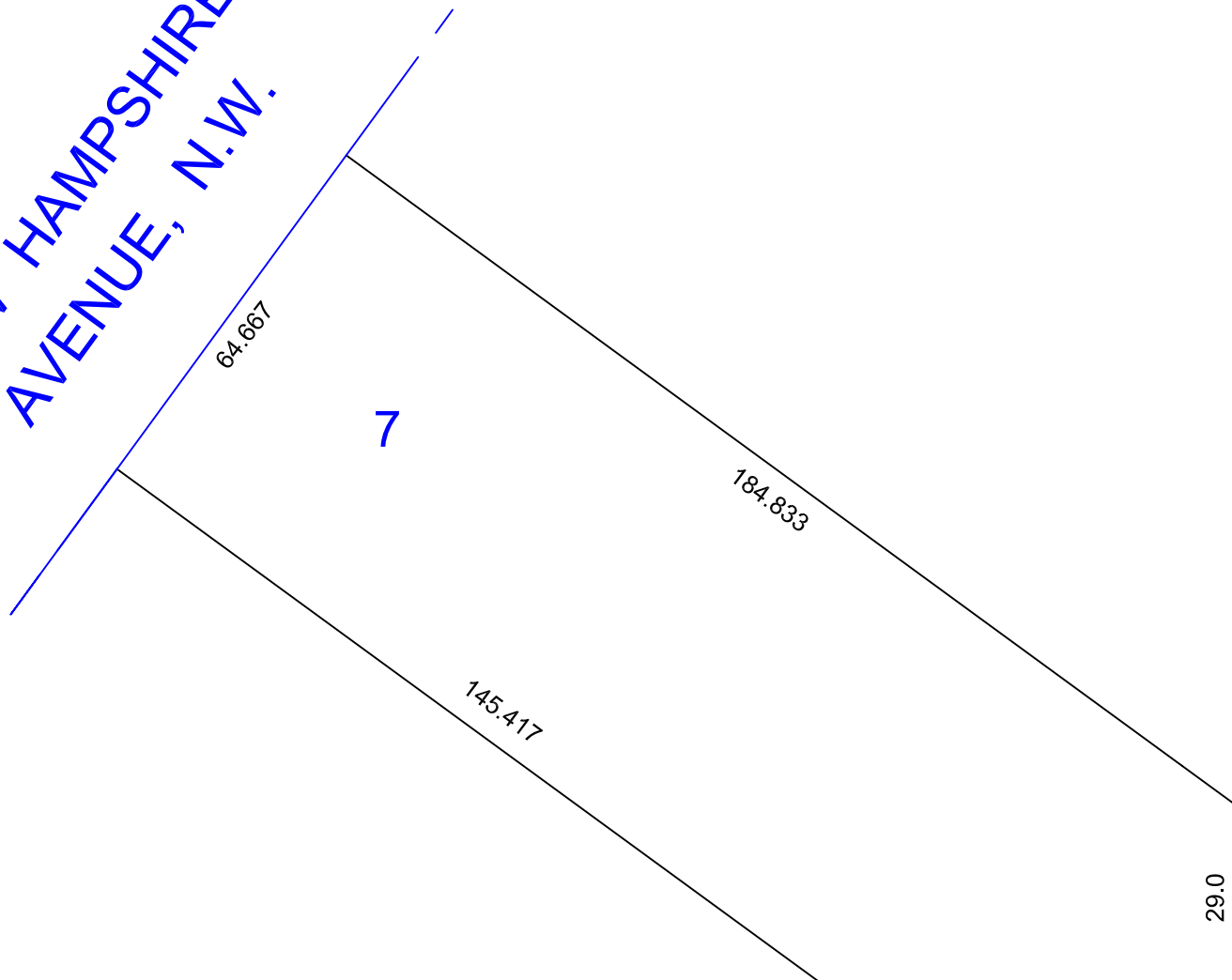
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Relationship to Lot Owner: \_\_\_\_\_

If a registered design professional, provide license number \_\_\_\_\_ and include stamp below.

\_\_\_\_\_  
Surveyor, D.C.

NEW HAMPSHIRE  
AVENUE, N.W.



SCALE: 1:30

DISTRICT OF COLUMBIA GOVERNMENT  
OFFICE OF THE SURVEYOR

Washington, D.C., April 26, 2019

Plat for Building Permit of: SQUARE 52 LOT 805

Scale: 1 inch = 30 feet

Recorded in Book A & T Page 3520-J

Receipt No. 19-04542 Drawn by: L.E.S.

Furnished to: DIANA HERNDON

I hereby certify that on this plat on which the Office of the Surveyor has drawn the dimensions of this lot, I have accurately and completely depicted and labeled the following:

- 1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, and any existing face-on-line or party wall labeled as such, well as projections and improvements in public space - with complete and accurate dimensions;
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- 4) I have/have not (*circle one*) filed a division of lots application with the Office of Tax & Revenue; and
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I acknowledge that any inaccuracy or errors in my depiction on this plat will subject any permit or certificate of occupancy issued in reliance on this plat to enforcement, including revocation under Sections 105.6(1) and 110.5.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of D.C. Law 4-164 (D.C. Official Code §22-2405).

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

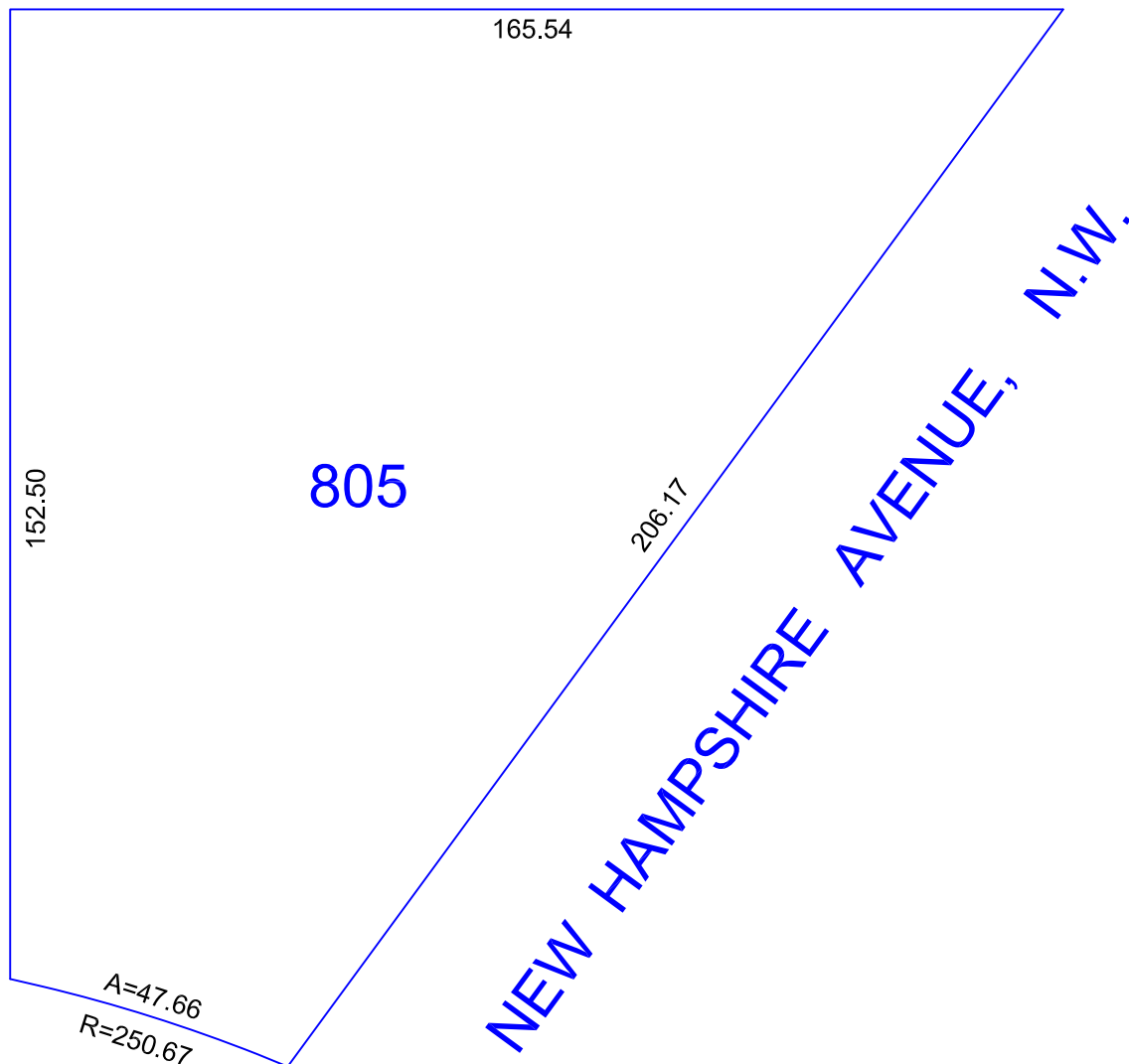
Printed Name: \_\_\_\_\_ Relationship to Lot Owner: \_\_\_\_\_

If a registered design professional, provide license number \_\_\_\_\_ and include stamp below.

\_\_\_\_\_  
Surveyor, D.C.

L STREET, N.W.

23RD STREET, N.W.



WASHINGTON  
CIRCLE



SCALE: 1:30



# EXHIBIT D


2007 OCT 16 PM 4:08

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of Zoning



MEMORANDUM

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**To:** Office of Documents and Administrative Issuance  
**From:** Sharon S. Schellin   
Secretary to the Zoning Commission  
**Date:** October 16, 2007  
**Re:** Publication for the Office of Zoning

---

Please publish the following in the *D.C. Register* on October 26, 2007:

1. Z.C. Order No. 06-11/06-12.

Attachment

ZONING COMMISSION  
District of Columbia

CASE NO. \_\_\_\_\_

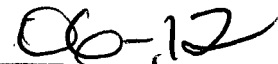


EXHIBIT NO. \_\_\_\_\_



ZONING COMMISSION  
District of Columbia  
CASE NO.06-12  
EXHIBIT NO.234

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**  
**ZONING COMMISSION ORDER NO. 06-11/06-12**  
**Z.C. Cases No. 06-11 and 06-12**  
**Applications of George Washington University for Special Exception Approval of a**  
**Campus Plan and for Approval of a First-Stage Planned Unit Development and**  
**Related Zoning Map Amendments for the Foggy Bottom Campus**  
**March 12, 2007**

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing to consider two applications from George Washington University ("Applicant" or "University") concerning its Foggy Bottom campus: Z.C. Case No. 06-11, an application for special exception approval of a new Campus Plan<sup>1</sup> ("Campus Plan") and Z.C. Case No. 06-12, an application for review and first-stage approval of a planned unit development and related amendments to the Zoning Map of the District of Columbia applicable to University-owned properties within the campus boundaries. The Commission considered the application in Case No. 06-11 pursuant to §§ 210, 3035, and 3104 of the Zoning Regulations and the application in Case No. 06-12 pursuant to Chapters 24 and 30 of the Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the applications, subject to conditions.

**FINDINGS OF FACT**

**Applications, Parties, and Hearing**

1. On February 16, 2006, the University submitted an application seeking special exception review and approval of a new campus plan for the Foggy Bottom campus. Also on February 16, 2006, in conjunction with the campus plan application, the University submitted an application for first-stage approval of a planned unit development ("PUD") and related amendments to the Zoning Map of the District of Columbia. Both applications were subsequently amended by filings submitted on July 13, 2006 and on August 25, 2006, as well as through several additional submissions made during the

---

<sup>1</sup> The application sought approval of "The Foggy Bottom Campus Plan: 2006-2025." The Commission understands that the intent of the application was to seek approval of a twenty-year term. As will be explained later, the Commission has chosen to begin that term upon the effective date of this Order.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of Zoning



MEMORANDUM

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**To:** Office of Documents and Administrative Issuance  
**From:** Sharon S. Schellin<sup>S<sup>3</sup></sup>  
Secretary to the Zoning Commission  
**Date:** October 16, 2007  
**Re:** Publication for the Office of Zoning

---

Please publish the following in the *D.C. Register* on October 26, 2007:

1. Z.C. Order No. 06-11/06-12.

Attachment

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
ZONING COMMISSION ORDER NO. 06-11/06-12**

**Z.C. Cases No. 06-11 and 06-12**

**Applications of George Washington University for Special Exception Approval of a  
Campus Plan and for Approval of a First-Stage Planned Unit Development and  
Related Zoning Map Amendments for the Foggy Bottom Campus  
March 12, 2007**

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**FINDINGS OF FACT**

**Applications, Parties, and Hearing**

1. On February 16, 2006, the University submitted an application seeking special exception review and approval of a new campus plan for the Foggy Bottom campus. Also on February 16, 2006, in conjunction with the campus plan application, the University submitted an application for first-stage approval of a planned unit development ("PUD") and related amendments to the Zoning Map of the District of Columbia. Both applications were subsequently amended by filings submitted on July 13, 2006 and on August 25, 2006, as well as through several additional submissions made during the

---

<sup>1</sup> The application sought approval of "The Foggy Bottom Campus Plan: 2006-2025." The Commission understands that the intent of the application was to seek approval of a twenty-year term. As will be explained later, the Commission has chosen to begin that term upon the effective date of this Order.

course of the public hearing in response to requests for further information by the Commission.

2. At a public meeting held April 20, 2006, the Commission voted to set down Case No. 06-12, the PUD application, for a public hearing. Pursuant to 11 DCMR § 3035.5, no setdown vote was required for Case No. 06-11, the request for approval of a new campus plan. The two applications were consolidated and heard simultaneously.<sup>2</sup> Notice of the public hearing was published in the *D.C. Register* on August 4, 2006 (53 DCR 6345) and was mailed to Advisory Neighborhood Commission (“ANC”) 2A and to owners of all property within 200 feet of the subject property.
3. The public hearing on the applications was conducted on September 14, 21, 25, and 28, October 11, and November 30, 2006. The hearing was conducted in accordance with the provisions of 11 DCMR §§ 3022 and 3117.
4. In addition to the Applicant, ANC 2A was automatically a party in this proceeding. The Commission granted requests for party status in opposition to the applications from the Foggy Bottom Association (“FBA”) and the West End Citizens Association (“WECA”).
5. The Applicant provided testimony and evidence from Louis Katz, the University’s executive vice president and treasurer; Dr. Lydia Thomas, vice president of the University’s board of trustees; Charles Barber, senior counsel; Sherry Rutherford, managing director of real estate and planning at the University; Matt Bell, qualified as an expert witness in architecture; Laura Hughes, an architectural historian; Anne Adams, qualified as an expert witness in architectural history; and Martin Wells, qualified as a traffic expert.
6. At the public hearing the Commission heard testimony and received evidence from the Office of Planning (“OP”), including the Historic Preservation Office, and from the Zoning Administrator and the District Department of Transportation (“DDOT”) as well as from ANC 2A and the two parties in opposition. The Commission also heard testimony from numerous persons either in support of or in opposition to the applications.

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<sup>2</sup> On April 10, 2006, the Office of Planning, on behalf of the District of Columbia, petitioned for a text amendment to amend the Zoning Regulations applicable to college and university uses located in Residence zones. The proposed amendment would have amended § 210 so as to increase the allowable aggregate floor area ratio (“FAR”) permitted for a university use in R-5-D and R-5-E districts from 3.5 to 4.0 FAR. The proposed text amendment was assigned Z.C. Case No. 06-19 and, on April 20, 2006, was set down for public hearing immediately prior to the hearing for Cases No. 06-11 and 06-12. Before the public hearing, by memorandum dated September 8, 2006, OP asked to withdraw the text amendment as unnecessary. By letter dated September 8, 2006, the West End Citizens Association asked to become the petitioner for the proposed text amendment. At its September 11, 2006 public meeting, the Commission voted 5-0-0 to dismiss Case No. 06-19 (Carol J. Mitten, Anthony J. Hood, Gregory N. Jeffries, John G. Parsons, and Michael G. Turnbull voting to dismiss).

7. At a special public meeting on January 17, 2007, the Commission requested additional information from the Applicant with respect to the public benefits and amenities proffered in support of the PUD application. At a special public meeting on February 5, 2007, the Commission took proposed action to approve the proposed PUD and related Zoning Map amendments in Case No. 06-12, subject to conditions, by a vote of 4-0-1 (Carol J. Mitten, Anthony J. Hood, John G. Parsons, and Michael G. Turnbull voting to approve; Gregory N. Jeffries not present, not voting).
8. The proposed action was referred to the National Capital Planning Commission ("NCPC") pursuant to § 492 of the District Charter. NCPC, by action dated March 1, 2007, found that the proposed PUD would not affect the federal interests in the National Capital, and would not be inconsistent with the Comprehensive Plan for the National Capital.
9. At a public meeting on March 12, 2007 the Commission took final action to approve the application in Case No. 06-12, subject to conditions, by a vote of 5-0-0. At the same public meeting, the Commission also voted to approve the application in Case No. 06-11, subject to conditions, by a vote of 5-0-0.

**Preliminary Matters**

10. The University's current campus plan was adopted by the Board of Zoning Adjustment by Order No. 16553-I, issued April 26, 2004. The campus plan was approved, subject to certain conditions, for a term ending June 30, 2009.
11. On August 31, 2006, FBA submitted a motion to dismiss the University's application for approval of a new campus plan on grounds that the Applicant failed to comply with Conditions 8 and 9(a) of Order No. 16553-I. According to the FBA, the University had "more students, fewer beds and more faculty" than allowed under Order No. 16553-I.
12. In its response, submitted September 11, 2006 in opposition to the FBA's motion, the Applicant asserted that the University "has continuously remained in substantial compliance with all of the Campus Plan conditions, and none of the grounds cited by the FBA or its expert in support of its motion provide any basis for its motion to dismiss." The Applicant also asserted that compliance with the existing campus plan was not a prerequisite for the filing of a new special exception application for approval of a new campus plan.
13. The Commission concurs with the Applicant that a finding of compliance with the existing campus plan was not required before the Commission could consider a request for approval of a new campus plan. The existing campus plan, by means of Condition

No. 20,<sup>3</sup> required the University to demonstrate its substantial compliance with that campus plan before any special exception application for further processing under that campus plan could be granted. Nothing in Condition No. 20, or any other provision of the existing campus plan or in the Zoning Regulations, precluded the filing of a new campus plan. The Commission makes no finding in this proceeding with respect to whether the University was in substantial compliance with the existing campus plan.

14. On August 31, 2006, FBA also filed a motion to postpone the proceeding pending the Applicant's preparation of a consolidated environmental review. FBA asserted that an environmental review of the Applicant's proposals was required before any zoning relief could be granted; specifically, FBA argued that the case should not proceed until the University had submitted an environmental impact screening form and the environmental review had occurred, which it claimed were required under the District of Columbia Environmental Policy Act of 1989 ("DCEPA"), D.C. Official Code § 8-109.01 *et seq.*
15. In its response, submitted September 11, 2006 in opposition to the FBA's motion, the Applicant asserted that "the environmental review process occurs as part of the building review process, not as part of planning review." The University argued that the DCEPA permits environmental review to take place after a major action has been approved but before it is implemented, that the District of Columbia Court of Appeals has held that environmental review is legally required to take place before construction actually commences rather than before zoning approval is granted, and that practical considerations necessitate that environmental review be conducted as part of the building permit stage rather than the planning review stage. According to the University, the Commission's consideration of environmental factors in reviewing the proposed PUD should be limited to the PUD evaluation standards set forth in 11 DCMR § 2400 *et seq.*
16. The Commission concurs with the Applicant that the proceeding should not be postponed pending the Applicant's preparation of a consolidated environmental review. Under the DCEPA, an environmental impact statement must address, among other things, the "relationship of the proposed major action to ... requirements as promulgated by the Zoning Commission." (D.C. Official Code § 8-109.02 (a)(2).) The purpose of a campus plan and a first-stage PUD is to determine, respectively, what the requirements of the Commission will be for a particular university use and for a particular development for which zoning relief is being requested. Thus, the DCEPA process cannot begin until after these requirements are determined, which, for these two applications, could not be known while the proceedings were ongoing. (*See Concerned Citizens of Brentwood v. D.C. Board of Zoning Adjustment*, 634 A.2d 1234, 1241 (D.C. 1993) (BZA did not violate DCEPA by failing to require an environmental impact statement assessing proposed use of property where the BZA order did not result in the issuance of any

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<sup>3</sup> Condition No. 20 is quoted in the Decision portion of this Order.



“license, permit, certificate, or authorization” and, therefore, requirements of DCEPA were not yet applicable) and *Foggy Bottom Association v. D.C. Board of Zoning Adjustment*, 791 A.2d 64, 71 (D.C. 2002) (affirming BZA order that declined to postpone consideration of a special exception application because necessary environmental review would occur as part of building review process.)

