

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 16-18
Z.C. Case No. 16-18
Georgetown University (2017-2036 Campus Plan)
December 1, 2016

Pursuant to notice, the Zoning Commission for the District of Columbia (“Commission”) held a public hearing on December 1, 2016 to consider an application by Georgetown University (“University”) for approval of the 2017–2036 Campus Plan (“2017 Campus Plan”) pursuant to Subtitle X 101.8 of the District of Columbia Zoning Regulations (“Zoning Regulations”), Title 11 of the District of Columbia Municipal Regulations. The 2017 Campus Plan includes the University’s Main Campus and Medical Center as well as the MedStar Georgetown University Hospital (“Hospital”), and it is bounded by Glover Archbold Parkway on the west; National Park Service property along the Chesapeake and Ohio Canal, Canal Road, N.W., and Prospect Street, N.W. to the south; 35th Street, N.W., N Street, N.W. to 36th Street, N.W., and 36th Street to P Street, N.W. to the east; and Reservoir Road, N.W. to the north. In connection with the 2017 Campus Plan, the University requested flexibility from the special exception approval requirements of Subtitle X § 101.1 for certain minor projects and changes in use.

The Commission considered the application for the 2017 Campus Plan pursuant to Subtitles X and Z of the Zoning Regulations. The public hearing was conducted in accordance with the provisions of Subtitle Z, Chapter 4. As discussed below, no party, person, or entity appeared in opposition to the application at the public hearing. Accordingly, a decision by the Commission to grant this application would not be adverse to any party, and pursuant to Subtitle Z § 604.7, the Commission waives the requirements for findings of facts and conclusions of law. As set forth below, the Commission hereby approves the application.

Application, Parties, and Hearing

1. The property that is the subject of the 2017 Campus Plan consists of property located in Squares 1222, 1223, 1226, 1248, and 1321 (Square 1222, Lots 62, 801, and 802; Square 1223, parts of Lots 65, 66, and 67, and Lots 86, 807, 808, 809, 810, 812, 815, 826, 827, 831, 834, 843, 846, 847, 852, 853, 855, 857, and 858; Square 1226, Lots 94, 95, 96, 97, 98, 99, 100, 101, 105, 106, 107, 108, 803, 804, 806, 811, 812, 813, and 814; Square 1248, Lots 150, 151, 152, 153, 154, 155, 156, 157, 160, 161, 162, 800, 801, 802, 804, 806, 829, 830, 831, 834, and 835; and Square 1321, Lots 811, 815, 816, 821, 823, 824, 825, 826, 828, 829, 830, 831, 832, 833, 7000, 7001, 7002, 7003, 7004, 7005, 7006, 7007, and 7008) (“Property”).

2. The Property is currently subject to the 2010-2017 Campus Plan (“2010 Campus Plan”), which was approved by the Commission in Z.C. Order No. 10-32, as amended. The 2010 Campus Plan was approved based on a compromise reached among the University, Advisory Neighborhood Commissions (“ANC”) 2E and 3D, the Citizens Association of Georgetown (“CAG”), the Burleith Citizens Association (“BCA”), and the Foxhall Community Citizens Association (“FCCA”).
3. On September 1, 2016, the University filed an application for approval of the 2017 Campus Plan. (Exhibits [“Ex.”] 1-9Z.)
4. The 2017 Campus Plan was developed through the Georgetown Community Partnership (“GCP”). The GCP was established in 2012 to facilitate consensus-based decision-making among University administrators, students, and members of the surrounding residential communities through a collaborative process. The GCP was integral in the implementation of the 2010 Campus Plan, as well as the establishment of the framework, goals, and principles of the long-range planning efforts undertaken by the University that underpin the 2017 Campus Plan. (Ex. 8.)
5. Prior to filing the 2017 Plan, on July 15, 2016, the University mailed a notice of intent to file the campus plan to all property owners within 200 feet of the campus as well as to ANC 2E, ANC 3D, CAG, BCA, and FCCA. The University also presented the 2017 Plan to each ANC after mailing the notice and prior to filing of the plan. Accordingly, the University satisfied the notice requirements of Subtitle Z §§ 302.6 and 302.8. (Ex. 5.)
6. In addition to the formal pre-filing notice requirements, the University also published a draft of the 2017 Campus Plan on its website on June 6, 2016 and established a portal for public comments to be submitted, reviewed, and addressed. The comment period ran from June 6th to July 15th; during the comment period, representatives from the University and the Hospital, as well as community representatives of the GCP conducted multiple briefings on the Plan for students, faculty, staff, and neighbors. Copies of feedback received and the University’s responses were published on the website, and the feedback resulted in multiple changes to the Plan. (Ex. 5, 32C.)
7. The 2017 Campus Plan satisfied the filing requirements of Subtitle X, Chapter 1 and Subtitle Z, Chapter 3. (Ex. 7.)
8. At the September 26, 2016 public meeting, pursuant to Subtitle Z § 101.9, the Commission voted to waive the posting requirements of Subtitle Z § 402.4 because they imposed an undue burden. The Commission required the University to post all frontages of the campus that face property not owned by the University, which is consistent with the posting requirements for campus plans in the previous 1958 Zoning Regulations. Notice of the public hearing was otherwise provided in accordance with the requirements of Subtitle Z, Chapter 4. (Ex. 15-17, 29, 44.)
9. On October 31, 2016, as a part of its pre-hearing submission, the University filed a Comprehensive Transportation Review (“CTR”) for the 2017 Campus Plan in the record

of the case. The CTR was previously submitted to the District Department of Transportation (“DDOT”) for review in August 2016. (Ex. 32-32C, 33-33B.)

