West End Citizens Association
Washington, D.C.

Boundaries: 15th Street on the East • Potomac Park on the South
Rock Creek and the Potomac on the West • N Street on the North

January 7, 2003

RECEIVED
D.C. OFFICE OF ZONING
2003 JAN -9 PM 3:35

The Honorable Geoffrey H. Griffis
Chairman
D.C. Board of Zoning Adjustment
441-4th Street, N.W. - Suite 210
Washington, DC 20001

Re: BZA Appeal No. 16950 - Response to GWU's Additional Documents for WECA's Appeal of DCRA & ZA's Administrative Decisions, 1957 E Street, N.W.

Dear Chairman Griffis and Members of the Board:

As the Board of Zoning Adjustment (BZA) provided at its December 17, 2002 hearing on BZA Appeal No. 16950, this is the West End Citizens Association's (WECA's) timely response to the George Washington University's (GWU's) untimely[1] filing of additional documents relating to its August 17, 2001 commitment (reiterated in its February 8, 2002 letter to the Zoning Commission (ZC)) to restrict student parking for the Fall 2002 semester and each subsequent semester until June 30, 2009. Attached is a copy of GWU's February 8, 2002 commitment to the ZC to "adopt and publish this policy beginning in University documents for Fall 2002."

GWU's late filing is proof positive that GWU failed to adopt and publish this policy prior to the start of the Fall 2002 semester. Instead, after WECA filed its September 5th (i.e., at the start of the Fall 2002 semester) Notice of Intent to Appeal and then its September 23rd actual Appeal, finally, on October 31st (i.e., well after the start of the Fall 2002 semester and after the students had already brought their cars to the Foggy Bottom/West End area), GWU posted a less than clear document on its website. This less than clear document states that "students are generally discouraged from bringing vehicles to campus" and "Freshmen and Sophomores living in the Foggy Bottom/West End area particularly should not bring vehicles to campus." "Generally discouraged" and "should not" are not equivalent to a clear prohibition.

Also, GWU's August 17, 2001 written commitment clearly states that "For those few granted exceptions by the University, the University will arrange for parking in University parking facilities." This proviso is nowhere included in GWU's October 31, 2002 web posting. Additionally, all Freshmen and Sophomores with whom WECA has spoken are completely unaware of this mid-semester policy change and posting and, to the WECA's knowledge, GWU has made no efforts whatsoever to inform returning Freshmen and Sophomores that they are

[1]The BZA set a December 31, 2002 deadline for GWU's response but it was not filed until January 2, 2003.

BZA Case No. 16950
Exhibit No. 38

Board of Zoning Adjustment
District of Columbia
CASE NO.16950
EXHIBIT NO.38

prohibited from bringing cars to the Foggy Bottom/West End area and that exceptions to this policy will be few and be required to park in University parking facilities.

Lastly, if one clicks on "parking" at the top of the GWired webpage, the October 31st webpage does not appear (see attached) and, if one searches on "student parking" on GWired, the October 31st webpage also does not come up (see attached). Thus, the October 31st posting is ineffective at best.

The bottom line is that GWU's October 31st effort is too little, too late, and utterly ineffective in meeting its commitment to restrict student parking from Fall 2002 until June 30, 2009. If GWU intends to meet its commitment, the WECA requests that it immediately send an unambiguous letter to each Freshman and Sophomore student and each of their parents.

If you have any questions about this response, please call Barbara Kahlow on 226-3058. Thank you.

Sincerely,

John C. Batham

John C. Batham
President

Attachments

cc The Honorable Carol J. Mitten, Chair, Zoning Commission
Alan Bergstein, Esq., Corporation Counsel
ANC-2A (c/o St. Mary's Court)
Phil Feola, Esq., Counsel for GWU

The George Washington University
WASHINGTON DC

OFFICE OF THE VICE PRESIDENT AND TREASURER

February 8, 2002

Ms. Carol Mitten, Chair
District of Columbia Zoning Commission
441 Fourth Street, NW
Suite 210
Washington, D.C. 20001

Re: Zoning Commission Case No. 01-17M/93-5F/91-18P,
The George Washington University

Dear Ms. Mitten:

Please be advised that as part of The George Washington University's agreement with the West End Citizens Association, I provided a letter to WECA, dated August 17, 2001, agreeing to "proffer" to the Board of Zoning Adjustment in the GW Foggy Bottom Campus Plan Remand proceedings "a condition restricting Freshmen and Sophomores living in the Foggy Bottom/West end area . . from bringing cars to school or parking in the Foggy Bottom/West End area." This condition would provide that the University would publish this policy in University documents. The letter allowed for exceptions, but stated that the University would arrange for parking in University parking facilities for those exceptions. Finally, because private parties cannot restrict parking on public streets, I noted that "neither GW nor WECA have full enforcement authority of this policy." Attached is a copy of my letter.

