

STAFF RECOMMENDATION

REVISED 2/28/07
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NCPC File No. Z.C. 06-12

FIRST STAGE PLANNED UNIT DEVELOPMENT AND MAP AMENDMENT FOR GEORGE WASHINGTON UNIVERSITY CAMPUS PLAN Washington, D.C.

Submitted By the Zoning Commission of the District of Columbia

February 22, 2007

Abstract

The Zoning Commission has referred to NCPC for review and comment a proposed action for a first stage Planned Unit Development (PUD) and zoning map amendment, in conjunction with George Washington University (GWU)'s 2006-2025 Campus Plan, which will identify massing and use for 16 development sites covering 35.6 acres located on ten squares. Although campus plans are not referred to NCPC for comment, the District of Columbia Office of Planning (DCOP) requested that a campus-wide first stage PUD accompany this campus plan, thus ensuring its referral to NCPC for review and comment. The campus is located between 19th and 24th Streets, NW on the east and west, E Street on the south, and K Street, Washington Circle and Pennsylvania Avenue to the north. The plan would concentrate development in the center of campus with less concentrated development at the edges. Zoning regulation §210.3 allows universities to exceed the density allowed as a matter of right (FAR of 3.5) in residential zones. GWU proposes a FAR close to 5.0 as an aggregate overall density on campus. Six of the proposed development sites would include zoning map amendments from R-5-D to C-3-C, to support high density mixed-use projects. Rezoning a site from a C-3-C to C-4 on Pennsylvania Avenue would support commercial development in the central business district.

Federal Interests

The identified federal interests relevant to this project include original L'Enfant streets and reservations: Washington Circle, Pennsylvania Avenue, 19th through 24th Streets, including the significant corridor of 23rd Street, E through K Streets; the Height of Buildings Act of 1910, the Foggy Bottom Metrorail station, a dozen designated historic landmarks and seven proposed within the campus boundaries, nearby/adjacent designated historic districts of Foggy Bottom and Seventeenth Street, and a proposed George Washington University historic district.

Commission Action Requested by Applicant

Approval of comments to the District of Columbia Zoning Commission pursuant to 40 U.S.C. § 8724(a) and D.C. Code § 2-1006(a).

Executive Director’s Recommendation

The Commission:

Recommends that the Zoning Commission approve the first-stage PUD but require the applicant to demonstrate consistency with the Height of Buildings Act of 1910 in Condition 6.b. of the Campus Plan for approval of each second-stage PUD.

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PROJECT DESCRIPTION

Site

The campus is located between 19th and 24th Streets, NW on the east and west, E Street on the south, and K Street, Washington Circle and Pennsylvania Avenue to the north. Situated between residential neighborhoods, business, financial, government and executive precincts, and historic districts, the campus sits at the east end of the historic Foggy Bottom neighborhood, across Washington Circle from the West End neighborhood. The 16 development sites identified cover 35.6 acres on ten of the 20 squares within the campus boundaries.