10. On November 10, 2016, the University filed a supplemental prehearing submission that detailed justification for the areas of flexibility sought as a part of the 2017 Campus Plan. (Ex. 40.)
11. The Property is located primarily within ANC 2E, with a small sliver of the western edge of the campus located within ANC 3D. Accordingly, ANCs 2E and 3D were both automatically parties to the case, and each ANC submitted a report in support of the 2017 Campus Plan. (Ex. 11, 24.) CAG, BCA, FCCA, and the Georgetown University Student Association (“GUSA”) all submitted requests for party status in support and sought advance party status consideration pursuant to Subtitle Z § 404. (Ex. 12, 14, 25, 27, 30, 31-31A, 34-39.) The Commission granted party status to all four parties at its November 14, 2016 public meeting.
12. On November 16, 2016, the Commission received a request for party status in opposition. The request was later withdrawn based on agreement between the potential party and the University. (Ex. 41, 45, 46.)
13. On December 1, 2016, the Commission held a public hearing in accordance with Subtitle Z § 408. Representatives of the University, ANC 2E, ANC 3D, CAG, BCA, FCCA, and GUSA all provided testimony and evidence in support of the 2017 Campus Plan. (Ex. 47-54.) No person, party, or entity appeared in opposition to the application. One individual appeared as “undeclared.”
14. The Office of Planning (“OP”) and DDOT each submitted reports and testified in support of the 2017 Campus Plan, based on the proposed conditions of approval included in the Campus Plan. (Ex. 42, 43.) DDOT’s report also recommended potential additional mitigation measures. The University agreed to a number of these additional measures and submitted revised conditions of approval reflecting these additional measures. (Ex. 55.) The Commission agreed with the University that the additional measures proposed by DDOT, but not agreed to by the University, were unnecessary.
15. Pursuant to Subtitle Z § 506.5, at the close of the hearing, the Commission voted to approve the application, provided that the areas of flexibility requested by the University would be reviewed by the Commission as a modification of consequence pursuant to 11-Z DCMR § 703.

As directed by Subtitle Z § 408.8, the Commission has required the University to satisfy the burden of proving the elements that are necessary to establish the case for approval of a campus plan pursuant to Subtitle X § 101. The University has proposed a series of conditions of approval, endorsed by the GCP, the ANCs and other parties in support, OP, and DDOT, that will address the potential impacts of the University. (Ex. 9FF.) As discussed above, these proposed conditions were updated during the course of the proceedings. (Ex. 46, 55.)

As required by law, the Commission must give “great weight” to the recommendations of OP as well as ANC 2E and 3D as the affected ANCs, which is satisfied by the Commission acknowledging the written reports of OP, ANC 2E, and ANC 3D, and their unanimous support for the 2017 Campus Plan. The Commission finds this evidence to be persuasive.

Based upon the record before the Commission, the Commission concludes that the University has met the burden of proof, pursuant to Subtitle X § 101.14, and that the 2017 Campus Plan may be approved. The 2017 Campus Plan is in harmony with the general purpose and intent of the Zoning Regulations and Map, and it will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. Pursuant to Subtitle X § 101.11, the Commission concludes that the 2017 Campus Plan will further multiple policies of the District Elements of the Comprehensive Plan, as detailed in the Plan and in the OP Report.

DECISION

It is, therefore, **ORDERED** that the application for approval of the 2017–2036 Georgetown University Campus Plan be **GRANTED** subject to the following conditions:

Term

1. The Campus Plan is approved for the period January 1, 2017 through December 31, 2036.

Georgetown Community Partnership

2. During the term of the Campus Plan, the University shall work collegially with the parties through the Georgetown Community Partnership to successfully implement this Campus Plan. Any development on the Main Campus shall be consistent with the University's goal of developing an integrated living and learning campus and the community's goal of as rapid a transition as possible toward a more residential undergraduate on-campus environment.
3. The Georgetown Community Partnership ("GCP") shall continue to serve as a mechanism for collegial and productive discussion of the Plan's implementation, and for engaging in long-term planning work. The GCP shall be co-chaired by a member of the University's senior leadership and a designee of ANC 2E and have a steering committee composed of University senior leadership and persons selected by ANC 2E (including at least one student who serves on ANC 2E), ANC 3D, CAG, BCA, FCCA, and GUSA. For such time or times when the GCP anticipates it is about to engage in a longer-term discussion about a specific issue (e.g., a further processing application or an amendment to the Campus Plan), the GCP shall strongly consider adding a second student who is an ANC Commissioner to the Steering Committee. Persons selected by ANC 2E and ANC 3D serve in their individual capacity and not as ANC Commissioners. In addition, MedStar Georgetown University Hospital (“MGUH”) has an *ex officio* seat. The GCP shall also provide an opportunity for broad community and University participation on an issue-by-issue basis. The GCP shall engage a facilitator (funded fully by the University

but selected jointly by the University, ANC 2E, ANC 3D, CAG, BCA, and FCCA leadership). The facilitator shall be responsible for balancing collaboratively the interests of the University, MGUH, ANC 2E, ANC 3D, CAG, BCA, FCCA, and GUSA leadership to achieve the purposes and ongoing operation of the GCP and its working group structure. The GCP framework shall continue to include a working group structure that shall address the key issues (e.g. public safety, trash, transportation, parking, off campus conduct, housing, enrollment, beautification) to facilitate in-depth discussions on core issues.