17. Further, the Commission’s consideration of the University’s applications is not an “action,” which the DCEPA defines, in pertinent part, as “a project or activity that involves the issuance of a lease, permit, license, certificate, other entitlement, or permission to act by an agency of the District government.” Approval of a campus plan and a first-stage PUD involves none of these things. Neither of these preliminary approvals would permit the University to obtain a building permit.
18. Nor can it be said that these approvals are permissions or entitlements, unless the Commission were to adopt the interpretation that granting a right to file an application is the type of permission or entitlement the Council was concerned with when it enacted the DCEPA. It is also worth noting that, while the word “permission” appears in the definition of the term “action,” it is not to be found in the actual substantive provision of the DCEPA that the FBA relies upon. The requirement that an agency determine whether an Environmental Impact Statement is necessary applies “if the action involves the grant or issuance of a lease, permit, license, certificate, or other entitlement by a District agency.” (D.C. Official Code § 8-109.03.) The absence of the word “permission” can only mean that an agency may approve an “action” that involves a “permission” without determining whether an EIS must be prepared.
19. In addition, an application for approval of a campus plan or a first-stage PUD is not a “major action” within the meaning of the DCEPA, because the actions being permitted – that is, the filing of a further-processing application or a second-stage PUD application – would not cost more than \$1,000,000.

### **Foggy Bottom Campus**

20. The property that is the subject of the campus plan application comprises the University’s Foggy Bottom campus, as defined by the Board of Zoning Adjustment (“BZA”) in its order approving the current campus plan. The subject property, located in Northwest Washington, has an area of approximately 43 acres and is bounded generally by K Street, Washington Circle, and Pennsylvania Avenue to the north; 24<sup>th</sup> Street to the west; F Street to the south; and 19<sup>th</sup> and 20<sup>th</sup> Streets to the east. The properties included within the campus boundaries are: Square 39, Lot 803; Square 40, Lot 36; Square 41, Lot 40; Square 42, Lots 14, 51, 52, 54, 55, 820, 821, 822, and 840; Square 43, Lot 26; Square 54, Lot 30; Square 55, Lots 28, 854, and 855; Square 56, Lots 30 and 31; Square 57, Lots 55 and 56; Square 58, Lots 1, 5, 6, and 800-804; Square 75, Lots 23, 33, 34, 41, 42, 46, 47,

858, 861, 863, 864, and 2001-2125; Square 77, Lots 5, 51, 59, 60, 845, 846, and 864; Square 79, Lots 5, 63-65, 806, 808, 853, 854, 861, and 862; Square 80, Lots 2, 26-30, 42-47, 50-52, 54, 55, 800, 802, 811, 820, 822-825, 828, 829, and 2001-2003; Square 81, Lot 846; Square 101, Lots 58, 60-62, 811, 839, 871, 874, and 879; Square 102, Lot 46; Square 103, Lots 1, 13, 14, 18, 26-28, 32-35, 40-42, 809, 812-814, 816, 819, and 820; Square 119, Lot 26; Square 121, Lot 17, 819, and 820; Square 122, Lots 29, 824, and 825; and Square N-101, Lot 800.<sup>4</sup>

21. The University's Foggy Bottom campus was first established in 1912. Within the campus boundaries, properties owned by the Applicant are devoted to a variety of university uses, including academic, administrative, medical, residential, campus life, and athletic, as well as to commercial and investment purposes.
22. Residential neighborhoods – Foggy Bottom and the West End – abut the campus to the west and north. The central employment area abuts the campus to the east; government offices and institutional uses predominate to the south.
23. Properties within the campus are zoned R-5-D, R-5-E, C-3-C, or SP-2. The campus is bounded by high-density zone districts, including C-3-C to the north, C-4 to the east, R-5-E and SP-2 to the south, and R-5-E to the west.
24. The campus is adjacent to the Foggy Bottom Historic District, located west of New Hampshire Avenue and zoned FB/R-3.
25. The campus includes 12 properties that have been designated historic landmarks, as well as numerous others that have been identified as either potential historic landmarks or buildings that would contribute to a potential historic district.
26. The Applicant submitted a plan for developing the campus as a whole, showing the location, height, and bulk of all present and proposed improvements, as required by 11 DCMR § 210.4. The development plan set forth in the proposed campus plan, to be implemented through the accompanying two-stage PUD, concentrates height and density within the central campus core, away from historically sensitive areas of campus and nearby residential neighborhoods.

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<sup>4</sup> Certain properties owned by the Applicant were included within the subject property of these applications and were also the subject of separate PUD applications before the Commission. These properties were (i) Square 54 (*see* Z.C. Case No. 06-27, concerning an application submitted May 30, 2006 by the University, Boston Properties, Inc., and KSI Services, Inc. for consolidated review and approval of a PUD and related map amendment to C-3-C to allow construction of a mixed-use development containing 333 dwelling units, 454,000 square feet of office space, and 84,000 square feet of retail space) and (ii) Square 80, Lot 55 (*see* Z.C. Order No. 06-17, effective February 23, 2007, approving an application by the University and D.C. Public Schools for consolidated review and approval of a PUD and related map amendment to SP-2 to allow construction of a new residence hall on property owned by the University as well as the renovation and expansion of the School Without Walls public high school).

27. No interim use of residentially-zoned land outside the Campus Plan boundaries was proposed as part of the campus plan. The Applicant indicated that, depending on the timing and sequencing of proposed development projects – particularly with respect to the redevelopment of the University Parking Garage – the University might need to utilize, on an interim basis, certain off-campus parking resources to maintain compliance with the 2,800-parking-space requirement. Any interim use of off-campus parking spaces shall be specifically addressed in connection with the second-stage PUD associated with the project triggering the interim parking use.

### **Campus Plan Application**

28. The Applicant stated that the new campus plan was proposed as a means to “provide for predictable, planned growth consistent with surrounding development patterns and guided by ‘smart growth’ and transit-oriented development principles.” According to the University, principal considerations underlying the proposed new campus plan included the constraints of limited space and financial resources and the redevelopment potential of Square 54, a large vacant parcel formerly the site of the University’s hospital.
29. The proposed campus plan incorporated a development plan – known as “Grow Up, Not Out” – in reference to an effort to accommodate the University’s forecasted academic and student housing needs within the campus boundaries – that calls for increased density targeted at specific locations within the campus boundaries. As noted, density will be concentrated in the core of the campus (especially along 22<sup>nd</sup> Street), away from residential areas. Some potential development sites were removed from consideration in favor of retaining historic resources on the campus.
30. The University described its need for additional space so as to provide new facilities that will address evolving technological and academic program needs and to increase the number of on-campus beds. According to the Applicant, growth is required to further the University’s core academic mission and enhance the quality of its educational programs. The campus plan calls for the addition of approximately 1.5 million square feet of academic space.
31. The development plan set forth in the proposed campus plan provides for the differentiated character of pedestrian-oriented east-west streets to help define the existing and proposed campus activity and development patterns. Pursuant to the plan, F Street will serve as a transitional street between the campus and nearby residential and institutional uses; G Street will feature new development that will complement the existing built environment and maintain historic and architecturally relevant buildings; H Street will serve as the primary “campus street,” the key location for future academic facilities and residential development, with active pedestrian traffic; and I Street will be

developed as an active retail corridor, providing campus and neighborhood-serving retail uses that will extend three blocks from the Foggy Bottom-GWU Metrorail Station to The Shops at 2000 Penn by incorporating ground-floor retail in University facilities as they are redeveloped.

32. The development plan identified 18 sites (including the sites of separate PUDs on Square 54 and Square 80) within the campus plan boundaries. Each site was designated a use category: Academic/Administrative/Medical, Residential/Campus Life/Athletic, or Commercial/Investment; three sites were designated for potential alternative uses. The development sites were selected based on each site's current use and condition, suitability for redevelopment, existing campus use patterns, and the University's forecasted space requirements. The proposed campus plan included a "development program summary" indicating the proposed height, site coverage, gross square footage, and net new beds and parking spaces for each development site.
33. The proposed campus plan proffered numerous conditions based on those previously adopted by the BZA as a condition of approval of the existing campus plan to avoid the creation of adverse impacts as a result of the location of university uses in a Residence zone. The Applicant's proposed campus plan restated all of the prior plan's conditions of approval, with certain modifications, and also incorporated some additional conditions to address concerns raised by residents of neighborhoods abutting the campus. The conditions address, among other things, the number of students, faculty, and staff at the Foggy Bottom campus; the number of beds available on campus for undergraduate students; student conduct; and transportation management, parking, and student vehicles.

#### Noise

34. The proposed campus plan contains provisions intended to avoid objectionable conditions arising from noise associated with student behavior. Pursuant to the current campus plan, the University established a hotline for use by members of the community to submit complaints and make inquiries regarding potential objectionable behavior by University students and other subjects of community concern. All calls are documented in an "incident report," and the reports are forwarded to the appropriate University offices, including the Dean of Students Office, the Office of District of Columbia and Foggy Bottom/West End Affairs, and University Relations. About 80 percent of calls to the hotline concern complaints of noise. University students found to have engaged in misconduct are subjected to University disciplinary action. The Student Code of Conduct provides for a progressive range of disciplinary actions based on the circumstances of each case to ensure appropriate treatment.

35. The Commission finds that the University policies regarding student conduct are appropriate and generally effective in seeking to avoid objectionable impacts on the surrounding residential community due to noise.

#### Traffic

36. The new campus plan did not propose to change the University's faculty and staff populations from the headcount and full-time equivalent levels approved in the existing campus plan; that is, a total headcount of 12,529 and a full-time equivalent of 10,550. The Applicant proposed to combine the faculty and staff counts into a single faculty/staff population cap to avoid complex distinctions among various categories of faculty and staff and to allow the University to report the employee population in a manner more consistent with existing business processes.
37. The campus is convenient to several modes of public transit, with the Foggy Bottom-GWU Metrorail Station located at 23<sup>rd</sup> and I Streets, N.W. and at least eight Metrobus lines as well as commuter buses providing service from locations throughout the District, Maryland, and Virginia. The University provides shuttle bus service between the Foggy Bottom campus and the Mount Vernon and Virginia (Loudoun County) campuses.
38. The University's traffic expert testified, and the Commission finds, that peak-hour vehicle trips are currently eight percent University-related during the morning peak and nine percent University-related during the afternoon peak. Future peak-hour vehicle trips were projected to be 11 percent University-related during the morning peak and 12 percent University-related during the afternoon peak.
39. The University's traffic expert testified, and the Commission finds, that the existing levels of service at intersections within the campus and in the immediate vicinity are primarily A through D during both the morning and evening peak. Lower levels of service were reported at the intersection of Pennsylvania Avenue and 24<sup>th</sup> Street (LOS F during both morning and evening peaks); the intersection of K Street and Washington Circle, on the west side of the circle (LOS F during the morning peak); the intersection of 21<sup>st</sup> and I Streets (LOS F during both morning and evening peaks); the intersection of Pennsylvania Avenue and 20<sup>th</sup> Street (LOS F during the morning peak); the intersection of Pennsylvania Avenue and I Street (LOS E during the morning peak); and the intersection of 23<sup>rd</sup> and I Streets (LOS E during the afternoon peak).
40. The University's traffic expert testified, and the Commission finds, that the total future levels of service at intersections within the campus and in the immediate vicinity, with projected improvements, were expected to remain primarily A through D during both the morning and evening peak. Lower levels of service were anticipated at the intersections currently experiencing lower levels of service, along with several other intersections

along the edges of the campus, especially F Street (LOS E during the morning peak at the intersections of F Street with 20<sup>th</sup> and 22<sup>nd</sup> Streets and during the afternoon peak at the intersection of F and 23<sup>rd</sup> Streets).

41. As part of the proposed campus plan, the University will enhance its existing Transportation Management Plan ("TMP") with additional measures to encourage greater transit use and minimize traffic impacts. The planned measures include utilization of a transportation management coordinator, technology initiatives, web-based transit purchases, a truck management plan, pedestrian and bicycle programs, parking management, and special-event management.
42. The Commission agrees with the conclusion of the Applicant's traffic expert that approval of the proposed campus plan, subject to conditions requiring implementation of measures to mitigate traffic impacts, will not tend to create conditions objectionable to neighboring property because of traffic.

#### Parking

43. The campus currently provides off-street parking in parking garages, both above and below grade, and in surface lots in various locations. The proposed campus plan identified several sites that could accommodate underground parking facilities, which the Applicant indicated would allow the University to meet the parking needs of the campus while providing flexibility necessary for the sequencing of development sites.
44. The Applicant proposed to maintain the current minimum parking requirement of 2,800 parking spaces on the campus.
45. The Commission finds that approval of the proposed campus plan will not tend to create conditions objectionable to neighboring property because of parking. Demand for parking is not likely to increase significantly, because the new campus plan will maintain the maximum student and faculty/staff populations permitted under the current campus plan, the University will attempt to reduce the number of trips to the campus by private vehicles through implementation of the TMP, and the campus will retain the current required minimum of 2,800 parking spaces within the campus boundaries.

#### Number of Students

46. The proposed campus plan contained the same enrollment caps as the current campus plan; *i.e.* a "Foggy Bottom student headcount" not to exceed 20,000 students and a "Foggy Bottom student full-time equivalent" not to exceed 16,553.

47. The Applicant proposed to define "Foggy Bottom student headcount" as the number of students in the student body at the University's Foggy Bottom and Mount Vernon campuses minus study-abroad students, continuous enrollment students, students who reside at the Mount Vernon campus, students who take all of their courses at the Mount Vernon campus, and Foggy Bottom faculty and staff who are also enrolled in one or more courses at the Foggy Bottom campus. The definition was designed to encompass all of the University's students enrolled in a creditable course who maintain a "primary relationship" with the Foggy Bottom campus.
48. The Applicant proposed to calculate the "Foggy Bottom student full-time equivalent" by assigning a fraction to part-time students included in the Foggy Bottom student headcount number based on the number of credits they are taking compared to a full-time course load (currently 12 credits for undergraduates and 9 credits for graduate and professional students) and adding the number of full-time students. The Applicant indicated that the formula for determining full-time equivalents might change over the term of the campus plan depending on program requirements or the restructuring of the academic calendar.
49. The University reported that, in Fall 1999, full-time undergraduate enrollment at the Foggy Bottom campus was 6,857 students, with 3,519 beds available to undergraduates on-campus (51 percent). By Fall 2006, full-time undergraduate enrollment at the Foggy Bottom campus was 8,204 students, with 6,381 beds available to undergraduates on-campus (78 percent).
50. The University calculated these figures based upon the methodology it had employed under the existing campus plan for calculating its full-time undergraduate enrollment. However, the University has proposed a modified methodology to be used under the new plan that, if immediately utilized, would result in the University being out of compliance with its on-campus housing requirement as stated in Condition C-7 of this Order. As a matter of fairness, the Commission is allowing the current methodology to be used for the purposes of determining compliance with that condition until the fall 2010 semester or until the completion and occupancy of the next GW residence hall project proposed in accordance with the Foggy Bottom or Mount Vernon Campus Plans, whichever occurs first.
51. The proposed campus plan incorporated the on-campus housing requirements set forth in the existing campus plan. The new campus plan proposed to make up to 1,000 additional beds available on-campus for undergraduate students, including approximately 474 beds in a new residence hall approved as part of a PUD for Square 80.
52. The Commission finds that approval of the proposed campus plan will not tend to create conditions objectionable to neighboring property because of the number of students. The

new campus plan will maintain the maximum headcount and full-time equivalent student populations permitted under the current campus plan; will continue to require the University to make beds available on-campus for 70 percent of the full-time undergraduate population, plus one bed for each additional undergraduate student in excess of 8,000; and will maintain measures implemented by the University to educate students on "good neighbor" issues and to address potential misconduct by students living off-campus.

**Other Objectionable Conditions**

53. The Commission does not find that approval of the proposed campus plan will tend to create other conditions objectionable to neighboring property.

**PUD Application**

54. The PUD site encompasses all properties owned by the University within the campus plan boundaries.<sup>5</sup> The affected properties are: Square 39, Lot 803; Square 40, Lot 36; Square 41, Lot 40; Square 42, Lots 54 and 55; Square 43, Lot 26; Square 54, Lot 30; Square 55, Lots 28, 854, and 855; Square 56, Lots 30 and 31; Square 57, Lots 55 and 56; Square 58, Lots 1, 5, 6, and 800-803; Square 75, Lots 23, 33, 34, 41, 42, 46, 47, 858, 861, 863, 864, and 2097; Square 77, Lots 5, 51, 59, 60, 845, 846, and 864; Square 79, Lots 63-65, 808, 853, 854, 861, and 862; Square 80, Lots 2, 26-29, 42-47, 50-52, 54, 55, 800, 811, 820, 822-825, and 828; Square 81, Lot 846; Square 101, Lots 58, 60, 62, and 879; Square 102, Lot 46; Square 103, Lots 1, 13, 14, 27, 28, 33-35, 40-42, 809, 812-814, 816, 819, and 820; Square 121, Lot 819; and Square 122, Lots 29, 824, and 825.
55. The land area of the PUD Site is approximately 1,669,744 square feet. The PUD Site exceeds the minimum area requirements specified in § 2401; the Zoning Regulations do not specify a maximum permitted area for a planned unit development.
56. The PUD Site is located in the Institutional land use category depicted on the District of Columbia Generalized Land Use Map. The areas immediately to the north and east of the campus plan boundaries are designated for high-density commercial use; the area immediately to the south is designated for high-density residential use; and the area to the west is designated for moderate-, medium-, and high-density residential use.
57. The PUD Site is located in the R-5-D, R-5-E, SP-2, and C-3-C Zone Districts. The R-5-D Zone District permits a maximum height of 90 feet, maximum lot occupancy of 75 percent, and maximum density of 3.5 FAR; the PUD guidelines for the R-5-D District

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<sup>5</sup> Any properties within the campus boundaries acquired by the University after the campus plan and PUD filing and advertisement will not be included in the first-stage PUD unless the PUD is subsequently amended to include them. Those properties would be covered by the campus plan by virtue of their location within the campus boundaries.



allow a maximum height of 90 feet and maximum density of 4.5 FAR. The R-5-E Zone District permits a maximum height of 90 feet, maximum lot occupancy of 75 percent, and maximum density of 6.0 FAR; the PUD guidelines permit the same. The SP-2 Zone District permits a maximum height of 90 feet, a maximum lot occupancy of 80 percent for buildings devoted to residential use, and a maximum density of 6.0 FAR for buildings devoted to residential use; the PUD guidelines allow a height of 90 feet and a maximum density of 6.5 FAR for buildings devoted to residential use. The C-3-C Zone District permits a maximum height of 90 feet, maximum lot occupancy of 100 percent for all uses, and maximum density of 6.5 FAR; the PUD guidelines allow a maximum height of 130 feet and a maximum density of 8.0 FAR.

58. The proposed PUD identified specific development sites detailed in the campus plan as second-stage PUD projects. Additional density and height were targeted on specific development sites primarily located in the campus core.
59. To achieve the height and density necessary to accommodate the University's forecasted academic and student housing needs within the campus boundaries, the Applicant requested a zoning map amendment in conjunction with the PUD that would rezone certain properties within the PUD Site to the C-3-C Zone District and one site to the C-4 Zone District. The northeast corner of the campus is currently zoned C-3-C, and areas to the north and east of the campus are zoned C-3-C and C-4, respectively. The residential zoning of the remainder of the campus, specifically those areas adjacent to the existing residential communities to the west and south of campus and the development sites included in those areas, will remain unchanged.
60. The proposed rezoning of the identified sites to C-3-C and C-4 is consistent with current zoning within the campus boundaries and the zoning of the surrounding properties. The proposed rezoning is also consistent with the Comprehensive Plan's Generalized Land Use Map designations for the surrounding properties.
61. The first-stage PUD identified 16 potential development sites within the campus boundaries and designated the proposed uses, height, lot coverage, and gross floor area for each site. Consistent with the University's proposal, each development project identified in the PUD will require approval through a second-stage PUD, including a detailed site plan review, to confirm compliance with the first-stage approval and the applicable provisions of § 210.
62. The University proposed building heights up to 130 feet along Pennsylvania Avenue, consistent with the existing commercial zoning and surrounding high-density environment; up to 110 feet along 22<sup>nd</sup> Street between G and I Streets, reflecting the intensity of existing and proposed University uses and the desire to concentrate density in the campus core, away from surrounding residential neighborhoods; and up to a

maximum of 90 feet on the balance of campus, remaining sensitive to certain areas where a lower scale for new development is appropriate.

