Howard University

West Campus Master Plan

1997

Board of Zoning Adjustment
District of Columbia
CASE NO.16611
EXHIBIT NO.220A2

Likewise, the University continues to limit traffic plans at its Upton Street entrance and provide major services and vehicular access off of Van Ness Street even though it is not required to do so. The School of Law has no plans to change this voluntary policy during the period of this 1997 West Campus Plan.

Existing Campus Usage and Activities

Since about 1995, the West Campus has been used exclusively for the School of Law. The West Campus operates between the hours of 7:00 am to midnight, seven days a week. A summary of special School of Law activities is included at Tab D. The campus is used primarily by the School of Law and most of its activities occur indoors. The primary outdoor activities consist of the graduation ceremony (in appropriate weather) and students studying and meeting on the grounds of the School of Law. There is no athletic program requirement for the School of Law and no athletic activities take place on the West Campus. No part of the West Campus is used by the University for outdoor activities.

Occasional, special events such as weddings, funerals, and graduations are also held on the Campus. During the past year, the West Campus Chapel was used on average four times a month for weddings, funerals, and other activities. The main activity of the West Campus Chapel is for weddings. (Tab D.) Other activities include the Christmas concert of the University's choirs and mass or services by local churches. In 1996, the St. Louis Cathedral held

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16110 of Howard University, pursuant to 11 DCMR 3108.1, for special exceptions under Section 210 and Subsection 302.1 to update an approved west campus plan in an R-1-A/R-2 District at premises 2900 Van Ness Street, NW (Square 2049, Lot 810).

HEARING DATES: May 15, September 4 and December 18, 1996, and September 3, 1997

DECISION DATE: October 1, 1997

ORDER

PROCEDURAL BACKGROUND:

By order dated April 13, 1994, in Application No. 15767, the applicant was ordered to file an application for approval of an Updated Campus Plan for its West Campus within 12 months of the date of the order. By letter dated March 24, 1995, Howard University (Howard, University, or Applicant) sought an extension of time to file the Updated West Campus Plan. The University stated that it needed more time to discuss its Updated Plan with the neighboring property owners. By order dated June 28, 1995, the applicant's request for an extension of time was granted. Subsequently, the Updated West Campus Plan was filed on October 6, 1995. A public hearing was scheduled for May 15, 1996. Prior to that date, the University requested a postponement so that the University's new president and administration could review the Updated West Campus Plan. The Board rescheduled the public hearing to September 4, 1996.

On June 20, 1996, Advisory Neighborhood Commission (ANC) 3F wrote the Board requesting a postponement of the public hearing scheduled for September 4, 1996 to accord ANC members and their constituents more time to review the Updated Campus Plan. At the request of the ANC, the University joined in that request. The Board rescheduled the public hearing to December 18, 1996.

The applicant filed the Updated West Campus Plan on December 4, 1996. The applicant hand-delivered a copy of the Plan to the ANC 3F and requested time to discuss the Plan with the Commission and with interested members of the community. On December 9, 1996, the applicant delivered seven additional copies of the Updated Plan to ANC 3F.

By letter dated December 6, 1996, ANC 3F asked for postponement of the December 18, 1996 public hearing. The University took no position on that request. The ANC's request was denied.

At the December 18, 1996 public hearing, representatives of the applicant, including expert witnesses, presented the Updated West Campus Plan through sworn testimony and written evidence. No parties appeared, and no written materials were submitted into the record in opposition to the Plan. At the conclusion of the hearing, the Board directed the applicant to amend the Plan with additional explanatory information, to share the additional details with Advisory Neighborhood Commission 3F, and to file an amended Updated West Campus Plan by February 12, 1997.

On February 12, 1997, the revised West Campus Plan was submitted to the Office of Zoning (OZ), ANC 3F, and the Office of Planning.

By letter dated February 21, 1997, the residents requested the Board to rehear the revised West Campus Plan.

By letter dated February 25, 1997, ANC 3F requested the Board to reconsider its previous ruling denying its request to postpone the December 18, 1996 public hearing and to schedule a rehearing on this application.

By letter dated February 25, 1997, 13 residents of Upton Street, N.W. submitted a petition stating that they did not receive notice of the December 18, 1996 hearing and requesting a rehearing of this application.

By letter dated February 25, 1997, the Van Ness South Tenants Association, through counsel, requested party status and a rehearing of this application.

