



Pillsbury
Winthrop
Shaw
Pittman_{LLP}

2300 N Street NW
Washington, DC 20037-1122

Tel 202.663.8000
Fax 202.663.8007
www.pillsburylaw.com

July 30, 2007

David Avitabile
Phone: 202.663.9113
david.avitabile@pillsburylaw.com

By Hand Delivery

Ms. Sharon Schellin
Secretary, D.C. Zoning Commission
441 4th Street, Room 210
Washington, DC 20001

**Re: Z.C. Case No. 07-12
The George Washington University—Mount Vernon Campus
Pelham Replacement Project
Post-Hearing Submission**

Dear Ms. Schellin:

On July 2, 2007, the Zoning Commission held a public hearing to consider an application from The George Washington University (the “**University**” or “**Applicant**”) for an amendment to and further processing of an approved campus plan for the University’s Mount Vernon Campus. At the conclusion of that hearing, the Commission requested that the Applicant file the following information in a post-hearing submission:

- (1) details on the allocation of the 22,761 square feet of gross floor area to Pelham from other potential expansion buildings (Tr. 179);
- (2) an amended landscape plan for the entire Mount Vernon campus, prepared after consultation with the community regarding specific enhancements intended to address neighborhood concerns, as well as an implementation commitment and details regarding ongoing maintenance (Tr. 180);
- (3) clarification of the storm water features and existing storm water flow on the northern portion of the campus along the University’s interior roadway (Tr. 180-81); and
- (4) views of the Pelham Replacement Project from the W Street residences (Tr. 181-83).

July 30, 2007

Page 2

The Commission left the record open until September 10, 2007 to provide opportunity for the ANC to review the amended landscape plan and provide its comments to the Commission. For all other participants, the record closes at 3:00 p.m. today, July 30, 2007.

I. Allocation of Gross Floor Area

In order to accommodate the additional 22,761 square feet of gross floor area requested for the Pelham Replacement Project, the University will reallocate 761 square feet of gross floor area from the Ames Hall Expansion and 22,000 square feet of gross floor area from the Athletic Center (Fitness Addition) identified in Exhibit F of the existing Campus Plan. Both of these projects are in the Residential/Campus Life/Athletic use category that includes the Pelham Replacement Project. As a result, there will be no increase in either the overall campus FAR limit or the total amount of FAR available in the Residential/Campus Life/Athletic use category. The revisions are set forth in the chart below:

	Permitted GFA Under 2000 Campus Plan	Revised Permitted GFA (after Pelham Project)
Ames Hall Expansion	30,000	29,239
Athletic Center (Fitness Addition)	40,000	18,000

II. Landscape Plan

Following the July 2, 2007 public hearing, the Applicant requested that its landscape architect prepare an inventory of the current landscaping at Mount Vernon and compare existing conditions to the landscaping plan included as part of the Mount Vernon Campus Plan. At a public meeting on July 12, 2007, representatives of the University, including its landscape architect, presented this landscape comparison to members of the community and walked the campus with a group of eight neighbors, including a representative of ANC 3D, to inspect landscaping conditions at the campus perimeter, particularly along W Street. Members of the community provided the University with recommendations for areas in need of further enhancement, suggested varieties of trees and shrubs to be included in the updated plan, and requested that the University ensure the maintenance of any new landscaping. The University's landscape architect prepared a draft enhanced landscape plan, which was presented at a second

July 30, 2007

Page 3

public meeting on July 19, 2007 for additional comment and feedback from the community (which included two ANC 3D commissioners).

Attached as Exhibit A is the University's Enhanced Landscaping Plan for the Mount Vernon campus. The Enhanced Landscaping Plan includes additional plantings that respond to specific neighbor requests for: (1) screening of the parking lot along W Street, (2) additional trees in the landscape buffer in the northeast corner of campus (an area not addressed in the existing landscaping plan), (3) additional trees and plantings along Foxhall Road, (4) additional plantings along Whitehaven Parkway up to the site of the Pelham Replacement Project, and (5) plantings along the campus lot line closest to Berkeley Terrace and not included in the site area of the Pelham Replacement Project. The University will complete the installation of the Enhanced Landscaping Plan by December 31, 2007, and will file a certification with the D.C. Urban Forestry Administration (with a copy to ANC 3D) attesting that it has completed the installation of landscaping in the above areas.