Existing Zoning

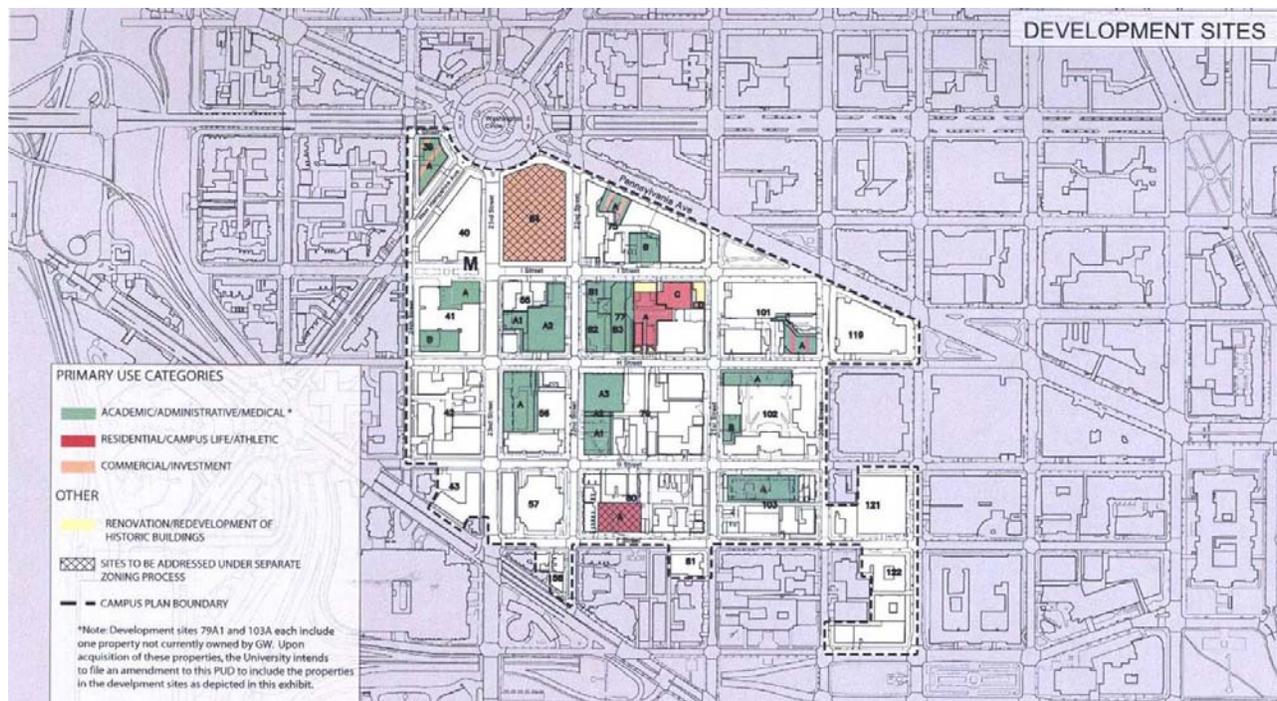
Within the campus plan boundaries are 12 designated historic landmarks, including Red Lion Row, the D.C. Fire House, and ten university owned buildings, including a number of pre-Civil War houses, Victorian rowhouses converted for academic use, and dormitory buildings constructed by the university starting in the 1920’s. A new historic district is proposed for several blocks of largely intact streetscapes of Victorian rowhouses intermixed with taller early

20th-century apartment houses. This historic character is most evident in the southern part of campus along 20th, 21st, and 22nd F and G Streets. In the middle of campus are the original university quadrangle and older campus buildings from the mid 1920's to the early 1950's.

Background

In 2004, GWU approached DCOP to discuss developing its old hospital site (Square 54) for investment purposes. DCOP stated that it would not support any non-academic uses on that site without a detailed plan showing the GWU's academic needs could be met on the remainder of campus. In May 2005, GWU and DCOP cosponsored an Urban Land Institute (ULI) Panel to examine redevelopment of Square 54, which concluded that a mix of commercial and residential development was the best use for Square 54, provided that GWU could meet its future academic needs with the existing campus boundaries.

This challenge to "Grow Up, Not Out", voiced by DCOP and echoed by the ULI panel; a response in part to the Square 54 discussion, led to the development of the proposed campus plan. DCOP requested that GWU submit a campus-wide first-stage PUD to accompany this campus plan. Only the PUD has been referred to NCPC for review; while the campus plan itself is not subject to NCPC review.



