

June 6, 2012

VIA HAND DELIVERY

Anthony Hood
Chairperson, D.C. Zoning Commission
441 4th Street NW, Suite 210
Washington, DC 20001

Re: **Application of The George Washington University (“University”) for
Minor Modification of Approved Plans
Z.C. Case No. 06-11A/06-12A (Square 103, Lot 44 (“Property”))**

Dear Chairman Hood and Members of the Commission:

Enclosed please find an application for minor modification of the approved plans for the University’s proposed project on Square 103. The proposed changes only impact the interim surface improvements on the Property, and they do not seek to increase the project’s height, density, use mix, or other benchmark zoning parameters for the development site as approved by the Zoning Commission.

A. Background

The Property is located on G Street between 20th and 21st Streets NW on the University’s Foggy Bottom Campus. On August 17, 2010, pursuant to the requirements of the Campus Plan and First-Stage PUD, the Applicant requested second-stage PUD and further processing approval for the construction of an underground parking garage and program space for the Law School as well as for certain interim surface improvements related to the below-grade facilities such as pedestrian and vehicular entrances (“Project”). On April 25, 2011, the Zoning Commission approved the design of the proposed Project.

The Project is the first phase of the development of the Property. Pursuant to the Campus Plan/PUD, a new building is approved for the Property and will eventually be constructed by the University in place of the interim surface improvements. The University will return to the Commission for further approval of the above-grade improvements at a later date. The timeframe for construction of the second phase remains unknown and will be determined by future programming and funding.

B. Summary of Minor Modifications

Following the Commission's approval in April 2011, the University continued to develop the permit and construction drawings for the Project. In conjunction with the refinement of the construction drawings, modifications to the design have been identified as opportunities to enhance the Project's energy performance and aesthetics. Accordingly, the University respectfully requests that the Commission approve certain minor changes to the approved plans. The changes are depicted on the revised plans attached as Exhibit A. For the Commission's convenience, the changes to the plans have been printed side-by-side with the original approved plans.

1. Modifications to the Entrance Pavilion.

The University has reduced the height and size of the entrance pavilion, which is an interim structure intended to facilitate pedestrian access to the below grade space. The revised design maintains the simple, rectilinear form and lightweight openness of the original design, but the reduced size will lead to an estimated energy savings of approximately 16%. Note that the design of the east elevation of the pavilion has evolved from fritted glass panels to a combination of glass and metal panels. The pavilion retains a skylight that will help filter light down to the Law School space, but the skylight has been relocated to the southern edge of the pavilion.

The reduction in the size of the pavilion does not reduce the overall amount of green roof provided by the Project. Although the size of the green roof on the pavilion has been reduced, the loss of green roof on the pavilion is offset by the corresponding increase in the amount of lawn at the ground level, which acts as a green roof over the underground structure below. The ground level green space will also capture, filter, and retain stormwater from the roof of the pavilion.

2. Modification to the Landscape and Hardscape Improvements.

The University has eliminated the proposed trellis and changed the paving of the entrance plaza from stone to brick. The brick paving is more consistent with the brick sidewalk and historic context along G Street.

The University has also modified and simplified the wood screen wall along the rear of the property. The screen wall has been extended further to the east to screen the loading area at the rear of the Property; such area was previously screened by the entrance pavilion itself.

Conclusion

The modifications described above do not increase the overall height, mass, or bulk that was approved by the Commission. Rather, they are minor changes driven by continued evolution of the project design and market demands. Importantly, the changes only impact the interim surface improvements that will be replaced when the University is able to move forward with the second phase of development on the Property.


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The Applicant will consult with the D.C. Office of Planning, Advisory Neighborhood Commission 2A ("ANC 2A"), the Foggy Bottom Association ("FBA") and the West End Citizens Association ("WECA") regarding the proposed modifications.

With these changes, the Applicant will be able to move forward with construction of the Project, which is already well underway.