On February 25, 1997, the Van Ness East Condominium Association submitted a motion requesting party status, and a rehearing of the application with full public notices pursuant to 11 DCMR Section 3117.

By letter dated February 25, 1997, an ANC Commissioner requested a rehearing of this application.

On March 5, 1997, by memorandum, the Office of Planning stated that the applicant's February 12, 1997 submission revising the West Campus Plan complied with the Board's direction of December 18, 1996.

By letter dated March 4, 1997, the applicant requested the Board not to decide its application at the public meeting scheduled for April 1997. The applicant stated that as part of its community outreach efforts, and in recognition of the community's request for more information about the Campus Plan, the University would hold a public forum at its School of Law.

By letter dated May 30, 1997, Howard University stated that the University had met with all interested citizens, resolved the issues presented and requested a decision on its application at the Board's July 2, 1997 public meeting. Advisory Neighborhood Commission 3F took no position on that request.

At the public meeting of July 2, 1997 the Board approved a rehearing of the application. That rehearing was scheduled for September 3, 1997.

On August 11, 1997, the Smith Property Holding Van Ness Limited Partnership and the Van Ness South Tenants Association, Inc., through counsel, requested a postponement of the September 3, 1997 public hearing. The groups maintained that there was insufficient time for them to review the application and prepare for the hearing. They also stated that the hearing would be too extensive to complete on that date.

On August 14, 1997, ANC 3F submitted a resolution in opposition to the request for postponement of the September 3, 1997 public hearing. The ANC urged the applicant and the Van Ness South owners and tenants to meet and discuss any outstanding issue. Additionally, ANC 3F submitted a resolution in support of the applicant's revised West Campus Plan, with conditions.

On August 20, 1997, the applicant submitted a supplementary memorandum in support of the application and in opposition to the request for a postponement of the public rehearing. The opposition to the request for postponement detailed the nearly two-year history of public meetings and discussions between the University, ANC 3F, and other residents to discuss the issues with respect to the Updated Campus Plan. The applicant stated further that the agency that accredits law schools had advised the University that it needs to expand its law library facility to come into compliance with the applicable accreditation standards. Additionally, the University was prepared to pursue the library expansion and could not afford any further delays in the processing of this application. The applicant stated that any further delays would have an adverse impact on the accreditation of the Law School.

Citing the long procedural history of the application and the adverse impact that additional delay would have on the applicant, on September 3, 1997, the Board denied the request to postpone the public hearing on the revised West Campus Plan.

Prior to the September 3, 1997 hearing, the Board considered the requests of the Van Ness South Tenants Association, Inc. and the Van Ness East Condominium Association to grant party status in the proceeding. As no person from either organization appeared at the hearing to support those requests, each was denied.

The hearing proceeded on September 3, 1997 and University representatives presented further sworn oral testimony in support of the application. Four law school students and a resident of neighboring property also appeared and gave testimony in support of the

application. No person appeared in opposition to the application. At the conclusion of the public hearing, the record was closed.

SUMMARY OF EVIDENCE:

1. This is an application by Howard University for a special exception under Section 210 and Subsection 302.1 for review and approval of an updated West Campus Plan. The West Campus of the University is located at 2900 Van Ness Street, N.W., and is used for the University's School of Law. The entire campus is within the R-1-A and R-2 Districts.

2. The R-1-A District permits matter-of-right development of all structures with a minimum lot area of 7,500 square feet, a minimum width of 75 feet and a maximum height limit of three stories/40 feet. The R-2 District permits matter-of-right development of all structures with a minimum lot area of 4,000 square feet, a minimum lot width of 40 feet and a height limit of three stories/40 feet. A college or university is permitted in the R-1 and R-2 Districts by special exception.

3. The site is located one block east of the intersection of Connecticut Avenue and Van Ness Street, N.W., north of Upton Street. It consists of Lot 810 in Square 2049, which contains [as identified in the Lusk Directory] 854,090 square feet of land area or 19.6 acres. The topography of the site varies, with a dramatic slope from the highest point in the center of the campus down to Soapstone Valley Park on the north. The portion of the site bordering the park is currently maintained as open space, with mature trees and other vegetation along the perimeter.

