

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13760, of the George Washington University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 for further processing under a Campus Plan for a proposed addition to the GWU Law Center in an R-5-C District at the premises 2000 H Street and 700-20 20th Street, N.W., (Square 102, Lot 46).

HEARING DATE: June 9, 1982
DECISION DATE: July 7, 1982

FINDINGS OF FACT:

1. The subject property is owned by George Washington University. It is located on the western side of 20th Street, N.W., between G and H Streets, N.W., in the R-5-C District.
2. The Board has found in previous applications from the University that the applicant qualifies as a university and is eligible to apply for a special exception under Paragraph 3101.46 of the Zoning Regulations.
3. The applicant is requesting renovation and new construction to the Law School as a measure to upgrade existing facilities and correct existing inefficiencies in building design and location. There will be no increase in enrollment, as the new facilities are designed to handle only the present enrollment and to meet standards established by the American Bar Association and American Association of Law Schools.
4. The George Washington University Campus Plan was reviewed and approved by the Board in 1970, under Order No. 10403. The approved Campus Plan consists of the following documents contained in the file of application No. 10403:
 - A. Text Material and Supplement designated as Exhibits 11 and 10;
 - B. Functional Areas, Illustrative Site and Staging Plans, respectively designated as Exhibits 2b, 2c and 2d; and

C. Four additional maps submitted May 26, 1970 after National Capitol Planning Commission review entitled Identification of Existing Buildings, Vehicular Circulation Plan, Landscape Treatment Plan and Land Use Plan.

5. The application is consistent with the approved plan, in that the plan designate this site for the law school. The plan further proposes an expansion of the number of students for the law school. The application does not increase the number of students, and is not the expansion of the law school contemplated in that respect by the campus plan.

6. The application is also consistend with two NCPC submissions to the Board in application No. 10403 including a Campus Boundary Map and a letter from NCPC dated May 7, 1970 approving the Campus Plan, Exhibit 26 referenced in Order 10403. In addition, it is in accordance with the George Washington University Campus Plan as shown in the book entitled a revised Campus Master Plan for the George Washington University, dated August, 1970, which the University has adopted as its official campus plan.

7. The approved Campus Plan serves as a guide to planning for the George Washington University. Since the approval of the plan in 1970, the Board has approved a number of buildings which followed the spirit of the approved plan, which includes the Burns Law Library, located to the south of Stockton Hall a structure erected in 1924 to house the Law School. Stockton Hall is the only important building architecturally and historically located within the Law Center complex and will be rehabilitated as a part of this project. To the north of Stockton Hall is Bacon Hall, which houses law school classrooms, offices and University outreach programs. To the south of the Burns Law Library are three row structures occupied by the University for offices and related uses. The old University's President's House and adjoining grounds will remain. Bacon Hall and the three row structures will be demolished. The University owns all land in the subject square.

8. The planned renovation will occur within the presently existing site of the George Washington University National Law Center. The subject site is part of the core area of the Functional Areas Map of the approved Campus Plan, which includes the central library, university center, classrooms and laboratories, and faculty offices.

9. Robert Dickman, the Assistant Treasurer of the George Washington University, testified that the construction on Square 102 will include:

- a. The demolition of Bacon Hall, located to the north of Stockton Hall and now used by the Law School for classrooms, office and support, and its replacement by a new structure to house classrooms and a moot court;
- b. An addition south of the Law Library to house required additional stack space and adequate library reference, research, learning center, administrative and faculty space, and
- c. Alterations to the existing law library and Stockton Hall to provide adequate library reading space, learning center, student areas and Law Center Administrative areas.

10. The construction will involve no change in the size of the Law School enrollment or related programs. The construction will consist primarily of changes in classroom configuration, including facilities for audio-visual capacity, tiering of classrooms, provision of library seating required by ABA standards, and access for the handicapped. According to the applicant's architect the total classroom seating capacity including the Moot Court will be increased by approximately 125 seats to satisfy ABA standards. Present classroom seating is inadequate and this increase should correct the existing condition. The architect testified as to the overall architectural character of the subject area. The design will enhance the architectural quality of the area. The buildings proposed for demolition have no significance either historically or architecturally. The additions will enhance Stockton Hall, the most significant building on the west side of 20th Street between G and H Streets, N.W.

11. George Washington University owns Square 102 in its entirety, which generates a permitted gross floor area of 522,008 square feet. The total gross floor area constructed in Square 102 will be 263,215 square feet or slightly more than fifty percent of the total permitted gross floor area.