4. The University shall continue to work with the community parties, through the GCP, together with such outside advisors as are jointly agreed upon to develop and implement tools for measuring and mitigating the impacts of residential and non-residential graduate students on the Georgetown, Burleith, and Foxhall communities.¹
 - a. Through reasonable techniques such as, for example, incentives or the provision of University-sponsored graduate student housing elsewhere, the University shall manage the impact of its graduate student enrollment so the impact is not objectionable during the term of the Campus Plan.
 - b. The University shall continue to explore the feasibility of developing competitive and marketable University-sponsored graduate student housing outside of the Georgetown, Burleith, and Foxhall communities.

Undergraduate Housing

5. During the term of the Campus Plan, the University shall continue to provide competitive and marketable on-campus undergraduate housing. The University shall provide special emphasis on renovating current on-campus housing, with a focus on senior and junior living communities such as Henle Village, Village A, and Alumni Square considered as priorities. The University shall also adopt appropriate sustainable measures, in consultation with the GCP, so that as of fall 2030 and maintained for each semester thereafter during the term of the Campus Plan, an additional 244 Traditional Undergraduate Program students (who would otherwise be expected to live in the surrounding community and whose alternate living arrangements demonstrably reduce the number of undergraduate student group houses² in the surrounding community) shall be housed on campus or outside of Zip Code 20007 ("Housing Commitment"). (Ex. 9O.) Such measures may include raising the occupancy rate of the number of on-campus beds

¹ For purposes of these conditions, the Georgetown, Burleith, and Foxhall communities are defined as the neighborhoods bounded on the east by Rock Creek and Potomac Parkway, on the south by the Potomac River, on the west by Canal Road and the Georgetown Reservoir, and on the north by Whitehaven Parkway to Foxhall Road to Hoban Road to Reservoir Road to 39th Street to Whitehaven Parkway (including the 1900 blocks of 39th and 38th Streets) to Whitehaven Street to Dumbarton Oaks Park on the north.

² For purposes of this condition, an undergraduate student group house is a single-family house where traditional undergraduate program students reside, other than a house where the majority of residents are not traditional undergraduate program students. The GCP will examine the application of this definition from time to time and, if need be, the GCP can adopt by consensus adjustments to the definition.

required by the 2010 Campus Plan as of Fall 2015 (i.e., 5,438 beds) above 95%. Such measures might also include, for example, some credit for an increase (above an agreed upon number based on historic experience) of students studying abroad or elsewhere, to the extent the GCP upon analysis concludes there is a demonstrable and sustainable causal link to the reduction as described above. Alternatively, the University may meet the Housing Commitment by providing additional on-campus beds through the renovation of existing on-campus buildings or the construction of new housing facilities as follows:

- a. During the term of the Campus Plan, the University shall maintain on-campus housing for at least 5,438 students, subject to the provision in Section 5, above, regarding the possibility of providing additional on-campus beds;
 - b. No new residence hall (if any) constructed during the term of the Campus Plan shall be located on the Main Campus east of 37th Street or elsewhere within Zip Code 20007, unless the University receives permission from the relevant civic organization (e.g., CAG, BCA, or FCCA), the relevant ANC (ANC 2E or ANC 3D), and the Commission;
 - c. To implement the Housing Commitment above, the University shall be permitted to continue to use existing portions of the Leavey Center for residential use without additional further processing review;
 - d. To implement the Housing Commitment above, the University shall be permitted to repair, renovate, remodel, or structurally alter such facilities, as well as construct modest increases in gross floor area that are required to meet code requirements, improve accessibility, and create a more competitive and marketable living experience, without further processing approval, provided that such plans are approved by the Commission as a modification of consequence pursuant to 11-Z DCMR § 703. Such increases in gross floor area shall not exceed 15% of the existing gross floor area of the residence hall. Any exterior alteration resulting in an increase in gross floor area pursuant to this section shall be permitted only if reviewed with and concurred to by the GCP as well as, as required, reviewed by the Old Georgetown Board and the U.S. Commission of Fine Arts; and
 - e. In the event that St. Mary's Hall is converted to residential use, appropriate screening and mitigation measures shall be addressed in conjunction with any further processing application for the same.
6. The University shall limit the use of townhouses located on the west side of the 1400 block of 36th Street, N.W. to faculty and staff housing. Notwithstanding the foregoing, the properties located at 1412, 1420, and 1426 36th Street, N.W. may continue to be used for daytime administrative uses previously approved by the GCP, provided that there shall be no on-street parking connected with such use. In the event that the existing daytime administrative uses are discontinued, the properties shall be used for faculty and staff housing.