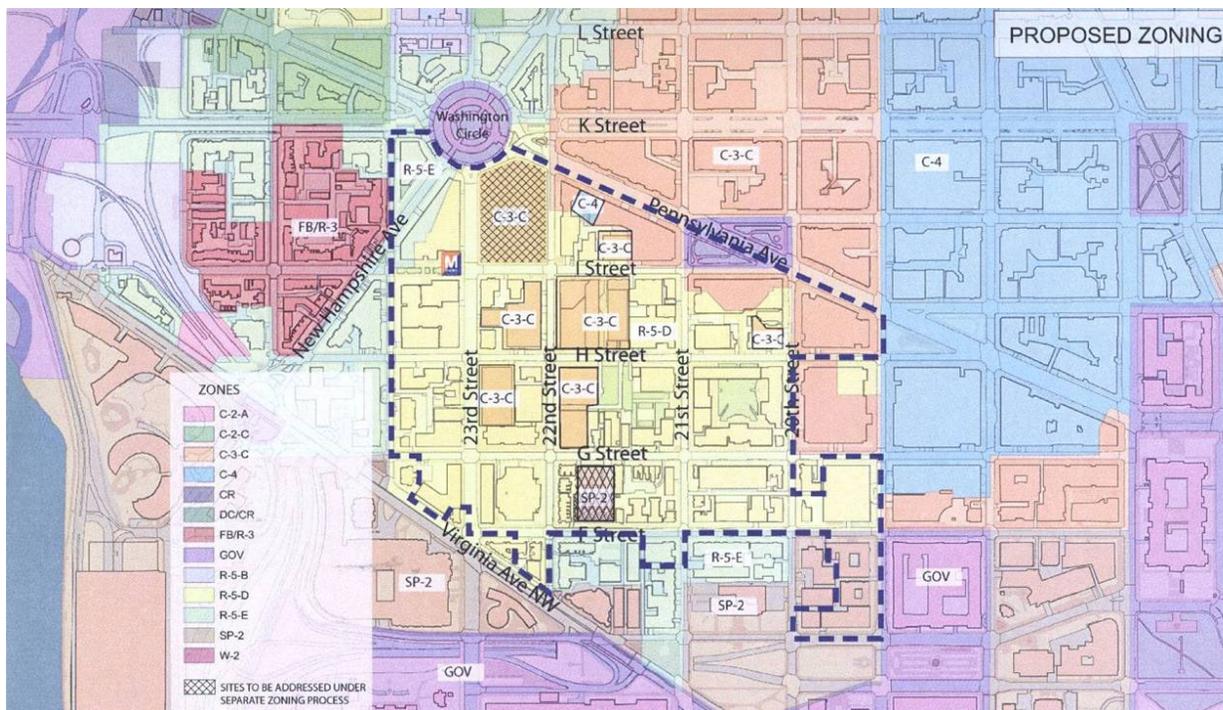
Development Sites

Proposal

This first-stage PUD application has a proposed 20 year term consistent with the campus plan. The PUD identifies massing and use for 16 development sites covering 35.6 acres on ten of the 20 squares within the campus boundaries. Additional development would increase the current

campus gross floor area (GFA) of 5,613,986 square feet (SF) by 1,788,246 SF to 7,402,231 SF, excluding projects on Squares 80 and 54. The DCOP report states that zoning for 2 additional squares is not included in this PUD: The School Without Walls addition and dormitory on Square 80A were approved as a consolidated PUD and Square 54 has been submitted as a separate Consolidated PUD for investment purposes.

Zoning regulation §210.3 allows universities to exceed the density allowed as a matter of right (FAR of 3.5) in residential zones. GWU proposes a FAR close to 5.0 as an aggregate overall density on campus, but the plan would concentrate development in the center of campus with less concentrated development at the edges. Six of the proposed development sites would include zoning map amendments from R-5-D to C-3-C, to support high density mixed-use projects, while rezoning a site from a C-3-C to C-4 on Pennsylvania Avenue would support commercial development in the central business district.

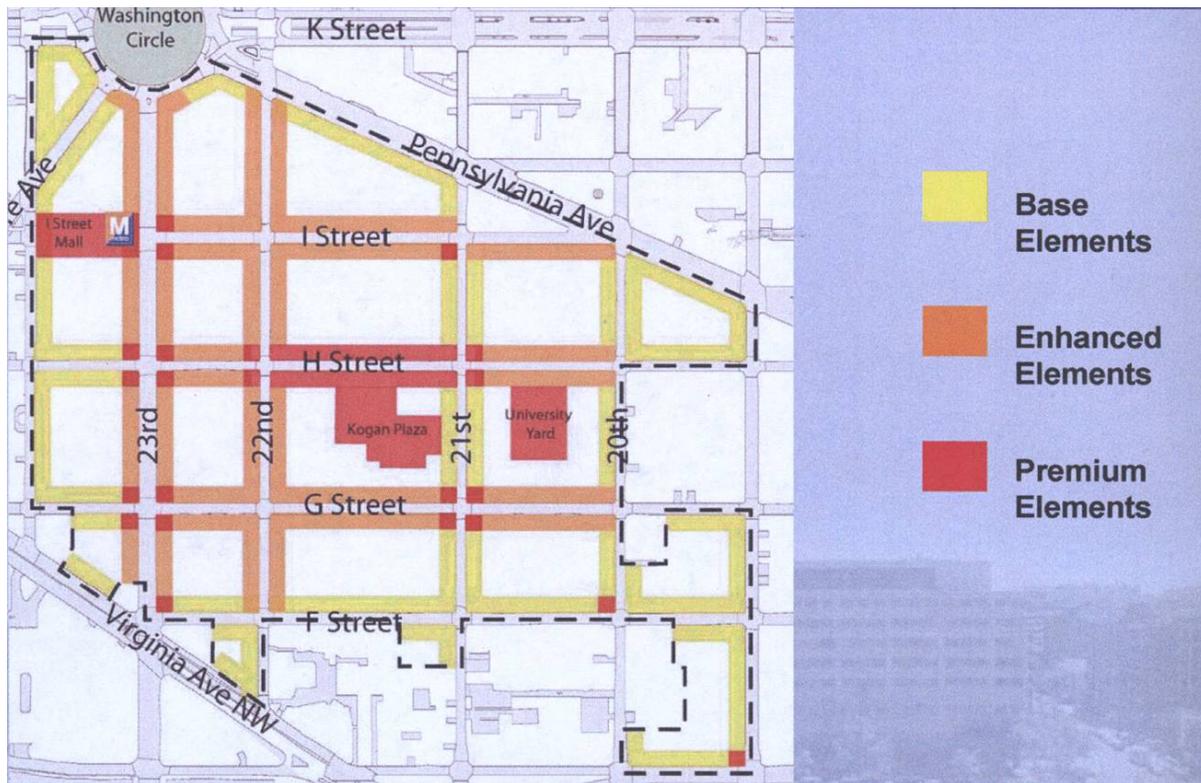


Proposed Zoning

The applicant proposed 25 commitments and conditions of approval for the Campus Plan. Condition 6 states that the University shall submit a second-stage PUD application for each new development the University proposes over the term of the campus plan from 2006 to 2025. The applicant’s stated goals for the Foggy Bottom Campus PUD include the following, also cited as “public benefits required to justify the zoning flexibility under the PUD process”:

- Accommodate the University’s forecasted academic and student housing space requirements within the campus plan boundaries, concentrated within the campus core and away from existing residential neighborhoods (the “Grow Up, Not Out” approach of the Campus Plan);

- Increase retail services through the creation of an I Street retail corridor to serve the Foggy Bottom and West End neighborhoods, as well as the District and the University community;
- Generate additional tax revenues for the District through conversion of Square 54 from non-profit to commercial use and create a “town center” to provide the campus and the community with a unique neighborhood gathering place;
- Preserve and maintain numerous buildings of architectural and historic significance located on the Foggy Bottom campus through the implementation of a comprehensive Historic Preservation Plan;
- Commit to transition various off-campus properties to uses other than undergraduate student house, and
- Commit not to purchase additional residentially-zoned properties outside of the campus plan boundaries in the Foggy Bottom/West End neighborhoods for other than investment purposes.



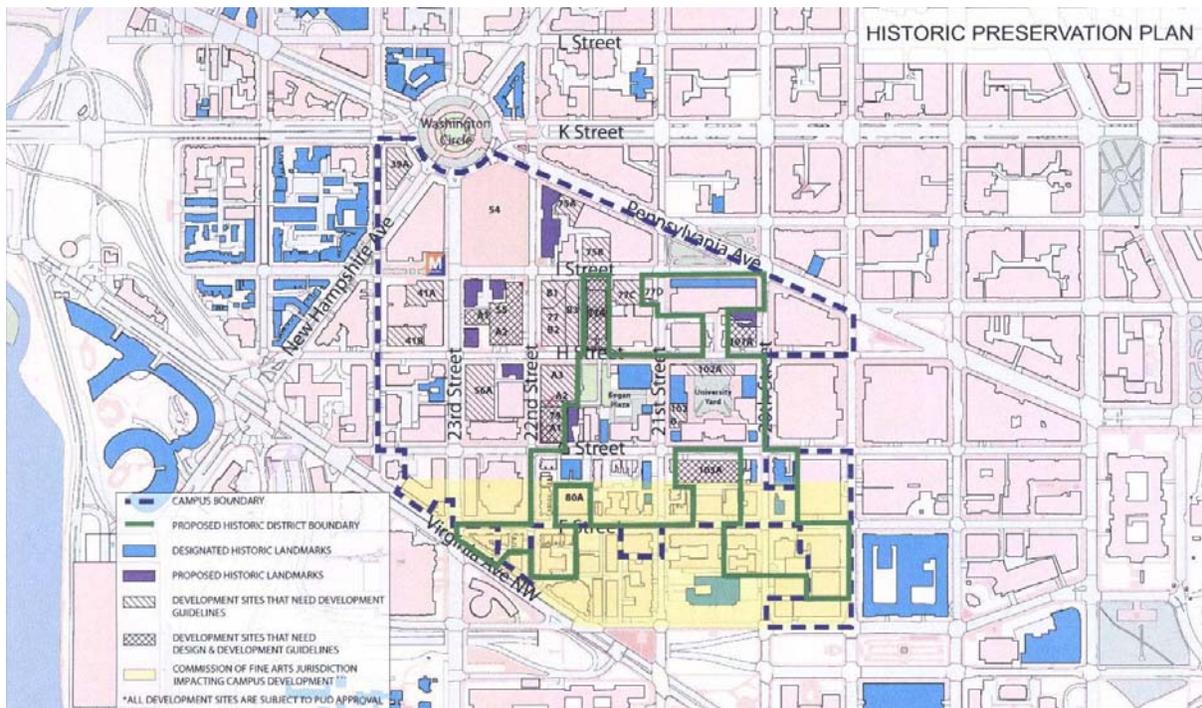
Campus Plan Design Guidelines for Streetscape Implementation Plan