63. The existing density on campus is approximately 5.6 million square feet of gross floor area, creating a density of approximately 3.0 FAR in the Residence districts and 3.4 FAR for the campus as a whole. The Applicant sought to increase density through the first-stage PUD and related zoning map amendments to a total of 7.4 million square feet, for an overall density of 4.77 FAR and an aggregate density of 5.0 FAR for the campus (including the projects proposed in separate PUDs for Square 54 and Square 80).
64. The Commission finds that the proposed increases in density, at the identified locations, are appropriate. The Applicant's proposal will result in greater density in locations in the central core of the campus, further from the surrounding residential neighborhoods. The increased density will not violate § 210, which applies to university uses located in a Residence zone within the boundaries of an approved campus plan, because the proposed density for the residentially-zoned portions of the campus will be 3.69 FAR, less than the density of 4.5 FAR permitted under a PUD in the R-5-D zone.
65. The proposed PUD will provide the following project amenities and public benefits:
  - a. Streetscape Plan. The Streetscape Plan sets forth a framework for future streetscape improvements to occur over the next two decades in accordance with the new campus plan. The Streetscape Plan reflects the diversity of the campus — particularly the primary “campus streets” (G, H, and I Streets) — and focuses on areas where university activity is concentrated. The Streetscape Plan includes a block-by-block implementation plan for appropriate streetscape improvements to be made to all “enhanced” streetfronts. The University estimated that the cost to implement the sidewalk, curb, and gutter improvements associated with the Streetscape Plan will exceed \$5.5 million (in current dollars). Street trees and lighting improvements are estimated to cost approximately \$1.1 million (in current dollars). It is anticipated that DDOT will share some costs associated with the installation and maintenance of street trees and lighting improvements.
  - b. Sustainable Development Planning and Design Principles. The first-stage PUD will provide an approach to future campus development consistent with sustainable development and neighborhood planning standards advanced by the U.S. Green Building Council, the Congress for New Urbanism, and the Natural Resources Defense Council. In connection with each second-stage PUD application, the University will provide an overview of specific environmentally sensitive features to be incorporated into the design and construction of the project.

- c. Historic Preservation Plan. The University worked with the Historic Preservation Office (“HPO”) and a team of architectural historians to develop a comprehensive Foggy Bottom Campus Historic Preservation Plan, which proposed a historic district on the campus as well as the landmark designation of several additional campus buildings. The Applicant’s historic preservation plan for the Foggy Bottom campus was presented to the Historic Preservation Review Board, as a master plan review at public meetings on June 29, 2006 and July 27, 2006. The University assumed the cost, approximately \$100,000, associated with the preparation and submission of the multiple landmark applications and the preparation of the historic district application for submission by the HPO. Future University expenditures associated with the heightened maintenance associated with the designated structures, though difficult to quantify, will be significant and ongoing. The implementation of the University’s preservation commitment will preserve and protect the historic built environment of the campus for the benefit of the University community, the Foggy Bottom and West End communities, and the city.
  
- d. I Street Retail Corridor. The new campus plan contemplates the creation of a dynamic retail corridor along I Street, providing neighborhood-serving retail services. The I Street retail corridor concept, coupled with the retail program included in the proposed mixed-use development on Square 54, will help create a critical mass of retail extending from the Foggy Bottom-GWU Metro Station to The Shops at 2000 Penn. This effort will be implemented over time by including ground-floor retail in University facilities as they are redeveloped and will provide opportunities for a variety of retailers, including small local and “mom and pop” establishments, as University retail venues are often smaller in scale and retail rents charged by the University are generally below-market. Estimated rents for retail space along the proposed I Street retail corridor are expected to be approximately \$25 per square foot (comparable to the grocery store rents contemplated on Square 54). The overall cost to the University of providing this amenity is the difference between the revenues generated from I Street retail rents and the cost of occupying other space (as a tenant) at an estimated \$40 per square foot (average). The Applicant estimated the value of the I Street Retail Corridor amenity in excess of \$4 million (assuming a capitalization rate of six percent).
  
- e. Below-Grade Parking. The proposed campus plan calls for the construction of underground parking facilities at various sites dispersed throughout the campus and the elimination of the above-grade University Parking Garage (located at 22<sup>nd</sup> and I Streets) and other surface lots. The elimination of surface parking will reduce stormwater runoff, allow for more efficient utilization of existing space resources, and enhance the campus environment by distributing traffic and improving pedestrian safety. This element will result in substantial costs in

excess of those associated with providing spaces at or above grade. In current dollars, construction costs associated with below-grade parking are estimated at \$58,000 per space.

- f. Off-Campus Commitments. In response to concerns expressed by OP, ANC 2A, and neighborhood residents, the University made certain commitments with respect to off-campus properties. Specifically, the University proposed to limit its rights with respect to the acquisition and use of residentially-zoned properties outside of the campus plan boundaries in the Foggy Bottom/West End area. The commitment would not preclude the purchase of properties for investment purposes, but would restrict the University from purchasing a residentially-zoned property within the Foggy Bottom/West End area and changing its use to one limited to the University population. The University also proposed a schedule for ending the use of off-campus residence halls to house undergraduate students, with certain exceptions.
66. The Commission finds that the project amenities and public benefits proffered by the Applicant and adopted as conditions in this Order are commensurate with the additional height and density sought and warrant the planning flexibility available through the PUD process.
67. The proposed rezonings are not inconsistent with the Comprehensive Plan and are in keeping with the character of the surrounding neighborhood. The Commission credits the testimony of OP that the uses, buildings, and zoning changes described in the PUD are compatible and consistent with the institutional use designation of the campus area on the Comprehensive Plan Generalized Land Use Map and with the character of the surrounding neighborhood.
68. The PUD and Zoning Map amendments are consistent with the Major Themes of the Comprehensive Plan, especially those relating to stabilizing and improving the District's neighborhoods, respecting and improving the physical character of the District, and preserving the historic character of the District. The PUD will further the objectives and policies of several of the Major Elements of the Comprehensive Plan, including:
  - a. the Urban Design Element, through the preservation and enhancement of the outstanding physical qualities of District neighborhoods, use of appropriate arrangements of height, scale, mass, and buffering to complement the immediate region, development of a unifying system of well-designed streets and sidewalks, creation of a visually interesting environment in the public space that attracts people and stimulates redevelopment and commerce, respect of boundaries of areas having strong architectural character, both within the campus and relative to the Foggy Bottom/West End neighborhood;

- b. the Preservation and Historic Features Element, through the continued appropriate use of historic properties, protection of the established form of development in historic districts, protection of the integrity of historic properties, and new construction that is compatible with the historical architectural character of the historic landmarks and district; and
  - c. the Land Use Element, by encouraging the development of adequate neighborhood shopping, protecting residential neighborhoods from disruptive uses, assuring neighborhood stability as non-government institutions grow, promoting the continued contributions by private institutions toward the economic and cultural vitality of the District, and recognizing the specialized land needs and unique economic and human development opportunities presented by colleges and universities.
69. The PUD and Zoning Map amendments are also consistent with objectives of the Ward 2 Element, including:
- a. the alleviation of pressures caused by students on the housing stock outside the boundaries of the campus plan through commitments not to purchase residentially-zoned properties outside the campus boundaries and to end the use of existing off-campus residences to house undergraduates;
  - b. the implementation of the Streetscape Plan;
  - c. the improvement of the land-use mix and urban design qualities of areas around the Foggy Bottom-GWU Metrorail Station;
  - d. the development of new businesses, with a special emphasis on small and minority business development, compatibility of businesses with adjacent residential neighborhoods, and mixed-use residential and commercial uses;
  - e. the utilization of the potential of the District's universities to create an expanded center of knowledge and learning in the center of Washington; and
  - f. the designation of buildings and areas in Ward 2 meriting historic landmark and historic district protection, and preservation and reuse of historic landmarks and buildings in historic areas in Ward 2.
70. The impacts associated with the implementation of the PUD on the surrounding area and on public facilities and services are acceptable and commensurate with the public benefits of the PUD.

71. Consistent with § 2407.7, the Applicant described a “community-based planning process” undertaken by the University to engage a variety of interested stakeholders and elicit their input and feedback. The University retained Ehrenkrantz Eckstut & Kuhn as the lead architect/planner to study the future of the Foggy Bottom campus in the context of its surrounding neighborhoods; launched a website ([www.neighborhood.gwu.edu](http://www.neighborhood.gwu.edu)) to make available relevant planning materials; and cosponsored, with OP, an Urban Land Institute Advisory Services Panel to evaluate the development potential of Square 54. The University also cosponsored, with OP and ANC 2A, a series of open community meetings moderated by an independent facilitator, at which a list of issues and concerns raised by participating stakeholders was compiled and made publicly available; the Applicant indicated that many of the issues and concerns resulted in changes to the proposed campus plan. Following the series of cosponsored meetings, the University continued to participate in outreach activities, including community meetings, small-group briefings, brown bag lunches, and one-on-one information sessions.

#### **Office of Planning**

72. By memorandum dated September 5, 2006, OP recommended approval of the University’s applications, subject to certain conditions. OP reviewed the applications both under the standards for special exception approval of a campus plan under § 210 and under the guidelines for a PUD set forth in chapter 24 of the Zoning Regulations.
73. At the public hearing, OP testified that approval of the proposed campus plan would likely have no objectionable impacts in terms of noise, traffic, number of students, or other objectionable conditions under the special exception standards of § 210. OP also stated that the campus plan proposal was not inconsistent with the Comprehensive Plan, but would support Comprehensive Plan policies in the Land Use Element that advocated protection of established residential neighborhoods and economic development, as well as furthering the Ward 2 Plan’s policy in favor of the protection of historic resources through the formation of a campus historic district.
74. OP stated that the proposed first-stage PUD identified specific development sites that would allow the University to meet its forecasted space needs but would limit development on the remainder of the campus. OP testified that the PUD process was the only mechanism that would adequately provide certainty about how the campus plan would be fulfilled. OP further found the commitments and benefits associated with the PUD to be commensurate with the density and flexibility sought through the PUD process, and to be likely to reduce the University’s impacts on the surrounding community. OP testified that the proposed PUD-related zoning changes were not inconsistent with the Comprehensive Plan and were in keeping with the character of the surrounding neighborhood.

**Zoning Administrator**

75. The Zoning Administrator submitted a report on a “student count audit” undertaken by Walker & Company, LLP under contract with the Department of Consumer and Regulatory Affairs (“DCRA”). The audit considered “two core considerations: 1) what constitutes a ‘student’ and 2) verification of the student count numbers” provided by the University. Based on the auditor’s finding, the Zoning Administrator recommended that the Commission “further refine and clarify the definition and methodology for conducting future headcounts” so as to count “all students physically present in the neighborhood by attending courses at the Foggy Bottom campus” without any double-counting (e.g. a faculty or staff person who enrolled as a student).
76. By report dated October 11, 2006 and through testimony at the public hearing, the Zoning Administrator testified as to the enforceability of conditions proposed by the parties in their respective October 4, 2006 filings.

**District Department of Transportation**

77. By memorandum dated September 14, 2006, DDOT indicated its agreement with “most of the conclusions and recommendations” of the Applicant’s transportation impact study and DDOT’s support for the applications “provided that the University fully implement the proposed transportation management plan (TMP) that includes public transportation passes, shuttle bus service, [University] parking facility permits, carpool programs, attendant parking and a parking deduction program.” DDOT agreed that University-related traffic accounted “for no more than 10 percent of all traffic on streets within the campus during the AM and PM peak hours.”
78. DDOT commented favorably on the Applicant’s plan “to disperse traffic across the campus by providing parking facilities at various locations, rather than concentrating parking at the University Parking Garage located at 2211 H Street, NW.” According to DDOT, locating parking structures throughout the campus would minimize impacts on the surrounding neighborhoods and provide convenient access to major commuting routes.
79. DDOT indicated its support for the traffic management recommendations of the Applicant’s transportation study. DDOT recommended that the University should continue its efforts to maximize many undergraduate residential facilities within the study area in order to reduce vehicle trips and congestion around the Foggy Bottom campus and to provide transit subsidies to faculty and staff to encourage transit use.

80. DDOT indicated that additional information was needed with respect to the Applicant's conclusion that certain curb parking spaces should be restricted during travel peak hours and to University parking policies applicable to first- and second-year undergraduate students. DDOT also requested the University to provide quarterly reports to DDOT and ANC 2A regarding utilization of transit services and the number of vehicles entering and leaving the campus daily. DDOT agreed to monitor traffic conditions in the study area to determine if additional transportation improvements were needed.
81. DDOT submitted a supplemental report, dated November 27, 2006, to provide additional information in response to issues raised by the FBA's traffic expert. DDOT indicated its continued support for the traffic management recommendations made by the University.

#### ANC 2A

82. At a regularly scheduled meeting on August 16, 2006, with a quorum present, ANC 2A approved a motion in opposition to the applications based upon the following issues and concerns:
  - a. The applications should not be considered until proof of compliance with conditions of approval of the existing campus plan had been proffered, pursuant to Condition No. 20 of the current campus plan, which provides that no special exception application filed by the University may be granted unless the University first proves it has remained in substantial compliance with Conditions 1 through 19 of the order that approved the campus plan.
  - b. The Zoning Regulations, in order to limit the intensity of university uses and their attendant impacts, provide in §§ 210.3 and 402.2 that the total bulk of all buildings and structures on the campus shall not exceed either 1.8 FAR or 3.5 FAR, depending on the zoning of the residential properties in question. By applying the PUD process campus-wide, the University requests rezoning of major portions of its campus to C-3-C or C-4 and requests further relief under Chapter 24, which would have the effect of taking all major proposed construction out of the scope of the limitation of §§ 210 and 402 by removing those parcels from the Residence zones. The aggregate impact of the requested changes would be to increase the bulk of structures on the campus from a current 3.5 FAR to 5.0 FAR or more, destroying the protection of the regulations and perverting the intended uses of PUDs. Neither rezoning applications nor PUD applications should be considered in lieu of or as granting rights in addition to those set out in § 210.



- c. The University currently has the right to add an estimated 550,000 square feet of net new construction, while complying with §§ 210 and 402 without further Commission action. The pending applications anticipate construction of approximately 2.75 million square feet of net new construction on a campus of approximately 43 acres. Given the record of a tipping point reached between University expansion and preservation of the nearby residential neighborhoods, the impacts attendant to development for institutional uses of 2.75 million square feet of property currently zoned for residential use, some 2.2 million more square feet than is permissible under current zoning, would necessarily violate the standard of § 210. No development beyond the currently allowable 550,000 square feet should be considered and that should be allowed only upon the showings required by § 210.
  - d. There is no indication that satellite campuses have been considered, even though the effects of University growth on the co-located residential community have been the subject of administrative and judicial proceedings.
  - e. Square 54 is a large parcel located within the campus boundary that would accommodate the remaining needs of the University to house students in order to comply with Condition No. 9 of the current campus plan, as well as academic and university office uses. Its use as an entirely commercial development frustrates compliance with the current plan and the law and would create arguments and pressures for even greater development of other parcels within the campus. Separate consideration of the University's Square 54 proposal violates § 210.4, requiring that a university submit "a plan for developing the campus as a whole."
  - f. No further consideration should be given to the applications before the environmental impact review process is complete as to all proposed construction on Square 54 and elsewhere on or near the 23<sup>rd</sup> Street corridor, in light of a 1999 finding by the Department of Health that the area in the 23<sup>rd</sup> Street corridor just south of Washington Circle will experience peak carbon monoxide concentrations close to the applicable health standard, and because the DCEPA and applicable regulations require that the environmental impact statement process be initiated at the earliest stages of planning for major actions.
83. Through testimony at the public hearing, ANC 2A requested denial of the applications "as failing to satisfy either the legal requirements for campus plans or the public policies undergirding those requirements." The ANC noted that the Board of Zoning Adjustment, in adopting the Applicant's existing campus plan, had found that the Foggy Bottom/West End neighborhood was at a "tipping point," such that the continued vitality of the residential neighborhood was in jeopardy from pressures associated with University expansion. According to ANC 2A, the existing campus plan has not "produced a

diminution of impacts and a more secure residential community,” but “traffic, noise, student behavior and other impacts have continued and increased.”

84. ANC 2A objected that the Applicant had not shown the location, height, and bulk of all present and proposed improvements or analyzed “their interconnections and synergies and aggregate impacts.” The ANC argued that the University should be required “to show no likelihood of objectionable impacts from the *totality* of their plan” (emphasis in original).
85. The ANC also objected to “the effects of framing this application as a massive Planned Unit Development rather than as a special exception under the protective provisions of Section 210.” According to the ANC, “there is nothing in the regulations to indicate that Chapter 24 was intended to be applied to campus plans, overriding the protective provisions (FAR limit and finding of not objectionable impact) of Section 210.”

#### **Parties in Opposition**

86. The Foggy Bottom Association presented testimony and evidence from George Oberlander, an expert in planning; Joe Mehra, an expert in traffic; Joy Howell; and Elizabeth Elliott. The FBA argued that the existing campus plan should remain in effect, subject to more stringent enforcement of the conditions of its approval. According to the FBA, “major problems” remained in the Foggy Bottom neighborhood despite the 2000 campus plan, particularly with respect student housing, misconduct, and activities that draw large numbers of students and visitors to the campus.
87. With respect to student enrollment, the FBA asserted that the University’s compliance reports, submitted in accordance with the 2000 campus plan, omitted certain categories of students and that the University had understated its actual enrollment by changing its counting methodology. The FBA argued that the “focus should be on the total intensity of use of the Foggy Bottom campus,” so that all students (and other persons using the campus) be counted.
88. The FBA opposed the University’s proposed 20,000 student cap, stating that any cap “should set a limit that realistically measures the impact of usage of the Foggy Bottom campus.” According to the FBA, “headcount (however defined)” was not a sufficient measure of total impact; rather, “the focus should be on the intensity of uses of the campus.”
89. The FBA also argued that the Applicant’s proposed conditions of approval of the new campus plan contained “several loopholes,” particularly with respect to use of the Foggy Bottom campus by students living elsewhere, enforcement of the conditions, the

University's acquisition of off-campus properties, and the University's student disciplinary program.

90. According to the FBA, the applications should be denied because the Applicant failed to show that additional development would not be objectionable based on noise, traffic, number of students, or other objectionable conditions, but instead offered "alleged amenities" to divert the focus from problems associated with the requested increase in density.
91. The FBA objected to use of the PUD process in conjunction with the campus plan, stating that nothing in the Zoning Regulations contemplated a campus-wide PUD and that approval of a special exception pursuant to § 210 was "the only method in the Zoning Regulations to deal with the specific problems of allowing universities in a residential neighborhood."
92. The FBA argued that the Applicant's proposed benefits and amenities would not counter the objectionable impacts attendant to use of the campus under the proposed campus plan, in part because the University would not be precluded from expanding its operations to off-campus locations and because the amenities would not offset the detrimental impacts – additional traffic, activity, noise, and other negative effects on the neighborhood – associated with the increased density requested under the proposed PUD.
93. According to the FBA, the additional density called for under the proposed campus plan would exacerbate existing adverse conditions, while the requested PUD-related rezonings to C-3-C would circumvent the density maximums specified in § 210.
94. The FBA's traffic expert raised questions about the traffic study submitted by the Applicant, particularly concerning truck traffic and determinations of the levels of service at intersections on or near the campus.
95. WECA presented testimony and evidence from Barbara Kahlow. According to WECA, the Commission should postpone consideration of the University's proposed 20-year plan until the Zoning Regulations governing campus plans have been amended, in part, because the proposal – a combination of campus plan and planned unit development – was not permitted under current zoning. WECA objected to approval of an "omnibus" PUD of the size proposed by the Applicant and to approval for a 20-year term. According to WECA, a term longer than one year was not permissible for a first-stage planned unit development. WECA indicated its support for only limited expansion in Foggy Bottom by the University, possible development of satellite campuses in other locations, and the adoption of certain conditions that would limit the University's acquisition of off-campus properties, restrict freshman and sophomore students from bringing cars to the campus or parking in the Foggy Bottom/West End area, and require

the Applicant to submit an environmental impact statement before further processing of the approved campus plan as well as with each future “major action” proposal submitted to the Commission.

### **Persons in Support**

96. The Commission heard testimony or received letters from numerous persons and organizations in support of the applications. The persons in support, who included many current and former students of the University, residents living in Foggy Bottom, and persons affiliated with neighborhood businesses, generally commented favorably on the University’s “Grow Up, Not Out” concept, the development of a new retail “town center” along I Street as part of the redevelopment of Square 54, the University’s commitment to house more undergraduates on campus, the University’s need to upgrade its facilities, and the benefits to neighborhood residents offered by the University, such as the opportunity to take classes and use university facilities.