4. The subject property is improved with interconnected, red brick, masonry buildings: (a) Notre Dame Hall; (b) Houston Hall; (c) Holy Cross Hall; and, (d) the Daniels Law Library. These buildings were constructed over 60 years ago and reflect Gothic Revival, Victorian and modern architectural styles. The buildings range from one to four stories in height measured from Upton Street. The gross floor area of all of the existing buildings totals 207,442 square feet. The floor area ratio (FAR) for the campus is approximately 0.22, which is well below the 1.8 FAR permitted for University use in the R-1-A and R-2 District. The lot occupancy of the campus is 16.9 percent; the Zoning Regulations permit a maximum of 40 percent.

(a) Notre Dame Hall contains office space and a floor area of 40,274 square feet. The building has four stories, a basement and a sub-basement.

(b) Houston Hall contains classrooms, dining facilities and a kitchen, a 429-seat moot court/auditorium, student lounge area, a chapel and administrative offices. This structure is the oldest building on the campus and the core educational facility. Houston Hall is four stories in height, with two basement levels and contains 84,904 square feet.

Oct. 1, 1997

(c) Holy Cross Hall contains administrative offices and classrooms, is four stories in height with two basement levels and contains 51,032 square feet.

(d) The Daniels Law Library is one story in height with two basement levels and contains 26,298 square feet.

(e) The maintenance building is 15 feet in height (over two floors) and contains 4,934 square feet.

The subject property is also improved with a gazebo that is used by students, faculty and employees for passive recreational purposes.

The cluster of buildings that comprise the classrooms and administrative offices is located on the southern portion of the property. The maintenance building is located at the eastern boundary. The gazebo is located north of the Daniels Law Library structure. All of the structures, together with the surface parking lot, occupy less than ten percent of the west campus. The natural configuration and contour of the site, as well as the abundant landscaping, effectively screen the site from the surrounding neighborhood.

5. The site is not located in a historic district and there are no designated historic landmark buildings on the property.

6. The land uses that are located in the area immediately surrounding the west campus are: residential (single-family dwelling units and high-rise apartment houses); commercial (office buildings and retail goods and services); and open space (Soapstone Valley Park and Rock Creek Park). A number of institutional facilities are located nearby. These facilities include the main campus of the University of the District of Columbia, the Van Ness/UDC Metrorail Station, the Levine School of Music, and the Burke School.

7. There are two pedestrian/vehicular entrances that provide access to the campus. The Van Ness Street cul-de-sac entrance is the primary means of access. The Upton Street entrance is used infrequently, primarily for ceremonial events.

8. On May 24, 1974, the Board approved the West Campus Plan by granting Howard University's application for special exception to use the site for its Graduate School/Professional Center (see Application No. 11669).

In support of its 1974 application, the applicant projected a daytime population of approximately 450 students, 41 faculty and 173 staff. The applicant stated that it planned to use the existing buildings on the site and had "no present intention" of constructing any new buildings. No athletic or comparable facilities were planned.

9. On October 31, 1978, the Board approved a special exception to allow the applicant to replace a deteriorated maintenance building

on the West Campus with a new 1½-story building. The maintenance building was proposed as an interim temporary use of the structure. The Board approved the applicant's request for five years under Application No. 12743.

10. On April 13, 1994, under Application No. 15767, the Board approved special exceptions to amend the previously approved West Campus Plan and for further processing under the amended plan to allow an addition to the existing Law School; to permit permanent use of an existing temporary structure; to allow construction of a service/delivery pad; and, to allow the realignment of the driveway at the entrance of the West Campus that intersects the Van Ness Street cul-de-sac.

A classroom addition to the Houston Hall building was thereafter constructed with a floor area of approximately 6,000 square feet on two levels. The space houses two additional classrooms, approximately 100 seats, for the Law School. The added classroom space is less than one percent of the campus area, less than .001 FAR, and less than three percent of the gross building area of the site. The building materials, configuration and footprint of the addition mirror the existing red brick classroom projection on the west so that the building is symmetrical in appearance. The addition also contains a two-story, barrel volted atrium foyer, encased in glass, which serves as the official entrance to the School of Law.

11. The applicant submitted an Updated West Campus Plan on October 6, 1995 to the Board. No increase in enrollment was projected. However, the Updated Plan did propose to reduce the size of the faculty and support staff from 41 and 172 to 32 and 50, respectively.

12. The R-1-A District is mapped over a large area north, east, and one block south of the site. The R-2 District is mapped over a two-block area to the southeast of the site and extends west almost to Connecticut Avenue. One block south of the site is a small R-5-D District. The frontage along the west side of Connecticut Avenue from Albemarle to Veazey Terrace, and along the east side from Albemarle Street to Van Ness Street, is zoned C-3-A. The R-1-B District is mapped along the west side of Connecticut Avenue from Veazey Terrace to Tilden Street and extends further north and west. From Van Ness Street to Porter Street, the east side of Connecticut Avenue is zoned R-5-D.