7. During the term of the Campus Plan, the University shall be permitted to change the use of properties located east of 37th Street and within the boundaries of the Campus Plan for either academic/administrative or residential/campus life without further processing approval, provided that the change in use is approved by the Commission as a modification of consequence pursuant to 11-Z DCMR § 703. Any change in use to an academic/administrative use shall also be subject to review and approval by the GCP. To the extent that the University may, in the future, change current uses of townhouses located on 36th Street between N and O Streets, the University shall, in connection with townhouses repurposed for student housing, make best efforts to use such townhouses for special interest housing (e.g. La Casa Latina, Black House, etc.) in an effort to provide a balanced mix of community, social, and student life activities.
8. The University shall require all Traditional Undergraduate Program students (as defined in Condition 10) to live in University housing during their first year (freshman as well as transfer sophomore and transfer junior students under 21), sophomore year, and either junior year or senior year, except for study abroad students, commuters, veterans, married students, and students with medical conditions or disabilities, religious beliefs, or other restrictions that are inconsistent with residence hall life.

Maximum Total Enrollment

9. During the term of the Campus Plan, the Main Campus student headcount shall not exceed 14,106 students. For purposes of this condition, the Main Campus student headcount shall be defined as the Georgetown University total student body³, minus the number of students (by headcount) who are not registered for any courses located at the Main Campus (e.g. students who are registered for courses located only at off-campus locations (such as the Law Center, SFS-Qatar, and other locations not at the Main Campus ("off-campus")), students studying abroad, and continuous registration students) and senior citizens auditing courses located at the Main Campus:
 - a. Growth towards the above maximum shall be gradual and measured; it shall not be linear, but reflected in tranches as new programs come online, culminating in a number that approaches but does not exceed the Main Campus student headcount;
 - b. In the event that the University locates programs currently located on the Main Campus to satellite locations outside of Zip Code 20007, such actions shall result in a corresponding reduction in the Main Campus student headcount. The University shall be permitted to replace such students on the Main Campus, and shall work to do so in a way that minimizes impacts; and

³ The Georgetown University total student body shall be defined as the total number of students reported under the Integrated Postsecondary Education Database System (IPEDS), which was established by the National Center for Education Statistics, a division of the U.S. Department of Education, and is a standardized definition for student enrollment at institutions of higher education in the United States. The official count of the Georgetown University total student body shall be taken in the Fall semester on the census date identified by the University for purposes of its IPEDS reporting. The University shall also conduct a second count in the Spring semester using the same methodology. For the Spring semester, enrollment headcounts shall be calculated on a date reasonably determined by the University to reflect the maximum undergraduate enrollment for that semester.

- c. The University shall maintain the senior citizen auditor program.
10. During the term of the Campus Plan, the Traditional Undergraduate Program student headcount shall not exceed 6,675 students. For purposes of this condition, the Traditional Undergraduate Program student headcount shall be defined as the Main Campus student headcount as defined in Condition 9 plus students studying abroad minus the number of graduate students, professional students, students enrolled in the School of Continuing Studies, non-degree students and students returning for their second degree in nursing, all by headcount (for purposes of Conditions 8 and 28 of this Order, each such student counted under the Traditional Undergraduate Program student headcount being a “Traditional Undergraduate Program student”).
 11. During the term of Campus Plan, the Medical Student Program headcount shall not exceed 830 students. For purposes of this condition, the Medical Student Program headcount shall be defined as all students enrolled in the Doctor of Medicine (MD) degree program who are registered in at least one course on the Main Campus.
 12. The University shall provide the GCP, prior to the end of each Spring and Fall semester, a complete report on the student enrollment maximums set forth in Conditions 9 through 11 above. The report shall also contain information on other categories of undergraduate students (as defined under this Campus Plan), and graduate student enrollment. The report shall also contain the number and location of all University-provided student housing as well as progress toward the Housing Commitment set forth in Condition 5 above. The Report shall contain a certificate as to its accuracy signed by the Provost of the University.

The University shall work with the GCP to develop metrics for analysis and establish benchmarks for evaluating changes in the number of Traditional Undergraduate Program and graduate program students living in the Georgetown, Burleith, and Foxhall neighborhoods as well as the number of Traditional Undergraduate Program, graduate program, and mixed program student group houses in those neighborhoods. The University shall work with the GCP to begin to develop such metrics and to establish such benchmarks prior to the Fall 2017 semester, in order to work toward a baseline for measuring:

- (a) Progress toward the Housing Commitment set forth in Condition 5; and
- (b) Changes associated with enrollment pursuant to the limitations set forth in Condition 9.

Beginning in Fall 2017, and for each semester thereafter, the University shall include such information as the GCP may request on the number and type of group houses in the surrounding neighborhoods and the number and type (e.g., Traditional Undergraduate Program) of undergraduate students and the number and type of graduate students living in the surrounding neighborhoods pursuant to these agreed upon metrics and benchmarks in each semester's Enrollment and Housing Report. The Report shall contain a certificate confirming that such information was collected in accordance with

the request and pursuant to any agreed-upon metrics and is accurate to the extent of the University's knowledge.

13. Each January during the term of the Campus Plan, the University shall provide the GCP a letter from an independent firm jointly selected by the University and the community parties and responsible equally to all members of the GCP (but wholly funded by the University) certifying that the enrollment numbers and University-provided housing numbers for the preceding Fall and Spring semesters are accurate and have been calculated in conformity with this Order. Unless agreed to by all members of the GCP, the independent firm shall not be required to certify the accuracy of information reported pursuant to Condition 12.