### **Persons in Opposition**

97. The Commission also heard testimony or received letters from a number of persons and organizations in opposition to the applications. The persons in opposition, who included primarily residents living in Foggy Bottom, generally cited adverse impacts associated with the continued growth of a large institution in a residential neighborhood; the loss of permanent, taxpaying residents; objectionable behavior by students; the use of the PUD process, rather than special exceptions approved pursuant to § 210, for projects within the campus boundaries; and the uncertainty associated with the 20-year term of the proposed new campus plan.

## **CONCLUSIONS OF LAW**

1. The Applicant requested special exception approval, pursuant to 11 DCMR §§ 210, 3035, and 3104, of a new campus plan for a term ending June 30, 2025, and approval, pursuant to 11 DCMR Chapter 24, of a first-stage planned unit development valid for 20 years and related Zoning Map amendments for its Foggy Bottom campus. The Commission is authorized under the aforementioned provisions to grant a special exception when, in the judgment of the Commission, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. A special exception to allow use as a college or university in a Residence zone may be granted subject to the provisions contained in § 210, including that the university use must be “located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable

conditions,” and that maximum bulk requirements may be increased for specific buildings, subject to restrictions based on the total bulk of all buildings and structures on the campus. (11 DCMR §§ 210.2 – 210.9.) The Commission is also authorized under the Zoning Act to approve planned unit developments consistent with the requirements set forth in Chapter 24 of the Zoning Regulations.

2. Based on the above Findings Of Fact, the Commission concludes that the Applicant has satisfied the burden of proof for special exception approval of the proposed new campus plan in accordance with § 210. The new plan will carry over principal elements of the current plan, including the existing caps on student and faculty/staff populations and the existing minimum requirement for off-street parking spaces within the campus boundaries. The new campus plan will also continue to include the conditions of approval of the existing campus plan to avoid creation of adverse impacts or objectionable conditions, as well as some new conditions intended in part to document compliance with the conditions of approval.
3. Also based on the above Findings Of Fact, the Commission concludes that the Applicant has satisfied the burden of proof for approval of the proposed first-stage PUD and related Zoning Map amendments under Chapter 24 of the Zoning Regulations. The planned unit development process is an appropriate means to control the future development of the Foggy Bottom campus in a manner consistent with the best interests of the District of Columbia. Approval of the University’s proposed PUD will encourage high-quality developments that provide public benefits, consistent with the overall goal of the PUD process to permit flexibility of development and other incentives, provided that the PUD project “offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare and convenience.” (11 DCMR §§ 2400.1, 2400.2.)
4. The first-stage PUD sets the framework for new development on the campus in terms of bulk, height, and massing, and identifies specific sites that may be developed in future second-stage projects, with no other developments permitted, other than approved planned unit developments filed prior to the effective date of this Order. The Commission concludes that the increased density requested by the Applicant is appropriate for the campus and that the proposed placement of the density on the identified building sites, considering proposed height and lot occupancy parameters, will be acceptable. Under the University’s proposal, the majority of the new development will place greater density toward the center core of the campus, maintaining lower densities on the perimeter, adjacent to residential neighborhoods, and preserving historic structures within the campus. The Commission also concludes that the relative value of the project amenities and public benefits offered by the Applicant is acceptable in light of the degree of development incentives requested.

5. The Zoning Regulations do not prohibit use of the PUD process in conjunction with the campus plan process, provided that the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, including § 210, or to result in action that is inconsistent with the Comprehensive Plan. (11 DCMR § 2400.4.) While some provisions of the regulations limit the amount of PUD flexibility that can be granted in certain circumstances, § 210 is silent on the matter. Moreover, § 210, like almost all special exception provisions, is concerned with a use, in this case a college or university. In contrast, a planned unit development focuses on structure and design and grants zoning flexibility from area requirement, such as FAR, height, and lot occupancy when the public will benefit commensurately as a result. The two processes are complementary. The Commission will not impose a disparate standard on this or any use that is neither expressly stated in nor furthers the purposes of the regulations. Thus, while the two-step approval process for college and university uses stated in Title 11 serves a legitimate land use purpose, disqualifying universities from benefiting from the PUD process serves no legitimate purpose.
6. The Commission, therefore, finds that approval of the Applicant's proposed campus plan, subject to the conditions of approval, is consistent with the requirements of §§ 210 and 3104 and that the associated first-stage PUD and related map amendments, which will serve as a mechanism to implement the new campus plan, will not circumvent the intent or purposes of the Zoning Regulations or result in action inconsistent with the Comprehensive Plan. Rather, approval of the proposed campus plan in tandem with the proposed first-stage PUD will provide greater certainty regarding the future development of the campus by specifying the sites and development parameters of all significant potential future development on the campus. The first-stage PUD has identified specific development sites; will provide for detailed design review with each second-stage PUD consistent with the conceptual height, density, and use parameters established in the first-stage; and offers project amenities and public benefits in exchange for greater height, density, and design flexibility.
7. The first-stage PUD will achieve an appropriate level of certainty, predictability, and control over development in the Foggy Bottom campus. The two-stage PUD process mirrors the two-stage campus plan process, in which individual projects are subject to approval after the initial approval of a campus plan that deals with large concepts and the location of uses and densities. The PUD process provides greater control and specificity, as well as public benefits and project amenities, and will limit future development to the identified sites.
8. In approving the PUD, the Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, penthouse setback, yards, or courts. The PUD process, either through individual PUDs or a campus-wide PUD, can be used by the Commission to increase the density of a campus above that allowed under § 210. Under § 210.3, the

FAR of the residentially-zoned areas of a campus is aggregated to a total based on the allowable FAR in the district, not to a specific number (e.g., 3.5). In this case, the R-5-D District that comprises most of the campus has a maximum matter-of-right density of 3.5 FAR, with a maximum density of 4.5 FAR achievable through the PUD process. Pursuant to § 210.3, the density limit is “the gross floor area prescribed by the R-5-D district,” and the use of the PUD process is not proscribed to increase the allowable density within an approved campus plan.

9. The Commission has previously considered PUD applications submitted by the University for individual projects located within the campus boundaries.<sup>6</sup> The proposed long-term first-stage PUD approved in this Order will serve as a second mechanism – in addition to § 210 – to guide development within the campus boundaries by providing a framework for predictable development and precluding the University from submitting applications on an individual basis. The prior campus plan included a development plan that provided general guidance for new development in terms of use and sites; the new campus plan, in tandem with the first-stage PUD, will also define where height and bulk are appropriate on the campus and where the existing density and buildings should be maintained. The prior plan permitted further processing applications, so that developments not identified on the plan but generally consistent with it could be submitted for approval. Under the new plan, all new development on campus will be limited to those sites identified on the development plan at the specified heights and densities.
10. The Commission concludes that a 20-year term of approval is appropriate for the first-stage PUD and the associated campus plan. The regulations do not require the imposition of a term and, in fact, the Applicant’s prior plans had no limit of duration until the mid-1980s. The term requested by the Applicant, while longer than the term of the immediately prior campus plan, is appropriate given the level of detail provided in the new plan, the development controls imposed by the PUD, and the realities of financing and designing the developments envisioned. The plan’s length also provides greater certainty for the nearby residential neighborhoods as to the long-term build-out of the campus.
11. The first-stage PUD will have a term of 20 years consistent with the duration of the new campus plan. At the time each development project under the campus plan is approved through the second-stage PUD process, the underlying zoning and density associated with that particular development site will permanently vest. All of the densities and rezonings set forth in the first-stage PUD will permanently vest when 70 percent of the gross floor area of the proposed development plan has been approved through a second-stage PUD. In the event the 70-percent threshold is not achieved within the 20-year term of the first-

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<sup>6</sup> See Z.C. Order No. 03-29, effective June 18, 2004, which approved a consolidated PUD for a new residence hall at 2025 F Street, N.W., as well as Z.C. Order No. 06-17 and Z.C. Case No. 06-27.

stage PUD, the remaining approved densities and rezonings will expire at the conclusion of the first-stage PUD. This vesting provision will provide reasonable assurance that the development plan set forth in the campus plan and first-stage PUD can be achieved and will provide the University with the requisite level of certainty necessary to maintain intact all of the commitments, benefits, and amenities proffered by the Applicant. It bears noting that the “vesting” is only of PUD-related zoning, which would not allow the university to proceed with any development not authorized through a second-stage PUD and then only if an approved campus plan is in place.

12. The Zoning Regulations provide that approval of a first-stage PUD “shall be valid for a period of one year, *unless a longer period is specified by the Commission...*”, 11 DCMR § 2407.10 (emphasis added). According to WECA, the italicized phrase should be read as follows: “*unless a longer period is specified by the Commission by a subsequent amendment of this regulation.*” Apart from stating the obvious, WECA’s interpretation adds nothing to the substance of the provision. Clearly, the italicized text is intended to give the Commission the discretion to specify a period longer than one year in a given case, depending on the facts and circumstances presented.
13. Under the PUD process of the Zoning Regulations, the Commission has the authority to consider this application as a two-stage PUD. The two-stage PUD process is appropriate in this case, because it involves a large site with multiple building types and complex site planning, transportation, and urban design issues. To a greater degree than would be possible under § 210 alone, the two-stage PUD process offers the Commission the opportunity to address campus development in a comprehensive manner and specifically allows the Commission to identify individual development sites and designate where additional height and density will be most appropriate.
14. The development of this PUD project carries out the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that will offer a variety of building types with more efficient and attractive overall planning and design than that achievable under matter-of-right development. The character, scale, mixture of uses, and design of uses in the proposed PUD are appropriate, and the proposed development is compatible with the citywide, ward, and area plans of the District of Columbia. The development plan set forth in the campus plan and PUD is within the applicable height and bulk standards of the Zoning Regulations, and the height and density will not cause an adverse effect on nearby properties.
15. The Commission accorded the recommendation of OP the “great weight” to which it was entitled pursuant to D.C. Official Code § 6-623.04 (2001). As discussed in this Order, the Commission generally concurred with the recommendation of OP to grant the University’s applications, subject to conditions. The Commission accorded the issues and concerns raised by ANC 2A the “great weight” to which they are entitled pursuant to D.C. Official Code § 1-308.10(d) (2001). In doing so, the Commission fully credited the



unique vantage point that ANC 2A holds with respect to the impact of the proposed campus plan and first-stage PUD on the ANC's constituents. However, the Commission concludes that the ANC has not offered persuasive advice that would cause the Commission to find that approval of the applications, subject to the conditions adopted in this Order, will be contrary to the Zoning Regulations or will adversely affect the use of neighboring property.

16. In recommending approval of the applications, ANC 2A expressed issues and concerns regarding the Applicant's failure to prove compliance with the existing campus plan, potential adverse impacts associated with the proposed increase in aggregate FAR of university uses permitted on the campus, contrary to the intended uses of PUDs and in violation of protections set for in § 210, the Applicant's failure to consider satellite campuses to alleviate the effects of the University growth pressures on residential neighborhoods near the Foggy Bottom campus; separate consideration of the proposed non-university use of Square 54; and the absence of an environmental impact review process for proposed new construction on the campus.
17. For the reasons stated in Finding of Fact 13, the Applicant was not required, under the Zoning Regulations or by the campus plan, to prove compliance with its current campus plan before seeking approval of a new plan, nor, for the reasons stated in Findings of Fact 16 through 19, was the Applicant required to engage in the environmental impact review process required to commence before the Commission takes action on the applications.
18. For purposes of showing future on-campus development, parking, and traffic impacts, the University's campus plan proposal considered the entire campus, including the sites of individual projects undertaken on Square 54 and Square 80 that were considered in separate proceedings, as was permissible under the prior campus plan. The Commission also notes that while the University has developed satellite campuses, the applications in this proceeding concerned specific requests for zoning approval applicable to the Foggy Bottom campus. (*See, e.g., Glenbrook Road Ass'n v. D.C. Board of Zoning Adjustment*, 605 A.2d 22 (D.C. 1992) (Zoning Regulations do not require that a university's needs be treated as irrelevant in determination of whether a reasonable accommodation has been made between the university and the neighbors that does not interfere with the legitimate interests of the latter; discretion to grant a special exception is limited to a determination whether the exception sought meets the requirements of the regulation.) Nor does the Commission agree that once a University is mapped in a Residence zone, it may never seek or obtain a map amendment that would be acceptable were it any other use. Finally, the Commission was not persuaded by the ANC's contentions that the proposed increase in height and density on the campus – not accompanied by increases in the University's student or faculty/staff caps – would result in objectionable conditions or adverse impacts on the use of neighboring property or would be contrary to the PUD process or in violation of § 210.

## DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia orders **APPROVAL** of the applications for (1) special exception approval of the *Foggy Bottom Twenty-Year Campus Plan (2007)* for a twenty-year period commencing on the effective date of this Order (“**Campus Plan**” or “**Plan**”) to permit the continuation of a university use during that term at the level described herein<sup>7</sup> and (2) first-stage review of a planned unit development (“**PUD**”) and related amendment to the Zoning Map for The George Washington University Foggy Bottom Campus.

Several of development sites are being rezoned to commercial districts (as shown on Exhibit C to the PUD application) where university uses are permitted as a matter of right without the need for “further processing” approvals. Nevertheless, such further processing approvals will be required by the PUD. Even with the PUD-related rezoning, the University remains within a predominantly residential environment. PUD-related rezonings often serve narrower purposes than traditional map amendments. In this case, the Commission viewed the PUD-related rezoning as an appropriate means to allow the University to grow within a defined area. It was not the Commission’s intent that that the PUD-related rezoning be used to eliminate the further processing review analysis for each new project proposed. In any event, the Applicant has agreed to subject each project to the special exception standards.

As a matter of administrative efficiency, the Commission is exercising its option, as permitted by 11 DCMR § 2405.7, to hear each special exception request at the same time it considers an application for second-stage PUD approval. However, the Applicant must demonstrate that the proposed use will comply with the special exception standards, notwithstanding 11 DCMR § 2405.8, which permits, but does not require, the Commission to apply a lesser standard of review.

Several of the conditions that follow contemplate actions to be taken by persons and entities other than the Applicant, such as the Zoning Administrator, DDOT, OP, the Historic Preservation Review Board, and the Advisory Committee (to be formed pursuant to Condition P-7). Since the Applicant cannot be held responsible for the action or inaction of third parties, compliance with such conditions shall be determined based upon whether the University has undertaken good faith efforts to comply with the condition in question.

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<sup>7</sup> Although applications for campus plan approvals must be filed prior to the expiration of an existing plan, the Commission recognizes that its consideration of such applications can extend beyond the expiration date. Should that happen, the Commission would not expect that this or any other university would have to alter its operations while its application is pending before the Commission, other than the fact no further processing applications may be filed during any period when an approved campus plan is not in effect.

Each of the two approvals granted in this Order is subject to its own set of conditions, which in some instances cross-reference each other. To avoid confusion, each Campus Plan condition is preceded by a "C," and each PUD condition is preceded by a "P." No condition in this Order applies to or modifies any other planned unit development approved by this Commission, including those pertaining to Square 54 and Square 80.

Lastly, Condition 20 of the current Campus Plan provides recourse for the Zoning Administrator and the Zoning Commission in the event the University should not maintain compliance with any condition of the Campus Plan and reads as follows:

20. No special exception application filed by the University for further processing under this plan may be granted unless the University proves that it has consistently remained in substantial compliance with Conditions 1 through 19 set forth in this Order. Further, any violation of a condition of this Order shall be grounds for the denial or revocation of any building permit or certificate of occupancy applied for by, *or issued to*, the University for any University building or use *approved under this plan*, and may result in the imposition of fines and penalties pursuant to the Civil Enforcement Act, D.C. Code §§ 6-2701 to 6-2723.

(Emphasis added).

The Applicant's draft conditions propose to delete the italicized text, thereby suggesting that the Zoning Administrator may not revoke a building permit or certificate of occupancy issued under the new campus plan if the University is in violation of a plan condition. The Commission notes that this provision was not struck by either the United States or the District of Columbia Courts of Appeals as part of their consideration of the University's legal challenge to the current campus plan, the Commission finds no merit in eliminating this important enforcement tool.

The same cannot be said for the absolute prohibition of non-residential further processing applications whenever the University is in non-compliance with its on-campus housing requirement (former Condition 9(d)). The University has demonstrated its commitment to on-campus housing. Moreover, the requirement that the University must demonstrate substantial compliance with this Order's conditions will suffice. However, like current Condition 9(d), an application to construct student housing will not be denied solely on the basis of the University's non-compliance with Condition C-6, otherwise there would be no means for the University to cure the violation.

In order to eliminate any confusion arising from the wording of the condition, the Commission has separated the first and second sentence into two separate conditions. The first sentence, new Condition P-17, governs the Commission's own processes and continues the past Plan's requirement that the University demonstrate "substantial compliance" with identified conditions

as a prerequisite to obtaining approval of an application under this Order. The second sentence, new Condition C-2, is addressed to the Zoning Administrator, and authorizes, but does not require, the denial or revocation of permits issued under this Order if the University violates one or more of the identified conditions. Since Condition C-2 leaves it to the discretion of the Zoning Administrator when enforcement action is appropriate, he or she will not be required to deny or revoke permits issued under this Order if the University violates one or more of the identified conditions. This should ameliorate the Zoning Administrator's concerns over how the phrase "substantial compliance" should be interpreted, since the responsibility for doing so rests exclusively with this Commission.<sup>8</sup>

**First-Stage PUD Conditions:**

The approval of the application a first-stage PUD is subject to the following conditions:

**DEVELOPMENT CONTROL PROFFERS**

- P-1. The University shall not purchase, either directly or as a contract-purchaser, or enter into a master lease agreement or similar transaction for additional residentially-zoned properties outside of the Campus Plan boundaries in the Foggy Bottom/West End area (defined as the area bounded by the Potomac River and Rock Creek Park to the west, N Street to the north, 19<sup>th</sup> Street to the east, and Constitution Avenue to the south) for university use. This condition does not prohibit the University from purchasing any properties for investment purposes; however, it does prohibit the University from purchasing or entering into a master lease or similar transaction for a residentially-zoned property within the above-defined area and changing its use to one limited to the University population. The University shall not include any such investment property in its undergraduate student housing program or otherwise directly refer undergraduate students to any such property.
- P-2. Except for minor renovation projects including those necessary to address building code compliance, no development on Campus resulting in additional density or change in use may be undertaken by the University unless approved by the Commission in accordance with Conditions P-14 through P-17. Such permitted developments shall be:
- a. Limited to the "development sites" identified in Exhibit A of the PUD application;

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<sup>8</sup> The Commission successfully applied the "substantial compliance" standard under the current plan in *Application by George Washington University for Further Processing of an Approved Campus Plan Under § 210 to Modify Conditions of Approval of the Lerner Health & Wellness Center at 2301 G Street, N.W. (Square 42, Lot 847, Zoning Commission Order 02-26, 51 DCR 11931 (2004).)*

- b. Substantially in conformance with the Campus Plan as approved herein;  
and
  - c. Consistent with the primary use and zoning designations for the respective development site on Exhibits A and C of the PUD application.
- P-3. The additional gross floor area for each project that is the subject of a second-stage application shall be consistent with the Tabulation of Development Data detailed in Exhibit B of the PUD application.
- P-4. The lot occupancy for each development site shall be consistent with the Tabulation of Development Data detailed in Exhibit B of the PUD application.
- P-5. The maximum building heights for the proposed development sites shall be consistent with Exhibit K of the PUD application.
- P-6. The University shall notify the Office of Planning, ANC 2A, and the Advisory Committee described in Condition P-7 of its intent to develop a specific site on campus, following approval of the development proposal by appropriate University committees and the University's Board of Trustees, and prior to preparation of final detailed plans and specifications.

**ADVISORY COMMITTEE PROFFER**

- P-7. The University shall work with community representatives to form an Advisory Committee for the purpose of fostering consistent communication between the University and the Foggy Bottom and West End communities, discussing issues of mutual interest and proposing solutions to problems that exist or arise in implementing the approved Foggy Bottom Campus Plan.
- a. Key functions of the Advisory Committee include:
    - i. Reviewing the University's compliance reporting;
    - ii. Working with the Office of the Zoning Administrator to monitor compliance with the conditions of the Foggy Bottom Campus Plan; and
    - iii. Reviewing new University proposals to develop sites on the Foggy Bottom Campus.