13. Ingress and egress to the site is from Van Ness Street by way of an asphalt driveway entrance at the end of a circular cul-de-sac. The access was designed to operate in a one-way, counterclockwise, direction.

The campus interior roadway system consists of a single looped street from the Van Ness Street cul-de-sac around the building complex to Upton Street. Traffic accessing the site from Van Ness Street terminates in the parking lots north of the building complex,

between Houston Hall and Holy Cross Hall. Vehicular traffic is permitted to access the site from Upton Street only during ceremonial occasions. Traffic accessing the site consists of students, faculty, staff, visitors and service/delivery vehicles. The loading berths facilitate the delivery of school supplies and food items to the campus, among other uses. An elevated, concrete, 10-foot by 20-foot service/delivery pad was added to the west side of Houston Hall pursuant to the Board's approval of Application No. 15767 in 1994. Deliveries take place in that area.

In its deliberations on the application, the Board found that the interior road network was adequate for the existing traffic volume.

14. The West Campus is served by 255 240 on-site parking spaces. In addition, the students, faculty and support staff use public transportation. The Van Ness/UDC Metrorail Station and several Metrobus routes are located along Connecticut Avenue, a short walk to the site. For a university located in the R-1-A or R-2 District, the Zoning Regulations require two off-street parking spaces for every three teachers, plus one off-street parking space for every ten classroom or auditorium seats. The number of parking spaces may vary from the minimum required by the Zoning Regulations, depending upon the Board's approval of the university's campus plan. The applicant indicated that based on the Zoning Regulations, the University is required to provide 77 off-street parking spaces and that the University has provided three times the minimum number required.

15. The development projects proposed in the Updated West Campus Plan seek to establish a more unified urban design character for the site by altering the approach lanes within the campus, by restricting parking along the campus roadway, and by dedicating a portion of the parking lot for visitor parking.

16. The West Campus operates between the hours of 7:00 a.m. to midnight, seven days a week. The campus is used as a law school and most of the school's activities occur indoors. The primary outdoor activity consists of people studying and meeting on the grounds of the law school.

~~17~~. Occasionally, special events such as weddings, funerals, and graduations are also held on the campus. During the past year, the West Campus Chapel was used an average of four times a month for weddings, funerals and other activities. Weddings are the main non-University activity of the West Campus. Other activities include the Christmas Concert of the University's choirs, Mass, and services by local churches. These activities do not occur on a regular schedule. The applicant indicated that the special events are limited to those persons associated with the School of Law.

18. The Updated West Campus Plan proposes the construction of a library addition to Holy Cross building, and the construction of a new President's House.

Law Library Addition

During the last accreditation site visit by the American Bar Association, it was determined that the existing Daniels Law Library building has physical limitations that could adversely affect the academic standing of the School of Law. The accrediting officials directed the University to improve its library facilities by adding more building space. Accordingly, the University proposes to build an addition to the north side of Holy Cross building to house a new law library. The new library structure would contain a gross floor area of 65,941 square feet. (The existing Holy Cross building contains five floors and the proposed addition would be between four and five stories.) The University anticipates that some of the space within the Holy Cross building would be used for law library support functions. The start of construction is planned for 1998. When constructed has been completed, the University would demolish the existing Daniels Law Library building and convert that area to open space.

President's House

The Updated West Campus Plan proposes a new three-story residence to house the President of Howard University. The location would be near the top of the hill just to the north and east of the Holy Cross Building. The start of construction of the President's House would be in 1999. The existing maintenance building is proposed for renovation to a caretaker's residence for the President's House.

19. The architectural character of the President's House and caretaker's residence would be consistent with the other buildings on the West Campus and would add to the variety of structures on the property. The office activities conducted on the upper level of the maintenance building would be moved to vacant office space in one of the buildings on the West Campus. The lower level of the building would be maintained for storage of equipment and supplies.

20. The Updated Campus Plan proposes to build upon the existing vegetation types and patterns of landscaping to create both formal and informal planting areas. The existing vegetation would be maintained and enhanced to beautify the campus, as well as to screen the campus from neighboring uses.