Quality of Life Initiatives

14. The University shall commit sufficient resources (financial, personnel, intellectual capital, etc.) to the University's Quality of Life Initiative to support a safe community, educate students to be good neighbors, and successfully mitigate the impacts of trash, noise and student behavior as follows:
 - a. Initiatives shall include programs such as the Student Neighborhood Assistance Program ("SNAP"), the late-night Metropolitan Police Department ("MPD") reimbursable detail, regular trash and litter pick up patrols as needed, education of students about the responsibilities of living in a residential community, the Helpline, and late-night transportation services during nighttime weekend hours:
 - i. The University shall continue to ensure that SNAP, the MPD reimbursable detail, and the Georgetown University Police Department ("GUPD") are proactive in addressing issues as well as responsive to calls;
 - ii. The University shall continue to run the late night shuttle (or equivalent services as reviewed and approved by the GCP), to supplement nighttime neighborhood transportation options;
 - iii. The University shall continue to require all undergraduate students who live off campus during the academic year and during the summer to attend an orientation program that shall address "good neighbor" issues, reminding and educating students about appropriate conduct in the off-campus community. This program shall especially emphasize objectionable noise both inside and outside of buildings, underage drinking, applicable rules and standards regarding proper disposal of trash and recyclables, restricted parking in the West Georgetown, Burleith, and Foxhall neighborhoods, and University expectations that all students conduct themselves in a respectful and responsible manner as members of the local residential community; and

- iv. The University shall continue to maintain and publicize a helpline available 24 hours per day, seven days per week to receive calls about noise and other quality of life issues; and
 - b. The University shall be permitted to modify these programs only as necessary or appropriate to increase efficacy (that is, to focus on results). Through the GCP, the University shall continue to evaluate and collegially develop meaningful ways to enhance the efficacy of these programs based on suggestions and feedback received through the GCP from neighbors, students, and other stakeholders.
- 15. During the term of the Campus Plan, the University shall continue to maintain policies that: equalize party policies for on and off campus parties; and reduce the impacts of off campus student parties. Specifically, the University shall:
 - a. Maintain a policy that states that living off-campus is a privilege, not a right, taking into account conduct and seniority; students who have engaged in serious or repeated misconduct shall not be permitted to live off-campus;
 - b. Maintain a noise policy that specifically provides that "excessive noise inside or outside a building" is unacceptable. This will mean that if noise can be heard beyond the property line, it is probably too noisy, taking into account the time and the nature of the activity generating the sound. Violations of the noise policy shall be part of the Code of Conduct;
 - c. Maintain student conduct policies to assure that the environment for students to host social gatherings (including parties where alcohol is served) is at least as welcoming on campus as off campus in order to encourage students to initiate socializing on campus and/or to return to campus for late night socializing. Specific policy and practices shall continue to include:
 - i. Permit students of legal age living in apartments, townhouses, and other living spaces on campus to host parties in impromptu ways, eliminating the need to register parties well in advance;
 - ii. Train Residence Life staff and GUPD staff to manage student parties on campus in ways that allow those parties to continue whenever it is reasonable to do so (acknowledging that safety is still a primary concern), making it significantly more likely that on campus parties shall be allowed to continue;
 - iii. Educate students in ways that encourage them to socialize on campus in safe and appropriate ways; and
 - iv. Maintain transparency in operations and results to the maximum extent possible via the GCP; and

- d. In addition to the foregoing, the University shall investigate reports of improper off-campus student conduct and respond to behavior found to violate the Student Code of Conduct promptly with appropriate sanctions. Egregious or repeat violations of the Code of Conduct shall be subject to serious sanctions up to and including separation from the University.
- 16. Through the GCP and with the community, the University shall engage city agencies (DCRA, DPW, MPD) to give vigorous attention to housing code, basic business license, trash, and public safety issues.
 - 17. The University shall maintain a program to provide its students who are eligible to live off-campus with information about housing opportunities outside the West Georgetown and Burleith neighborhoods.
 - 18. During the term of the Campus Plan, the University shall publish and maintain a list of rental properties in the West Georgetown and Burleith neighborhoods that maintain a basic business license according to DCRA's website, including:
 - a. The University shall maintain the University's posted list of "properties of concern" (properties that are the recipient of three or more credible complaints received by Georgetown over a two-year period);
 - b. The University shall coordinate with DCRA to address problem properties in West Georgetown, Burleith, and Foxhall;
 - c. The University shall continue and enhance a landlord marketing campaign to encourage and promote "good neighbor" behavior from local landlords; and
 - d. The University shall maintain a policy that requires students maintain properties that they rent in the same manner that they would be expected to if they owned the properties (e.g., snow removal and yard maintenance as required by District of Columbia law). Violations of the off-campus property maintenance policy shall be part of the Code of Conduct.

On-Campus Social Life Improvements

- 19. During the term of the Campus Plan, the University shall continue the productive work toward improvements to on-campus facilities to promote student life on campus (i.e., green space for outdoor campus socializing, academic spaces such as libraries and study rooms, recreational and athletic facilities, student activity spaces, and other social gathering spaces).