- b. **Composition, Administrative Procedures, and Meeting Format:**
  - i. The Advisory Committee shall consist of ten members: five representatives of the University to be selected by the University and five representatives of the community to be selected by ANC 2A. The ANC shall select no more than three ANC commissioners and shall select at least one member to represent Foggy Bottom and at least one member to represent the West End.
  - ii. The quorum for Advisory Committee meetings shall be five members.
  - iii. The first Advisory Committee meeting shall take place within two months after the effective date of this Order and include adoption of specific administrative procedures (subject to the terms of this Condition) that govern the operation of the body.
  - iv. The Advisory Committee shall schedule quarterly meetings open to the public and shall keep minutes of each meeting.
  - v. Upon request and at least on a semi-annual basis, the University shall report to the Advisory Committee data relevant to campus planning that includes, but is not limited to: report on student enrollment, planned development projects included in the University's capital program, historic preservation, implementation of the streetscape plan, public space permits, and reports on all conditions and commitments adopted as part of the Campus Plan.

**UNDERGRADUATE HOUSING PROFFER**

- P-8. With respect to the housing of undergraduate students in off-campus properties that the University owns or in which it has an interest, except as otherwise provided by this Condition:
- a. The University shall not house undergraduate students in The Hall on Virginia Avenue.
  - b. Effective August 31, 2007, the University shall not house undergraduate students in The Aston (1129 New Hampshire Avenue, N.W.).
  - c. Effective August 31, 2008, the University shall not house undergraduate students in units in Columbia Plaza, with the exception that juniors and seniors referred to Columbia Plaza (2400 Virginia Avenue, N.W.) as part of the University's student

housing program prior to August 31, 2008 may continue to reside in their respective units, subject to the rules and guidelines associated with the University's student housing program, until they graduate from the University or are no longer officially affiliated with the University.

- d. Effective July 1, 2016, the University shall not house undergraduate students in City Hall (950 24th Street, N.W.).

Notwithstanding the foregoing, the University may offer housing in these off-campus facilities to freshmen and sophomore students who would have been required by Condition C-7 to reside on campus, but have been exempted by the University from that requirement pursuant to that condition. The University's efforts with respect to Condition P-8 shall be monitored by the Advisory Committee.

#### **HISTORIC PRESERVATION & STREETScape PLANS PROFFERS**

- P-9. Upon the effective date of this Order and the expiration of any appeal period, the University shall proceed within sixty (60) days to file the appropriate applications with the Historic Preservation Review Board to achieve the designations set forth in the Foggy Bottom Campus Historic Preservation Plan. Specifically, (a) the University shall prepare the applications for the University-owned individual landmarks identified in the Historic Preservation Plan and (b) the University shall work with the Historic Preservation Office to prepare the documentation for the proposed historic district, which shall be filed by the Historic Preservation Office. The University shall maintain University-owned historic landmarks as well as University-owned buildings identified as contributing within the proposed historic district in accordance with guidelines agreed to by the University and OP.
- P-10. Upon the effective date of this Order and the expiration of any appeal period, the University shall proceed within sixty (60) days to initiate the process to obtain necessary approvals of the proposed Streetscape Plan from the DDOT. The costs and resources associated with the implementation of building identifiers (*e.g.*, flags, awnings, and placards), street furniture (*e.g.*, benches, trash receptacles, bike racks, and emergency call stations), way-finding elements (*e.g.*, campus maps, directional signage, and location symbols), street banners (*e.g.*, pedestrian, vehicular, and thematic banners often mounted on street light posts), and distinctive design elements (*e.g.*, public art, plaques, busts, clocks, paving medallions, and mid-block crossing treatments) as set forth in the proposed Streetscape Plan will be the responsibility of the University. The costs and resources associated with the implementation of other streetscape elements—including sidewalk paving materials, street lighting fixtures, and certain plantings (particularly street trees)—may be allocated among the University, DDOT, and, as appropriate and available, other outside sources (including organizations or foundations such as Casey

Trees for campus street trees). The University shall work with DDOT with respect to planning for future District streetscape improvement projects that impact the Foggy Bottom campus, and the specific allocation and contribution of costs associated with such improvement projects will be made on a project-by-project basis. Streetscape improvements associated with development projects identified in the Campus Plan and first-stage PUD shall be funded by the University and shall be specifically addressed as part of the second-stage PUD application for each project.

### **I STREET CORRIDOR PROFFER**

- P-11. Retail uses along the I Street Corridor shall include those retail uses permitted in the C-1 and C-2 Zone Districts, as limited by 11 DCMR §§ 701.1, 701.4, 721.2, and 721.3, with the exception that there shall be no restrictions on fast-food establishments, other than drive-through fast food establishments, which shall be prohibited.
- P-12. At least 75% of the street frontage of each building developed along I Street pursuant to a second-stage PUD approval shall be occupied by retail space, with the following exceptions:
- a. Space that is devoted to building entrances or required for fire control or life safety purposes; and
  - b. Sites 77A and 77D and other street frontages associated with buildings identified as historic resources under the Foggy Bottom Historic Preservation Plan that may not be suitable for retail use.

### **SUSTAINABLE DEVELOPMENT PROFFER**

- P-13. Each order granting a second-stage PUD application to construct a new building pursuant to this Order shall contain a condition substantially similar to the following:

No building permit for the new construction authorized herein shall be issued unless the project architect has provided appropriate documentation (e.g., the LEED-NC<sup>9</sup> form checklist) demonstrating that the building will achieve the equivalent of a minimum LEED score of 16 points in accordance with the LEED-NC 2.2 Standard.

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<sup>9</sup> LEED is an acronym for Leadership in Energy and Environmental Design.



**SECOND STAGE APPLICATIONS**

- P-14. Subject to the exception and limitations of Conditions P-2 through P-5, the University shall submit a second-stage PUD application for any development on Campus resulting in additional density or a change in use.
- P-15. In addition to satisfying the burden of proof for the approval of a second-stage PUD, the Applicant shall further demonstrate that each project meets the special exception standards set forth in 11 DCMR §§ 210 and 3104.
- P-16. Each application for second stage PUD approval shall include:
- a. Demonstration of compliance with applicable provisions of the zoning regulations and the contents of the approved *Foggy Bottom Twenty-Year Campus Plan (2007)*;
  - b. A showing that the use, height, bulk, and design (including the location of any means of ingress and egress) of the proposed structure is sensitive to and compatible with adjacent and nearby non-University-owned structures and uses;
  - c. An indication of any need for, amount of, and proposed locations of interim leased space necessary to accommodate housing and/or activities displaced by construction and/or activities intended to be located permanently in the completed structure;
  - d. A report recalculating the University's total FAR within the campus plan boundaries, which shall also be submitted directly to OP and the Zoning Administrator. Information included in the report shall be broken down by zoning district and include the following: existing FAR, gross floor area under development pursuant to Commission approval, and FAR upon completion of proposed structure;
  - e. The most recent Foggy Bottom Campus Plan Compliance Report (as set forth in Condition C-15) evidencing compliance with the approved *Foggy Bottom Twenty-Year Campus Plan (2007)*, including the most recent reported counts of Foggy Bottom student headcount, Foggy Bottom student full-time equivalent, Foggy Bottom faculty and staff headcount, Foggy Bottom faculty and staff full-time equivalent, full-time Foggy Bottom undergraduate students, on-campus beds, and full-time Foggy Bottom undergraduate students residing in the Foggy Bottom/West End Area outside of the campus plan boundaries;
  - f. A progress report on the implementation of the Streetscape Plan required by Condition P-10;

- g. The number of off-street parking spaces within the campus plan boundaries as set forth in Condition C-13(b) as of 30 days prior to the application date, including documentation and an explanation of the methods and assumptions used in counting the parking spaces;
  - h. A status report on the Transportation Management Program required by Condition C-14;
  - i. Demonstration that the project has been presented to the Advisory Committee to be formed in accordance with Condition P-7 herein) for consideration, at a regularly scheduled or specially-called Advisory Committee meeting, at least 30 days prior to the filing of such an application; and
  - j. A list of “outsourcing activities” that have occurred since the last second-stage application. For the purposes of this Condition, an “outsourcing activity” shall be defined as termination within any 30-day period of 50 or more Foggy Bottom faculty or staff who are assigned to a specific University department or unit and are permanently replaced with contractors or other persons not employed by the University to perform on the Foggy Bottom campus the services of the terminated faculty or staff.
- P-17. No second-stage PUD application filed by the University pursuant to this first-stage approval shall be granted unless the University is in substantial compliance with the foregoing conditions and Conditions P-1 through P-12 and C-4 through C-16 as demonstrated by the most recently filed Foggy Bottom Campus Plan Compliance Report. Proof of such compliance is not required as a prerequisite to the filing of a second-stage application pursuant to this Order or to the Commission holding a hearing or hearing or deliberating upon the case. Notwithstanding the above, lack of compliance with the on-campus housing requirement of Condition C-6 will not alone serve as grounds to deny an application to construct a project in which a student housing component would occupy at least 50% of the gross floor area of the structure.

### **GENERAL CONDITIONS**

- P-18. This first-stage PUD approval by the Zoning Commission shall be valid until October 26, 2027. At the time each development project is approved through the second-stage PUD process, the underlying zoning and density associated with that particular development site shall permanently vest with respect to that development. Notwithstanding the foregoing, all of the densities and rezonings set forth in the first-stage PUD will permanently vest at such time as 70 percent of the gross floor area of the proposed development plan has been approved through a second-stage PUD within the term of the first-stage PUD.

P-19. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, 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, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, 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.

**Campus Plan Conditions:**

The Campus Plan approved pursuant to this Order replaces the George Washington University Foggy Bottom Campus Plan: Years 2000 through 2009 (BZA Order No. 16553-I) and is subject to the following conditions of approval:

- C-1. This campus plan and the level of University operation it describes are approved until October 26, 2027, subject to the following conditions, or until such time prior to that date as the Zoning Commission determines that conditions warrant submission of a campus plan amendment or an updated campus plan.
- C-2. The campus plan boundary for the *Foggy Bottom Twenty-Year Campus Plan (2007)* shall remain consistent with the campus plan boundary established by the Board of Zoning Adjustment with respect to the Foggy Bottom Campus Plan: Years 2000 through 2009 (Order No. 16553-1). The properties included within the Foggy Bottom Campus Plan boundary are depicted in Exhibit I of the Foggy Bottom Campus Plan Application and are specifically identified and listed in Appendix 1 attached hereto.
- C-3. Any violation of the following Conditions furnish grounds for the denial of any building permit or certificate of occupancy applied for by the University for any University building or use, and may result in the imposition of fines and penalties pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

**FOGGY BOTTOM CAMPUS POPULATION**

- C-4. For the duration of this Plan, the Foggy Bottom student headcount shall not exceed 20,000 students, and the Foggy Bottom student full-time equivalent shall not exceed 16,553.

- a. For the purposes of this Condition:
    - i. **“Foggy Bottom student headcount”** shall be defined as the number of GW students in the “Foggy Bottom/Mount Vernon Campus Total Student Body”<sup>10</sup>, minus: study abroad students, continuous enrollment students, students that reside at the Mount Vernon Campus, students that take all of their courses at the Mount Vernon Campus, and Foggy Bottom faculty and staff accounted for pursuant to Condition C-5 herein who are also enrolled in one or more courses at the Foggy Bottom campus.
    - ii. **“Foggy Bottom student full-time equivalent”** shall be determined by assigning a fraction to part-time students included in the Foggy Bottom student headcount number based on the number of credits they are taking compared to a full-time course load and adding the number of full-time students. Currently, the full-time course load for undergraduates is 12 credits, and the full-time course load for graduate and professional students is 9 credits. Formulas for determining full-time equivalents may change over the term of the proposed Foggy Bottom Campus Plan depending on program requirements or the restructuring of the academic calendar.
  - b. An audit of the Foggy Bottom student headcount and Foggy Bottom student full-time equivalent reported pursuant to Condition C-15 herein shall be conducted in a manner and by a firm previously approved by the Zoning Administrator and reported to the Advisory Committee. The audit shall be completed by January 10 of the year following each report submitted pursuant to Condition C-15 herein.
  - c. Compliance with this condition shall be based upon the data reported for the most recent semester in either the Foggy Bottom Campus Plan Compliance Report required in Condition C-15 or in the Interim Foggy Bottom Campus Plan Compliance Report required by Condition C-16.
- C-5. For the duration of this Plan, the Foggy Bottom faculty and staff population shall not exceed a total of 12,529 on a headcount basis and 10,550 on a full-time equivalent basis.
- a. For the purposes of this Condition:
    - i. **“Foggy Bottom faculty and staff headcount”** shall include: regular full-time faculty and staff; regular part-time faculty and staff; wage account staff that are not Foggy Bottom students accounted for pursuant to

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<sup>10</sup> The “Foggy Bottom/Mount Vernon Campus Total Student Body” is compiled by the GW Office of Institutional Research (OIR) and is currently reported on the OIR online “GW Factbook” available at [www.gwu.edu/~ire/](http://www.gwu.edu/~ire/).

Condition C-4; temporary part-time faculty (excluding part-time clinical faculty who are not paid employees of the University); affiliated faculty employed by the Medical Faculty Associates; and visiting instructional and research faculty. For the purposes of this Condition, Foggy Bottom faculty and staff shall not include faculty and staff whose primary office locations are not on the Foggy Bottom campus; employees of non-University owned or controlled entities that are located on the Foggy Bottom campus; and contractors that provide ancillary campus-related service functions who are not employees of the University.

- ii. **“Foggy Bottom faculty and staff full-time equivalent”** shall be determined by assigning a fraction to part-time employees included in the Foggy Bottom faculty and staff headcount number based generally on the number of hours worked as compared to the standard full-time 40-hour work week.
- b. Compliance with this Condition shall be based upon the data reported for the most recent semester in either the Foggy Bottom Campus Plan Compliance Report required in Condition C-15 or in the Interim Foggy Bottom Campus Plan Compliance Report required in Condition C-16, whichever is the most current.

#### **ON-CAMPUS UNDERGRADUATE STUDENT HOUSING**

C-6. For the duration of the Plan, the University shall make available on-campus beds for full-time Foggy Bottom undergraduate students equivalent to 70% of the full-time Foggy Bottom undergraduate student population up to an enrollment of 8,000, plus one bed per full-time Foggy Bottom undergraduate student over 8,000. Compliance with this condition shall be based upon the data reported for the most recent semester in either the Foggy Bottom Campus Plan Compliance Report required by Condition C-15 or in the Interim Foggy Bottom Campus Plan Compliance Report required by Condition C-16, whichever is the most current.

- a. For the purposes of this Condition:
  - i. **“full-time Foggy Bottom undergraduate students”** shall be defined as follows:
    - (A) Until the fall 2010 semester or until the completion and occupancy of the next University residence hall project proposed in accordance with the Foggy Bottom or Mount Vernon Campus Plans, whichever event first occurs, the term shall mean the number of students in the “Foggy Bottom/Mount Vernon Campus

Total Student Body” minus graduate students, first professionals (JDs and MDs), undergraduates taking fewer than 12 credit hours at the Foggy Bottom campus, non-degree students, full-time undergraduate study abroad students, undergraduate continuous enrollment students, and full-time undergraduate students accounted for under the Mount Vernon Campus Plan Order (BZA Order No. 16505), which does not differentiate between resident and non-resident students.

(B) Once either of the above-described events occurs, the terms shall have the same meaning as above, except only full-time undergraduate students who reside on the Mount Vernon Campus Plan will be subtracted from the “Foggy Bottom/Mount Vernon Campus Total Student Body.”

ii. The term “on-campus beds” shall include beds available to full-time Foggy Bottom undergraduate students in any property in which the University has an ownership, leasehold, or contractual interest, or beds otherwise occupied by full-time Foggy Bottom undergraduate students in fraternities, sororities, or other programs recognized by or affiliated with the University and located within the campus plan boundary.

b. The University’s efforts with respect to this Condition shall be monitored by the Advisory Committee.

C-7. The University shall require all full-time Foggy Bottom freshmen and sophomores students to reside in housing located within the campus plan boundary. The University may exempt from this requirement those students who commute (i.e., students who have established permanent residency off-campus prior to enrollment at the University or students who live off-campus with a parent, guardian, or other family member), are married or have children, or have disabilities or religious beliefs inconsistent with residence hall life. The University’s efforts with respect to this Condition shall be monitored by the Advisory Committee.

#### **OFF-CAMPUS STUDENT HOUSING & STUDENT CONDUCT ISSUES**

C-8. The University shall maintain a program to provide its students who are eligible to live off-campus with information about housing opportunities outside the Foggy Bottom/West End Area. The University’s efforts with respect to this Condition shall be monitored by the Advisory Committee.

- C-9. The University shall use disciplinary interventions for acts of misconduct by students living off-campus in the Foggy Bottom/West End Area, even if students are not in properties owned or controlled by the University. The University shall act on incident reports by residents, ANC 2A, community associations, building management, building association boards, University security officers, and the Metropolitan Police Department. The University shall maintain an outreach program with neighboring apartment buildings to educate management companies and tenant associations on the University's disciplinary program and its reporting requirements to facilitate effective use of its program. The University's efforts with respect to this Condition shall be monitored by the Advisory Committee.
- C-10. The University shall maintain and publicize (through appropriate written and/or electronic publications) a hotline available 24 hours per day, seven days per week to receive calls about student conduct issues and safety and security concerns. The University shall maintain a log of all calls received and all actions taken, including all referrals made. The University shall maintain its Crimes Tips Hotline (presently 994-TIPS), where calls can be made anonymously to a recorded "tip" line. Calls needing a more immediate response shall be directed to the University police (presently 994-6110) 24 hours per day, seven days per week. The University police will aid off-campus complainants in obtaining assistance from the Metropolitan Police Department. Reports of improper off-campus student conduct will also be referred to the appropriate University departments for their attention. This process shall be fully described on the University website, published catalogs, and student handbooks. The University's efforts with respect to this Condition shall be monitored by the Advisory Committee.
- C-11. The University shall maintain a mandatory program for its students that will address "good neighbor" issues, educating students about appropriate conduct in the off-campus community. This program will especially emphasize objectionable noise both inside and outside of buildings, restricted parking in the Foggy Bottom/West End Area, illegal underage drinking, and respect for personal and real property of the residential and private business communities. The University's efforts with respect to this Condition shall be monitored by the Advisory Committee.
- C-12. The University shall gather information about the local addresses of the full-time Foggy Bottom undergraduate population. The University shall compile and report the number of full-time Foggy Bottom undergraduate students residing in (1) Foggy Bottom/West End outside the campus boundaries; (2) the District of Columbia outside both the campus boundaries and the Foggy Bottom/West End Area, organized by postal codes; (3) Maryland; and (4) Virginia. This information shall be reported as set forth in Condition 24 herein.

**PARKING & TRAFFIC**

C-13. The University shall implement the following measures to minimize adverse impacts associated with parking and traffic:

- a. **Support of Mass Transit:** The University shall maintain the Metrocheck program offered by the Washington Metropolitan Area Transit Authority (“WMATA”) to allow employees to pay for public transportation costs on a pre-tax basis. The University shall maintain an introduction to public transportation program for incoming students that includes provision of WMATA’s “SmarTrip” cards to incoming students. The University will work with WMATA to schedule SmarTrip “carding events” at various locations around campus to provide additional information about public transportation to the University community. In the event these programs are discontinued over the term of the campus plan, the University will work to identify alternative programs to support the goal of encouraging mass transit ridership.
- b. **Parking:** The University shall continue to provide at least 2,800 off-street parking spaces, including proposed spaces to be dedicated for University use on Square 54 and all University-owned parking spaces on Square 122 (specifically including the parking lot and garage spaces at Old Main located at 1922 F Street, N.W.). The number of off-street parking spaces required to be provided may be increased in any subsequent further processing order pursuant to this plan if necessary to mitigate the adverse impact of the approved uses on the University’s parking resources. The University shall monitor its utilization of University parking facilities to determine usage patterns and conduct an ongoing assessment of parking needs.
- c. **Notice:** The University shall notify affected property owners or occupants, ANC 2A, and members of the Advisory Committee in a timely manner of the occurrence of any temporary street closing necessary to accommodate University-related functions. For the purposes of this Condition “affected property owners or occupants” shall be defined in a manner consistent with the notice requirements of DDOT temporary street closure petition procedures.
- d. **Student Vehicles:**
  - i. The University, through its Office of Parking Services, shall maintain an accurate record of the license plate numbers of motor vehicles kept by students in University parking facilities, to be updated annually at the beginning of each Fall semester.