21. Since the number of faculty, staff and students on the West Campus would not increase, the proposed new development projects would not significantly change the level of pedestrian or vehicular movement to and around the site, and would not have an adverse impact on surrounding properties.

22. The applicant testified that the University's West Campus is identified on the city's Comprehensive Plan Generalized Land Use Map for "institutional use". The institutional land use category is defined in the plan as land and facilities occupied by colleges, universities, hospitals, religious institutions and similar

facilities. The Comprehensive Plan requires the preparation of master plans by colleges and universities to reduce adverse neighborhood impacts and to alleviate uncertainty over future institutional activities.

The applicant stated that use of the site, as outlined in the Updated West Campus Plan, is consistent with the institutional use identified in the Comprehensive Plan.

23. The applicant's traffic consultant submitted a written transportation and parking analysis into the record and gave expert testimony at the public hearing. The consultant indicated that in previous deliberations on the Campus Plan, the Board found that the interior road network on the West Campus was adequate for the existing traffic volume. The consultant stated that in analyzing the traffic access and parking needs and potential of the 1997 Updated West Campus Plan, neither the location of the President's House nor the relocation of the law library addition would appreciably impact the vehicular trip generation on the campus.

The traffic engineer indicated that most official functions at the President's House would be scheduled during evening, weekend, or holiday periods when the parking facilities would be substantially underutilized (i.e., outside of classroom or peak library usage periods). The traffic expert further stated that after analysis it was determined that the site's off-street parking facilities and circulation system should continue to adequately meet the needs of the campus. The consultant indicated that the 1997 Updated West Campus Plan should be approved because vehicular and pedestrian traffic associated with the University would not adversely affect the use of neighboring properties.

24. By memorandum dated March 5, 1997 and oral testimony at the public hearing, the Office of Planning stated that the application satisfied the zoning requirements. The Office of Planning recommended approval of the application provided that: (a) the University maintains an open space of three acres of greenery adjacent to Soapstone Valley Park, and (b) additional landscaping (i.e., trees) is provided on the proposed surface parking lot.

25. By letter dated August 14, 1997 and oral testimony at the public hearing, Advisory Neighborhood Commission (ANC) 3F voted to support the application. In reaching its decision, the Chairperson of ANC 3F testified that extensive negotiations between the ANC and the Law School resulted in proposed operating standards that are included as a part of the ANC's Resolution of Support. The ANC Chairperson testified that Howard University had agreed to the operating standards becoming conditions to approving the requested zoning relief. At the hearing, the applicant concurred that an agreement was reached with the ANC to have the proposed operating standards incorporated as conditions into the Board's final order.

26. A resident of the Van Ness East Apartments testified in support of the application but asked that the applicant work toward decreasing the sound impact of certain air conditioning units

located outside of a University building, near residential space. The applicant agreed to do so.

27. Four students of the School of Law appeared and testified in support of the application. Each student stated that they had not experienced or otherwise become aware of any adverse effects (noise, traffic, congestion, or crime) during their tenure at the School of Law. The students indicated that the average age of a law school student tended to be in the mid-20s and that most students were serious about pursuing their professional degrees.

FINDINGS OF FACT:

Based on the evidence of record, the Board finds as follows:

1. That the applicant has met the requisite burden of proof as set forth in Sections 210 and 302.1 of the Zoning Regulations.

2. The construction of a law library addition to Holy Cross Hall is reasonably necessary and would not tend to affect adversely the use of neighboring properties. (The building would contain 65,941 square feet, and an FAR of .08). Further, the law library addition is not likely to become objectionable to neighboring properties because of noise, number of students, or vehicular traffic.

3. The construction of the President's House would not tend to affect adversely the use of neighboring properties nor is it likely to become objectionable to neighboring properties because of noise, vehicular traffic, or number of students. The President's House would offer some off-hour official entertaining, would contain an estimated gross floor area of 10,000 square feet, and would be constructed to a height of 35 feet.

4. Sufficient on-site parking is provided. The applicant is proposing to provide 255 parking spaces, whereas the Zoning Regulations require 77. The campus would have less traffic, in terms of faculty and employees, than what was previously approved by the Board in 1994. The West Campus is not likely to have an adverse impact on neighboring properties because of traffic.

5. The concerns expressed by ANC constituents at public meetings are reasonably resolved by the proposed operating conditions recommended by ANC 3F and agreed to by the applicant.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the applicant is seeking a special exception to allow for an Updated West Campus Plan for a ten-year period. The granting of such a special exception requires compliance with the requirements of Section 210, Subsections 302.1 and 3108.1 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof.

