



CONSORTIUM OF UNIVERSITIES OF THE WASHINGTON METROPOLITAN AREA

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April 24, 2006

Ms Sharon Schellin
Acting Secretary to the Zoning Commission
Office of Zoning
441 Fourth Street, NW
Suite 200 South
Washington, D C 20001

Comments on Proposed Text Amendments on Inclusionary Zoning ZC Case No. 04-33

Dear Ms Schellin

On behalf of the Consortium of Universities of the Metropolitan Area, we hereby submit the following comments on the above-referenced text amendments. The Consortium of Universities is comprised of fourteen colleges and universities in the Washington region. Seven of its members, American University, The Catholic University of America, Gallaudet University, The George Washington University, Georgetown University, Howard University and Trinity University have multiple university housing facilities and could therefore be impacted by the text amendments as drafted¹

Section 2602.3 of the proposed text exempts certain residential facilities from the application of the inclusionary zoning program, including "dormitories". While we support this exclusion, we believe that it should be broadened to include "university housing". "University housing" would be defined to mean "housing developed by, or on behalf of, a local college or university for students, faculty or staff of that college or university."

The exemption for "dormitories" is insufficient because "dormitories" is an undefined term under the Zoning Regulations. Under section 199.2, terms not defined in the regulations have the meanings given in *Webster's Unabridged Dictionary*. The dictionary definition defines dormitories by their physical layouts and would not include e.g., buildings that are configured as apartments that are occupied entirely by students. Thus, the term "university housing" more accurately identifies that specialized housing for the university population.

¹ The University of the District of Columbia has limited student housing that would be impacted by the text amendment.

American University • The Catholic University of America • Gallaudet University • George Mason University
The George Washington University • Georgetown University • Howard University • Joint Military Intelligence College
Marymount University • National Defense University • Southeastern University • Trinity College
University of the District of Columbia • University of Maryland College Park

ZONING COMMISSION
District of Columbia
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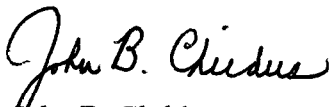
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Moreover, District of Columbia colleges are becoming increasingly interested in developing housing, not just for their students, but for their faculty and staff as well. Indeed, the Consortium sponsored a recent seminar on faculty and staff housing that was well attended. Any such housing developed for this population should not be subject to the inclusionary zoning program for several reasons. First, university housing would serve a specialized, restricted population and thus need not serve the same interests as a facility intended for the general community. Second, while the universities would likely provide such housing to its employees at a discounted rate, educational institutions should not be restricted to the affordable housing program embodied in the text amendment in all of its detail. This specialized university population would have incomes and needs distinct from the general population and thus the inclusionary zoning program is far too restrictive.

Any inclusion of university housing in the inclusionary zoning proposal would likely stymie such housing, thus undercutting an opportunity to bring even more of the working population of local institutions into the District as tax paying residents. University housing should be encouraged, not hamstrung by regulations not relevant to the university population. In addition, the definition of "university housing" should not be restricted to housing located on local campuses. Housing for staff and faculty, in particular, may well be located off campus near local universities in order to preserve limited campus space for student housing. It is the character of university housing that should exempt it from the inclusionary zoning program, rather than its location.

For these reasons, we request that the Commission expand the scope of the exclusions in Section 2602.3 to include "university housing", as defined above, so that such housing would not be covered by the inclusionary zoning proposal.

Sincerely,

A handwritten signature in cursive script, reading "John B. Childers".

John B. Childers
President and CEO

cc Board of Trustees