Summary of Campus Plan PUD Benefits and Amenities

To expand upon the broadly stated public benefits listed above, the applicant provided a more specific summary in a November 15, 2006 filing to include the following:

- Streetscape Plan - a framework for future streetscape improvements over the next two decades defining three layers of streetscape elements:
 - Base layer - building identifiers would include awnings
 - Enhanced layer - paving and planting improvements to reinforce University presence
 - Premium layer – highlight the character and identity of the campus in key locations, including “bump-outs” and mid-block crossings on “primary” campus streets.

Streetscape design would enhance campus security and encourage positive surveillance through the use of streetscape elements.
- Sustainable Development Planning and Design Principles - The University will explore implementing greywater and stormwater management practices and will provide an overview of environmental features to be incorporated into design and construction of each second-stage PUD application.
- Historic Preservation Plan – The University has assumed the expenses associated with preparing and submitting the multiple landmark applications and preparing the historic district application for submission by the DC Historic Preservation Office (HPO).



Proposed Historic District

- I Street Retail Corridor – With support of below-market rents, the I Street Corridor would be implemented over time by including ground floor retail in University facilities as they are redeveloped from the Metro station to the Shops at 2000 Penn.
- Off Campus Commitments - Reiterates conditions of the campus plan and goals above:
 - limiting the University’s rights to acquire and use residentially-zoned properties outside the campus plan boundaries in the Foggy Bottom/West End area; and

- a specific schedule for transitioning the use of off-campus residence halls.

Two additional items, Below Grade Parking and Enhanced Campus Plan Commitments did not meet the threshold of acceptability as public benefits by the Zoning Commission.

In a Supplemental Submission of PUD Amenities dated January 24th, 2007, the University provided additional detail and expanded upon its agreement to the following commitments:

Achievable standard of Sustainable Development – The University will agree to achieve the equivalent of a minimum LEED score of 16 points on every future building over 50,000 SF.

Heights of Buildings adjacent to the proposed Historic District – The Historic Preservation Plan (HPP) submitted with the July 13th, 2006 Campus Plan already includes design guidelines including height and setback for five sites located adjacent to architectural or historic significant buildings within the proposed historic district. The University will continue to work with HPO staff to establish appropriate building maintenance guidelines for historic landmarks and contributing buildings within the proposed historic district.