The Board concludes that the proposed library addition to Holy Cross Hall and the construction of the President's House on the West Campus are located so as not to become objectionable to neighboring properties. The proposed library addition and the President's House would not increase the total bulk of buildings on the West Campus. Therefore, the prescribed gross floor area would not be exceeded.

The Board concludes that the University's application can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the application would not tend to affect adversely the use of neighboring properties.

The Board accorded ANC 3F the "great weight" to which it is entitled. In light of the foregoing, it is **ORDERED** that the application be **GRANTED**, subject to the following **CONDITIONS**:

1. Approval shall be for a period of **TEN** (10) years.

2. No construction trucks and/or construction machinery that are performing work on the West Campus, such as bulldozers or construction trailers, shall be parked either on Van Ness Street or Upton Street.

3. No West Campus construction shall take place on weekends. During weekdays, Howard University shall endeavor to respect the residential neighborhood and not begin construction or stage noisy construction activities prior to 8:00 a.m.

4. With the exception of examination periods, the hours of operation for the West Campus shall be 7:00 a.m. to 10:00 p.m., Sunday through Thursday, and 7:00 a.m. to 12 midnight, Friday and Saturday. The Law Library may remain open until 12 midnight daily. Law School faculty, administrators, and staff shall have access to the West Campus at any hour.

5. Howard University shall include as part of its campus plan, a February 26, 1997, letter from Interim Vice President Harry G. Robinson III to ANC 3F, and shall abide by the terms of the letter with respect to the operation of the Criminal Justice Clinic (Exhibit 29 of the Record). The curriculum of the clinic shall not be expanded to cover felonies and other violent crimes without the opportunity for discussion among Howard, the Advisory Neighborhood Commission and the neighborhood.

6. Controlled access to the campus shall be provided at the Van Ness Street entrance (gate closed and controlled/security guard) within half-an-hour after closing until the school reopens.

7. Howard University shall take reasonable measures to mitigate the impact upon the community of all non-University events. Such events shall be limited to those approved by a University Dean or cabinet member. The University shall require security and parking control at events on the campus that are appropriate to the scope and scale of the event and the nature of the surrounding residential community.

8. The Upton Street entrance shall be opened as a relief valve for Van Ness Street when Howard University has graduation and other ceremonial events and/or the campus is being used for large groups or events.

9. The President's House on the West Campus shall not be rented or used for non-Howard University fundraising events.

10. Howard University School of Law shall identify a high-ranking University official who shall act as a point of contact with the ANC and the neighborhood. This person shall be available to mitigate and resolve neighborhood concerns about traffic and parking problems as well as other problems that the school activities may inadvertently cause.

11. Howard representation shall become a part of a neighborhood committee with the other major institutions in the area, and the scheduling of university related and non-university related events shall be made in conjunction with an overall neighborhood scheduling coordination plan to minimize conflicts among the University of the District of Columbia, Howard University, Levine School of Music, Intellsat, the Edmund Burke School, residential organizations and other major traffic generators in the neighborhood.

12. No outdoor events shall take place on the West Campus to cause excessive noise (e.g., music, loudspeakers, etc.), with the exception of graduation.

13. Howard University Law School shall maintain the portion of the West Campus bordering Soapstone Valley Park as open space for the term of this Updated West Campus Plan, consistent with the Parks and Open Space Element of the Comprehensive Plan.

VOTE: **5-0** (Susan Morgan Hinton, Betty King, Laura M. Richards and Sheila Cross Reid to grant; Herbert M. Franklin to grant by absentee vote).

THIS ORDER WAS ADOPTED BY THE BOARD OF ZONING ADJUSTMENT AT ITS PUBLIC MEETING OF OCTOBER 1, 1997

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

ATTESTED BY: Madeliene H. Dobbins
MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: FEB 18 1998

PURSUANT TO D.C. CODE SEC. I-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "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 TWO YEARS 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 CONSUMER AND REGULATORY AFFAIRS.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16110

As Director of the Board of Zoning Adjustment, I certify and attest that on FEB 18 1998 a copy of the order entered on that date in this matter was mailed first class postage prepaid to each party who appeared and participated in the public hearing concerning the matter, and who is listed below:

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MADELIENE H. DOBBINS
Director

DATE: FEB 18 1998