Comprehensive Transportation Plan

- 20. The University shall continue to monitor and evaluate the campus roadway network and the Georgetown University Transportation Shuttle ("GUTS") system with regular

consultation and input through the GCP and with DDOT, with the goals of enhancing the GUTS system and maximizing the use of the Canal Road entrance for all GUTS routes except the Wisconsin Avenue route as follows:

- a. By June 1, 2017, the University shall install (and thereafter maintain) enhanced GPS (or another form of effective Automatic Vehicle Locator technology) as well as Automated Passenger Counters in all GUTS vehicles;
- b. The University shall maintain traffic control gates (or similar devices) at the Canal Road entrance that shall restrict use of the Canal Road entrance for left turns during the AM peak period (6:00 a.m.-10:15 a.m.) to GUTS vehicles, which shall be the only vehicles equipped to activate such gates or devices during such period and to use the left turn lane to exit the campus during such period. The University shall evaluate the effectiveness of such measures and, from time to time as appropriate, may modify the control mechanism or other operational measures limiting left turns to GUTS vehicles during the AM peak period;
- c. The University shall monitor the Canal Road and Reservoir Road corridors to assess University-related impacts on traffic conditions. The design, construction, and modification of any curb cuts or traffic signals along either corridor shall be reviewed with the GCP, and final design shall be subject to review and approval by District of Columbia public space officials; and
- d. Until the commencement of construction of the planned medical/surgical pavilion at MGUH, the Wisconsin Avenue GUTS route shall be permitted to use Entrance 1 on Reservoir Road. During construction, the Wisconsin Avenue GUTS route shall utilize a temporary location acceptable to the GCP, MGUH, DDOT, and the University. After completion of construction, the Wisconsin Avenue GUTS shuttle route shall not use Entrance 4, unless the University secures GCP and MGUH review and approval for such use, based on a demonstration that measures shall be implemented to mitigate successfully any adverse impacts (e.g., noise, light, and air quality).

21. Pedestrian and Bicycle Network:

- a. During the term of the Campus Plan, the University shall implement the pedestrian and bicycle infrastructure improvements shown on Figure 22 of the Georgetown University 2017 Campus Plan CTR, dated October 2016 and, prepared by Wells + Associates. (Ex. 33A.) The design and construction of any improvements within public space shall be subject to review and approval by District of Columbia public space officials. The University shall consult with the GCP and DDOT on the design of such improvements located on private property;
- b. The University shall continue to explore and evaluate improvements to Healy Circle and the main campus entrance at the intersection of 37th Street and O Street in support of its ongoing commitment to create a more pedestrian and bicycle-

friendly campus and in the context of its broader campus sustainability objectives. Future improvements to Healy Circle shall still allow vehicular access for special events and emergency access needs, but design shall be for non-auto users;

- c. The University shall integrate bicycle routing and wayfinding information into campus wayfinding systems; and
- d. At such time as a potential Palisades Trolley Trail extending to the University's main campus comes to fruition, the University shall work with DDOT to explore the feasibility of providing a connection on the University's property to the Trail.

22. Transportation Demand Management:

- a. The University shall continue to adhere to its Transportation Demand Management ("TDM") Plan, as discussed on pages 68-69 of the CTR), to promote greater use of the GUTS bus system, transit, bicycling, carpooling, satellite parking, and other transportation alternatives. (Ex. 33.) The University shall implement TDM measures sufficient to ensure that peak hour vehicle trips shall not exceed 632 trips during the AM peak hour and 591 trips during the PM peak hour (Performance Target Commitment). In addition, as an aspirational goal, the University shall strive to achieve a peak hour trip threshold that is below 593 AM peak hour trips and 532 PM peak hour trips. The University shall be permitted to update the TDM Plan, in consultation with the GCP and with DDOT, to enhance its efficacy during the term of the Campus Plan consistent with the performance standards set forth above. MGUH performance targets and aspirational goals are set forth in Condition 32;
- b. To assess the University's efforts towards achieving the Performance Target Commitment and aspirational goal described above, the University shall conduct an Annual Performance Monitoring Study. The Study shall include: (1) measurement of University vehicle trip generation; (2) a University-wide transportation survey (including determination of mode split); (3) GUTS ridership counts utilizing AVL and APC data; (4) a summary report on TDM activities and expenditures; and (5) parking occupancy counts. The Annual Transportation Performance Monitoring Study shall be conducted in accordance with the methodology outlined on pages 69-72 of the CTR, as modified with the five items listed on page 17 of the DDOT Report. (Ex. 33, 43.) The Annual Transportation Performance Monitoring Study shall be submitted to the GCP and DDOT by December 31st each year during the term of the Campus Plan; and
- c. If the results of the Annual Transportation Performance Monitoring Study reveal that the Performance Target Commitment outlined in Condition 22(a) is not met, the University shall work with the GCP and DDOT to review the then-current TDM strategies and associated expenditures and to develop an increasingly robust plan to augment existing and/or implement more stringent TDM strategies to enhance performance. Furthermore, the University shall conduct and submit a Supplemental Performance Monitoring Study by June 30th of the same academic

year to track progress toward the Performance Target Commitment. If the Performance Target Commitment is not met in the following fall, the additional TDM strategies and associated expenditures shall become increasingly more stringent, and the University shall work with the GCP and DDOT to develop additional TDM strategies not currently included in the TDM Plan, until such time as the Performance Target Commitment is met.