GW attempted to make the proffer to the BZA in the Campus Plan remand case as agreed. As the Office of Planning noted in its submission of February 4, 2002, Charles Barber, Senior Counsel to GW, attempted to make the proffer at the September 17 and 21, 2001 hearings. Specifically, Barber stated that GW was proposing a policy that would discourage students generally from bringing cars to campus. Barber added that the policy would focus "particularly [on] freshmen and sophomores who live in Foggy Bottom and West End saying that they should not bring cars to campus, and if there are some exceptional circumstances, we will provide parking in University owned-parking facilities." (Transcript of September 17, 2001 hearing, pgs. 32-33.) The BZA, however, declined to consider this condition during the remand hearing, deciding instead to limit the remand to the housing condition (Condition 9 of the March 29, 2001 order) and conditions related thereto. Notwithstanding the BZA decision, GW satisfied its agreement to WECA by making this proffer.

GW has recently been asked to include a condition in this case relating to parking by Freshmen and Sophomores on the campus generally. GW has declined to do so for two reasons. First, this condition is unrelated to the PUD modification for 1957 E Street, NW which is the subject of this proceeding. My execution of a side letter, separate from the general agreement with WECA on this project, is consistent with that view. Second, and more importantly, GW was willing to proffer the condition in the Campus Plan case because the Campus plan process allows for more flexibility than a Zoning Commission PUD order. A PUD order generally lasts for the life of the building, while a special exception campus plan order has a more limited time span (for the GW Campus Plan, until June 30, 2009, as set forth in the March 29, 2001 order). In campus plan cases, moreover, the University is free to seek modifications based upon changed conditions periodically during the life of the plan in special processing proceedings. A condition in a PUD order, even for a set number of years, does not allow for that flexibility.

Notwithstanding the fact that the BZA has rejected GW's proffer, the University will voluntarily adopt and publish this policy beginning in University documents for Fall 2002. The University intends to maintain this policy at least until June 30, 2009, the stated duration of the current Campus Plan. If, prior to this time, changed circumstances warrant a modification of this policy, GW will make such modifications only with the agreement of WECA.

We hope this voluntary effort satisfies any concern over this issue.

Sincerely,

Lou Katz
Vice President and Treasurer

Enclosure

cc: Mr. Jack Batham, West End Citizens Association
Mr. John Fondersmith, Office of Planning

GWired student network

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SEARCH PLANNER INTERACTIVE

Search go

Popular Searches
restaurants, hotels, computers, gworld card, parking, pizza

101 Things to Do at GW

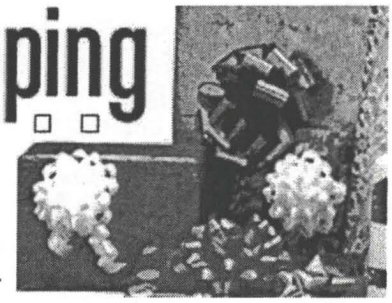
#72. Join a student organization -- or start your own!

Did you Know?

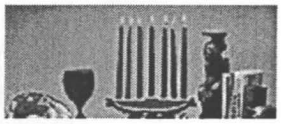
Did you know that CI is a 12 year tradition at GW?

Shopping Central

It's that time of the year again! Let us help you get started with your holiday gift hunt with these great shopping suggestions.

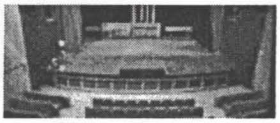


Celebrate Kwanzaa!