The Enhanced Landscaping Plan is complemented by the landscaping plan proposed as a part of the Pelham Replacement Project and Secondary Whitehaven Access Road, which was presented to the Commission in the Applicant's prior submissions and at the public hearing (the "**Pelham Landscaping Plan**"). The University will complete the installation of the Pelham Landscaping Plan by December 31, 2010, which allows for completion of the construction of the project¹, and will again file a certification attesting the landscaping has been installed with the Urban Forestry Administration and ANC 3D.

The University has worked with its landscape architect and the community to select durable, hearty, and appropriate plantings. For all landscaping proposed to be installed as a part of the Enhanced Landscaping Plan and the Pelham Landscaping Plan, the University commits to enter into an initial one-year maintenance contract with a landscaping firm, and the University will closely monitor the firm's performance to ensure that the new landscaping is appropriately cared for and maintained. Following the expiration of the initial contract period, the University will continue to maintain the landscaping either by ensuring that University personnel maintain existing landscaping or entering into an additional maintenance contract. Further, the University will

¹ The University intends for construction to be completed by Fall 2010 in time for the start of the academic year. The planting season, however, does not begin until approximately October 1, so the landscaping will be installed following the start of occupancy of the new Pelham Replacement Hall during the 2010 fall planting season.

July 30, 2007

Page 4

periodically update the community on its landscape program during its regularly scheduled Quarterly Meetings. Finally, in the event that the University determines a need to substitute plant materials because of availability or other reasons that make the identified plantings inappropriate for use, the University will consult with members of the community to select appropriate alternate landscaping elements .

III. Storm Water Management

In response to the Commission's request, the University has prepared a drawing showing existing storm water features and storm water flows on the northern portion of its Mount Vernon campus, including the interior access road along W Street. As shown on the plan attached as Exhibit B, due to the grade of the campus in this location, W Street is at an elevation above the campus, and water therefore stays within the campus boundaries and generally follows the route shown on the plan. This area of the campus includes a number of existing storm water management improvements to capture and direct storm water, and these improvements have been identified on the attached plan. Finally, the University does occasionally use bales of hay to protect the basement window wells of two to three residence hall buildings located in this area from localized storm water impacts due to unusually heavy local storms. Such measures, however, have no impact on the surrounding community.

IV. Views from W Street

In response to the Commission's request, the University has prepared two exhibits that clearly demonstrate the proposed Pelham Replacement Project will have no discernible visual impact on the residences along W Street. Attached as Exhibit C is a diagram that illustrates the sight line distances from W Street and other neighboring streets to the proposed Pelham Replacement Project.

In addition to illustrating the significant distance from the proposed Pelham Replacement Building, the diagram demonstrates that the 80-foot W Street right-of-way combined with the Protected Area along W Street creates a 140- to 170-foot minimum buffer between W Street residences and campus buildings (with the exception of Hand Chapel, which is an existing building located within the Protected Area).

Attached as Exhibit D are photographs taken from the second- and third-story windows of an adjacent property at 2200 Foxhall Road, located on the corner of W Street and Foxhall Road. The University was provided access to this residence by the homeowner for the purpose of providing these photos as well as for context in creating

July 30, 2007

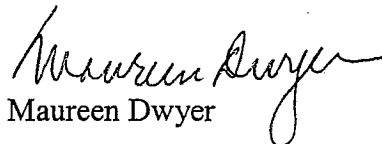
Page 5

the Enhanced Landscaping Plan. These photographs demonstrate that under existing conditions the proposed Pelham building, which is located approximately 1,100 feet from this residence, is not visible in two of three photos - and in the third, would be shielded from view by surrounding landscaping. The Applicant submits, however, that even if the project were visible off-campus, this would not constitute an objectionable condition within the meaning of Section 210 of the Zoning Regulations.

Conclusion

The above items address the outstanding issues raised by Commission at the July 2, 2007 Public Hearing in this matter. The Applicant believes that the information included in the record of this case fully satisfies the requirements for Campus Plan Amendment and Further Processing approval and looks forward to the Commission's decision on this case at the September 17, 2007 Special Public Meeting. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,


Maureen Dwyer


David Avitabile

Enclosures

cc: Charles Barber/Alicia O'Neil

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this letter and enclosures were delivered by hand or by U.S. Mail on July 30,2007.

Travis Parker
Office of Planning
801 North Capitol Street, N.E.
4th Floor
Washington, DC 20001

ANC 3D
PO Box 40846
Palisades Station
Washington, DC 20016



Alicia M. O'Neil