

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-11H/06-12H
Z.C. Case No. 06-11H/06-12H
Minor Modification to the Approved Plans for
The George Washington University
Square 103, Lot 44
June 25, 2012**

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia (“Commission”) was held on June 25, 2012. At the meeting, the Commission approved an application of The George Washington University (“Applicant”) for a modification to the approved plans for the property consisting of Lot 44 in Square 103 (“Property”), which is within the boundaries of the 2007 Foggy Bottom Campus Plan and First-Stage Planned Unit Development (“Campus Plan/PUD”). Because the modification was deemed minor, a public hearing was not conducted. The Commission determined that this modification request was properly before it under § 3030 of the Zoning Regulations.

FINDINGS OF FACT

By Z.C. Order No. 06-11A1/06-12A1, dated April 25, 2011, (“Order”), the Commission approved the design 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”).

By letter dated June 6, 2012, the Applicant requested changes to the approved plans that were identified as opportunities to enhance the Project’s energy performance and aesthetics during the course of the development of the final design and the construction drawings. These modifications included changes to the entrance pavilion and landscape and hardscape improvements. (Exhibit [“Ex.”] 1.) Plans showing the proposed changes were attached to the letter. (Ex. 1, Tab A.) The proposed changes do not impact the overall design that was originally approved by the Commission. Rather, they are minor changes that are consistent with the purposes and intent of the original approval.

The Applicant served the minor modification request on Advisory Neighborhood Commission (“ANC”) 2A as well as the Office of Planning. ANC 2A filed a report noting no objection to the modification. (Ex. 5.) The Office of Planning recommended approval of the modifications. (Ex. 4.)

On June 25, 2012, at its regular monthly meeting, the Commission reviewed the application as a Consent Calendar matter and granted approval of the application for modification to the approved plans.

The Commission finds that the requested modification is of little consequence to the approved design as a whole, and further finds that approval of the modification is appropriate and not inconsistent with its original approval.

CONCLUSIONS OF LAW

Upon consideration of the record in this application, the Commission concludes that the proposed modification is minor and consistent with the intent of the previously approved Z.C. Order No. 06-11A1/06-12A1. Furthermore, the Commission concludes that its decision is in the best interest of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations, and is not inconsistent with the Comprehensive Plan.

The Commission also concludes that the modification is of little or no consequence, and is therefore appropriate for consideration on the Consent Calendar, without a public hearing. (11 DCMR § 3030.2.)

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of the application for a modification of approved plans to allow the modifications as shown on the plans included with the application. All other provisions and conditions of Z.C. Order No. 06-11A1/06-12A1 shall remain in effect.

On June 25, 2012, upon the motion of Commissioner Turnbull, as seconded by Vice Chair Cohen, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Marcie I. Cohen, Michael G. Turnbull, and Peter G. May to adopt; third Mayoral appointee position vacant, not voting).

In accordance with the provisions of 11 DCMR § 3028.8, this Order shall become final and effective upon publication in the *D.C. Register*, that is, on August 31, 2012.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING