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BZA
DISTRICT

Sheila Reid Cross, Chaiman
Board of Zoning Adjustment
441 4 th Street NW, 2nd Floor
Washington, DC 20001

April 6, 1999

Re: The George Washington Univeristy Campus Plan
Board of Zoning Adjustment Application No. 16553

Dear Members of the Board

This is to request that you delay approval the the GWU Campus Plan until the University provides additional information. I was disappointed and surprised that the University chose to exclude significant information from its plan, chose not to be forthcoming in its presentation and failed to adequately notify individual residents of the Campus Plan process.

Significant Omissions

1. The University's Campus Plan excludes any presentation of the negative impacts that the University has had and will have on the Foggy Bottom community residents and how it plans to minimize those negative impacts. In contrast, when a company prepares an annual report it must report not only the positive aspects of its operations, but it is also required to provide an honest assessment of problems and negatives. Clearly there are negative impacts and it would be forthcoming for the University to acknowledge those negative impacts and explain how it will work with the community to address those impacts. How can the community comment on the plan and how can the Board of Zoning Adjustment make an assessment of the plan, if the University will not share the views that were expressed and how the plan addressed those views.

2. The University claims to have had many meetings with the community, but its Plan does not provide a transcript of these meetings or even a summary of the community views and concerns. In contrast, Federal agencies routinely prepare such summaries in the preamble when it issues a final regulation. It seems reasonable that the University should follow a similar process for its actions. How can the community comment on the plan when the University consciously decides not to share relevant information its analyses must have revealed. How can the Board of Zoning Adjustment make an assessment of the plan, if the University provides only a partial and one-sided analysis its plan.

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3. The University posted only a partial copy of its Campus Plan on its web site. It said that the "GW's Campus Plan was filed with the Board of Zoning Adjustment on December 28, 1999. Public hearings before the BZA have been scheduled for March 29, 2000 and April 26, 2000." Yet, on April 5, 2000 significant parts of the Plan have not yet been posted on the web site for the community to review. Figure E (Proposed Land Use), Appendix M (Traffic and Parking Study ) and Appendix G (Building Characteristics) are still missing. These portions of the Plan are likely to be controversial and reveal some of the negative aspects of the Campus Plan. How can the community comment on the Plan and how can the Board of Zoning Adjustment make an assessment of the plan, if important parts of the plan are not made available for all to see 90 days before the hearings which I believe was the intent of the December 28 filing date and the March 29 hearing date timetable.

4. The University has not adequately alerted individual residents in the Foggy Bottom neighborhood to the Campus Plan and the process for public participation. The University routinely sends mailings to "all" community residents, but in this instance, it apparently decided not to send a letter to all residents early in the process. The only communication was received at the end of March (too late to participate in the March 29 hearing) and it contained no notice of the public participation process or the hearing dates. The letter that was sent was a public relations message extolling the University's positive features.

5. The Campus Plan was posted on the web in a PDF format which means it can only be read by people who have a computer with a certain capacity and who have downloaded special software. In contrast, the Justice Department has ruled that the PDF format does not meet the requirements of the American Disabilities Act and that all Federal Agencies should post its documents in HTML format. It seems reasonable that the University would follow a similar approach to public access. The decision not to post the Plan in the more readily accessible and commonly accepted HTML format can only be interpreted as a desire to limit the number of people who see the plan.

6. The Campus Plan projects a 23% increase in students/faculty/staff, but it does not discuss how such an increase will impact an already crowded metro station. Currently at rush hour, there is a significant backup of people waiting to exit the station. If the backup increases, it would create safety problems on the station platform.

7. The Campus Plan excludes any discussion of the University's past actions or plans for purchasing, razing, and/or converting property immediately outside the perimeter of the Campus' boundaries. These actions have significantly altered the character of the Foggy Bottom Community and raise doubts about the University's statements in the Campus Plan about preserving and beautifying the community. Moreover, by utilizing the property immediately outside the campus perimeter, the University is able to utilize property within the campus boundaries for commercial uses. The Campus Plan indicates that the property of the existing hospital may be converted to commercial use rather than for dormitory use. Had the University not just purchased buildings immediately outside the campus boundaries for dormitory use, this flexibility would not be possible. The University's request for flexibility in the use of the property within the campus' boundary should not be granted without first reviewing its past and propsed actions immediately outside the Campus Plan boundaries.

Requested Condition of Approval

As I understand the process, the BZA has to determine whether or not to approve or to approve it with certain conditions, and will issue a Final Order setting forth its decision. I request that the BZA require that the following conditions are met prior to its approval or as part of its approval.

1. that the University will forthrightly list all the negative impacts on the community that its own analyses have revealed (as is required of every company which prepares an annual report),

2. that the University include as part of its Campus Plan a review of its past and planned actions immediately outside the campus boundaries and that any commercial use of property within the campus boundary be contingent upon the University not razing and further changing the character of the Foggy Bottom community immediately outside the campus boundaries.

3. that the University will present in detail the positive and negative comments and concerns that it received in its meetings with community leaders.

4. that the University specifically address how its will address and minimize each of those negative impacts,

5. that the University send a letter to each individual Foggy Bottom resident listing the negative impacts of its Campus Plan and its detailed plan for addressing those negative impacts and provide residents with a minimum of 30 days after receipt of the letter to submit comments and suggestions

6. that the University send a follow-up letter to each individual resident summarizing the comments it received and how it will incorporate those comments into its plans of action or an explanation why it won't accept the comments (similar to preambles in final regulations).

7. that the University make a commitment to regularly and honesty include the community in its decision making process,

8. that the University forms an advisory committee of community members (elected by the community and/or selected by the Foggy Bottom Association and the ANC) and hold quarterly meetings with the advisory committee. The BZA should conduct an assessment of whether the University's adequately involved the community and addressed its concerns and not approve the next Campus Plan until the University adequately implements this condition.

Summary

The BZA should require, as a condition of its approval of the Campus Plan, that the University operates under the same rules as indicated above that federal agencies and companies must operate under every day.

I work for a federal regulatory agency which is required by law to engage in public participation, operate under rules of due process, and make its decision making transparent. The University, undoubted, teaches its students these principles, but it appears to me that it is reluctant to operate in such a manner itself.

I personally am happy to have the University in my community. I am, however, disappointed in the manner it frequently treats the community, its continued razing of property outside the campus boundaries, its lack of openness and understanding, and its lack of willingness to fully partner with the community.

Sincerely