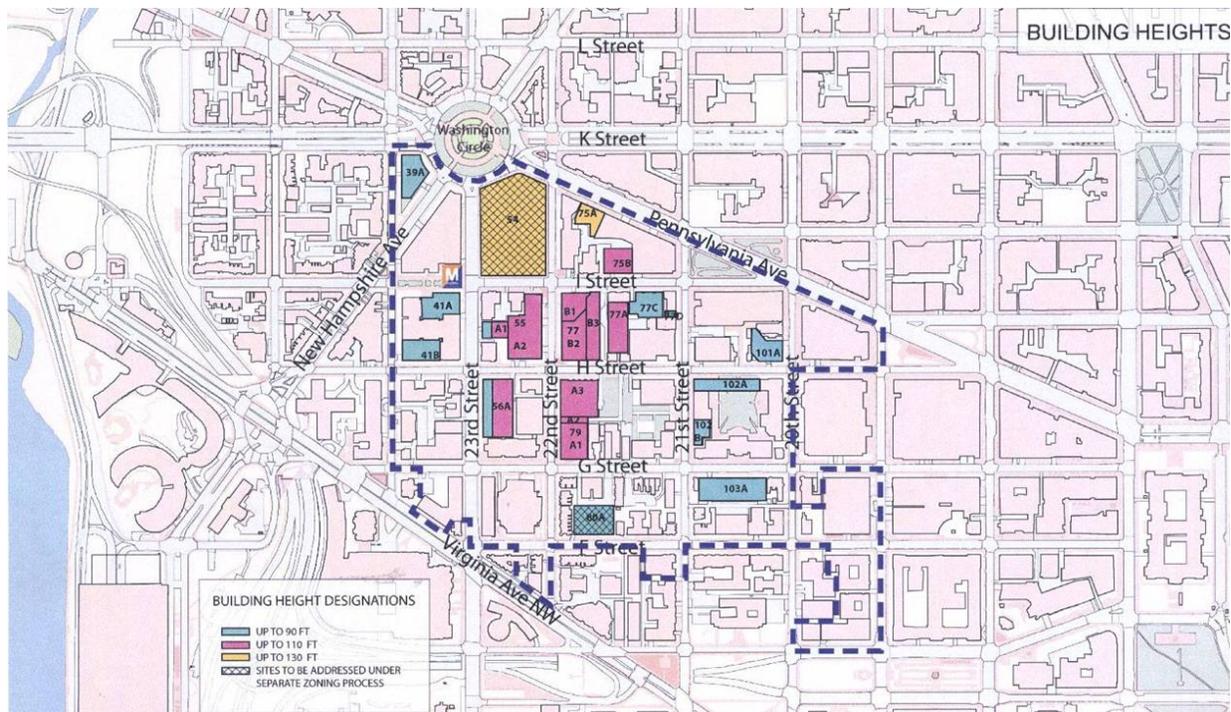
I Street Commercial Corridor Retail Strategy – The University proposed adopting guidelines for retail uses along the I Street Retail Corridor to allow only C-1 and C-2 retail uses, and to require for at least 75% of new frontage redevelopment to be retail.

Off Campus Commitments - The University did not agree to further prohibitions on off-campus purchases for investment purposes, however, it reiterated conditions of the campus plan above.

PROJECT ANALYSIS

This analysis is based on the assumption that the PUD for Square 54 is not included in this PUD. **Staff is satisfied** that the L'Enfant streets and historic properties will not be affected adversely by approval of the first stage Campus Plan PUD. Staff believes that the proposed Historic Preservation Plan and Historic District will protect the L'Enfant streets within the Campus Plan boundaries. However, staff wants to ensure that the PUD will demonstrate a clear intent to comply with the Height of Buildings Act of 1910.

Staff agrees with the DC Office of Historic Preservation (OHP) that a shift of potential future development away from the historic streetscapes on F and G Streets and the side streets in between, and into the less sensitive core campus area along 22nd north of G Street will allow the university to concentrate much of its future construction at a location that is removed from both the historic neighborhood as well as the monumental L'Enfant boulevard of 23rd Street. In effect this is an internal shift of campus density that allows for preservation of the scale and character of the historic environment at the heart of the campus. Therefore, staff believes that protection of L'Enfant streets has been built into the Campus and Historic Preservation Plans. Regarding the proposed increase in maximum building heights in the area along 22nd north of G Street, building heights shown in the Campus Plan Exhibit K appear to comply with the Height of Buildings Act of 1910.



Proposed Design Guidelines for Building Heights

Regarding the Height of Buildings Act, Condition 6 of the Campus Plan requires submittal of a second-stage PUD application for each new development to allow review and confirmation that the project conforms to various parameters, plans and regulations. Condition 6.b. calls for each submission to demonstrate height, bulk, and design compatible with adjacent structures. However, the Height of Buildings Act of 1910 is not included as a parameter. Staff **recommends that the Zoning Commission require demonstration of consistency with the Height of Buildings Act in Condition 6.b in each second stage PUD application.**

Staff anticipates that the streetscape plan and its elements will be thoroughly coordinated with DDOT and its Public Space Committee, and that public space permits will be obtained. We note that staff may request referral of the plan by the Public Space Committee under 40 U.S.C § 8722(a) which says “federal and District of Columbia governmental agencies on request of the Commission shall furnish plans, data and records the Commission requires.”