Kwanzaa is the holiday of celebrating family, community, and culture. Learn more about this wintertime festival >>

Now Playing



Find out about the latest theater openings, concert runs, sporting events, museum exhibits, and gallery openings. >>

Overlooked Places in DC



Skip the Capitol, the monuments, and the Smithsonian. Check out these lesser-known places. >>

Know Your Campus

- Academics
- Campus Life
- Community Living Resource
- Emergency Information
- Financial Matters
- Information & GW Resourc
- Student Services
- Technology
- Resources for Parents

Explore the Neighborh

- Eateries
- Entertainment
- Errands
- Government Services
- Misellaneous Services
- Medical Services/Support
- Moving
- Religious Opportunites
- Recreation
- Shopping
- Tourist & Cultural Attractio
- Travel / Transportation

Metro Stop of the Month

Don't take it for granted: You live in DC! Go exploring! >>

Create-a-Date

You asked your special someone out on a date. You did the hard part--leave the rest to us! >>



Fun Stuff in Foxhall

Foxhall is alive with activity. Here are some cool things that are only available on the Mount Vernon campus. >>

Policies

Read the fin print on everything student con to security t alcohol viola to academic integrity. >

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WASHINGTON DC

GWired student network

Do This | Announcements | planner interactive

SEARCH PLANNER INTERACTIVE

Search

Popular Searches

parking	hotels
academic calendar	work-study
gworld card	banks

101 Things to Do at GW

#91. Write a letter to the editor of the GW Hatchet.

Did you Know?

Did you know that CI is a 12 year tradition at GW?

Search: *parking*

There were 5 possible matches found:

Parking Services

Disability Support Services (DSS)

Metrorail

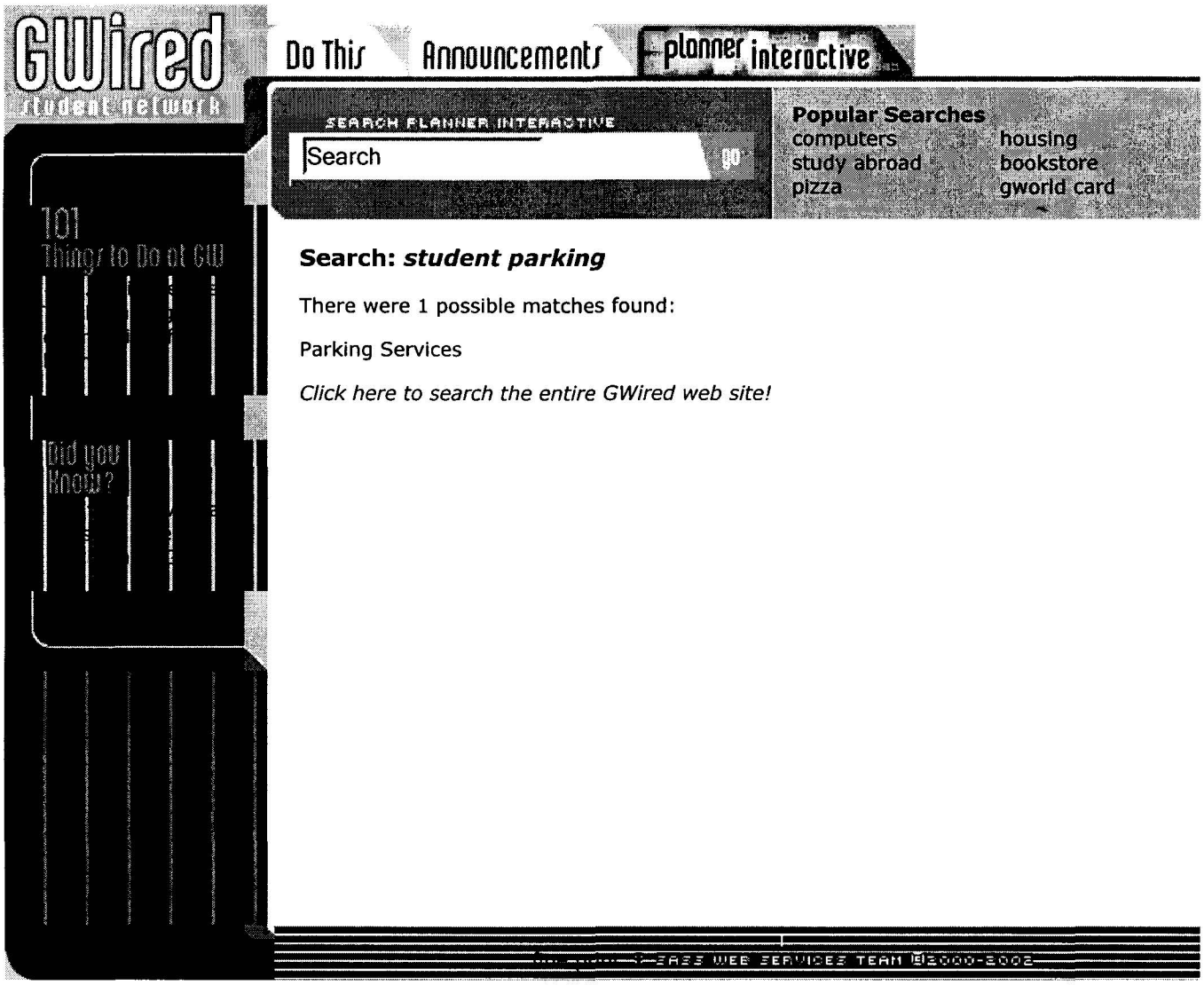
Cloyd Heck Marvin Center

TicketMaster

Click here to search the entire GWired web site!