- ii. The University shall prohibit freshmen and sophomores from bringing cars to the Foggy Bottom / West End Area other than in exceptional circumstances. Exceptional circumstances may include, for example, transportation needs related to a disability or health condition of the student or member of his/her family. Requests for a policy exception due to exceptional circumstances must be documented by the student and approved by the University. If such an exception is granted, the vehicle must be parked in a University parking facility. Any violation of this policy shall be grounds for discipline under the University's Code of Student Conduct. The University shall appropriately sanction any discovered violators and keep a full accounting of all violations and sanctions.
- iii. Notice of this restriction will be included in at least one written document (e.g., the college catalog) mailed to parents of prospective freshmen and returning sophomores. In addition, each freshman and sophomore must provide a signature to indicate he or she has read and understands this parking policy, regardless of whether he or she drives to school or is eligible to have a car on campus. In addition, the University shall notify all undergraduate and graduate students that parking is prohibited on the streets adjacent to and surrounding the Foggy Bottom campus

C-14. The University shall maintain, and periodically update, its comprehensive Transportation Management Plan ("TMP") addressing traffic and parking associated with events on campus that are attended by a significant number of persons not normally associated with the University and the campus. The transportation management plan shall include the following:

- a. Measures to schedule events at times that reduce conflicts with other traffic and other demands for parking.
- b. Measures to discourage travel by private automobile and encourage travel by public transportation.
- c. Measures to encourage persons who drive to park in commercial or University PARKING garages.
- d. Designation of a Transportation Management Coordinator responsible for implementing and monitoring the TMP program.
- e. Promotion of various technology initiatives (currently including, e.g., the use of video conferencing, podcasts, online library resources, the Bb@GW on-line

course management system based on the Blackboard Learning System<sup>TM</sup>, and administrative document management systems) to reduce the need for physical movement to and between the Foggy Bottom campus and other University campuses.

- f. Evaluation of opportunities to provide access and links through appropriate website portals to allow members of the University community to purchase transit fare media, including SmarTrip fare cards and bus passes, online.
- g. As necessary throughout the term of the Campus Plan, when existing parking facilities are being renovated or redeveloped, utilization of attendant parking at various campus parking facilities to ensure that campus parking demands are adequately met.
- h. Implementation of a Truck Management Plan to avoid adverse impacts on the surrounding neighborhood.

These measures and their efficacy and appropriateness given changes in programs, technology, and parking demand shall be regularly reviewed, evaluated, and updated over the twenty-year term of the Campus Plan. The TMP shall be submitted to and reviewed by the Advisory Committee on an annual basis.

### **REPORTING & COMPLIANCE REVIEW**

C-15. On November 20 of each year following the effective date of this Order or, if a Saturday, Sunday, or holiday, on the next business day thereafter, the University shall file a Foggy Bottom Campus Plan Compliance Report with the Commission, Zoning Administrator, OP, ANC 2A, and the Advisory Committee. The Foggy Bottom Campus Plan Compliance Report shall contain the following information, reported for the current and previous semester, and based upon actual numbers existing as of the end of the sixth week of each semester unless otherwise noted<sup>11</sup>:

- a. Current fall and previous spring semester Foggy Bottom student headcount and Foggy Bottom student full-time equivalent in accordance with Condition C-4.

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<sup>11</sup> The end of the sixth week of each semester is the date when the University currently makes its official count of student enrollment, which it refers to as the "Census Date". In the event the University modifies the Census Date due to changes in the academic calendar or other necessary administrative policy modifications, upon 60 days' written notice to the Commission, Zoning Administrator, OP, ANC 2A, and the Advisory Committee, the that date upon which the actual numbers will be based may be changed to accommodate the new Census Date.

- b. Current fall and previous spring semester Foggy Bottom faculty and staff headcount and Foggy Bottom faculty and staff full-time equivalent in accordance with Condition C-5.
- c. Data in connection with the on-campus undergraduate student housing requirement set forth in Condition C-6, specifically:
  - i. Current fall and previous spring full-time Foggy Bottom undergraduate students.
  - ii. The number of on-campus beds available to full-time Foggy Bottom undergraduate students;
  - iii. The number of on-campus beds occupied by full-time Foggy Bottom undergraduate students;
  - iv. The number of off-campus University-supplied beds within the Foggy Bottom/West End Area;
  - v. The number of off-campus University-supplied beds within the Foggy Bottom/West End Area occupied by full-time Foggy Bottom undergraduate students;
  - vi. The number of off-campus University-supplied beds outside the Foggy Bottom/West End Area; and
  - vii. The number of off-campus University-supplied beds outside the Foggy Bottom/West End Area occupied by full-time Foggy Bottom undergraduate students.
- d. Information evidencing compliance with Condition C-8.
- e. Information evidencing compliance with Condition C-9.
- f. Information evidencing compliance with Condition C-10.
- g. Information evidencing compliance with Condition C-11.
- h. Updated address information in accordance with Condition C-12.
- i. Current inventory of University-owned parking spaces and other evidence of compliance with Condition C-13(b).

- j. Information evidencing compliance with Condition C-14.

Each report shall be accompanied by supporting documentation and full explanations of methods, assumptions, and sources used to compile information in the report.

C-16. On April 15 of each year following the effective date of this Order, or, if a Saturday, Sunday, or holiday, the next business day thereafter, the University shall file an Interim Foggy Bottom Campus Plan Compliance Report with the Commission, Zoning Administrator, OP, ANC 2A, and the Advisory Committee. The Interim Foggy Bottom Campus Plan Compliance Report shall contain the following information, reported for the current and previous semester, and based upon actual numbers existing as of the end of the sixth week of each semester except under the circumstances noted in footnote 3, *infra*:

- a. Current spring and previous fall semester Foggy Bottom student headcount and Foggy Bottom student full-time equivalent in accordance with Condition C-4.
- b. A copy of the audit report of the previous fall semester Foggy Bottom student headcount and Foggy Bottom student full-time equivalent conducted pursuant to Condition C-4(c) herein.
- c. Current spring and previous fall semester Foggy Bottom faculty and staff headcount and Foggy Bottom faculty and staff full-time equivalent in accordance with Condition C-5.
- d. Data in connection with the on-campus undergraduate student housing requirement set forth in Condition C-6, specifically:
  - i. Current spring and previous fall full-time Foggy Bottom undergraduate students. For purposes of these Conditions, "full-time Foggy Bottom undergraduate students" shall be defined as the number of students in the Foggy Bottom/Mount Vernon campus total student body minus all graduate students, all first professionals (JDs and MDs), all undergraduates taking fewer than 12 credit hours at the Foggy Bottom campus, non-degree students, full-time undergraduate study abroad students, undergraduate continuous enrollment students, and full-time undergraduate students that reside at the Mount Vernon Campus.
  - ii. The number of on-campus beds available to full-time Foggy Bottom undergraduate students;

- iii. The number of on-campus beds occupied by full-time Foggy Bottom undergraduate students;
- iv. The number of off-campus University-supplied beds within the Foggy Bottom/West End Area;
- v. The number of off-campus University-supplied beds within the Foggy Bottom/West End Area occupied by full-time Foggy Bottom undergraduate students;
- vi. The number of off-campus University-supplied beds outside the Foggy Bottom/West End Area;
- vii. The number of off-campus University-supplied beds outside the Foggy Bottom/West End Area occupied by full-time Foggy Bottom undergraduate students.

Each report shall be accompanied by supporting documentation and full explanations of methods, assumptions, and sources used to compile information in the report.

C-17. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, 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, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, 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.

On February 5, 2007, the Zoning Commission **APPROVED** Z.C. Case No. 06-12 by a vote of 4-0-1 (Carol J. Mitten, John G. Parsons, Anthony J. Hood, and Michael G. Turnbull to approve; Gregory N. Jeffries not present, not voting).

This Order was **ADOPTED** by the Zoning Commission at its public meeting on March 12, 2007 by a vote of 5-0-0 (Carol J. Mitten, John G. Parsons, Anthony J. Hood, Gregory N. Jeffries, and Michael G. Turnbull to adopt).

**Z.C. ORDER NO. 06-11 / 06-12**  
**Z.C. CASES NO. 06-11 / 06-12**  
**PAGE 50**

In accordance with the provisions of 11 DCMR § 2038, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on OCT 26 2007.

# DEVELOPMENT SITES

**PRIMARY USE CATEGORIES**

- ACADEMIC/ADMINISTRATIVE/MEDICAL
- RESIDENTIAL/CAMPUS LIFE/ATHLETIC
- COMMERCIAL/INVESTMENT

**OTHER**

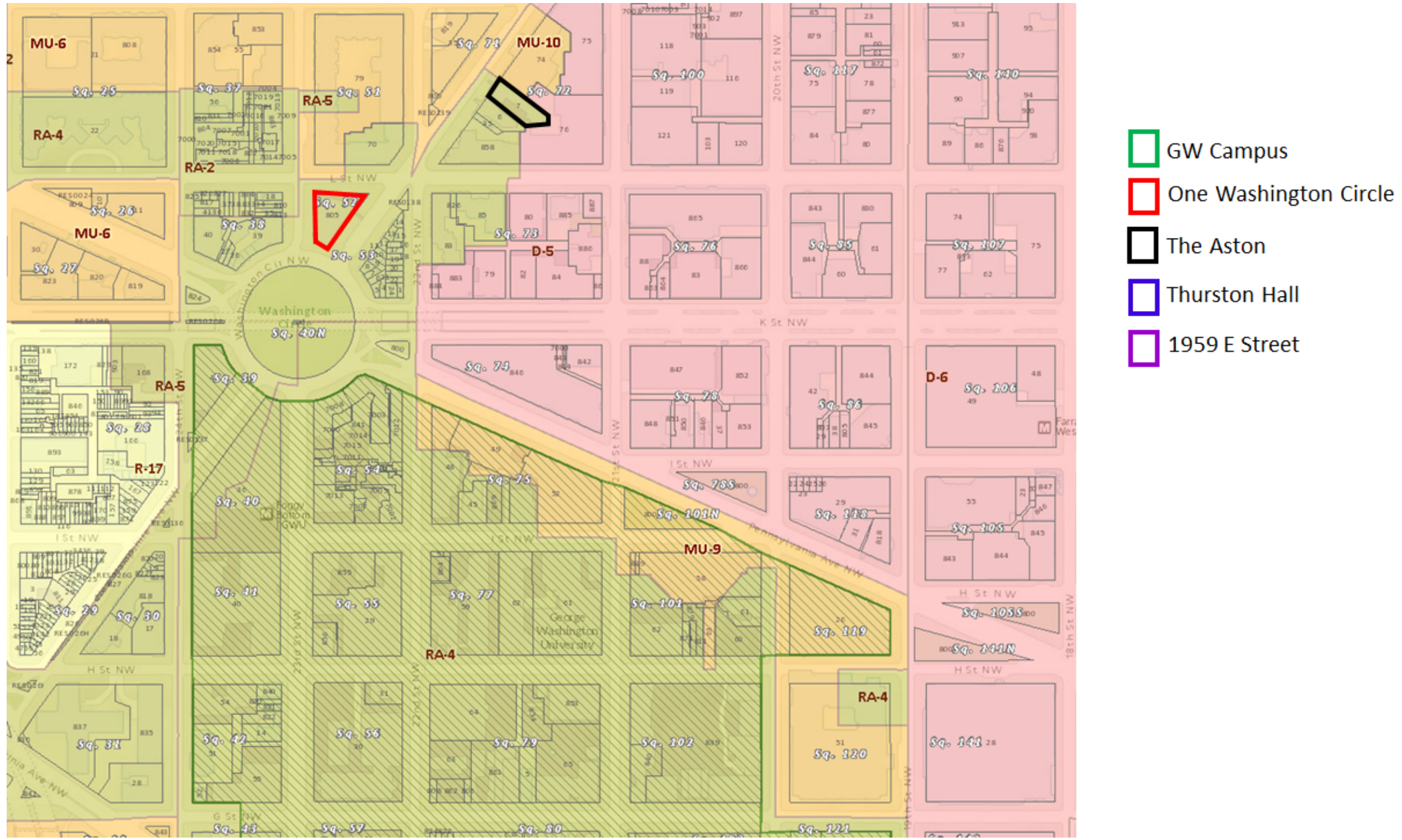
- ADAPTIVE REUSE OF HISTORIC BUILDINGS
- SITES TO BE ADDRESSED UNDER SEPARATE ZONING PROCESS
- CAMPUS PLAN BOUNDARY

Appendix 1

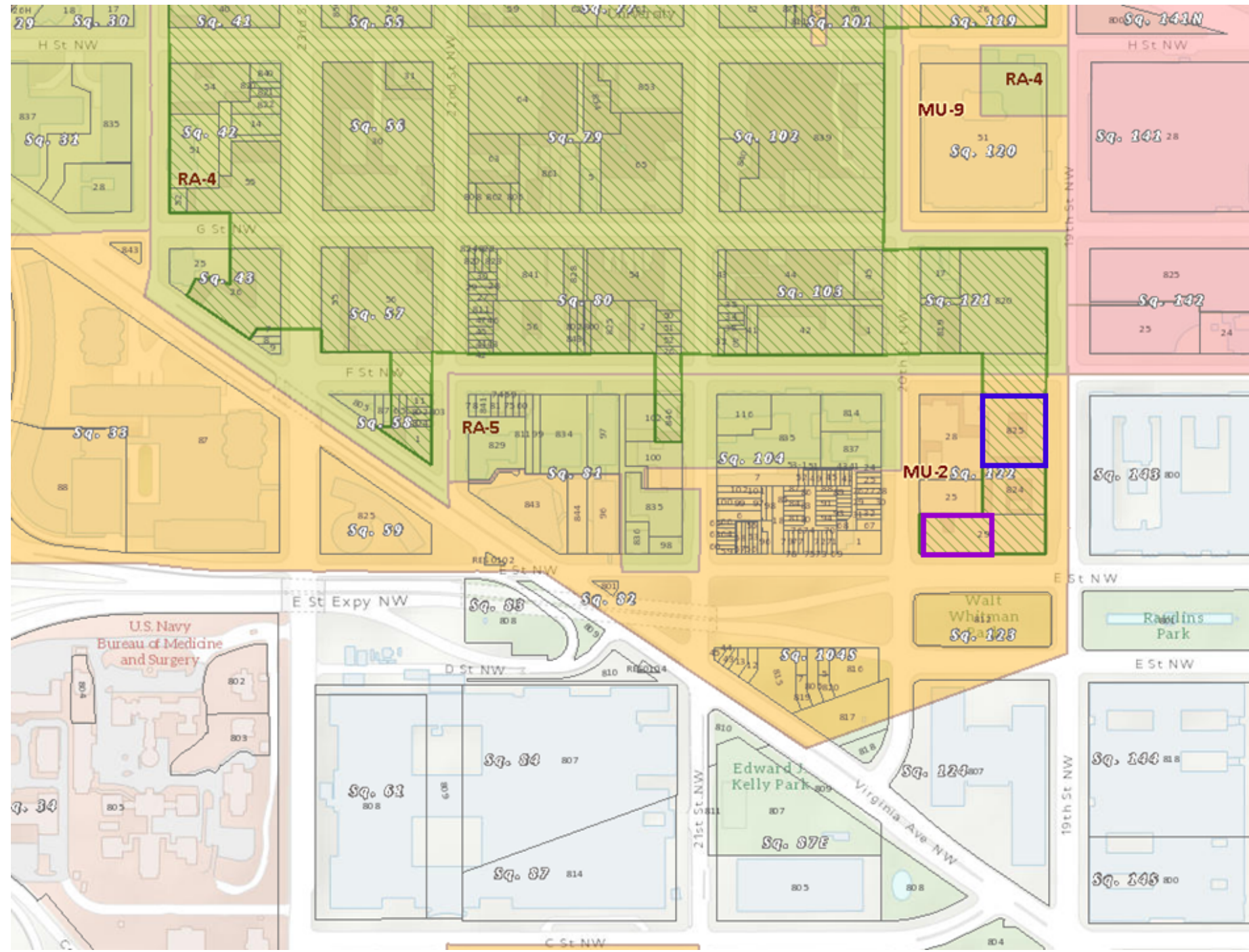
# EXHIBIT E



### GW Zone Map Showing Location of Proposed Housing Sites (Pg. 1 of 2)



### GW Zone Map Showing Location of Proposed Housing Sites (Pg. 2 of 2)



- GW Campus
- One Washington Circle
- The Aston
- Thurston Hall
- 1959 E Street

# EXHIBIT F

## EXHIBIT F

### CERTIFICATE OF NOTICE

I HEREBY CERTIFY that a copy of the Notice of Intent to File a Zoning Application for a Modification to Conditions of an Approved Campus Plan and First-Stage PUD for the George Washington University (the “University”) was mailed to Advisory Neighborhood Commission (“ANC”) 2A and to the owners of all property within 200 feet of the perimeter of the Subject Property (hereinafter defined) on April 19, 2019, as required by the Zoning Regulations of the District of Columbia, 11 DCMR (Zoning), Subtitle Z, Section 300.7. The Notice of Intent was sent to all owners within 200 feet of the full Campus property as well as the owners within 200 feet of the Aston and One Washington Circle.

The University has commenced extensive community outreach regarding the proposed modifications, including the following ANC meetings bolded below:

- Campus Plan Advisory Committee (CPAC)– Announcement – March 18, 2019
- **ANC 2A March Meeting – Informational Presentation regarding Temporary Housing Plan– March 20, 2019**
- Meeting between University President and ANC Commissioners – March 23, 2019
- Foggy Bottom Association Meeting – March 26, 2019
- **ANC 2A May Meeting – Update regarding Temporary Housing Plan – May 15, 2019**
- **Special Meeting with Members of ANC 2A and community members from single-member district 2A06 regarding Temporary Housing Plan – May 29, 2019**
- CPAC – Update and Discussion regarding Temporary Housing Plan; Presentation regarding Thurston Hall Renovations – June 17, 2019

The University also met with the Office of Planning and the Historic Preservation Office in March 2019, April 2019, and July 2019.

As a result of these meetings, the University has supplemented and clarified details regarding its Temporary Housing Plan. This includes:

- Specific student life staffing plans for student housing at the Aston and One Washington Circle;
- Integration of operational and physical measures to address quality-of-life concerns (such as limitations on balcony and pool use);
- Detailed additional information regarding the specific measures that will be used to accommodate the temporary loss of beds at Thurston Hall, including undergraduate enrollment adjustments; and
- Mitigation measures to address off-campus students, including:
  - Intensifying educational efforts on off-campus student life for upperclassmen in the Aston and One Washington Circle;

- Providing Resident Advisors to assist with programming, supervision, and management of the residence hall environments; and
- Maintaining on-site hotel management staff 24/7 at One Washington Circle.

The University will continue to consider and address comments from the community and agencies.

/s/  
David M. Avitabile

NOTICE OF INTENT TO FILE A ZONING APPLICATION  
APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR  
MODIFICATION TO CONDITIONS OF AN APPROVED CAMPUS PLAN AND FIRST-  
STAGE PUD IN Z.C. ORDER NO. 06-11/06-12 AND  
FURTHER PROCESSING APPROVAL AND RELATED RELIEF

APRIL 19, 2019

The George Washington University (“University”) gives notice of its intent to file applications for (1) approval of modifications to the approved conditions of its 2007 Foggy Bottom Campus Plan and related First-Stage PUD (“Campus Plan / PUD”) for its Foggy Bottom campus “Campus”) and (2) further processing approval and related relief for the renovation of Thurston Hall.<sup>1</sup> The proposed modifications relate to the conditions of the approved Campus Plan / PUD as a whole, and accordingly the entire Campus is the subject of the modification application. Thurston Hall, an undergraduate residence hall that currently provides approximately 1,080 beds for first-year students, is located at 1900 F Street NW and is known as Square 122, Lot 825 (“Property”). The Property is improved with a 9-story residence hall that contains approximately 183,194 square feet of gross floor area (6.64 FAR) and occupies approximately 20,443 square feet of building area (74%). The Property consists of approximately 27,600 square feet, or approximately 0.63 acres, of land area.

The Campus is located in a number of zone districts, including the RA-4, RA-5, MU-2, and MU-9 Zone Districts; through the Campus Plan / PUD, certain sites have been rezoned to the MU-9 and MU-30 Zone Districts. The Campus is located in the Institutional and High Density Commercial Land Use categories on the Future Land Use Map of the District of Columbia Comprehensive Plan (“FLUM”). The Property is located in the MU-2 Zone District and the Institutional Use Category on the FLUM.

The University proposes to renovate Thurston Hall and anticipates the renovation will take up to two years. During renovation, approximately 1,080 beds will be removed from the University’s undergraduate housing supply. Accordingly, the University has developed a Temporary Housing Plan to accommodate students during this period, which, in addition to utilizing a limited number of available beds in existing on-campus residential buildings, is outlined below:

- The University will provide approximately 250 undergraduate beds for third-year and fourth-year students in The Aston, located at 1129 New Hampshire Avenue, NW.

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<sup>1</sup> The University will file two applications: one for the Campus Plan modifications required to implement the Temporary Housing Plan and one for the Thurston Hall further processing approvals.

(This will require relief from Condition P-8(b) of the Campus Plan / PUD, which otherwise does not permit undergraduates at The Aston.)