CONFORMANCE

Comprehensive Plan

The proposed PUD is not inconsistent with the Comprehensive Plan for the National Capital Federal Elements, which note that both the federal and the District of Columbia governments should adhere to the principles of the L’Enfant Plan by protecting and enhancing the elements and views in any improvements or alterations to the historic framework. The Preservation and Historic Features element includes policies stating that the federal government should

- “Preserve the horizontal character of the national capital through enforcement of the 1910 Height of Buildings Act” (Page 161, Policy #3),
- Preserve the historic street rights-of-way and reservations that contribute to the significant system of open space forming the urban design framework of the nation’s capital. (Page 166, Policy #3), Protect and control the visual and functional qualities of L’Enfant rights-of-way. (Page 167, Policy #8),
- Protect the integrity, form, and design of the L’Enfant Plan’s system of streets and reservations from inappropriate new buildings and physical incursions. (Page 167, Policy #11), and
- Take into account the historic spatial significance of the L’Enfant rights-of-way and reservations when designing and locating physical security measures along L’Enfant streets and reservations. (Page 168, Policy #15).



Draft Streetscape Concepts for Discussion Only

CONSULTATION

D.C. Historic Preservation Office (HPO)

The Historic Preservation Office (HPO) staff reviewed the campus plan, advised DCOP planning staff on preservation concerns, and held discussions with GW and its consultants on the preservation issues involved in the campus plan and its implementation during late 2005 and early 2006, as summarized in a staff report dated June 29, 2006. Furthermore, HPO evaluated

existing building on the campus and the proposed development sites under the draft campus plan as a basis for consultation between GWU and DCOP on several distinct preservation concerns: identification of existing and potential historic properties, assessment of potential development sites for preservation impacts, establishment of preservation and development priorities, and formulation of an overall planning strategy to accomplish broad preservation goals.

HPO evaluated potential development sites identified by GW in terms of their potential to affect existing and potential historic properties. As a result of these discussions, four sites on F and G Streets were eliminated as development sites and were included within the proposed historic district instead. On the remaining development sites, GW and OP identified locations where specific development guidelines for height and other issues of compatibility with historic properties should be specified in the preservation plan. The identification of development sites and guidelines reflects a high degree of consensus as an outcome of the consultation process.

D.C. Office of Planning

In its final report of September 6, 2006, DCOP has integrated the findings from the June 29, 2006 HPO report, and recommended that the application be approved subject to the 25 conditions and commitments set forth in DCOP's final report. Attempting further clarity, at a January 17th, 2007 Public Meeting, the Zoning Commission expressed concerns and requested more detail on several commitments made by the University. In a Supplemental Submission of PUD Amenities dated January 24th, 2007, the University agreed to all but one commitment:

Off Campus Commitments - The University did not agree to further prohibitions on off-campus purchases for investment purposes, however, it reiterated proposed Campus Plan conditions:

- limiting the University's rights to acquisition and use of residentially-zoned properties outside the campus plan boundaries in the foggy bottom/west end area; and
- a specific schedule for transitioning the use of off-campus residence halls.

Advisory Neighborhood Commissions

Advisory Neighborhood Commission (ANC) 2A and other local community organizations including the Foggy Bottom Association and the West End Citizens Association (WECA) have continued to express concerns with the application. In an August 16, 2006 letter, ANC 2A identified seven areas of concerns with the plan and the process, but all of these areas appear to have been addressed satisfactorily in the DCOP final report. However, in a January 31st response to GWU's PUD amenities proffer, in its November 15, 2006 Exhibit A, Summary of Campus Plan PUD Benefits and Amenities, and its January 24, 2007 Supplemental Submission, WECA states its belief that the January 24, 2007 Supplemental Submission was largely non-responsive to the Commission's January 17, 2007 Expansion Request and that the proffers are not "substantial" enough to warrant the Commission's approval. WECA further states its view that the PUD amenities are in no way commensurate with GWU's requested 43% increase in density.