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Search: *student parking*

There were 1 possible matches found:

Parking Services

Click here to search the entire GWired web site!

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THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON DC

Parking Services

Manager: Byron Wills

2211 H Street, NW
994-7275

- Supervises student parking on campus.
- Motorcycle Parking

  Lot A - Next to Support Building

- Disabled Student Parking

  To arrange accessible parking, contact Disability Support Services at 994-8250, or c Parking Office at 994-7275.□

- Lots operate on space available basis.
- University lots located at:

  Marvin Center Garage, H Street, between 21st and 22nd Streets, Monday through F 7am-midnight
  University Garage, 2211 H Street (student entrance on 22nd Street), 6am-1am
  Lot A, F Street between 20th and 21st Streets, 7am-8:15pm

- For security reasons, vehicles not admitted to surface lots after 6pm, unless lock-up spaces are available.

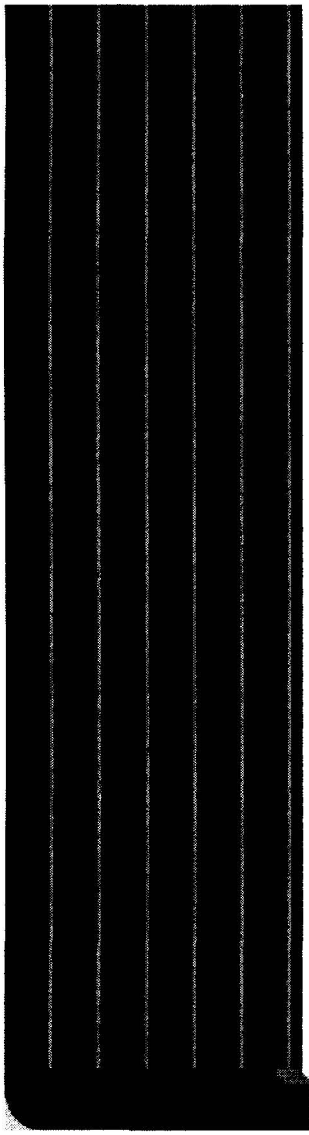
- Overnight Parking (Residence Hall Students)

  Overnight parking available in University lots only with purchase of special monthly Available to residence hall students at $189 per month including 12% DC tax.

  Availability of decal subject to change without notice.

  Monthly permit only allows students to park overnight
  does not guarantee holder space.

- If authorized student monthly permit areas are filled, student must wait until space becomes available.
- Regular semester decals are available at on-campus locations at the rate of $650. Semester decals are also available at the HOVA Garage at the rate of $500.



- Daily Rates* (Including tax)

  Weekdays: $6.00 ticket (7am-5:30pm & 1pm-midnight)
  Overtime: An additional fee of $3.75 ticket (when parking before 1pm & leaving afte 5:30pm)
  Saturday & Sunday: $3.75 ticket (when lots are attended)

- Tickets and Decals (Non-residents)

  Non-residents must display valid semester parking decal and present daily student p ticket when using University lots.

  Daily Parking Tickets available at the Marvin Center TicketMaster Office.

  Student decals issued upon presentation of valid GW identification card, current sch of classes, and current vehicle registration.

  Car must be registered in student's or family's name.

  Both resident and non-resident students must display semester decal by end of seco week of classes.

- Decal authorizing both day and night parking is issued to full-time students who reg for both day and evening classes. Day decal valid between 7am-midnight.
- Separate decal issued to students registered for night classes only. Any class held a 3pm is considered a night class. Night stickers valid 1pm-midnight.
- Day students taking six or fewer semester hours will have daytime parking limited to or days on which classes meet, but may park any day after 1pm.

* All fees and taxes noted are subject to change

[illegible] GWSAS WEB SERVICES TEAM ©2000-2002

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