Sincerely yours,


Maureen Dwyer


David Avitabile

DA/da
Enclosures
DCDOCS\7061753.1

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2012, a copy of the attached letter and enclosures were served by hand, U.S. Mail, or electronic mail on the following:

Joel Lawson / Paul Goldstein
D.C. Office of Planning
1101 4th Street, NW, Suite E650
Washington, DC 20024

L. Asher Corson
President, Foggy Bottom Association
955 26th Street, NW, Apt. 709
Washington, DC 20037

Advisory Neighborhood Commission 2A
West End Branch Library
1101 24th Street, NW
Washington, DC 20037

West End Citizens Association
c/o Barbara Kahlow
800 25th Street, NW #704
Washington, DC 20037

A handwritten signature in black ink, appearing to read "David Avitabile", written over a horizontal line.

David Avitabile



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



FORM 151 – APPLICATION FOR MINOR MODIFICATION

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 06-11A / 06-12A (Order No. 06-11A1/06-12A1)

Motion for Minor Modification to: Final Order Approved Plan Amount of Relief Other _____

Points and Authorities:

Below and/or on a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) should grant your motion, including relevant references to the Zoning Regulations or Map.

See attached letter.

CERTIFICATE OF SERVICE

I hereby certify that on this 0 6 day of June , 2 0 1 2

I served a copy of the forgoing motion or request to each Applicant, Petitioner, Appellant, Party, and the Office of Planning on

the above referenced ZC case via: Mailed letter Hand delivery E-Mail Other _____

Signature: 

Print Name: David Avitabile

Firm/Organization: Goulston & Storrs, PC

Address: 1999 K Street NW, 5th Floor, Washington DC 20006

Phone No.: 202-721-1137 **E-Mail:** davitabile@goulstonstorrs.com

To be notified of hearing and decision: (Applicant or Authorized Agent)

In the event an authorized agent files an application on behalf of the Applicant for the Minor Modification, a letter signed by the Applicant for the Minor Modification authorizing the agent to act on his/her behalf shall accompany the notice of application, petition, or appeal.

Print Name: David Avitabile

Address: Goulston & Storrs, 1999 K Street NW, 5th Floor, Washington DC 20006

Phone No.: 202-721-1137 **E-Mail:** davitabile@goulstonstorrs.com

An Application for Minor Modification is a procedural device requested by a party to the case to bring a matter of "little or no importance or consequence" before the Zoning Commission (ZC) pursuant to 11 DCMR §3030.2. Typically, minor modifications relate to technical corrections or inadvertent mistakes to approved final orders. Applications for Minor Modifications are placed on the Consent Calendar pursuant to § 3030.

INSTRUCTIONS

Any Application for Minor Modification as provided by the District of Columbia Zoning Regulations (11 DCMR) that is not completed in accordance with the following instructions shall not be accepted.

1. At the time of filing this application before the ZC, the Applicant shall pay a filing fee in accordance with the ZC Schedule of Fees (11 DCMR § 3041), if applicable. (Check or money order is payable to the "D.C. Treasurer"; cash and credit/debit card payments will not be accepted.)
2. Forms must be completely filled out and must be typewritten or printed. All information shall be furnished by the Applicant for the Minor Modification. If additional space is necessary, use separate sheets of 8 ½" x 11" paper to complete the form. (Drawings and plans may be no larger than 11" x 17").
3. On a separate sheet of 8 ½" x 11" paper, state each reason why the Zoning Commission (ZC) should grant your Application for Minor Modification.
4. Submit a copy of all Commission final orders proposed to be modified.
5. Submit one (1) original and fifteen (15) copies of all required forms and accompanying documents in person to the Office of Zoning at 441 4th Street, NW Suite 200-S, Washington, DC 20001.
6. At the time of filing, the Applicant for the Minor Modification is required to serve all Applicants, Appellants, Parties, and the Office of Planning on the above-referenced ZC case.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.