- The University will secure housing for approximately 300 third-year and fourth-year undergraduate students in hotel rooms at the One Washington Circle hotel, located at 1 Washington Circle, NW.
- The University will house second-year students in the residence hall located at 1959 E Street NW. (This will require a modification of Condition 8 of Z.C. Order No. 746-C.)
- The University will seek to reduce the on-campus bed requirement to 70% of its full-time Foggy Bottom undergraduate population, inclusive of beds provided at The Aston and One Washington Circle. (This will require a modification of Condition C-6 of the Campus Plan / PUD.)

As noted, some components of the Temporary Housing Plan will require temporary relief from the requirements of the Campus Plan / PUD or other zoning approvals. The relief described above is requested only during the two-year period during which Thurston will be renovated (academic year Fall 2020 – Spring 2021, and Fall 2021 – Spring 2022). Beginning in Fall 2022, the above relief will terminate, and the associated conditions will return to effect.

Concurrent with approval of the Temporary Housing Plan, the University will also seek further processing approval under the 2007 Campus Plan for proposed alterations to Thurston Hall. The proposed renovations are designed to improve the student experience and include (1) an overhead canopy to partially enclose the courtyard and permit three-season use and (2) habitable penthouse space containing communal gathering spaces (“Project”).<sup>2</sup> In connection with further processing approval, relief from the lot occupancy requirements is sought to permit the enclosure over the courtyard. Following the completion of the proposed renovations, Thurston will provide approximately 825 beds. Thurston Hall will remain a height of 87 feet and have a gross floor area of approximately 179,572 square feet (for a floor area ratio of 6.51). The renovated Thurston will have a lot occupancy of approximately 85% with the enclosure, though the base footprint of each floor of the building will be approximately 75%, which is within the 80% lot occupancy limit in the MU-2 Zone. Loading access will continue to be provided from 19<sup>th</sup> Street NW. The proposed use, height, and density are all consistent with the approved Campus Plan.

Representatives of the University have engaged the leaders of Advisory Neighborhood Commission (“ANC”) 2A, the West End Citizens Association (“WECA”), and the Foggy

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<sup>2</sup> Because the Thurston Hall project is a renovation that does not increase the gross floor area of the existing building, a second-stage PUD is not required.

Bottom Association (“FBA”) in initial discussions regarding the Temporary Housing Plan and the Project. To this end, the Temporary Housing Plan and the Project were introduced at the Campus Plan Advisory Committee (“CPAC”) meeting on March 18, 2019 and at a regularly-scheduled ANC 2A meeting on March 20, 2019. Pursuant to Subtitle Z, Section 300.9 and 302.8, the University will present the proposed modification and further processing applications to ANC 2A at an upcoming public meeting. The University is available to discuss the proposed applications with all interested groups and individuals.

The applications will be filed with the District of Columbia Zoning Commission under Subtitle X, Chapters 1 and 3, and Subtitle Z, Sections 300.1, 302.1 and 704.1 of the District of Columbia Zoning Regulations, 11 DCMR (effective September 6, 2016, as amended), not less than forty-five (45) days from the date of this Notice, which is given pursuant to Subtitle Z, Sections 300.7 and 302.6 of the Zoning Regulations. The architect for the Project is VMDO Architects. The land use counsel is Goulston and Storrs. If you require additional information regarding the applications, please contact David Avitabile at [davitabile@goulstonstorrs.com](mailto:davitabile@goulstonstorrs.com) or 202-721-1137.



# EXHIBIT G

**NAME AND MAILING ADDRESS OF THE OWNERS OF  
ALL PROPERTY WITHIN 200 FEET IN ALL DIRECTIONS FROM ALL BOUNDARIES OF  
THE PROPERTY INVOLVED IN THE APPLICATION  
[GW FULL MAIN CAMPUS, SQ 52, & SQ 72]**

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
27	819	2400 Pennsylvania Ave. NW	2400 LLC c/o Robert Wallick 11161 New Hampshire Avenue Silver Spring MD 20904-2606
28	79	20 Snows Ct. NW	Gretchen Jacobson 20 Snows Court NW Washington DC 20037-2213
28	82	19 Snows Ct. NW	Edward M. Pachetti, III 19 Snows Court NW Washington DC 20037-2213
28	89	16 Snows Ct. NW	Taylor T. Simmons 10905 Burbank Drive Potomac MD 20854-1559
28	90	17 Snows Ct. NW	Warren C. Graham 17 Snows Court NW Washington DC 20037-2213
28	91	18 Snows Ct. NW	Khosrow Partovi & Fatima Saadatian 18 Snows Court NW Washington DC 20037-2213
28	92	942 24 <sup>th</sup> Street NW	Ernest H. Latham, Jr., Trustee 942 24 <sup>th</sup> Street, NW Washington DC 20037-2201
28	93	940 24 <sup>th</sup> Street NW	Peter J. Fitzgerald c/o Fitzgerald Properties 1447 Dolley Madison Blvd McLean VA 22101-4518
28	94	938 24 <sup>th</sup> Street NW	Tamara Lanham 938 24 <sup>th</sup> Street NW Washington DC 20037-2201
28	122	912 New Hampshire Ave. NW	912 New Hampshire Ave NW LLC 1010 S. Creek View Court Churchton MD 2073-2500
28	123	910 New Hampshire Ave. NW	910 NH Ave LLC 1010 S. Creek View Court Churchton MD 20733-2500

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
28	159	904 New Hampshire Ave. NW	Alan Alper 904 New Hampshire Avenue NW Washington DC 20037-2301
28	871	902 New Hampshire Ave. NW	Carl L. Segneri, Jr. & Claudia A. Rochie-Segneri 902 New Hampshire Avenue, NW Washington, DC 20037-2301
28	872	2403 I Street NW	Irene Klotz & Benjamin Klotz 2403 I Street, NW Washington, DC 20037-2205
28	873	900 New Hampshire Ave. NW	Sheldon K. & E. Gottlieb 8708 Wandering Trail Drive Potomac, MD 20854-2374
28	875	906 New Hampshire Ave. NW	Alain D. Aboville and Karen Adoville 906 New Hampshire Avenue, NW Washington, DC 20037-2301
28	901	936 24 <sup>th</sup> Street NW	Michael D. Watson 936 24 <sup>th</sup> Street, NW Washington, DC 20037-2201
28	903	2416 K. Street NW	Circle Arms, LLC c/o Zalco Realty 8701 Georgia Avenue, Suite 300 Silver Spring, MD 20910-3727
28	2021	900 24 <sup>th</sup> Street NW, #A	Swati Saxena & Arthaan Saksena 900 24 <sup>th</sup> Street NW, Unit A Washington DC 20037-2200
28	2022	900 24 <sup>th</sup> Street NW, #B	Mahmud Razavi & Shirin Razavi 900 24 <sup>th</sup> Street NW, Unit B Washington DC 20037
28	2023	900 24 <sup>th</sup> Street NW, #C	Nicholas Papadopoulos and Sarah Potts 900 24 <sup>th</sup> Street, NW, #C Washington, DC 20037-2200
28	2024	900 24 <sup>th</sup> Street NW, #D	Ali Noor & Shama Noor 900 24 <sup>th</sup> Street, NW, #D Washington, DC 20037-2200
28	2025	900 24 <sup>th</sup> Street NW, #E	Edward Peck
28	2029	900 24 <sup>th</sup> Street NW, #U	106 Grafton Street Chevy Chase, MD 20815-3426

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
28	2026	900 24 <sup>th</sup> Street NW, #F	Kateri DaSilva & Simon Bellemere
28	2036	900 24 <sup>th</sup> Street NW, #R	10275 Collins Avenue, Apt. 110 Bal Harbour FL 33154-1458
28	2027	900 24 <sup>th</sup> Street NW, #G	Ahmed Abdelrah Mahmoud Eiweida &
28	2035	900 24 <sup>th</sup> Street NW, #Q	Mirelle Anne S. Basselin 900 24 <sup>th</sup> Street, NW, #G Washington, DC 20037-2200
28	2028	900 24 <sup>th</sup> Street NW, #H	Matthew Chwastek & Amy T.
28	2042	900 24 <sup>th</sup> Street NW, #X	Scheithauer 1200 N. Veitch Street, Apt. 304 Arlington VA 22201-5821
28	2029	900 24 <sup>th</sup> Street NW, #J	Robert J. Niemiec
28	2040	900 24 <sup>th</sup> Street NW, #V	3337 Deep River Lane Toms River NJ 08755-2313
28	2030	900 24 <sup>th</sup> Street NW, #K	Atul R. Shah 15595 Oak Glen Circle Hughesville, MD 20637-2734
28	2031	900 24 <sup>th</sup> Street NW, #L	Nassib & Keema Habayeb
28	2041	900 24 <sup>th</sup> Street NW, #W	4898 Duguid Road Manlius NY 13104-1203
28	2032	900 24 <sup>th</sup> Street NW, #M	Carolyn B. Schlipf
28	2037	900 24 <sup>th</sup> Street NW, #S	900 24 <sup>th</sup> Street NW, #M Washington, DC 20037-2200
28	2033	900 24 <sup>th</sup> Street NW, #N	Gregory P. Withers & Carol W. Jones 4827 Gibbs Avenue Boulder, CO 80301-6207
28	2034	900 24 <sup>th</sup> Street NW, #P	Juergen P. Zilling, Trustee Jeanne T. Abel, Trustee 900 24 <sup>th</sup> Street, #P Washington, DC 20037-2200
28	2038	900 24 <sup>th</sup> Street NW, #T	Nicholas T. Papadopoulos & Sarah Potts 900 24 <sup>th</sup> Street, NW, #T Washington, DC 20037-2200
28	2043 thru 2266 2577 2578	922 24 <sup>th</sup> Street NW 922 24 <sup>th</sup> Street NW 922 24 <sup>th</sup> Street NW 922 24 <sup>th</sup> Street NW	Board of Directors of the Jefferson House Condominium Association 922 24 <sup>th</sup> Street, NW Washington, DC 20037

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
28	2267	908 New Hampshire Ave, NW,	Mehrad Vajdi, D.D.S., PLLC
28	2284	#100 908 New Hampshire Ave, NW, P6	908 New Hampshire Avenue, NW #100 Washington, DC 20037-2346
28	2268	908 New Hampshire Ave. NW, #201	Kostko LLC 908 New Hampshire Avenue, NW, #201
28	2269	908 New Hampshire Ave. NW, #202	Washington DC 20037-2346
28	2279	908 New Hampshire Ave. NW, #P1	
28	2270	908 New Hampshire Ave. NW, #301	Nader Rezvani, D.D.S., P.C. 908 New Hampshire Avenue, NW, #301
28	2281	908 New Hampshire Ave. NW, P3	Washington, DC 20037-2346
28	2271	908 New Hampshire Ave. NW, #302	Judith A. Nowak, MD, P.C. 908 New Hampshire Avenue, NW, #302 Washington, DC 20037-2346
28	2272	908 New Hampshire Ave. NW, #303	Roger Locker 908 New Hampshire Avenue, NW #303 Washington, DC 20037-2346
28	2273	908 New Hampshire Ave. NW, #400	908 New Hampshire Avenue LLC 908 New Hampshire Avenue, NW, #400
28	2286	908 New Hampshire Ave. NW, P8	Washington, DC 20037-2346
28	2274	908 New Hampshire Ave. NW, #500	David P. Sniezek and Edwina Sniezek 908 New Hampshire Avenue, NW, #500 Washington, DC 20037-2346
28	2275	908 New Hampshire Ave. NW, #601	Natalia Eisenberg, Trustee 1539 Foxhall Road, NW
28	2283	908 New Hampshire Ave NW, P5	Washington, DC 20007-2067
28	2276	908 New Hampshire Ave. NW, #602	Maryam Razavi Medical Office LLC 908 New Hampshire Avenue, NW, #602 Washington, DC 2037-2346
28	2277	908 New Hampshire Ave. NW, #603	Charlene R. Nemetz 908 New Hampshire Avenue, NW, #603 Washington, DC 20037-2346

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
28	2278	908 New Hampshire Ave. NW, #700	Jacobsen 7 LLC & Comas 7 LLC 1628 21 <sup>st</sup> Street, NW Washington, DC 20009-1003
28	2280	908 New Hampshire Ave. NW, #P2	
28	2282	908 New Hampshire Ave. NW, #P4	
28	2285	908 New Hampshire Ave. NW, P7	David Sniezek and Edwina Sniezek 2021 K Street NW, Suite 710 Washington DC 20006-1003
28	2287-2290	950 24 <sup>th</sup> Street NW	Gateway Bailey Inc.
28	2292-2317	950 24 <sup>th</sup> Street NW	191 N. Wacker Drive, Suite 2500
28	2319-2574	950 24 <sup>th</sup> Street NW	Chicago IL 60606-1885
28	2291	950 24 <sup>th</sup> Street NW, G2-5	Gateway Bailey Inc. Durant Berkeley Partners LLC 7819 Norfolk Avenue, Floor 2 Bethesda MD 20814-6016
28	2318	950 24 <sup>th</sup> Street NW, G2-35	Gateway Bailey Inc. Varsity Investment Grop LLC 7819 Norfolk Avenue, Floor 2 Bethesda MD 20814-6016
30	2001-2152	2401 H Street NW	Board of Directors of the Bonwit Plaza Condominium Association 2401 H Street, NW Washington, DC 20037
30	18	801 New Hampshire Ave. NW	Chatham Washington DC LLC 222 Lakeview Avenue, Suite 200 West Palm Beach FL 33401-6146
30	19	833 New Hampshire Ave. NW	Dixie R. Woodard 833 New Hampshire Avenue, NW Washington, DC 20037-2305
30	20	837 New Hampshire Ave. NW	Peter Florian & Susana Florian 837 New Hampshire Avenue NW Washington, DC 20037-2305
30	818	825 New Hampshire Ave. NW	Elaine G. Miller & Elise G. Lefkowitz c/o Gelman Management Corp. 2120 L Street NW, Suite 800 Washington DC 20037-1549

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
30	820	835 New Hampshire Ave, NW	Masoud Toufanian & Fereshten R. Toufanian 835 New Hampshire Avenue NW Washington DC 20037-2305
30	822	831 New Hampshire Ave. NW	Martin Braun II 200 Goose Hill Manor Road Stevensville MD 21666-3041
30	823	830 24 <sup>th</sup> Street NW	Hunter Huang & Marie Huang 830 24 <sup>th</sup> Street, NW Washington DC 20037-2317
30	827	New Hampshire Ave, NW	Mr. Peter May
31	843	Virginia Ave, NW	National Park Service
38	824	Pennsylvania Ave, NW	1100 Ohio Avenue SW
40N	800	NW	Washington DC 20242
42	51	725 24 <sup>th</sup> Street NW	
53	800	Pennsylvania Ave, NW	
78S	800	Pennsylvania Ave, NW	
101N	800	Pennsylvania Ave, NW	
104	834	Pennsylvania Ave, NW	
123	812	2025 E. Street NW	
141N	800	NW	
143	800	Pennsylvania Ave, NW	
	Rs. 13-A	1801 E Street NW	
	Res. 104	NW	
	Res. 136	NW	
	Res. 137	New Hampshire Ave, NW	
	Res. 139	New Hampshire Ave, NW	
31	28	2401 Virginia Ave. NW	Western Presbyterian Church, Trs. 2401 Virginia Avenue NW Washington DC 20037-2636
31	835	730 24 <sup>th</sup> Street NW	Potomac Plaza Terraces c/o Management Office 730 24 <sup>th</sup> Street NW, Apt. 200 Washington DC 20037-2519
31	837	2475 Virginia Ave. NW	Potomac Plaza Apts Inc. 2475 Virginia Avenue NW Washington DC 20037-2639
33	87	2400 Virginia Ave. NW	Columbia Plaza LP c/o T.W. Robertson, Trustee 2440 Virginia Avenue NW Washington DC 20037-2601

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
37	863	1110 23 <sup>rd</sup> Street NW	West End Residential Properties I LLC 3307 M Street NW, Suite 400 Washington DC 20007-3539
37	7023	1110 23 <sup>rd</sup> Street NW	
37	7024	1110 23 <sup>rd</sup> Street NW	
37	7025	1110 23 <sup>rd</sup> Street NW	
37	7026	1110 23 <sup>rd</sup> Street NW	
37	7033	1110 23 <sup>rd</sup> Street NW	
37	7035	1110 23 <sup>rd</sup> Street NW	
37	7037	1110 23 <sup>rd</sup> Street NW	
37	862	1111 24 <sup>th</sup> Street NW	District of Columbia 2000 14 <sup>th</sup> Street NW, 8 <sup>th</sup> Floor Washington DC 20009-4487
37	7027	1111 24 <sup>th</sup> Street NW	
37	7028	1111 24 <sup>th</sup> Street NW	
79	5	2119 G Street NW	
38	18	1010 23 <sup>rd</sup> Street NW	Abdo Lux LLC 1404 14 <sup>th</sup> Street NW, Floor 2 Washington DC 20005-3705
38	34	1006 23 <sup>rd</sup> Street NW	John O. Maher Trustees & Rika Oishi Trustees Washington Mgmt Services 4405 East West Highway, Suite 306 Bethesda, MD 20814-4534
38	35	1002 23 <sup>rd</sup> Street NW	Anand A. Devadas 1002 23 <sup>rd</sup> Street NW Washington DC 20037-1421
38	810	1008 23 <sup>rd</sup> Street NW	Evelyn C. Morgan & Anthony Fautroy 216 Missouri Avenue NW Washington Dc 20011-5226
38	813	1004 23 <sup>rd</sup> Street NW	Walter Hage 5506 Connecticut Avenue NW, Unit 28A Washington DC 20015-2600
38	832	2312 L Street NW	Bartlett LLC 5336 Falmouth Road Bethesda MD 20816-2915
38	833	2308 L Street NW	Deepti Rohatgi & Atul Rohatgi 5935 Anniston Road Bethesda MD 2018-3420



<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
38	834	2310 L Street NW	Krishna K. Bappanad & Chandra K. Bappanad 2310 L Street NW Washington DC 20037-1425
38	2001-2004	3 Washington Circle NW	President/Director Condominium Association
38	2021-2159	3 Washington Circle NW	3 Washington Circle NW Washington DC 20037-2358
38	2163-2169	3 Washington Circle NW	
38	2174	3 Washington Circle NW	
38	2005	Washington Circle NW, Unit 204	Bera Holdings LLC 11500 Cedar Run Lane Owings MD 20736-3300
38	2006	Washington Circle NW, Unit 205	3205 Washcirc LLC 3 Washington Circle, NW, Suite 205 Washington DC 20037-2326
38	2007	Washington Circle NW, Unit 206	John C. Doolittle Trustee & Ellen K. Baker Trustee 3672 Winfield Lane NW Washington DC 20007-2370
38	2008	Washington Circle NW, Unit 207	3 Washington Circle #208 LLC
38	2009	Washington Circle NW, Unit 208	3 Washington Circle NW, Suite 208 Washington DC 20037-2326
38	2010	Washington Circle NW, Unit 209	Don Schwartz & Marilyn Schwartz 3 Washington Circle NW, Suite 209 Washington DC 20037-2357
38	2011	Washington Circle NW, Unit 303	Suite 303 LLC 8101 Falstaff Road McLean VA 22102-2730
38	2012	Washington Circle NW, Unit 304	Fuji Properties LLC 1218 W Street NW Washington DC 20009-7509
38	2013	Washington Circle NW, Unit 305	Ramin Jebrailli Trustee 307 21 <sup>st</sup> Street Santa Monica CA 90402-2417

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
38	2014	Washington Circle NW, Unit 306	K Street Dental Group LLC 3 Washington Circle NW, Unit 306 Washington DC 20037-2356
38	2015	Washington Circle NW, Unit 401	Carol M. Cutts and Matthew D. Cutts Trustee 9106 Belmart Road Potomac MD 20854-1619
38	2016	Washington Circle NW, Unit 402	Curtis B. Chipman Trustee 6621 Wakefield Drive, Apt. 319 Alexandria VA 22307-6825
38	2017	Washington Circle NW, Unit 403	Bernard M. Malloy, Sr., Trustee 5901 MacArthur Blvd NW, Apt. 280 Washington DC 20016-2546
38	2018	Washington Circle NW, Unit 404	Craig R. Faulks MD and David Lutton MD 3 Washington Circle NW, Suite 404 Washington DC 20037-2362
38	2019	Washington Circle NW, Unit 405	J.D. Miller 3 Washington Circle NW, Suite 405 Washington DC 20037-2356
38	2020	Washington Circle NW, Unit 406	Washington Psychiatric Group 3 Washington Circle NW, Suite 406 Washington DC 20037-2356
38	2160	Washington Circle NW, Unit G1	Yousefi Washington Clinic PC 3 Washington Circle NW Washington DC 20037-2356
38	2172 2173	Washington Circle NW, Unit 406 Washington Circle NW, Unit 406	Nine Brick Row LLC 1639 Hobart Street NW Washington DC 20009-3704
42	14	722 23 <sup>rd</sup> Street NW	St. Mary's P.E. Church 728 23 <sup>rd</sup> Street NW Washington DC 20037-2501
42	821	730 23 <sup>rd</sup> Street NW	
42	52	701 24 <sup>th</sup> Street NW	Friendship Lodge 12 Frat Org. P.O. Box 6122 Washington DC 20044-6122