23. Events:

- a. All weekday evening performances at the Davis Performing Arts Center expected to draw more than 100 visitors shall begin no earlier than 7:00 p.m., unless agreed to by the GCP; and
- b. Weekday athletic events at Cooper Field expected to draw over 100 visitors shall begin before 4:00 p.m. or after 7:00 p.m., unless agreed to by the GCP.

24. Deliveries: The University shall require its vendors to use the Canal Road entrance to make regular deliveries between the hours of 8:00 p.m. and 6:00 a.m. Special deliveries in unusual circumstances may be allowed from time-to-time other than through the Canal Road entrance after 8:00 p.m., provided such deliveries are quiet and not disruptive to the neighborhood. The University shall inform its vendors that deliver other than through the Canal Road entrance between 6:00 a.m. and 8:00 a.m. are discouraged and shall take appropriate corrective action in response to meritorious complaints that such a delivery is not quiet or is disruptive to the neighborhood.

Parking

25. The University shall continue to maintain a parking inventory of no more than 4,080 parking spaces within the Campus Plan boundary as defined in Condition 36. In addition:
 - a. Spaces set aside for car sharing vehicles such as Zipcar or as charging stations for electric vehicles shall not count towards this limit; and
 - b. By December 31, 2022, the University shall install four 240-volt electric car charging stations in Leavey Garage and/or Southwest Garage.
26. The University shall create incentives to encourage students living off campus not to bring cars to campus. In particular, the University shall provide space for Zipcar or other carsharing service vehicles on campus and shall work with DDOT to continue to expand the availability and use of the Capital Bikeshare program on and near the Main Campus.
27. The University shall develop and implement a parking management system that promotes use of satellite parking by students arriving for daytime classes by car and on-campus parking by students arriving for evening classes by car. Students shall be firmly directed to use such University or satellite parking facilities or use public transportation alternatives. The University shall continue to work with the community, DDOT, and

DPW to: (a) develop and implement changes to the management of the on-street parking supply on the streets within and proximate to the campus; and (b) ensure regular enforcement of District of Columbia laws and regulations regarding on-street parking, and shall engage the GCP on this issue as helpful and appropriate.

28. Subject to reasonable, very limited exceptions, all Traditional Undergraduate Program students (as defined in Condition 10) shall be prohibited from bringing cars to campus or parking their cars on the street in Georgetown, Burleith, and Foxhall. Violations of the parking policy shall be part of the Code of Conduct. Notices of this parking policy shall be provided to students and to the parents of Traditional Undergraduate Program students.

Limitations on University's Property Acquisitions

29. During the term of the Campus Plan and except for apartment properties along MacArthur Boulevard between Foxhall Road and Reservoir Road (which shall not be used for undergraduate student housing), the University shall not purchase or enter into a lease or other arrangement for additional property in Georgetown, Burleith, Foxhall, and the Palisades⁴ outside of the Campus Plan boundaries for use as student housing, unless the University receives permission from the relevant civic organization (e.g., CAG, BCA, or FCCA) and the relevant ANC (e.g., ANC 2E or ANC 3D). For apartment properties along MacArthur Boulevard for graduate student housing, the University shall discuss the proposed use with leaders of FCCA, the Palisades Citizens Association ("PCA"), and ANC 3D, to the extent such discussions do not adversely impact the confidentiality of negotiations.

Penthouses

30. During the term of the Campus Plan, the University shall be permitted to adaptively reuse and expand penthouses on existing buildings for habitable uses without further processing approval, provided that the Commission approves the plans as a modification of consequence pursuant to 11-Z DCMR § 703, and provided further that any changes proposed pursuant to this section are reviewed with and concurred to by the GCP.

MedStar Georgetown University Hospital

31. Deliveries: MGUH shall maintain its current delivery schedules and the current western delivery route during the term of the Campus Plan, including during and after construction of the medical/surgical pavilion. Regular critical deliveries shall continue to occur outside the regular delivery hours of 8:30 a.m.-4:30 p.m., and consist of a delivery

⁴ For the purposes of this condition, the Palisades is defined as the neighborhoods bounded by the Potomac River; the Maryland-District of Columbia Line; a line through the Dalecarlia Reservoir grounds at right angles to the District Line; to the intersection of Loughboro Road and Dalecarlia Parkway; the middle of Loughboro Road to Foxhall Road, east boundary of Battery Kemble Park to the middle of 49th Street; the middle of 49th Street to the southern boundary of Wesley Heights Park; the southern boundary of Wesley Heights Park to the middle of Foxhall Road; and the middle of Foxhall Road extended to the Potomac River.

for medical and surgical supplies, a delivery for pharmaceuticals, a delivery for linens, occasional deliveries for patient care equipment and oxygen, and deliveries for food (which number no more than four to six per day). In addition, urgent or unplanned critical deliveries may also occur, as patient needs demand, between 6:30 a.m. and 8:30 a.m. Emergency deliveries for the immediate saving need of patients may occur as needed. During emergency operations (such as snowstorms or citywide disasters) deliveries temporarily may occur as needed. Proposed future recurring deliveries outside of the regular delivery hours may be added only if reviewed by and concurred to by the GCP.