12. Professor Donald P. Rothschild of the George Washington University National Law Center testified that deficiencies in the current Law Center facilities prohibited the school from providing sufficient educational services to its students. The American Bar Association and the American Association of Law Schools have submitted inspection reports which categorized the present facilities as inadequate and below the current minimum standards. The applicant's proposed changes meet the requirements of its accrediting agencies in adequately serving its present student enrollment.

13. The proposed Law Center rehabilitation and new construction is so located that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions, because no change in enrollment is proposed. The subject site presently is bounded by highrise office use to the east and north and University uses to the south and west.

14. The Law Center rehabilitation and new construction will not be objectionable because of noise. The Law Center use does not generate noise and the location of the law library as a part of the school will discourage noise.

15. Since no increase in enrollment is projected, the renovation will not be objectionable to neighboring owners because of traffic. No new parking spaces will be provided. The applicant's parking inventory will be unchanged.

16. The applicant has filed with the Board in this case the University's long-range plans for developing the campus as a whole.

17. The applicant does not seek relief in this application for the interim use of land outside the Campus.

18. The Office of Planning and Development, by report dated June 4, 1982, recommended that the application be approved. The OPD reported that the proposed addition to the existing law center is consistent with the GWU Campus Plan map and text as approved by the Board in Order No. 10403. The proposed addition will accommodate the anticipated need for increased law school facilities at the subject location when the plan was approved. The proposed special exception request will be in harmony with the general purpose and intent of the Zoning Regulations and will not tend to adversely effect the neighboring properties, as required in the test of Sub-section 8207.2 of the Zoning Regulations for special exception approval. The Board so finds.

19. The Department of Transportation, by memorandum dated June 2, 1982, reported that DOT did not find the subject opposition to be objectionable from a transportation standpoint. The DOT reported that there will be no increase in campus enrollment resulting from this project. The parking requirements have been incorporated in the approved parking plan under the approved Master Plan which sets a level of parking at 2700 to 3000 off-street spaces. The Board so finds.

20. Advisory Neighborhood Commission 2A, by letter filed June 8, 1982, advised the BZA that it supported the application on the grounds that premises 2000 H Street is already in University use, the demolition of Bacon Hall and the two towhouses with new construction thereon will better serve the law school, the expansion will not displace any present or potential resident and that the buildings in question would be unlikely to support expansion of the law school use as contemplated in the GWU Master Plan, being in a different Square. The Board concurs in the ANC recommendation. As to any inconsistency of the application with the Campus Master Plan the Board finds that based on Findings No. 4, 5 and 6 that the proposed expansion is consistent with the approved Campus Plan.

21. A resident of 2000 F Street, N.W. voiced concern about the application. It was her belief that a general deterioration was taking place in the neighborhood and that the applicant was greatly responsible for it. Residences have been razed to be replaced by large office buildings or University school buildings. The new structures do not add to a neighborhood appearance. The Board finds that no residential uses will be lost as a result of this application. The Board finds that the allegations as to the appearance of the building is a vague generalization without specific substance behind it.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking a special exception, the granting of which requires compliance with Paragraph 3101.46 of the Zoning Regulations. The Board concludes that the remodeling and additions to the GWU Law Center are consistent with the approved Campus Plan. As evidenced by the testimony, the upgrading of the George Washington University Law Center's facilities is a necessity for the school to operate at current minimum standards as determined by law school accrediting agencies and the administration. The subject plans do not include any construction for an increased law school enrollment. The present application does not relate to a future Law School enrollment expansion proposed in the Campus Plan. Rehabilitation of the Jacob Burns Library and Stockton Hall presently located on the George Washington University National Law Center site, will improve the law school's facilities to provide adequate seating, ventilation, handicap access and study area for the present student enrollment. The remodeling and new construction falls well below the height and F.A.R. limitations for the R-5-C District. Utilization of the buildings for classrooms, reading space, clinics, faculty office, libraries and accessory uses is consistent with the proposed uses of the law school buildings in the George Washington University Campus Plan.

The Board concludes that the applicant has met its burden of proof. The Board further concludes that the relief can be granted as in harmony with the general intent and purpose of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (William F. McIntosh, Connie Fortune, Lindsley Williams and Charles R. Norris to GRANT; Douglas J. Patton not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: SEP 30 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.