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
42	820	23 <sup>rd</sup> Street NW	Hillel at the George Washington University, Inc.
42	840	2300 H. Street NW	2300 H Street NW Washington DC 20037-2523
42	822	728 23 <sup>rd</sup> Street NW	St. John's Parish c/o St. Mary's P.E. Church 728 23 <sup>rd</sup> Street NW Washington DC 20037-2501
43	7	604 23 <sup>rd</sup> Street NW	Donald W. Kreuzer
43	8	602 23 <sup>rd</sup> Street NW	600 23 <sup>rd</sup> Street NW
43	9	600 23 <sup>rd</sup> Street NW	Washington DC 20037-2701
43	2001-2052	601 24 <sup>th</sup> Street NW	President/Director Condominium Association 601 24 <sup>th</sup> Street NW Washington DC 20037
51	2001-2219	2201 L Street NW	President/Director Condominium Association 2201 L Street NW Washington DC 20037-1410
51	2220-2314	1155 23 <sup>rd</sup> Street NW	President/Director Condominium Association
51	2283-2284	1155 23 <sup>rd</sup> Street NW	1155 23 <sup>rd</sup> Street NW Washington DC 20037-3301
51	2315-2378	1111 23 <sup>rd</sup> Street NW	President/Director Condominium Association 1111 23 <sup>rd</sup> Street NW Washington DC 20037
51	2379	1150 22 <sup>nd</sup> Street NW	MPE Holdings I LLC Trustee 1150 22 <sup>nd</sup> Street NW Washington DC 20037-1219
51	2380	1170 22 <sup>nd</sup> Street Fitness	Millennium Washington Commercial Trustee LLC 1995 Broadway New York NY 10023-5882

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
51	2381	1101 23 <sup>rd</sup> Street NW Retail	Millennium Georgetown Commercial Trustee LLC Millennium Partners 1995 Broadway, Floor 3 New York NY 10023-5882
51	2382	22 <sup>nd</sup> Street NW Parking	
53	5	2207 K Street NW	MD West 1 <sup>st</sup> Nationwide Mgmt PO Box 40365 Washington DC 20016-0365
53	7	2211 Washington Circle NW	Belinda Keiser & Arthur Keiser 1900 W Commercial Blvd Ft. Lauderdale FL 33309-7104
53	8	2213 Washington Circle NW	Maverick LLC 2213 Washington Circle NW Washington DC 20037-1858
53	9	1001 New Hampshire Avenue NW	Firooz Realty LLC 8411 Baccarat Court Bethesda MD 20814-3708
53	10	1003 New Hampshire Avenue NW	Alex C. Lakastos & Kelly R. Lakatos 1414 22 <sup>nd</sup> Street NW, Apt. 24 Washington DC 20037-1077
53	11	1005 New Hampshire Avenue NW	Republic of Tajikistan 1005 New Hampshire Avenue NW Washington DC 20037-1939
53	12	1007 New Hampshire Avenue NW	Douglas N. Young 2715 M Street NW Washington DC 20007-3732
53	13	1009 New Hampshire Avenue NW	1009 New Hampshire Avenue LLC Schlosberg Properties Inc. 3411 Dent Place NW Washington DC 20007-2715
53	14	1011 New Hampshire Avenue NW	1011 New Hampshire Avenue LLC 1011 New Hampshire Avenue NW Washington DC 20037-1803

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
53	15	1016 22 <sup>nd</sup> Street NW	Anand P. Devadas 1012 22 <sup>nd</sup> Street NW Washington DC 20037-1806
53	16	1014 22 <sup>nd</sup> Street NW	Frank Vibert & Eva Vibert 1014 22 <sup>nd</sup> Street NW Washington DC 20037-1806
53	17	1012 22 <sup>nd</sup> Street NW	Dennis M. Campbell & Leesa H. Campbell PO Box 51958 Durham NC 27717-1958
53	18	1010 22 <sup>nd</sup> Street NW	1010 22 <sup>nd</sup> St NW LLC Iqbal Quadir 5961 Valerian Lane N. Bethesda MD 20852-3429
53	19	1008 22 <sup>nd</sup> Street NW	Melissa S. Simms 1008 22 <sup>nd</sup> Street NW Washington DC 20037-1806
53	20	1006 22 <sup>nd</sup> Street NW	Timberlake Foster & Pamela Blolley 2525 Gulf of Mexico Dr, Unit 8C Longboat Key FL 34228-3118
53	21	1004 22 <sup>nd</sup> Street NW	Kamal Quadir & Nermeen Shams 5961 Valerian Lane Rockville MD 20852-3429
53	22	1002 22 <sup>nd</sup> Street NW	Farivar S. Mottaghi II & Afshin Mottaghiand 1002 22 <sup>nd</sup> St LLC 1511 Wisconsin Avenue NW Washington DC 20007-2739
53	2001-2004	2205 K Street NW	Dorothy Griffith Shelton Family Trust Alvin L. Aubinoe Inc. 107 W. Jefferson Street Rockville MD 20850-4205
53	2011	2209 Washington Circle NW, Unit 1	Scott D. Bailey 2209 Washington Circle NW, Apt. 1 Washington DC 20037-1860

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
53	2012	2209 Washington Circle NW, Unit 2	George K. Allen Jr. 2209 Washington Circle NW Washington DC 20037-1860
53	2013	2209 Washington Circle NW, Unit 3	Michel Charouk & Patricia T. Charouk 701 King Farm Blvd, Apt. 237 Rockville MD 20850-6171
58	7	2210 F. Street NW	Patrick A. O'Boyle Roman Catholic Archbishop of Washington 2210 F Street NW Washington DC 20005
58	8	2212 F. Street NW	Abdo F Street LLC 1404 14 <sup>th</sup> Street, NW Washington DC 20005
58	805	2224 F Street NW	
58	11	524-526 22 <sup>nd</sup> Street NW	Educational Foundation for Gamma ETA Inc. c/o Brian Burnham 922 Malta Lane Silver Spring MD 20901-1135
58	804	518 22 <sup>nd</sup> Street NW	Richard S. Sines, Trustee Elizabeth U. Sines, Trustee 3717 Woodley Road, NW Washington DC 20016-5037
59	825	525 23 <sup>rd</sup> Street NW	Pan American Health Organization 525 23 <sup>rd</sup> Street NW Washington DC 20037
71	800	1100 New Hampshire Avenue NW	1100 New Hampshire Avenue LLC Andrew E. Manatos 1100 New Hampshire Avenue NW Washington DC 20037-1501
71	819	New Hampshire Avenue	Anacostia Realty LLC 6820B Commercial Drive Springfield VA 22151-4201
71	2001	1177 22nd Street NW, C-1	TBRC LLC Eastbanc Inc. 3307 M Street NW, Suite 400 Washington DC 20007-3539
71	2002	1177 22nd Street NW, C-2	

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
71	2003-2094	1177 22nd Street NW	President/Director Condominium Association 1177 22nd Street NW Washington DC 20037-1253
72	6	1121 New Hampshire Avenue NW	Georgetown Suites LLC 1121 New Hampshire Avenue NW Washington DC 20037-1522
72	74	1143 New Hampshire Avenue NW	BSREP II Dupont Circle LLC 1997 Annapolis Exchange Parkway Annapolis MD 21401-3271
72	75	2100 M Street NW	Liberty 2100 M Street LP 650 E Swedesford Road, #400 Wayne PA 19087-1610
72	76	2101 L Street NW	CESC 2101 L Street LLC JBG Smith Properties 4445 Willard Avenue, Suite 400 Chevy Chase MD 20815-4641
72	858	1101 New Hampshire Avenue NW	David Hornstein Gelman Management Co. 2120 L Street NW, Suite 800 Washington DC 20037-1549
72	2001	1117 New Hampshire Avenue NW, Unit T1	Elaine Tsimpos 1117 New Hampshire Avenue NW, Washington DC 20037-1555
72	2002	1117 New Hampshire Avenue NW, Unit 1	Angel Donchev 1117 New Hampshire Avenue NW Washington DC 20037-1500
72	2003	1117 New Hampshire Avenue NW, Unit 2	Pamela J. Slater 1117 New Hampshire Avenue NW, Apt. 2 Washington DC 20037-1500
72	2004	1117 New Hampshire Avenue NW, Unit 3	Ashleigh Watson 955 26th Street NW, Apt. 605 Washington DC 20037-2040
72	2005	1117 New Hampshire Avenue NW, Unit 4	Donato Alvarez & Marisa C. Alvarez Trustees
72	2008	1117 New Hampshire Avenue NW, Unit 7	1117 New Hampshire Avenue NW Washington DC 20037-1500

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
72	2006	1117 New Hampshire Avenue NW, Unit 5	Anna Reva 1117 New Hampshire Avenue NW, Unit 5 Washington DC 20037-1500
72	2007	1117 New Hampshire Avenue NW	Dean G. Phelus 1117 New Hampshire Avenue NW Apt. 600 Washington DC 20037-1500
72	2009	1117 New Hampshire Avenue NW, Unit 8	John W. Ruser & Vera Ruser 3539 Porter Street NW Washington DC 20016-3177
72	2010	1117 New Hampshire Avenue NW, Unit 9	Vijo Cherian 1117 New Hampshire Avenue NW, Apt 900 Washington Dc 20037-1500
73	2014-2145	1099 22 <sup>nd</sup> Street NW	President/Director Condominium Association 1099 22 <sup>nd</sup> Street NW Washington DC 20037-1822
74	46	2121 Pennsylvania Ave. NW	International Finance Corporation
74	7000	2121 Pennsylvania Ave. NW	2121 Pennsylvania Avenue NW
74	7001	2121 Pennsylvania Ave. NW	Washington DC 20433-0005
75	2001 thru 2125	2141 I Street NW	Board of Directors of the President Condominium Association 2141 I Street NW Washington DC 20037
78	846	2015 I Street NW	Arts Club of Washington 2017 I Street, NW Washington DC 20006
78	848	2099 Pennsylvania Ave, NW	FSP 2099 Penn LLC 515 S. Flower Street, 32 <sup>nd</sup> Floor Los Angeles CA 90071-2201
78	850	2019 I Street NW	Lombardy Towers Apt Hotel
78	851	2019R I Street NW	c/o RB Associates Inc. 1054 31st Street NW, #1000 Washington DC 20007



<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
79	806	2133 G Street NW	Severina Maria Ambrogi, Trustee 2601 N. Harrison Street Arlington VA 22207-1601
80	30	621 22nd Street NW	Alphi Pi Board Control c/o Bill Christian 210 M Street SW Washington DC 20024-3602
80	841	2130 G Street NW	District of Columbia Public Schools 825 N. Capitol Street NE, 9 <sup>th</sup> Floor Washington DC 20002-4210
81	74	2148 F Street NW	2148 F Street NW LLC 1323 Rhode Island Avenue Washington DC 20005-3701
81	78	2156 F Street NW	Epsilon Housing Trust Incorporated Berlin Corcoran & Rowe LLP PO Box 1414 Washington DC 20052-0001
81	96	2117 E Street NW	Sherry Towers Apt. Hotel LP c/o Sherry Towers Hotel 2117 E Street NW Washington DC 20037
81	97	2116 F Street NW	Sherry Towers Apt. Hotel LP c/o Sherry Towers Hotel 1054 31st Street NW Washington DC 20007-4403
81	98	2101 E Street NW	American Foreign Service Association 2101 E Street NW Washington DC 20037-2916
81	829	515 22nd Street NW	515 22 <sup>nd</sup> Street NW Ground Owner LLC 1114 Avenue of the Americas New York NY 10036-7703
81	834	2124 F Street NW	Potomac Electric Power Co. 701 9th Street NW Washington DC 20001-4501
81	835	510 21st Street NW	Columbia Realty Venture 5301 Wisconsin Avenue NW, #600 Washington DC 20015

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
81	836	2109 E Street NW	Kingdom of Saudi Arabia 601 New Hampshire Avenue NW Washington DC 20037-2405
81	841	2152 F Street NW	Christopher Hanback, Trustee 1372 McDonald Road, #494 Shady Side MD 20764-9225
81	843	2121 Virginia Ave. NW	Pan American Health Organization c/o Lenkin Co. 5101 Wisconsin Avenue, Floor 5 Washington DC 20016-4120
81	844	2123 E Street NW	Marcus A. Horwitz & Eleanor H. Jeck c/o Borger Mgmt Inc. 1111 14th Street NW, #200 Washington DC 20005
81	2001	522 21 <sup>st</sup> Street NW, Unit 101	Linguistic Society of America 522 21 <sup>st</sup> Street NW, Apt. 101 Washington DC 20006-5019
81	2002-2149	522 21st Street NW	Board of Directors of the Monroe House Condominium Association 522 21st Street NW Washington DC 20006
81	2308	522 21st Street NW	
81	2309	522 21st Street NW	
81	2150	2112 F Street NW, Unit 101	King St Properties Ltd Partnership 1390 Piccard Drive Rockville MD 20850-4367
81	2151	2112 F Street NW, Unit 102	
81	2217	2112 F Street NW, Unit 405	
81	2218	2112 F Street NW, Unit 501A	
81	2220	2112 F Street NW, Unit 503	
81	2221	2112 F Street NW, Unit 504	
81	2225	2112 F Street NW, Unit 304	
81	2233	2112 F Street NW, Unit 704A	
81	2152	2112 F Street NW, Unit 201	Pahowho Federal Credit Union 2112 F Street NW Suite 102 Washington DC 20037-2724
81	2153	2112 F Street NW, Unit 203	Bezik LLC 2112 F Street NW Suite 203 Washington DC 20037-2735
81	2156	2112 F Street NW, Unit 401	Cesare F. Santangelo LLC 2112 F Street, Suite 401 Washington DC 20037-2763

<b><u>SQUARE</u></b>	<b><u>LOT</u></b>	<b><u>PREMISES ADDRESS</u></b>	<b><u>OWNER AND MAILING ADDRESS</u></b>
81	2213	2112 F Street NW, Unit 700	Martin Braun III & Roberta M. Braun
81	2214	2112 F Street NW, Unit 701	2112 F Street NW, Suite 700A
81	2232	2112 F Street NW, Unit 703A	Washington Dc 20037-2762
81	2216	2112 F Street NW, 404B	Bainbridge Associates LLC 2112 F Street NW, Suite 404 Washington DC 20037-2756
81	2219	2112 F Street NW, 502A	Joseph M. Jeral 2112 F Street NW, Suite 502 Washington DC 20037-2761
81	2223	2112 F Street NW, Unit 603	2112 F Street Unit 605 LLC
81	2230	2112 F Street NW, Unit 604	2112 F Street NW, Suite 606
81	2231	2112 F Street NW, Unit 605	Washington DC 20037-2762
81	2224	2112 F Street NW, Unit 303	Peter G. Bernad Trustee Neurology Services Inc. 2296 Optiz Boulevard, Suite 360 Woodbridge VA 22191-3346
81	2227	2112 F Street NW, Unit 803	Cyrton Properties LLC
81	2228	2112 F Street NW, Unit 804	8205 Waterside Court Fort Washington MD 20744-5571
81	2304	2112 F Street NW, Unit 305	2112 F Street LLC 9420 Key West Avenue Suite 300 Rockville MD 20850-6212
81	2305	2112 F Street NW, Unit 306	TOC DC Condo LLC 9420 Key West Avenue, Suite 300 Rockville MD 20850-6212
81	2306	2112 F Street NW, 802-A	Executive Terrace Investment LLC PO Box 1151 McLean VA 22101-1151
81	2307	2112 F Street NW, 802-B	Reginald D. Barnes Jr. 2112 F Street NW #802B Washington DC 20037-2715
81	2164-2210	2112 F Street NW	Board of Directors of Condominium Association 2112 F Street NW Washington DC 20037
101	58	2000-2040 Pennsylvania Avenue NW	91 TTPA Lessee LLC 7121 Fairway Drive, Suite 410
101	58	2040 I Street NW	Palm Beach Gardens FL 33418-3776

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
101	61	812 20th Street NW	The United Church c/o The George Washington University 2121 I Street NW Suite 701 Washington DC 20052
101	63	2013 H Street NW	2013 Holdings Inc. 2013 H Street NW, #300 Washington DC 20006-4203
101	811	H Street NW	Bureau of Catholic Indian Missions
101	871	2021 H Street NW	2021 H Street NW Washington DC 20006-4207
103	32	601 21st Street NW	Washington Club of Phi Sigma Kappa c/o Tim Ormsbee, Treasurer 3011 13 <sup>th</sup> Street S. Arlington VA 22204-4321
104	814	2000 F Street NW	The Donaldson Group 15245 Shady Grove Road, Suite 160 Rockville MD 20850-6232
104	835	2020 F Street NW	Smith Property Holdings Three DC LP AvalonBay Communities, Inc. Tax Department 671 N. Glebe Road, Suite 800 Arlington, VA 22203-2138
104	837	532 20th Street NW	Columbia Realty Venture LLC 5301 Wisconsin Avenue, NW, #600 Washington, DC 20015-2044
104	2001	2030 F Street NW, Unit 101	Letterman House Condominium Association The New Washington Land Com 1606 17 <sup>th</sup> Street NW, Floor 1 Washington DC 20009-2591
104	2001 thru 2147	2030 F Street NW	Board of Directors of the Letterman House Condominium Association 2030 F Street NW Washington DC 20037
104	2148-2150	2025 E Street NW	United States of America
104	2152	2025 E Street NW	The Administrator of General Services
104	2154	2025 E Street NW	301 7 <sup>th</sup> Street SW, Room 1065 Washington DC 20229-0007

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
104	2151	2025 E Street NW	United States & American Red Cross
104	2153	2025 E Street NW	431 18 <sup>th</sup> Street NE
104	2155-2161	2025 E StreetNW	Washington DC 20002-4607
105	843	1899 Pennsylvania Ave. NW	1899 Penn Owner LP c/o Paramount Group 1633 Broadway, Suite 1801 New York, NY 10019-6748
118	22	1928 I Street NW	Anthony Boudouvas 3305 22nd Street N Arlington VA 22201
118	23	1926 I Street NW	David Tabo 5000 Rodman Road Bethesda MD 20816-1760
118	29	1919 Pennsylvania Ave. NW	1919 Pennsylvania Associate LLC c/o Tishman Speyer 45 Rockefeller Plaza New York NY 10111-0100
118	31	1911 Pennsylvania Ave. NW	Government of the United Mexican States 1911 Pennsylvania Avenue, NW Washington DC 20006-3445
118	818	1901 Pennsylvania Ave. NW	Wash/REIT 1901 Pennsylvania Ave Trustee LLC 1775 Eye Street NW, Suite 1000 Washington DC 20006-2404
119	26	1912 Pennsylvania Ave. NW	International Monetary Fund
120	51	700 19 <sup>th</sup> Street NW	c/o S. Oliver 700 19th Street NW, HQ28005 Washington DC 20431-0001
121	17	1920 G Street NW	The United Church 1920 G Street, NW Washington, DC 20006-4303
121	820	600 19th Street NW	Int. Bank for Reconst. & Dev. 1818 H Street, NW Washington, DC 20433-0001
122	25	515 20th Street NW	All States Hotel Company LLC 1666 K Street NW, Suite 430 Washington DC 20006-1223

<u>SQUARE</u>	<u>LOT</u>	<u>PREMISES ADDRESS</u>	<u>OWNER AND MAILING ADDRESS</u>
141	28	1818 H Street NW	Intl. Bank for Reconst. & Dev. World Bank Group PO Box 27839 Washington DC 20433
142	25	601 19th Street NW	Organization of American States 1889 F Street NW Washington DC 20006-4400
142	825	1800 G Street NW	Northwestern Development Co. 1150 Connecticut Avenue, NW, Suite 801 Washington DC 20036-4130  Advisory Neighborhood Commission 2A c/o West End Library 2301 L Street NW Washington DC 20037  Foggy Bottom Association c/o Marina Streznewski 904 New Hampshire Avenue NW Washington, DC 20037  West End Citizens Association c/o Barbara Kahlow 800 25th Street NW #704 Washington, DC 20037