32. Transportation Demand Management:

- a. MGUH shall implement TDM measures sufficient to ensure that peak hour vehicle trips shall not exceed 1,379 trips during the AM peak hour and 1,062 trips during the PM peak hour (Performance Target Commitment). In addition, as an aspirational goal, MGUH shall strive to achieve a peak hour trip threshold that is below 1,328 AM peak hour trips and 1,007 PM peak hour trips. MGUH shall be permitted to update the TDM Plan, in consultation with the GCP and with DDOT, to enhance its efficacy during the term of the Campus Plan consistent with the performance standards set forth above. After the first 10 years that the Campus Plan is in effect, MGUH shall do a joint “look back” with the GCP and DDOT on the results at the midpoint of the Plan and make adjustments to the TDM Plan as necessary. If agreement is not reached between MGUH and the GCP at the 10-year “look back” as to the scope and nature of those adjustments, community organizations represented on the GCP (collectively the “community parties”) or MGUH may suggest a proposed MGUH TDM commitment for the remaining years of the Campus Plan and the University shall, upon the request of the community parties or MGUH, submit the matter to the Commission for review and determination;
- b. To assess MGUH’s efforts towards achieving the Performance Target Commitment and aspirational goal described above, MGUH shall conduct an Annual Transportation Performance Monitoring Study. The Study shall include: (i) measurement of MGUH vehicle trip generation; (ii) a MGUH-wide transportation survey (including determination of mode split); (iii) GUTS ridership counts utilizing AVL and APC data; (iv) a summary report on TDM activities and expenditures; and (v) parking occupancy counts. The Annual Transportation Performance Monitoring Study shall be conducted in accordance with the methodology outlined on pages 9-12 of the CTR Addendum, as modified with the five items listed on page 17 of the DDOT Report. (Ex. 33B, 43.) The Annual Transportation Performance Monitoring Study shall be submitted to the GCP and DDOT by December 31st of each year; and
- c. If the results of the Annual Transportation Performance Monitoring Study reveal that the Performance Target Commitment outlined in Condition 32(a) is not met, MGUH shall work with the GCP and DDOT to review the then-current TDM

strategies and associated expenditures and to develop an increasingly robust plan to augment existing and/or implement more stringent TDM strategies to enhance performance. Furthermore, MGUH shall conduct and submit a Supplemental Performance Monitoring Study by June 30th of the same academic year to track progress toward the Performance Target Commitment. If the Performance Target Commitment is not met in the following fall, the additional TDM strategies and associated expenditures shall become increasingly more stringent, and MGUH shall work with the GCP and DDOT to develop additional TDM strategies not currently included in the TDM Plan, until such time as the Performance Target Commitment is met.

33. Lombardi Bus Turnaround: MGUH shall work with the University to develop a mutually acceptable plan for the construction of a new bus turnaround at Lombardi Circle. MGUH shall endeavor to relocate its oncology patient care services away from the bus turnaround within 18 months following the date on which the medical/surgical pavilion first opens for the delivery of care to patients. MGUH intends to open the Lombardi Circle turnaround within six months after the oncology patient care services are relocated and, barring any unforeseen construction delays of the medical/surgical pavilion, no later than August 15, 2022. In the event that the medical/surgical pavilion is not constructed, MGUH and the University shall work with the GCP to ensure that a turnaround on the northern portion of the campus is operational no later than August 15, 2022.

Reporting and Compliance Review

34. By November 30th of each year of the Campus Plan term, MGUH shall file an annual compliance report with the GCP that addresses MGUH's compliance with conditions 31-33 above.
35. By November 30th of each year of the Campus Plan term, the University shall file an annual compliance report with the GCP that addresses the University's compliance with the above conditions, except for Conditions 5–11, which shall be reported pursuant to Condition 12, and except for Conditions 31–33, which shall be reported by MGUH pursuant to Condition 34.

Campus Plan Boundary

36. The Campus Plan boundary shall be that boundary depicted on Exhibit 9B of the record (which is the same as the Campus Plan boundary established by the D.C. Board of Zoning Adjustment in 2000 Plan).

Further Processing Applications

37. The University shall include ANC 2E, ANC 3D, CAG, BCA, and FCCA on all lists of property owners within 200 feet related to any campus plan amendment or further processing application under the Campus Plan.

Human Rights Act

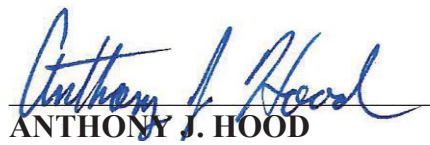
38. The University is required to comply fully with the provisions of the Human Rights Act of 1977, as amended, and this Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code section 2-1401.01, et seq. ("Act"), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income or place of residence or business. Sexual harassment is a form of sex discrimination, which is also prohibited by the Act. In addition, harassment based on any of the above-protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On December 1, 2016, upon the motion of Vice Chairman Miller, as seconded by Commissioner Shapiro, the Zoning Commission took **FINAL ACTION** to **APPROVE** the application at the the conclusion of its public hearing by a vote of **5-0-0** (Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to approve).

In accordance with the provisions of 11-Z DCMR § 604.9, this Order shall become final and effective upon publication in the *DC Register*; that is on July 21, 2017.

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.


ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION


SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING